

HR urges limited constitutional reform and changes to the Election Law to strengthen the fundamental principles and transparency of elections



The High Representative Christian Schmidt recalled that the essence of the now 12-year-old ECtHR ruling in the Sejdic – Finci case is clear: all citizens in BiH should have equal rights. The Sejdic-Finci ruling is not the only ECtHR ruling that BiH authorities continue to disregard – the authorities must also take the steps ordered by the ECtHR in the Zornic, Pilav and Slaku cases, as well as the most recent Pudaric case, which would end discrimination based on ethnicity or residence.

Annex 4 of the Dayton Agreement, which is the Constitution of this country, says that Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and that the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Bosnia and Herzegovina and have priority over all other law.

Having this in mind, it is time to offer equal treatment to

every citizen of BiH as stated in the Sejdic-Finci ruling: "The Council of Europe has shown great patience for 12 long years. Both the spirit of the Dayton Constitution and the European Convention on Human Rights are a good basis for their judgment. At the same time, this judgment is not intended to undermine the inclusion of the three constituent peoples in the state foundation. Until decided otherwise by relevant authorities of BiH these remain in place. What is needed now as a matter of urgency is to eliminate discrimination in the electoral process related to the Presidency and the House of Peoples of BiH so that all citizens are given equal rights of participation in the 2022 General Elections compliant with the ECtHR ruling.

In this sense, I urge the limited reform of the Constitution of BiH and changes to the Election Law to strengthen the fundamental principles and transparency of elections in BiH," the High Representative Christian Schmidt stated today.