



# Security Council

Seventy-sixth year

**8896**<sup>th</sup> meeting

Wednesday, 3 November 2021, 3 p.m.

New York

*Provisional*

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<i>President:</i>	Mr. De la Fuente Ramírez . . . . .	(Mexico)
<i>Members:</i>	China . . . . .	Mr. Geng Shuang
	Estonia . . . . .	Mr. Jürgenson
	France . . . . .	Mr. De Rivière
	India . . . . .	Mr. Mathur
	Ireland . . . . .	Ms. Byrne Nason
	Kenya . . . . .	Mr. Kiboino
	Niger . . . . .	Mr. Abarry
	Norway . . . . .	Ms. Heimerback
	Russian Federation . . . . .	Mr. Nebenzia
	Saint Vincent and the Grenadines . . . . .	Ms. DeShong
	Tunisia . . . . .	Mr. Cherif
	United Kingdom of Great Britain and Northern Ireland . .	Ms. Farrey
	United States of America . . . . .	Mrs. Thomas-Greenfield
	Viet Nam . . . . .	Mr. Pham

## Agenda

The situation in Bosnia and Herzegovina

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*The meeting was called to order at 3 p.m.*

### **Expression of thanks to the outgoing President**

**The President** (*spoke in Spanish*): I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Martin Kimani, Permanent Representative of Kenya, for his service as President of the Council for the month of October. I am sure I speak for all the members of the Council in expressing deep appreciation to Ambassador Kimani and his team for the great diplomatic skill with which they conducted the Council's business last month.

### **Adoption of the agenda**

*The agenda was adopted.*

### **The situation in Bosnia and Herzegovina**

**The President** (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Bosnia and Herzegovina, Croatia and Serbia to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Olof Skoog, Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2021/913, which contains the text of a draft resolution submitted by France.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

*A vote was taken by show of hands.*

*In favour:*

China, Estonia, France, India, Ireland, Kenya, Mexico, Niger, Norway, Russian Federation, Saint Vincent and the Grenadines, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

**The President** (*spoke in Spanish*): The draft resolution received 15 votes in favour. The draft

resolution has been adopted unanimously as resolution 2604 (2021).

I shall now give the floor to those members of the Council who wish to make statements.

**Mr. De Rivièrè** (France) (*spoke in French*): First of all, allow me to thank Kenya, its Permanent Representative and its team for the outstanding work during the month of October. Allow me as well, Sir, to commend your assumption of the presidency of the Security Council. You have the full support of my delegation in the coming weeks.

Since the conflict of the 1990s, with the continued support of the European Union, Bosnia and Herzegovina has made resolute progress on the path towards peace and stabilization. Today, while political tensions are high, France reaffirms its commitment to the European perspective of Bosnia and Herzegovina as well as of the entire Western Balkans. The European Union, an agent of peace and stability on the European continent since its establishment, is determined to continue to play that role in the Balkans, in the dialogue with all its partners.

With the European Union Military Operation in Bosnia and Herzegovina, the European Union has played the main role in stabilizing peace and security in the country since 2004. It does so on behalf of the international community, in accordance with the Dayton-Paris Peace Agreement and by decision of the Security Council. We welcome the adoption today of resolution 2604 (2021), which renews the mandate.

Bosnia and Herzegovina's European path includes implementing an ambitious agenda of reforms for the benefit of all of the country's inhabitants, who have a right to effective democratic institutions, especially when it comes to justice and combating corruption and organized crime, in accordance with the highest European standards. We call on the political leaders of Bosnia and Herzegovina to overcome their divisions and work for the benefit of all its people so as to move the country forward along that path.

We also call for an electoral reform that guarantees the principle of non-discrimination and the equality of all citizens, in accordance with the rulings of the European Court of Human Rights.

Women's full and effective participation in political life must also be a priority.

We also continue to call for the formation of Governments in the Federation of Bosnia and Herzegovina, as well as in all the cantons that still do not have one.

The High Representative plays an essential role in support of Bosnia and Herzegovina as the guarantor of the implementation of the Dayton-Paris Accord. France supports his work and takes careful note of his report. We are convinced that, through his contacts with all the actors in Bosnia and Herzegovina and with all the members of the international community, he will be able to contribute usefully to the country's stability. We call on all stakeholders to engage in good faith towards that goal.

France condemns all forms of calling into question the territorial integrity and existence of Bosnia and Herzegovina as a State. We also deeply regret the decision by certain political representatives to block the functioning of central State institutions. We call on leaders to work within the framework of the country's institutions. France reiterates its unwavering support for the unity of Bosnia and Herzegovina within the framework established by the Dayton-Paris Accord. We call on all the witnessed to the Accord to continue to act as guarantors.

Finally, France condemns in the strongest way possible the glorification of convicted war criminals and the denial of genocide. That is incompatible with the values of the European Union. We reaffirm the importance of justice, reparation and guarantees of non-repetition for crimes committed during the conflicts of the 1990s, especially sexual violence. Transitional justice and reconciliation processes remain the only solid basis for the future of the country.

**Ms. Byrne Nason** (Ireland): I would like to congratulate you, Mr. President, on assuming your important functions as our President for this month. I thank your predecessor Ambassador Kimani for his deft handling of the presidency in the month of October. I also thank his team.

I would like to begin by emphasizing our strong support for a single, sovereign, united and multi-ethnic Bosnia and Herzegovina and for the Office of the High Representative and the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea). We are pleased that resolution 2604 (2021) authorizing EUFOR-Althea, in which Ireland is proud to participate, was adopted this afternoon.

I would like to thank High Representative Schmidt for his report. The High Representative has provided a clear and detailed assessment of the deeply concerning political deadlock and blockages in Bosnia and Herzegovina. Ireland remains fully supportive of the Office of the High Representative and encourages all parties in Bosnia and Herzegovina both to respect and engage, to the fullest extent, with the High Representative and his Office. We would particularly encourage greater progress in fulfilling the 5+2 agenda. The delivery of that agenda remains the agreed prerequisite for the closure of the Office of the High Representative.

We remain greatly concerned about the divisive, negative rhetoric, which only deepens existing divisions and diminishes the prospects for reconciliation. We call on all parties to repudiate such rhetoric and refrain from any further unilateral actions that seek to undermine Bosnia and Herzegovina.

We are concerned in particular about the glorification of war criminals. There can be no place in the modern Bosnia and Herzegovina for the glorification of war criminals and the denial of genocide.

Like all of us, Bosnia and Herzegovina has faced serious problems as a result of the coronavirus disease (COVID-19) pandemic, but the political deadlock and paralysis of State institutions is compounding the frustration of Bosnia and Herzegovina's citizens and is a factor driving so many young people to leave the country.

Bosnia and Herzegovina has been able to make significant achievements over the past quarter of a century in building up its institutions of Government and developing its economy and society. It has shown that the political path can work for all people of Bosnia and Herzegovina. That must continue. Elected representatives, working together with the national leadership, must cooperate to address the needs of citizens.

Ireland fully supports Bosnia and Herzegovina's European Union (EU) perspective. We call on all parties to work towards common goals, to address the challenges created by COVID-19 and to step up the pace on implementing the reforms needed for EU accession. That means addressing the needs of all citizens. We call on all parties to uphold and respect equality and inclusion as key principles that will underpin a stable prosperous future for Bosnia and Herzegovina and enable women

to rightfully participate in decision-making in all its dimensions. Despite existing legislation, we know that the participation of women in politics remains low. We urge the authorities to ensure the development of effective mechanisms for the implementation of quotas to enhance women's political representation. We call once again on the High Representative to focus on that important issue of gender equality and for reporting on the issue to be included in future reports of the Office of the High Representative.

Progress is needed on the reform of the electoral framework to meet European standards and guarantee that all citizens can exercise their political rights. We regret the fact that there has been no move towards an agreement on those issues before the country moves into full election mode in 2022. Achieving those much needed reforms will require all sides to show leadership and engage in a sincere and constructive way. In addition, progress is required on the 14 key reform priorities, set out in the European Commission opinion, in particular on the rule of law. That is essential for restoring citizens' trust in the judicial system. Bosnia and Herzegovina will move forward on its EU path only when it delivers on that critical mass of reforms.

Bosnia and Herzegovina has much challenging work ahead of it, but we hope that its leaders will resume the dialogue needed to tackle, step by step in a pragmatic way, the issues facing the country. That will enable Bosnia and Herzegovina to take a decisive step towards overcoming the dismal legacy of the past and realize its full potential as a sovereign State within the European family of nations.

**Ms. Deshong** (Saint Vincent and the Grenadines): Let me also join others in wishing you, Mr. President, every success as Mexico steers us this month in the work of the Security Council. I also take the opportunity to congratulate Ambassador Kimani and his very dynamic team on a wonderful and successful presidency in the month of October.

We begin by expressing thanks to the Office of the High Representative for its commitment to help promote the political process and the full implementation of the Dayton Peace Agreement in Bosnia and Herzegovina. We also take this opportunity to recognize the continued work of the European Union Military Operation in Bosnia and Herzegovina, as it plays a key role in supporting the efforts to maintain a safe and secure environment in Bosnia and Herzegovina.

We are concerned about the recent political developments that threaten the stability of the country and undermine the progress achieved over the past 26 years. All political leaders must actively endeavour to leverage common opportunities and engage in constructive dialogue to implement much-needed reforms, including the political, socioeconomic and electoral reforms, for the benefit of its citizens. Our delegation therefore encourages the leaders to uphold their commitments pursuant to the General Framework Agreement for Peace in Bosnia and Herzegovina, which is a fundamental pillar for building lasting peace and stability in the country.

Bosnia and Herzegovina's leaders must also strive to act hand in hand with each other to help mitigate the consequences of the coronavirus disease pandemic.

It is concerning that the most recent report on the implementation of the Peace Agreement includes an escalation of divisive rhetoric, the glorification of war criminals and actions targeted at the country's Constitution. Those actions serve only to erode the otherwise significant steps that have been made in nation-building. Above all, we encourage the parties to improve the rule of law, tackle corruption and improve the overall political environment in the country so that the people of Bosnia and Herzegovina can enjoy peace and be treated with respect and dignity.

In conclusion, Saint Vincent and the Grenadines reaffirms its support for the stability, political independence and territorial integrity of Bosnia and Herzegovina. We encourage the leaders to put aside their differences and work together with the members of the Steering Board of the Peace Implementation Council to fully implement the Dayton Peace Agreement and the objectives and conditions of the 5+2 agenda. We also encourage all parties to continue engaging with the international community, particularly the Security Council, for the stability and long-term security of the people of Bosnia and Herzegovina.

**Ms. Farrey** (United Kingdom): I would like to start by congratulating you, Mr. President, on Mexico's assumption of the presidency of the Security Council this month and wish you all the best. I also congratulate Kenya for a very successful presidency in October.

I would like to join other Council members in welcoming the adoption just now of resolution 2604 (2021), which renews the authorization for the European Union Military Operation in Bosnia and Herzegovina

(EUFOR-Althea) for a further 12 months. As the High Representative states in his recent report, the present turbulent environment in Bosnia and Herzegovina highlights the vital role of EUFOR-Althea in safeguarding peace and security, thereby enabling the High Representative to fulfil his mandate and provide reassurance to the people of Bosnia and Herzegovina. Although this is by necessity a simple resolution, it rests on the great body of existing resolutions and other documents of the Council that set out the Council's position in full.

Although the new High Representative, Mr. Christian Schmidt, is not with us today, we would like to thank him for his candid and thorough report on the implementation of the Dayton Peace Agreement in Bosnia and Herzegovina, which was circulated to Council members pursuant to the requirements of the Peace Agreement and the relevant Council resolutions. We look forward to welcoming him to the Council in upcoming meetings.

The High Representative's report paints a worrisome picture. We note his view that Bosnia and Herzegovina is facing the greatest existential threat of the post-war period and heed his warning on the real prospects for further division and conflict.

In particular, we share the deep concern of other Council members about the divisive rhetoric and actions pursued in some quarters of Bosnia and Herzegovina, notably by representatives of the Republika Srpska entity. Although those activities predate the 22 July amendment of the Bosnia and Herzegovina criminal code by the former High Representative to sanction the denial of genocide, war crimes and the glorification of war criminals, the amendment appears to have provided a pretext for an escalation since then.

As the High Representative points out, those activities, including threats to re-establish a Republika Srpska army and to pull out of other established State-level institutions, represent an attempt to withdraw the Republika Srpska from the constitutional order established under the Dayton Agreement. These moves seek to undo 26 years of hard-won peace and progress. As such, we agree with the High Representative's assessment that those actions amount to an attempt to engineer secession from Bosnia and Herzegovina. That puts at risk not only the peace and stability of the country and the region, but the Dayton Agreement itself.

In the light of the political situation in Bosnia and Herzegovina, it is more vital than ever that the Security Council make clear its ongoing support for the full implementation of the Dayton Agreement. In addition to the military role of the European Union Military Operation in Bosnia and Herzegovina, that includes the civilian role of the High Representative.

We would like to join others in expressing our full support for the new High Representative, Mr. Schmidt, and for the use of executive powers should the situation require it. We reject attempts to undermine his appointment and to close his Office prematurely. That is not in the interests of the people of Bosnia and Herzegovina, but undermines regional security and the country's objective of Euro-Atlantic integration. As agreed by the Steering Board of the Peace Implementation Council for Bosnia and Herzegovina and repeatedly reaffirmed by Council members, the completion of the 5+2 agenda remains necessary for the closure of the Office. We urge the authorities of Bosnia and Herzegovina to recommit to achieving progress and welcome Mr. Schmidt's proposed initiative to reinvigorate the process.

Moreover, we urge the entities and all citizens of Bosnia and Herzegovina to harness the spirit of the positive developments in the High Representative's report, such as the mutual visits between the city mayors of Sarajevo, Mostar, Banja Luka and Tuzla.

As a member of the Security Council and the Peace Implementation Council, the United Kingdom remains committed to supporting the security, stability, democracy, prosperity, sovereignty and territorial integrity of Bosnia and Herzegovina. We stand with the people of Bosnia and Herzegovina and their hopes for a peaceful and bright future.

**Ms. Heimerback** (Norway): Let me, like others, thank Kenya and the Kenyan team for their excellent presidency. We also wish to convey to you, Mr. President, and your team our best wishes for the month of November.

The contribution of the European Union Military Operation in Bosnia and Herzegovina to maintaining stability and a safe and secure environment in Bosnia and Herzegovina is vital and, unfortunately, still necessary to ensure sustainable peace. We therefore voted in favour of resolution 2604 (2021) and welcome the continued work of the Operation.



While it is important that we were able to adopt a resolution, we regret that it was not possible to proceed with the more substantial text, which would have sent a signal to the actors in Bosnia and Herzegovina to stay committed to the process of transition towards a peaceful, reform-oriented and prosperous European country.

Let me thank the Secretary-General and High Representative Schmidt for the report. It outlines serious challenges to the fundamental elements of the General Framework Agreement for Peace in Bosnia and Herzegovina. Norway supports the Office of the High Representative and believes it continues to have an important role in overseeing the implementation of the civilian aspects of the Dayton Peace Agreement.

The authorities in Bosnia and Herzegovina must take the necessary actions to fulfil the conditions under the 5+2 agenda. We believe that is possible and within reach if all actors, including the international community, work together constructively and in the best interests of all people in Bosnia and Herzegovina. Only then could the Office of the High Representative be closed and the international supervision of Bosnia and Herzegovina phased out. However, we are not there yet. Progress has been made, but more needs to be done.

We remain concerned about the current political crisis in the country. More than 25 years after the war, it is in everyone's interest to pursue a peaceful and constructive path that leads to lasting reconciliation. That is a prerequisite for development and prosperity.

Yet the current political impasse is destructive. Energy should be spent on meeting the needs of the people and focusing on comprehensive reforms to further develop Bosnia and Herzegovina, and efforts must be made to enhance the implementation of reforms, including on the rule of law and rulings by the European Court of Human Rights. It is time for all parties to play a constructive role in ending the impasse and, through dialogue, resolve the current crisis and help build a better tomorrow for the citizens of Bosnia and Herzegovina.

We know that women are key to lasting and sustainable peace. We therefore call on all parties to ensure women's full, equal and meaningful participation in all aspects of dialogue and peacebuilding. Let me end by once again confirming that Norway fully supports the sovereignty, territorial integrity and fundamental structure of Bosnia and Herzegovina as a single

sovereign State comprising two entities. Norway will continue to listen to, and engage with, one and all.

**Mrs. Thomas-Greenfield** (United States of America): Let me join others in welcoming you, Mr. President, to your new role as President of the Security Council. I would also like to thank Kenya for its extraordinary effort during the previous month.

We are very pleased that the Security Council once again reauthorized European Union Military Operation in Bosnia and Herzegovina and sent a clear message of support for the vitally important mission of maintaining peace and security. We are also grateful for High Representative Christian Schmidt's recent report, which the Secretary-General shared with the Security Council. In line with precedent and the requirements of resolution 1031 (1995), the report is crucial for keeping the international community informed about the ongoing efforts to ensure enduring stability and prosperity in the region. Although the High Representative is not here with us today, we appreciate his hard work and look forward to welcoming him to brief the Council on developments in future.

Right now, Bosnia and Herzegovina is facing a critical juncture in its post-war history. Today I would like to address three aspects of this situation — the dangerous rhetoric we have been hearing, the need to protect and fund the Office of the High Representative and how electoral reform and combating corruption are necessary for progress in Bosnia and Herzegovina.

First, the heated rhetoric must stop. Mr. Milorad Dodik has called for the Republika Srpska's withdrawal from the armed forces and from State-level institutions in the judiciary, law enforcement and intelligence agencies. With increasing frequency, Dodik has been talking about the Republika Srpska's possible full withdrawal from Bosnia and Herzegovina. The United States agrees with the High Representative's assessment — this is a dangerous path both for Bosnia and Herzegovina and for the wider Western Balkans regions. We are especially concerned by Dodik's claim that he is leading an effort to draft a new constitution for the Republika Srpska. This would pose a serious threat to the Dayton architecture, which is an architecture that has so far successfully preserved peace.

As we have maintained since the signing of the Dayton Accords in 1995, the sovereignty and territorial integrity of Bosnia and Herzegovina is

paramount. Unfortunately, in the past few months, all sides have made heated claims. We call for calm and for de-escalation by all parties. It is time for elected officials at all levels of government to get back to governing and serving the citizens of the country. That means the Presidency must meet on a regular basis. State-level institutions must be fully operational and have the full participation of the constituent peoples, and, after three years, the Federation's Government must be finally and fully formed.

Secondly, we must protect the role of the High Representative, whose office serves as a foundation of stability for the country. High Representative Schmidt has our utmost support as the final authority charged with implementing the civilian aspects of the Dayton Accords. That will remain the case until the 5+2 agenda is met. Only then can the Office of the High Representative close, and only then can Bosnia and Herzegovina graduate from international supervision.

We also urge all non-payers to contribute to the Office's budget. As the High Representative mentioned in his report, operating expenses for his Office declined about 7 per cent per year entirely because of non-payment. This imperils the Office's functioning in Bosnia and Herzegovina, and it threatens peace and undermines progress. Members of the Peace Implementation Council must fund the Office of the High Representative so that it can do its job.

Thirdly, and finally, for the country to move forward on its European Union path, it needs electoral and limited constitutional reform, and it needs to combat corruption. The authorities must heed and implement the recommendations made by the Office of Democratic Institutions and Human Rights and the Group of States against Corruption to strengthen election integrity for the equal benefit of all citizens. Now is the moment to pass legislation and improve election integrity leading up to the 2022 elections. Both Governments need to weed out corruption in all its forms. Corruption is unlawful. It is anti-democratic, and it is the spark that sets off instability. The people of Bosnia and Herzegovina deserve better from their Government. Corrupt officials must be held accountable.

This is a delicate moment for Bosnia and Herzegovina. Let us ensure for the country's people that all parties involved choose the path of peace, progress and prosperity.

**Mr. Mathur (India):** We wish to congratulate you, Mr. President, on your assumption of the presidency of the Security Council. We also wish to congratulate Kenya for a successful presidency in the month of October.

Let me begin by thanking Mr. Christian Schmidt for his first report, covering the period from 16 April to 15 October 2021, which has been shared with the Security Council.

The recent political developments in Bosnia and Herzegovina have the potential to undermine the progress made in the last two decades. It is important that all parties are encouraged to adopt a conciliatory approach and work closely to address all contentious issues.

We believe the General Framework Agreement for Peace provides the basis to find solutions related to interethnic-conflict settlement through dialogue among the parties based on equality and mutual respect, compromise and consensus. The Agreement remains important for building enduring peace and stability in Bosnia and Herzegovina.

As an ad hoc international institutional mechanism, the Office of the High Representative has been overseeing the implementation of the civilian aspects of the Agreement. We believe it is incumbent on the Office to continue to work with all parties objectively to build trust and overcome the impediments.

The Office is an interim mechanism, and expeditious implementation of the 5+2 agenda should remain the top priority. The new High Representative has before him an emerging political situation that, if not addressed diligently, could adversely affect the Peace Agreement. Therefore, the new High Representative needs to promote cohesion and mutual understanding among all parties. We hope that disagreement among members of the Steering Board of the Peace Implementation Council over the Office of the High Representative will be resolved through consensus and constructive engagement in line with the peace agreement.

Owing to its multi-ethnic, multilingual, multicultural and multireligious nature, Bosnia and Herzegovina has been facing challenges on its path towards sustainable peace. We believe these challenges could be overcome by its leaders through dialogue, mutual understanding and empathy towards each other's positions. It is important that all sides shun

divisive rhetoric in their statements that may be used to stoke tensions between different communities. Towards this end, we hope that the new High Representative will play an objective role in line with the provisions of the Peace Agreement.

**Mr. Cherif** (Tunisia) (*spoke in Arabic*): At the outset, it is my pleasure to once again congratulate Kenya on its successful presidency of the Security Council during the month of October. I also wish all the best to Mexico on assuming the presidency of the Council this month. I would like as well to welcome the representatives of the European Union, Bosnia and Herzegovina, Croatia and Serbia.

The report that we have before us shows the persistent and large-scale challenges that the Dayton Agreement is facing. In this context, my delegation expresses its concern as regards the political developments in Bosnia and Herzegovina since July, especially those which lead to obstructing the work of institutions. As for the elections of 2022, I recall the difficulties that have arisen since the elections of 2018 and the impossibility since then of forming a new federal Government.

My country's delegation expresses its concern once again as regards the continued negative ethnic rhetoric that can only deepen the existing divisions and affect the reconciliation process in Bosnia and Herzegovina. In this regard, we reiterate Tunisia's full support for the prosperity, stability and peace in Bosnia and Herzegovina and emphasize the need to preserve its sovereignty, territorial integrity and constitutional order. We also call for the need to refrain from any behaviour that would undermine reforms and jeopardize the unity and stability of Bosnia and Herzegovina. We also call on all parties to forgo divisive rhetoric, which can only deepen the national and ethnic divisions and dangerously threaten stability and the peacebuilding process.

My delegation reiterates once again its support for the efforts made by the Office of the High Representative in line with the Dayton Peace Agreement and the relevant Security Council resolutions. We stress the important role of the European Union military mission in Bosnia and Herzegovina to promote the efforts aimed at creating a safe environment. We therefore encourage all parties to honour their commitments aimed at ensuring that Bosnia and Herzegovina has its full independence within the framework of the 5+2

agenda so that the Office of the High Representative may be closed and international supervision ended.

Despite the fact that it has been 25 years since the signing of the Dayton Agreement, periodic reports explicitly describe a persistent standstill and growing challenges at various levels. We would like to remind all the parties concerned to avoid disagreements that lead to constant crises and tensions. Priority should be given to the national interest of all citizens of Bosnia and Herzegovina, paving the way for the younger generation to build a better future based on ethnic and cultural unity.

In conclusion, Tunisia reiterates its full support to all efforts that promote stability in Bosnia and Herzegovina and achieve reconciliation among its various ethnic groups. We stand ready with various partners to support lasting peace and security and sustainable development, as well as to achieve the aspirations of its people for a better future.

**Mr. Geng Shuang** (China) (*spoke in Chinese*): For some time now, Bosnia and Herzegovina has been facing growing challenges. The election law reform is beset with difficulties. The formation of a new Government shows little progress, and the parties increasingly disagree over national governance models. China is of the view that the issues facing Bosnia and Herzegovina should ultimately be resolved by its people. We encourage all parties in Bosnia and Herzegovina to put the interests of the country and its people first, step up dialogue and consultations, accommodate each other's concerns, fully implement the spirit and letter of the Dayton Peace Agreement and, in the context of the Constitution, properly address relevant differences, promote the country's development and achieve national reconciliation. China calls on the international community to take an impartial, balanced and prudent approach, fully take into account the views of all parties and avoid imposing external solutions.

With regard to the issue of the High Representative, views differ among the parties in Bosnia and Herzegovina over the High Representative system. China reiterates that, according to the Dayton Peace Agreement, the Security Council has a clear role to play in the appointment of the High Representative. That has long been an established practice and should be fully respected. The system of the High Representative and the Bonn powers thereof were special arrangements of a particular time. The international community should



provide help to Bosnia and Herzegovina in ways that adapt to the evolving situation.

China welcomes the efforts of the European Union in helping Bosnia and Herzegovina to maintain peace and stability. We hope that the European Union Military Operation in Bosnia and Herzegovina will continue to play a positive role in maintaining security and stability in the country, assisting its armed forces with the disposal of weapons and ammunition and demining and helping the country to combat terrorism and organized crime.

China has always respected the sovereignty, independence, national unity and territorial integrity of Bosnia and Herzegovina and the choice of its people regarding the country's future. We believe that the people of Bosnia and Herzegovina have the ability and wisdom to resolve the problems facing them. China has always been a good partner of Bosnia and Herzegovina for peace and development. Since the outbreak of the coronavirus disease (COVID-19), we have donated multiple batches of medical supplies to the country, organized virtual exchanges between medical experts of the two countries and exported and donated COVID-19 vaccines to Bosnia and Herzegovina. China stands ready to work with the international community and continuously contribute to the promotion of national reconciliation in Bosnia and Herzegovina, helping it to achieve lasting stability and development and maintain peace and stability in the country and the Western Balkans.

**Mr. Abarry** (Niger) (*spoke in French*): Allow me to extend my sincere congratulations to the delegation of Kenya on its excellent presidency of the Security Council for the month of October. I also congratulate you, Mr. President, on Mexico's assumption of the presidency for the month of November. I assure you of the Niger's full support.

My delegation deplors the negative political climate in Bosnia and Herzegovina, which, if prolonged, will pose a serious threat not only to the basis of the General Framework Agreement for Peace in Bosnia and Herzegovina but also to institutional stability. I therefore urge the parties to strictly respect the General Framework Agreement, the constitutional order and all relevant Security Council resolutions, as well as to show political will to create conditions for a de-escalation of tensions. Furthermore, the issue of electoral reforms is a matter on which all parties

should demonstrate exemplary conduct in order to avoid undermining electoral processes before elections take place.

My delegation expresses its deep concern about the stalled implementation of the 5+2 agenda, whose fulfilment remains the essential condition for the closure of the Office of the High Representative in Bosnia and Herzegovina. I encourage the parties to comply with their obligations in that regard and to work to ensure that significant progress is made in implementing the agenda.

The efforts to strengthen the rule of law, which I welcome, must be accompanied by appropriate measures for the voluntary return of refugees and displaced persons. To that end, it is necessary, in accordance with the principles of international humanitarian law, to maintain a sociopolitical climate favourable to the voluntary return of returnees and their integration into their respective communities.

In conclusion, my delegation urges the parties to give priority to dialogue and to refrain from any rhetoric or conduct that could jeopardize peace and stability.

In addition, given the vital role of European Union Military Operation in Bosnia and Herzegovina in safeguarding peace and security in the country, the Niger voted in favour of the extension of its mandate for an additional period of 12 months.

**Mr. Nebenzia** (Russian Federation) (*spoke in Russian*): At the outset, let me congratulate Mexico on assuming the presidency of the Security Council for November and wish them a successful month. We also thank Kenya, its Permanent Representative and his team for their able leadership in October.

We are concerned over yet further worsening of the internal political situation in Bosnia and Herzegovina, unprecedented in the post-war period. The situation has been exacerbated by the irresponsible actions of a number of external forces. As a result, all the achievements of the complex and long process of inter-ethnic reconciliation are now seriously threatened.

As a guarantor of the Dayton Peace Agreement, Russia cannot remain complacent. We will not tolerate the disdain shown by some of our colleagues for the sovereignty of Bosnia and Herzegovina, which is explained by their unwillingness to relinquish the role of guardian of Bosnia and Herzegovina with the right

to dictate to Bosnians how they should build their statehood and govern their country.

The quintessentially protectionist attitude of our Western colleagues has been the unseemly fuss around the Office of the High Representative for Bosnia and Herzegovina. The actions of those who hold or aspire to that post speak for themselves.

First, at the end of his mandate, former High Representative Inzko imagined that, like a self-appointed Bosnian autocrat, he had the right to make certain amendments to the criminal code of Bosnia and Herzegovina, contrary to the views of the Bosnian parties. Of course, such blatant arbitrariness poured fuel on the fire, provoking another round of disagreement and harmful rhetoric among the peoples of the country, who have not yet fully recovered from the conflict.

Colleagues tried to appoint Mr. Christian Schmidt as the new High Representative for Bosnia and Herzegovina, in circumvention of the Security Council. They did that unapologetically, in violation of international law and the existing practice of making such appointments by consensus. To avoid any misconceptions, we stress that the Office of the High Representative remains vacant. As of today, there is no High Representative, or any eligible candidate.

By the way, the rightness of our principled stance was confirmed by a document submitted to the Council on 30 October, which was entitled — apparently by inertia — “Report of the High Representative”. We would like to draw members’ attention to the fact that the Security Council has no grounds to accept and consider correspondence from private individuals. Otherwise, the authority of the Security Council and of the United Nations at large may be seriously damaged. We do not intend to discuss that “report”. I can only say that we have not seen a more prejudiced and Serbophobic document for quite some time. It pursues but one goal, namely, eradicating any seeds of mutual understanding, peace and cooperation among the peoples living in Bosnia and Herzegovina. This product builds upon the most destructive and irresponsible statements and initiatives of Valentin Inzko. As an alternative, we suggest studying a report by the Republika Srpska about the situation in the country that was circulated as a Security Council document S/2021/910. We regret that the statement today by the Permanent Representative of Bosnia and Herzegovina,

Ambassador Alkalaj, did not receive the support of all entities in Bosnia and Herzegovina.

If anyone still doubts that the Office of the High Representative long ago ceased to serve the cause of national reconciliation, the circulated document will dispel those doubts for good. It is obvious that the Office of the High Representative has become a source of colossal problems that jeopardizes the entire Dayton structure of Bosnia and Herzegovina. We have some questions for our colleagues who promote illegitimate schemes aimed at preserving the Office and its dictator-like functions. What is their goal? What are they doing? How does it relate to the principles of democracy and independence that they ardently promote in other situations? Where do those double standards for Bosnia and Herzegovina come from?

A number of Bosnian actors and external forces insistently promote the concept of the unitarization of the country, which contradicts the Dayton-envisaged principles of the equality of the three constituent peoples and two entities with broad constitutional authorities. Pressure on representatives of the Serb entity of Bosnia and Herzegovina is intensifying rapidly. We would like to warn against substituting notions whereby only Serbs are blamed for what is going on in the country. We note with regret that demonizing everything that is Bosnian Serb has become almost the central element of the policies of some internal Bosnian and external forces. The goal of those policies leaves no doubt: a revision of the Dayton architecture. To achieve that goal, they openly threaten to use unilateral — and therefore illegitimate — sanctions.

We are convinced — and we have been saying this year after year — that equitable internal Bosnian dialogue, free from external interference, is a prerequisite for successful inter-ethnic reconciliation. Full responsibility for the developments in Bosnia and Herzegovina and its future must rest upon the legally elected bodies of authority, in accordance with their respective powers. As we all see, striving to provide “good offices” without the consent of the sides has the opposite effect. That is also true with regard to such a pressing issue for Bosnia and Herzegovina as electoral reform. The peoples of Bosnia and Herzegovina must find a solution themselves, only then it will be reliable and realistic. We see that the task of ensuring adequate and legitimate representation in power structures at all levels remains very urgent. Attempts to impose external solutions and appoint Special Representatives on those

matters are counterproductive and fraught with making things more complicated.

The Security Council has been addressing the issue of Bosnia and Herzegovina for 26 years already. The Steering Board of the Peace Implementation Council has been active in Sarajevo for exactly the same time. However, discords in those bodies have never been as grave as they are now, and we have never seen such an outspoken stance towards playing a zero-sum game. That inflicts irreparable damage on the authority of the Steering Board and of the Security Council.

At this point, a rapprochement of international approaches to the issue of Bosnia and Herzegovina and a responsible approach by the main actors would be very useful. In that regard, we appreciate the efforts made by France this month in its capacity as penholder on the Bosnia and Herzegovina file. Our appreciation also goes to the Mexican presidency. These two countries have been able to lead the Council towards finding the only possible common ground and ensure unanimous renewal of the mandate of the European Union Military Operation in Bosnia and Herzegovina.

We believe that, whether it be in Sarajevo, New York or in capitals, we need a concrete and equal conversation based on the interests of the entire community in Bosnia and Herzegovina and the region, which should address practical ways of dismantling the harmful mechanism of external patronage over Bosnia and Herzegovina as soon as possible and rendering constructive assistance on national reconciliation.

As a Dayton guarantor State, Russia is convinced that there is no alternative to the General Framework Agreement for Peace in Bosnia and Herzegovina and that its proposed balance among the interests of the three peoples is rather efficient. Attempts to ruin it may entail serious consequences for the Balkans and Europe at large. We fully support the fundamental principles of the sovereignty and territorial integrity of Bosnia and Herzegovina and the equality of the three constituent peoples and two entities with broad authorities and will continue to do so.

**Mr. Kiboino** (Kenya): Let me congratulate you, Mr. President, on assuming the presidency of the Security Council for the month of November and to assure you of the support of Kenya's delegation. On behalf of my delegation, allow me also to most sincerely thank all the members of the Council both for their compliments this afternoon and for the critical

support and cooperation extended to Kenya during its presidency of the Council in the month of October.

Kenya welcomes the adoption of resolution 2604 (2021), which extends the mandate of the European Union Military Operation in Bosnia and Herzegovina.

The primary responsibility for the successful implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina lies with all of the country's authorities. We urge them to work together not only to ensure compliance with the Agreement but also to make progress on the five objectives and two conditions that are preconditions for the closure of the Office of the High Representative.

Kenya is concerned by the continuing polarizing and unconstructive rhetoric, including threats of secession through withdrawal from key joint institutions. We recall that, during the recently held high-level debate on diversity, State-building and the search for peace, hosted by Kenya on 12 October, President Uhuru Kenyatta said in his statement that "poor management of diversity is leading to grave threats to international peace and security." (*S/PV.8877, p. 7*)

In the case of Bosnia and Herzegovina, it is critical that leaders avoid any actions that cause division and erode trust among and between the people they represent. They should lead the way towards constructive dialogue based on trust, respect and dignity and refocus their efforts on unifying actions that build trust for all its people regardless of identity.

Political leaders need to join together in efforts that will lead to the resumption of the functioning of Bosnia and Herzegovina's institutions and to advance reconciliation and mutual understanding. Authorities at all levels should also coordinate and implement socioeconomic reforms that will address structural weaknesses in the economy to the benefit of all citizens, including vulnerable members of society, particularly women and children.

In conclusion, I reaffirm Kenya's support for the stability, political independence and territorial integrity of Bosnia and Herzegovina and reiterate our call on all parties to recommit to the full implementation of their obligations under the Peace Agreement.

**Mr. Jürgenson** (Estonia): I join others in thanking Kenya for an excellent presidency during the month of October and congratulating you, Sir, on assuming that role for November. I wish you every success.

Estonia just supported the operational rollover of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea) for 12 months, as Operation Althea is a strong contributor to the country's efforts in maintaining a safe and secure environment, which is particularly crucial considering the current political crises in Bosnia and Herzegovina. However, we would have liked to have seen references in resolution 2604 (2021) to the Office of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, previous resolutions and Bosnia and Herzegovina's European perspective. We regret that the Security Council was unable to reiterate its positions on those important elements.

Let me make it clear. The work of the High Representative is extremely necessary in order to mitigate risks to stability in Bosnia and Herzegovina. We strongly support the continuation of the effective Office of the High Representative. We thank the High Representative, Mr. Schmidt, for his comprehensive and sincere report on the developments in the country.

With regard to the situation in Bosnia and Herzegovina, we would like to express our concern about the prolonged political crisis, and we condemn the blockage of State institutions. We urge the leaders of the political parties to refrain from any political steps that would lead to further divisions and destabilization of the country. We believe that the solutions are possible through dialogue and the full return to institutions.

Estonia strongly supports Bosnia and Herzegovina's sovereignty and territorial integrity and the aspiration of its citizens to advance towards the European Union (EU). The leaders must always put the interests of the people first. Therefore, we encourage the leaders in Bosnia and Herzegovina to jointly continue to take forward the implementation of the 14 key priorities of the European Commission opinion on Bosnia and Herzegovina's application for EU membership — reaffirmed recently at the EU-Western Balkans Summit. The country should show commitment, most of all to sustainable peace, stability and meaningful reconciliation.

We call on the leaders of Bosnia and Herzegovina to focus on the electoral and constitutional reform to ensure the implementation of important judicial decisions of the European Court of Human Rights and take into consideration the decisions of the Constitutional Court of Bosnia and Herzegovina; the Office for Democratic Institutions and Human Rights

of the Organization for Security and Cooperation in Europe; the Council of Europe's Group of States against Corruption; and Venice Commission recommendations on election integrity. Keeping that in focus would also help to improve the rule of law. We are pleased that several positive changes have taken place in Brčko district, in particular towards the implementation of the reform-related laws and their harmonization with the EU standards.

We encourage the Bosnia and Herzegovina authorities to implement the revised National War Crimes Processing Strategy, adopted by the Bosnia and Herzegovina Council of Ministers, especially as the nationalistic and divisive rhetoric in the country has continued. We would like to reiterate that spreading provocative rhetoric, denying war crimes, glorifying convicted war criminals and downplaying the Srebrenica genocide in any way are unacceptable.

We also encourage Bosnia and Herzegovina to invest in combating violence against women and implement the women and peace and security agenda in an inclusive manner.

People in Bosnia and Herzegovina, especially young people, deserve a greener and more sustainable, digital and prosperous future. We should work towards that goal. We are pleased that the United Nations is implementing Dialogue for the Future project, which seeks to enhance the local dialogue platforms for civil society, youth and women's organizations.

Unfortunately, the fight against the coronavirus disease pandemic is not over. It is important to speed up vaccinations and to boost the economic recovery. We commend United Nations bodies for providing assistance during the pandemic and highlight the EU's donation of more than 1.3 million vaccine doses for Bosnia and Herzegovina.

Lastly, let me reiterate our call on the leaders of Bosnia and Herzegovina to work in solidarity and unity. We encourage them to work closely with the Office of the High Representative and implement all the necessary reforms.

**Mr. Pham (Viet Nam):** At the outset, I would like to wish you, Sir, and your team all the best for the month ahead under the Mexican presidency. You can count on our support and cooperation. I would also like to congratulate Kenya for its very successful presidency last month.



Viet Nam remains concerned about the volatile situation in Bosnia and Herzegovina over the past years. Inter-ethnic and intercommunal tensions and the lack of dialogue, trust and reconciliation have affected the lives of people, which consequently could lead to greater and long-term challenges if not managed and addressed in a timely manner.

We believe that it is crucial to adhere to the principle of respect for the interests and aspirations of the people. When the people's interests are at the heart of policies, prospects for political stability, economic development and social cohesion in Bosnia and Herzegovina, as well as those of the region, could be better ensured. In that connection, efforts should also be made to refrain from divisive rhetoric that could exacerbate tensions and further complicate the current situation.

Along the same lines, we urge all parties in Bosnia and Herzegovina to work together to overcome their differences, including on the interpretation and implementation of the Dayton Peace Agreement and domestic legislation to rebuild trust and confidence and promote the consolidation of peace and reconciliation. The international community should engage in constructive support aimed at fostering dialogue, mutual understanding and trust towards national reconciliation with regard to the legitimate interests and aspirations of the people and communities.

Viet Nam reiterates the importance of respect for the independence, sovereignty and territorial integrity of Bosnia and Herzegovina, including in the implementation of relevant treaties, such as the Dayton Peace Agreement and the relevant Security Council resolutions. Support from the Security Council, the international community and regional organizations remains essential in finding a common approach to tackling the situation and assisting Bosnia and Herzegovina in realizing its people's aspirations for sustainable peace, stability and development.

**The President** (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of Mexico.

I welcome the representatives of Bosnia and Herzegovina, Croatia and Serbia, as well as the observer of the European Union, to the Council.

I would like to focus my statement on three points.

First, we welcome the Council's decision to unanimously adopt the renewal of the mandate for

the European Union Military Operation in Bosnia and Herzegovina (resolution 2604 (2021)). Mexico recognizes the stabilizing role played by that mission on the ground and we hope that it will continue working towards peace and security in Bosnia and Herzegovina.

Secondly, Mexico remains concerned by the institutional deadlock in Bosnia and Herzegovina. Cooperation and dialogue are the pillars of coexistence and of the functioning of a State with the ethnic, linguistic and religious richness that Bosnia and Herzegovina enjoys. The constitutional framework, which has been strengthened over the course of more than two decades, should serve as a guide for the parties in their common project. Progress must be made on the 5+2 agenda and constitutional and electoral reforms must be conducted in order to promote cohesion, exchanges and cooperation between communities.

We are concerned that the Parliamentary Assembly has not fully exercised its legislative functions due to internal tensions and we call on all parties to commit to participating in a constructive way in order to consolidate democracy and sustainable development in Bosnia and Herzegovina. We hope that the new Government of the Federation will soon be appointed, as that task has remained outstanding since the elections held in 2018. The functioning and operation of State institutions cannot be held hostage to objectives that run counter to the project of coexistence and national unity.

Thirdly, Bosnia and Herzegovina has taken decisive steps over the past two decades towards reconciliation, reconstructing the social fabric and achieving peaceful coexistence. That is why we deplore any initiatives or attempts to revive hate speech, to deny war crimes or to try to exonerate those who have been sentenced as war criminals.

We underscore the important role that women and young people have played and should continue to play in reconciliation and social inclusion processes.

I conclude by highlighting that the implementation of the 5+2 agenda is the most desirable path for creating the conditions that will eventually make it possible to conclude the work of the Office of the High Representative in Bosnia and Herzegovina. Attempts to halt or delay compliance in relation to matters covered by the Office are not conducive to that end.

I resume my functions as President of the Council.

I now give the floor to the representative of Bosnia and Herzegovina.

**Mr. Alkalaj** (Bosnia and Herzegovina): At the outset, I would like to congratulate you, Sir, on assuming the presidency of the Security Council for the month of November and to wish you and your delegation every success.

We have taken note of the report on the situation in Bosnia and Herzegovina, covering the period 16 April to 15 October 2021, by the Office of the High Representative in Bosnia and Herzegovina. We also welcome the Security Council's adoption of the resolution extending the mandate of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea), which has been present in the country for many years (resolution 2604 (2021)).

It is important to emphasize that Bosnia and Herzegovina, as a host country, has enjoyed respectable and fruitful cooperation with Operation EUFOR-Althea, particularly in the areas of capacity-building and the training of its armed forces. The mandate of EUFOR-Althea is to support the implementation of the military aspects of the Dayton Peace Agreement and to ensure compliance with annexes 1 (a) and 2 of the General Framework Agreement for Peace in Bosnia and Herzegovina.

It would take too long to describe what is currently happening in Bosnia and Herzegovina. I think that High Representative Christian Schmidt realistically presented the situation in his report; therefore, I will limit my remarks to a summary of the broader picture.

Currently, Bosnia and Herzegovina faces the greatest existential threat of the post-war period. Persistent grave challenges to the fundamentals of the General Framework Agreement for Peace by Republika Srpska entity authorities, led by the biggest Republika Srpska party — the Alliance of Independent Social Democrats, headed by the current member of the Presidency of Bosnia and Herzegovina, Milorad Dodik — are endangering peace and stability in the country and throughout the region. If left unchecked by the international community, that could lead to the undoing of the Agreement itself.

In the climax of the escalating series of crises throughout 2021, Mr. Dodik — the de facto leader of the Republika Srpska, despite the entity having an elected President — has called for the entity's unilateral

withdrawal from agreements reached a long time ago on the transfer of entity competencies to the State in the areas of defence, indirect taxes and the High Judicial and Prosecutorial Council. He has called for the entity to reclaim what he asserts were usurped constitutional competencies in the field of State judiciary, law enforcement and intelligence. He further announced the drafting of a new Republika Srpska constitution and the rejection of all illegally imposed decisions and laws by the High Representative.

According to the announced plans, that would mean the withdrawal of the members of the Bosnia and Herzegovina armed forces residing in Republika Srpska, the takeover of the armed forces' facilities in Republika Srpska country and the re-establishment of a Republika Srpska army, ostensibly with personnel withdrawing from Federation armed forces. That move would turn back the clock 15 years in the field of defence reform alone, and even further in terms of confidence- and security-building. It would also mean the entity's withdrawal from the State-level indirect tax institution and the High Judicial and Prosecutorial Council. Those measures would also prevent the State Investigation and Protection Agency and the Intelligence-Security Agency from operating in Republika Srpska country.

Mr. Dodik refers to undertaking a return to the so-called original Dayton, which is a political misnomer based on an erroneous interpretation of Bosnia and Herzegovina's Constitution. In practice, the policy aims to undo many of the hard-won reforms from over the past 26 years, not in order to strictly adhere to the implementation of the Dayton Peace Agreement but rather to revert the situation. Mr. Dodik seeks to withdraw Republika Srpska from the constitutional order established under annex 4 of the Dayton Peace Agreement and to opt out of the Agreement on Civilian Implementation of the Peace Settlement set forth under annex 10.

That is tantamount to secession without proclaiming it. The unilateral withdrawal of the entity from established State institutions — which is not legally possible under the current constitutional framework — would lead to the collapse of those institutions and ultimately undermine the State's ability to function and carry out its constitutional responsibility.

Recently, Mr. Dodik revealed his goal of Republika Srpska's independence from Bosnia and Herzegovina, supposedly within the Dayton Agreement. As

Republika Srpska opposition parties have noted, that is a dangerous path not only for Bosnia and Herzegovina, but also for Republika Srpska, bearing in mind that entities exist legally only by virtue of the Constitution of Bosnia and Herzegovina and that they have no right to secede from Bosnia and Herzegovina.

State institutions have already been paralysed since July, when Mr. Dodik, in agreement with Republika Srpska opposition parties announced the withdrawal of Republika Srpska representatives from the institutional decision-making process, in response to the 22 July decision of High Representative Valentin Inzko to introduce amendments to the criminal code of Bosnia and Herzegovina criminalizing the denial of genocide and war crimes and the glorification war criminals. He demanded an annulment of the decision. To provide another example, Mr. Dodik even prevented the Presidency of Bosnia and Herzegovina from engaging the Armed Forces of Bosnia and Herzegovina to assist in firefighting efforts in the southern part of the country, thereby allowing lives to be lost.

As part of the orchestrated response, the authorities of the Republika Srpska adopted the Law on Non-Implementation of the Decision of the High Representative enacting the Law on Amendments to the Criminal Code of Bosnia and Herzegovina, which entered into force in early October. That law rejects the High Representative's 22 July decision and prescribes that State-level legislation should not be applicable in Republika Srpska. It obliges the authorities of the Republika Srpska not to cooperate with Bosnian institutions attempting to implement State-level law.

Although Mr. Dodik has recently stated that his actions are not aimed at inciting conflict, he has also warned that any attempt by State-level judicial institutions or law enforcement agencies to intercede would be met with force. He further added, unprovoked, that were NATO to intervene in the Republika Srpska, he would seek assistance from unnamed "friends", who he claimed has given him assurance of their readiness to provide such assistance.

We find that very problematic. We should be working on that issue, as many of the parties expressed today. There is a problem not only in the Republika Srpska; there is a problem in the Federation of Bosnia and Herzegovina, where for the past three years, we were unable to form a Government or implement the reforms necessary to embark on the path to the European Union.

Regrettably, for the first time, the High Representative is not with us today, but my statement represents the summary of the report of High Representative Christian Schmidt, who was not permitted to appear before the Security Council today.

**The President** (*spoke in Spanish*): I now give the floor to the representative of the European Union, in its capacity as observer.

**Mr. Skoog** (European Union) (*spoke in Spanish*): Allow me to congratulate you, Mr. President, and your country on its assumption of the presidency of the Security Council.

(*spoke in English*)

I have the honour to speak on behalf of the European Union and its 27 member States.

The candidate countries Turkey, the Republic of North Macedonia, Montenegro and Albania align themselves with this statement.

The European Union (EU) is pleased that the mandate of the European Union Military Operation in Bosnia and Herzegovina has been renewed by the Council, given its importance in maintaining security and a stable environment. We regret that we cannot listen to the usual briefing of the High Representative today. Nevertheless, we welcome his report, which was circulated among the Security Council members, and we would like to reiterate our strong support for his work and the work of his Office in Bosnia and Herzegovina.

In December 2019, the Council of the European Union urged executive and legislative bodies at all levels of Government to start addressing the 14 key priorities identified in the Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union, in line with the interests of all citizens to advance towards the European Union.

In 2020, Bosnia and Herzegovina's authorities took some steps to address the Opinion's key priorities, including with the holding of local elections in Mostar, for the first time since 2008. However, regrettably, our call for Bosnia and Herzegovina to build on that momentum and use 2021 as a non-election year to continue to engage on reforms, has not been translated into concrete actions. Instead, Bosnian leaders returned to divisive nationalistic rhetoric and obstruction, resulting in a serious political crisis. Recurrent political

crisis and a persistent lack of dialogue hampered any progress on the implementation of the 14 priorities.

The recent blockage of State institutions is unacceptable and holds back the overall reform process. Political leaders need to overcome the stalemate as a matter of priority and refocus on reforms, which will enable Bosnia and Herzegovina to advance on its EU path.

We expect Bosnia and Herzegovina to ensure that the next elections are conducted in line with European standards by implementing the standards set by the Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights and relevant recommendations of the Venice Commission of the Council of Europe, and ensure transparency of political party financing.

Taking into account 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 citizens, notably by addressing Sejdić-Finci case law of the European Court of Human Rights. The EU regrets the fact that Bosnia and Herzegovina's Constitution remains non-compliant with the European Convention on Human Rights, as per the ruling in the Sejdić-Finci and related cases.

We underline that a number of Constitutional Court decisions have yet to be fully enforced. The EU expects the inter-agency working group to resume its work as a matter of priority and calls for an inclusive process of electoral reform, through genuine dialogue and in line with European standards that would eliminate all forms of inequality and discrimination in the electoral process. In that regard, we underline that no legislative or political steps should be taken that would make the implementation of the Sejdić-Finci and related European Court of Human Rights rulings more challenging.

We also urge Bosnia and Herzegovina to work with determination on the implementation of the other 14 key priorities, in particular towards strengthening the rule of law, the independence and integrity of the judiciary, fighting corruption and organized crime, countering radicalization as well as guaranteeing the independence of the media and safety of journalists, promoting youth employment and education, gender equality and renewing their efforts towards socioeconomic reforms.

*(spoke in French)*

The European Union firmly condemns rhetoric that attempts to call into question the territorial integrity of the country and its State institutions. We expect that the country's political leaders will put an end to such rhetoric and actions that serve only to stoke the political crisis and, through specific and robust actions, seek to promote reconciliation within the country. Revisionism, in particular minimizing or negating the Srebrenica genocide and the glorification of war criminals are contrary to European Union values and incompatible with the prospect of European Union integration.

We welcome the tangible measures that were taken by the authorities to improve migration and asylum management in Bosnia and Herzegovina, with our support. Such efforts should continue and be strengthened, while also taking into consideration the need for fair burden-sharing among the entities and the cantons, with regard to hosting capacity and capacity-building efforts in the area of border management. We expect that the authorities will guarantee the proper conditions for comfortably hosting migrants and refugees in Bosnia Herzegovina during winter and beyond.

*(spoke in English)*

Bosnia and Herzegovina continues to be severely impacted by the global coronavirus disease pandemic. In these difficult times, the EU remains firmly engaged in assisting Bosnia and Herzegovina in addressing immediate health needs, as well as the long-term social and economic impact resulting from the pandemic. The Economic and Investment Plan and the delivery of more than 1.3 million doses of vaccines, donated by Team Europe, once again demonstrate the EU's strong commitment to Bosnia and Herzegovina. The EU stands ready to provide further support, including strengthening Bosnia and Herzegovina's resilience to future health crises.

Lastly, the EU urges all political actors in Bosnia and Herzegovina to abandon the divisive and secessionist rhetoric rooted in the past. We also wish to reiterate the EU's unequivocal commitment to the sovereignty, unity, territorial integrity and multi-ethnic diversity of Bosnia and Herzegovina. This is our firm and unchanged position. The European Union and its member States fully and firmly support Bosnia and Herzegovina's European Union perspective as a single, united and sovereignty country.



**The President** (*spoke in Spanish*): I now give the floor to the representative of Croatia.

**Mr. Šimonović** (Croatia): I wish to congratulate you, Mr. President, and extend our best wishes for your presidency. I would also like to congratulate Kenya on its successful performance.

Croatia associates itself with the statement delivered on behalf of the European Union (EU) its members and other aligned States. I would like to add some remarks in my national capacity.

Croatia reiterates its support for the extension of the European Union Military Operation in Bosnia and Herzegovina, as well as to High Representative Christian Schmidt. We remain committed to working closely with the mission as well as with the Office of the High Representative.

Since our previous debate (see S/PV.8810), tensions in and about Bosnia and Herzegovina have further increased. It is therefore critical that this discussion help to ease tensions and not add fuel to the fire. The current defiance of its Constitution, divisive rhetoric, glorification of war criminals, blockade of its institutions and lack of progress on electoral and other necessary reforms is extremely worrisome. Overcoming those challenges is important for the country and for the stability of the increasingly turbulent Western Balkans.

Croatia supports a stable, peaceful and prosperous Bosnia and Herzegovina, its EU integration, the rule of law and human rights. As a signatory to the General Framework Agreement for Peace in Bosnia and Herzegovina, Croatia remains a staunch supporter of Bosnia and Herzegovina and its territorial integrity as a sovereign State, based on the equality of its three constituent peoples and all citizens.

Unfortunately, current electoral law and practice do not provide for such equality. For example, the existing electoral framework deprives Croats in Bosnia and Herzegovina of their right to elect their legitimate representative in the State Presidency, because it allows for electoral engineering. That and other shortcomings are unacceptable, and electoral law needs to be changed. In its current form, electoral law weakens and delegitimizes key State institutions and negatively affects their functioning. We therefore strongly support the legislative changes necessary for the electoral law to comply with the rulings of the European Court of Human Rights and the relevant decisions of the

Constitutional Court of Bosnia and Herzegovina, especially the *Ljubić* case.

Changes to electoral law and the constitutional setup of the country should be an outcome of democratic dialogue within Bosnia and Herzegovina that fully respects the rights of all of its constituent peoples and other citizens. Only then can Bosnia and Herzegovina, its peoples and all citizens get what they really need — legitimate, functioning institutions that will neither be manipulated or blocked. In order to ensure the legitimacy of the 2022 general elections, consensus on the electoral reform should be reached as soon as possible. Successful electoral reforms would ease political tensions and help to shift the country's focus on priorities such as fighting corruption and implementing other reforms consistent with the 14 priorities of the EU accession agenda. Otherwise, the young and educated will continue to leave because of political insecurity, a poor economic situation and the overall lack of prospects, as the High Representative stresses in his report.

In conclusion, Croatia continues its political and practical support to Bosnia and Herzegovina. Croatia provided help to mitigate the consequences of the coronavirus disease pandemic, including through the donation of vaccines. Croatia has been assisting in addressing natural disasters, participating in joint infrastructure projects and sharing EU integration experiences.

We call on international partners to join us in contributing to the stability of Bosnia and Herzegovina and promoting the necessary reforms, especially of the electoral system. We encourage its political leaders to assume responsibility for the future of the country and navigate through the present impasse. What the country needs is much more transparency, cooperation, democratic dialogue and compromises, and far less political and electoral manipulation, division and unilateral decision-making. That is the only way to overcome mutual fears and suspicions, curb unconstitutional unitarist and secessionist tendencies and promote democracy, development and human rights for all.

**The President** (*spoke in Spanish*): I now give the floor to the representative of Serbia.

**Mr. Stevanović** (Serbia): I am grateful for the opportunity to address the Security Council today on behalf of the Republic of Serbia and to present my

country's position on the current situation in Bosnia and Herzegovina and in the Western Balkans region.

This meeting is being held at a very delicate moment not, only for Bosnia and Herzegovina but for the whole region. Recently, my country has been the victim of unilateral actions taken by the Provisional Institutions of Self-Government in Pristina — actions that pose a direct threat to the peace and stability that we have been building together in the region over the past couple of decades. In that context, Serbia once again calls upon all sides in Bosnia and Herzegovina to lower tensions and rationally, through dialogue, address open issues. Above all, Serbia wants peace and stability in the region. We believe that all citizens of Bosnia and Herzegovina want the same.

We call on all parties in Bosnia and Herzegovina to act responsibly and in accordance with the Dayton Peace Agreement, the only legal framework for Bosnia and Herzegovina. It is of the utmost importance that the key actors in Bosnia and Herzegovina — both domestic and international — exhibit restraint and assume responsibility for the situation in the country. The mechanism for changing the Dayton Agreement is clearly defined and well known. It requires the consent of both entities and the three constituent peoples. Any attempt by any other party to impose a solution is therefore unacceptable for Serbia.

The Republic of Serbia expects the international community to take an unbiased and balanced approach to this issue. We believe that dialogue within the institutions of Bosnia and Herzegovina is the only way to build trust and reach a compromise solution on the issues important for the future development of the country and the stability of the wider region. Furthermore, in the interest of peace and stability in Bosnia and Herzegovina, we believe that decisions related to the work of the Office of the High Representative should be reached in the spirit of cooperation, mutual respect among all actors and with the consensus of the members of the Security Council, in line with the long-standing rules and practices. For its part, Serbia will continue to engage constructively.

As a guarantor of the Dayton Peace Agreement, Serbia supports the sovereignty and territorial integrity of Bosnia and Herzegovina. In accordance with the Agreement, we seek good and productive cooperation with both the central Government and the authorities of the two entities. We support any agreement reached

among the two entities and the three constituent peoples. We are strongly against the imposition of decisions that have not been reached by consensus. We believe that such actions pose a threat to the stability of not only Bosnia and Herzegovina but of the wider region as well.

For Serbia, the stability of Bosnia and Herzegovina is of the utmost importance. We are convinced that balanced relations between its central Government and its entities is the precondition for such stability. In that respect, besides its good relations with Sarajevo, Serbia maintains harmonious relations and good cooperation with Republika Srpska, in accordance with the 2006 Agreement on Special Parallel Relations, which provides a basis for a dynamic high-level political dialogue and active cooperation between Serbia and Republika Srpska. Allow me to reiterate — the road to the future we want is paved with good-neighbourly relations and active regional cooperation in various areas of mutual interest. Serbia will continue to call on all political actors in Bosnia and Herzegovina to further engage in that direction.

Serbia strongly supports all countries of the Western Balkans in their efforts to join the European Union (EU). We are especially interested in expediting the process of European integration for Bosnia and Herzegovina and we stand ready to offer our maximal contribution.

We are convinced that the Open Balkans initiative is the prime example of successful regional cooperation and joint efforts towards common goals. As such, it represents the best way for our countries to prepare for EU membership.

Serbia fully respects the right of every country to have an independent foreign policy, including its right to join military-political alliances, as well as to take concrete individual steps that may or may not lead towards membership in those alliances. As one of the guarantors of the Dayton Peace Agreement, Serbia will support any agreement or arrangement reached by the two entities and three constituent peoples in a legal and legitimate way.

We are strongly convinced that, together, we can prosper if there is mutual trust and respect for diversity, the lack of which has too often been a stumbling block in our history. Today, we have the historic opportunity to bridge our differences and to build lasting peace and prosperity for our citizens, which all of us in the region deserve.

In closing, allow me to make a brief remark on resolution 2604 (2021), on the renewal of the mandate of the EU Military Operation in Bosnia and Herzegovina, which was just adopted by the Council.

My Government notes new language introduced in the first preambular paragraph of the resolution — a reference to the “situation in the region of the Former Yugoslavia”. We believe that this language is not

appropriate in the current context, since it was used in the 1990s and contains negative connotations. War and conflicts are long behind us; that chapter of our history is closed and all countries have moved forward. Therefore, we believe that this new language should not be used in relation to the current security situation in the region.

*The meeting rose at 4.40 p.m.*