



## EUROPEAN UNION

### OSCE Permanent Council No. 1417 Vienna, 30 March 2023

#### **EU Statement in response to the report by the Head of the OSCE Mission to Bosnia and Herzegovina Ambassador Brian Aggeler**

1. The European Union and its Member States warmly welcome Ambassador Aggeler to the Permanent Council and thank him for the report on the Mission's activities. Against the backdrop of Russia's unprovoked, unjustified and illegal 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.
2. We highly value the Mission's assistance to Bosnia and Herzegovina at all levels. In this context, we underline the importance of co-operation and coordination with other relevant international stakeholders, including the Office of the High Representative and the EU Special Representative. At the same time, we encourage the Mission to continue with its flexible and tailor-made engagement through its unique and wide field presence.
3. We stress the importance of the Mission's engagement in all three dimensions, as well as on cross-dimensional issues, such as the work to advance gender equality and we encourage the Mission to continue mainstreaming gender in all its activities. We also 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).

4. With reference to the institutional mechanisms, which were set by the Dayton Peace Agreement, Bosnia and Herzegovina needs to undertake further constitutional and electoral reforms 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 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 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.
5. We welcome the Mission's work on electoral reforms, its support to the Central Election Commission and the Mission's co-operation and coordination with ODIHR. We commend the Mission's increased engagement to foster gender equality in political life in the run-up to the 2022 general elections. We note that, as stated in your report, the formation of authorities following the elections has been proceeding more quickly than in the past. We recall the importance of swiftly forming the remaining authorities.
6. Inclusive, non-discriminatory and high quality education persists as a challenge in Bosnia and Herzegovina and we thus commend the active approach and the prominent role of the Mission in this key area. There 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. We appreciate the Mission's support to education curriculum reform.
7. We 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 co-operation in this area, which is bearing fruits. We encourage all political actors in Bosnia and Herzegovina 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.

8. We commend the Mission's work in the area of fundamental freedoms and on safety of journalists, the right of peaceful assembly, prevention of conflict of interest, war crimes processing and wider rule of law issues. We underline the need for authorities to work towards strengthening the rule of law. Constitutional Court decisions must be fully respected. We regret the recent attempts to reintroduce criminal penalties for defamation in Republika Srpska (RS), as well as the decision of the RS government to adopt the Draft Law on NGOs. We are also concerned about RS President Dodik's plans to introduce a new law banning LGBTI persons from education institutions.
9. 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 activities towards strengthening environmental protection and security. We also appreciate the Mission's comprehensive approach to combatting corruption, which includes both prevention and repression angles. We commend the Mission's work on the EU-funded region-wide trial-monitoring project.
10. We reiterate the EU's unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country. 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. The fulfilment by all authorities of the 14 key priorities set out in the Commission's Opinion on Bosnia and Herzegovina's application for EU membership is a precondition for the opening of EU accession negotiations and advancing on its European path for the benefit of all citizens of Bosnia and Herzegovina.
11. Finally, we wish you, Ambassador Aggeler, and your able team every success in the coming year.

The Candidate Countries NORTH MACEDONIA\*, MONTENEGRO\*,

ALBANIA\*, UKRAINE, and the REPUBLIC OF MOLDOVA, the Potential Candidate Country GEORGIA, and the EFTA countries ICELAND and LIECHTENSTEIN members of the European Economic Area, align themselves with this statement.

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