

Communiqué of the Steering Board of the Peace Implementation Council *



The Peace Implementation Council Steering Board (PIC SB) Political Directors met in Sarajevo on 4-5 December, 2018 to review the process of implementation of the General Framework Agreement for Peace (GFAP), which remains the basis for a stable, secure, and prosperous Bosnia and Herzegovina (BiH). The PIC SB reminded all parties of their obligation to comply fully with the GFAP, all its annexes, and decisions of the High Representative. It reaffirmed its unequivocal commitment to the territorial integrity and fundamental structure of BiH as a single, sovereign state comprising two entities. The PIC SB restated that the entities have no right to secede from BiH and only exist legally by virtue of the BiH Constitution. The PIC SB reminded 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 reiterated 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 underlined that the International Community retains the necessary instruments to uphold the GFAP. The PIC SB emphasized the need to fully implement the 5+2 agenda, which remains necessary for the closure of the Office of the High Representative.

The PIC SB deplored the fact that an early and divisive election campaign stalled progress on socio-economic reforms, poisoned the political atmosphere and prevented a negotiated solution on the legal gap in the Election Law related to the Federation House of Peoples. The PIC SB has noted that the OSCE/OSCE Office of Democratic Institutions and Human Rights (ODIHR)-led International Election Observation Mission characterized the elections as “genuinely competitive” and also acknowledged that Mission’s concerns and those of local NGOs about numerous irregularities reported throughout the country during the election process. The PIC SB also deplored threats to the independence of the media, including intimidation and physical attacks against journalists, while also condemning attempts by certain media and politicians to distort facts, and influence the work of the Central Election Commission. The independence of the CEC is crucial for the free and fair conduct of elections and the implementation of the results.

The PIC SB deemed that full cooperation with the International Residual Mechanism for Criminal Tribunals (IRMCT) includes respecting the verdicts that both the ICTY and the Mechanism have delivered. In this context, it deplored the RSNA Conclusions of August 14 about the report of the RS Government’s Srebrenica Commission, and reaffirmed that the events in Srebrenica from 10 – 19 July 1995 have been conclusively qualified as genocide by international tribunals and national courts alike.

The PIC SB welcomed the BiH Parliament’s adoption of amendments to the BiH Criminal Procedure Code in relation to the state’s ability to fight corruption, terrorism and organized crime, which demonstrated that compromise and dialogue among political actors can bring concrete positive results.

The PIC SB Political Directors met and encouraged the newly inaugurated BiH Presidency members to make every effort on

behalf of BiH to protect the interests and equality of all citizens, and contribute to the country's reform path. The PIC SB regretted the decision of one member of the BiH Presidency to leave the meeting before the discussion had begun. The PIC SB urged the members of the Presidency to show unity, work together and respect the laws of the country, including the Law on the BiH Flag.

The PIC SB encouraged the BiH political and institutional leaders at the relevant levels of authority to:

- Engage without further delay in constructive dialogue, in a spirit of compromise to enable the timely formation of functional legislative and executive authorities at all levels. Refrain from blocking or obstructing the implementation of election results for narrow party interests and thereby holding the future of the country and its people hostage.
- Work towards dialogue and cooperation free from divisive and irresponsible rhetoric and conducive to stability and progress, in particular by taking concrete steps starting at the highest political levels towards reconciliation in BiH, including through joint commemorations.
- Submit the remaining answers to the questions of the Questionnaire, which would allow the European Commission to assess the readiness of Bosnia and Herzegovina to move forward on its EU integration path and to prepare the Opinion in a timely manner. The Commission's Opinion will provide for a comprehensive roadmap on future EU-oriented reforms in the country – with a particular focus on good governance, rule of law, the fight against corruption, also aiming to substantially improve the track record on corruption cases, and public administration reform – and represent the basis upon which EU member states will take a decision on the next

EU integration steps of Bosnia and Herzegovina, in line with citizens' aspirations.

- Uphold the rule of law at all levels of governance in BiH, in particular by strengthening the institutions responsible for the fight against corruption and the prevention and combating of terrorism. Refrain from undermining the state and entity level judicial institutions, and implement their decisions.
- Focus on delivering urgent and concrete socio-economic and other reforms to improve the quality of life for citizens, by addressing unemployment, strengthening the business environment and restructuring state-owned enterprises, and improving public services.
- Prioritize the adoption of budgets for 2019 by the domestic authorities within legally prescribed deadlines, to ensure that government institutions can continue to operate and meet their obligations to the citizens of BiH.
- Intensify efforts to improve the credibility and transparency of the electoral process without further delay. Make stronger efforts to implement fundamental changes recommended by the ODIHR, Group of States against Corruption (GRECO) and others, including from previous elections, in particular by addressing concerns about polling station committees, the accuracy of the Central Voter Register, ballot counting, equitable access to media, non-transparent party financing, and misuse of public and other resources. Adopt these changes as soon as possible, in order to ensure that they can be applied in time for the 2020 local elections.
- Adopt appropriate acts concerning the formation of the Federation House of Peoples. Resolve without further delay the electoral impasse in Mostar, where citizens

have been denied the right to elect their local representatives for over a decade.

- Implement the Sejdic/Finci and related decisions of the European Court of Human Rights, and refrain from taking legislative or political steps which would make the implementation of these rulings more challenging.
- Ensure media freedom and independence, and support professional and responsible media, also by ensuring a stable and independent source of financing for the Public Broadcasters.

The PIC SB will hold its next meeting in Sarajevo in June 2019.

* The Russian Federation does not join this Communique.