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Plenary sitting

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DRAFT MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission
pursuant to Rule 123(2) of the Rules of Procedure
on the 2014 Progress Report on Bosnia and Herzegovina
(2014/2952(RSP))

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on behalf of the Committee on Foreign Affairs

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**European Parliament resolution on the 2014 Progress Report on Bosnia and Herzegovina
(2014/2952(RSP))**

The European Parliament,

- having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina (BiH), of the other part, signed on 16 June 2008 and ratified by all EU Member States and Bosnia and Herzegovina,
 - having regard to the European Council conclusions of 19-20 June 2003 on the Western Balkans and to the annex thereto entitled 'The Thessaloniki Agenda for the Western Balkans: moving towards European integration',
 - having regard to the Council conclusions of 20 October, 17-18 November, 15 and 16 December 2014,
 - having regard to the Commission communication entitled 'Enlargement Strategy and Main Challenges 2014-2015' of 8 October 2014 (COM(2014)0700), accompanied by Commission Staff Working Document SWD(2014)0305 entitled 'Bosnia and Herzegovina 2014 Progress Report', as well as the Indicative Strategy Paper on Bosnia and Herzegovina (2014-2020) adopted on 15 December 2014,
 - having regard to the written commitment adopted by the BiH Presidency on 29 January 2015,
 - having regard to the Council decision of 19 January 2015 appointing Lars-Gunnar Wigemark as EU Special-Representative and Head of Delegation for Bosnia and Herzegovina,
 - having regard to its previous resolutions on the country,
 - having regard to Rule 123(2) of its Rules of Procedure,
1. Welcomes that the Council has responded to its call for a rethinking of the EU's approach towards BiH; expresses hope that the EU's renewed approach will motivate the new BiH leaders to launch and accelerate the necessary reforms to enable progress on the path to EU membership; points out that meaningful progress on the implementation of the agenda for reforms, including the Compact for Growth and Jobs, will be necessary for a membership application to be considered; stresses that the Commission should pay particular attention to the implementation of the Sejdić-Finci ruling when asked by the Council to prepare an opinion on the application;
 2. Strongly believes that the EU's reinforced engagement should focus, inter alia, on socio-economic issues, business environment, institutional framework, rule of law and governance, judiciary, civil society, youth, while keeping EU conditionality for

accession unchanged; calls on the HR/VP, the European Commission and EU Member States to maintain a coordinated, consistent and coherent EU position and demonstrate that the renewed approach is a priority of EU foreign policy; stresses that the EU should seek to reunite all financial donors in order to obtain more leverage and send also a clear message to the leaders of the country at all levels about what is expected from them;

3. Welcomes the written commitment adopted by the BiH Presidency on measures to establish institutional functionality and efficiency, to launch reforms at all governance levels, as well as measures to accelerate the process of reconciliation and to strengthen administrative capacity; calls on all political leaders to give their unequivocal support to the written commitment; stresses that following the completion of the domestic procedure, including adoption by the BiH parliament, the entry into force of the SAA would become possible; invites the new leaders to agree with the EU on a roadmap for a broad and inclusive reform agenda to advance the country;
4. Reiterates that an effective and efficient EU coordination mechanism needs to be established to ensure alignment with and enforcement of the EU acquis throughout the country in the interest of the overall prosperity of its citizens; stresses that without such a mechanism the EU accession process will remain deadlocked, as the current organisation of the country is too inefficient and dysfunctional;
5. Welcomes the Commission's initiatives to accelerate the implementation of projects under the Instrument for Pre-accession Assistance (IPA) and strengthen economic governance; regrets that inaction may have implications for the allocation of EU funds for political and socio-economic development under IPA-II; urges the competent authorities to agree on countrywide sector strategies, particularly in the priority fields of transport, energy, environment and agriculture as key requirements to be able to fully benefit from IPA funding;
6. Commends the orderly conduct of the October 2014 elections; notes, however, that for the second time in a row the electoral process took part without every citizen being able to stand for every office; underlines the crucial importance of urgently establishing all new parliamentary organs and governments on all levels; urges the new leaders to reach out to the people, engage with civil society and provide responsible and immediate answers to their legitimate concerns;
7. Welcomes the overwhelming national and international solidarity in response to the 2014 natural disasters; welcomes that the EU provided immediate and substantial rescue and relief efforts, upon request from BiH, and organized a donors conference in July; stresses that the Commission invited BiH to join the Eu Civil Protection Mechanism; calls for effective and coordinated preventive measures at all levels to address the consequences of the current and to prevent such disasters in the future;
8. Urges the authorities to make fight against corruption an absolute priority; calls for effective anti-corruption mechanisms and judicial follow-up as well as inclusive consultations with all stakeholders which should guarantee a timely adoption of a renewed strategic framework for 2015-2019; welcomes the adoption of a set of anti-corruption laws including on the promotion of the protection of whistle-blowers and the creation of prevention bodies at state level, while similar measures remain to be adopted

at entity and cantonal level; is concerned that the new law on conflict of interest weakens the legal framework and presents a setback in the prevention of the conflict of interest by increasing the risk of political interference and lack of incentives for officials to comply; urges the competent authorities to improve the track record of effective investigation and prosecution in high profile corruption cases;

9. Remains seriously concerned about the inefficiency of the judicial system, the risk of political interference in court proceedings, politicization of the appointment procedures and the risk of conflict of interest in the judiciary; urges the new leaders of the country to undertake structural and institutional reforms addressing inter alia the harmonisation of the four different legal systems; invites them to address the recommendations of the Commission such as institutional reforms of the State-level judiciary, including on the adoption of a Law on Courts of BiH; urges the incoming Council of Ministers to adopt the already prepared new Justice Reform Strategy;
10. Is seriously concerned that public administration continues to be fragmented, politicised and dysfunctional; remains preoccupied about its financial sustainability and that the lack of political will for its reform may impact on the provision of public services; urges all competent actors to adopt a new strategy and action plan beyond 2014;
11. Welcomes the broadening of the EU-BiH Structured Dialogue on Justice to include additional rule of law matters and that it is delivering some positive results in regional cooperation, the processing of war crimes, professionalism and the efficiency of the judiciary; notes that conditions in several courts in the Entities have improved, including on witness protection;
12. Is concerned that certain statements questioned the legitimacy of ICTY convictions, thereby undermining the court in The Hague; calls for improving the work of the BiH Prosecutor's Office by reviewing the processing of Category II war crimes cases; welcomes progress in reducing the backlog in war crimes cases; notes that the prosecution of war crimes cases involving sexual violence has improved; calls on the competent authorities to adopt the still pending State-level programme to improve the status of victims of such war crimes;
13. Notes with concern that there are still 84 500 internally displaced persons and 6 853 refugees in BiH; welcomes new measures adopted by the Federation Parliament allowing returnees from the Republika Srpska (RS) to access pension benefits and healthcare in the Federation; calls for effective implementation of the Revised Strategy regarding Annex VII of the Dayton Peace Agreement; calls for continued good regional cooperation in the framework of the Sarajevo Declaration Process; urges a comprehensive approach to address the remaining challenges of clearing the country of mines by 2019;
14. Notes that some progress has been made in the fight against organised crime and terrorism; urges the authorities to amend the criminal code strengthening the criminalisation of financing of terrorism; welcomes the amendment to the Criminal Code to ban and punish the joining of foreign paramilitary groups to prevent religious radicalisation; welcomes also large-scale police operations throughout BiH resulting in the arrest of suspects of organising, supporting and financing of terrorist activities;

commends the relevant BiH agencies for their efforts and determination to combat increasing security threats in a professional manner;

15. Considers it essential to boost the role of civil society by enabling them to articulate citizens' interests; notes that the institutional mechanisms for cooperation with civil society remain weak and hamper the development of a more participatory, inclusive and responsive democracy throughout the country;
16. Considers it essential to foster an inclusive and tolerant BiH society and to develop a State-level anti-discrimination strategy; calls on the competent authorities to include age and disability as grounds on which there shall be no discrimination; regrets that discrimination against LGBTI continue to be widespread; is concerned that cases of discrimination on religious grounds continue to be reported; calls on competent authorities to pursue efforts to increase participation of women in politics and workforce;
17. Notes that legal provisions on freedom of expression are in place; is concerned about political and financial pressure on the media, as well as cases of threats and intimidation against journalists and editors; stresses that the ability of the media to operate without fear is essential for healthy democracy; urges the full respect of media freedom and to enable journalists to obtain information on matters of public interest; urges the competent authorities to safeguard the political, institutional and financial independence of public service broadcasters and to harmonise entity laws on public broadcasting with State-level legislation; urges the merit-based appointment of the Director of the BiH Communication Regulatory Agency Council;
18. Remains concerned about ethnic-based separation in public schools in some Cantons of the Federation; urges the new leaders of the country to promote an inclusive and non-discriminatory education system;
19. Strongly believes that the implementation of measures in the six key reform areas in the Compact for Growth and Jobs will re-stimulate stalled socio-economic reforms, including on growth and employment; calls on the new governments at state and entity level to make economic governance and the Compact a key priority of reforms;
20. Is concerned that considerable weaknesses in the business environment continue to negatively affect private sector development; urges the competent authorities to address the weak enforcement of the rule of law, the large informal sector and high levels of corruption which hamper the business environment;
21. Stresses the need to harmonise and reform the fragmented social protection systems in order to provide equal treatment for all citizens; urges the governments to implement labour market reforms in order to tackle the very high unemployment rate with focus on youth and long-term unemployment;
22. Welcomes BiH's constructive and pro-active stance in promoting regional cooperation; commends frequent joint border patrols with neighbouring countries; invites the new leaders to continue efforts to resolve outstanding border and property issues with its neighbouring countries;

23. Regrets that BiH foreign policy has remained subject to divergent positions resulting in a low alignment rate with EU positions (52%); is concerned about the implications of Russia's rejection of the Peace Implementation Council's standard language on BiH's territorial integrity and its negative narrative on BiH's EU aspirations; welcomes the continued presence of Operation Althea, as part of a renewed UN mandate, focusing on capacity-building and training;
24. Instructs its President to forward this resolution to the HR/VP, the Council, the Commission, the Presidency of BiH, the Council of Ministers of BiH, the Parliamentary Assembly of BiH and the governments and parliaments of the Federation of BiH and the RS.