

Situation in Bosnia and Herzegovina

European Parliament resolution of 24 April 2009 on the situation in Bosnia and Herzegovina

The European Parliament,

- having regard to the conclusions of the General Affairs and External Relations Council of 16 June 2003 on the Western Balkans and to the annex thereto entitled “The Thessaloniki Agenda for the Western Balkans: moving towards European integration”, which was endorsed by the Thessaloniki European Council of 19 and 20 June 2003,
 - having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, signed on 16 June 2008,
 - having regard to its resolution of 23 October 2008 on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part¹,
 - having regard to the appointment on 11 March 2009 of H.E. Valentin Inzko as the new EU Special Representative in Bosnia and Herzegovina²,
 - having regard to the joint statement on constitutional reform, State property, a population census and the Brčko District, issued in Prud on 8 November 2008 by the leaders of the HDZ BiH, SNSD and SDA parties, and having regard to their subsequent meetings,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the constant deterioration of the political climate in Bosnia and Herzegovina (BiH) is a source of considerable concern for Parliament,
- B. whereas the State of BiH, as enshrined in the Dayton Peace Agreement (DPA), is a tangible testimony of the desire to achieve a lasting reconciliation between the different communities, following the brutal conflict of the 1990s,
- C. whereas this process of reconciliation is inextricably linked to the country's progress towards European integration, since it is based essentially on the same values as those on which the EU rests,
- D. whereas the signing of the above-mentioned EC-BiH Stabilisation and Association Agreement has given a clear message that the promise of EU membership for BiH is real and within the country's reach, provided it complies with the Copenhagen criteria and achieves the necessary reforms outlined in the European Partnership priorities,

¹ Texts adopted, P6_TA(2008)0522.

² Council Joint Action 2009/181/CFSP of 11 March 2009 appointing the European Union Special Representative in Bosnia and Herzegovina (OJ L 67, 12.3.2009, p. 88).

- E. whereas any questioning of the territorial integrity of BiH would not only constitute a violation of the DPA, under which no entity has the right to secede from BiH, but would also run counter to the principles of tolerance and peaceful cohabitation between ethnic communities on which the stability of the whole Western Balkans is founded,
- F. whereas, therefore, the international community and the EU will under no circumstances accept or tolerate any partition of BiH,
1. Considers that European integration is in the best interests of the entire population of the Western Balkans; regrets, therefore, the inability of BiH politicians to agree on a common political vision for their country, compromising for reasons of short-sighted nationalism the objective of joining the EU, an objective which would bring peace, stability and prosperity to BiH citizens;
 2. Reminds political leaders in BiH that joining the EU means accepting the values and rules on which the EU is based, namely respect for human rights, including the rights of minorities, solidarity, including solidarity between peoples and communities, tolerance, including tolerance of different traditions and cultures, the rule of law, including respect for the independence of the judiciary, and democracy, including acceptance of majority rule and freedom of expression; urges political leaders to abstain from hatred politics, nationalist agendas and secessionism and condemns unilateral withdrawal from reforms;
 3. Recalls also that the prospect of EU membership has been offered to BiH as a single country, not to its constituent parts, and that, consequently, threats of secession or other attempts to undermine the sovereignty of the State are completely unacceptable;
 4. Urges all relevant authorities and political leaders, in this regard, to focus very much more on reconciliation, mutual understanding and peace-building measures, in order to support the stability of the country and inter-ethnic peace;
 5. Reiterates that if BiH seriously wishes to join the EU it should comply with the following requirements:
 - (a) State institutions must be able to adopt and implement effectively the reforms required in order to join the EU;
 - (b) the State should therefore establish public institutions based on the rule of law and capable of efficient decision-making; those institutions must be functional, authoritative, independent of political influence and adequately resourced;
 6. Believes that the above requirements can be achieved only through a constitutional reform of BiH based on the following criteria:
 - (a) the State should have sufficient legislative, budgetary, executive and judicial powers to function as a member of the EU, to establish and maintain a functional single market, to promote economic and social cohesion and to represent and defend the interests of the country abroad;
 - (b) the number of administrative levels involved in managing the country should be proportional to BiH's financial resources and should be based on an efficient, coherent and effective allocation of responsibilities;

- (c) the safeguarding of vital national interests within BiH must be compatible with the country's capacity to act;
 - (d) all minority communities must enjoy the same rights as constituent peoples, and this includes abolishing ethnicity-based limitations on the right to be elected, in keeping with the provisions of the European Convention on Human Rights and the relevant opinions of the European Commission for Democracy through Law (Venice Commission) of the Council of Europe;
7. Underlines, in this context, the need to find a clear solution to the issue of State property, compatible with the constitutional prerogatives of the central State;
 8. Reminds BiH politicians that it is their duty to reach an agreement on the above issues and that, were they to fail to reach such an agreement, they would condemn their country and their citizens to stagnation and isolation, at a time when the financial and economic crisis is hitting BiH badly and resulting in considerable job losses;
 9. Points out that the constitutional reform of the country and its European perspective should be the subject of a wide-ranging, in-depth debate involving all components of BiH society, and should not be monopolised by the leaders of the main political parties and ethnic communities;
 10. Urges the BiH Council of Ministers and Parliamentary Assembly to make greater and more effective efforts to adopt the legislation necessary to meet the requirements of European integration, and encourages the different bodies and authorities in BiH to improve coordination on EU-related issues;
 11. Calls for the new Head of the EU Integration Office to be finally appointed and reminds the BiH authorities that the choice of the nominee should be non-partisan and based exclusively on relevant professional experience, proven skills and in-depth knowledge of European affairs;
 12. Calls on the BiH authorities to fulfil speedily the requirements set out in the roadmap for visa liberalisation, in order to secure the lifting of the current visa obligations by the end of 2009;
 13. Expresses its concern at the political interference in the media in BiH and the intermingling of business, political and media interests; calls on the authorities, in this regard, to fully respect the rights of journalists and the independence of the media;
 14. Reiterates at the same time that the international community and its High Representative (HR) Mr Valentin Inzko will act firmly, in line with the HR's mandate, to counter any attempt to undermine the fundamentals of the DPA, notably the peaceful coexistence of different ethnic communities within one single State;
 15. Takes the view, therefore, that the Office of the HR should assist the BiH authorities in achieving and properly implementing all of the five objectives and two conditions set by the Peace Implementation Council (PIC), and that, until this is done, the Office should remain in place and ensure the proper implementation of the DPA;
 16. Underlines that progress in addressing the five objectives and two conditions set by the PIC

is also necessary in order to move forward on the EU agenda;

17. Regrets the paucity of attention paid by the Council to the deterioration of the political climate in BiH and the lack of determination shown so far by Member States to tackle the situation in the country seriously and in a coordinated fashion;
18. Calls on the Council to endorse the requirements imposed on BiH, as mentioned in this resolution, and to commit itself to promoting their implementation; believes in this context that the Council should grant the new EU Special Representative:
 - (a) a strong and clearly defined mandate and the necessary human resources to facilitate the adoption of the reforms outlined in this resolution and promote dialogue with civil society on such issues, including by means of targeted public campaigns and by means of activities to endorse intercultural and interreligious dialogue;
 - (b) the means to bring all the EU's instruments to bear in order to promote real progress in the country, including sanctioning powers (e.g. suspension of EU financial assistance);
 - (c) full and sustained political support and the authority to ensure overall coordination of EU actors and instruments deployed in BiH, thereby guaranteeing the consistency and coherence of all EU actions, as well as coordination with relevant non-EU international actors engaged in BiH;
 - (d) the right to update the Political and Security Committee monthly on developments in BiH and to make appropriate recommendations on targeted sanctions;
19. Calls on the EU High Representative for Common Foreign and Security Policy, Mr Javier Solana, and on the Commissioner for Enlargement, Mr Olli Rehn, to take a much more active and visible role in BiH by paying regular visits to the country and promoting more effectively a dialogue with civil society;
20. Congratulates BiH's civil society on displaying more goodwill than their political leaders and being a positive factor for change and reconciliation in the country;
21. Believes, furthermore, that the international military presence in BiH should remain substantial and should be quickly deployable, so as to show the determination of the international community to safeguard the security and integrity of BiH;
22. Reiterates its demands for the immediate arrest of the remaining indictees sought by the International Criminal Tribunal for the former Yugoslavia and for resolute action by the BiH authorities to eradicate the criminal networks succouring those indictees;
23. Calls, finally, for a strengthened dialogue between the EU and the USA and with other relevant international actors, in order to achieve broad support for a coherent approach to BiH and to avert further deterioration of the political situation in the country and the destabilisation of the region; underlines the need for enhanced regional cooperation to further BiH's progress;
24. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of Bosnia and Herzegovina and its entities.