



EUROPEAN UNION

OSCE Permanent Council No. 1365 Vienna, 31 March 2022

EU Statement in response to the Report of the Head of the OSCE Mission to Bosnia and Herzegovina, Ambassador Kavalec

1. The European Union and its Member States warmly welcome Ambassador Kavalec back to the Permanent Council and thank her for the report on the Mission's activities. Against the backdrop of Russia's unprovoked and unjustified war of aggression against Ukraine, which we condemn in the strongest possible terms as a gross violation of international law, the UN Charter and OSCE principles and commitments, the OSCE and its field operations continue to be imperative in promoting and safeguarding security and stability across the OSCE area. We strongly support the Mission's assistance to Bosnia and Herzegovina at all levels. We underline the importance of co-operation and coordination with other relevant international stakeholders and the OHR, and we encourage the Mission to continue with its flexible and tailor-made engagement through its unique and wide field presence.
2. We stress the importance of the Mission's engagement in all three dimensions, as well as on cross-dimensional issues. We highly value the Mission's work in advancing gender equality and we encourage the Mission to continue mainstreaming gender in all its activities. We appreciate the support provided to a number of youth-led activities and we welcome the strengthened partnership with the Regional Youth Co-operation Office (RYCO).

3. Leaders in Bosnia and Herzegovina need to demonstrate a strong commitment to finalise swiftly the constitutional and electoral reform, vital for stability and full functionality of the country, as well as to support all other key priority reforms set out in the Commission's Opinion to obtain a candidate status. The European Union stands ready to continue its high-level engagement in this regard. With reference to the institutional mechanisms, which were set by the Dayton Peace Agreement, Bosnia and Herzegovina needs to undertake the constitutional and electoral reforms needed in order to ensure equality and non-discrimination of all citizens, notably by implementing the Sejdić-Finci case law of the European Court of Human Rights (ECtHR). We underline that no legislative or political step should be taken which would make the implementation of the Sejdić-Finci ruling and related ECtHR rulings more challenging or would further deepen divisions. We reiterate our call for an inclusive process of limited constitutional and electoral reforms, through genuine dialogue and in line with European standards to eliminate all forms of inequality and discrimination in the electoral process. We underline that a number of Constitutional court decisions have yet to be fully enforced. We welcome the Mission's continued engagement in this area, its support to the Central Election Commission and its constructive involvement in talks aimed at improving the integrity of elections. Fair, free and inclusive elections must be held on time and in line with the Constitution.
4. Inclusive, non-discriminatory and high quality education persists as a challenge in Bosnia and Herzegovina and thus is rightly one of the key areas of the Mission's activities. We commend the active approach and the prominent role of the Mission. There also needs to be more effort to make the education system more inclusive and to use education as a tool to promote reconciliation and, in this context to address the continuing existence of the 'two schools under one roof' phenomenon in the Federation. This is without prejudice to the right of education in the language of choice in accordance with the relevant legislation in Bosnia and Herzegovina.
5. We also welcome the Mission's continued support in the area of trust building and reconciliation. The Mission, the EU, the Council of Europe and the United Nations have established a strong informal co-operation in this area, which is bearing fruits. We encourage all political actors in Bosnia and Herzegovina, in particular from the Republika Srpska, to overcome divisive rhetoric rooted in the past, to end the

glorification of convicted war criminals as well as to actively promote reconciliation. Collective respect, recognition and remembrance can help to build a better future for Bosnia and Herzegovina.

6. We welcome the Mission's increased work in the area of fundamental freedoms. We appreciate the excellent work of the Mission in areas such as prevention of conflict of interest, public assembly, education, war crimes processing and wider rule of law issues. We underline the need for authorities to work towards strengthening the rule of law. It is disappointing that necessary reforms on conflict of interest, public procurement and the High Judicial and Prosecutorial Council (HJPC) have not been implemented yet.
7. On first dimension issues, the EU welcomes the Mission's engagement in the consolidation and enhancement of relevant capacities in the areas of cybersecurity and ammunition disposal as well as in preventing and countering violent extremism and radicalization that lead to terrorism. In the second dimension, we commend the Mission's strengthened environmental activities. We also appreciate the Mission's work on the fight against corruption and its role in strengthening preventive measures to reduce corruption across the country. We commend the Mission's work on the EU-funded regional trial-monitoring project, which is being implemented by the OSCE field missions across the region.
8. We reiterate the EU's unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country. We encourage Bosnia and Herzegovina to make concrete progress in the implementation of the 14 priorities identified in the Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union. We deeply regret the prolonged political crisis in the country, which has held back further progress on reforms in 2021, and condemn the blockage of the State institutions. We urge all political leaders to refrain from and renounce provocative and divisive rhetoric and action, including questioning the sovereignty, unity and territorial integrity of the country.
9. Finally, we wish you Ambassador Kavalec and your able team every success in the coming year.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO*, and ALBANIA*, and the EFTA countries ICELAND, LIECHTENSTEIN, members of the European Economic Area, as well as UKRAINE, GEORGIA align themselves with this statement.

* Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.