

Revealed: US plans for Bosnian constitution

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By Ian Traynor in Sarajevo

The Americans have written a new constitution transforming Bosnia into a centrally governed parliamentary democracy for the first time, and are pushing strongly - with European backing - to have the blueprint agreed by Bosnia's rival nationalist leaders within the next fortnight.

The blueprint, obtained by the Guardian, has been developed during seven months of secret negotiations between US experts and officials and Bosnian politicians. The bold new draft is said to enjoy the full backing of the US state department. The crunch session of negotiations comes this weekend.

Leaders of the main eight governing and opposition parties in Bosnia are to travel to Brussels tomorrow for a weekend of negotiations on the draft which, for the first time since the war ended 10 years ago, would give Bosnia the "normal" trappings of an integrated, non-ethnic parliamentary democracy: a national parliament with full legislative powers, central government and cabinet enjoying full executive power, and a titular head of state.

The deal, if agreed, would it is hoped help to undo the bitter legacy of the war and the ethnic pogroms that were its main feature and steer the country towards multi-ethnic integration. If successful, it would be a rare triumph for western "nation-building" efforts in "failed states" and war-ravaged countries.

"This draft would mean the total transformation of this country," said a senior official in the office of Lord Ashdown, the former Liberal Democrat leader who is the paramount international authority in Bosnia. "This is very ambitious."

Bosnia currently has one of the most complicated and wasteful systems of government ever devised. It is split into two ethnic halves, a Bosnian Serb republic and a federation of Muslims and Croats, both with their parliaments and governments. There is then a national parliament, presidency, prime minister and government. Over the past 10 years, the ethnic entities have enjoyed strong powers, with central authority weak, albeit strengthened in recent years largely as a result of Lord Ashdown's initiatives.

The federation half, in turn, is split into 10 "cantons", also with their

own parliaments and governments enjoying wide powers. The US blueprint makes no mention of the cantons. Both "entity" halves are retained, but crucially are stripped of most of their powers, which are vested in a strong central government sitting in Sarajevo and answerable to a national parliament whose main lower house is to double in size.

At the blueprint's centre is an emphasis on individual human and civil rights, supplanting the previous accent on the privileges of the rival ethnic collectives.

Donald Hays, a former US state department official who served for four years in Bosnia as deputy to Lord Ashdown and his predecessor, is the key architect and driver of the plan. "What they (the Bosnians) are looking at is to make the future government a parliamentary democracy," he said. "Until the Brussels meeting, we don't know what they are willing to achieve."

His colleague, Bruce Hitchner, a Boston professor, said the draft entailed scrapping more than half of the constitutional dispensation agreed exactly a decade ago at the three-week conference in Dayton, Ohio, that ended the 42-month Bosnian war. "This is Dayton-plus," said Mr Hitchner. "The changes are astonishing. A year ago there would have been no chance of them sitting together to discuss this."

Mr Hays said the new deal represented Bosnia's "fast track" to integration with and ultimate membership of the European Union. It was the attraction of the EU that was driving the movement towards a normal functioning democracy.

If Bosnian leaders agree in Brussels this weekend, they will travel to Washington where the US secretary of state, Condoleezza Rice, will preside over a signing ceremony on the new constitution on November 22, the anniversary of Dayton. The constitution would then be adopted in Sarajevo by next March, leaving six months before general elections in October are conducted in a radically altered political landscape.

However, a senior Bosnian Serb government official warned that too much pressure for such a radical a shift could trigger "a collapse".

The blueprint abolishes the current tripartite presidency, with places reserved for a Muslim, a Croat, and a Serb. The head of state would be one person, elected by parliament rather than popular vote. The office would surrender its powers to the prime minister and the presidency would be largely symbolic.