# Remarks by the High Representative, Amb. Carlos Westendorp, to the OSCE Permanent Council

Chairman, Excellencies, Ladies and Gentlemen,

I very much appreciate this opportunity offered to me by you and the OSCE Permanent Council to share with you my reflections on the situation of the peace implementation process in Bosnia and Herzegovina two months after I took office as the High Representative.

But let me, above all, express my deepest appreciation for the decisive role played by OSCE in fostering democracy in Bosnia and Herzegovina, in particular at the occasion of the last year's legislative elections and in the preparation of this year's municipal elections.

Because of my overall responsibility for monitoring and coordination the implementation of the Peace Agreement, and as a member of the Provisional Election Commission, I have followed the OSCE's supervision of the preparation of these municipal elections. Furthermore, via our Principals Group established in Sarajevo, I have the advantage of close coordination with your Head of Mission to Bosnia and Herzegovina, Ambassador Frowick.

As you know, based on last year's experiences the Steering Board called for higher standards for the forthcoming municipal elections; full international supervision in all stages of the electoral process; and proper preparations for the post-election phase.

I am firmly convinced that the municipal elections must take place as scheduled. Further delays would result in a loss of credibility for the International Community and be damaging for the peace implementation process in general and, in particular, for the return of refugees and displaced persons.

Mr. Chairman,

Bosnia and Herzegovina is for all of us a matter of peace, democracy and economic reconstruction. The objective of peace is presently secured. But there will be no everlasting peace without a sound market economy and fully working democratic institutions. We have already run a long way towards these goals since the war ended; the common institutions are in place, there has been a first general election, a quick-start package of essential legislation has been adopted and we are progressing in key implementation items according to the Sintra Conference conclusions.

However, it is my deep concern that the pace of implementation of the peace agreements is too slow. We are running short of time and we have to speed up the process to this end. We should now tackle the real roots of the problem by addressing the fundamental obstacles to democracy, economic reconstruction and return of refugees and displaced persons.

These obstacles are the persistence in power of the elites that perpetrated the war, the political manipulation of the public media and the use of the old police structures to intimidate the population. There will be no real democracy, no security and therefore no substantial return of refugees, without these stumbling blocks being removed. Since I took office, my main concern has been to make every possible effort to remove them.

As far as public security is concerned, important achievements have been recently obtained. The special police has been put under SFOR control in accordance with Dayton. Agreements for

the restructuring of the normal police have been reached in the Federation. This week, restructuring of the Republika Srpska police has finally begun.

I am particularly worried about the developments concerning the public media in the whole country but mainly in Republika Srpska. The media are being clearly manipulated to project a negative image of the peace implementation process and endanger reconciliation. There will be no free and fair elections without a previous and full democratization of the media. I am engaged, together with Ambassador Frowick, SFOR and independent media representatives in tackling the most blatant breaches of media abuse.

We have been developing a strategy to deal with the outrageous level of disinformation being broadcast. This strategy hinges on a greater support of alternative media particularly in eastern RS and a direct engagement with the RS authorities to deal with the SRT issue at a political level. Much of this work is now carried out under the auspices of the newly formed Media Advisory Group (MAG). This is chaired by OHR and supported by OSCE and SFOR. The group has the advantage of combining the institutional experience of the OSCE, the operational capability of SFOR and the boosted authority of OHR in the light of the Sintra declaration.

As I said before, Mr. Chairman, the most important obstacle is the control of power by the old elites, in some cases under the clear influence of war criminals. There will be no real normalisation in the country as long as war criminals are still at large, pulling the strings of power. They must be sent, one way or another, to be judged by the International Tribunal in The Hague. At the same time , the old elites, with a divisive nationalistic speech, must be removed. We must give the people the chance to elect the authorities who will better serve their interest, who will look to the future and not to the past. I am here today to ask you for a new OSCE effort to help us give such a chance to the people of the Republika

Srpska.

The situation in the Republika Srpska is a very serious one. This Entity is already passing through a difficult period of economic degradation and growing poverty in detriment of the most and in benefit of a corrupted few. On top of that, the political situation has become so critical that a quick answer from the International Community is necessary and urgent.

Early this summer, the democratically elected President of the Republic; Biljana Plavsic , denounced the existence of widespread corruption, insecurity and manipulation of media. That demanded the dissolution of the National Assembly and called for new elections. The Supreme Court of the Republic, the Venice Commission and the International Community unequivocally endorsed the legality of these presidential decisions. However, the Constitutional Court of the Republic has recently overruled the legitimate presidential decisions. This confirmed our worst fears, based on declarations by its own President, who previously had announced that the ruling of the Court would be based not only on the legal and constitutional provisions but also – and I quote – on political, economic and social considerations.

The International Community has reacted by deploring this outrageous ruling, clearly taken under heavy political pressure. There is evidence of this pressure: one of the Court judges has been physically attacked and the recent investigation carried out by IPTF in the Banja Luka police station has yielded proof of intimidation of the judges, as well as evidence of crimes against fundamental rights and human rights violations.

In these circumstances, the political crisis in the Republika Srpska has reached a point of no return and stopped the implementation of the peace agreements. I am firmly convinced that the only possible way of resolving the conflict and avoiding further degradation is for the people to decide. A

new election is therefore necessary. If the International Community refuses to take this step, this would amount to supporting the factic powers which are impeding the resumption of the peace implementation process. The election must, furthermore, take place as soon as possible. Every day that is spent can only lead to a worsening of the crisis.

As you may understand, Mr. Chairman, the situation does not allow the local authorities to fully manage the electoral process.

The Permanent Election Commission was envisaged to take over responsibility for future elections in Bosnia and Herzegovina after the municipal elections this summer. The crisis in the Republika Srpska has now totally changed this situation.

I already wrote to you, Mr. Chairman, on 6 August that we concur with and support President Plavsic's appeal for new National Assembly elections in order to support the democratic development of Republika Srpska. Our support was based on the understanding that elections, to be deemed free and fair, should be supervised by the OSCE and be conducted according to the Rules and Regulations enacted by the Provisional Election Commission. The recent developments are the best confirmation that OSCE must be actively involved in this new electoral process.

A democratic solution of the current crisis is essential to reset in motion the peace implementation process, to the democratisation of Bosnia and Herzegovina and to the reinsertion of Republika Srpska into the mainstream of Western civilisation. I expect from all the OSCE members the necessary support for free and fair elections in Republika Srpska in the shortest delays possible. As you very well know, Mr. Chairman, in democracy political crises can only be solved by giving the people the right to decide.

Thank you very much.