Communiqué of the PIC Steering Board

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Emphasizing that the implementation of the General Framework Agreement for Peace (GFAP) remains the basis for a stable, secure and prosperous Bosnia and Herzegovina (BiH), the Peace Implementation Council Steering Board (PIC SB) reminds all parties of their obligation to comply fully with the GFAP, all its annexes, and decisions of the High Representative. It reaffirms its unequivocal commitment to the territorial integrity and fundamental structure of BiH as a single, sovereign state comprising two entities. The PIC SB restates that the entities have no right to secede from BiH and only exist legally by virtue of the BiH Constitution. The PIC SB reminds 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 reiterates 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 underlines that the International Community retains the necessary instruments to uphold the GFAP. The PIC SB emphasizes 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 Political Directors met in Sarajevo on 8-9 December 2022.

In light of the serious challenges – and opportunities – facing Bosnia and Herzegovina, the PIC SB discussed the General Elections of 2 October, the formation of governments, the Rule of Law, and the country's Euro-Atlantic integration.

The Members of the PIC SB welcome the holding of general elections in Bosnia and Herzegovina on 2 October 2022. According to the OSCE/ODIHR Election Observation Mission's preliminary findings, the elections were overall competitive and well organized, but marked by mistrust in public institutions and ethnically divisive rhetoric. At the same time, the PIC SB notes that the elections were accompanied by allegations of serious election fraud, particularly, but not limited to, the presidential race in Republika Srpska. The PIC SB calls on responsible authorities to swiftly and fully investigate allegations and punish those found guilty to the fullest extent of the law.

The PIC SB met with the newly appointed Chief Prosecutor of the BiH Prosecutor's Office, the President of the Court of BiH, and the President of the High Judicial and Prosecutorial Council of BiH, and called again for effective, timely, and sustained action against organized crime and systemic political corruption. The PIC SB regrets that nepotism and corruption remain fundamental stumbling blocks, causing massive damage to the economy, citizens' daily lives, and the political climate. Action here would demonstrate commitment to the Rule of Law and transparency, key to the European path, and contribute to the safety and the well-being of all citizens of Bosnia and Herzegovina. The PIC SB expressed unwavering support for authorities at all levels in tackling these critical challenges and called on the BiH authorities to urgently adopt the integrity amendments to the High Judicial and Prosecutorial Council law, the law on Courts, and the prevention of the Conflict of Interest law, fully aligned with

European and international standards.

The PIC SB regrets that political parties failed to reach agreement on electoral reform, which led the High Representative to enact several amendments to the Election Law on 27 July, introducing new sanctions for election fraud and strengthening the competencies of the Central Election Commission. The PIC SB calls on newly elected BiH authorities to undertake further legislative reforms, enhancing election transparency and integrity and ensuring adequate resources for the Central Election Commission. The PIC SB underlines that local ownership of the reform process will ultimately be critical for Bosnia and Herzegovina to advance on its EU path.

The PIC SB underlines the fundamental importance of functioning democratic institutions for Bosnia and Herzegovina's Euro-Atlantic integration. On 2 October 2022, the High Representative enacted amendments to the constitution of the Federation and to the BiH election law, aimed at addressing several functionality issues and the timely formation of authorities. The PIC SB welcomes the positive steps taken by local political actors on institutional functionality to date, including the appointment of four judges to the Constitutional Court of the Federation. The PIC SB is pleased that the House of Representatives of the Parliament of Bosnia and Herzegovina, the Republika Srpska National Assembly, the House of Representatives of the Federation, and all cantonal assemblies have already held their constitutive sessions. The PIC SB encourages all political actors to maintain this positive dynamic in establishing legislative and executive authorities at all levels of government in line with the law and agreeing on a comprehensive coalition program, which would address reforms and move the country forward on the EU path. Pending appointments in the government structure have to be addressed. The PIC SB calls on the Fiscal Council and Council of Ministers to approve the Global Fiscal Framework for 2023-2025

to pave the way for passage of a state budget. The PIC SB also reminds all authorities of their obligation under the GFAP to cooperate with the Office of the High Representative.

The PIC SB condemns all secessionist rhetoric and action and calls upon the ruling coalition in Republika Srpska to cease all activities which violate the GFAP, including the BiH Constitution, or undermine State competencies or the sovereignty and territorial integrity of Bosnia and Herzegovina. The PIC SB underlines the obligation to implement the decisions of all courts. The PIC SB also expresses concern over threats to freedom of expression, media, and association in the country, and is alarmed by calls for legislation restricting those rights in Republika Srpska. The PIC SB reiterates these rights and professional and responsible journalism are essential to any democratic society.

Recalling the High Representative's efforts to launch a parliamentary process to resolve the issue of state property in accordance with BiH Constitutional Court rulings, the PIC SB calls on the BiH Parliamentary Assembly to engage and adopt a law regulating the issue without further delay. The resolution of state property is a key element of the 5+2 agenda, completion of which remains necessary for the closure of the Office of the High Representative.

The PIC SB calls upon all parties to promote an environment conducive to reconciliation. This requires accepting and acknowledging the facts, teaching the truth to future generations, honoring and remembering all victims regardless of their ethnicity, working to locate, recover and identify the missing, and investigating and prosecuting the suspects who remain at large. This is the only path to a future that heals and binds the wounds of BiH and guarantees a just and lasting peace for future generations.

The PIC SB also welcomes the unanimous reauthorization to extend the EUFOR/ALTHEA mandate by the UN Security Council on

2 November. EUFOR/ALTHEA is vital in supporting local authorities in maintaining a safe and secure environment in Bosnia and Herzegovina.

On 12 October, the European Commission recommended that Bosnia and Herzegovina be granted candidate status by the Council, on the understanding that a number of steps are taken. The PIC SB calls on authorities to use the four-year mandates ahead of them to address the challenges and opportunities facing the country. The PIC SB calls upon domestic political actors to resume political negotiations and engage in public debate on essential reforms, including constitutional and electoral reforms to ensure the equality of all citizens and eliminate discrimination, particularly implementing the case law of the European Court of Human Rights in the Sejdic and Finci group of cases.

The PIC SB will hold its next regular meeting on 6-7 June 2023.