

Statement by the Ambassadors of the PIC Steering Board on the September 17 Decisions of the BiH Constitutional Court*



The BiH Constitution states that Bosnia and Herzegovina is a democratic state which operates under the rule of law. No institution or authority in BiH can operate outside the constitutional order.

Decisions taken by the BiH Constitutional Court must be respected. The authority of the Court is clearly defined in Annex 4 of the Dayton Peace Agreement which gives jurisdiction to the Court to resolve disputes between levels of government.

Ambassadors of the PIC Steering Board note that on 17 September, the BiH Constitutional Court decided to suspend the decision on the referendum adopted by the RSNA until the Court decides on its constitutionality. There is therefore no legal basis for the Republika Srpska to hold an entity-wide referendum on September 25. We once again urge the RS authorities not to hold the referendum.

Ambassadors of the PIC Steering board reiterate that no referendum can change the final and binding nature of decisions of the BiH Constitutional Court. The decision of the BiH Constitutional Court will remain fully in force and must be respected. The PIC SB Political Directors have repeatedly

emphasized, including in June 2016 and December 2015, “*that the BiH Constitutional Court is an integral part of Annex 4 of the General Framework Agreement for Peace (GFAP), and is key to its implementation.*” Ambassadors of the PIC SB expressed their full support to the BiH Constitutional Court, and to relevant institutions in upholding the Court’s decision.

Ambassadors of the PIC Steering Board encourage the resolution of the issue of public holidays through political dialogue and the early adoption of appropriate legislative changes to implement the November 2015 decision of the court.

Once again, the PIC Steering Board calls upon all parties to refrain from reactive measures and divisive rhetoric. It strongly condemns statements from anyone that undermine stability and security, or which challenge the territorial integrity of BiH. Republika Srpska will remain an integral and essential part of the sovereign state of BiH, in line with the General Framework Agreement for Peace. The PIC SB reiterates that there will be no redrawing of the map of BiH.

The PIC Steering Board encourages political leaders on all sides to turn their focus to resolving the economic and social challenges that face Bosnia and Herzegovina’s citizens, and which are critical for Bosnia and Herzegovina’s stability and its European future. It is these issues that are of vital importance for the country and its citizens.

* The Russian Federation does not join this statement.