

State Border Service Law

As a result of the BiH House of Representatives' continued failure to adopt the Law on State Border Service, the High Representative, Wolfgang Petritsch, has decided to impose the required legislation.

The High Representative is utterly dissatisfied with the inability and unwillingness of the Serb delegates to the BiH House of Representatives to represent the interests of the honest people of BiH. Bosnia and Herzegovina urgently needs a Border Service. It is key to its integration in Europe; every country in Europe must have control of its borders. The Border Service will help battle smuggling, crime and illegal immigration, which are big problems in BiH. It will also increase customs revenues for the Entities, which can be used to pay for government services, such as the building and running of good schools and hospitals, new roads and economic recovery including the creation of jobs.

The High Representative wishes to convey to the people of BiH a clear message: "I will not allow a few irresponsible State representatives from the RS to dash an entire country's hopes for a prosperous and open future. These officials claim to be protecting the so-called national interests of the RS and its citizens. But, as a matter of fact, they are actually harming the development of their Entity and the well-being of their citizens with this kind of obstructionism."

The High Representative is not willing to accept blatant disregard for the interests of the citizens of Bosnia and Herzegovina and the future of this country; for the Dayton Peace Agreement, the Madrid PIC Declaration, and the Presidency's New York Declaration. Obstruction is not an option.

The High Representative's Concept of Ownership has challenged

the authorities and institutions of Bosnia and Herzegovina to take the future of the country into their own hands. Unfortunately, the BiH House of Representatives demonstrated that this institution is not ready to provide the leadership needed to guide BiH into Europe and into a prosperous and democratic future. It has failed its first major test to take Ownership and to perform its duties responsibly.

The OHR worked closely with BiH institutions over the past seven months to produce a professional State Border Service to protect the integrity of BiH's borders. In June 1999, the BiH Presidency signed a statement of political commitment to establish the State Border Service. It formed an expert working group representing the Ministry of Civil Affairs and Communication and the Entity Ministries of Interior to finalize the draft legislation prepared by OHR. Over the course of many meetings and after much discussion, the OHR forwarded a harmonized draft law to the BiH Presidency that created a State Border Service designed to combat smuggling, illegal immigration, and cross-border crime that occurs daily on BiH's borders.

In New York, the BiH Presidency made a commitment to the UN Security Council to establish the State Border Service that would operate as a State-level institution along side and in cooperation with Entity authorities. On 24 November 1999, the Presidency endorsed the draft legislation and forwarded it to the BiH Parliament for due consideration. Unfortunately, it was at this point that the BiH House of Representatives began to unravel the consensus achieved after so much hard work. This is where the Serb delegates to the BiH House of Representatives began to cheapen the institution as a forum for narrow-minded self-interests, baseless pretensions of sovereignty and rejection of the Dayton Peace Agreement and the BiH Constitution.

Therefore, the High Representative is imposing the State Border Service law and will do his utmost to help create a

professional service that will fight corruption and crime on the border. In that regard, he, along with UNMIBH, will work with the Ministry of Civil Affairs and Communications and expects the Ministry to immediately implement the requirements under the State Border Service Law.