

Peace Implementation Council Steering Board Communiqué

Political Directors of the Peace Implementation Council Steering Board (PIC SB) met in Sarajevo on 6-7 July 2011. Representatives of the Bosnia and Herzegovina (BiH) Parliamentary Assembly and the civil society attended parts of the meeting.

The absence of a new state-level government is profoundly damaging to the interests of the country and its people. It is preventing Bosnia and Herzegovina from fulfilling important international obligations, including the final achievement of the 5+2 Agenda. It is stalling BiH's European integration progress. It sends a negative message to potential foreign investors. It jeopardises BiH's access to substantial external funding. It is leading to widespread public disenchantment with the political process. The PIC SB is gravely concerned at the fact that political leaders in BiH seem so little troubled by these consequences, and it calls upon them to put the interests of the country and its citizens first and to engage in serious dialogue, in a spirit of compromise and in accordance with the requirements of the General Framework for Peace (GFAP) to enable the appointment of a broad based state-level government without further delay. The political leaders should act in a way that inspires the young generation rather than disenchant them.

The future coalition at the State-level must be committed to delivering urgent and concrete progress on a variety of issues, including reforms necessary for further European integration. The BiH authorities must take steps to align the country's Constitution with the European Court of Human Rights' judgment on the "Sejdic-Finci case" and adopt the state-level laws on State Aid and on the Population Census in order to make further progress on BiH's path towards the European Union (EU). The PIC SB also stressed the importance of improving the efficiency and functionality of the state institutions, including through necessary constitutional changes, adopted in line with current constitutional provisions. The country must take all measures to ensure the rule of law and will need to be able to adopt and enforce laws and rules of the EU. The new authorities need to continue with public administration reform efforts, which are crucial for addressing the needs of the citizens and are essential for progress on the European integration path. In this spirit, the PIC SB called upon authorities at all levels in Bosnia and Herzegovina to uphold principles of professionalism, political neutrality and merit based recruitment within public administration. The NATO members of the PIC SB and Japan called upon the new authorities to complete the steps necessary to enable the start of the country's NATO Membership Action Plan.

The PIC SB welcomed the formation of the BiH Parliamentary Assembly and the fact that Entity and many cantonal governments are now fully functioning. It called upon the remaining cantons to form new governments with all possible speed.

In line with the EU's unequivocal commitment to BiH's EU perspective, the PIC SB welcomed the EU's further strengthening of its engagement in BiH and the nomination of Peter Sorensen as the Head of the EU Delegation, which were made in the framework of the EU strategy for BiH adopted by the EU Foreign Affairs Council in March 2011. The PIC SB looks forward to close cooperation and coordination between the enhanced EU presence, the High Representative in BiH, and other international community actors in line with their respective existing roles. The PIC SB noted EU's view that the CSDP missions, namely the EUPM and EUFOR Operation Althea are important elements of the EU's overall strategy for BiH and will be kept under regular review on the basis of the situation on the ground.

The PIC SB underlined its unequivocal commitment to BiH's territorial integrity and sovereignty. It reiterated its full support for the High Representative, who will continue to ensure full respect for the General Framework Agreement for Peace (GFAP) and carry out his mandate under Annex 10 and relevant UN Security Council Resolutions, which remain unchanged. The PIC SB reminded all parties of their obligation to fully comply with the GFAP, all its annexes, and decisions of the High Representative. The PIC Steering Board underlined that the International Community retains the necessary instruments to counter destructive tendencies and that it will not allow attempts to undermine the Dayton Peace Agreement.

The PIC SB noted the welcome decision by the Republika Srpska (RS) authorities on 1 June to cancel their unacceptable earlier decision on a referendum. In this context, it welcomed the inauguration of the EU structured judicial dialogue and supported the recommendations from its first meeting regarding the need to follow through

with the implementation of the national war crimes and justice sector reform strategy. It also reiterated that the conclusions adopted by the RSNA on 13 April do not discharge the RS authorities from their obligations under the GFAP and in particular under Annexes 4 and 10 thereto. The PIC SB also condemned and rejected continued unhelpful statements by some public officials that question BiH's territorial integrity and that threatened unilateral changes to the constitutional structure of the country.^[1]

The PIC SB called on all authorities to ensure the proper functioning of institutions at all levels. In particular, it emphasized that state-level competencies must not be undermined. It expressed strong support for BiH's judicial institutions and other reforms undertaken in the context of implementing the GFAP and further European integration standards. It emphasized the need to urgently adopt a state budget for 2011 that ensures sufficient revenues for the effective functioning of the state-level institutions. The PIC SB further urged the relevant authorities to adopt the Global Fiscal Framework to allow for disbursement of pending international financial assistance.

The PIC SB expressed serious concern about the lack of progress since the last Peace Implementation Council Steering Board in meeting the outstanding objectives and conditions from the 5+2 agenda. Completion of the 5+2 agenda remains necessary for the closure of the Office of the High Representative.

The PIC SB awaits the prospect of being informed soon of the recommendations of the Brcko Supervisor and the High Representative on closure of the Brcko Arbitral Tribunal, which would allow the PIC SB to take a decision about the closure of the Brcko Supervision. The PIC SB reminded the entities of the important and binding obligations arising from the Brcko final award and the Constitution of BiH. It took note with interest of the varying actions relating to Brcko District, including the Decree adopted on 6 July by the RS Government, concerning cartographic publications of the RS territory and looks forward to being promptly informed on its practical effects.

The PIC SB welcomed the arrest and transfer of Ratko Mladic to the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague. In that vein, the PIC SB looks forward to continued cooperation by the BiH authorities with the ICTY and full support for the institutions of BiH in processing war crimes. The PIC SB reaffirmed that genocide in Srebrenica, war crimes and crimes against humanity committed in the course of the conflict in BiH must not be forgotten or denied. The PIC SB reiterates its deepest sympathies to victims of crimes committed during the conflict.

The PIC Steering Board repeated its earlier calls for the implementation of "the Revised Strategy for the Implementation of Annex 7".

The PIC SB underlined the importance of freedom of expression and free and independent media, including appropriate oversight bodies and regulatory mechanisms. It called on the authorities to ensure that journalists are able to operate without harassment. It urged all media to report objectively and in line with the highest international standards.

The PIC SB reminded all parties of their obligations under Annex 2 of the GFAP regarding the IEBL, and reiterated its support for the ongoing engagement of EUFOR and NATO in relation to the Inter-Entity Boundary Line (IEBL).

The PIC SB supported regional cooperation and reconciliation as a fundamental tool to overcome differences and to establish harmonious relations between BiH and its neighbouring states. In particular, it welcomed the recent intensification of top-level dialogue between the governments of BiH and neighbouring countries and looks forward to further initiatives directed at reinforcing this trend. Reconciliation efforts should also include a more forward-looking and integrating approach to education.

The next PIC SB meeting will be held in Sarajevo on 30 November and 1 December 2011.

^[1] The Russian Federation does not agree with this paragraph. However, the Russian Federation supports the start of the EU structured dialogue on the justice sector.