

High Representative Christian Schmidt prohibits implementation of Anti-Dayton conclusions adopted by the RS National Assembly



The Conclusions adopted by the Republika Srpska National Assembly during its 16th Special Session on December 24 and 25, 2024 represent an offensive attempt to create special rules for the RSNA's conceptual and legal denial of the principles of the Dayton Peace Agreement, which is the cornerstone of Bosnia and Herzegovina's legal framework. Any disrespect of this agreement will challenge the stability and legal integrity of the country and the possibility to balance political positions in a fair and democratic manner. As long as democratic integration in a transatlantic and European community is not fully realized, the international community cannot remain silent and must contribute to safeguarding the principles of the internationally agreed Dayton GFAP as the foundation of a multiethnic state without discrimination.

Following the High Representative's mandate as the final interpreter of the civilian implementation of the Dayton Peace Agreement, he is therefore, obliged to act against any substantial violation or announcement to violate the Dayton Peace Agreement.

In light of this, the High Representative hereby issues an

Order declaring any attempt to implement the dangerous elements of the aforementioned conclusions, which call for action, prohibited and punishable by law. Therefore, it is primarily up to the ruling coalition in the Republika Srpska whether there will be legal consequences or not. The High Representative invites the members of RSNA to reflect on the consequences of such actions and hastily cobbled non legal mixture of parliamentary decisions referring to a specific issue. The right to a fair trial in a court of law has to be protected with the guaranteed rules of procedure and compliance with the rule of law and not creating unilateral rules.

The main message of the Order is: No one is above the law and nobody can misuse the law. This Order does not preclude any actions by the responsible institutions of Bosnia-Herzegovina, who may act accordingly based on their assessment.

Among the many problematic assertions in the RSNA Conclusions is the idea that parliamentary decisions within the multi-ethnic entity of Republika Srpska could apply solely to one ethnic group. Such measures are not only discriminatory, but directly contradict the spirit of the Dayton Peace Agreement, particularly Annex 4, the Constitution of Bosnia and Herzegovina, and also European norms. They have the potential to significantly disturb Bosnia-Herzegovina's path to EU membership.

This Order takes effect immediately upon its publication on the official website of the Office of the High Representative.