

# Communiqué of the Steering Board of the Peace Implementation Council



Political Directors of the Peace Implementation Council (PIC) Steering Board met in Sarajevo on 18 and 19 November 2009. The Chairman of the Council of Ministers in Bosnia and Herzegovina (BiH) and the leaders of seven political parties – HDZ BiH, HDZ 1990, PDP, SBiH, SDA, SDP BiH and SNSD – participated in parts of the meeting.

The PIC Steering Board welcomed recent significant progress made by BiH authorities to fulfil the requirements for visa liberalisation, and encouraged further efforts to achieve this goal. It also underlined the importance of BiH authorities continuing to implement the European Partnership and the Interim Agreement and addressing the shortcomings identified in the European Commission Progress Report.

The PIC Steering Board continued its discussion on prospects for transition from OHR into a reinforced EUSR. It called upon BiH politicians to engage constructively to achieve that goal and to refrain from maximalist positions that could hinder BiH's progress in its Euro-Atlantic integration. EU member states of the PIC Steering Board reiterated that an EU membership application by BiH cannot be considered as long as the OHR exists.

The PIC Steering Board expressed its serious concern with the

insufficient progress that BiH authorities have made in delivering the five objectives and two conditions that remain necessary for the closure of the OHR.

The PIC Steering Board urged the political party leaders and the relevant authorities to conclude intergovernmental agreements on state and defence property, respectively, settling ownership rights between the state and other levels of government. The Steering Board welcomes the fact that the inventory conducted under the auspices of the OHR is nearing completion and that negotiations between political leaders on apportionment can now continue on that basis. The Steering Board urged the BiH Presidency to improve the recently adopted ammunitions, weapons and explosives disposal plan, by giving priority to destruction over sale, making full use of existing destruction capability and keeping strict control of this process. The Steering Board called on the authorities of the Republika Srpska (RS) to comply with their legal obligation to publish the 18 September 2009 decisions of the High Representative in the Official Gazette of the RS, in order to allow the Brcko Supervisor to notify the Arbitral Tribunal of the completion of the Final Award. The PIC Steering Board reiterated the need for strengthened fiscal coordination by ensuring the proper functioning of the Indirect Taxation Authority and the National Fiscal Council. The Steering Board urged BiH authorities to speed up the implementation of the National Strategy for Dealing with War Crimes and the National Justice Sector Reform Strategy.

While reiterating that constitutional reform is not a part of the objectives and conditions for closure of the OHR, some constitutional amendments remain essential to ensure compatibility with the European Convention on Human Rights in accordance with the obligations undertaken in the Stabilisation and Association Agreement, to improve functionality of the country, and to facilitate BiH's EU aspirations. The PIC Steering Board welcomed the current

engagement of BiH's political leaders in discussions on constitutional change, and encouraged these leaders to remain seriously engaged and to reach lasting agreements, on the basis of the required political consensus, that will improve political functionality and better equip BiH's institutions for future challenges.

The PIC Steering Board welcomed the 6 November 2009 agreement of the entity Prime Ministers on Elektroprenos BiH and looks forward to the restoration of management structures and operations in line with current legislation.

The PIC Steering Board emphasised the importance of finding an expeditious solution to the situation in Mostar. It is a case where leaders of political parties pursued their own interests at the expense of the constitutional rights of citizens of BiH. The PIC Steering Board supported the High Representative in the action he has taken to address the political stalemate in Mostar, and invited him to consider what further steps can be taken to facilitate resolution of the political stalemate in Mostar.

The PIC Steering Board reiterated its full support to the High Representative, and reminded all authorities in BiH to respect and ensure full compliance with the General Framework Agreement for Peace and decisions of the High Representative in this regard.

The PIC Steering Board welcomed adoption of the UN Security Council resolution 1895, extending the Chapter VII mandate of EUFOR.

The PIC Steering Board underlined the importance of freedom of expression including a free and independent media, with special regard to the forthcoming elections.

The PIC Steering Board urged BiH authorities to urgently adopt a law to be able to conduct a population census in 2011, in line with relevant EU requirements. The PIC Steering Board

reiterated the importance of adopting and implementing, without further delay, the revised and UNHCR endorsed Strategy for the Implementation of Annex VII of the General Framework Agreement for Peace (GFAP). The United Nations Security Council in resolution 1895 of 18 November 2009 also highlights the need to resolve the issue of displaced persons and refugees.

The PIC Steering Board repeated its call to BiH authorities to continue to cooperate fully with the ICTY. The Steering Board of the PIC calls upon the competent authorities of BiH to fulfil their obligations under international law to cooperate fully with the ICTY, by facilitating the arrest of all ICTY indictees, including Ratko Mladic, without further delay, and by dismantling their support networks. It also expressed serious concern that the failure of BiH authorities to address the issue of international judges and prosecutors would have a negative effect on the entire judicial system in BiH, contradict BiH's international obligations, and inhibit the UN Security Council's completion strategy for ICTY. The PIC Steering Board also urged BiH authorities to fund the judiciary to allow for the eventual replacement of international jurists with national judges and prosecutors. The PIC Steering Board encouraged the High Representative to consider what further steps could be taken to address these concerns.

In light of the challenging economic situation the Steering Board urge the authorities to intensify efforts to implement the measures agreed under the terms of the IMF Standby Arrangement, including reforms to render the system of social benefits sustainable, more efficient, and more equitable as discussed with the World Bank.

The PIC Steering Board urged the leaders of BiH to refrain from divisive rhetoric and behaviour that further polarises the political atmosphere in BiH; personal attacks and threats of legal action against the High Representative and his staff

are unacceptable.

Finally the PIC Steering Board commend the High Representative and his staff for their service to peace and stability in BiH.

The next meeting of PIC Steering Board Political Directors will take place in Sarajevo on 24-25 February 2010.