

Communiqué of the Steering Board of the Peace Implementation Council*



The Peace Implementation Council Steering Board (PIC SB) Political Directors met in Sarajevo on 3-4 December 2019 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 welcomed the nomination of the new Chair of the BiH Council of Ministers, along with the decision adopted by the BiH Presidency regarding the submission of the *Program of Reforms of Bosnia and Herzegovina* to NATO. The PIC SB expects that, with the unblocking of the formation of the BiH Council of Ministers, the BiH Parliamentary Assembly will start working, thus accelerating the pace of reforms, including fundamental reforms upon which the EU will take a decision regarding Bosnia and Herzegovina's next steps.

The PIC SB noted some positive developments in Bosnia and Herzegovina, such as the efforts of the Sarajevo Canton Government to improve the transparency of its work and services, and welcomed its focus on improving the lives of the citizens in this Canton. Furthermore, the PIC SB commended the Sarajevo Canton authorities for ensuring a peaceful environment for the Pride Parade, as an expression of tolerance and support for human rights.

The PIC SB also met with Mayors of the cities of Gradacac and Gradiska, the municipalities of Tesanj, Teslic and Tomislavgrad, as well as the heads of the FBiH and RS Unions of Municipalities and Cities, who offered examples of positive practices at the municipal level. The PIC SB welcomed the focus of Mayors on improving the lives of the citizens through good governance practices and cooperation among municipalities across the country. The PIC SB was encouraged to hear that the Mayors are cooperating across ethnic, administrative and political lines to learn from each other on how to address the needs of their respective communities. The PIC SB calls upon all leaders to pursue the path of progress and reconciliation.

The PIC SB recalled specifically the provisions of the GFAP under which the entities are obliged to comply with the decisions of BiH institutions and to provide the necessary assistance to the government to enable it to honor the international obligations of BiH. Functionality of the state-level institutions should be enhanced, rather than undermined.

In this respect, the PIC SB recalled its statement of 13 November concerning the Conclusions adopted by the RSNA. The interests of all levels of government are best served not by rolling-back essential reforms, but by, implementing forward-looking reforms that support and strengthen the security, stability and prosperity of BiH, and promote local ownership. The conclusion seeking to criminalize violations of the RSNA positions would violate basic standards of democracy by exerting extreme pressure on officials from the territory of the RS and constitute a direct attack on the autonomy and independence of state-level officials, in violation of the Constitution of BiH.

The PIC SB discussed the management of migration and border security, as exclusive competencies of the state, from an institutional perspective in the presence of Directors of the BiH Border Police and the BiH Service for Foreigners' Affairs, underlining the need to support state-level authorities to perform their duties. The PIC SB emphasized the necessity for strengthened cooperation among all levels of authority in BiH, including sharing the burden of hosting migrants. It called on political leadership to take responsibility and provide sufficient budget and tools to help the state agencies improve their effectiveness in addressing migration-related problems, including border management.

The PIC SB deplored the absence of meaningful progress on concrete issues since its last meeting in June 2019. The PIC SB urges the BiH political and institutional leaders at the relevant levels of authority to particularly focus on:

- Urgently completing the process of the formation of authorities at all levels, taking into account domestic and international reform-related obligations of BiH and putting the interests of the citizens first.
- Demonstrating their declared commitment towards EU integration by addressing the 14 key priorities identified by the European Commission in its Opinion on

the country's EU membership application and tackling reforms in the fields of rule of law, fundamental rights, public administration reform, as well as democracy and functionality.

- Ensuring the state-level adoption and full and effective implementation of socio-economic reforms.
- Enabling the citizens of Mostar to vote at the 2020 local elections by resolving the electoral impasse in Mostar through a political process not contingent on other electoral matters, thereby implementing the ECtHR decision in case of Baralija. Mostar must remain a unified city.
- Implementing the Sejdic/Finci decision, as well as related decisions of the European Court of Human Rights, which remains unimplemented almost a decade after it was issued. Refrain from taking legislative or political steps that would make the implementation of these rulings more challenging.
- Significantly intensifying efforts to improve electoral process credibility and transparency by implementing the fundamental changes to the electoral legislation recommended by ODIHR and the Group of States against Corruption (GRECO), and adopting these changes urgently, in order to ensure that they can be applied in time for the 2020 local elections.
- Ensuring unimpeded financing and thus functioning of state-level institutions and promptly adopting a 2020 state-level budget that takes into account the objective needs of state-level institutions and allows them to fully meet their constitutional and legal obligations.

The PIC SB will hold its next meeting on 2-3 June 2020.

* The Russian Federation disagrees with this Communiqué.