

# Statement by High Representative Christian Schmidt: Functionality Package



Dear citizens of Bosnia-Herzegovina,

Thank you! Congratulations! You have today cast your votes and you have decided who will represent you and who will fight for your interests over the next four years.

I thank all those who did their best to ensure a proper election and to protect the integrity of the electoral process. I have seen with my own eyes that this was the case in most parts of the country and most polling stations.

About integrity, I offer a short but unequivocal announcement to those who have bad intentions or have shown bad behavior: be aware that we will use all possible means to detect and to punish.

To the voters, to you, I want to say that, while you were heading for the polling places to vote, I took decisions to ensure that your vote will matter and your democratic will shall be done.

You have fulfilled your responsibility in democratic voting. Now your will as voters has to be respected – what has to

follow is the swift formation of governments, parliaments, and judiciary bodies, ready to immediately tackle the numerous serious issues facing this country and its citizens.

This is necessary so BiH can advance on its path towards candidate status in the European Union.

All of us, especially those who are elected, must better prepare to fight the fight against corruption and nepotism. I will be closely on the side of those fighting this good cause.

We all know that many young promising people leave their parents and friends here, leave their home, often because they have a lack of confidence in their future in Bosnia and Herzegovina

But young friends, to address you, this country needs you, so let us work on improving the conditions here for you to stay.

Unfortunately, too much time has been lost. Necessary legislative or executive decisions are lacking transparency or are just blocked or not implemented.

It is crucial for the destiny of this country that there will be no blockades.

That is why I imposed measures that will improve the functionality of the institutions of the Federation. They will enable all citizens to have their voice heard, and to assure them that those whom they elected will represent them.

The changes I introduced today do not affect the votes you have cast. This is your vote. They are not about direct elections, this is your direct election. But, they are about the post-election party coalition negotiations and the establishment of indirectly elected bodies.

To say it clearly – this is not and cannot be the big reform of election law that is still needed and so much discussed. I strongly recommend distinguishing one from the other. This job

has still to be done and I am ready to play my part to support it.

My decisions will help enable this country to prepare these talks democratically and to produce results.

This is also not the implementation of state-level and international court judgements. This is still urgently needed. If I could and would have the right to do it myself, I would already have done it! But the right to amend the articles of the Dayton-State Constitution is exclusively reserved to the BiH parliament.

It is my urgent request to the today elected BiH parliament to go for a fast decision on what now for more than a dozen years has been only discussed, awaited, sometimes hidden under a cascade of words without consequences: Implement Sejdic-Finci, Zornic and the other court decisions from Strasbourg and Sarajevo! I will be in this team and help, as this needs a lot of work and consideration.

In the last few weeks, I have discussed these measures with many political leaders, academics, civil society organizations, and representatives of the international community. Various political parties presented proposals on how to improve the functionality of the State and the Federation.

They expressed concerns and ideas on how to keep the country and the peoples together. I took a lot into consideration.

However, the domestic leaders could unfortunately not reach a consensus on these questions among themselves. In the absence of a domestic consensus and in line with my mandate, and in reference to the peoples' needs, I looked for decisions and took them today.

The decisions introduce unblocking mechanisms and strict deadlines that will safeguard the functioning of the

Federation. Many procedures are simplified. Deadlines are introduced. And so are the consequences for ignoring those deadlines.

With today's decisions, no political party or anybody elected, will be able to hold the Federation hostage anymore.

And I expect a joint commitment to constructively work together.

I have embedded in the Constitution a plea for necessary cooperation, which is the basis of prosperity for all.

But let us be clear: nobody can order the will to work together on behalf of cantons, entities and the state. This precondition of success needs a mental and moral turn in some people's and politicians' minds here in Bosnia and Herzegovina.

I have also added a constitutional provision that provides a right of direct participation of everybody in the political decision-making, and for young people especially rights to bring forward their interests and needs. This is not ethnically based but will not hurt the right of constituent peoples to protect their vital interests. But I see it as urgently necessary to give the wisdom and commitment of the citizens of Bosnia and Herzegovina a better say.

There is a need for the constituent peoples to retain their safeguards, while ensuring that these safeguards cannot be used to paralyze the system. In this decision, I have increased the size of the House of Peoples. This allows a distribution of seats that corrects the over-representation of all three constituent peoples in some cantons addressed in the Ljubic case and as well in other decisions. And as well for the first time, Others from all cantons may be represented in the House of People of the Federation.

These decisions aim at preventing the paralysis of the

Federation after the elections. So, this is why I am doing and deciding it today. There is no way to undermine the structure of BiH as a single, sovereign state comprising two entities, with three constituent peoples and Others. And all have and shall get their right. We need a culture of dialogue and cooperation – functioning structures are the basis of that democratic culture. And we have to adapt the concepts of 1995 to a new, open and reasonable young generation. The world has changed, and we have to adapt democratic values!

By ensuring that the election results are implemented, that the new governments are in place, and that institutions can function, that judges are nominated and appointed, today's decisions protect all citizens, all constituent peoples, and Others.

Just in this moment one reflection and announcement from my side:

Parties, politicians, political gamblers who want to think that blocking decisions would be possible as a legitimate tool in multi-ethnic Bosnia-Herzegovina are wrong and I will use in future all my responsibilities to deblock! In all cases if necessary! In all cases if necessary!

I thank a lot of people with whom I exchanged ideas, including those with controversial proposals.

I believe in constructive dialogue and I invite to this dialogue.

I thank some for their personal patience and some constructive talk outside the public view. I felt a lot of wisdom and experience and I offer cooperation in the future, somehow a new approach. And this new approach has to include everyday people, NGOs, people of the arts, businesspeople, schoolteachers and pupils, professors and students.

We need a common understanding with the people for a

Bosnia and Herzegovina in the European Union. I invite citizens to work on this. I will help.

My first step is this decision. With this imposition, responsible political leaders can work with European Union, President Michel, President von der Leyen, and all Europeans to make the necessary progress.

Time is running out; they must go for a better status of Bosnia and Herzegovina as a Candidate for European Integration. I am convinced that they can achieve this together in the next months.

In the days ahead some will make claims about who wins and who loses with these decisions. A lot of this will be nonsense. The clear winners are the people of this country and their peaceful future.

The decisions I signed this morning enter into force as soon as they are published on the official OHR website or in the Official Gazette, whichever comes first.

Sve najbolje za Bosnu i Hercegovinu!