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ON EUROPEAN
INTEGRATION**

**7th EP-Bosnia and Herzegovina
Interparliamentary Meeting**

**Monday, 23 May 2005 and
Tuesday, 24 May 2005**

Brussels

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SMZ/sw/pel

The meeting was opened at 15.10 pm by **Mrs Doris Pack**, Chairperson of the EP delegation, who, after addressing a warm welcome to the members of the Bosnia and Herzegovina delegation and the representatives of the EU, was pleased to recall the fruitful 5th Interparliamentary meeting held in 2004 in Mostar.

1. Adoption of the draft agenda

It was decided to discuss point 6 before point 5. With this modification, the draft agenda was adopted.

2. Approval of the minutes of the 6th Interparliamentary Meeting EP-Bosnia and Herzegovina, held on 3 November 2004 in Mostar.

It was decided to extend the deadline for approval of the minutes until the next day before the end of the meeting.

3. Political situation in Bosnia and Herzegovina and preparations in progress for the start of negotiations for a Stabilisation and Association Agreement: exchange of views with the Government of Bosnia and Herzegovina, the Presidency-in-Office of the Council and the European Commission

Mr Meyer, Conseiller de legation, took the floor on behalf of the Luxembourgish Presidency in Office and underlined the importance to be attributed to this 7th Interparliamentary Meeting (IPM), since European integration could not be achieved only at the diplomatic level but, more and more, was to be facilitated by democratically elected representatives. The Presidency had clarified previously that the pace of the European integration process for Bosnia and Herzegovina would depend a lot on the pace of necessary internal reforms. He summarised the results of the last meeting of the Consultative Task Force, which took place on 19 May 2005, which showed that the country had indeed made progress. The EU was looking forward to the pursuit of the good co-operation with the ICTY, with the aim that all indicted people would be arrested and delivered to the Tribunal. The two most important outstanding problems left before the possible opening of negotiations for an SAA were the reform of the police and of the broadcasting service. Unfortunately, the previous week Republika Srpska had lost an opportunity for approving the police reform, which had raised serious concerns that Bosnia and Herzegovina would "miss the train" of opening negotiations with the EU before the end of 2005. The European Commission was not in a position, yet, to recommend that, and the end of the year was really to be considered the last chance. He concluded by reminding the participants of the origins of the European Communities, when only a few countries participated in the project, and the successful story of their further development and enlargement, which had, nonetheless, always required a strong determination from the concerned players.

Mr Topcagic, Director at the Council of Ministers' Directorate for European Integration, spoke on behalf of the Government. He admitted that no agreement could be reached, for the moment, on the reform of the police, as the Consultative Task Force had also observed, but the country had made progress in many other fields: human rights, asylum, migration and various other sectors of Justice and Home Affairs, as well as in trade and in the single

economic area. He declared that Bosnia and Herzegovina should look into the future and, in this scope, the Government was preparing for future negotiations on the SAA and would use the experience of other countries. Twenty four new Institutions were on the point of being launched. Mr Topcagic was confident that the list of 16 points contained in the European Partnership would bring results well beyond its immediate scope. Concerning the obligation of a visa for the citizens of Bosnia and Herzegovina travelling to the countries of the EU, he stated that the Government had showed willingness and was prepared to resolve the problems pending, which would then lighten the system. Mr Topcagic was pleased to note that the programmes of technical assistance to the State Institutions, financed under CARDS, had given, so far, excellent results and expressed the hope that soon Bosnia and Herzegovina would be allowed to benefit of the ISPA and SAPARD pre-accession schemes. In the field of economy, he was pleased to note a rate of 5-6 % GDP growth and said that, at present, the Government's task was to examine how to put into practice with neighbouring countries the economic criteria of convergence fitting with EU requirements.

Mr Lange, Head of Unit at the Directorate General for Enlargement, spoke on behalf of the European Commission. He recognised that Bosnia and Herzegovina had made good progress, for example in the area of co-operation with the ICTY. Concerning the outstanding problems, he reported that, during the last meeting of the Consultative Task Force, it had been announced that the reform of the public broadcasting service would maybe be definitely approved by mid-June, and that discussions on the draft reform of the police would re-start soon, namely at the session of the Republika Srpska parliamentary assembly of 30 May. But other problems were important too, apart these two items, for example ensuring good governance and efficiency of the public administration. Unfortunately, the Consultative Task Force had not been able, at its last meeting, to recommend the opening of negotiations for an SAA. In the economic field, Bosnia and Herzegovina was making progress as well, for example showing better capacity of economic analysis. The EU would provide the country with around 50 Million Euro for 2005, and with the same amount for 2006. The Commission was examining possible changes in the calendar of publication of its SAP reports, and, possibly, it would decide to publish them at the same time as the regular reports concerning candidate countries.

Mr Suljkanovic spoke about energy. This was one of the 16 points of the programme prepared by the EU. Bosnia and Herzegovina had progressed in the field of integration of the energy market. An electricity regulatory commission and an electricity transmission company had been installed. Concerning the regional context, he announced that the Parliament of the former Yugoslav Republic of Macedonia would keep a part-session on the regional market of energy. The Treaty on the SEE Energy Community concluded under the offices of the Stability Pact was a step forward towards the EU. The Federation of Bosnia and Herzegovina had adopted, some days before, an Action Plan on Energy harmonised with the one of the Republika Srpska, and he was confident that it would produce good results.

Mrs Pack thanked Mr Suljkanovic for his intervention, and wished success to the country's energy policy, but reminded him that the point under discussion was the political situation in Bosnia and Herzegovina, especially the political blockades, like the reform of the police. She invited Mr Radovanovic to explain the attitude of the Republika Srpska in that respect.

Mr Radovanovic said that it was not true that the Republika Srpska was against the reform of the police. The Entity's Parliament believed that it would be useful to create, in Bosnia and

Herzegovina, regions with "functional borders", therefore respecting Republika Srpska's borders. Otherwise, it would be impossible to co-ordinate the activities of the police with those of the judiciary, for example. Of course, he agreed on the idea that no political interference would be acceptable in the police' activity, once the "functional regions" were created.

Mrs Pack invited him to consider the geography of Bosnia and Herzegovina. "Functional regions", if created, should in any case overcome the borders of entities and cantons. She asked him whether the Parliament of Republika Srpska recognised or not the necessity of the police reform. If the answer was no, then, the RS Parliament's session of 30 May would be for nothing !

Mr Radovanovic answered that, if the reform of the police had to take place, then the reform of the judiciary would become necessary as well. In reality, he did not believe that the new Bosnia and Herzegovina's regions, to be functional, would have to cross the Entities' borders. Another solution to make the police more efficient, would be to create multi-ethnic teams.

Mrs Pack asked the Commission's opinion on this proposal.

Mr Lange answered that the Commission wanted the country to be provided with a well functioning police. But now, it was not possible to state whether or not the reform of the police should be coupled with a reform of the judiciary.

Mr Radovanovic invited all the interlocutors not to concentrate only on the territoriality criteria for the reform of the police.

Mr Meyer brought the example of his country, the Grand Duchy of Luxembourg, which had signed a treaty with Belgium, allowing, under certain conditions, the police of one of the Parties to intervene in the territory of the other.

Mrs Pack observed that, after all, the internal borders of Bosnia and Herzegovina were artificial ones.

Mr Hegyi asked for a clarification on the real scope of the reform of the police: was it to make the police function better or to remove the internal borders of the country ?

Mr Lange answered that, obviously, the reform's scope was to improve functionality.

Mr Hegyi and Mrs Pack had an exchange on the artificiality of the internal borders, on the basis of the country's geography.

Mr Suljkanovic said that Republika Srpska politicians had circulated the misleading opinion that, by accepting the reform of the police, their Entity would cease to exist, which was not true.

Mrs Pack observed that the politicians of the Federation had also the task to convince their colleagues of the Republika Srpska that the reform of the police would not put in danger their Entity.

Mr Radovanovic said that the creation of cross-border circumscriptions of competence for the police did not offer any guarantee of better functioning. If there was no political will of co-operation, nor the technical facilities, the "functional regions" would be for nothing !

Mr Kacin observed that the real problem of the chain of command of the police was the language. Only the Entity's language was used so far. One of the main scopes of the reform should be to recuperate mutual trust between the public Institutions of the Entities. he brought the example of his country, Slovenia, which, together with Italy, had decided to install joint police teams.

Mrs Pack put the accent on the lack of administrative capacity of the police and asked what was being done for training.

Mrs Kallenbach observed that problems arose also from double structures existing in the country in the police sector, the international community's forces and the local forces. She encouraged a better co-operation.

Mrs Leho said that the main problem BiH was facing was that, for the last ten years, it had not adopted its own Constitution, like the other neighbours had done. Bosnia and Herzegovina's Constitution was part of a peace agreement. Transferring powers to the central level of the State was a long and painful process because of the war which had taken place in the country. Nevertheless, Bosnia and Herzegovina had made remarkable progress in many areas.

Mrs Pack encouraged the parliamentarians of Bosnia and Herzegovina to concentrate on the real problems, for example on the Action Plan for the reform of public administration, and also asked how was the veterinary control service functioning because, in case of failure, the country would not be in a position to collaborate with any Member of the EU.

Mr Topcagic reported that, in the fytho-sanitary sector, the Director of the relevant State agency had been appointed, but staff were not available yet and therefore the Agency was not operational. Also in the veterinary sector, some steps had been taken but the public service was not functioning yet.

Mrs Pack regretted to hear that progress in those fields was poor.

Mr Suljkanovic reported that Parliament had adopted a law on the veterinary system and services, but implementation was problematic. He also mentioned various other laws adopted.

Mr Muscat considered that foreign investment should be promoted much more. He asked in which direction the relevant State Agency intended to go and what facilitations foreign investors would be offered.

Mrs Leho answered that important reforms were being undertaken in the fiscal sector, which would encourage a lot foreign investment.

Mrs Pack asked information on the VAT legislation.

Mrs Leho explained that in 2004 Parliament had had very animated discussions on the VAT and in particular on whether to introduce a double or a single rate. Finally, it had been agreed to have a single rate. New legislation was supposed to enter into force on 1st January 2006 and there was the hope that it would boost the economy. Parliament had also decided to work, in parallel with the new taxation, on social programmes and incentives, with the help of international and EU experts. These programmes should, in a certain way, "compensate" the population for the introduction of the VAT. At a later stage, the Government and Parliament could examine whether to introduce a lower VAT rate for the foodstuffs for daily consumption.

Mr Muscat asked what amount of revenues the State was waiting for in 2006 from the single rate VAT.

Mrs Leho answered that those estimates would be available later on. The Authority for Indirect Taxation had just started its activities.

Mrs Pack asked for information about refugees and in particular what had been done for those who still wanted to return.

Mr Topcagic answered that Bosnia and Herzegovina had a law in force on refugee return, an Agency for the management of available funds and some funds earmarked. So far, compared to the applications received for property restitution, 93,4 % of the decisions had been positive.

Mrs Pack asked for clarifications on the special funds available, who/which Institution would pay to whom. And, concerning the numerous positive decisions on property restitution, she was afraid that those decisions would remain on paper and inquired whether physical restitution of properties had taken place.

Mrs Leho answered that the Council of Ministers had adopted internal rules for the management of refugee-related funds (she mentioned the amounts), and specified that part of the money had been allocated to returnees and part for the creation of new Agencies. What was more important, in her view, was the return sustainability.

Mr Suljkanovic specified that the total number of refugees and internally displaced persons had been statistically rectified by minus 10.000, following a revision of the status of these people. Nevertheless, problems remained. Apart from the unavailability of sufficient funds, some regions of the country were still mined.

Mr Radovanovic underlined that actual return and actual restitution of properties were the issues under discussion. He inquired what would be the fate of those who did not want to return, and noted that the provisions of the Dayton Agreement had not been applied in this field yet.

Mrs Pack stressed that she had information about some Croat people, wanting to return, who did not succeed in expulsing abusive Serb occupants from their homes, and viceversa.

Mr Radovanovic answered that such cases were very few.

Mrs Pack asked for information on restitution of religious buildings.

Mr Filipovic answered that Parliament had approved a law on the rights of religious Institutions and a commission in charge of restituting properties, chaired by a very experienced person, had been set up, under the authority of the Council of Ministers.

Mrs Pack observed that the problem of properties of religious Institutions was not a new one resulting from the war in Bosnia, probably it already existed under the regime of former Yugoslavia.

Mr Filipovic replied that future legislation would help in finding a definitive solution .

Mr Radovanovic observed that , in effect, the problem of restitution of Churches' properties was a long-standing one, and that, so far, discussions had concentrated only on the properties of refugees and internally displaced people.

Mrs Kallenbach asked to pay attention also to the cases of those who were renting, when talking about restitution of properties.

Mr Suljkanovic mentioned the problem, also raised by the European Parliament in its resolution of 14 April 2005 on the state of regional integration in the Western Balkans, of the discovery of depleted uranium contamination of water and ground samples taken from some parts of Bosnia and Herzegovina, and announced that in two weeks time a special meeting had been scheduled for taking stock of the situation and to respond to the tabloid sensationalism.

4. Situation of Bosnia and Herzegovina in the field of Justice and Home Affairs, with particular reference to preparations for the reform of the police and the co-operation with the ICTY (International Criminal Tribunal for former Yugoslavia)

Mrs Pack introduced the issue of co-operation with the ICTY, the reform of the police having been already dealt with under point 3 of the agenda. She explicitly asked her Bosnia and Herzegovina fellow parliamentarians whether Mr Karadzic and Mr Mladic were benefitting from any kind of protection, and whether they actually were hiding in the country.

Mr Radovanovic answered that that subject had already been discussed. Now, the European Commission had recognised the progress made by Republika Srpska. Moreover, Bosnia and Herzegovina had installed an intelligence agency, which would help in searching for the fugitives.

Mr Kacin considered such a kind of answer and attitude as unacceptable and scandalous, and recalled that war crimes had been committed, not only in Bosnia but also in Kosovo. He warned that Bosnia and Herzegovina would face huge problems in its way towards the EU, should progress in co-operation with the ICTY not be substantial. He invited his fellow parliamentarians to consider what happened to Croatia, which had not been able to start negotiations for accession to the EU so far. He was amazed that Serbia's Prime Minister, Mr Kostunica, was clearly informed on the fugitives' intention to surrender or not. The media had, of course, a big part of responsibility in the issue. He regretted to say that his Bosnia and

Herzegovina's colleagues' silence on the matter was not promising and warned them not to let the two country's entities remain hostages of themselves.

Baroness Ludford said she was embarrassed at the attitude of her Bosnia and Herzegovina's colleagues too. The European Union had already made it clear that, in order to progress towards EU integration, Bosnia would need to increase its co-operation with the ICTY. Mrs Del Ponte had declared that, should Mr Mladic and Mr Karadzic not be arrested before, she would not participate in the commemoration of the Srebrenica massacre. Clearly co-operation with the ICTY was impeded by a domestic political problem, and she wanted to know how they intended to proceed .

Mrs Pack mentioned the resolution of the European Parliament of 14 April 2005 on the state of regional integration in the Western Balkans, and in particular paragraph 11: "Calls on the Bosnian authorities, in particular the government of the Republika Srpska, to co-operate fully with the ICTY.....; Calls on the authorities of Bosnia and Herzegovina at all levels of the administration, civil society, the orthodox Church and all other responsible actors to do their utmost to bring Karadzic and Mladic before the ICTY.....". She warned her Bosnian fellow parliamentarians that the EU would not proceed to any agreements with Bosnia and Herzegovina without results in that respect. She also underlined that SFOR had not acted well or timely for the arrest of the fugitives.

Mr Topcagic said that, from the very beginning, all the Croat and Bosniak indictees had surrendered and voluntarily turned themselves in to the Tribunal in The Hague, including people with a very high position. He admitted that, recently, the Republika Srpska had changed its attitude, but people who had surrendered, had done so as a result of inputs from Serbia or other neighbouring countries. Co-operation of the Republika Srpska with the Tribunal was a question of vital interest, not only for the relations of Bosnia and Herzegovina with the EU but also for domestic reasons.

Mr Radovanovic said that the authorities and the parliamentarians of the Republika Srpska were conscious of the problem, but could not resolve it alone.

Mr Kacin (speaking in Serbian/Bosniak/Croat) considered that the EU had made a big mistake when accepting only one part of Cyprus into the Union, and was convinced that such a mistake should not be repeated. In fact, the Srebrenica massacre had not only been a problem for Bosnia, but one for everyone in the European Union. Probably, Croatia and the former Yugoslav Republic of Macedonia would start negotiations for accession to the EU before, but all of Bosnia and Herzegovina should accede the EU as a single and united country, when the moment would come, no matter what the Republika Srpska's opinion.

Mrs Kallenbach asked for information on the Government's action to fight against corruption.

Mr Topcagic admitted that corruption was a problem indeed. The Government was preparing a strategy and the Prime Minister had recently asked for Finland's assistance on it, Finland being one of the best rated countries in that respect. EUFOR had also promised to provide assistance in the field. He was pleased to note that the NGO Transparency International, specialised in combating corruption, was very active in Bosnia and Herzegovina.

6. Situation of Bosnia and Herzegovina in the field of the media, with particular reference to the public media

Mr Filipovic underlined that for the Croat people of Bosnia and Herzegovina this was a very important question, pending since a long time. He admitted that there were conflicts on the draft law on the reform of the broadcasting system and he recalled that the Croats and the Bosniaks had the power to veto that law, in the House of Peoples, on grounds of vital interest of their nation. Explaining why the Croats did not like the draft, he indicated that the law foresaw 3 broadcasters, one in the Republika Srpska, one in the Federation and one of the State. The Croats believed that each constituent people of Bosnia and Herzegovina with a recognised constitutional language should have a broadcaster. Therefore, the absence in the draft law of a Croatian language broadcaster would constitute a violation of the Bosnia and Herzegovina Constitution as well as of other international conventions. Under the regime of Yugoslavia, the Croats had their broadcaster and now it was difficult to understand why they should lose that right. The Croats had therefore tabled amendments to the draft law, but they had been rejected. Recently, the Croats had met the Deputy High Representative Butler and had a very frank discussion with him, asking that equality of the three constituent peoples of Bosnia and Herzegovina be guaranteed. The right to use the national language was a fundamental human right.

Mrs Pack replied that, if she had understood well the new draft of the law, there was no discrimination possible, only on grounds of the absence of a third Croat channel. She asked him whether he really meant this law would violate the human rights of the Croatian nation.

Mr Filipovic stressed that the rights of the three constituent peoples of Bosnia and Herzegovina should be respected. Provided that this would be the case and good will would be demonstrated, the Croats would not request the Croat broadcaster to recruit only Croatian staff, nor to have only one editor.

Mr Kacin recalled that the media had played a fundamental role during the war. Therefore, to really turn the page, Bosnia should have Croatian language programmes broadcasted in the Republika Srpska and Serbian language programmes in the Federation and also some programmes diffused in all the three languages of the country, for example the evening news. He gave the example of the European Parliament, where a tolerant multi-lingualism was the rule. If a Croatian channel was created, this would provoke a loss of unity for the State and increase division, for example in a place like Mostar, where people were already divided by the river, would then also watch different broadcasters !

Mrs Pack underlined that she fully understood the Croatian attitude and wondered why the law was necessarily like that and why one could not consider any of the amendments proposed by the Croats.

Mr Kacin said that, if a Croatian channel would be created, then the Federation would split into two parts.

Mrs Pack observed that, in that case, only one State television with its seat in Sarajevo would be enough.

Mr Lange clarified that the objective of the reform should be to ensure the equality of the languages of the three constituent peoples of Bosnia and Herzegovina.

Mr Zrno regretted that the debate was unnecessarily provoking much noise . In effect, there was a problem to resolve, and it could not be resolved in a rush. The installment of a single broadcasting system (one editor), provided with three channels and three languages would not entail any risk of separation. The Croats were not requesting a new Croatian television. The programmes of the three channels would be, more or less, the same. Of course, there would be different programmes in the cultural, or historical fields.

Mr Radovanovic added that each national channel should benefit everybody in the country, and certainly not be detrimental for anybody.

Mr Filipovic observed that each one should be free to watch the programmes of his/her choice, and this would not constitute a threat for the State's existence. The Croats only needed a mechanism to protect their interests.

Mrs Pack argued that it was not clear what the Croats really wanted to achieve and proposed to continue the discussion at the opening of the meeting the next day.

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The meeting was suspended at 18h30 and resumed the day after, 24 May 2005, at 9h05.

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Mrs Pack resumed briefly the discussion initiated the day before on the reform of the public broadcasting service and welcomed the representative of the Office of the High Representative, Mr Edward Llewellyn.

Mr Llewellyn, representative of the High Representative, observed that the public broadcasting system was a very important question and the main principle of the reform should be to ensure a fair access to all three constituent peoples of Bosnia and Herzegovina. He considered the draft laws under examination, fair and noted that they had been carefully checked by the Council of Europe. He stressed that there was the proposal to install a production unit in Mostar, which would produce programmes in Croatian language to be used by all the three broadcasters. Requesting a supplementary Croatian broadcaster would not be viable, from a financial point of view. The reform should become a factor of unity, and ensure cultural rights, certainly not a dividing issue. This was also a precise request of the EU.

Mrs Pack repeated what she had already objected to the day before, that the Republika Srpska had its own broadcaster, which made it difficult to understand why a Croatian broadcaster was now unacceptable.

Mrs Kallenbach recalled that one option would be to allow channels in the various languages, but diffusing substantially the same programmes.

Baroness Ludford stressed that, in effect, in Bosnia and Herzegovina there were not three different languages, but just three dialects, and that anyone could understand each other in the country.

Mrs Pack invited her to take into account the country's last 15 years history, as well as the cultural heritage contained in the languages of the country.

Mr Guardans observed that the problem was not linked to the money nor to the languages but to the political message contained in the new legislation.

Mr Radovanovic said that, in the Republika Srpska, apart from the own broadcaster, there was the joint Serbian/Croatian/Bosniak broadcaster, the State one.

Mr Kacin regretted to realise that the Bosnia and Herzegovina's colleagues were not providing the desirable answers, that it was necessary and crucial to make Bosnia a functioning State for the future, characterised by a "normal" environment. He repeated that the media had played a huge role in the early 90' in pushing people to war, and that the ICTY should even put some journalists on trial for their responsibilities.

Mr Llewellyn considered that adopting the law as soon as possible would be the best solution to avoid pursuing unnecessary and painful debates.

Mrs Pack regretted to say that still there was no explanation why a Croat living in the Republika Srpska was not able to listen to programmes in his language. She was confident that the new legislation, according to descriptions, would guarantee protection and equity in respect of the cultural heritage of the three constituent peoples. If this was the case, and taking into account the large technical facilities available in the field of communications, then it would be illogical for the Croats to insist as they did for the installment of a supplementary Croatian broadcaster, also because of the high costs this would entail. She proposed that the parliamentarians could limit themselves to state that the rights of the three constituent peoples should be respected in the context of the reform of the public broadcasting system.

Mr Filipovic replied that the new legislation, with the proposed amendments, would not put in danger the rights of anybody and that the media had stopped diffusing hatred. Nevertheless, he regretted to note that the debate was concluding by encouraging the adoption of a law which, by defining which are the "public broadcasters", with two Entities' broadcasters, did not guarantee equal treatment to one of the State's constituent peoples. The Croatian request would not entail excessive costs, the Croats would just request the opening of a new frequency.

Mrs Pack regretted to note that the debate was not conducive to a positive outcome. A channel, as it was requested by the Croatians in their previous interventions, was not the same thing as a frequency, which they had mentioned now.

Mr Llewellyn confirmed that in fact they were not the same.

Mrs Pack, in concluding the discussion, added that art. 9, point 2 of the law foresaw that a supplementary frequency would be granted when conditions would be fulfilled and wished the Croatian representatives success in their negotiations in the House of Peoples.

Mr Filipovic confirmed that this additional frequency was exactly what the Croatians wanted to have. In his view, there was no substantial difference between a frequency and a channel.

5. Further developments of the Dayton agreement

Mrs Pack introduced the item by recalling the numerous studies prepared on the subject and the various options for the amendment of the Bosnia and Herzegovina's Constitution. The Constitution had already evolved in time and in reality, with the institution of new State Ministries and especially the release of the well known sentence on the country's three constituent peoples. Moreover, the Dayton Agreement, which also contains the Constitution, had been signed by political leaders some of whom had died, some were in jail, therefore it was natural to conduct a "constitutional" reflexion. Nevertheless, the European parliamentarians would have the role of observers in it, and would not accomplish the steps which had to be done by the country's politicians. The EP would ask a common reflection of everybody, not only of the Republika Srpska, on how to improve the State's Constitution to make the country function better.

Mr Llewellyn recalled that two important anniversaries would take place in 2005, on 11 July the tenth anniversary of the Srebrenica's massacre and in November/December the tenth anniversary of the signature of the Dayton Agreement. A process of reflection, ten years after those events, had already started. By now, some constitutional changes, which would have been unthinkable ten years before, were already in the facts, such as, for example, the existence of a State Ministry for Defence. Secondly, the State disposed of revenues from indirect taxation, which were available for re-distribution to Entities. Thirdly, the State had a single intelligence service. The forthcoming step of the reform of the police would be the "plat de resistance": the fact that the draft law related to it foresaw the crossing of the Entities' borders was not to be interpreted as dangerous for the Republika Srpska. Notwithstanding, he admitted that, apart from "factual" constitutional changes, it was true that Bosnia and Herzegovina would not be able to enter the European Union with its complex constitutional architecture unchanged. Talking about possible steps to be taken to facilitate the reflexion on the constitutional reform, he said that, anyhow, one should not think of calling a new Dayton Conference, because today the priorities of Bosnia and Herzegovina were different, namely opening negotiations with the EU for an SAA and entering NATO Partnership for Peace. After all, the necessary changes were comparable to those faced, in due course, by any candidate country for accession to the EU.

Mr Kacin, concerning the necessary constitutional changes in relation, for example, to justice and home affairs, said that politicians in his country, Slovenia, were concerned that Croatia would not be able to protect its borders with Bosnia and Herzegovina, and therefore, Slovenia would be obliged to maintain the Schengen provisions in its relations with Croatia. The visa regime would also be a theme for discussion in relation to the constitutional changes. Then, there was the territorial organisation to be considered. One of the biggest mistakes Slovenia had made was not to have created regions, and the consequence was that,

at present, the country had difficulties to channel the EU funds for economic development. He therefore warmly recommended his Bosnian homologues to support the institution of the regions. In concluding, he was convinced that the tenth anniversary of Dayton, more than the cease-fire, should be celebrated as a step towards the EU.

Mr Swoboda said that it was extremely important to include in the new Constitution the values and the strength of the constituent peoples of Bosnia and Herzegovina and invited his colleagues to look at the example and check the models of a number of EU federal Member States, such as Germany, Belgium, Austria. He warned his Bosnian homologues that integration in Europe and in the international community was Bosnia and Herzegovina's problem, not the EU's Institutions'.

Mrs Leho observed that, in effect, despite Annex IV to the Dayton Agreement which contained the Constitution of Bosnia and Herzegovina, there had been changes mainly through the transfer of competencies from the Entities to the State levels. At present, Entities had a very centralised character and on the contrary, the State was decentralised. It was regrettably true that, so far, most of the public investment had been channelled only in public administration. Therefore, it was absolutely necessary to proceed with an immediate discussion on constitutional reforms. The Commission's feasibility study had presented 16 priorities, representing important reforms for the consolidation of the central State. Concerning the reform of the public broadcasting service, she said that, in Bosnia and Herzegovina, civilisation, language and culture of each people were very important, in order for everyone to feel at home in the country. Taking that into account, if one considered that the present Constitution only existed in English and had never been democratically adopted, the necessity of reflexion on possible reform was even more evident.

Mr Radovanovic observed that nothing in the Dayton provisions was un-modifiable, with the agreement of the three constituent peoples, and if it was judged that the present structure was too complex, the Constitution could be changed. But, if everybody agreed that the Republika Srpska should not be abolished, why then were there proposals to transform it into a canton ?

Mrs Pack answered that, first of all, the reform should aim at simplifying the State's structure, starting with the abolition, for example, of the Federation's Government. If the Republika Srpska would continue to exist as a "region" or as a "canton", then it was opportune to create more important Croat-Bosnian blocks too. She announced that the committee on foreign affairs of the EP would organise a hearing in September which, among others, would discuss possible options for the constitutional reform and concluded that maybe regionalising the country would be the right option.

Mr Suljkanovic, responding to Mr Kacin's intervention on the difficulty to attract EU development funds, admitted that Bosnia and Herzegovina would face problems too in that respect. Therefore, he proposed, it would be desirable to institute "economic regions".

Mrs Pack invited the parliamentarians to concentrate the discussion on the various levels of government, which needed to be reduced in number. She strongly underlined the need to make the Serbs participate in the debate on the constitutional reform and warned them that, if they really wanted to come closer to the EU, they would not be allowed to stay away from the constitutional debate.

Mr Topcagic took the floor. After excusing himself for the fact that it was unusual that a civil servant speaks on such issues in the course of an inter-parliamentary meeting, he regretted that the European Parliament's resolution of 17 November 2004 on the EU military operation "Althea" in Bosnia and Herzegovina, at its letter "I.", had "recommended strongly the adoption of a peace agreement between Bosnia and Herzegovina and its neighbouring countries which revises the Dayton Accords...": in effect, more precisely, this was not necessary, as the Peace Implementation Council (PIC) had stated. Nevertheless, the fact that a formal change was not compulsory should not be used as a pretext for avoiding other possible and more flexible interpretations of the Constitution. In fact, especially at the present stage, it was necessary that Bosnia and Herzegovina disposes of a State level counterpart for negotiating with the EU, and in that respect there was not enough understanding in the country yet. He said he agreed with the Office of the High Representative that Bosnia's top priority was to get from the EU the green light for the opening of SAA negotiations, and, after that, to proceed with the necessary adaptations, including constitutional amendments. Notwithstanding, he did not believe that constitutional reforms were a pre-condition for the opening of the SAA talks.

Mrs Pack, in concluding the discussion, mentioned §15 of the European Parliament's resolution on the state of regional integration in the western Balkans: "urges the Commission to support the country's political forces 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". She considered that to be a very clear message and added that, obviously, the decision on how to establish effectively functioning State structures was a case for the country's political authorities.

7. Adoption of a joint statement by the chairpersons of the delegations

After a discussion with the participation of Mrs Kallenbach, Mr Suljkanovic and Baroness Ludford and the introduction of some amendments to the draft, the joint statement was adopted.

* * *

8. Any other business

Mr Zivkovic asked for the floor. He complained that points 3, 4 and 5 of the agenda could have been treated jointly. He regretted to note that, in his view, the inter-parliamentary meeting's debates had generalised too much the situation in Bosnia and Herzegovina. Problems had arisen on all the most important legislative procedures, not only on those mentioned. He considered that the EU was wrong to enter negotiations with partners who did not respect their commitments. He also said he was not in a position to subscribe to the adopted joint statement.

Mrs Pack answered that, as for the agenda, Mr Zivkovic had not asked to modify it when the agenda had been adopted. Concerning the critics launched by Mr Zivkovic to politicians not respecting their commitments, she invited him to consider that his party had also been in power in the past and had subscribed to certain commitments which had not always been respected. For the present time, it was of course the task of the European Commission, in the framework of the SAP, to follow the developments in the country and to see whether

anybody would pass by the rules. Of course, it was also important that opposition parties would fully play their role, including Mr. Zivkovic's party. She regretted that Mr Zivkovic was not in a position to adhere to the joint statement

2. Approval of the minutes of the 6th Interparliamentary Meeting EP-Bosnia and Herzegovina, held on 3 November 2004 in Mostar

As agreed at the beginning of the meeting, **Mrs Pack** asked whether there were any remarks on the minutes of the 6th Interparliamentary Meeting.

Mr Zivkovic noted that the minutes did not include his intervention in Mostar.

Mrs Pack confirmed that that was the case and that, therefore, as soon as Mr Zivkovic would have transmitted the text of his intervention, the minutes would have been integrated consequently and circulated again among Members for approval through written procedure.

9. Date and place of the next meeting.

It was decided to hold the 8th EP-Bosnia and Herzegovina Inter-parliamentary Meeting in Banja Luka in the Spring of 2006. Dates would be agreed on through the delegations' secretariats.

* * *

Mrs Pack thanked all the participants and said good-bye until the next inter-parliamentary meeting.

Mrs Leho expressed the hope that the just concluded two-days meeting would help clarifying the issues on the table and mutual understanding. She also thanked all the participants.

The meeting finished at 11h00

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**DELTAGERLISTE/ANWESENHEITSLISTE/ΚΑΤΑΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD
OF ATTENDANCE/LISTA DE ASISTENCIA/LISTE DE PRESENCE/ELENCO DEI
PRESENTI/PRESENTIELIJST/LISTA DE PRESENÇAS/LÄSNÄOLOLISTA/DELTAGARLISTA**

Til stede	Formandskabet/Vorstand/Προεδρείο/Bureau/Ufficio di Presidenza/Mesa/Puhemiehistö/J.L. Presidium: (*) Per Stenmarck PACK (1,2) P, SWOBODA (2) VP,
Anwesend	Medlemmer/Mitglieder/Μέλη/Members/Diputados/Députés/Deputati/Leden/Deputados/jäsenet/ Ledamöter: CZARNECKI (2), GUARDANS CAMBO (2), KALLENBACH (1,2), LUDFORD (1,2), PROTASIEWICZ (1),
Παρόντες	Stedfortrædere/Stellvertreter/Αναπληρωτές/Substitutes/Suplentes/Suppléants/ Membri supplenti/Plaatsvervangers/Membros suplentes/Varajäsenet/Suppleanter:
Present	HEGYI (1), KACIN (1,2), KOCH (1), MUSCAT (1)
Presentes	
Présents	
Presenti	
Aanwezig	
Läsnä	
Närvarande	
Art. 153,2	
Art. 166,3	
Art. 162.6 Endv. deltog/Weitere Teiln./ Συμμετείχαν επίσης/Also present Participaron igualmente/ Participaient également/ Hanno partecipato altresit/ Andere deelnemers/ Outros participantes/ Muut osallistujat/ Dessutom deltog	
(Dagsorden/Tagesordnung Pkt/Ημερήσια Διάταξη Σημεί/Point OJ/Punto OG/Agenda Punt/Ordem do dia- punto/punto orden del dia/ Esityslista Kohta/Föredragningslista punkt):	

* (P) =Formand/Vorsitzender/Πρόεδρος/Chairman/Président/Presidente/Voorzitter/Presidente/Puhemies/Ordförande
(VP) =Næstform./Stellv. Vorsitz./Αντιπρόεδρος/Vice-Chairman/Vice-Président/Vicepresidente/Varapuhemies
Ondervoorz./Vice-Pres./Vicepres/Vice ordförande.

Til stede den/Anwesend am/Παρόν στις/Present on/Présent le/Presente il/Aanwezig op/Presente em/Presente el/Läsnä/Närvarande den.

(1) 23/5/2005

(2) 24/5/2005

<p>Efter indbydelse fra formanden/Auf Einladung d. Vorsitzenden/Με πρόσκληση του Προέδρου/At the invitation of the Chairman/Por invitación del presidente/Sur l'invitation du président/Su invito del presidente/Op uitnodiging van de voorzitter/A convite do presidente/Puhemiehen kutsusta/ På ordförandens inbjudan: TOPCAGIC, Director of the Directorate for European Integration (on behalf of the Government of BiH), LUKOVAC, SKENDERIJA, KRALEVIC</p> <p>Radet/Rat/Συμβούλιο/Council/Consejo/Conseil/Consiglio/Raad/Conselho/Neuvosto/Rådet: (*) MEYER, Conseiller de Legation au Ministère des Affaires Etrangères du Grand Duché du Luxembourg, on behalf of the Presidency-in-office of the Council of the EU, HOLMES- PEDERSEN</p> <p>Kommissionen/Kommission/Επιτροπή/Commission/Comisión/Commissione/Commissie/Comissão/Komissio/ Kommissionen: (*) LANGE, SANCHEZ ALEGRE, HOSTENS</p> <p>OHR: LLEWELLYN, MULALIC,</p> <p>Cour des comptes:</p> <p>C.E.S.:</p>		
<p>Andre deltagere/Andere Teilnehmer Επίσης Παρόντες/Also present Otros participantes/Autres participants/Altri partecipanti Andere aanwezigen/Outros participantes Muut osallistajat/Övriga deltagare</p>		
<p>Gruppernes sekretariat Sekretariat der Fraktionen Γραμματεία των Πολ. Ομάδων Secretariat political groups Secr. de los grupos políticos Secr. groupes politiques Segr. dei gruppi politici Secr. van de fracties Secr. dos grupos políticos Puolueyhmién sihteeristö Gruppernas sekretariat</p>	<p>PPE-DE PSE ALDE Verts/ALE GUE/NGL UEN EDD</p>	<p>RUHRMANN MYLONAS GLASBERG, KAMMITSI BERGAMASCHI</p>
<p>Cab. du Président</p>		
<p>Cab. du Secrétaire Général</p>		
<p>Generaldirektorat Generaldirektion Γενική Διεύθυνση Directorate-General Dirección general Direction générale Direzioe generale Directoraat-generaal Direcção general Contrôle financier Service juridique Pääosasto Generaldirektorat</p>	<p>I II III IV V VI VII VIII</p>	<p>BANKA MECKLENBURG</p>
<p>Udvalgssekretariatet Ausschubsekretariat Γραμματεία επιτροπής Committee secretariat Secretaria de la comisión Secrétariat de la commission Segretariato della commissione Commissiesecretariaat Secretaria de comissão Valiokunnan sihteeristö Utskottssekretariatet</p>		<p>MAZZI ZISSIS</p>
<p>Assist./Βοηθός</p>		<p>WHITTALL, ESCOFET</p>

- * (P) =Formand/Pres./Πρόεδρος/Chairman/Président/Voorzitter/Puhemies/Ordförande
- (VP) =Næstform./Vize-Pres./Αντιπρόεδρος/Vice-Chairman/Vice-Président/Ondervoorz./Vice-pres/Varapuhemies/Vice ordförande.
- (M) =Medlem./Mitglied/Μέλος/Member/Miembro/Membre/Membro/Lid/Membro/Jäsen/Ledamot
- (F) =Tjenestemand/Beamter/Υπάλληλος/Official/Funcionario/Fonctionnaire/Funzionario/Ambtenaar/
Functionário/Virkamies/Tjänsteman

**DELEGATION FROM THE PARLIAMENTARY ASSEMBLY OF
BOSNIA AND HERZEGOVINA
JOINT COMMITTEE ON EUROPEAN INTEGRATION TO THE
7th EP-BiH INTERPARLIAMENTARY MEETING**

Monday, 23 May 2005

Tuesday, 24 May 2005

Brussels

Members of Parliament

		<i>Party</i>
Mrs Fatima Leho	Chairperson of the Committee on European Integration (<i>House of Representatives</i>)	SDA
Mr Vinko Radovanović	Deputy Chairman of the Committee on European Integration (<i>House of Peoples</i>)	PDP
Mr Ilija Filipović	Member of the Committee on European Integration (<i>House of Peoples</i>)	HDZ
Mr Mehmed Suljkanović	Member of the Committee on European Integration (<i>House of Representatives</i>)	SBiH
Mr Milorad Živković	Member of the Committee on European Integration (<i>House of Representatives</i>)	RS-SNSD
Mr Branko Zrno	Member of the Committee on European Integration (<i>House of Peoples</i>)	HDZ

Government of BiH

Mr Osman Topčagić	Director of the Directorate for European Integration
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Staff from the Parliament

Mrs Sena Bajraktarević	Secretary of the Committee on European Integration
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Abbreviations:

SDA	Party of Democratic Action
HDZ	Croat Democratic Union
PDP	Party of Democratic Progress
SDS	Serb Democratic Party
SBiH	Party for BiH
RS - SNSD	Union of Independent Socialist Democrats