

# **Communiqué of the Steering Board of the Peace Implementation Council\***

The Peace Implementation Council Steering Board (PIC SB) Political Directors met in Sarajevo on 1-2 December 2015 to review progress in implementation of the General Framework Agreement for Peace. They reaffirmed their strong commitment to a stable, secure, and prosperous Bosnia and Herzegovina (BiH), as well as their respect for and support of the Peace Agreement.

The PIC SB stands in full solidarity with the people of Bosnia and Herzegovina, France, Russia, Turkey and other countries affected by recent terrorist attacks in their time of grief and mourning and it condemned such attacks in the strongest terms. The PIC SB expressed its deepest condolences to the families and friends of those who lost their lives and its hope for the speedy recovery of those injured in the attacks. It encourages all relevant authorities in Bosnia and Herzegovina in their efforts to combat terrorism, to prosecute those involved in terrorist activities, to prevent radicalization and to reinforce cooperation among authorities within BiH and with other countries in this regard.

The PIC SB extended its appreciation for and support to the commitment and ongoing efforts by the leadership of BiH to make further and meaningful progress on reforms, including those necessary to advance the country's European integration path. In their meeting with the BiH Presidency, the PIC SB was encouraged that the Presidency members remained strongly committed to making further progress in implementing the Reform Agenda. It also called on the BiH authorities and institutions to maintain positive momentum in implementing required reforms – including socioeconomic, rule of law, justice and public administration – in line with citizens' demands and in cooperation with civil society.

The PIC SB welcomed the increased regional cooperation in different bilateral and multilateral formats, aimed at contributing to sustainable reconciliation, increased mutual understanding, fostering new opportunities for economic development and broadened cultural ties. These included the visit of the BiH Presidency to Belgrade, the signing of a border agreement between BiH and the Republic of Montenegro, the joint meeting in Sarajevo of the BiH Council of Ministers and the Government of the Republic of Serbia, and the gestures of reconciliation extended by the Prime Minister of the Republic of Serbia during the Srebrenica Investment and Development Conference.

The PIC SB emphasized the importance of education for reconciliation and mutual understanding in BiH as a basis for sustainable peace and stability, as well as socioeconomic progress. It highlighted the urgent need for competent authorities throughout BiH at all levels to advance decisively with education reform aiming at improving education standards and based on principles of non-discrimination, non-politicization, non-segregation and inclusiveness. This should include both the Republika Srpska and the Federation providing appropriate classes for the National Group of Subjects and for the preparation of teachers for inclusive education in the context of social and cultural diversity. Regarding the Bosnian language issue, the PIC Steering Board supports the OSCE as the lead international agency on this issue, noting the request in the 7 October letter to the RS National Assembly to review its position. In the Federation, the practice of "two schools under one roof" must be eliminated.

In its deliberations, the PIC SB made special reference to the 20<sup>th</sup> anniversary of the General Framework Agreement for Peace (GFAP), initialed in Dayton on 21 November 1995, and signed in Paris on 14 December 1995. The PIC SB noted the positive transformation that BiH has undergone since then. The PIC SB urged all the authorities in BiH never to cease their efforts in building a democratic and functional state, operating under the rule of law, and in accordance with the GFAP. In retracing its steps over the past 20 years, the PIC SB emphasized that human dignity, liberty, equality, peace, justice, tolerance, and reconciliation as enshrined in the GFAP remain central to BiH's future and to lasting stability in the region.

The PIC SB extended special congratulations to BiH on the occasion of the 10<sup>th</sup> anniversary of the formation of the Armed Forces of BiH (AFBiH). The PIC SB commended the members of the AFBiH for their professionalism and sense of duty, exhibited through their exemplary performance in providing relief and rescue operations during the 2014 flooding, and in their successful participation in international missions.

The PIC SB underlined its unequivocal commitment to the preservation of BiH's territorial integrity and sovereignty

in accordance with international law. Under the GFAP, entities have no right to secede from BiH and only exist legally by virtue of the BiH Constitution. The PIC SB confirmed that it would view as a serious and imminent threat to peace and security any attempt to undermine the fundamental structure of BiH as a single, sovereign state comprising two entities. The PIC SB also recalls that any change to the BiH Constitution must be made in accordance with the amendment procedure prescribed therein, and underlines that, in line with successive UN Security Council resolutions, Member States remain ready to use all necessary means to ensure compliance with annexes 1-A and 2 of the Peace Agreement.

The PIC SB urges all political actors and institutions in BiH to do their utmost to strengthen the effectiveness, independence and impartiality of the judicial system in BiH at all levels, within the constitutional framework. The PIC SB calls on all competent authorities to make use of the Structured Dialogue on Justice to address any concerns in this regard.

The PIC SB restated its concern over continuing challenges to provisions of the GFAP, in particular Annex 4, which is the BiH Constitution. In this regard, the PIC SB unequivocally declared that the announced referendum in Republika Srpska would represent a fundamental violation of the GFAP, and challenge the cohesion, sovereignty and territorial integrity of BiH. The PIC SB stressed that matters of state judicial institutions fall within the constitutional responsibilities of the state and do not fall under the entity's constitutional responsibilities, and that the status and powers of the High Representative are matters arising under the GFAP and international law, and therefore do not fall within the purview of the entities. Furthermore the planned referendum distracts from implementing the Reform Agenda.

The PIC SB reiterated that the BiH Constitutional Court is an integral part of Annex 4 of the GFAP, and is key to its implementation. The BiH Constitution explicitly states that decisions of the Court are final and binding. Political disagreements should be resolved within the existing constitutional framework and whenever possible through constructive dialogue. The PIC SB further reminded the authorities in BiH of their obligations to implement all outstanding Court decisions.

The PIC SB further reminded the authorities in BiH of their obligations to establish the electoral system in Mostar, as envisaged by the decision of the Constitutional Court which remains unimplemented. It underscored the core principle, reaffirmed by the political parties that Mostar must remain a single, coherent, multi-ethnic unit of local self-government, with some level of local authority/administration below that of the city.

The NATO members of the PIC SB and Japan welcome the continued progress achieved in the process of the registration of prospective defense property under the ownership of the BiH State, as required by the BiH Law on Defence. They express their full support to all competent institutions in the registration process and for activation of the NATO Membership Action Plan.

The PIC SB reiterated its full support for the High Representative in ensuring complete respect for the GFAP and carrying out his mandate under Annex 10 and relevant UN Security Council Resolutions, which remains unchanged. The PIC SB reminded all parties of their obligation to comply fully with the GFAP, all its annexes, and decisions of the High Representative. It underlined that the International Community retains the necessary instruments to uphold the GFAP.

The PIC SB emphasized the need to fully implement the 5+2 agenda, which remains necessary for the closure of the Office of the High Representative.

The PIC SB will hold its next meeting in Sarajevo on June 7-8, 2016.

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*\* The Russian Federation is unable to join paragraphs 10 and 11.*