

# Communiqué of the Steering Board of the Peace Implementation Council



*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.*

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The Peace Implementation Council Steering Board (PIC SB) Political Directors met on 5 and 6 December 2023 in Sarajevo to assess developments relevant to the General Framework Agreement for Peace in Bosnia and Herzegovina (GFAP). A special focus was on the Republika Srpska (RS) ruling coalition's secessionist rhetoric and undermining of the constitutional order of the country, including attempts to mischaracterize the Inter-Entity Boundary Line.

During the two-day session, the PIC SB Political Directors also discussed challenges to democracy, with particular attention paid to corruption, electoral fraud and threats to human rights, and ways to address them. In particular, the PIC SB Political Directors appreciated the presentation by the BiH Transparency International Executive Director Ivana Korajlić, as well as the briefings by Jelena Trivić, the President of the People's Front; Slaven Raguž, the President of the Croatian Republican Party; and Predrag Kojović, a representative of Our Party.

The PIC SB welcomes the unanimous reauthorization of the EUFOR/Althea mandate by the UN Security Council on 2 November 2023. EUFOR/Althea is vital in supporting local authorities in maintaining a safe and secure environment in BiH.

On 8 November, the European Commission recommended to the EU Council the opening of EU accession negotiations with BiH, once the necessary degree of compliance with the membership criteria is achieved. The PIC SB urges BiH authorities to accelerate the EU accession process by adopting and implementing reforms that will strengthen democracy, entrench the rule of law, combat pervasive corruption, and promote sustainable economic growth.

The PIC SB strongly condemns flagrant attacks by the RS ruling coalition against the GFAP and the constitutional and legal order of BiH, which represent a direct threat to the sovereignty, territorial integrity, and multiethnic character

of the country, and to regional stability. In this context, the PIC SB reminds that attacks against the BiH Constitutional Court undermine the GFAP and the constitutional order of BiH. The PIC SB calls on both entity parliaments to swiftly appoint judges to restore the full composition of the BiH Constitutional Court in order for it to function effectively.

Furthermore, attacks against the High Representative and the undermining of his activities gravely affect the implementation of civilian aspects of the GFAP. The PIC SB urges an immediate reversal of the RS policy of non-recognition of and non-cooperation with the High Representative. The PIC SB warns that upholding the GFAP is an obligation and expects the RS authorities to engage constructively with the High Representative.

The PIC SB further calls on the RS authorities to cease all actions that limit political pluralism, threaten media freedom, limit the freedom of speech, restrict civil society, or stigmatize minorities. These actions have no place in a democratic society and contradict the repeated commitments of the RS leadership to advance European integration. The PIC SB urges the RS National Assembly not to adopt the Draft Law on Special Register and Transparency of Work on Non-profit Organizations, and to reverse its decision to criminalize defamation.

The PIC SB welcomes the FBiH government's efforts to restore the entity's functionality. The passage of three key energy laws and the Law on the Protection of Civilian Victims of War by the Federation Parliament was a positive initial development. The PIC SB urges FBiH authorities to swiftly deliver further concrete results to citizens.

In relation to the priorities for the BiH authorities outlined in the previous PIC SB Communiqués and the one from 7 June 2023 in particular:

- The PIC SB regrets that the provisions related to election integrity in the BiH Election Law have not yet been amended in line with international standards and good practices as recommended by the OSCE/ODIHR, GRECO, and Venice Commission. The PIC SB calls upon BiH authorities to complete this task as soon as possible in order to ensure that the October 2024 local elections can take place in a framework of enhanced election transparency and integrity. Free and fair elections are essential to functional democracy.
- The PIC SB welcomes the completion of the State Property expert process under OHR auspices. The PIC SB encourages domestic stakeholders to utilize the findings in order to arrive at an acceptable and sustainable resolution to the issue of State Property, an objective of the 5+2 agenda. The PIC SB remains committed to facilitating an inclusive political process to this end.
- The PIC SB strongly encourages the BiH authorities to adopt a financially adequate State budget for 2024 by the end of the year to ensure the ability of all State institutions to properly function and meet their constitutional and legal obligations, including those stemming from Euro-Atlantic integration processes. The PIC SB urges BiH authorities to agree on long-term solutions for the legal status and financing of State-level cultural institutions, particularly those that preserve the country's history, and to refrain from politicizing them.

The PIC SB will hold its next regular meeting on 4-5 June 2024.