

**Security Council**

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Letter dated 8 October 2009 from the Secretary-General addressed to the President of the Security Council

With reference to Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), I have the honour to convey the attached letter dated 28 September 2009, which I received from Javier Solana, High Representative for the Common Foreign and Security Policy and Secretary-General of the Council of the European Union (see annex), transmitting the nineteenth report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR). The report covers the period from 1 June to 31 August 2009.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(Signed) **BAN** Ki-moon



Annex

Letter dated 28 September 2009 from the High Representative for the Common Foreign and Security Policy and Secretary-General of the Council of the European Union addressed to the Secretary-General of the United Nations

In accordance with the provisions of Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), I attach the nineteenth quarterly report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR). The report covers the period from 1 June to 31 August 2009. I should be grateful if you would transmit this report to the President of the Security Council.

(Signed) Javier Solana

Enclosure

Report of the High Representative for the Common Foreign and Security Policy and Secretary-General of the Council of the European Union on the activities of the European Union military mission in Bosnia and Herzegovina

I. Introduction

1. This report covers the period from 1 June to 31 August 2009.
2. The Security Council in its resolutions 1575 (2004), 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008) requested that Member States, acting through or in cooperation with the European Union, report to the Council on the activities of EUFOR, through the appropriate channels and at least at three-monthly intervals. This document is the nineteenth such report.

II. Political background

3. The Steering Board of the Peace Implementation Council met in Sarajevo on 29 and 30 June to assess progress on the five objectives and two conditions which have been set for the closure of the Office of the High Representative. At the meeting, the Steering Board expressed its strong concern with the level of progress in addressing reforms and the “5+2 agenda”. The Steering Board was also concerned about the overall negative political climate in the country, including frequent challenges to the constitutional order.
4. Owing to the failure of the relevant authorities in Bosnia and Herzegovina to ensure adequate progress in addressing the State property objective, the High Representative on 12 August took a decision by which the Office of the High Representative will provide technical assistance in compiling the State property inventory and auditing its results. The inventory compiled by the Office of the High Representative will serve as the basis for discussions leading to an intergovernmental agreement.
5. As part of a package of laws required for visa liberalization, the Law on the control of movement of weapons and military equipment was adopted by the Bosnia and Herzegovina Parliamentary Assembly in urgent procedure on 15 June. The law entered into force on 15 July.
6. On 23 July, the Council of Ministers adopted amendments to the Law on the Court of Bosnia and Herzegovina and the Law on the Prosecutor of Bosnia and Herzegovina, which would extend by three years the mandate for international judges and prosecutors working on war crimes cases. The amendments, at the request of the State Court, also provide an ad litem extension for international judges working on first instance cases beyond the end of 2009. However, the Prime Minister of Republika Srpska, Milorad Dodik, and other representatives of his party stated in the media that SNSD would vote against the extension of the mandates for all international judges, including those working on war crimes cases. The draft legislation was sent to the Bosnia and Herzegovina Parliamentary Assembly in August.
7. Following a meeting of Milorad Dodik (SNSD), Sulejman Tihic (SDA) and Dragan Covic (HDZ Bosnia and Herzegovina) hosted by the Presidency of the

European Union Council and the United States in Dubrovnik, a wider group of political leaders convened in Sarajevo on 16 July, in the presence of the High Representative. The political leaders discussed visa liberalization and committed themselves to working urgently on resolving the remaining issues in this field in order to reduce the gap between Bosnia and Herzegovina and other countries in the region. They also discussed the fulfilment of the five objectives and two conditions required for the closure of the Office of the High Representative. No concrete agreement was reached at the meeting.

8. During the reporting period, the High Representative used Bonn powers four times. On 8 June he dismissed two senior police officials for anti-Dayton behaviour. On 20 June he annulled the Conclusions of the National Assembly of Republika Srpska on transfer of competencies from the entity to the State level, considering them anti-Dayton and anti-constitutional. On 29 July, as Mostar was still without a Mayor or budget months after the elections, he imposed a temporary budget for Mostar until 30 September. In addition to this, on 6 June the Brcko Supervisor issued a supervisory order banning certain private security companies based in Republika Srpska from acquiring contracts in the district for a period of five years.

9. On 15 July, the European Commission adopted a proposal to enable visa-free travel for citizens of the former Yugoslav Republic of Macedonia, Montenegro and Serbia, with effect from 1 January 2010, with the proviso that the latter two countries meet the remaining benchmarks by that date. The proposal will require approval by the Council of the European Union, following consultations with the European Parliament. Bosnia and Herzegovina (as well as Albania and Kosovo) did not receive a positive assessment, because it still needs to fulfil a number of outstanding requirements from the visa liberalization road map, including the introduction of biometric passports, a reinforced framework for the fight against organized crime and corruption, and improved border and migration management.

III. Security situation and EUFOR activities

10. The overall security situation in Bosnia and Herzegovina remained calm and stable throughout the reporting period. Although nationalistic rhetoric continued, it had no impact on the safe and secure environment. The economic downturn continued to affect Bosnia and Herzegovina, and led to a number of strikes. All of these were professionally and capably handled by Bosnia and Herzegovina law enforcement agencies, and had no impact on the overall security situation. The annual Srebrenica commemoration in July was conducted without significant incident. EUFOR continued to monitor the overall security situation.

11. The force of some 2,200 troops is concentrated in Sarajevo, with liaison and observation teams deployed throughout Bosnia and Herzegovina. EUFOR continued to conduct operations in line with its mandate: providing deterrence; ensuring continued compliance in relation to the responsibilities specified in the General Framework Agreement for Peace, Annexes 1A and 2; and contributing to the maintenance of the safe and secure environment. EUFOR also continued to support the Bosnia and Herzegovina law enforcement agencies in fighting organized crime in close cooperation with the European Union Police Mission and the International Tribunal for the Former Yugoslavia in the search for persons indicted for war crimes. In response to requests from the Tribunal, and with the support of NATO

and local police, EUFOR carried out search operations against support networks of persons indicted for war crimes.

12. There was progress during the reporting period in the area of joint military affairs. EUFOR continued to support inspections by the Armed Forces of Bosnia and Herzegovina of their ammunition and weapon storage sites; the management of those sites in order to enhance the self-sustainability of the latter's capabilities; and the planning for the disposal of Armed Forces surplus weapons and ammunition. The Bosnia and Herzegovina Ministry of Defence disposal plan awaits approval by the Bosnia and Herzegovina Presidency. As noted above, the Law on civilian movement control (control of the movement of weapons and military equipment by Bosnia and Herzegovina contractors) came into force on 15 July. EUFOR has prepared a road map for the handover of this final joint military affairs task to the Bosnia and Herzegovina Ministry of Security and commenced specialist administrative training of Ministry personnel. A memorandum of understanding is to be signed shortly by EUFOR and the Ministry of Security, following which responsibility will formally be transferred to the Ministry. As with other joint military affairs tasks already transferred to the Bosnia and Herzegovina authorities, EUFOR will monitor, mentor and advise on implementation.

13. During the reporting period, EUFOR and the Armed Forces of Bosnia and Herzegovina continued to conduct combined training in line with the 2009 training calendar. Senior officers participated in EUFOR map exercises, and units up to company level in EUFOR tactical exercises.

14. As previously reported, on 18 May 2009 the Council of the European Union approved, for planning purposes, the concept of operations for a possible evolution of Operation ALTHEA towards a non-executive capacity-building and training operation; reconfirmed that it would keep this planning work under regular review so that a decision on the future of the operation could be taken once the necessary conditions had been met; and reiterated that approval of the concept did not prejudice a political decision on the possible evolution of the operation, which would need to take political developments, including the future role of the European Union Special Representative, into account. During the reporting period operational planning for a possible evolution continued. No decisions have been taken.

IV. Outlook

15. The security situation is expected to remain stable despite the prospects of continuing political tension.