

Communiqué of the Steering Board of the Peace Implementation Council*



The Peace Implementation Council Steering Board (PIC SB) Political Directors met in Sarajevo on 17-18 June 2019 to review the process of implementation of the General Framework Agreement for Peace (GFAP), which remains the basis for a stable, secure, and prosperous Bosnia and Herzegovina (BiH). 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 reaffirmed its unequivocal commitment to the territorial integrity and fundamental structure of BiH as a single, sovereign state comprising two entities. The PIC SB restated that the entities have no right to secede from BiH and only exist legally by virtue of the BiH Constitution. The PIC SB reminded authorities in BiH that the BiH Constitution is an integral part of the GFAP and that the decisions of the BiH Constitutional Court are final and binding and must be implemented. 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. 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 welcomed the publication of the European Commission's (EC) Opinion on Bosnia and Herzegovina's European Union (EU) membership application recommending Bosnia and Herzegovina fundamentally change and improve its legislative and institutional framework, and providing a comprehensive roadmap with key priorities on future reforms that would help lead the country to graduate from international supervision.

The PIC SB noted with deep regret that more than eight months after the general elections were held in October 2018, the relevant executive authorities on the state level, in the Federation of BiH and in a number of cantons have not been formed. This delays the implementation of the democratic choice made by the citizens of BiH and prevents the country from undertaking the necessary reforms.

The PIC SB met the Joint Collegium of the BiH Parliamentary Assembly to hear about the priorities of the newly formed authorities and encourage them to work together on implementation of the reforms necessary to promote better lives for the citizens of BiH.

The PIC SB deplored the fact that irresponsible and divisive rhetoric and political actions have continued after the 2018 General Elections, including through challenges to the territorial integrity of BiH and state-level institutions such as references to secession, advocacy for the division of BiH into three territorial units and the announcement to challenge the name of the Republika Srpska (RS). Such initiatives and statements have led to a severe fall in mutual trust and cooperation among the key stakeholders and have no support in the PIC SB. Furthermore, they create a sense of instability which discourages foreign investors and hastens the exodus of citizens in search of safety and rule of law.

The PIC SB deemed that full cooperation with the International Residual Mechanism for Criminal Tribunals (IRMCT) includes respecting the verdicts that both the ICTY and the Mechanism

have delivered. In this context, it deplored the RS Government's decision to establish a Srebrenica Commission and the related revisionist rhetoric concerning this issue. The PIC SB reminded that the events in Srebrenica from 10 – 19 July 1995 have been conclusively qualified as genocide by international tribunals and national courts alike.

The PIC SB encouraged the authorities throughout BiH to align existing laws on public gathering with international standards. In particular, the PIC SB also deplored actions taken in the RS that further limit democratic freedoms, such as the right to free speech and peaceful assembly.

Additionally, steps to create reserve police forces have resulted in a negative spiral of distrust in BiH. Instead, authorities at the state, entity, and cantonal levels should work to improve law enforcement cooperation and ensure that existing police forces are adequately resourced and properly trained to address the range of challenges facing BiH and its citizens, including migration.

The PIC SB takes note of the latest worrying developments within the High Judicial and Prosecutorial Council (HJPC), which confirms the urgent need for substantial reforms.

NATO members of the PIC SB and Japan welcomed the opportunity for the authorities to submit Bosnia and Herzegovina's first Annual National Program (ANP), a locally-developed tool that will further help BiH to enhance its defence capabilities, to the benefit of all BiH citizens.

The PIC SB encouraged the BiH political and institutional leaders at the relevant levels of authority to:

- Improve dialogue and cooperation between communities, and promote an environment free of divisive, nationalist rhetoric. Foster an environment conducive to stability and progress, including by taking concrete steps at the highest political level towards genuine nationwide

reconciliation. Support efforts of local authorities and communities in this regard.

- Complete the formation of parliamentary and executive authorities at all levels without further delay. Cease blocking or obstructing the implementation of election results for narrow party interests, thereby holding the future of the country and its citizens hostage. Establish parliamentary committees as soon as possible, so that the BiH Parliamentary Assembly can start performing its legislative function.
- Clearly and actively, demonstrate their declared commitment toward the country's EU integration path by taking immediate and concrete action in fulfilling key priorities and reforms as identified in the EC's Opinion in the fields of rule of law, fundamental rights, public administration reform, as well as democracy and functionality. These are the basics upon which EU member states will take a decision regarding BiH's next EU integration steps, in line with the aspirations of its citizens.
- Refrain from any further divisive and nationalist rhetoric. Ensure the fundamental rights of all citizens are equally protected throughout the country.
- Refrain from undermining state-level institutions. Support these institutions and work to improve their functionality, internal cohesion and resourcing. The Armed Forces of BiH is the country's sole defence force and, as such, enjoys the PIC SB's full support.
- Significantly intensify efforts to improve electoral process credibility and transparency by implementing the fundamental changes to the electoral legislation recommended by ODIHR and the Group of States against Corruption (GRECO) and examine other changes as necessary. Adopt these changes as soon as possible, in order to ensure that they can be applied in time for the 2020 local elections.
- Address as a priority the long-standing electoral

impasse in Mostar to allow its citizens to vote in the 2020 municipal elections, without holding it hostage to other issues and while preserving Mostar as a unified city.

- Implement the Sejdic/Finci ruling and related decisions of the European Court of Human Rights, and refrain from taking legislative or political steps that would make the implementation of these rulings more challenging.
- While having in mind that management of migration is an exclusive competence of the BiH state, address jointly, including through significantly improved cooperation and communication, countrywide migration-related problems. The PIC SB calls on the BiH Ministry of Security to accelerate coordination efforts amongst the law enforcement agencies throughout BiH, which are expected to cooperate, to meet the security challenges this issue presents.
- Uphold the rule of law at all levels of governance in BiH, in particular by strengthening the institutions responsible for the fight against corruption and the prevention and combating of terrorism. Refrain from undermining the judicial institutions at all levels, and implement their decisions.
- Revise the Law on the High Judicial and Prosecutorial Council (HJPC) to regulate the functioning of the council in a way that guarantees the professionalism and accountability of its members. Structural changes in accordance with EU recommendations are necessary to regulate the appointment, appraisal and disciplinary procedures in a way that restores the public trust in the institution. The PIC SB also calls upon the council to urgently complete the process of pending appointments.
- Strengthen fiscal stability and accelerate economic and social reforms. Poverty, unemployment and emigration levels do not contribute to overall stability and require immediate targeted action, including sustainable

public investment.

- Ensure media freedom and independence, and support professional and responsible media. Public broadcasters should allow for equal access to all political parties, as well as open debates among differing views, and they should be allocated a stable and independent source of financing.

The PIC SB will hold its next meeting on 3-4 December 2019.

** The Russian Federation disagrees with this Communiqué.*