



# Security Council

Seventy-seventh year

**9029**<sup>th</sup> meeting

Wednesday, 11 May 2022, 10 a.m.

New York

*Provisional*

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*President:* Mrs. Thomas-Greenfield . . . . . (United States of America)

*Members:*

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|--|------------------------------|
| Albania . . . . .  | Mr. Hoxha                    |
| Brazil . . . . .   | Mr. Costa Filho              |
| China . . . . .  | Mr. Dai Bing                 |
| France . . . . .   | Mrs. Broadhurst Estival      |
| Gabon . . . . .  | Mr. Biang                    |
| Ghana . . . . .  | Mr. Agyeman                  |
| India . . . . .  | Mr. Raguttahalli             |
| Ireland . . . . .  | Ms. Byrne Nason              |
| Kenya . . . . .  | Mr. Kiboino                  |
| Mexico . . . . .   | Mr. De la Fuente Ramírez     |
| Norway . . . . .   | Ms. Heimerback               |
| Russian Federation . . . . .                                   | Mr. Nebenzia/Ms. Evstigneeva |
| United Arab Emirates . . . . .                                 | Mr. Abushahab                |
| United Kingdom of Great Britain and Northern Ireland . . . . . | Dame Barbara Woodward        |

## Agenda

The situation in Bosnia and Herzegovina

Letter dated 3 May 2022 from the Secretary-General addressed to the President of the Security Council (S/2022/374)

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*The meeting was called to order at 10.05 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

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

#### **Letter dated 3 May 2022 from the Secretary-General addressed to the President of the Security Council (S/2022/374)**

**The President:** 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.

I request the Protocol Officer to escort His Excellency Mr. Šefik Džaferović, Chair of the Presidency of Bosnia and Herzegovina, to a seat at the Council table.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Christian Schmidt, United Nations High Representative for Bosnia and Herzegovina, to participate in this meeting.

The representative of the Russian Federation has asked for the floor

**Mr. Nebenzia** (Russian Federation) (*spoke in Russian*): We would like to express our reservations about the fact that we do not consider German citizen Christian Schmidt to be the legitimate High Representative for Bosnia and Herzegovina. The Security Council did not approve his appointment to that position. We would like to highlight the fact that the situation in Bosnia and Herzegovina is on the Security Council's agenda under Chapter VII of the Charter of the United Nations.

There is a quarter of a century of practice of appointing High Representatives. Moreover, attempts to circumvent established practice can be viewed as cynical, in particular when such a destructive initiative for Bosnia and Herzegovina originates from States that claim to be guardians of jurisprudence and precedent-law best practice. We would like to underscore that Mr. Schmidt does not have the right to speak on behalf of the international community or to submit documents to the Security Council. The argument that his appointment allegedly took place in accordance with the decision of the Steering Board of the Peace

Implementation Council does not stand up to criticism, as we have repeatedly stated.

We believe that the post of the High Representative remains vacant. In that connection, we do not see any basis for inviting Mr. Schmidt to meetings of the Security Council as High Representative. His presence in the Chamber in that capacity undermines the authority of the Council and of the United Nations in general. At the same time, the Security Council has a practice that allows individuals to brief the Council in their personal capacity in order to determine whether their further participation is required. That is how we view his presence here today.

**The President:** The representative of China has asked for the floor.

**Mr. Dai Bing** (China) (*spoke in Chinese*): According to Dayton Peace Agreement, the Security Council's role in appointing a High Representative is indispensable and has been established practice. In the light of the fact that the appointment of Mr. Schmidt has not been endorsed by the Security Council, we believe that it is inappropriate for him to brief the Council in the capacity as High Representative for Bosnia and Herzegovina.

**The President:** It is decided to invite High Representative Schmidt to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Silvio Gonzato, Deputy 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 the item on its agenda.

I wish to draw the attention of Council members to document S/2022/374, which contains the text of a letter dated 3 May 2022 from the Secretary-General addressed to the President of the Security Council.

I now give the floor to Mr. Schmidt.

**Mr. Schmidt:** It is an honour to address this organ for the first time in my capacity as High Representative and to present the sixty-first report (S/2022/374, annex) of the High Representative on the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina, as it is a good exercise and important to keep the United Nations informed about developments in Bosnia and Herzegovina. Nine months after assuming the role, I can attest that it is not an easy

job by any means, but it is a worthwhile endeavour, and I am honoured to take it on.

I would like to underline that the people of Bosnia and Herzegovina deserve the understanding and commitment of the international community. These are hard-working peace-loving people of all ethnic denominations, and they are on a good path to European integration. Nevertheless, there are some political obstacles that must first be addressed and monitored.

At the outset, let me be clear that, while there are threats to the constitutional order of Bosnia Herzegovina — emanating above all from one part of the country — severe challenges to its functionality exist throughout the country, and I shall address the most serious of them.

This April marked 30 years since the start of the war in Bosnia and Herzegovina. Since last year, citizens of the country, and even international media, have speculated about the possibility of another war. In Sarajevo, protesters gathered in front of my Office, appealing for my intervention to prevent that from happening.

More than 26 years since the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina, the country continues to be traumatized by war. Every single person who lived through it is still — in one way or another — wounded. And I see that the desire to keep peace is present among Serbs, Croats, Bosniaks and others. In addition, this collective memory casts long shadows over the younger generations born during wartime or the aftermath. In the face of continued instability, they are, unfortunately, leaving the country in record numbers.

The conflict in Ukraine, not so far away, is a sobering reminder that even, in the twenty-first century, another war on European soil is not an impossibility. In that context, upon his recent visit to Sarajevo, a United States senator said:

“This is a very worrying time for Bosnia and Herzegovina.”

As there is no concrete danger of war, the possibility of heating up tensions or creating inflammatory incidents remains high.

In that context, I am grateful for the continued presence of the European Union Military Operation in Bosnia and Herzegovina, the military counterpart

to the Office of the High Representative, as a confidence-building measure and a necessary tool to safeguard peace and stability in Bosnia and Herzegovina. But why is the Dayton-created international presence still required in 2022?

In my report to the Secretary-General, I note that, as in the previous period, authorities of the Republika Srpska continue to embrace rhetoric and actions, including the adoption of legislation, that could undermine the constitutional framework of Bosnia and Herzegovina.

In December, the Republika Srpska legislature adopted conclusions instructing the entity Government to withdraw from several previous agreements on the transfer of competencies from the entity to the State, including defence, indirect taxation and the judiciary. The conclusions oblige the Republika Srpska Government to introduce entity laws in those areas within six months, with provisions to render the State-level laws non-applicable in the entity.

If followed through, that would mean, at a minimum, the withdrawal of the Republika Srpska from the unified Armed Forces of Bosnia and Herzegovina, which is the result of one of the most significant reforms of the Dayton era and one of the most positive developments we have seen in recent years. It could also mean the formation of its own military. So far, that attempt has been stopped with the help of the international community.

The leading ruling political party in the Republika Srpska Government repeatedly advocates for the “peaceful dissolution” of the country and has subsequently identified the goal of its legislative undertakings as an “independent Republika Srpska within the Dayton Bosnia and Herzegovina.” I had an exchange with the Head of State of the region of Bosnia and Herzegovina, who said to me that I should not forget that there is no peaceful dissolution in this region. I do not wish to comment on that statement, but merely to share that observation with members.

The phrase “original Dayton”, often employed by the Republika Srpska authorities, in fact reveals disrespect for the Constitution. Changes to the constitutional order cannot be made unilaterally, only by joint parliamentary decisions, and must respect the decisions of the Constitutional Court and the Dayton principles. I have repeatedly extended an invitation to talk about the need for structural improvements to

the Constitution, but have received no response. As the responsible interpreter of the General Framework Agreement for Peace, as set forth in article V of annex 10, the High Representative will ensure respect for those fundamental commitments. What conclusions could citizens in any society reach, especially a society still recovering from the trauma of hearing such rhetoric?

What the Republika Srpska authorities are pursuing through the unilateral withdrawal from agreements on the transfer of competencies to the State would, if followed through, achieve a de facto secession of the entity by opting out of the constitutional framework and assuming the competencies of a State.

I underline that the entities of Bosnia and Herzegovina exist by virtue of the Constitution. They are a constitutional part of the State, but they have no right to secede. Announced moves by the Republika Srpska authorities undermine the sovereignty of Bosnia and Herzegovina. As a representative of the Steering Board of the Peace Implementation Council, I am committed to preserving the country's sovereignty and territorial integrity.

The duty of the international community regarding the General Framework Agreement for Peace is to safeguard the rights of all three constituent peoples and others, so that all citizens can express their identity, with none dominating the other.

Late last year, I met with representatives of the associations Movement of Mothers of the Srebrenica and Žepa Enclaves, Women of Srebrenica and Mothers of Srebrenica, who are living reminders of the price of war. This July, they will again commemorate the Srebrenica genocide. The international community must consider all measures at its disposal to ensure that peace prevails in Bosnia and Herzegovina.

And we must continue the unfulfilled endeavour to entrench reconciliation and social cohesion. In that regard, I must note that the school curricula that radically differ along ethnic lines are not the way to overcome the shadows of the past. The diversity of Serbs, Croats, Bosniaks and others must be respected, but there must be as well a commitment to contribute to the whole.

I can report that there is a lot of work within civil society dealing with that issue. We have a successful development in Brčko, the condominium of Republika Srpska and the Federation of Bosnia and Herzegovina,

where there is now a planned joint memorial for the victims of war in past times, which does not distinguish among the different ethnic origins of the victims. I think that is a significant positive step.

Not only since last year, but for many years, Bosnia and Herzegovina has been mired in a cycle of crises generated by political leaders. For as many years, the international community has advocated local ownership.

Having in mind the persistent challenges to the General Framework Agreement for Peace in Bosnia and Herzegovina over the past decade, the Ambassadors of the Steering Board of the Peace Implementation Council and I agreed on the need for a different response. Supported by the Steering Board, I used my executive authority as High Representative to issue decisions as a countermeasure to the illegal and destabilizing actions taken by the Republika Srpska authorities. Those decisions relate to the Law on Immovable Property Used for the Functioning of Public Authority, adopted by Republika Srpska in February. That law disregards several final and binding decisions of the Constitutional Court of Bosnia and Herzegovina. But after 27 years we could not manage to get State legislation about the transfer of State property to the different levels of public service and public needs, which is disappointing. I am happy that now, after my decision, there seem to be some attempts to come together and work on that, which is very necessary.

Rather than substitute my authority for the entity's legislature by repealing the law, I ordered the suspension of its application pending review by the Constitutional Court. Therefore, I gave it back to the institutions of the State. Those decisions were not taken lightly, and only as a last resort after exhausting every alternate avenue, including dialogue and appeals to the highest levels of Republika Srpska leadership.

Nonetheless, I took the opportunity to make it very clear that, unless the Republika Srpska legislature amends its conclusions from December — on about 130 laws — every piece of legislation that would violate the structure of the Constitution could not be accepted, and better legislation that respects the Constitution of Bosnia and Herzegovina should be developed, together with the European Union (EU) and other facilitators.

In supporting the application of my authority as High Representative and through targeted sanctions and the withdrawal of funding by individual

nations, the international community has shown it is prepared to take a different approach in Bosnia and Herzegovina. We will always pursue dialogue as the first option. I have strenuously advocated, and continue to advocate, reaching solutions in the competent institutions — whether on State property, genocide denial, reconciliation or another issue facing the country. If constitutional order is to be amended or improved, that must be done by elected representatives working to find a legal solution. Unilaterally usurping competences without establishing common legal ground goes against Dayton. We will not sit still as parties seek to dismantle 26 years of peace, stability and progress.

Although the activities of the Republika authorities have justifiably been cause for concern, that does not diminish the international community's dismay with the dysfunction in the Federation, the other entity. Three and a half years since the 2018 general elections, with the 2022 general elections only five months away, parties in the Federation have failed to agree and appoint a new government. That is also the case in the Herzegovina-Neretva canton. Therefore, in that canton and at the Federation level, governments from the 2014 to 2018 mandate still sit. That is an affront to basic democratic principles, particularly the expressed will of the voters.

Other crucial appointments in the Federation remain pending, not least the appointment of judges to the Federation Constitutional Court. Regrettably, those issues are tied to the negotiations on electoral reforms between the two main Federation parties, the Bosnian Party of Democratic Action and the Croatian Democratic Union, in which the latter has used the issue of appointments as a bargaining chip. Nonetheless, an agreement remains elusive.

In the context of State property, while the Federation authorities have not attempted to introduce legislation to undermine the pre-eminence of the State, neither have they updated its existing laws to be consistent with rulings of the Bosnia and Herzegovina Constitutional Court in that regard. I have invited the competent Federation and canton authorities to correct that situation.

Moreover, there are reports of outright violations of the State Property Disposal Ban, and I encourage the competent judicial authorities to investigate and prosecute such cases, wherever they may be.

As I mentioned, an agreement on electoral reforms was not reached, despite two years of tireless engagement in negotiations facilitated by the United States and European Union. Despite broad agreement among parties on a package of amendments to improve transparency and restore voter confidence to respect the decisions of international and national courts in the electoral process, such a package has unfortunately not been adopted. While there is still time for an eleventh-hour agreement, the elections can and will be held on schedule in October, just as general elections were conducted on schedule in 2018.

The holding of regular, fair and free elections is a requirement under the General Framework Agreement for Peace, and citizens must be allowed to voice their will through the democratic process. With the campaign season upon us, I urge all political parties to conduct themselves with grace and dignity.

As High Representative, I continue to meet political leaders and other interlocutors in Bosnia and Herzegovina, as well as leaders in the region, including those of neighbouring Serbia and Croatia and nearby Hungary. While we may not always see eye to eye, I am grateful for their perspectives. Everyone has important and influential roles to play in fostering constructive dialogue, and I have received some encouraging commitments.

I have also met with those responsible for Western Balkans policy in several capitals, especially those of the assembled members of the Steering Board of the Peace Implementation Council, not only because of the urgency of the current situation, but also because of the necessity of re-engaging the capitals in completing the tasks at hand once we are finally back on track. Meanwhile, the Russian Federation, as a member of the Peace Implementation Council, has suspended its participation.

The fulfilment of the 5+2 agenda and the EU recommendations would not only resolve certain grievances, but also contribute to lasting peace and stability, thereby fundamentally improving the lives of every citizen of Bosnia and Herzegovina. That in turn would stem the persistent and ever-increasing flow of young people out of the country seeking better opportunities — not to mention respect for the rule of law and political stability — unfortunately, abroad.

In my address last fall to the State-level House of Representatives, I underlined the importance of



engaging in reforms in the country, which is irreversibly on course for the European Union, and the commitment that involves. The EU remains an indispensable partner for the future of the country. There is broad acceptance for proceeding along the path of European integration. In that regard, it is crucial that Europe's door remain open to Bosnia and Herzegovina and the rest of the Western Balkans.

Bosnia and Herzegovina and the international community, in my understanding, are at a crossroads. What happens going forward and the way in which the international community chooses to act will resonate throughout the Western Balkans.

We remain committed to Bosnia and Herzegovina and the General Framework Agreement for Peace. We have shown that we are prepared to be decisive, but we also value dialogue and openness. It is my hope that the political leaders of Bosnia and Herzegovina will also value those things and ensure that the citizens they represent no longer have to worry about another conflict, which would give the international community the opportunity to reduce its practical commitment in Bosnia and Herzegovina for as long as that remains the case.

From my experience, I consider it vitally important that the Dayton institutions stay and continue working in Bosnia and Herzegovina in order to assist its people in achieving sustainable development for the country.

**The President:** I thank Mr. Schmidt for his briefing.

I would like to draw the attention of speakers to paragraph 22 of presidential note S/2017/507, which encourages all participants in Council meetings to deliver their statements in five minutes or less, in line with the Security Council's commitment to making more effective use of open meetings.

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

**Mr. Costa Filho (Brazil):** I would like to thank the High Representative for Bosnia and Herzegovina, Mr. Christian Schmidt, for his presentation on the latest developments in the country.

Brazil acknowledges the great commitment of the international community in supporting Bosnia and Herzegovina towards a path of political stability. In the more than 25 years since the Dayton Accords put an end to the atrocities in the former Yugoslav Republic,

all efforts have been made to promote reconciliation, to strengthen social cohesion and to foster economic development in the country. The United Nations and the European Union have been particularly committed to providing assistance to Bosnia and Herzegovina in its recovery.

However, there are duties and responsibilities that only the people of Bosnia and Herzegovina can accomplish. Ultimately, the Republic of Bosnia and Herzegovina can exist as a fully functional State only if its people are committed to its laws and institutions. It is disturbing to hear that, as the High Representative has informed us, some Bosnian politicians are taking steps to create parallel legislative and institutional frameworks to undermine the current State institutions and, by doing so, are putting into question the very existence of the Republic of Bosnia and Herzegovina.

The current (see S/2022/374) and previous reports of the High Representative have consistently informed us that much remains to be done by Bosnians themselves in order to achieve full statehood. We note the regretful lack of progress regarding the 5+2 agenda established by the Steering Board of the Peace Implementation Council. We call upon all Bosnian authorities to recommit and work together towards its fulfilment.

Free and fair elections are essential to democracy. It is therefore disturbing to witness the lack of progress by Bosnians to reform their electoral legislation due to political divergences. It is even worse to be informed that no government could be established in the Federation of Bosnia and Herzegovina after the 2018 elections. The political process in general and elections in particular should not be regarded as a zero-sum game, but as an opportunity to allow all voices in society to be heard and their differences to be bridged. We hope that, in a near future, all Bosnians will share common values and a common view of their future.

The legislative paralysis identified by the High Representative prevents the much-needed State reforms, which is cause for great concern. The different parties of Bosnia and Herzegovina must engage in open dialogue and political negotiation with real flexibility in order to adopt necessary laws. Also highlighted by the reports of the High Representative is the failure — at many levels of Government — to put legislation in full conformity with judicial rulings. We cannot overemphasize the importance of strengthening the rule of law for a functioning State.

We also call upon all parties to the Steering Board of the Peace Implementation Council to take into consideration the views of all its participants and to improve transparency in its decision-making processes.

Brazil supports the Bosnian people in their endeavours to live in peace and security and prosperity. We do not underestimate the challenges involved. Their cause has generated extraordinary support from the international community. Bosnians must make the best use of that assistance while being mindful that the ultimate success of their efforts is in their own hands.

**Dame Barbara Woodward** (United Kingdom): I start by welcoming the participation in this meeting of the High Representative. It remains vital for the Security Council to have a full, open and informed dialogue with Mr. Schmidt on the situation in Bosnia and Herzegovina. I also welcome the Chair of the Presidency of Bosnia and Herzegovina, His Excellency Mr. Šefik Džaferović, and thank him for travelling to New York to take part in this meeting.

Unfortunately, Mr Schmidt's briefing and report (see S/2022/374) yet again paint a worrisome picture of the situation in the country. Political gridlock and instability continue at many levels. We are concerned by the actions of some members of the Republika Srpska leadership, particularly Mr. Milorad Dodik, whose threats to re-establish a Republika Srpska army and to pull out of other State-level institutions — which constitute attempts to engineer de facto secession — are dangerous and risk conflict. That could lead to the undoing of 26 years of hard-won peace and progress.

It is therefore more important than ever that the Security Council maintain its support for the implementation of the Dayton Agreement, including the role of the High Representative and the European Union Military Operation in Bosnia and Herzegovina (EUFOR). The Council should refrain from undermining or destabilizing the situation. We should promote collaborative and constructive politics in Bosnia and Herzegovina. The United Kingdom welcomes the increased presence of the EUFOR mission to reassure the population during this challenging time.

The United Kingdom takes its role under the Dayton Agreement extremely seriously. We commit to remaining an active member of the Steering Board of the Peace Implementation Council and fully support the territorial integrity and fundamental structure of Bosnia and Herzegovina as a single, sovereign State

comprising two entities. We have recently used our own sanctions regime to send a clear message to those threatening the country's future.

We firmly support the work and role of the High Representative, including the judicious use of his executive powers, as he did recently to suspend unconstitutional and divisive legislation. We condemn attempts to undermine the High Representative and close his Office prematurely. Those attempts are not motivated by the interests of the people of Bosnia and Herzegovina but by a desire to undermine regional security for geopolitical objectives.

Politics of division and hatred are dangerous distractions from the issues of importance in Bosnia and Herzegovina. We urge all parties to focus on working together to improve the quality of life for all citizens and to make progress on the agreed aim of Euro-Atlantic integration. October's elections, which can and must go ahead as scheduled, offer an opportunity to rebuild citizens' confidence in a brighter future for all.

**Mr. Biang** (Gabon) (*spoke in French*): I thank the High Representative for Bosnia and Herzegovina, Mr. Christian Schmidt, for his report (see S/2022/374), and I welcome the presence of the Chair of the Presidency of Bosnia and Herzegovina, His Excellency Mr. Šefik Džaferović, at today's meeting.

The threat by the Serbian entity of Bosnia and Herzegovina to withdraw from the national institutions last December is an indication of the extent of the political crisis. The fact that this withdrawal is aimed at the areas of defence, justice and taxation is likely to undermine the stability of the country. These developments are also likely to call into question the State structure put in place by the Dayton Agreement, one of the fundamental pillars of which is a Republic with two entities and three peoples.

The persistent and repeated challenges to the General Framework Agreement for Peace in Bosnia and Herzegovina are indeed a source of political instability at a time when the country is in great need of the important reforms necessary to consolidate the rule of law. The tensions and multiple upheavals facing the State of Bosnia and Herzegovina threaten its viability as a State and its territorial integrity. The central State is regularly hampered in its ability to make decisions. Legislative work is severely compromised, and international agreements are on hold. The fact that for the second year in a row the State budget could not

be approved and that three years after the last general election the country still does not have an executive is a matter of concern.

It is essential for the survival of the State that community tensions be resolved within existing institutional frameworks and through frank, open and constructive dialogue. In a particularly tense regional context, where nationalism continues to grow, promoting and maintaining such a dialogue is to give this country every chance to settle into a lasting peace and to keep the spectre of the dark years of its recent history as far away as possible.

My country calls on the parties to show compromise and refrain from any divisive and non-constructive actions or rhetoric that could fuel antagonism and harm the peace and stability of Bosnia and Herzegovina. The Dayton Agreement must continue to be the foundation and the road map to peaceful coexistence. In this regard, I would like to emphasize the important stabilizing role that European Union Military Operation in Bosnia and Herzegovina continues to play in the implementation of the provisions of annexes 1 (a) and 2 of the General Framework Agreement for Peace in Bosnia and Herzegovina.

With the general elections in Bosnia scheduled for early October, it is essential that agreement be reached on the electoral reforms necessary to hold elections in a peaceful environment and in a climate of mutual trust. We are concerned about the increase in reported inter-ethnic incidents, which are fuelled in particular by hate speech and stigmatization of certain communities, and which have led to numerous demonstrations in Sarajevo as well as in many cities around the world. Everything must be done to prevent the political crisis from degenerating into a security crisis.

With regard to the institutional order in Bosnia and Herzegovina, the central State must guarantee the equality of all citizens of the country and allow them to exercise their civic rights without discrimination, including taking part in the various elections and participating on an equal footing in public life. Electoral reform is therefore a major objective to be achieved.

Women, whose role as agents of peace has been established, must be associated and empowered to ensure their full and equitable participation in the peace process.

In conclusion, we call on all political actors to show flexibility, put the interests of the country first and commit themselves constructively to peace. Any obstruction to the proper functioning of the national institutions will only delay the development of Bosnia and Herzegovina and jeopardize the gains made in recent decades.

**Ms. Byrne Nason** (Ireland): I would like to warmly welcome High Representative Schmidt to the Security Council table for the first time and to also welcome the Chair of the Presidency of Bosnia and Herzegovina, Mr. Šefik Džaferović. I wanted to thank High Representative Schmidt for his briefing just now and to emphasize Ireland's strong support for a single, sovereign, united and multi-ethnic Bosnia and Herzegovina and for the Office of the High Representative.

The High Representative has just provided a clear and detailed assessment of the deeply concerning continuing political deadlock and blockages in Bosnia and Herzegovina. Ireland remains fully supportive of the Office of the High Representative, and we encourage all parties in Bosnia and Herzegovina to both fully respect and engage with the High Representative and his Office. We would particularly encourage greater progress in fulfilling the 5+2 agenda. Delivery on this agenda remains the agreed prerequisite for the closure of the Office of the High Representative.

We remain greatly concerned by the deeply divisive negative rhetoric from political leaders in Bosnia and Herzegovina, which only serves to diminish the prospects for reconciliation. We call on all parties to renounce such rhetoric and to refrain from unilateral actions that seek to undermine Bosnia and Herzegovina. We are convinced that the deadlock can be overcome through dialogue. Genuine dialogue in the country has been missing for a long time.

We are concerned, in particular, at the glorification of war criminals. There is no place in any twenty-first century society for the glorification of war criminals and the denial of genocide.

It is high time that the State institutions begin to function fully again and that efforts taken to dismantle State competences cease. The country needs to focus on a positive agenda. All sides have a responsibility to do so.



Like all of us, Bosnia and Herzegovina was not spared the serious problems resulting from the coronavirus disease pandemic. Now, again, like all of us, the population is feeling the consequences of the war in Ukraine in higher food and energy costs. It is therefore more important than ever that responsible politicians now return to State institutions and address these challenges together, for the benefit of the entire population of Bosnia and Herzegovina.

As we know, elections have been called for next October, but the political deadlock and paralysis of State institutions are already compounding the frustration of the country's citizens. It is a factor driving so many young people who, rather than waiting for the ballot box, sadly seem to be voting with their feet and leaving the country.

Despite the challenges, Bosnia and Herzegovina has been able to make significant achievements over the past quarter-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 the people of Bosnia and Herzegovina. This could continue if elected representatives, working together with the national leaderships, demonstrate the political will required.

Ireland fully supports Bosnia and Herzegovina's European Union (EU) perspective. This is why we call on all parties to work towards common goals, address the challenges facing the country and 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. Such an approach should enable women to rightfully participate in decision-making in all its dimensions.

We know that, regrettably, 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 yet again call on the High Representative to focus on the issue of gender equality and for reporting on the issue to be included in future reports of the Office of the High Representative. That is a fundamental issue for the future of Bosnia and Herzegovina.

We know that there are frustrations on all sides regarding the functionality of the country. We

understand them, but those issues must be addressed through a constructive dialogue on constitutional and electoral reform.

Bosnia and Herzegovina needs to undertake further constitutional and electoral reforms to ensure equality and non-discrimination of all citizens, notably by implementing the *Sejdić-Finci* case law of the European Court of Human Rights (ECHR). No legislative or political steps that would make the implementation of the *Sejdić-Finci* and related ECHR rulings more challenging or further deepen divisions should be taken.

We must be clear in calling for an inclusive process of constitutional and electoral reform through genuine dialogue and in line with international standards. Such a process would eliminate all forms of inequality and discrimination in the electoral process. At the same time, we stress the importance of the State elections proceeding as scheduled next October.

An agreement on such issues would undoubtedly bring Bosnia and Herzegovina closer to EU candidate status. Progress is required on the 13 other key reform priorities set out in the European Commission opinion, in particular on the rule of law. That is essential to restoring citizens' trust in the judicial system. Bosnia and Herzegovina will move forward on its EU path only once it delivers on that critical mass of reforms.

Ireland believes that Bosnia and Herzegovina's place is in the European Union. While it has much challenging work ahead of it, we hope that its leaders will resume the dialogue needed to tackle the issues facing the country step by step in a pragmatic way.

We will certainly continue to support Bosnia and Herzegovina in overcoming the dismal legacy of the past and realizing its full potential as a sovereign State within the European family of nations.

**Mr. Hoxha** (Albania): Let me start by thanking the High Representative, Mr. Christian Schmidt, for the in-depth and objective briefing today, as well as for the sixty-first report of the High Representative for the Implementation of the Peace Agreement on Bosnia-Herzegovina distributed to the Security Council (S/2022/374, annex).

We welcome the presence of the High Representative and congratulate him on his efforts to support Bosnia and Herzegovina and its people in implementing the Dayton Peace Agreement. Albania fully supports

and commends his engagement and activities. His competencies and his executive mandate, as decided by the Peace Implementation Council, should be accepted and respected by all the relevant domestic and international actors and seen as part of the wider spectrum of efforts of the international community to help Bosnia and Herzegovina move ahead.

I also welcome the presence of the Chair of the Presidency of Bosnia and Herzegovina, His Excellency Mr. Šefik Džaferović, at this meeting.

The situation in Bosnia Herzegovina remains complex. Unfortunately, there is a persistent lack of cooperation among the parties, often accompanied by tensions. We commend the engagement of High Representative Schmidt and his Office to de-escalate. We encourage all political actors in the country to join his calls for dialogue and cooperation at all State levels. That is in the interests of the Bosnia and Herzegovina citizens, who want stability, economic development and a better future.

We believe that the 5+2 agenda remains a good basis for the reforms needed in the country. We welcome the initiative of the High Representative to establish an expert working group for a sustainable resolution of the issue of State and defence property. We encourage all political actors regarding an inclusive process of constitutional and electoral reform through creative dialogue and in line with European standards. The differences and ongoing discussion should not negatively impact the electoral process scheduled for October of this year.

We welcome the clear positioning of Bosnia and Herzegovina in the support and defence of international law and the Charter of the United Nations in condemning Russia's aggression in Ukraine.

Bosnia and Herzegovina is stuck in a prolonged political crisis, mainly because of the unacceptable steps taken by Republika Srpska to undermine the sovereignty, territorial integrity and unity of the country. Through many different initiatives, Milorad Dodik, a Serb politician of Republika Srpska, is trying to transfer — but the right word would be stealing — competencies from the central Government to the institutions of Republika Srpska, in violation of the national Constitution and the Dayton Agreement. Such a destabilizing platform aims to undo the reforms undertaken during the past 26 years to stop the Euro-

Atlantic integration process and open the path for the dissolution of the country. That should not be accepted.

We are particularly concerned by the continuation of the political rhetoric of denial of the genocide committed in Srebrenica, the glorification of war criminals and the use of hate speech with ethnic slurs. Stoking division among ethnic groups in Bosnia and Herzegovina for political games is Dodik's signature, and his repeated public denial of the genocide is central to his efforts. Referring to the genocide as a fabricated myth or as the greatest deception of the twentieth century in a delusional denial is an insult to more than 8,000 civilians who were slaughtered in Srebrenica. Yielding to nationalism and praising convicted war criminals are not just mere provocation. Any misstep in Bosnia and Herzegovina risks affecting the wider region.

It therefore comes as no surprise that such unacceptable behaviour was rightfully sanctioned, and we welcome the actions taken by the United States of America and the United Kingdom against Dodik for his continued and intentional attempts to undermine the functionality of the State and the hard-won peace in Bosnia and Herzegovina.

The Western Balkans is a complex but dynamic and fast-developing region. Yet not all actors involved there push in the same direction, which remains a growing concern and a source of destabilization for the region. Trying to gain influence by using the rise of nationalism and divisions on religious and ethnic issues only polarizes politics and creates a sense of insecurity in several countries in the Western Balkans, in particular Bosnia and Herzegovina. Furthermore, the lack of a clear perspective towards the Euro-Atlantic integration creates undue space for unwelcome and harmful interference.

We should refuse and condemn openly and strongly any threats to the security in Bosnia and Herzegovina by exploiting ethnic and religious tensions, with an ultimate goal of blocking reforms and the derailing of the Euro-Atlantic integration process in the country. In that context, I must recall the declaration of the Russian Ambassador to Bosnia and Herzegovina on 17 March :

“If [Bosnia and Herzegovina] decides to be a member of any alliance ... Ukraine's example shows what we expect.”

We believe that only cooperation and genuine dialogue among all parties in Bosnia and Herzegovina

having clarity on what has prevented progress so far, on the one hand, and what it takes to move the country ahead in normalcy, on the other, are the only way to unknot the never-ending deadlock. The role of the High Representative and his Office remains vital in facilitating dialogue and guaranteeing the constitutional order.

It is crucial that the European Union remain seriously engaged, because the European perspective of Bosnia and Herzegovina is very important for the country and for the region, especially for young people. They need a clear perspective; they need jobs; and they need a project with which to identify.

We should help Bosnia and Herzegovina as a single united country and its citizens. A unified message from the Security Council is what they need and what they deserve.

**Mrs. Broadhurst Estival** (France) (*spoke in French*): I thank High Representative Christian Schmidt for his briefing and welcome the Chair of the Presidency of Bosnia and Herzegovina to today's meeting.

France expresses its concern about the ongoing political crisis in Bosnia and Herzegovina, which began last summer. The crisis is marked by the crippling of central State institutions and by initiatives aimed at the unilateral transfer of certain powers to the Republika Srpska. It jeopardizes the achievements of 30 years of institution-building and reform in the country under the Dayton-Paris Peace Agreement and on the path to membership of the European Union. We therefore call upon all leaders of Bosnia and Herzegovina to resume the dialogue and compromise necessary to ensure the proper functioning of the country's institutions and the path to accession to the European Union.

The citizens of Bosnia and Herzegovina have a right to effective democratic institutions that fully respect the principles of the rule of law, in particular serving justice and combating corruption and organized crime. That underpins the 14 priorities outlined in 2019 in the opinion of the European Commission on the membership application of Bosnia and Herzegovina to the European Union. Those priorities must continue to guide reform efforts for the benefit of all inhabitants of the country.

We are particularly attentive to the full and effective participation of women in political life, which may help to resolve the political crisis.

France deplores the fact that an agreement has not yet been reached on constitutional and electoral reform that guarantees the principle of non-discrimination and equality for all citizens in Bosnia and Herzegovina, in line with European Court of Human Rights rulings. We will continue to support efforts to reach a compromise on the issue. However, the lack of an agreement on a new electoral framework must not deprive the citizens of Bosnia and Herzegovina of their fundamental right to elect their representatives. We call upon the authorities of Bosnia and Herzegovina to take all necessary measures to ensure that upcoming elections are organized and funded as planned.

In the light of such worrisome dynamics, France believes that international presence in Bosnia Herzegovina remains crucial for the stability of the country and the region, in line with the provisions of the Dayton-Paris Peace Agreement.

With regard to the military dimension, since 2004, the European Union has played a leading role in peacekeeping in Bosnia and Herzegovina, through the European Union Military Operation in Bosnia and Herzegovina. We trust that that presence will continue over the long term.

The European Union also fully participates in reducing tensions between Serbia and Kosovo with the European Union Rule of Law Mission in Kosovo, such as during the presidential elections in Serbia in April.

With respect to the civilian dimension, France fully supports the work of the High Representative in his dialogue with all stakeholders and welcomes the fact that he was able to participate in today's Security Council meeting.

As the European continent faces unprecedented challenges resulting from the war led by Russia against Ukraine, we will spare no effort to ensure stability in Europe, in particular in the Balkans, where open wounds remain from the conflict that took place during the 1990s. We reiterate the importance of justice, compensation and guarantees of non-repetition for all crimes committed during those conflicts. The processes of transitional justice and reconciliation remain the only solid foundation for the future of the country. We categorically condemn the glorification of indicted war criminals and the denial of genocide.

Lastly, France reiterates its commitment to the European prospects for Bosnia and Herzegovina and

for all Western Balkan countries. As President of the Council of the European Union in the first half of 2022, in June France will organize a conference on the Western Balkans, with the participation of the 27 member States and six States of the region, to collectively reaffirm our commitment to European integration and to continuing to build the necessary cooperation to respond to common challenges.

**Mr. Kiboino (Kenya):** I thank High Representative Christian Schmidt for his briefing and for his report to the Security Council (see S/2022/374).

The Dayton-Paris Peace Agreement remains the cornerstone for building enduring peace and stability in Bosnia and Herzegovina. It must continue to define the framework to find solutions related to inter-ethnic conflict settlement, through inclusive dialogue, based on equality, mutual respect, compromise and consensus. We urge the Office of the High Representative to continue to collaborate with all parties objectively to build trust and overcome the impediments to the implementation of the 5+2 agenda, which remains the basis for the attainment of long-term stability. We also call on the authorities of Bosnia and Herzegovina to make the necessary efforts for the achievement of progress on those five objectives and conditions and ensure compliance with the General Framework Agreement for Peace in Bosnia and Herzegovina.

Kenya reiterates the need to avoid and counter the use of divisive rhetoric and hate speech, particularly through social media. In that regard, it is important to have a deep understanding of the grievances driving it, as well as the instigators and outlets of such rhetoric, the aim being to develop and implement innovative and practical measures to address the drivers and root causes.

Kenya believes that Bosnia and Herzegovina will find its own way to democracy and stability, but that cannot be achieved without the rule of law. We therefore concur with the High Representative on the necessity to maintain the rule of law, particularly regarding the status of the many unimplemented international and domestic court decisions.

We take note of the challenges to the voluntary return and harmonious reintegration of refugees and displaced persons. Collaboration among the parties is key, as it creates an environment that is conducive to the return of refugees and displaced persons to their homes of origin.

On the matter of the Office of the High Representative, it is important that any disagreement among members of the Steering Board of the Peace Implementation Council be resolved through consensus and constructive engagement, in line with the Peace Agreement.

In conclusion, we continue to encourage the authorities of Bosnia and Herzegovina to continue pursuing a lasting solution that takes into consideration the needs of its people and all stakeholders.

**Mr. Dai Bing (China)** (*spoke in Chinese*): I would like to welcome to the Chamber His Excellency Mr. Džaferović, Chair of the Presidency of Bosnia and Herzegovina. I would also like to welcome the Permanent Representatives of Serbia and Croatia to today's meeting.

Since our previous meeting on Bosnia and Herzegovina (see S/PV.8896), the political situation in the country has remained marked by a profound deadlock. Disagreement remains among the parties in Bosnia and Herzegovina on important issues concerning State governance, thereby giving rise to greater political uncertainty. At the same time, China also notes that all parties in Bosnia and Herzegovina, including the Republika Srpska, have pledged to uphold national sovereignty, independence and territorial integrity.

China's position on Bosnia and Herzegovina has been consistent and clear. With respect to the sovereignty, independence, national unity and territorial integrity of Bosnia and Herzegovina, it is important to respect the wishes of its people for the future of their country. We encourage all parties in Bosnia and Herzegovina to engage actively in constructive dialogue and cooperation to achieve national reconciliation.

The year 2022 is an election year in Bosnia and Herzegovina. We hope that all parties will move towards each other, continue to commit themselves to seeking consensus through dialogue and consultation and work together to advance the country's political agenda.

The High Representative and the Bonn powers are special arrangements from a special era. In order to achieve long-term peace and stability and the accession of Bosnia and Herzegovina to the European Union, Bosnia and Herzegovina must find a feasible path to fully restored sovereignty. Given the evolving situation, in a fair, balanced and prudent manner, the



international community should provide constructive assistance, in a way that meets the genuine needs of the people of Bosnia and Herzegovina.

External forces choosing sides will not help to reconcile the differences or resolve the disagreements among ethnic groups in Bosnia and Herzegovina. Arbitrarily imposing unilateral sanctions that are not based on international law may also aggravate tensions and further complicate an already difficult situation. It is certainly not an effective way to resolve the issue.

China supports all efforts that are conducive to the maintenance of peace and stability in Bosnia and Herzegovina and commends the role played by Serbia, Croatia and other countries of the region to that end. We note that the number of troops have increased significantly in the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea). We hope that EUFOR-Althea will continue to play a constructive role in maintaining security and stability in the country and in providing assistance in mine clearance and the fight against terrorism.

The geopolitical situation in Europe is now facing new challenges that have had a severe impact on energy and food security worldwide. Compounded by the coronavirus disease (COVID-19) pandemic, the economy and people's well-being in Bosnia and Herzegovina are now under intense pressure, as evidenced by the fast-rising inflation and persistent high unemployment. The international community, the European Union and European partners in particular should continue to scale up pandemic and development assistance to Bosnia and Herzegovina in order to expeditiously boost its socioeconomic recovery.

China attaches great importance to friendly relations with Bosnia and Herzegovina. Our friendship is extended to all the people in the country. Bilateral cooperation in various fields, including agriculture, energy and its infrastructure and trade, has continuously deepened. Following the COVID-19 outbreak, China — acting with urgency — provided vaccines and donations of several batches of pandemic-related supplies to Bosnia and Herzegovina. We will continue to do what we can, according to our capacities, in order to help the country achieve long-term peace, stability and development.

**Mr. Abushahab** (United Arab Emirates) (*spoke in Arabic*): I thank Mr. Christian Schmidt for his briefing. I also welcome the participation of Mr. Šefik Džaferović,

Chair of the Presidency of Bosnia and Herzegovina, in today's meeting, as well as the participation of Croatia, Serbia and the European Union.

This year marks the twenty-seventh anniversary of the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina, or what is known as the Dayton Agreement, which represents a diplomatic achievement that ended the devastating Bosnian war, whose tragedies remain vivid in the hearts of its survivors. In that context, the United Arab Emirates expresses its concern about the recent developments and existing political tensions that threaten to exacerbate the political and security situations in the country. The current situation requires drawing lessons from the past and building upon them to ensure a better and more stable future for generations to come. That calls for working to diffuse tensions and resolve differences among the parties in accordance with the Bosnia and Herzegovina Constitution in order to prevent the current situation from worsening, particularly in the light of the dangerous juncture that Europe is going through as a result of the war in Ukraine. In that regard, my country would like to emphasize the following points.

First, the United Arab Emirates underscores its support for the unity and territorial integrity of Bosnia and Herzegovina, in accordance with international law and the Dayton Agreement. In that context, the Agreement must be adhered to as an agreed reference for resolving differences among all political parties. Cooperation between both entities constituting Bosnia and Herzegovina is one of the essential elements of the Agreement, which all parties must abide by. We also emphasize the importance of full respect for national institutions.

Secondly, the United Arab Emirates commends the important role played by the Office of the High Representative for Bosnia and Herzegovina in maintaining peace in the country by protecting the political aspect of the Dayton Agreement over the past three decades. It has also supported political reforms backed by the international community.

Thirdly, encouraging peaceful coexistence among the various communities in Bosnia and Herzegovina and maintaining open channels of communication among them is essential to achieve sustainable peace. In that context, the United Arab Emirates condemns any attempt to provoke sectarian and ethnic tensions, spread hate speech, encourage racial incitement and glorify war



crimes and their perpetrators. Those acts undermine the prospects for achieving positive engagement and threaten renewed violence in Bosnia and Herzegovina. My country also stresses the importance of dialogue and building bridges among various communities, as that will contribute to strengthening a peaceful, secure and prosperous society.

In conclusion, the United Arab Emirates hopes that the current efforts to establish sustainable peace in Bosnia and Herzegovina will continue. In that context, the role of the Peace Implementation Council is important, including through the endeavours of the Organization of Islamic Cooperation. Intensifying international efforts will help support the political system in Bosnia and Herzegovina to achieve the aspirations of its people, which will be reflected on the maintenance of peace and security throughout the Balkans.

**Ms. Evstigneeva** (Russian Federation) (*spoke in Russian*): We note with regret that, in the six months since the previous Security Council debate on the situation in Bosnia and Herzegovina (see PV.8896), the state of affairs in that country has not improved. We are witnessing the deepest internal political crisis of the entire post-conflict period and an unprecedented decline in the level of inter-ethnic trust and dialogue. It is becoming increasingly difficult for the constituent peoples of Bosnia and Herzegovina to find common ground, while the Dayton ideals of compromise and consensus have become almost unattainable.

We are concerned about the increasing trend towards centralization of the multi-ethnic Bosnian State around Bosniaks, the majority ethnic community, to the detriment of the constitutional rights of the other two peoples and the entities of the country with broad authority. That is also evident in the discussion of electoral law reform and in adopting foreign policy decisions that do not reflect the interests and will of the whole of Bosnia and Herzegovina. We see that as a flagrant violation of the 1995 General Framework Agreement for Peace in Bosnia and Herzegovina, which is being directly encouraged by a number of Western countries, including those responsible for ensuring its implementation. In that connection, we regret that today's statement by Mr. Šefik Džaferović, Chair of the Presidency of Bosnia and Herzegovina, was not agreed upon with the other members of the Presidency, in accordance with the established procedure.

Clearly, the necessary conclusions from the consequences of the reckless interference of the previous High Representative, Mr. Inzko, in the affairs of sovereign Bosnia and Herzegovina and its peoples in the summer of last year have not been drawn. We are now witnessing a conscious rejection of the approach previously approved by the international community of the transfer of full responsibility to the legitimately elected authorities of Bosnia and Herzegovina in favour of the manual control of the Bosnian processes by Brussels, Washington and a number of European capitals. Foreign approaches and rules are being actively imposed. The practices of illegal unilateral sanctions against Bosnian political representatives, as well as pressure, threats and blackmail, are becoming widespread.

That is the path towards further degradation of intra-Bosnian dialogue and the destabilization of Bosnia and Herzegovina, which by no means helps to normalize the situation in the country and ensure its socioeconomic development. Responsibility for the continuing deterioration of the political climate in the country and the mass exodus of the population lies on the shoulders of those who are trying to reshape the Dayton-era Bosnia and Herzegovina from the outside in order to suit their own interests. We warn of the extremely dangerous consequences of such a misguided approach, and we call for an end to further experimentation on the independent Bosnian State and its peoples so that they may be enabled to develop independently, in full compliance with the principles of the Charter of the United Nations.

The destructive role of the Office of the High Representative is becoming increasingly apparent. That mechanism has lost any semblance of impartiality and propriety and has become a tool for imposing decisions of dubious value and feasibility. Attempts to invoke the so-called Bonn powers to annul unwanted domestic laws are unlawful and legally null and void, both because there is no agreement on their use by the international community and because those emergency tools were granted personally to the High Representative, whose post, following the resignation of Valentin Inzko, remains vacant. As we emphasized at the beginning of the meeting, we believe that German citizen Christian Schmidt is a private individual and has no mandate to represent the international community.

We consider inappropriate the attacks on the Russian Ambassador in Sarajevo, contained in the so-

called report (see S/2022/374), in the context of the situation in Ukraine, which has nothing to do with the situation in Bosnia and Herzegovina.

We believe that a frank and concrete discussion is needed on practical ways to close the Office of the High Representative as soon as possible, as it has exhausted its positive functions.

We note with particular concern that the European Union forces carrying out European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea) in accordance with a Security Council mandate are increasingly creating an atmosphere of danger and fear. Without any justification or explanation, the military contingent of the operation was doubled in March. Armed men in camouflage are patrolling the streets of Bosnian cities, and heavy military equipment is being moved around, sowing panic among the population. Such behaviour raises serious questions about the added value of the continued presence of EUFOR-Althea in Bosnia and Herzegovina. It has gone from being a source of stability to an element of intimidation and political confrontation, which is completely unacceptable and dangerous.

The upcoming general election in Bosnia and Herzegovina is of great importance. The voting should take place in accordance with Bosnian law and in full compliance with the principles of representation in Dayton, and the results should express the sovereign will of the peoples. We demand that outside parties stop interfering in the election agenda.

We call on the Security Council to provide a constructive assessment of the current events in Bosnia and Herzegovina through the lens of the Dayton Peace Agreement, which was endorsed by a Security Council resolution, and not on the basis of arbitrary speculation on the part of the Office of the High Representative. As an alternative source of information on the situation in the country, we suggest familiarizing ourselves with the report of Republika Srpska, which has been circulated as document S/2022/376. Russia, as one of Dayton's guarantor States, fully supports the fundamental principles of the sovereignty and territorial integrity of Bosnia and Herzegovina, the equality of the three constituent peoples and the two entities with broad authority.

The 1995 Peace Agreement remains fully relevant. The balance of interests of the three peoples therein remains in effect. Moreover, there is no alternative to it.

Attempts to destroy it could have serious consequences for the Balkans and for Europe as a whole.

**Mr. Ragutthalli** (India): Let me begin by thanking Mr. Christian Schmidt for his briefing on the most recent report (see S/2022/374) submitted pursuant to resolution 1031 (1995). I also welcome the presence of His Excellency Mr. Šefik Džaferović, Chair of the Presidency of Bosnia and Herzegovina, as well as the representatives of Serbia and Croatia, at today's meeting.

The General Framework Agreement for Peace in Bosnia and Herzegovina is fundamental for building enduring peace and stability in Bosnia and Herzegovina. The Agreement continues to define the framework to find solutions related to inter-ethnic conflict settlement through dialogue by the parties on the basis of equality and mutual respect, compromise and consensus. The Office of the High Representative, as an ad hoc international institution mechanism, has been overseeing the implementation of the civilian aspects of the Agreement.

The disagreement over the Office of the High Representative needs to be resolved through constructive engagement, in line with the Peace Agreement. The expeditious implementation of the 5+2 agenda should continue to remain the top priority for the Office of the High Representative.

However, we remain concerned that the recent political developments in Bosnia and Herzegovina undermine the progress made in the past 26 years. To realize the objectives of the General Framework Agreement for Peace, all sides need to engage in dialogue in a spirit of mutual understanding and empathy towards each other's positions.

We must support all endeavours towards cooperation, development and peace and avoid divisive rhetoric that could undermine the Peace Agreement. We hope all parties and leaders will re-commit themselves to work together in a constructive and inclusive manner. In that regard, it is important that the Office of the High Representative work with all parties objectively, understand differing viewpoints and aim to build trust and strengthen the constitutional framework of Bosnia and Herzegovina.

We reiterate that the General Framework Agreement for Peace provides the basis to find solutions related to inter-ethnic conflict settlement through dialogue

by the parties based on equality and mutual respect, compromise and consensus.

In conclusion, India supports all efforts, including those of the European Union, in promoting dialogue and compromise towards the implementation of the Peace Agreement.

**Mr. Agyeman** (Ghana): At the outset, I would like to welcome the presence of the His Excellency Mr. Šefik Džaferović, Chair of the Presidency of Bosnia and Herzegovina, and to thank Mr. Christian Schmidt, High Representative for Bosnia and Herzegovina, for his briefing on the implementation of the Peace Agreement on Bosnia and Herzegovina for the period 16 October 2021 to 15 April 2022.

Ghana is concerned by recent developments in Bosnia and Herzegovina. The political crisis risks undermining the further implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina. More worrisome, it threatens the stability that has held the country together over the past two and a half decades.

We therefore appeal to all political actors and stakeholders to forge a collaborative working arrangement for the fulfilment of the commitments and obligations made under the provisions of the Peace Agreement. That requires the fostering of an environment for equal opportunities for all and a re-commitment to peaceful coexistence in the multi-ethnic and multi-religious societies of Bosnia and Herzegovina. In that regard, we call for avoiding potentially divisive rhetoric, as well as upholding zero tolerance for hate speech, which fuels strife among the people.

The political actors in Bosnia and Herzegovina have a responsibility to maintain the unity of the country and to ensure the effective functioning of State institutions at all levels. In that respect, we hope that the encouraging signs of cooperation in Brčko district will serve as an inspiration for representatives of both entities. Overcoming the deep mistrust in society is essential to any enduring effort to address the fiscal needs of State institutions and to meet their obligations towards all the people of the country.

We also encourage further efforts to address all aspects of the 5+2 agenda, including the acceptable and sustainable resolution of the issue of the apportionment of property between the State and other levels of

Government, as well as of defence property and the entrenchment of the rule of law.

We believe that the chosen path of Bosnia and Herzegovina towards a peaceful and viable State, integrated with the European Union, is one that needs the broad support of the international community through concrete steps, as defined by the Brussels requirements of February 2008.

In that regard, we also urge the Office of the High Representative to adopt a posture that enables it to deepen engagement with officials of the entities in order to help them to overcome their internal challenges and work constructively towards the objectives.

We further urge the Presidency of the country to unify its public messaging, enhance the coherence of its actions and serve as the fulcrum of stability and hope that the institutions and people of Bosnia and Herzegovina require to overcome this challenging period. That is especially necessary as previously settled areas of competence between the State and entities are being positively interpreted in order to adapt to the effective functioning of a progressive and unified State structure.

We note the economic situation in Bosnia and Herzegovina and call for the necessary cooperation and support in a manner that overcomes the present challenges in the decision-making processes for the benefit of the people, especially the youth. We also call on the authorities throughout the country to fulfil their obligation to provide enabling conditions for the safe return and reintegration of refugees and displaced persons without discrimination, in accordance with the General Framework Agreement for Peace.

In conclusion, we entreat Council members to adopt a common approach in responding to the situation in Bosnia and Herzegovina, irrespective of our differing views on the continuing relevance of the Office of the High Representative. We must, in that context, sustain our unified support for the sovereignty and integrity of Bosnia and Herzegovina, while being mindful of the need to avoid any situation in the Western Balkans region that could worsen the precarious security conditions currently prevailing in Europe.

**Ms. Heimerback** (Norway): I welcome the presence of the High Representative for Bosnia and Herzegovina and the Chair of the Presidency of Bosnia and Herzegovina in the Security Council today. I thank Mr. Schmidt for his informative briefing, which,

together with his report (see S/2022/374), outlines some of the serious challenges that Bosnia and Herzegovina continues to face.

There is still considerable work to be done before the General Framework Agreement for Peace is fully implemented. History also shows us how political instability can increase under specific conditions. We are therefore concerned that the current political crisis in Bosnia and Herzegovina could eventually develop into a more serious security situation. We are particularly concerned about the increase in aggressive ethnic rhetoric, and we call on the authorities to both condemn and refrain from hate speech.

The already difficult political climate in Bosnia and Herzegovina also has the potential to further deteriorate due to the impact of the war in Ukraine. While the responsibility to maintain stability and security rests with the local authorities, the international community must, and will, respond appropriately if needed.

Norway strongly believes that the contribution of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea) to maintaining peace, stability and a safe and secure environment in Bosnia and Herzegovina is vital and, unfortunately, still necessary. In that respect, we welcome the deployment of an additional 500 reserve personnel as a precautionary measure. EUFOR-Althea's mandate is to be renewed in November, and Norway will work hard with other Council members towards the renewal of a strong mandate.

Justice and accountability for war crimes, including conflict-related sexual violence, are essential to building sustainable peace in Bosnia and Herzegovina. As the Secretary-General highlighted in April in his latest report on conflict-related sexual violence (S/2022/272), while there has been a reparation scheme in place for many decades, insufficient progress has been made. We encourage the acceleration of measures to deliver justice for survivors and urge the High Representative to engage with authorities and partners on furthering accountability for crimes of conflict-related sexual violence.

Norway fully supports the Office of the High Representative and believes in its important role in overseeing the implementation of the civilian aspects of the General Framework Agreement for Peace. Nevertheless, we look forward to the day when that is

fulfilled and the Office can be closed and international supervision of Bosnia and Herzegovina phased out.

However, that requires Bosnia and Herzegovina to make further progress on the 5+2 agenda. That is possible only if all political actors in Bosnia and Herzegovina work together constructively and in the best interests of all people in the country. We urge the authorities to stay committed to the transition process towards a peaceful, reform-oriented and prosperous European country. The international community also stands ready to support and contribute to those necessary reforms.

Let me end by reiterating that Norway fully supports the sovereignty, territorial integrity and fundamental structure of Bosnia and Herzegovina as a single sovereign State comprising two entities and the Brčko district.

**Mr. De la Fuente Ramírez** (Mexico) (*spoke in Spanish*): We thank High Representative Schmidt for his briefing and welcome the Chair of the Presidency of Bosnia and Herzegovina, Mr. Džaferović. We also welcome the participation of the representatives of Croatia, Serbia and the European Union in this meeting.

I will focus my statement on three points, namely, the political impasse, elections and hate speech.

First, the past six months have been characterized by the paralysis of Bosnia and Herzegovina's political apparatus and by systematic challenges to the institutional architecture derived from the Dayton Accords. The creation of a parallel legislative and institutional system by the Republika Srpska, as well as its unilateral withdrawal from agreements and its denial of the Constitutional Court's decisions, represent a threat to the State. They undermine the work done in the past 25 years and divert the country from its process of integration into the European Union. We regret that progress on the 5+2 agenda, with the exception of certain advances in Brčko district, is practically nil. We reiterate that progress under that agenda is essential for the closure of the Office of the High Representative.

Secondly, democratic exercise is fundamental to the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina. The upcoming elections in October will be critical, and we hope that women and young people will participate fully and meaningfully in them. We therefore call on the Bosniak and Croat sides to reach an agreement on electoral matters, including with regard to their



financing. We hope that all parties will redouble efforts to find a solution to their differences and that, after the elections, a functional Government will be formed and that the events of 2018 will not repeat themselves.

Thirdly, Mexico notes with concern reports of the justification of war criminals, the denial of genocide and war crimes and the rejection or dilution of the findings of the International Tribunal for the former Yugoslavia and local courts. It is unacceptable that such actions receive no official condemnation. It is particularly alarming that, in some cases, it is public officials are the ones disseminating those messages and promoting nationalist narratives that fuel divisive rhetoric to the detriment of peaceful coexistence.

We paid close attention to the visit of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence in December and echo his call for the reconciliation process to emanate from a comprehensive strategy to maintain peace. We therefore urge the Parliamentary Assembly to enact legislation on the denial of genocide and other war crimes. We take note of the High Representative's proposal to withdraw the amendments to the criminal code presented by his predecessor, so that the Assembly can legislate on the matter in line with international standards.

I conclude by reiterating my country's support for the work of the European Union Military Operation in Bosnia and Herzegovina in safeguarding peace and security in Bosnia and Herzegovina.

**The President:** I shall now make a statement in my capacity as the representative of the United States.

I thank the High Representative for his briefing to the Security Council today. I also thank Chair of the Presidency Džaferović for his participation in this meeting.

The United States welcomes High Representative Schmidt's report (see S/2022/374), which is in line with precedent and the requirements of resolution 1031 (1995). Moreover, his assessments are incredibly valuable. He has ensured that the international community is informed about the situation on the ground. He has done an admirable job under difficult circumstances, and especially as Europe's security is threatened by Russia's brutal war against Ukraine.

Twenty-seven years ago, the United States helped forge the Dayton Peace Agreement in Bosnia and Herzegovina. The Dayton Accords remain vital to

the maintenance of international peace and security because what was true when Dayton was signed in 1995 remains true today. The sovereignty and territorial integrity of Bosnia and Herzegovina is paramount and unquestionable.

But as we have heard today, this hard-fought stability is at risk. We agree with the High Representative's assessment that this is a dangerous path for all citizens of Bosnia and Herzegovina and the wider region. Local political leaders are using inflammatory rhetoric, threatening to prevent or boycott elections, and refusing to tackle corruption. The United States condemns this behaviour.

Specifically, we should all be concerned by steps taken by Mr Milorad Dodik and the Republika Srpska to block State institutions from implementing the will of the people and seize competencies from the State. Republika Srpska authorities are also working to withdraw from the constitutional, legal and institutional order of the State and establish parallel frameworks. I want to be clear: these actions are undemocratic, they are escalatory, they are not in the spirit or letter of Dayton, and they jeopardize the health, prosperity and future of the entire country and its citizens.

Calls to obstruct elections or create a new territorial organization by Bosnian Croat leaders are also dangerous and could undermine peace and security in the region. Unfortunately, all ethnonationalist leaders, including Bosniak parties, have chosen to employ corruption, fear and division to stay in power. They have eroded trust in the country's institutions from within. All of the country's leaders bear responsibility for the challenges it now faces.

The United States regrets the growing division and rhetoric that political parties are using to stoke tensions and distract from other issues, including widespread corruption. We appreciate the High Representative's efforts to calm these tensions and encourage parties to resolve differences through dialogue.

Elected officials must return to good governance at all levels of government. Now is the time to advance much-needed progress on necessary anti-corruption reforms, democratic reforms, economic reforms, rule of law reforms and reconciliation. And, as we have learned time and time again, differences can only be resolved through dialogue in established institutions and not through obstruction and boycotts. Authorities at all levels must continue to fight against corruption,



which is robbing citizens of economic growth and a more prosperous future, undermining its institutions and hindering the country's chosen Euro-Atlantic path.

The most powerful antidote to corruption is democracy. We therefore welcome the decision of the Central Election Commission to call for elections on 2 October. We urge immediate allocation of funds to enable the elections to be carried out. It is the basic duty of any credible democracy to enable its citizens to exercise their right to choose their elected officials.

Finally, we want to emphasize the importance of completing the 5+2 agenda, the requirements that must be met before the closure of the Office of the High Representative and the country's transition from international supervision. Until the 5+2 agenda is completed, the role of the High Representative in ensuring the full implementation of the civilian aspects of the Dayton Peace Agreement remains indispensable. We regret the continued attempts by some members of the Council to undermine the High Representative's mandate and legitimacy so as to throw out his efforts to bring a permanent enduring stability and prosperity to Bosnia and Herzegovina and to all of its people.

I now resume my functions as President of the Council.

I would again like to draw the attention of speakers to paragraph 22 of the latest note by the President (S/2017/507), which encourages all participants in Council meetings to deliver their statements in five minutes or less, in line with the Security Council's commitment to making more effective use of open meetings.

I now give the floor to His Excellency Mr. Šefik Džaferović, Chair of the Presidency of Bosnia and Herzegovina.

**Mr. Džaferović** (Bosnia and Herzegovina) (*spoke in Bosnian; English interpretation provided by the delegation*): At the outset, I would like to congratulate you, Madam President, on assuming the presidency of the Security Council in the month of May, and I wish you every success in your mission. I also welcome Mr. Schmidt, the High Representative for Bosnia and Herzegovina, whose report on the situation in the country (see S/2022/374) I consider to be an objective account of the situation in our country.

Let me address some key points with regard to the situation in Bosnia and Herzegovina. For over 10 years,

our country has been in a deep political crisis. This crisis was caused by secessionist threats, a blockade on institutions and moves by the Republika Srpska authorities in violation of the Constitution of Bosnia and Herzegovina, the Dayton Peace Agreement and 27 years the Agreement's implementation.

In the time frame since the end of the war, in accordance with the Dayton Peace Agreement, and with the support of the international community, we have made substantial progress with reforms. The clear provisions of Article III of the Dayton Constitution of Bosnia and Herzegovina, prescribe the possibility for Bosnia and Herzegovina to establish additional State institutions and assume the competencies it needs to preserve its sovereignty, territorial integrity, political independence and international subjectivity. By implementing these provisions of the Constitution established under the Dayton Peace Agreement, we have formed a joint army, intelligence service, ministries, a State tax system, judiciary and other institutions, which have strengthened peace, and, thanks to them, the State has been able to function independently. As all relevant analyses show, these reforms have benefited citizens of all parts of Bosnia and Herzegovina, including both entities and Brčko district.

We have implemented these reforms with the consent of political representatives from both entities and all peoples, while decisions have been made in the Parliamentary Assembly of Bosnia and Herzegovina, in accordance with the prescribed procedures. Furthermore, we also did that with the support of the international community, including this organ, for which we in Bosnia and Herzegovina are very grateful.

During the period from 1997 to 2014, when such reforms were being implemented, in its resolutions on the situation in our country the Security Council gave clear support to the process of strengthening State institutions and encouraged the authorities in Bosnia and Herzegovina to follow that path. Along with that support, in resolutions 2123 (2013) and 2183 (2014), respectively, this organ further stated that the process of strengthening State institutions fostered the building of a fully functioning, self-sustaining State, able to integrate itself into European structures.

Unfortunately, in Bosnia and Herzegovina, over the past 10 months, we have been witnessing efforts to destroy everything that has been achieved through the implementation of the Dayton Agreement.

The Republika Srpska authorities are threatening to unilaterally disband all those State institutions and appropriate their competencies. For that purpose, they adopted or sent for processing specific laws in the areas of justice, State property and medicines. That threatens the territorial integrity and sovereignty of Bosnia and Herzegovina, since, as I said, the Dayton Constitution unequivocally states that additional State level competencies are needed in order to preserve Bosnia and Herzegovina's territorial integrity and sovereignty.

Considering the Security Council's mandate, let me warn the Council of the dangers of such secessionist activities directly undermining the Dayton Peace Agreement as a cornerstone of peace and stability in Bosnia and Herzegovina, as well as in that part of Europe.

Given that, due to a complex decision-making system, Bosnia and Herzegovina does not have fully developed proper mechanisms to prevent secessionist activities in a timely manner, we need the support of the international community. Experience with regard to the implementation of the Dayton Agreement shows us that such support has always proved to be beneficial and effective.

It is therefore important that, as part of the Dayton Peace Agreement, the Office of the High Representative do its job in accordance with the mandate that was given to it. The High Representative, Mr. Schmidt, decided to suspend the secessionist State property law, which is important for stability.

However, in order to completely stabilize the situation in Bosnia and Herzegovina, it is necessary to annul all unconstitutional laws, as well as the conclusions of the National Assembly of the Republika Srpska of 10 December 2021 and all other acts that are contrary to the Dayton Peace Agreement.

Furthermore, it is also necessary to unblock the work of institutions. Since the summer of last year, the State institutions of Bosnia and Herzegovina, led by the Presidency, the Council of Ministers and the Parliamentary Assembly of Bosnia and Herzegovina, have not worked at all due to the absence of representatives of the Republika Srpska and the lack of a quorum. Recently, after pressure from the international community, representatives of the Republika Srpska began attending the sessions, but they still refuse to work at full capacity and take decisions, which means that the blockade has not stopped. It was just slightly

mitigated due to the sanctions announced or imposed by the international community.

It is necessary for the blockade to end and for Bosnia and Herzegovina to fully emerge from the crisis in order to ensure stability and progress. The authorities in Bosnia and Herzegovina need to commit to reforms, with the aim of improving citizens' living standards and ensuring progress on the path to Euro-Atlantic integration.

In that regard, the institutions of Bosnia and Herzegovina are aware of their obligations when it comes to implementing the reforms in the European Commission's opinion on Bosnia and Herzegovina's application for membership of the European Union, as well as the reform programme that has outlined the framework for the continuation of our NATO path. I take this opportunity to express my gratitude to the European Union and NATO for their commitment to Bosnia and Herzegovina and our European and Euro-Atlantic perspective.

I firmly believe that, in the current geopolitical situation, where we feel the strong consequences of the aggression against Ukraine for the stability of Bosnia and Herzegovina and the entire Western Balkans, the European Union should respond positively to the request for candidate status within the framework of the new enlargement methodology. Despite numerous internal disputes, we managed to find a united voice on this issue, and I think that that should be encouraged.

Granting candidate status, coupled with restrictive measures against the Dayton subversives, can ensure the full stabilization of the situation in Bosnia and Herzegovina and initiate a new round of reform momentum.

Bosnia and Herzegovina is committed to strengthening peace in the region through the strengthening of good-neighbourly relations and regional cooperation. We are committed to having good relations with our neighbours, based on mutual respect. All open issues need to be resolved through dialogue and agreement or, in the absence of a consensus-based solution, through the institutions in charge of implementing international law.

Bosnia and Herzegovina supports regional cooperation. We participate in a vast number of regional initiatives that seek to promote political and other forms of cooperation in the region. Bosnia and Herzegovina,

along with other Western Balkan countries, joined the Common Regional Market as part of the Berlin process. We believe that strengthening regional economic cooperation, while respecting European Union standards in that area, can have an extremely positive impact on the overall situation.

Although, as a State, we do not undermine anyone, we are concerned about the signals from part of our neighbourhood. We are particularly concerned by the rapid armament of neighbouring countries, primarily Serbia, which, by including the Bosnia and Herzegovina entity Republika Srpska in its national defence strategy, has shown worrisome disrespect for the sovereignty and territorial integrity of Bosnia and Herzegovina.

We are concerned about the protection that Serbia is offering to convicted war criminals, such as Novak Đukić, and numerous other suspects in the Srebrenica genocide wanted by the Bosnia and Herzegovina judiciary. At the same time, citizens of Bosnia and Herzegovina who had once defended the country are being prosecuted before Serbian courts. The matter is solely under the jurisdiction of the Court of Bosnia and Herzegovina, and not under that of the judiciary of a neighbouring country, with regard to which the highest United Nations judicial institutions established that it had participated in international conflict on the territory of Bosnia and Herzegovina.

We are also concerned about the interference of the Croatian authorities in the regulation of the election law. The position of the President of Croatia that he supports the unilateral change of the Dayton Agreement through the establishment of a third entity in Bosnia and Herzegovina is especially worrisome, as well as the fact that he is ready to condition possible NATO enlargement on changes of the election law in our country.

The election law in Croatia is its internal issue, and we do not interfere in that. We therefore do not expect Croatia to interfere in the way in which we in Bosnia and Herzegovina will regulate our electoral system.

In its judgments, the European Court of Human Rights in Strasbourg ordered Bosnia and Herzegovina to reform the Constitution and the election law in order to guarantee all citizens their individual rights, and not to further increase the privileged status of constituent peoples over other citizens, as persistently requested by the Croatian authorities.

Next autumn, Bosnia and Herzegovina will face two extremely important events.

First, in October, the general elections await us. Democratic elections in Bosnia and Herzegovina have been held regularly since the signing of the Dayton Agreement and are a cornerstone of stability. For the first time in the past 27 years, conducting elections has been called into question because Croat ministers in the Council of Ministers are preventing the provision of the necessary funds for the elections. Given the unforeseeable consequences that the obstruction of the elections would have for stability, should the obstructions continue in the Council of Ministers, the responsibility would then lie with the Office of the High Representative, who must take appropriate decisions to provide the necessary financial resources for the conduct of elections.

Secondly, in November, the Security Council will decide on the extension of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea). According to Security Council resolutions, the EUFOR-Althea mission, along with the NATO headquarters in Sarajevo, is the legal successor of the previous military missions established by the Dayton Peace Agreement. The presence of international military forces is extremely important for maintaining peace and implementing the military aspects of the Dayton Peace Agreement.

I take this opportunity to call on the Security Council, on behalf of the authorities of Bosnia and Herzegovina, to extend the EUFOR mandate in November, as it is an important guarantor of peace and stability in Bosnia and Herzegovina and a mechanism to deter activities that may threaten peace.

In January this year, there were several serious security incidents directed against the returnee population. After the increase in the number of EUFOR members, there were no more security challenges.

Lastly, let me say that the way out of the current situation lies in strict adherence to the Dayton-Paris Peace Agreement and all 27 years of its implementation. All actors involved in the situation in Bosnia and Herzegovina must respect the existing framework and the solutions that our country has enforced. No one has the right to unilaterally destroy the existing and painstakingly agreed solutions.

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

**Mr. Gonzato:** Let me let me take this opportunity to congratulate you, Madam President, on your presidency of the Security Council.

I will speak on behalf of the European Union (EU).

At the outset, let me join others in thanking High Representative Schmidt for his briefing and reiterating our continued support for his work and the work of his Office to implement the 5+2 agenda in Bosnia and Herzegovina.

I would also like to welcome the Chair of the Presidency of Bosnia and Herzegovina, Mr. Šefik Džaferović, to the Security Council and thank him for his statement.

The EU deeply regrets the prolonged political crisis in the country, which has held back further progress on reforms in 2021. It also condemns the blockage of State institutions. The EU urges all political leaders to refrain from and renounce provocative and divisive rhetoric and action, including questioning the sovereignty, unity and territorial integrity of the country.

Rhetoric and initiatives aimed at rolling back reforms and withdrawing from State institutions are unacceptable and endanger the country's alignment with the EU *acquis* and the political commitment to EU integration. All political leaders need to engage in dialogue to overcome the stalemate as a matter of priority.

The EU takes note of the very limited progress in reforms and acknowledges the steps taken, including the holding of local elections in Mostar in December 2020 for the first time since 2008, the resumption of the Stabilization and Association Parliamentary Committee and the adoption by all levels of Government of the action plan on public administration reforms and strategies on public financial management. The EU urges the political leaders of Bosnia and Herzegovina to focus their joint efforts on fulfilling all four key priorities identified in the Commission's opinion on the application of Bosnia and Herzegovina for EU membership, as endorsed by the Council in 2019 and in line with the interest of all citizens to advance towards the European Union.

The EU expresses its appreciation and reaffirms its support for the efforts of the EU Special Representative in Bosnia and Herzegovina in that regard. Only by delivering on reforms will Bosnia and Herzegovina advance towards the European Union.

Allow me to conclude by reiterating the European Union's firm support to the European Union Military Operation in Bosnia and Herzegovina-Althea and to the mandate entrusted to it by the Security Council.

**The President:** I now give the floor to the representative of Serbia.

**Mr. Stevanović (Serbia):** I thank the High Representative for Bosnia and Herzegovina, the members of Security Council and all other speakers for their statements.

Today's meeting of the Security Council on the report of the High Representative (see S/2022/374) takes place at a time when the international community is facing many challenges and when the importance of respecting the principles of international law is being fully reaffirmed. Serbia is a staunch supporter and firm advocate for full respect for international law.

Peace and stability in our region and the development of good relations and cooperation in all areas with our closest neighbours are the top foreign policy priorities of the Republic of Serbia. We believe that those goals are for the benefit of our citizens and all people in the region. We consider Bosnia and Herzegovina to be our key partner in achieving those goals. Unfortunately, recently, the region of the Western Balkans has been burdened with unnecessary political tensions, messages and political narratives that represent obstruction to any constructive solution. That has significantly marked the recent political situation in Bosnia and Herzegovina, including relations between the two entities and the three constituent peoples.

Serbia firmly believes that its active policy contributes positively to the process of reconciliation in our region and to the strengthening of good-neighbourly relations. Dialogue, along with mutual respect for the legitimate interests of all parties involved, is the most effective way to preserve the peace and stability of the region in order to build a better future for all of us. Our region has a common past, from which we must learn, but we must patiently build the future together, as we have a duty to ensure lasting peace for generations to come.



The Republic of Serbia takes this opportunity to once again reaffirm its respect for the territorial integrity of Bosnia and Herzegovina, as well as the territorial integrity of the Republika Srpska within Bosnia and Herzegovina. As a guarantor of the Dayton-Paris Peace Agreement, Serbia wishes to point out that, 27 years after the signing of the accord, it is important to reaffirm the validity of, and full respect for, the Agreement, which put an end to the civil war and provided the basis for stability in Bosnia and Herzegovina and throughout our region. That has been and will continue to be our position.

Unilateral interpretations of the Agreement must not be allowed, as that will jeopardize existing peace and stability. At the same time, Serbian policy towards its neighbours is clear — non-interference in the internal affairs of other countries. The people of Bosnia and Herzegovina should freely decide upon their own future without pressure or foreign interference. We are explicitly against the imposition of solutions that are not the result of consensus. We believe that such attempts pose a threat to the stability of Bosnia and Herzegovina and the region as a whole.

Serbia supports the ongoing dialogue to resolve all outstanding issues within Bosnia and Herzegovina. We believe that key decisions relevant to its future are to be taken following dialogue and agreement between the entities and among the three constituent peoples. We believe that that is the only way to find a solution that is acceptable to all.

We are convinced that all parties in Bosnia and Herzegovina must unite their efforts and make a sincere and consistent contribution to building mutual trust, which will enable more efficient cooperation within the joint institutions in Bosnia and Herzegovina. The Republic of Serbia is ready to assist in that process, while reiterating its position that these are internal issues of Bosnia Herzegovina.

I would like to take this opportunity to once again confirm our commitment to peace, stability and reconciliation. All victims of conflict in Bosnia and Herzegovina, regardless of their ethnicity, deserve our respect, empathy and sincere condolences to their families. Sadly, they cannot be brought back to life but what we can and should do is restore confidence in our future by condemning all crimes and bringing perpetrators to justice. We must avoid the politicization and misuse of this very painful issue and, in that

context, avoid attempts to revise solutions for peace that have been reached thus far.

In principle, Serbia does not support the imposition of sanctions as a way of resolving political crises. In that context, we do not support any potential sanctions against Bosnia and Herzegovina. Serbia will not, in any way, impose sanctions on its people or on representatives of Serbian people in Bosnia and Herzegovina and the Republika Srpska. Instead, Serbia will continue to build trust by strengthening economic, political, cultural and other forms of cooperation in Bosnia and Herzegovina. We believe that the Open Balkan Initiative is an example of successful regional cooperation and efforts to achieve common goals, including European Union membership.

Serbia fully supports the activities within the Berlin process and action plan for establishing the regional market. The Open Balkan Initiative represents a more focused way of putting those ideas into concrete practice. The commitment of all Western Balkan countries to establishing a common regional market will greatly contribute to their stability, as well as to regional stability and security, and is of vital interest to all its citizens. We call on the international community to support the Initiative, not only to help to preserve peace and stability in the region, including in Bosnia and Herzegovina, but also to build a more prosperous future for the new generation of the Western Balkans.

**The President:** I now give the floor to the representative of Croatia.

**Mr. Ćurić Hrvatinić (Croatia):** At the outset, allow me to welcome High Representative Christian Schmidt. Croatia remains committed to working closely with the Office of the High Representative, as well as with the stabilization force.

We again wish to stress the importance that Croatia attaches to the territorial integrity, stability, functionality and prosperity of Bosnia and Herzegovina, based on the principles of equality and non-discrimination of all citizens and constituent peoples, as enshrined in the Constitution of Bosnia and Herzegovina. A stable and prosperous Bosnia and Herzegovina plays a pivotal role in the stability of the Western Balkans and, by extension, that of Europe. The country should be decisively progressing on its path to European Union integration, while fully protecting and promoting constitutional equality among its three constituent peoples and effectively guaranteeing the rights of all



citizens. Croatia is firmly committed to helping Bosnia and Herzegovina successfully engage the multitude of tasks ahead, including bolstering the fight against corruption, overcoming rule-of-law deficiencies, strengthening the economy and, finally, resolving the deep-rooted political issues that are obscuring the entire political and socioeconomic landscape.

Internal political and institutional crisis in Bosnia and Herzegovina is cause for great concern. The paralysis of State institutions, political tensions among the constituent peoples and general mistrust are mirrored in the growing centralist and separatist tendencies, thus endangering the regular and democratic functioning of the State. The total lack of substantive progress, coupled with the prevailing dysfunctionality and the decreasing democratic standards, are matched by the complete absence of political will to finalize the electoral reform. All of that makes for an unsustainable and unfavourable political environment.

For too long, ongoing violations of the principle of equality among the constituent peoples have not been appropriately addressed. The existing electoral framework enables systemic electoral engineering and, in particular, deprives Croats of Bosnia and Herzegovina of their right to elect their legitimate representatives. In its current form, electoral law weakens and delegitimizes key State institutions and negatively affects their functioning. To stop that decay of democratic norms and allow for fair participation in the electoral process and to ensure that its results are legitimate, changes in the electoral law and limited constitutional reform are urgently required.

It is imperative to implement the principle of legitimate representation of constituent peoples and ensure the full implementation in political institutions of the principle of non-discrimination of all citizens. The so-called “integrity package” mentioned in the report of the Office of the High Representative (see S/2022/374), however relevant, does not address the crucial issues of equality and legitimate representation. Disregarding those fundamental principles, enshrined in the Constitution through the Dayton-Paris Peace Agreement, as well as evidently obstructing their full implementation, threatens the core of Bosnia and Herzegovina.

Bosnia and Herzegovina would benefit from more constitutionalism and less unitarism and separatism. Ensuring just representation should be regarded as the

building block for lasting stability and sustainability in any country. We are deeply concerned about the actions of some Bosniak political leaders who are openly obstructing electoral reform and who abuse the electoral process for political gains using a winner-takes-all mentality.

Elections in Bosnia and Herzegovina are due this year. If another cycle mired with political crises is to be avoided, consensus on electoral reform must be reached swiftly and without further delay. That should be done in accordance 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. Croatia remains a steadfast partner in helping Bosnia and Herzegovina achieve a better future for its citizens. We remain committed to working with all the international actors that share the same values-based goal and vision of Bosnia and Herzegovina.

In order to continue improving the socioeconomic conditions, Croatia is committed to working with Bosnia and Herzegovina in further expanding the level of cooperation, especially in the increasingly volatile global trade and market circumstances, financial conditions and supply disturbances. Besides having excellent trade relations, both countries are implementing a number of infrastructure connectivity projects.

We continue to support Bosnia and Herzegovina, and we urge the relevant domestic political actors to demonstrate courage and integrity in aspiring for the well-being of all citizens of Bosnia and Herzegovina.

**The President:** I now give the floor to Mr. Schmidt to respond to comments and questions raised.

**Mr. Schmidt:** I would like to thank the Security Council for the expressions of support in our efforts to settle and solve the complicated situations and challenges in Bosnia and Herzegovina. I would like to underline that the country has a lot of opportunities. We have to look to maintain the basic Dayton principles, including ensuring the principle of the equality of the three constituent peoples.

It is not that easy to incorporate that principle into electoral law. I encourage all people in Bosnia and Herzegovina to understand that such an electoral law comes close to the principle of democracy by finding a reasonable compromise. Unfortunately, we have not been able to do so. That is not the failure of the

international community, which should now, in the eleventh hour, encourage the stakeholders to gather and work on the electoral law — not to renegotiate. Indeed, there are many shortcomings in the actual electoral law, and they have been named here.

Secondly, I would like to underline that the challenge of reconciliation is an emerging one. We must learn to not focus exclusively on the past. Today I heard some comments regarding decisions taken by my predecessor, Mr. Inzko. To be very clear, the point at issue, which nobody in the international community can deny, is that we do not want any former war criminals, who have been identified as such in international courts, to be celebrated as heroes of the past.

On the other hand, my offer, which the Mexican representative noted today, is to simply sit and talk — not one about the other, but rather talk together. It is clear to see that every people in this country and in this region has had its share of suffering and victims.

We were recently given the opportunity to visit the Jasenovac concentration camp in Donja Gradina, where many Serbs lost their lives during the Second World War. We must also take that into account. I encourage and thank the United Nations, especially Ms. Nderitu,

United Nations Special Adviser on the Prevention of Genocide, for its steady commitment. Ms. Nderitu is very committed to this endeavour, like other representatives of the United Nations. I would like to underline that I am very thankful for all of the support. It is very important to continue this work.

Finally, I already included in my next report an observation about the role of women in politics and society. We have very encouraging examples that the younger generation — female and male politicians — are very committed and are taking their responsibility seriously. That includes the mayors of Sarajevo, Mostar and Banja Luka, especially with regard to the issue of reconciliation. This could be a significant contribution to a better future in this country.

I am discharging my duties with the understanding that my work should be finished and completed in due time, as soon as possible. As long as it is not yet done, we must commit to do all we can to make the situation better.

**The President:** I thank Mr. Schmidt for the comments and clarifications he has provided.

*The meeting rose at 12.20 p.m.*