



## **EUROPEAN UNION**

### **OSCE Permanent Council No. 1260 Vienna, 27 February 2020**

#### **EU Statement in Response to the Report of the Head of the OSCE Mission to Bosnia and Herzegovina**

The European Union and its Member States warmly welcome Ambassador Kavalec to the Permanent Council and thank her for the balanced report on the activities of the Mission.

It is encouraging to see that despite delays in the formation of governments, the Mission continues to find opportunities to make a difference on the ground, including in challenging areas such as education, anti-corruption and election administration. We welcome the excellent cooperation with the Mission in areas such as prevention of conflict of interest, public assembly, cyber security, education, war crimes processing and wider rule of law issues.

We strongly support the Mission's assisting the host country on all levels. We underline the importance of co-operation and coordination with other relevant international players and we encourage the Mission to continue with the flexible and tailor-made engagement through its unique and wide field presence.

We are concerned by the ongoing institutional crisis with regard to the BiH Constitutional Court, which undermines democracy and rule of law. Continued threats of secession do not help to create a constructive political environment where reforms can be advanced. In this context, we recall the Joint Statement by the Embassies of the United States, United Kingdom, France, Germany and Italy and the European Union Delegation/EU Special Representative in Bosnia and Herzegovina dated 14

February 2020 as well as the statement of the Peace Implementation Council of 19 February. Dear Ambassador Kavalec, how do you assess the situation? How could the Mission contribute to the resolution of the crisis?

We encourage the host country to amend the electoral framework, in line with findings and conclusions of the OSCE/ODIHR Election Observation Mission issued after the general elections held in October 2018, and the relevant judgements of the Constitutional Court of BiH and the European Court of Human Rights. Election-related issues should be addressed according to European standards. We welcome the Mission's support in this area and acknowledge the importance of inclusive engagement between the Mission and relevant international and local stakeholders. Looking ahead to the upcoming local elections in autumn this year, we stress that finding a compromise which allows the citizens of Mostar to exercise their democratic right to vote is of utmost importance. The time frame given by the European Court of Human Rights' ruling in October 2019 should be respected.

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. We agree with the Mission's assessment that the results of the first-ever PISA study in BiH have not been given due attention. We call upon BiH to address this issue, in cooperation with the OSCE and the EU.

We welcome the Mission's activities related to the protection and promotion of human rights such as combatting hate speech, promoting tolerance and non-discrimination and facilitating inter-religious and inter-faith dialogue. We are concerned by the deterioration of media freedom and freedom of assembly and encourage the Mission to expand its activities in these areas. We echo the statement made a few days ago

by the Representative on Freedom of the Media who strongly condemned the threats against the journalists of the web portal Capital.

We highly value the Mission's work in advancing gender equality, concretely contributing to combating domestic violence – and developing local Roma Action Plans. We encourage the Mission to continue implementing the 2004 OSCE Gender Action Plan as well as the Mission's Gender Action Plan and to mainstream gender in all Mission's activities. We commend the OSCE Survey on Well-being of Women, which provides support for evidence-based policy-making.

We agree with the assessment in relation to the upcoming Srebrenica genocide commemorations. The EU underlines that there is no space for the denial of genocide or war crimes, glorification of war criminals and historical revisionism in Europe or elsewhere.

We commend the Mission's assistance in addressing the backlog of war crimes cases through concrete, practical steps. An independent, professional and accountable judiciary, free from political influence is of the utmost importance for processing war crimes. We call upon BiH to adopt a revised National War Crimes Processing Strategy.

We welcome the Mission's increased engagement in the area of reconciliation. All actors in BiH should urgently work towards national reconciliation and building mutual trust and respect. Collective respect, recognition and remembrance can help to build a better future for BiH. In this regard we recall the initiative launched in 2018 by the OSCE Italian Chairmanship, in cooperation with the EU Commission and the UN, encouraging the organisation of a joint commemoration event with the participation of political leaders from all the constituent peoples, for all the victims of the war.

We urge the host country's authorities to address the issue of prevention of conflict of interest. We appreciate that in order to further the fight against corruption, the Mission has supported the development, implementation, and promotion of key anti-corruption legislation and policies in Bosnia and Herzegovina. What more could be done in this field?

The EU welcomes and encourages the Mission's engagement in consolidation and enhancement of relevant capacities in the areas of cyber-security and arms control as

well as in preventing and countering violent extremism and radicalization that lead to terrorism. We commend the Mission's plan to continue raising awareness on and advancing efforts towards addressing environmental issues.

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).

We reiterate the EU's unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country. We welcome the Commission opinion on Bosnia and Herzegovina's application for membership of the European Union. In this respect we recall the Council Conclusions of 10 December 2019.

We once again express our strong support to the activities of the Mission and encourage it to maintain continuity in its programmatic activities. Many challenges lie ahead of Bosnia and Herzegovina and the Mission's support will certainly continue to be of much help. In conclusion, let me thank Ambassador Kavalec and her able staff for their work.

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

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