

Latest RS National Assembly decisions do not relieve Republika Srpska of its obligations



The OHR condemns the latest attempts by the Republika Srpska ruling coalition to undermine the integrity of Bosnia and Herzegovina and to hamstring its key institutions. Such attacks on the constitutional order of Bosnia and Herzegovina constitute serious violations of the General Framework Agreement for Peace (GFAP) and, consequently, peace and stability itself. The RS' political pressure on the BiH Constitutional Court is unconstitutional and without legal merit. The Court is the ultimate arbiter of the BiH Constitution. The entities have no right or authority to blackmail it or control its operations.

The OHR urges the return to adherence to constitutional obligations in this regard, and the swift appointment of judges to the BiH Constitutional Court.

Furthermore, the recent vote in the RS National Assembly (RSNA), attempting to prevent the publication of the High Representative's decisions in the RS Official Gazette, clearly disregards the GFAP. Under Bosnia and Herzegovina's legal framework, all decisions taken by the High Representative are binding and as such shall be published in the official gazettes. Failure to do so represents a violation of the GFAP

and is moreover ineffective. In addition, Annex 10 of the GFAP obliges all signatories, including the RS, to fully cooperate with the High Representative. The recent decisions of the RSNA in no way relieve Republika Srpska of these obligations. Those officials who disregard their legal duties and obligations bear personal responsibility for such decisions and the consequences of these decisions.

The entrenchment of the rule of law is one of the objectives of the 5+2 Agenda, and these actions move BiH authorities further from fulfilling their longstanding obligations and accomplishing EU priority reforms. These latest moves by the RS set a dangerous precedent and will not deliver greater prosperity, stability, and progress on the Euro-Atlantic path. The High Representative will remain committed to defending the implementation of the GFAP.