

# Speech by High Representative Valentin Inzko To the UN Security Council



## Elections Can Create Momentum for Change

Mr President, Your Excellencies, Ladies and Gentlemen,

These days are special days for Bosnia and Herzegovina, as it is celebrating 18 years of its admission to the United Nations. But they are also special for my home country Austria as it was presiding the Security Council in the month of May, exactly 18 years ago.

The then Austrian Ambassador Dr. Peter Hohenfellner, as President of the Security Council, on 20 May 1992 proposed to this body to adopt a Decision recommending to the General Assembly that Bosnia Herzegovina be admitted to the United Nations.

At the same meeting the UN Security Council unanimously adopted Resolution Nr. 755 (1992) endorsing this recommendation.

The Security Council President also expressed in a prophetic way that "All members of the Council are confident, that Bosnia and Herzegovina will make a significant contribution to the work of the organisation".

Upon this historic recommendation, Bosnia Herzegovina was admitted with General Assembly Resolution Nr. 46/237 without vote, 18 years ago, on 22 May 1992 as a member of the United Nations.

I wish to use this occasion to congratulate Bosnia Herzegovina wholeheartedly, and I am very glad that – as predicted 18 years ago – Bosnia and Herzegovina is indeed making a significant contribution to the work of the organisation as non-permanent member in the Security Council.

I am very pleased to see today President Silajdzic sitting in the Security Council, as it was him who 18 years ago, as Minister of Foreign Affairs worked tirelessly for Bosnia and Herzegovina's recognition and membership in the United Nations- he did so then without having had an office or even a fax connection. He has witnessed the tremendous progress of his country – from war and admission to the organisation, to the election into the Security Council.

We should keep this achievement of Bosnia and Herzegovina's foreign policy at the forefront of our thinking as we deal in detail with the challenges that the country still faces.

The country is facing problems that urgently need to be solved – but the fact is that it has come a long way and we should use this progress as an incentive to complete the work which remains ahead.

Membership of the Security Council is the greatest and most visible reflection of Bosnia and Herzegovina's new standing in the international community.

In addition, this year the country has substantially completed the road map that may make it possible for Bosnian citizens to travel to countries in the European Schengen area without first having to apply for a visa. The EU's recommendation in this regard is still pending, but could come as early as next week.

Furthermore, last month at its summit in Estonia, NATO agreed to a Membership Action Plan for Bosnia and Herzegovina on condition that the issue of the state's ownership of military real estate is resolved. This success came as Bosnia and Herzegovina had already decided to accelerate the destruction of unsafe weapons and explosives left over from the war and to deploy troops to the NATO-led mission in Afghanistan.

These three examples show how Bosnia and Herzegovina can concretely move forward, to the benefits of its citizens and the counties of the region.

I believe that an additional factor which strengthened Bosnia and Herzegovina's progress during the reporting period – and one that has received much too little attention – is the recent and much hoped for significant improvement in regional cooperation, and consequently in the prospects for regional reconciliation, that is now evident.

Put simply, the Western Balkans is a much better neighbourhood now than it was two or three years ago.

In the spirit of regional reconciliation, leaders and parliamentarians in Croatia and Serbia have addressed the tragedy of the 1990s in an honest and decent way. Let me here refer to President Tadic's efforts and Serbia's Parliament's declaration on the Srebrenica genocide, or the admission by Croatia of its role in the atrocities of the 1990's. This is creating space for a new and constructive dialogue that will benefit people throughout the Western Balkans. It should be mentioned in this context that Turkey's role in this process has also been very constructive – as was illustrated by the signature of the Istanbul declaration on improving relations between Bosnia and Herzegovina and Serbia. In the same spirit, leaders of the region as well as of the wider international community will gather on 11 July for the 15<sup>th</sup> commemoration of the atrocities in Srebrenica. And President Silajdzic is travelling today to a historic and unprecedented visit to

Belgrade to strengthen this neighbourhood relationship. Similarly, President Josipovic will visit during the coming week-end places of atrocities in Central and Northern Bosnia in a gesture of reconciliation.

This is a major step forward – and we must seize the possibilities that it opens up.

The informal EU/Western Balkans summit, which should gather some 40 delegations in Sarajevo on 2 June can additionally boost this trend towards regional reconciliation and forward-looking cooperation.

The coming and recent visits to Bosnia and Herzegovina by senior politicians and officials from the EU, the US and elsewhere reflect international interest in the country, but also some concern over the country's inability to take advantage of the possibilities that are now open to it.

As I pointed out when I spoke to you last November, Bosnia and Herzegovina remains afflicted by a lack of a basic – and fundamental – consensus about what sort of country it should be, or could be. Whether a more centralised state or a very decentralised one, and how to achieve either option.

### **Facing the truth**

The leadership of Republika Srpska has for example led the way in undermining state-level institutions and by threatening to hold an Entity referendum that would seek to repudiate the authority of the High representative and Decisions under Dayton.

Any Entity referendum challenging the authority of the Dayton Accords or the High Representative under Annex X – or impinging upon the constitutional responsibilities of the state – would be unlawful and would endanger the Entity

itself, as the Entities derive their legitimacy from the same Accords.

References to the possible “emergence of a new state”, and proposals that nationalist politicians should start discussing the “peaceful dissolution” of Bosnia and Herzegovina or that the country should not exist at all have been met by counter-statements to the effect that the disaffected elements are “welcome to leave”, but will not be allowed to take any part of the country with them.

Thus, while regional prospects for reconciliation have improved, the language and logic of politics inside Bosnia and Herzegovina appears to have rather deteriorated. After Serbia’s Parliament expressed its formal regret last March over the Srebrenica massacres, the Republika Srpska government threatened to retract its endorsement of the 2004 report which established the facts about the events of July 1995 in Srebrenica.

The truth about Srebrenica and other shameful episodes from the war has been well established by the International Court of Justice and the ICTY through criminal investigation, forensic research, and the testimony scrutinised and tested at war-crimes trials. The way forward is to face the truth and use it to ensure that such crimes are never allowed to happen again – not to deny the truth.

### **Entity strategies**

Excellencies,

While I have used my executive powers with the appropriate restraint, these were faced with continued resistance from the Republika Srpska.

On 14 December I extended the mandates of foreign judges and

prosecutors working in the War Crimes Division of the State Court. This decision, based on the country's obligations to the International Criminal Tribunal for the former Yugoslavia, enjoyed the unanimous support of the Peace Implementation Council's Steering Board. The decision has however been strongly criticised by this entity.

Meanwhile, there have been problems in the Federation of Bosnia and Herzegovina, where a divided government has limped from crisis to crisis during the reporting period.

The Federation has failed to complete the appointments to government and Judiciary functions and to make budget cuts required by the IMF in the face of determined opposition from members of war veterans' organisations. The Federation has considerable difficulties to deal efficiently with the necessary IMF conditions, which may affect the Bosnia and Herzegovina's fiscal sustainability in the medium- and long-term. In this regard, as far as IMF negotiations are concerned, the situation is much better in Republika Srpska.

Let me give another example of the difficulties we face, with the 22 December ruling of the European Court of Human Rights against discrimination of minorities in the election to the state-level Presidency and House of Peoples. While Republika Srpska representatives would agree to narrow constitutional amendments that would implement the 22 December ruling, Federation politicians, on their side, insist on more wide-ranging changes, seeking to use the court's verdict to promote their own – very different – visions of how the country should be restructured.

The net result is that the ECHR ruling will not be put into practice before the 3 October general elections, meaning that this autumn once again not all citizens will be able to candidate to all positions. This issue must be a top priority of the new government.

## **Meeting citizens' needs**

This chronic political disagreement has occurred at a time when unemployment has continued to rise, living standards have continued to fall, and the capacity of the authorities to meet the basic needs of citizens has been systematically eroded by declining revenue.

With great difficulty the relevant authorities are striving to meet the IMF terms for a €1.2 billion Stand-By Arrangement. At the same time, generous development assistance continues to come from the World Bank, the EU and other international financial institutions and bilateral donors. However, none or very few of the key reforms that would allow the country to take full advantage of this assistance, and which would revive the economy and reverse the decline in employment and living standards, has been enacted during the reporting period.

## **Reforms and benefits interlinked**

Nor have the domestic authorities made any progress on the remaining objectives and conditions (the 5+2 agenda) set by the Peace Implementation Council Steering Board – as long ago as February 2008 – for the transition of OHR to a reinforced EU-led presence.

The objectives relating to state and defence property remain unmet. In December 2009 I provided the state, Entity and Brcko District governments with an inventory of the properties in question, but this has yet to jump-start constructive negotiation. Serb and Bosniak leaders rejected the OHR inventory – for opposite reasons. At the same time, the Entities have declined to conduct their own assessment of what it is that institutions require in order to function properly.

Now, unilateral steps to register properties under the ownership of the Entities or the state threaten the whole exercise.

NATO's decision in April to make a Membership Action Plan conditional upon the state taking ownership of properties required by the armed forces has so far shown no sign of producing a breakthrough.

All this means that the condition according to which the Peace Implementation Council must be in a position to make "a positive assessment of the situation in Bosnia and Herzegovina based on full compliance with the Dayton Peace Agreement" looks somewhat remote, and it is not clear when a decision to close the Office of the High Representative could be taken.

In this respect, let me here welcome the European Council conclusions of 25 January, expressing readiness to extend the EUFOR executive operation should the situation require it ; I myself remain convinced that we do need it beyond 2010 for reassurance purposes.

Yet the authorities have demonstrated that progress *can* be made, as they did push through reforms which have made the country's bid for visa liberalisation with the European Union a credible one. They did this in response to popular pressure on an issue where the connection between reform and immediate benefits to citizens was clear.

In this respect, I have repeatedly highlighted the need to stress the causal links between reforms required for Euro-Atlantic integration and the practical benefits citizens will derive from the process.

In the case of visa reform the authorities in Bosnia and Herzegovina showed that they are able to respond to the logic of popular demand. I believe this can be applied to other reforms as well that have been blocked until now.



In other words, the election campaign can actually be used to create momentum for change, instead of being used as an excuse to keep things as they are. Elections in October could in fact help, particularly if voters both seek to hold their representatives to a real accounting during the campaign and, then, turn out in force on Election Day.

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This year's election will see a surge of young people who are eligible to vote for the first time. This may alter the electoral arithmetic and even a modest change could produce more constructive coalitions in the next parliaments.

This is most likely to happen if the international community remains focused on Bosnia and Herzegovina, if it requires absolute respect for the Dayton Accords, and continues to foster a constructive atmosphere for constitutional and other reforms.

This is the way to get to the objective that we all want to reach – where Bosnia and Herzegovina can move towards full Euro-Atlantic integration under its own steam – and that means with full ownership of responsibilities that go along.

I am truly convinced that this possibility can become a reality, for Bosnia and Herzegovina. Its people have shown on many occasions that they have the talent needed. And I will, as High Representative but also the EU's Special Representative, continue to dedicate all my efforts to assist and support Bosnia and Herzegovina's efforts in this direction. The European Union too is firmly committed to accompany Bosnia and Herzegovina on this path, as was confirmed by High Representative Ashton's recent visit to the country.

Let me conclude by congratulating Bosnia and Herzegovina once again and by wishing it success in its contribution to the work of the UN Security Council.

Thank you.