



## EUROPEAN UNION

### **OSCE Permanent Council No. 1466 Vienna, 21 March 2024**

#### **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 warmly welcomes Ambassador Aggeler to the Permanent Council and thanks him for his comprehensive report. Against the backdrop of Russia's unprovoked, unjustifiable and illegal war of aggression against Ukraine, which we condemn in the strongest possible terms, the OSCE and its field operations continue to be imperative in promoting and safeguarding security and stability across the OSCE area.
2. We reiterate the EU's unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country. Given the current geopolitical context, we underline the importance for the country to progress on its European path. In this vein, we note the recommendation of the European Commission of 12<sup>th</sup> March 2024 to open EU accession negotiations with Bosnia and Herzegovina. The European Council will discuss the matter at its current meeting.
3. We welcome the positive reform steps by Bosnia and Herzegovina since the granting of EU candidate status in December 2022, such as the adoption of the law on the prevention of conflict of interest and the law on anti-money laundering and countering terrorist financing. The positive momentum has also led to further

steps in the area of the judiciary and prosecutorial system, the fight against corruption, organised crime, and terrorism, and to improvements in migration management. The EU encourages Bosnia and Herzegovina to continue adopting further reforms to advance on its European path for the benefit of all its citizens.

4. We highly commend the valuable work carried out by the Mission in a challenging environment and under budgetary constraints, its cooperation and coordination with other relevant international stakeholders, including the EU Special Representative and the Office of the High Representative, as well as its flexible and tailor-made engagement through its unique and wide field presence.
5. We are concerned by developments in Republika Srpska that run counter to Bosnia and Herzegovina's EU path, including secessionist rhetoric, actions questioning the constitutional order of the country, and measures restricting the rights of civil society as well as freedom of expression and media freedom. The EU urges the respective political actors in Bosnia and Herzegovina to refrain from and renounce provocative divisive rhetoric and actions, including questioning the sovereignty, unity and territorial integrity of the country.
6. 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). The EU reiterates its call for an inclusive and locally owned 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. The EU underlines that no legislative or political step should be taken that would make the implementation of the Sejdić-Finci ruling and related ECtHR rulings more challenging or would further deepen divisions.
7. We commend the Mission's work on electoral reforms, its support to the Central Election Commission as well as the Mission's cooperation and coordination with ODIHR. We regret that efforts to align the Election Law with international standards and best practices for democratic elections have not yet borne fruit. We call for

continued engagement with political leaders to improve transparency and minimise the possibilities of electoral fraud. The European Council has also urged Bosnia and Herzegovina to urgently finalise constitutional and electoral reforms. We expect domestic institutions, including the Parliament, to take responsibility and adopt the reforms as they committed to do. Further efforts are needed to guarantee free and fair local elections in October.

8. We stress the importance of the Mission's engagement in all three dimensions, as well as on cross-dimensional issues, such as its work to advance gender equality and participation of youth. We encourage the Mission to continue mainstreaming gender in all its activities.
9. We highly value the Mission's continued engagement in the area of inclusive, non-discriminatory and high quality education, despite existing challenges. More effort is needed 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. This is without prejudice to the right to education of choice in accordance with relevant legislation in Bosnia and Herzegovina.
10. The EU further commends the tremendous work of the Mission in safeguarding fundamental freedoms, in particular freedom of expression and media freedom, of peaceful assembly and association, as well as combating hate crimes. While noting the rising number of attacks on journalists in Bosnia and Herzegovina, we appreciate the Mission's activities to improve the safety of journalists. We remain deeply concerned about the backsliding in human rights and fundamental freedoms in Republika Srpska, such as reintroducing defamation as a crime, or labelling civil society groups as 'foreign agents'.
11. The EU appreciates the Mission's support to combat trafficking in human beings and terrorism, improve border security and management, address illegal possession of small arms and light weapons (SALW), police modernisation, and increase resilience against cyber-threats. Additionally, we commend the Mission's achievements in environmental protection, and welcome the Mission's focus on promoting environmental good governance and the principles of the Aarhus

Convention. We also commend the Mission's work on the EU-funded region-wide project to monitor trials against organised crime and corruption.

12. The EU further encourages the Mission to pursue its efforts towards peace, trust building and reconciliation. The Mission, the EU, the Council of Europe and the United Nations have established strong cooperation in this area, including through an EU-funded joint project to improve inter-ethnic relations and stability in Bosnia and Herzegovina. 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.
  
13. To conclude, we would like to reiterate our strong support for the Mission and once again commend Ambassador Aggeler and his team's strong commitment to implement the Mission's mandate.

The Candidate Countries NORTH MACEDONIA\*, MONTENEGRO\*, ALBANIA\*, UKRAINE, the REPUBLIC OF MOLDOVA, and GEORGIA, 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.