

HR Schmidt: Referring to September protests as a “trial run” in itself dangerous



High Representative Christian Schmidt today addressed a letter to BiH Presidency member Željka Cvijanović, stating that her reference to the 01 September protest as a “trial run” represents an implicit threat of confrontation and violence, and as such is in itself dangerous. In his letter, the High Representative noted that it is irresponsible to support, with one’s presence, divisive political events staged at the Inter-Entity Boundary Line (IEBL). The IEBL is not a state border but a boundary line between the Republika Srpska and the Federation of BiH.

Please read the High Representative’s letter in full below:

“Sarajevo, 18 September 2023

Call to Order

In executing Annex 10 of GFAP

On the margins of a protest staged at the Inter-Entity Boundary Line on 1 September 2023, you are quoted to have given a statement that reads: *“This is just a trial run for what may follow if they continue to harass us, and they harass us when they do not allow the Assembly and the President to do*

their job."

As a member of the Presidency of Bosnia and Herzegovina, you took a solemn oath to respect the Constitution of Bosnia and Herzegovina, implement the General Framework Agreement for Peace and its annexes in their entirety, protect and promote human rights and basic freedoms, and take care of the interests and equality of all peoples and citizens. I remind you of the responsibility that your position bears.

In respect of the territorial integrity of Bosnia and Herzegovina, it is irresponsible to stage, and with your presence, support divisive political events at the Inter-Entity Boundary Line (IEBL). The IEBL is not a State border but a boundary line between Republika Srpska and the Federation of Bosnia and Herzegovina. Associating the term "border" to Republika Srpska as a "country", clearly means you are publicly creating the wrong impression, that there are state borders within Bosnia and Herzegovina, which is directly violating of the General Framework Agreement for Peace.

The consequences of these irresponsible statements by highest BiH officials can be already seen throughout the Republika Srpska on billboards.

Let me remind you that the Constitution of Bosnia and Herzegovina provides that *"there shall be freedom of movement throughout Bosnia and Herzegovina. Bosnia and Herzegovina and the Entities shall not impede full freedom of movement of persons, goods, services, and capital throughout Bosnia and Herzegovina. Neither Entity shall establish controls at the boundary between the Entities."*

Furthermore, the Constitutional Court of Bosnia and Herzegovina ruled that the IEBL is not to be considered as a border.

Your reference to these staged protests of 1. September as a "trial run" is an implicit threat of confrontation and

violence, and as such is in itself dangerous. Protests staged in the meantime are already an unacceptable follow-up to your commitment.

Finally, on another issue, I must remind you of your obligation to implement the General Framework Agreement for Peace and its annexes in their entirety. The obligation entails fully cooperating with the High Representative and respecting his Decisions, and facilitating his operations. The response that you received in this regard from the United Nations Secretary General is not only explicit but also leaves no room for dilemma or misinterpretation, and there can be no error in respecting me as the appointed High Representative.

As the High Representative, I therefore call on you to rectify your conduct, and to not act in a manner that would constitute or contribute to a violation of the General Framework Agreement for Peace in Bosnia and Herzegovina, which you are bound to uphold. This relates in particular to any suggestion of statehood of the entity of Republika Srpska – an entity like the Federation of Bosnia and Herzegovina within the sovereign and independent state of Bosnia and Herzegovina and that only exists legally by virtue of the Constitution of Bosnia and Herzegovina.

I call you to order to respect Bosnia and Herzegovina's obligations under international law and the duties of your office.

Sincerely,

Christian Schmidt"