

Communiqué of the Peace Implementation Council Steering Board



Political Directors of the Peace Implementation Council Steering Board met in Sarajevo on 4-5 December 2013.

The PIC Steering Board expressed concern about the continued lack of progress on the 5+2 agenda and reinforced the need to complete the 5+2 agenda, which remains necessary for OHR closure. In line with its previous communiqués, the Steering Board called on the competent BiH authorities to take the necessary steps to resolve the outstanding issues.

The PIC Steering Board expressed its growing concern about the inadequate level of progress that has been made on the reform agenda, which has resulted in the country falling further behind other states in the region, particularly in terms of advancing on its European path. The PIC Steering Board reiterated that political leaders and institutions must put the interests and rights of citizens first by finally reaching an agreement on the implementation of the Sejdic-Finci judgment as a matter of urgency. The implementation of the Sejdic-Finci judgment is an obligation for Bosnia and Herzegovina as a member of the Council of Europe. As reiterated by the European Union, in order to submit a credible membership application to the European Union, BiH must implement its obligations under the SAA/Interim Agreement.

The tendency for political consideration and expediency to override the Rule of Law must end. This includes the need to respect constitutional and other General Framework Agreement for Peace (GFAP) provisions in this regard. Importantly, decisions of the BiH Constitutional Court are final and binding and must be implemented. Particularly pressing is the requirement to amend Article 9.3 of the BiH Election Law so that general elections can be held in October 2014. Voters must be enabled to enjoy their most basic right to elect their officials without delays. The PIC Steering Board urged that this and any other changes to the BiH Election Law be made as soon as possible and in full coordination with the Central Election Commission (CEC) to ensure the CEC's ability to carry out elections on schedule.

In this context, the Steering Board expressed its dismay at the ongoing failure of the relevant political parties and institutions to meet their obligations to implement the ruling of the BiH Constitutional Court on the electoral system for Mostar. The PIC Steering Board underscored that local elections in Mostar should be held no later than October 2014. It also stressed that any party that fails to engage sincerely in seeking a solution will bear full responsibility for the continued denial of Mostar citizens' basic rights. The PIC Steering Board reaffirmed, as the parties themselves agreed last year, the core principle that Mostar must remain a single, coherent, multi-ethnic municipality, with some level of local authority/administration below that of the city.

The PIC Steering Board reiterated its full support for an independent, efficient, impartial and professional judicial system at all levels in BiH and condemned attempts to exert political pressure and influence on these institutions. The implementation of the ECtHR judgment in the Maktouf-Damjanovic case should follow these principles and should not be misused for political purposes. The PIC Steering Board reiterated that justice and accountability for war crimes and genocide are

essential components in the process of reconciliation for the victims and communities in BiH. The PIC Steering Board underscored the importance of the BiH-EU Structured Dialogue on Justice as a venue for agreeing on further steps aimed at strengthening the judicial institutions in the country. The PIC Steering Board expressed particular concern about continuing efforts to undermine the authority of state-level judicial institutions.

The PIC Steering Board welcomed the generally smooth conduct of the enumeration phase of BiH's first census since 1991. Going forward, the PIC Steering Board urged the authorities and political parties to use the census results to develop sound socio-economic policies, and not to exploit them to promote divisions.

The PIC Steering Board called on the Federation authorities to redouble their efforts in the remainder of the current mandate to ensure the effective functioning of institutions. The Steering Board thanked the OHR for its facilitation on this issue and repeated its call to the authorities in the Federation to complete the necessary steps so that the FBiH Constitutional Court, including the Vital National Interest Panel, has the capacity to fulfil all its responsibilities. The PIC Steering Board also called on the Federation authorities to adopt amendments to the Law on Ministerial, Government and Other Appointments that ensure institutional stability in the Federation by affirming the continuity of office while providing mechanisms to resolve blockades in the appointment process. The Steering Board also called on the Federation Parliament to adopt the Federation Law on Internal Affairs with the necessary amendments to ensure the independence, including in the budget, of the police and agreed that the onward adoption of harmonised internal affairs legislation in the Cantons would further promote the development of independent and professional policing.

The PIC Steering Board welcomed the decision of the Federation

Parliament to proceed with the initiative to reform the Federation Constitution so that this entity becomes more functional, cost-effective and responsive. The PIC Steering Board urged the Federation Parliament and all relevant parties to engage proactively in a constructive dialogue on this issue in order to make concrete progress as soon as possible.

The PIC Steering Board emphasized the importance of education for reconciliation and mutual understanding in BiH as a basis for sustainable peace and stability. In that regard, the PIC Steering Board highlighted the urgent need for competent authorities throughout BiH at all levels to advance decisively with education reform aiming at improving education standards, based on principles of non-discrimination, non-segregation and inclusiveness. The PIC Steering Board urges the Conference of Ministers of Education to play a more active role and to create a more coherent legislative framework in the area of education throughout BiH, including an increased convergence of curricula. PIC SB members continue to provide assistance to enhance the overall education environment. The PIC Steering Board was briefed by the OSCE Head of Mission in BiH on efforts to help local actors resolve the situation in Konjevic Polje.

The NATO members of the PIC and Japan also called upon the relevant authorities to demonstrate the country's commitment to Euro-Atlantic integration by acting swiftly to complete the necessary steps to enable registration of prospective defence property, while fully respecting the Constitutional Court ruling. Far too much time has already been lost since BiH was offered the opportunity to engage fully in NATO's Membership Action Plan more than three years ago.

The PIC Steering Board reminded the authorities in BiH of their obligations to uphold international standards of media freedom, and to refrain from attempts to intimidate media outlets, emphasizing the important role that the Public Broadcasting System (PBS) plays in this respect. The PIC

Steering Board called on competent authorities to complete the establishment of the PBS, ensure that it is properly funded as regulated by State-level legislation, and to speed up digitalisation. The PBS system should fully commit to promoting reconciliation in BiH and to refraining from inflammatory rhetoric. The PIC Steering Board also called on the entities to ensure that their legislation is fully harmonised with the state-level Law on the Public Broadcasting System.

The PIC Steering Board strongly deplored efforts and divisive statements aimed at questioning the territorial integrity of the country, as well as undermining the key institutions of BiH and state-level competencies. The PIC Steering Board called upon all parties to avoid the use of inflammatory political rhetoric.

Recalling its earlier communiqués and declarations, the PIC Steering Board underlined its unequivocal commitment to BiH's territorial integrity and sovereignty. The PIC Steering Board 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 remains unchanged. The PIC Steering Board reminded all parties of their obligation to comply fully 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 uphold the Dayton Peace Agreement.

Recalling its communiqués of 7 May 2002 and 31 July 2002, the PIC Steering Board confirms that all provisions against unallocated or weaker sources of funding have been and remain eligible expenditures of the OHR. We call on non-payers to pay their contributions.

The PIC Steering Board will hold its next meeting on 21-22 May

2014 in Sarajevo.