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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Doris Pack and Anna Ibrisagic

on behalf of the PPE-DE Group

on the outlook for Bosnia-Herzegovina

B6-0101/2006

European Parliament resolution on the outlook for Bosnia-Herzegovina

The European Parliament,

- having regard to the communication from the Commission to the Council on the progress achieved by Bosnia and Herzegovina in implementing the priorities identified in the 'Feasibility Study on the preparedness of Bosnia and Herzegovina to negotiate a Stabilisation and Association Agreement with the European Union (COM(2003)0692 final)' (COM(2005) 0529),
 - having regard to the Council Decision on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina (15267/05), namely the short- and medium-term priorities identified in the field of political requirements,
 - having regard to the Commission's 2005 enlargement strategy paper (COM(2005)0561),
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas on 25 January 2006 the EU started negotiations with Bosnia and Herzegovina for a Stabilisation and Association Agreement and whereas the European Union continues to present itself as a reliable partner for its neighbours, committed to promoting stable democracies and prosperous economies with a view to integration into the EU, especially for the Western Balkans,
- B. having regard to the urgent need to develop an efficient state administration and judiciary, establish modern, non-segregational education systems and, finally, promote social and economic inclusion measures for returnees in Bosnia ad Herzegovina and, in general, to the need for further vigorous reform efforts in order to give the economy a degree of competitiveness,
- C. whereas, according to the Commission's services, the Bosnia and Herzegovina SAA talks could be concluded in a relatively short period of time, depending on the country's ability to implement the required reforms, but the pace of reforms will depend very much on the ability of the three main communities to agree on a schedule,
- D. whereas the implementation of the Dayton Agreement has over the years contributed to deepening inter-ethnic division in Bosnia and Herzegovina,
- E. whereas, owing to this artificial settlement and to the large number of levels of government and their unwieldiness, the State's institutions cannot function properly, despite a long and painful process of transfer of powers from the Entities, and each ethnic group has the power to block the adoption of laws,
- F. whereas Bosnia and Herzegovina would not be able to achieve the necessary incorporation

of the EU acquis and integration into the EU with its present constitutional architecture and institutional framework,

G. whereas the newly appointed High Representative, who is an insider of the country, is for the moment not even involved in the ongoing negotiations,

1. Notes the breakdown, at mid-January 2006, of the talks between the Serb, Croat and Bosnian political party leaders initiated by an American NGO on the revision of some constitutional mechanisms, although they partially reached agreement on the strengthening of the Prime Minister's powers and the expansion of the central government;
2. Asks the government, the parliament and all parties in Bosnia and Herzegovina to continue actively to engage in discussions, building on what has already been agreed regarding possible constitutional reforms, which should be aimed at the inclusion of the values of democracy, human rights and equality among citizens of Bosnia and Herzegovina, with due regard for the relative strengths of the three constituent peoples of Bosnia-Herzegovina, at the simplification of State structures and the consolidation of the State's self-sustainability, avoiding any ethnic division and any cosmetic changes, in a spirit of local ownership;
3. Asks the Commission and the Council to finally involve themselves seriously in the common reflection on constitutional reforms and to support the country's political forces and citizens in finding a consensus to reform the political framework as set out in the Dayton Agreement, in order to establish effectively functioning administrative structures in Bosnia and Herzegovina;
4. Asks the new High Representative to play an active role as an effective mediator in this process, and praises his declared intention to scale down the use of the Bonn powers;
5. Recalls the importance for Bosnia and Herzegovina of a resolute transition from peace building to state building, of which the constitutional evolution forms part; recalls that the speed of SAA negotiations will depend, in particular, on progress in developing a proper legal framework and efficient public administration;
6. Warns the country's competent authorities and institutions in particular to honour their commitments to implement and complete, in accordance with the agreed contents and schedule, the public broadcasting, police, defence and intelligence reforms and to adopt and implement all necessary laws, as well as ensure full cooperation with the ICTY and compatibility of the Constitution with the European Convention on Human Rights;
7. Asks the government authorities to deploy renewed and sustained efforts for completing the process of return of refugees and displaced persons, especially from the point of view of the implementation of the conditions to make return sustainable (safety of the individuals, access to reconstruction assistance, employment, health care, pensions, utilities and education); expresses concern about the situation of the Posavina region in this respect and asks that appropriate help be provided to those wishing to return;
8. Stresses that constitutional reform is not a precondition 'per se' and cannot be imposed, but

that the SAA negotiations could not be finalised unless a consistent constitutional structure were actually set up in the country;

9. Instructs its President to forward this resolution to the Commission, the Council and the Government of Bosnia and Herzegovina.