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Mrs. President,

Ladies and Gentlemen,

Dear Colleagues,

It is a great pleasure and an honor for me to speak today at the 11th session of our Association. At the very beginning of this speech, I would like to thank the Senate of friendly Kingdom of Netherlands for the excellent organization of this gathering. I honestly thank you, Mrs. President, for your engagement, hospitality and received invitation.

When we talk today on the role of the senates on the European continent, we should especially have in mind various challenges our countries, European Continent and modern world as a whole, face with, in the time of global economic crisis. Our responsibility is even higher because we should not allow the economic crises to develop into political crises and get out of our control. We will accomplish this task the best if we follow what is going on and timely undertake necessary measures to react; if we establish mutual cooperation at bilateral and international level. Nobody should feel like left to its own resources without adequate understanding and support of others. If we want to achieve this goal successfully, our senates should have appropriate constitutional competences and other preconditions for successful work like adequate number of delegates which enables active engagement and resolving of all issues in commonly complex parliament procedure.

It is natural that the roles and competencies of upper houses are different in different political systems. It reflects specific development of bicameral system but also the structural differences in different countries, specially emphasized in ethnically complex countries like Bosnia and Herzegovina.

Our House of Peoples – the upper house – has a specific role as well. In certain degree it is similar to some senates in other countries since it equally participates in the whole legislative process with full right on legislative initiative, amendments and final decision making. On the other side, our upper house permanently promotes and takes care of vital national interest of constitutive nations. It is also competent for full control of executive authorities and providing opinion of Constitutional Court as the highest judicial institution, especially in the cases when the House of Peoples cannot reach the consensus if a decision or law is destructive for vital interest of any of three constitutive nations in our country. In these disputable situations, when decision regarding protection of vital interest cannot be made within the House of Peoples, it, in fact, loses its legislative competence and the Constitutional Court of Bosnia and Herzegovina becomes competent for making final decision.

Today, Bosnia and Herzegovina is in the process of finding new constitutional solutions, guided by the fact that it must improve democratic relations in the country and establish European standards. At the same time, our Constitution must be finally adopted by the Parliamentary Assembly; it must be equitable and fair, democratic and generally acceptable; its primary effects should be efficient and systematic political system which provides peace, stability and prosperity for the future of all our nations, ethnic minorities and all BiH citizens.

You are familiar with constitutional situation in Bosnia and Herzegovina. BiH Constitution, i.e. Annex IV of Dayton Peace Agreement, was primarily made to stop the war and establish the peace in the country. Of course, these are valuable, but unfortunately, its maximum achievements. However, in today conditions, nobody is really satisfied with BiH Constitution since it has produced inefficient, asymmetric and non-functional political system. In my opinion, the Constitution has been based on unfair partition of territory and unequal position of the three constitutive nations and citizens of Bosnia and Herzegovina; ethnic minorities are brought into inferior position with respect to majority nation. That is why the interest and political will for constitution changes are in the reverse proportion with the satisfaction, i.e. dissatisfaction of BiH citizens.

The more they are dissatisfied with their position, the stronger their interest and will for constitutional changes; and vice versa.

In these efforts to re-establish relations and eliminate deficiencies, however, we adopted the first amendment to Dayton Peace Agreement which stipulates the status of Brcko District last month. Our European friend welcomed this decision. Our House of Peoples has recently adopted Decision on initializing the process of constitutional reform as well, following the agreement reached by the leaders of three major political parties of our three nations. When and if the same decision is adopted by the House of Representatives, the space for wide democratic initiatives will be open, not only through the institutions of political system, but also through many non-government organizations of civil society.

The process is not easy or simple, and according to our previous experience, we can envisage some difficulties. Even more, it is possible to expect certain obstructions, even resistance. For that reason, with full right, sincere hope and realistic expectations, I see the need for active involvement of international community in the form of professional assistance, but even more, in the capacity of political mediator on our path toward reformed BiH Constitution.

Considering irreplaceable role of the House of Peoples in our conditions, it will be very useful to extend its specific competences by maximally using the practice, experiences and standards of other European bicameral parliaments. Constitution solutions and experience of some European countries are extremely interesting and practical. In that sense, in our forthcoming constitutional reform, we should pay special attention to the experiences and legal solutions of your senates. Relevant issues they refer to are as follows:

- Election of the President of the State (experience from Switzerland, Italy and Czech Republic)
- Instituting responsibility and recall procedure of the president, primarily in case of eventual breach of Constitution and illegal work; (experience from Germany, Austria and Italy)
- Organization of referendum on a decision or law, as a democratic form of direct decision-making by the citizens (experience from France, Ireland and Poland)
- Appointment of judges, including judges of Constitutional Court and the Court of BiH, and possibly the Supreme Court of BiH which we currently do not have at the state level (experiences of many European countries, especially Belgium, France, Germany, Romania, Russian Federation, Spain, Great Britain and others)
- Maintaining of relations, change of borders and solving conflicts between entities, cantons, i.e. federal units (experience from Switzerland, Belgium, Spain)
- Adoption of decisions and book of rules of Council of Ministers (Government) – experience from Germany
- Monitoring the process of European integration as well as relations with European Union, Council of Europe and other international associations (experience from Austria, France, Romania, and Great Britain). Having in mind BiH participation in the EU stabilization and association process, it would be useful to take necessary actions for fulfillment of our commitments undertaken so far, including stronger competences of the House of Peoples regarding implementation and monitoring the progress of integration process.

Within the context of constitution reform, the question of the number of representatives arises. As you know, the House of Peoples of BiH Parliamentary Assembly has only 15 delegates, while the European average is more than 70. Our House of Representatives has got 42 representatives; it means that Parliamentary Assembly of Bosnia and Herzegovina has got totally 57 representatives and delegates. It is the reason why, apart from their regular activities, our delegates must work in five – six parliamentary committees at the same time.

The issue of senate's role and function in local self-government is also very interesting. Current BiH Constitution does not contain provisions which enable the House of People to be involved in defining relations, work and functioning of authorities at the local level. We do not have a Law on local government and self-government at the state level, but it is under entities jurisdiction, i.e. at the mid level of authorities.

Dear Colleagues,

I am deeply convinced that stronger and deeper inter-parliamentary cooperation and mutual assistance, experience gained from developed democracies as well as strengthened role of the House of Peoples in the above manner, would contribute to the efficiency of the Parliamentary Assembly of Bosnia and Herzegovina as a whole; at the same time, it would contribute the sustainability of our country. Moreover, it would be a small, but very important contribution to further affirmation of the whole European parliament system.

In my opinion, it is of big importance for the role of upper house

That would also influence strengthening of our upper houses' role, the one I wish my country had, as future member of European democratic peoples and states family.

I thank you for your attention!!!