

Schwarz-Schilling: Time to Re-launch Constitutional Reform



Bosnia and Herzegovina needs an institutionalised and transparent constitutional-reform process, the High Representative and EU Special Representative, Christian Schwarz-Schilling, wrote today in his weekly newspaper column.

In his article, which appeared in *Dnevni avaz*, *Nezavisne novine* and *Večernji list*, Mr Schwarz-Schilling wrote that following talks with party leaders he hoped it would be possible to set in motion “a process that culminates in a settlement that will both successfully balance the interests of all peoples in Bosnia and Herzegovina and help speed this country’s Euro-Atlantic integration”.

“I am pleased to say that most party leaders have been constructive in these talks and have shown a willingness to move beyond unilateral declarations and media sound bites to engage in practical dialogue within the framework of an institutionalised constitutional-reform process,” the High Representative and EU Special Representative wrote.

“Bosnia and Herzegovina has a particularly complex constitutional arrangement,” he continued. “The current set-up was agreed at Dayton, during peace negotiations after nearly four years of war and is an integral part of the peace accord.”

The High Representative and EU Special Representative pointed out that the peace accord has enabled Bosnia and Herzegovina to move forward and to establish peace and security, but warned that it also created a complicated and inefficient structure that will increasingly hamper this country’s future

development.

“Now that the peace implementation process and with it the institution of the High Representative are gradually coming to an end – and Euro-Atlantic integration is the key task – it is time to reform the constitution and develop a stable, self-sustaining and efficient state structure,” Mr Schwarz-Schilling wrote.

“The so-called April package remains on the table and, if adopted in its current form or revised form, would represent an important step forward,” he continued. “It would not, however, be the end of the process but the beginning.”

The High Representative and EU Special Representative explained that other countries that have undergone successful constitutional reform have usually established constitutional-reform commissions or conventions to provide the institutional framework.

He suggested that such a process should be set within the country’s institutions – primarily the Parliament – and led by BiH politicians with input from across BiH society, including civil society, supported by facilitation and assistance from the international community.

“The international community – in particular the European Union and the United States – stands ready to assist with facilitated guidance, but ultimately this reform must be taken forward and agreed by Bosnia and Herzegovina’s political leaders,” he wrote. “This will require constructive engagement and a willingness to make compromises.”

The full text of the High Representative/EU Special Representative [weekly column](#) can be found at www.ohr.int and www.eusrbih.org.