



Security Council

Seventy-seventh year

9179th meeting

Wednesday, 2 November 2022, 3 p.m.

New York

Provisional

President: Mr. Agyeman. (Ghana)

Members:

Albania	Mr. Hoxha
Brazil	Mr. De Almeida Filho
China	Mr. Geng Shuang
France	Mrs. Broadhurst Estival
Gabon	Mr. Biang
India	Mr. Ravindran
Ireland	Mr. Byrne
Kenya	Mr. Kiboino
Mexico	Mr. Ochoa Martínez
Norway	Ms. Heimerback
Russian Federation	Ms. Evstigneeva
United Arab Emirates	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland	Dame Barbara Woodward
United States of America	Mr. DeLaurentis

Agenda

The situation in Bosnia and Herzegovina

Letter dated 25 October 2022 from the Secretary-General addressed to the President of the Security Council (S/2022/806)

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 25 October 2022 from the Secretary-General addressed to the President of the Security Council (S/2022/806)

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.

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.

Members of the Council have before them document S/2022/809, which contains the text of a draft resolution submitted by Ireland.

I wish to draw the attention of Council members to document S/2022/806, which contains the text of a letter dated 25 October 2022 from the Secretary-General addressed to the President of the Security Council.

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

In favour:

Albania, Brazil, China, France, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, Russian Federation, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in French*): The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2658 (2022).

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

Mr. Byrne (Ireland): Let me begin, Sir, by congratulating you on your presidency of the Security Council for this month.

Ireland very much welcomes the adoption just now of resolution 2658 (2022), which reauthorizes the European Union Military Operation in Bosnia and Herzegovina. Ireland is very proud to participate in that mission, which continues to play a vital role in safeguarding peace and security in Bosnia and Herzegovina. Its presence remains indispensable. The renewal sends an important message in support of the stability and security of Bosnia and Herzegovina and the wider Western Balkans region, at a time of such uncertainty.

For many people of my generation from all across the world, the Balkan wars of the 1990s were a shocking wake-up call. I certainly remember what was happening very vividly. It is a reminder for all of us across the entire world that war is never a distant or foreign thing, but something that happen anywhere, even on the European continent. The brutality and inhumanity of that war, like wars everywhere shocked us all. Sadly, today young Europeans are experiencing that same sense of disbelief as they watch Russia's unprovoked and unjustified aggression against Ukraine.

Yet today, as Minister for Europe, when I look at Bosnia and Herzegovina, I see a country unrecognizable from the scenes of the past. While there is much to do, today we see a Bosnia and Herzegovina whose future undoubtedly lies within the European Union (EU). In that context, Ireland fully supports Bosnia and Herzegovina's EU perspective as a single, sovereign, united and multi-ethnic State. We warmly welcome that candidate status has now been recommended by the European Commission. Ireland and other EU member States will continue to support Bosnia and Herzegovina on its path to EU membership, but the impetus for urgent reforms must come from within.

We hope that this recommendation will motivate the political system, particularly Bosnia and Herzegovina's newly elected leaders, to forge ahead with key reforms. We also hope that it will reassure the people of Bosnia and Herzegovina, especially its youth, that their country remains an important priority for the European Union.

Ireland remains fully supportive of the Office of the High Representative. We encourage all parties in Bosnia and Herzegovina to both respect and engage to the fullest extent with the High Representative and his

Office. The High Representative's most recent report (see S/2022/806), which we welcome, provides a clear and detailed assessment of the deeply concerning political situation in Bosnia and Herzegovina.

It was very positive that last month's elections were able to proceed in a largely secure and peaceful manner. However, we remain greatly concerned by the divisive and negative rhetoric used, including in the lead-up to the elections. We call on all parties to repudiate such rhetoric, which only deepens existing divisions and diminishes prospects for reconciliation. There is no place for such rhetoric in a modern European democracy. Those elected have now been given a clear mandate to form a Government and begin acting for those they represent. It is paramount that Government formation take place quickly to put an end to the political deadlock and paralysis of State institutions and to serve the people properly, especially women and youth.

Since the signing of the Dayton Agreement, we have seen considerable progress in building up the institutions and economy of Bosnia and Herzegovina. Much more work remains, however, to allow Bosnia and Herzegovina to continue moving forward. Threats and unilateral actions, which serve to entrench ethnic tensions and further divide or undermine the State, cannot be tolerated. Elected representatives, working together with the national leaderships, must cooperate to address the needs of their citizens. 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. That includes enabling women, especially young women, to rightfully participate in decision-making in all its dimensions. Despite existing legislation, we know that the participation of women in politics remains low and that obstacles to their safe and full participation exist. We urge the authorities to ensure the development of effective mechanisms for the implementation of quotas to enhance women's political representation. We reiterate our call on the High Representative to focus on the important issue of gender equality, and for detailed reporting on the issue to be included in future report by the Office of the High Representative.

We encourage greater progress in fulfilling the 5+2 agenda, which remains the only prescribed method by which the Office of the High Representative can complete its mission and entrust full responsibility for

its own affairs to the State institutions and the people of Bosnia and Herzegovina. Progress is needed on the reform of the electoral framework in order to meet European standards and guarantee that all citizens can exercise their political rights.

We regret that the political leaders of Bosnia and Herzegovina have been unable to find a workable, mutually agreeable solution. We hope to see a lasting agreement on the electoral system of Bosnia and Herzegovina that is reached through further dialogue and enjoys the support of all political parties.

Undeniably, Bosnia and Herzegovina has challenging work ahead of it. However, through dialogue and genuine political will and the support of the people and the nations of the world, facilitated by the United Nations, it will seriously address its issues. We are confident that the legacy of the past will not and cannot dictate its future, and that Bosnia and Herzegovina will be able to realize its full potential as an inclusive, secure and prosperous State in the European family of nations.

Mr. Ochoa Martínez (Mexico) (*spoke in Spanish*): We will focus on four points today.

First, Mexico takes note of the elections held in Bosnia and Herzegovina at the beginning of October. What is most important now is the full and effective implementation of the electorate's decision and the prompt formation of a new Government. We cannot accept another political stalemate in the Federation of Bosnia and Herzegovina, which occurred in 2018 and led to the 2014 mandate being extended for eight years. Now that elections have been completed, the implementation of the package of measures is crucial to ensuring the swift establishment of the legislative, executive and judiciary authorities.

As the delegation of Ireland stated, we believe that the full equal and meaningful participation of women in the political life of the country is essential; it remains a pending matter. It is regrettable that less than 25 per cent of the elected members of Parliament are women and that the level of participation of women is even lower in the executive authority.

Secondly, we are deeply concerned about attempts by the Republika Srpska to assume State competencies and responsibilities, which flouts the General Framework Agreement for Peace in Bosnia and Herzegovina. Such

actions fuel secessionist rhetoric and undermine the institutions of Bosnia and Herzegovina.

Thirdly, although progress on the implementation of the 5+2 agenda has been minimal, we highlight the progress made in the area of fiscal reform, as well as in the areas of transparency, infrastructure development and economic growth, in Brčko district.

Fourthly, we deplore the continued glorification of war criminals. As we have said in the past, narratives of that kind are not conducive to reconciliation. We urge that an end be brought to hate speech. We hope that the Prosecutor's Office of Bosnia and Herzegovina will bring to justice those responsible for glorifying criminals. Several pending issues must be addressed to heal the wounds of the conflict. The adoption of legislation on commemoration processes could be key in honouring victims and preventing the manipulation of history.

I would like to conclude by welcoming the unanimous renewal for one year of the authorization of the mandate of the European Union Military Operation in Bosnia and Herzegovina, as it plays a crucial role in the stability of the country.

As this is the last statement by the delegation of Mexico as an elected member of the Security Council for the biennium 2021-2022, I would like to end by encouraging the parties and the authorities of Bosnia and Herzegovina to continue moving towards the implementation of the 5+2 agenda so that the conditions will one day be met for the closure of the Office of the High Representative for Bosnia and Herzegovina.

Ms. Heimerback (Norway): Let me start by reiterating Norway's support for the sovereignty and territorial integrity of Bosnia and Herzegovina, as one State comprising two entities and the Brčko district. We welcome the peaceful holding of the general elections on 2 October. We were pleased to see citizens exercise their democratic right to elect their representatives, who now have the responsibility to deliver on the people's aspirations for a peaceful, reform-oriented and prosperous European country. Yet that will be possible only if the authorities of Bosnia and Herzegovina work together constructively and in the best interest of all people in the country.

We encourage political actors to seek dialogue and contribute to finding common and sustainable solutions. We welcome the decision of the European

Commission to recommend candidate status for Bosnia and Herzegovina, but we note that the country still faces serious challenges. There is considerable work to be done before the General Framework Agreement for Peace in Bosnia and Herzegovina is fully implemented. We therefore urge the authorities to stay committed to the process of democratic transition. Norway stands ready to support and contribute to the necessary reforms.

The report of the High Representative for Bosnia and Herzegovina (see S/2022/806) states that there has been limited political progress on crucial issues. Norway remains concerned about polarizing ethnic-based rhetoric, and we call on all political actors to both condemn and refrain from hate speech.

Women's participation in political life in Bosnia and Herzegovina also remains limited. They face discrimination, threats and harassment, which are detrimental to building peace and security. We strongly encourage authorities to strengthen legal protections and ensure accountability. Justice and accountability for war crimes, including conflict-related sexual violence, are essential for building sustainable peace and an inclusive political environment in Bosnia and Herzegovina.

The security situation in Bosnia and Herzegovina remains fragile, and the country faces its most serious political crisis in the post-war period. There is a need for continued international assistance to ensure sustainable peace. The European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea) is key to maintaining stability and a safe and secure environment for all citizens. We therefore strongly welcome the fact that the Council just voted in favour of renewing its mandate in resolution 2658 (2022). The continued work of Operation EUFOR-Althea is of vital importance.

Let me end by expressing our full support for the Office of the High Representative for Bosnia and Herzegovina and its important role in overseeing the implementation of the civilian aspects of the General Framework Agreement for Peace. We look forward to the day when the 5+2 agenda is completed, the Office can be closed and the international supervision of Bosnia and Herzegovina is no longer needed.

Mrs. Broadhurst Estival (France) (*spoke in French*): I welcome the President of the tripartite Presidency of Bosnia and Herzegovina to today's meeting.

France welcomes the holding of general elections in Bosnia and Herzegovina on 2 October. We call on all the newly elected political representatives of Bosnia and Herzegovina to cooperate constructively in order to ensure the swift and unimpeded formation of legislative and executive authorities at all levels of Government.

It would be unacceptable for the political stalemate that occurred during the previous legislature to be repeated, in particular the failure to form a new federal Government. The authorities of Bosnia and Herzegovina must shoulder their responsibilities and find a way to ensure dialogue and compromise in order to enable the proper functioning of their country's institutions and meet the tangible needs of their citizens, who voted them into power.

The authorities of Bosnia and Herzegovina must also be firmly committed to the path of reform, which will help the country to form closer ties with Europe. It is regrettable that only limited progress has been made over the past year. France welcomes the political agreement concluded in Brussels on 12 June by the political representatives of Bosnia and Herzegovina under the auspices of the President of the European Council, Charles Michel. The commitments made, in particular those concerning the 14 priorities for fostering democracy and the rule of law within six months of establishing the new executive authority, must now be implemented.

France fully supports the European prospects for Bosnia Herzegovina and all Western Balkan countries. The recent recommendation of the European Commission to grant Bosnia and Herzegovina European Union candidate-country status should be an incentive for the country's leaders to accelerate the reforms necessary for Bosnia and Herzegovina to make decisive progress towards membership of the European Union. We stand ready to discuss the issue of recognition of its candidate-country status with our European partners.

The international presence in Bosnia and Herzegovina remains absolutely essential to the stability of the country and the region, in accordance with the framework provided by the Dayton Peace Agreement. With regard to the military component, since 2004 the European Union has played the main role in stabilizing peace in the country through the European Union Military Operation in Bosnia and Herzegovina, which it does on behalf of the international community, in accordance with the Dayton Agreement and the

decision of the Security Council. We therefore welcome the adoption of resolution 2658 (2022), which renews its mandate. With regard to the civilian component, France welcomes the mandate of the High Representative. We recall that the Office of the High Representative is not intended to remain for longer than is necessary, that is, when the 5+2 agenda has been achieved.

At a time when Russia's war on Ukraine is shaking Europe, France will spare no effort in working for stability in the Balkans. We remain concerned about the fact that tensions and community divisions continue to be exacerbated in Bosnia and Herzegovina. It is intolerable that some leaders are calling for secession or questioning the principle of a multiple, open and inclusive society. France reaffirms its firm commitment to the unity and territorial integrity of Bosnia and Herzegovina. We also reaffirm the importance of justice for all victims, reparations and guarantees of non-repetition for all crimes committed during the conflicts. The transitional justice process, which is the only way to achieve the ultimate goal of reconciliation, remains the only solid basis for the future of the country. We condemn in the strongest terms the glorification of convicted war criminals or denials of genocide. That is incompatible with the values of the European Union.

In conclusion, I would like to recall that it is the political will of Bosnian politicians that will enable Bosnia and Herzegovina to advance towards accession to the European Union.

Mr. DeLaurentis (United States of America): We are pleased that the Security Council once again unanimously reauthorized the European Union Military Operation in Bosnia and Herzegovina and sent a clear message of support for its vitally important mission of maintaining peace and security in Bosnia and Herzegovina and supporting the Dayton Accords. We also thank the European Union (EU) and its member States for their ongoing commitment to that essential mission. Although he is not here today, we are very appreciative of High Representative Christian Schmidt's recent report, which the Secretary-General has shared with the Council (see S/2022/806). The High Representative's reports, in line with precedent and the requirements of resolution 1031 (1995), are vital to keeping the international community informed about the ongoing efforts to ensure enduring stability and prosperity in the region.

The United States remains committed to the goal of a democratic, stable and prosperous Bosnia and Herzegovina. We fully support its full integration into the Euro-Atlantic community and eventual path to EU membership. Respect for democratic institutions and election integrity are two vital components of those aspirations. That is why we are deeply concerned about the allegations of fraud in the recent election, particularly in the Republika Srpska presidential race, and the lack of accountability for perpetrators of fraud. We encourage Bosnian institutions to fully address the shortcomings raised by election observers and urge all stakeholders and citizens to pursue any grievances through established channels. Once the election results are fully certified, we urge leaders on all sides to make every effort to support the speedy formation of a Government. The restoration of functionality to the Federation is the first step towards restoring the internal balance that Bosnia and Herzegovina requires to address governance issues, deliver prosperity and respond to wider geopolitical challenges.

The United States supports the Office of the High Representative and the use of Bonn powers when the High Representative deems it necessary. The Bonn powers are a key tool for maintaining stability in Bosnia and Herzegovina and the region. The 2 October imposition was necessary to unblock the functioning of the Federation, prevent the collapse of the Federation Constitutional Court and address power-sharing issues.

The Office of the High Representative plays a central role in ensuring the implementation of the civilian aspects of the Dayton Peace Accords. Until Bosnia and Herzegovina fulfils the criteria for its graduation from international supervision, the Office of the High Representative must remain. The United States remains steadfast in its support of Bosnia and Herzegovina's sovereignty, territorial integrity and multi-ethnic character. We are committed to partnering with the citizens and Government of Bosnia and Herzegovina as they work for the comprehensive electoral, political, social and economic reforms necessary to secure the future that all the people of the country deserve.

Ms. Evstigneeva (Russian Federation) (*spoke in Russian*): We note with concern the deepening internal political crisis in Bosnia and Herzegovina. There has been an unprecedented exacerbation of ethnic differences and deteriorating intercommunal dialogue throughout the post-conflict period. That is a direct consequence of the gross interference of Western

countries in internal Bosnian affairs with a view to reshaping that multinational State according to their own formulas. That neocolonial approach threatens the implementation of the 1995 General Framework Agreement for Peace in Bosnia and Herzegovina, undermines the constitutional foundations of the statehood of Bosnia and Herzegovina, violates the fundamental rights of the constituent peoples and is creating new tensions in the country and in the Balkans as a whole. It is not Republika Srpska that is the source of problems, as the West has insisted with a level of persistence that could be put to better use, but a deliberate demonization of everything that does not fit into the Euro-Atlantic framework that is being imposed on the peoples of Bosnia and Herzegovina.

The outcome of the general elections on 2 October are witness to the fact that an ethnic-oriented and genuinely Dayton-based concept of statehood is clearly preferred over the pseudo-civilian formula that is being forcibly imposed on Bosnia and Herzegovina from outside. There can be no doubt that an overwhelming majority of voters opted for Dayton and its fundamental premise about the central role of the constituent peoples. We note with regret that not all our colleagues are pleased with the sovereign and democratic choice made by the population of Bosnia and Herzegovina. The Western participants — including through their numerous special envoys and their own illegitimate protégé, the self-proclaimed High Representative — are trying to impose their will on the peoples of Bosnia and Herzegovina, and in that they are guided solely by selfish geopolitical interests. They are usurping the powers of the legally elected authorities of a sovereign State and replacing the institutions of a lawful society. They clearly seek to push aside the legitimate national leaders who are not to their liking, once again using unilateral sanctions under contrived pretexts and all kinds of pressure and blackmail.

We want to warn the Council once again that a short-sighted policy such as this will have very dangerous consequences. We call for an end to further experiments on the independent Bosnian State and its peoples, and for giving them the opportunity to develop independently in full accord with the norms and principles of international law. We emphasize that this is in the interest of all the constituent peoples and all citizens of Bosnia and Herzegovina.

We have repeatedly drawn attention to the fact that the increased activity of the Office of the High

Representative is not only detached from reality but also poses additional threats to the peace and stability in the country, which is in direct contradiction to the tasks originally assigned to it.

Gross interference in legislative and law-enforcement practice only seemingly relieves such issues at first. But in actual fact, what is happening is that these issues are driven underground, leading to complications and nullifying any and all chances of reaching a compromise.

Let me point out that it is only now, after a development related to changes to election laws that was not popular in the West, people started talking about Bosnian sovereignty being undermined, and we can see that double standards are now present as never before. This body of colonialist governance should be closed down to make sure that the people of Bosnia and Herzegovina can heave a sigh of relief, embrace freedom and take the responsibility for the future of their State upon themselves.

The very process of multilateral efforts to ensure post-conflict settlement in Bosnia and Herzegovina is getting increasingly further from the Dayton framework. Let us just cite the example of the travesty of a meeting in Sarajevo in June 2022 of the Peace Implementation Council Steering Board. At that time, Russia, which is one of the Steering Board's full-fledged members, was not even informed that the meeting was taking place. Statements were made on behalf of the Steering Board without seeking Russia's opinion. This kind of approach can hardly strengthen the authority of this consultative body or help arrive at acceptable solutions.

We call upon our colleagues to return to the practice of respectful dialogue and consensus. We are not going to comment upon the so-called report of the so-called High Representative. We think that it is unacceptable to disseminate random musings of a private person as a Security Council document, and we propose that members of the Council acquaint themselves with a report that is worthy of attention, namely, the report by the Republica Srpska, which abounds with useful factual information about the real state of affairs in Bosnia and Herzegovina.

We voted in favour of the extension of the mandate of the European Union military operation in Bosnia and Herzegovina (EUFOR-Althea) for one more year (resolution 2658 (2022)). We are pleased to see that a responsible and constructive approach prevailed. The

document we voted upon was depoliticized and purely technical. At the same time, we would like to say once again that we are concerned with the unjustified and still unexplained doubling of the size of the EUFOR-Althea's contingent in 2022, all the more so since the command of the operation has directly stated that there were no immediate threats to peace and stability in Bosnia and Herzegovina. What is the reason for these measures then? At the same time, these measures are causing citizens to worry, and we warn against attempts to involve European forces in internal political processes.

We call upon the Council to constructively assess the events in Bosnia Herzegovina exclusively through the prism of the Dayton Peace Agreement, which was endorsed by the Security Council in resolution 1031 (1995). As one of the States that bore witness to the negotiation of the Dayton Accords, Russia fully supports the foundational principles of the sovereignty and territorial integrity of Bosnia and Herzegovina, the equality of the three constituent peoples and two entities with broad constitutional authorities. We are convinced that the key to resolving internal Bosnian issues lies in inclusive international dialogue alone, without outside interference, on the sole basis of premises set out in Dayton.

Mr. Hoxha (Albania): I would like to thank the High Representative, Mr. Christian Schmidt, not present in the Chamber today, for his insightful report on the activity of his Office and the developments in Bosnia and Herzegovina. We fully support his mission as a key component for the stability and proper functioning of the country.

The general elections at different levels were in focus during the reporting period. They were well organized overall, despite the increasing segmentation along ethnic lines and the corresponding divergent views on the future of the country. We commend the contribution of the High Representative for enacting a package of decisions enabling the financing of the general elections, ensuring thereby important integrity safeguards. We encourage all political actors in Bosnia and Herzegovina to cooperate and set up Government bodies at all levels. On the longer-term prospects, we urge all the parties to remain fully engaged in the dialogue and enable the much-needed reform of the electoral law.

The preservation of stability and the enhancement of cooperation and prosperity in the Western Balkans

is essential for Albania. It is closely linked to the priority importance of European and Euro-Atlantic aspirations of all Western Balkans countries. We welcome the recommendation of the Commission of the European Union to grant candidate status to Bosnia and Herzegovina. The work on reforms must continue for the fulfilment of the 14 key priorities for the opening of accession negotiations. The political agreement among the leaders at the high-level meeting in Brussels on 12 June must be implemented.

The recommendation of the European Union Commission is a historic moment for the citizens of the country and another important milestone for European integration in the region. In this spirit, we see the summit of the Western Balkans leaders, to be held today and tomorrow in Germany, in the framework of the Berlin Process, as another moment to check the state of play of the reforms and commitments by all six Western Balkans States. In this context, we look forward to the next summit of the Western Balkans and the European Union, which will take place in Tirana, Albania, on 6 December.

Despite progress and good news, serious challenges remain. We are deeply concerned by the repeatedly inflammatory and secessionist rhetoric of the leader of the Alliance of Independent Social Democrats, Milorad Dodik, challenging the fundamentals of the Dayton Agreement and calling into question the territorial integrity and sovereignty of Bosnia and Herzegovina. As he pointed out himself on 29 August, he is continuing to wait for the right moment and the appropriate conditions to break the unity of Bosnia and Herzegovina, his own country.

The international community should not take Mr. Dodik lightly; he will never miss an occasion to display his unending arsenal of controversy, from praising convicted war criminals, threatening Muslim neighbours, encouraging the dysfunction of his own State and serving a parallel agenda. By doing so, he comes into open contradiction with efforts to join the European Union, a perspective that can only be based on a single united Bosnia. He must not be allowed to hijack or sacrifice the destiny of Bosnia and Herzegovina.

If anyone is in doubt where Mr. Dodik gets such inspiration, there is no need to guess: before every election process, we need only check his flight destinations because those destinations are where he goes to get fresh instructions.

The hard-won stability and security of the Western Balkans and the prospect of joining a European path would be seriously put into question, disrupted and endangered if we let Dodik breed ideas of republics or pop-up entities in whatever form or name that would make States that malfunction or dysfunction.

As I have stated several times in this Chamber, the people of the region are growing closer together, and that is the only prospect we must support. They should never have to choose between ethnic and national identities. This is why individuals, including politicians who work to intentionally impede the functionality of the State and incite hate among ethnicities, must be met with a strong response, including sanctions and other legal actions. In this context, we refute and condemn in the strongest terms the genocide denial and glorification of war criminals, wherever they occur, in Bosnia or elsewhere in the region, as it stands in the way of reconciliation efforts.

Bosnia and Herzegovina must be supported in order to give the people the hope they need for their future. Due compensation for the victims of war is part of the healing process, and it must be pursued with dedication. As we know and as history has shown, forgotten crimes can be repeated.

Let me conclude by welcoming the renewal of the mandate of the European Union military operation in Bosnia and Herzegovina, not only as an important step for the maintenance of security and stability in and the integrity of Bosnia and Herzegovina as one State, but also as a clear sign of support for the Bosnian people and their efforts to build a future in unity.

Mr. Geng Shuang (China) (*spoke in Chinese*): In October this year, general elections were held in Bosnia and Herzegovina. The process was peaceful and smooth. The post-election political situation remained stable. Relevant disputes were properly resolved within the legal framework. This demonstrates the capability, willingness and determination of the people of Bosnia and Herzegovina to maintain political stability and live in harmony. China appreciates and welcomes these developments.

With the elections, the political situation in Bosnia and Herzegovina entered a new stage. China hopes that the parties in the country will maintain the current positive momentum, strengthen consultations, meet each other halfway and jointly promote the political agenda of the country.

For some time now, the use of the Bonn Powers has become rather controversial in Bosnia and Herzegovina. China is concerned about this. The High Representative system and the Bonn Powers were a special arrangement out of a specific era. After all, Bosnia and Herzegovina is a sovereign country that needs to find a feasible path for independent and effective governance. We hope that the international community will act in a fair, balanced and prudent manner on Bosnia and Herzegovina, fully respect the opinions and concerns of all the parties and refrain from imposing external plans.

China has always opposed unilateral sanctions not authorized by the Council and in violation of international law. We urge the relevant countries to refrain from using unilateral sanctions and other means to interfere in the internal affairs of Bosnia and Herzegovina.

Affected by both the pandemic and the external security environment, Bosnia and Herzegovina is facing serious difficulties and challenges in its economic and social development. The inflation rate remains high, foreign investment has dropped significantly and youth unemployment and population outflow have become very serious problems. The international community should increase its support and assistance to Bosnia and Herzegovina, pay more attention to the population outflow, especially of young people, and help Bosnia and Herzegovina meet its development challenges.

At the same time, Bosnia and Herzegovina should also create a fair, just and non-discriminatory business environment for foreign companies to operate there. That would help attract foreign investment, create employment opportunities for the local population and promote sustainable economic and social development in Bosnia and Herzegovina.

China supports all efforts that are conducive to maintaining peace and stability in Bosnia and Herzegovina and appreciates the constructive roles played by Serbia, Croatia and other countries of the region in that regard. China just voted in favour of the resolution to renew the mandate of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea) and hopes that EUFOR-Althea will continue to play a positive role in maintaining security and stability in Bosnia and Herzegovina.

In conclusion, I wish to reiterate that China respects the sovereignty, independence, national unity and territorial integrity of the country. We respect the

choice of its people for the future of the country and support the people there in using their own capability and wisdom to resolve the problems faced. China stands ready to work with the international community in order to contribute to achieving lasting peace and stability and long-term development in Bosnia and Herzegovina and the Western Balkans.

Mr. Biang (Gabon) (*spoke in French*): The general elections of 2 October took place against a backdrop of tension and community conflict, which was fuelled by divisive rhetoric. We take note of the numerous measures taken to enable the holding of the elections and to facilitate the functioning of institutions, including appointing judges to the Constitutional Court, facilitating interactions between the two houses of Parliament and strengthening citizen participation in the legislative process. We urge the political actors in Bosnia and Herzegovina to engage in dialogue in order to reach a concerted solution for coexistence in a community that respects diversity and on the basis of equal representation in State institutions.

The functioning of the State remains dependent on the implementation of the Dayton Accord, to which the various political entities must adhere. Those agreements provide a balanced road map to be followed by Bosnia and Herzegovina, with the participation of all of its components. Gabon believes that the differences that might arise from the implementation of those agreements must be resolved by consensus. The implementation by all of the decisions of the Constitutional Court is a vital necessity for strengthening the rule of law. We urge all parties to avoid rhetoric or unilateral initiatives and fait accompli policies that could complicate the path to economic and political stabilization and regional integration.

Additional efforts must be made to foster community living and cohesion. Measures taken to better acknowledge the victims of the war are to be welcomed because they promote reconciliation. The blockages in the budget preparation for the year 2023 must be resolved. They are stumbling blocks that deprive the State of its income and undermine its action.

The considerable immigration of young people is a matter of concern for Bosnia and Herzegovina, which is deprived every year of the vital forces it needs for State-building. My country urges the political leaders to find concerted political solutions to the various challenges that undermine State-building. Any action

that weakens State institutions by depriving them of their means of action undermines peacebuilding efforts.

In conclusion, I would like to call on the political authorities of Bosnia and Herzegovina to show their commitment to State-building in a spirit of dialogue and consensus. We welcome the role of the European Union Military Operation in Bosnia and Herzegovina in supporting Bosnia and Herzegovina on the path to peace and political stabilization. We are paying close attention to the effects of the measures taken by the High Representative to establish a Government so as to extricate the country from the political impasse that has lasted since 2018.

Mr. De Almeida Filho (Brazil): Brazil welcomes to this meeting the representatives of Bosnia and Herzegovina, Serbia, Croatia and the European Union.

First, I thank Ireland for the constructive approach in the negotiations for the renewal of the authorizations of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea). We understand that other members of the Council would prefer to deepen some aspects of the mandate, and we welcome the spirit of commitment of all in favour of a consensual text. With the adoption today of resolution 2658 (2022), the Council expresses, with one voice, its support for the stability of Bosnia and Herzegovina.

The High Representative's report, which the Secretary-General has shared with the Council (see S/2022/806), highlights the fragility of the political balance in the country, confirming reports from our Embassy in Sarajevo. The October elections ended without incident. We are grateful for the efforts of the High Representative in that regard, but we note with concern the rhetoric that tends to accentuate resentments and ethnic-based divisions. We encourage Bosnian leaders to remain engaged in the reconciliation process and to avoid words and actions that could result in violence. We believe that the presence of EUFOR-Althea, in the current context, remains essential to ensure peace.

Brazil considers it important, however, that Bosnians themselves take the lead in undertaking the institutional reforms necessary to build a functioning State capable of ensuring the well-being and prosperity of its population. We regret the lack of progress in the implementation of the 5+2 agenda. The time has come to put an end to hesitations and increase engagement among political forces in negotiations, with the aim

of modernizing legislation and strengthening the rule of law.

We welcome the involvement of the United States and the European Union in efforts to mediate electoral reforms, as well as the continued engagement of the United Nations in the reconstruction of the country. The stability of Bosnia and Herzegovina is critical to preserving peace in the Balkans. We therefore encourage other regional actors to take constructive action to promote the right of the Bosnian people to decide their future.

Mr. Ravindran (India): The General Framework Agreement for Peace in Bosnia and Herzegovina is fundamental for building enduring peace and stability in the country. The Agreement has brought about peace through the establishment of a democratic setup in the country, and it provides the framework for dialogue among the political parties on the basis of equality, mutual respect, compromise and consensus. To realize the objectives of the General Framework Agreement for Peace, all parties need to engage in dialogue in a spirit of mutual understanding and cooperation.

In that context, we commend the successful holding of the general elections by the Central Election Commission on 2 October. The election results reflect the will of the people of Bosnia and Herzegovina. The elections again demonstrated the need for collective cooperation in the interests of socioeconomic development, peace and stability. We hope that all the political parties, along with their leaders, that won the people's mandate will work together in a constructive and progressive manner.

The Office of the High Representative 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 Agreement for Peace.

Initiatives regarding anti-corruption, effective and efficient governance, non-discriminatory politics, stability based on the rule of law and a safe and secure environment will pave the way for economic development and boost trade, which are the need of the hour.

We should support all efforts towards cooperation, development and peace and avoid divisive rhetoric that could undermine the Agreement for Peace. In

that regard, it is also important for the Office of High Representative to work with all parties objectively, while playing a pivotal role in strengthening the democratic and constitutional framework of Bosnia and Herzegovina.

In conclusion, India supports all initiatives and constructive solutions, including those of the European Union (EU), towards efficiency, integration and stability in order to strengthen democracy and peace in the region. In that regard, we also welcome the renewal of the mandate of the EU Military Operation in Bosnia and Herzegovina.

Mr. Abushahab (United Arab Emirates) (*spoke in Arabic*): I welcome the participation of Croatia, Serbia, Bosnia and Herzegovina and the European Union (EU) in today's meeting.

In October, the people of Bosnia and Herzegovina exercised their constitutional right to participate in the elections. We hope that, following the elections, Bosnia and Herzegovina will continue to promote stability and development for its people, including by building on some of the recent positive developments in the country. That is especially important due to the ongoing tensions across the continent. In the context of today's discussion, my country would like to reiterate the following key points.

First, we welcome the unanimous renewal of the mandate of the European Union Military Operation in Bosnia and Herzegovina. That reflects the confidence the Council has in the European Union force and the important role it plays in promoting stability in Bosnia and Herzegovina. The support in June for extending the force's mandate from leaders of the political parties represented in the Parliament, as well as from the members of the Presidency of Bosnia and Herzegovina, is a positive step. We hope that dialogue will continue among the political leaders to promote consensus on important political issues.

Secondly, we stress the importance of addressing hate speech. The promotion of tolerance and peaceful coexistence is an essential pillar for building sound, cohesive and prosperous societies, especially for diverse societies such as Bosnia and Herzegovina's. We in the United Arab Emirates understand well the importance of strengthening those values given the bitter experience of our region that has suffered due to the spread of extremism, sectarianism and the fuelling of hatred. Therefore, we believe it is important to address

hate speech wherever it occurs, whether in written, audio or visual media. In that context, we commend the reported decrease in hate speech incidents during the last electoral cycle in the country as well as the positive impact of the laws put in place for that purpose.

Thirdly, we stress the importance of the full, equal, and meaningful participation of women in political life and decision-making processes, especially considering the challenges facing women's participation in those fields as noted in the High Representative's report. We are all aware that women play an essential role in achieving stability and sustainable peace, especially in terms of supporting reconciliation efforts in societies that experience constant tensions. Women's participation increases the prospects of reaching more successful agreements for the benefit of all.

In conclusion, my country reaffirms its support for the unity and territorial integrity of Bosnia and Herzegovina, in line with international law and the Dayton Agreement. We also commend the important role played by the High Representative of Bosnia and Herzegovina, and we stress the importance of fully respecting the national institutions in the country. Achieving peace in Bosnia and Herzegovina requires maintaining political stability and advancing the reconciliation process, which the Council must support. Doing so will have a positive impact not only on Bosnia and Herzegovina, but on the entire region.

Dame Barbara Woodward (United Kingdom): First, may I join other speakers in welcoming the unanimous adoption of resolution 2658 (2022), renewing the mandate of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea). I want to pay particular tribute and express special appreciation to Ireland for its role as penholder on the text. Bosnia and Herzegovina has made progress since 1995, but its hard-won peace remains fragile and under pressure. The presence of EUFOR-Althea continues to play an indispensable role in ensuring a safe and secure environment.

Secondly, we would like to thank High Representative Schmidt for his latest report (see S/2022/806). We look forward to welcoming him at future meetings. He and his Office continue to play a crucial role, and they have the United Kingdom's support, including for the use of his executive powers, should the situation require it.

We would like to congratulate all the people of Bosnia and Herzegovina on the 2 October elections. Overall, the elections were peaceful and democratic. But instances of fraud must be investigated and prosecuted. We also regret further instances of dangerous, divisive and secessionist rhetoric. Those must stop.

But only half the work is done. We urge the relevant actors in Bosnia and Herzegovina to prioritize collaboration and cooperation over political obstructionism to ensure that the election results are implemented swiftly and effectively. In that regard, we note the executive actions taken by the High Representative in the run-up to, and following, the elections. It is clear from the report that they were tough decisions and that the High Representative did not take them lightly. We understand that, in some quarters, the decisions were considered controversial, but it is clear that they were taken to amend a dysfunctional status quo that benefited few. His actions were designed to improve governance to benefit all in Bosnia and Herzegovina.

Finally, I would like to reaffirm the United Kingdom's commitment to the Dayton Peace Agreement and its structures. We welcome all work towards meeting the conditions set out for their closure, including the 5+2 criteria. We remain an active member of the Peace Implementation Council in support of the territorial integrity and fundamental structure of Bosnia and Herzegovina as a single, sovereign State, comprising two entities. We urge all actors in Bosnia and Herzegovina to set aside narrow interests and focus instead on improving the quality of life for all citizens and making progress on the agreed aim of Euro-Atlantic integration.

Mr. Kiboino (Kenya): Kenya supports continued progress on reforms to implement the 5+2 agenda and make progress to achieve the European Union (EU) integration of Bosnia and Herzegovina. We encourage the authorities to continue their efforts to galvanize that progress by working together to ensure full compliance with the General Framework Agreement for Peace in Bosnia and Herzegovina. We further urge them to undertake tangible action to fulfil their commitment to respect the agreements and the constitutional provisions and to create a society that is inclusive of all its people and citizens. In that regard, we commend the peaceful holding of elections on 2 October.

We urge the Bosnia and Herzegovina authorities to avoid any actions that could divide the people along

ethnic or religious lines. Any resistance to inclusion and respect for diversity will endanger the peace that the people of Bosnia and Herzegovina deserve. Kenya also encourages collaboration among the parties to create an environment conducive to the return of refugees and displaced persons to their home of origin, including through by putting an end to divisive rhetoric and the glorification of war criminals. Kenya believes that those are the minimum requirements for Bosnia and Herzegovina to chart its way to a stable and functioning democracy, and that unity of purpose, especially at the leadership levels, is critical to laying a firm foundation for successful governance.

In conclusion, Kenya welcomes the role of the European Union Military Operation in Bosnia and Herzegovina in maintaining a safe and secure environment and welcomes the renewal of its mandate. We also appreciate the continued commitment and engagement of the States of the Organization for Security and Cooperation in Europe in support of efforts towards ensuring a brighter future for Bosnia and Herzegovina.

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

Ghana considers the continuing presence of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea) as an important factor for maintaining post-conflict stability and guaranteeing a secure environment in Bosnia and Herzegovina, as it has done for the past 18 years. Ghana thanks Ireland for its role as penholder of resolution 2658 (2022), which was just adopted. Like other delegations, we believe that a substantive resolution would have better helped advance the peace agenda in Bosnia and Herzegovina. We call for the Council's future efforts in that direction.

We regret the inability of the High Representative for Bosnia and Herzegovina to participate in this meeting owing to the lack of consensus on the matter. The collaborative exchanges between the Security Council and the Office of the High Representative, through his briefings, help members to better appreciate the complex political situation that pertains to Bosnia and Herzegovina. We therefore hope that in the future the Council will be able to resume its established format for this meeting.

We thank the High Representative for his most recent report (see S/2022/806) on the implementation of the Peace Agreement on Bosnia and Herzegovina

and welcome his prioritization of the constitutional and electoral rights of the people, as elaborated in the report. Following the confirmation of the results of the general elections by the Central Election Commission last month, the political leaders of the various entities must now work in a collaborative and constructive manner to bring about the promise of peace and prosperity for all the people.

The effective implementation of the Peace Agreement on Bosnia and Herzegovina hinges on the effective functioning of its State institutions. Unfortunately, political deadlock and blockages continue to assail any progress in that regard. We therefore welcome the enactments undertaken by the High Representative to facilitate the establishment of the primary organs of State and the speedy formation of a new Government. The commitments by the leaders of the entities and a political consensus on the High Representative's functionality package remain vital for a fully functional Government. That forms the basis of our recommendations to the High Representative to forge close cooperation with all the sides and address their legitimate concerns in a manner that fosters confidence and builds trust.

In noting the impact that the continuing political deadlock and blockage has on the fragile peace that has held since the end of the brutal war, we once again call on all political actors and stakeholders to forge a collaborative arrangement that helps fulfil commitments and obligations under the provisions of the peace agreement. We remain concerned about the impact of the divisive discourse on the multi-ethnic communities of Bosnia and Herzegovina. It lies in the collective interest of the people to refrain from such rhetoric and nationalist approaches. In our view, the political aspirations of all sides can be attained through good-faith dialogue and negotiations.

Aside from the political security that it offers, the aspirations of the people for European integration must be supported as a pathway to address the widespread socioeconomic challenges. In that regard, we encourage the redoubling of efforts on key reforms, in particular on democratic governance, the rule of law, human rights, public administration reform and other indicators outlined by the 2019 report of the European Council.

The mass exodus of young people from Bosnia and Herzegovina is a sign that all is not well. The leaders must envision goals and pursue actions designed to

build a stable and productive nation that offers equal and decent work opportunities for those in whose hands the future of the country lies. We also regret the low level of women's participation in political leadership and call for the prioritization of gender empowerment and equality at all levels.

Lastly, we call for the unified support of the Council and the international community for the sovereignty and integrity of Bosnia and Herzegovina. We must sustain our support for the reconciliation and peaceful coexistence of all its people.

I now resume my functions as President of the Council.

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

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

We welcome the Security Council's unanimous adoption of resolution 2658 (2022), which extends the mandate of the European Union Military Operation in Bosnia and Herzegovina (EUFOR-Althea), which has been present in Bosnia and Herzegovina for many years, and I am grateful for Ireland's leadership role.

It is important to emphasize that Bosnia and Herzegovina, as a host country, has enjoyed respectable and fruitful cooperation with Operation Althea, particularly in the areas of capacity-building and cooperation with the institutions of Bosnia and Herzegovina. I would like to underline that the situation in Bosnia and Herzegovina has been stable and secure for a long time, and we are ready to take responsibility for the development of the country.

This statement on behalf of Bosnia and Herzegovina, a sovereign and independent State, mostly focuses on the situation in the country over the past six months, with a special emphasis on the general elections held on 2 October. That period was relatively peaceful and largely dedicated to the holding of those general elections. We could even say that the election campaign was more peaceful than previous ones, although there were sporadic outbursts of secessionist and nationalist rhetoric.

Before I provide the Council with that overview, allow me to emphasize on this occasion that the State of Bosnia and Herzegovina is one of the signatories of the General Framework Agreement for Peace in Bosnia and Herzegovina, better known as the Dayton Peace Agreement, along with two other neighbouring countries and six witnesses, which include five countries and the European Union.

It is well known that peace agreements are always signed by the participants in the war in question. From that point of view of international law, the signing of the Dayton Agreement therefore ended the inter-State armed conflict, as determined by the International Tribunal for the former Yugoslavia in The Hague. I underscore that because occasionally in the public space we hear neighbouring countries claim that they are guarantors of the Dayton Agreement. Such claims are incorrect and ill-intentioned, because the Dayton Agreement does not identify anyone as a guarantor of the Agreement. By incorrectly claiming that they are guarantors of the Dayton Agreement, those neighbours are trying to create a misleading environment in which they have the right to intervene in Bosnia and Herzegovina's political, economic and social systems. Simply put, that constitutes an attack on the sovereignty of Bosnia and Herzegovina and is one of the most significant factors in the destabilization of the entire region.

According to the Dayton Peace Agreement, the task of monitoring the implementation of the military aspect was assigned to NATO and EUFOR, as equal legal successors of the former Stabilization Force, while the task of monitoring the implementation of the civilian aspect was to be carried out by the Office of the High Representative, with the help of the Peace Implementation Council. It is very important to point that out, because in the previous reporting period we saw a significant violation of those provisions of the Dayton Agreement not only by neighbouring countries but unfortunately also by the Office of the High Representative itself. Given that today's topic of discussion is the latest six-month report of the High Representative (see S/2022/806), I want to take this opportunity to remind the Council that the High Representative's competence is established by annex 10 to the Dayton Agreement, with a mandate to supervise the implementation of the civilian aspect, which, among other things, includes the holding of fair and free elections in Bosnia and Herzegovina.

Guided by that premise, in the previous reporting period the Office of the High Representative imposed two decisions concerning the election law on Bosnia and Herzegovina, as well as amendments to the Constitution of one of the Bosnia and Herzegovina entities. The first intervention happened at the end of July. The Office of the High Representative amended certain paragraphs in Bosnia and Herzegovina's election law in an attempt to improve the integrity and transparency of the election process, although it was already known by then that in early May of 2022 the competent authority — the Central Election Commission — had announced the holding of elections for 2 October 2022. Knowing that elections had been announced in accordance with the existing rules, the High Representative therefore made a first amendment to those rules, claiming that he was trying to improve the integrity of the election process. However, the body that conducts elections, the Central Election Commission, had only two months to organize that part of the election process in accordance with those new rules, and that was not enough time. The result is what we are seeing today. We are experiencing difficulties with the counting of election results, a number of irregularities have been identified and we have even seen the appearance of falsified ballots. It is clear that the changes made to the election rules only two months before the election made it impossible for the Central Election Commission to organize everything adequately and on time. The party responsible for that is none other than the Office of the High Representative.

The second intervention occurred on the day of the election, 2 October, after the citizens of Bosnia and Herzegovina had concluded their voting. In that second intervention, the Office of the High Representative imposed completely new rules for assigning delegates to the Upper House of the legislative body of the Bosnia and Herzegovina entity of the Federation of Bosnia and Herzegovina. At the same time, the High Representative made amendments to the Constitution of the Bosnia and Herzegovina entity of the Federation of Bosnia and Herzegovina, although that is not part of the civilian aspects of the Dayton Agreement that falls under its jurisdiction as enshrined in annex 10.

To make all of this as clear as possible, I will share with the Council some elements that make it easy to comprehend how the High Representative has taken actions contrary to annex 10 to the Dayton Peace Agreement and the Constitution of Bosnia and

Herzegovina, thereby leaving Bosnia and Herzegovina in a state of destabilization and unable to continue its path towards joining the European Union and an alliance with NATO.

The first disputed element is as follows. Bosnia and Herzegovina by its Constitution is intended to be a democratic country that operates under the rule of law and free and democratic elections. That constitutional principle was violated by the High Representative when he imposed changes to the election rules after the elections were over. With that, the High Representative deceived every voter in Bosnia and Herzegovina, because they would certainly have voted differently if they had been familiar with the new election rules. At the same time, the High Representative deceived all the actors in the elections — more specifically, all the political parties and independent candidates, who would certainly have offered different electoral lists and programmes that would have accorded with the new electoral rules.

How can Bosnia and Herzegovina implement its own constitutional principle as a democratic country if the election rules are changed after the elections? That cannot be done, and yet it was the High Representative who made it possible to do so, despite the fact that his position gives him no right to do anything contrary to the Constitution of Bosnia and Herzegovina. Are we supposed to think that Bosnia and Herzegovina and its citizens are not good enough for complete democracy? I would like to remind the Council that the Constitution of Bosnia and Herzegovina is not part of the civilian aspect of the Dayton Agreement, which means that it cannot be interpreted by the High Representative. That is the duty of the Constitutional Court of Bosnia and Herzegovina alone.

I am taking this opportunity to remind the Council that in some European countries, such as Bulgaria, Romania and Greece, whether through domestic or international courts, there have been judicial invalidations of all changes to electoral rules made immediately before or after elections, as the judicial authorities consider such changes to be a direct attack on democracy. Likewise, in the United States, the Supreme Court has invalidated changes made to election rules immediately before an election or when those rules prevented certain ethnic groups defined by skin colour from exercising their civil rights, as in the cases of *Purcell v. Gonzales* and *Merrill v. Milligan*. All of this means that any change to election rules

immediately before or after an election in any country can be considered a direct attack on democracy. The High Representative apparently did not take that into account. In a similar vein, we have the opinion of the Venice Commission — the highest legal authority in Europe — which clearly states that election rules must not be changed too often and never within one year of an election, for the reason that all citizens and actors in the elections must have enough time to become familiar with the new election rules. That opinion was not respected by the High Representative either.

The second disputed element is as follows. The High Representative made changes to the election law of Bosnia and Herzegovina whereby the evaluation of living citizens is carried out through a mathematical formula and their coefficient for participation in the election process is determined in accordance with their ethnicity. That means that citizens of Bosnia and Herzegovina who form part of an ethnic minority in certain parts of the country may have a coefficient of, for example, 0.5, while citizens of the same ethnicity in the southern part of Bosnia and Herzegovina may have a coefficient of 1.5, giving them greater rights and chances in the electoral process. That is the ultimate form of ethnic discrimination and it is prohibited by such agreements as the United Nations Convention on Civil and Political Rights and the European Convention on Human Rights and Fundamental Freedoms, among others. I want to remind Council members that those international instruments are an integral part of the Constitution of Bosnia and Herzegovina, where they have direct application. How can any country claim to value its people — living human beings — and yet give them a higher or lower personal coefficient that determines whether they have a higher or lower level of human rights? The answer is very simple. There is no country that can do that.

It is particularly worrisome that the High Representative has completely destroyed the principle of the rule of law, which implies the equality of all before the law without exception. In contrast, he has created a system in which all citizens, persons, and individuals are not equal before the election law of Bosnia and Herzegovina. In addition, the High Representative has not respected a single judgment of the European Court of Human Rights with regard to the existence of systemic discrimination, the rejection of which is a constitutional obligation in Bosnia and Herzegovina. That is another indicator of the High Representative's

violation of the Constitution of Bosnia and Herzegovina and other international norms. As an example, as an ethnic Jew from Bosnia and Herzegovina, I will have no equal rights, opportunities or chances to adequately participate in the electoral process in the new electoral system imposed by the High Representative. It is obvious that someone is trying to create an environment in Bosnia and Herzegovina based on the premise of “equal but separate”, incorporating the racial and ethnic discrimination rejected decades ago along with all the elements of apartheid, and unfortunately, through the interventions of the High Representative, to impose a political and social system in Bosnia and Herzegovina. That is absolutely unacceptable.

The third disputed element concerns the amendments that the High Representative imposed on the Constitution of the Bosnia and Herzegovina entity of the Federation of Bosnia and Herzegovina, based on two different censuses, one from 1991 and another from 2013. His decision shows his exact intention, in cooperation with the neighbouring Republic of Croatia, to ensure the unlimited participation in Government of one political party, the Croat Democratic Union of Bosnia and Herzegovina (HDZ), which is a branch of the same political party in neighbouring Croatia. According to the 1991 census, there should be five ethnic Croat ministers under the control of the HDZ in the Government of the Bosnia and Herzegovina entity of the Federation of Bosnia and Herzegovina; however, according to the 2013 census, there should be two or three fewer.

The High Representative therefore fully and consciously kept the ethnic quota from 1991 because it corresponds to the wishes of neighbouring Croatia. On the other hand, by using the 2013 census to fill the upper house of our legislative body, the House of Peoples, he increased the quotas needed to make decisions in favour of those same HDZ-controlled ethnic Croats. That made Bosnia and Herzegovina the only country in the world that uses one census for the formation of the legislative bodies of the Government and another census for the formation of the executive bodies of the Government. By doing that, the High Representative placed all the citizens of Bosnia and Herzegovina in a state of complete legal uncertainty.

In addition, annex 7 to the Dayton Peace Agreement mandates the return of all displaced persons to their pre-war homes and, until that process is completed, the 1991 census must be applied. The reason for that

is very simple: it ensures that, in accordance with the judgments made at the International Criminal Court in The Hague, it will never be possible to legalize the results of ethnic cleansing in Bosnia and Herzegovina. However, through his decisions, the High Representative informally declared annex 7 ended, thereby formally accepting the results of ethnic cleansing, genocide and other most terrible war crimes. That is not the job of the High Representative, and it is very harmful to the Dayton Peace Agreement.

The fourth disputed element refers to the fact that the High Representative planned all of that in cooperation with the neighbouring Republic of Croatia, which the Government of the Republic of Croatia itself publicly announced, probably considering itself a guarantor of the Dayton Agreement — which it certainly is not. The High Representative therefore committed, among other things, what the criminal law of Bosnia and Herzegovina considers to be a criminal offense. In addition, the High Representative selectively implemented the judgments of the Constitutional Court of Bosnia and Herzegovina, in that he did not implement the only judgment concerning the suppression of discrimination, namely, the judgment in the Komšić case, thereby committing another criminal offense by disobeying the decisions of the Constitutional Court of Bosnia and Herzegovina.

Finally, I want to share a few important observations with the Council.

The intention of the High Representative to enable fairer elections with his decisions was not realized. On the contrary, a number of confusing elements were introduced that made it difficult to carry out the election process. His second intention, based on the belief that we allegedly wanted to enable the unblocking of the Government formation process, involved interventions in the Constitution of the Bosnia and Herzegovina entity of the Federation of Bosnia and Herzegovina and the electoral law of Bosnia and Herzegovina.

To put it simply, that was not correct because the unblocking did not happen; at the same time, he introduced a significant asymmetry into the formation of the authorities in the two Bosnia and Herzegovina entities, whereas the two entities are supposed to respect the Constitution of Bosnia and Herzegovina. It is not possible to have two different approaches to the formation of the Government in the two Bosnia and Herzegovina entities, which are obliged to

respect the provisions of the Constitution of Bosnia and Herzegovina.

By making those changes to the election rules immediately before and after the elections, the High Representative violated the Constitution of Bosnia and Herzegovina and a number of international acts incorporated into the legal system of Bosnia and Herzegovina. That is certainly not — and cannot be — his role. The High Representative deceived the voters by changing the election rules after the elections were held, an act that caused such a destabilization of the situation in Bosnia and Herzegovina that there were mass protests in front of the Office of the High Representative building in Sarajevo of by citizens who were dissatisfied and believed that apartheid had been introduced into their country.

In addition, an appeal was submitted to the Constitutional Court of Bosnia and Herzegovina because the High Representative's decisions were clearly unconstitutional. Instead of waiting for the outcome of that court process, the High Representative put pressure on political actors, and even on judicial processes, to implement his decisions as soon as possible. That is absolutely unacceptable.

For all those reasons, it has become more than obvious that the role of the current High Representative has become destabilizing, in favour of one of the neighbouring countries, as well as some of the High Representative's international mentors, but to the detriment of the State of Bosnia and Herzegovina and its citizens.

I take this opportunity to emphasize that Bosnia and Herzegovina still supports the institution of the High Representative, in accordance with the mandate of the Dayton Peace Agreement, but that the activity of the current acting High Representative has become a problem that needs to be solved as soon as possible. That is why it is important to say once again that anyone who performs the duties of the High Representative cannot do unconstitutional things or work outside his authority, which is unfortunately the case now. That is why I hereby invite members of the Council to resolve that issue together and help Bosnia and Herzegovina towards the democratic path in the coming period.

The President: I now give the floor to Mr. Gonzato.

Mr. Gonzato: I have the honour to speak on behalf of the European Union (EU) and its 27 member States.

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

The European Union is pleased that the Security Council renewed the mandate of the European Union Military Operation in Bosnia and Herzegovina, given its importance in maintaining security and a stable environment. The EU reiterates its unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country.

The European Union welcomes the holding of general elections in Bosnia and Herzegovina on 2 October. Ensuring that elections are conducted in line with European standards is a key priority set out in the European Commission's opinion on Bosnia and Herzegovina's application for EU membership. Following the verification of the results of the elections, the EU expects all political actors to take full responsibility and to cooperate to swiftly set up functioning legislatures and Governments at the State, entity and cantonal levels in order to focus on reforms on the EU path.

(spoke in French)

The EU welcomes the political agreement concluded on 12 June in Brussels by the leaders of Bosnia and Herzegovina, which is necessary for the stability and proper functioning of the country and to meet the aspirations of its population. We call on all the political leaders in Bosnia and Herzegovina to swiftly implement the commitments set out in the agreement and to urgently carry out the constitutional and electoral reforms that will enable the country to move decisively forward on its European path, on the basis of the free will of the population of Bosnia and Herzegovina.

In June, the European Council indicated that it was ready to grant candidate country status to Bosnia and Herzegovina, and to that end invited the European Commission to report back to the European Council without delay on the implementation of the 14 key priorities set out in its opinion, with particular emphasis on those that would constitute an important reform package, for the further consideration of the European Council.

(spoke in English)

Finally, the EU would like to reiterate its strong support for the mission of High Representative Christian Schmidt in Bosnia and Herzegovina.

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

Mr. Stevanović (Serbia): Following the recent presentation of the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2022/739), concerning the situation in Kosovo and Metohija, today's meeting provides the Government of Serbia with another opportunity to emphasize that Serbia consistently respects the principles of sovereignty and territorial integrity, as enshrined in the Charter of the United Nations.

At the outset, let me state the obvious: Serbia is clearly and firmly committed to preserving the sovereignty and territorial integrity of its neighbour Bosnia and Herzegovina. Within the framework, and according to the spirit, of the Dayton Peace Agreement, Serbia supports Bosnia and Herzegovina as a single State, with two entities, as well as all the decisions made by State institutions under its constitutional powers. Bearing in mind that general elections in Bosnia and Herzegovina were held on 2 October, Serbia hopes that the process will be finalized without unnecessary delays and the new State institutions at all levels will assume their responsibilities very soon, in the interests of all citizens.

For Serbia, bilateral relations with Bosnia and Herzegovina are one of the pillars of regional stability and prosperity. We stand ready to contribute in good faith to the further advancement of our dialogue and cooperation with the institutions in Sarajevo. Serbia is also devoted to the transparent development of its relations with Republika Srpska in accordance with the Dayton Agreement, and we remain determined to intensify our cooperation with the entity of the Federation of Bosnia and Herzegovina. Serbia will continue to act as a reliable partner to ensure the continued enhancement of all-round cooperation and the achievement of mutual interests.

The Dayton Peace Agreement, of which Serbia is a guarantor, made it possible to end the tragic conflict in Bosnia and Herzegovina and establish the basis for a peaceful future. In addition, it enabled economic and social recovery, progress in the process of European Union (EU) integration and the strengthening of Bosnia and Herzegovina's cooperation with all its neighbours. While we should all continue to strive to improve the success of the outcomes, those achievements should not be underestimated or overlooked. We therefore believe

that the Agreement continues to represent very solid ground for the ongoing development of Bosnia and Herzegovina and its further progress towards broader integration processes. What is equally important is that the Agreement serves as a foundation for the continuation of the reconciliation process. It enables the building of trust through the condemnation of all the crimes that were committed in Bosnia and Herzegovina, bringing all the perpetrators to justice and expressing respect for all their victims, regardless of their ethnic origin. That is the only way to permanent reconciliation in Bosnia and Herzegovina.

Serbia believes that consensus is the only legitimate and effective way to resolve the issues related to Bosnia and Herzegovina's current needs and aspirations. The Serbian Government has always emphasized the key role of dialogue in reaching agreement between the two entities and three constituent peoples. Externally imposed solutions that violate consensus and disturb the internal system of checks and balances are counterproductive and potentially detrimental to the stability of the country and the region as a whole.

Serbia respects the right of every State to independently create its foreign policy, including regarding participation in political and security organizations. It goes without saying that that principle also applies to our relations with Bosnia and Herzegovina and to every agreement made by the Bosnian authorities in accordance with the Dayton Agreement. Serbia welcomes the European Commission's decision of 12 October proposing that Bosnia and Herzegovina be granted candidate status for EU membership. Serbia also strongly supports efforts to find appropriate solutions to outstanding issues, through internal dialogue and consensus between the two entities and three constituent peoples. We firmly believe that the political actors in Bosnia and Herzegovina can reach solutions that are accepted by all and for the well-being of all. My Government is ready to share its experience and know-how, based on its own EU-integration process. We also remain open to joint activities that can bring us closer to our shared goal of EU membership.

We are pleased that Bosnia and Herzegovina is showing increasing interest in the format of the Open Balkan Initiative, in which Serbia actively participates with Albania and North Macedonia. The highest-ranking officials of the three countries welcomed Mr. Zoran Tegeltija, the then Chairman of

the Council of Ministers of Bosnia and Herzegovina, at the Open Balkan Summit held recently in Belgrade on 1 and 2 September. The Initiative has already delivered concrete results in achieving its goal of the free flow of people, goods, capital and services. In addition to the obvious economic benefits, it should therefore also contribute to the faster realization of the region's shared foreign policy priorities, above all membership in the European Union. It is therefore our hope that the newly elected representatives of Bosnia and Herzegovina will take additional steps towards much closer cooperation within the framework of the Open Balkan Initiative.

Bosnia and Herzegovina deserves to see promising prospects for its future, which should include progress in its internal affairs, the strengthening of regional cooperation and accession to the European Union. Bosnia and Herzegovina is one of Serbia's immediate neighbours. Its stability and prosperity are substantially linked to Serbia's well-being. Serbia will therefore continue to be committed to peace, security and development in Bosnia and Herzegovina and the whole of the region to which it belongs.

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

Mr. Šimonović (Croatia): I congratulate you, Mr. President, on your country's assumption of the presidency of the Security Council for the month of November and wish you every success.

Croatia fully aligns itself with the statement delivered on behalf of the European Union (EU) and its member States, and I would like to add some remarks in my national capacity.

First of all, we would like to welcome the extension of the European Union Military Operation in Bosnia and Herzegovina, EUFOR-Althea, since it has an important role in supporting stability and security in Bosnia and Herzegovina. Croatia continues to be committed to Bosnia and Herzegovina's sovereignty, territorial integrity and constitutional set-up.

Croatia took note of the recent general elections in Bosnia and Herzegovina. We regret that the election campaign was marred by warmongering rhetoric and hate speech. It showed there are still some political forces in Bosnia and Herzegovina that question and challenge the Dayton Peace Agreement and pursue power and dominance as their policy of choice, rather than dialogue and compromise. That remains a

threat to the political stability of the country. Croatia supports the work of High Representative Schmidt, who has made a strong contribution as a stabilizing force during a delicate period for the country. That is reflected notably in his decision on the day of elections, which helped to alleviate some of the most pressing concerns about fair representation. It is now up to the political leaders of Bosnia and Herzegovina to take this opportunity to continue the work of constitutional and electoral reform. That reform should remove all forms of discrimination in the electoral process by ensuring the equality of all the constituent peoples through their legitimate representation in institutions at all levels, as well as the rights of all citizens, including their right to stand for election. That would be a major contribution to the country's lasting political stability and an indispensable step for Bosnia and Herzegovina's European prospects, which are supported by an overwhelming majority of its population.

Following the announcement of the election results, we invite the relevant political actors in the country to engage in post-electoral dialogue, with full responsibility. The Government and other institutions should be formed quickly and without unnecessary delays so that the country can focus on essential reforms. The difficult political and economic situation traps the potential of Bosnia and Herzegovina's population, as the lack of prospects continues to motivate young people to leave the country. That trend should be reversed by undertaking the necessary reforms. In that regard, Croatia welcomes the recent recommendation that Bosnia and Herzegovina become an EU candidate country.

The representative of Bosnia and Herzegovina made surprisingly numerous and harsh accusations about the High Representative for Bosnia and Herzegovina and to a certain extent against Croatia as well. There are too many of them to address individually now, but they certainly deserve a general comment.

Both the past and the present are seen differently by many people in Bosnia and Herzegovina. However, most of them would agree that the electoral system of Bosnia and Herzegovina lacks justice and fairness for various reasons. To quite an extent, the democratic rights of the members of ethnic minorities are denied, and the rights of constituent peoples are — and have been — violated through electoral engineering.

As negotiations between Bosnia and Herzegovina's political parties regarding the reform of the electoral law in line with the decisions of the Constitutional Court of Bosnia and Herzegovina and the European Court of Human Rights were deliberately and strategically obstructed by some of them, the only thing the High Representative could possibly do — to provide for at least some legitimacy of elections and to prevent blockades in the implementation of its results — was to intervene and amend some of the electoral rules that led to continued discrimination. The High Representative made the decisions independently, intervening in accordance with his mandate, when national political mechanisms failed seriously. In that effort — in protecting the democratic stability and well-functioning of the State institutions of Bosnia and Herzegovina — he deserves our full support, not criticism and accusations.

The contested issues in Bosnia and Herzegovina, as elsewhere, should always be resolved in the spirit of mutual respect, cooperation and compromise. It is damaging for the stability of the country that, through electoral engineering and manipulations during these elections, Croats from Bosnia and Herzegovina have been deprived for the fourth time from having a legitimate representative in the Presidency. Mr. Komšić

has been elected by the more numerous non-Croat voters, who voted strategically to get in the Presidency of Bosnia and Herzegovina both a Bosniak representative and the Croatian representative that they wanted. That manipulation is of course contrary to the spirit of the Dayton-Paris Peace Agreement, equality of constituent peoples in Bosnia and Herzegovina and democratic standards in general.

We sincerely hope that the political parties in Bosnia and Herzegovina will continue to work on electoral and other reforms in good faith, and that further interventions of the High Representative such as this one will not be needed in the future. The actors of Bosnia and Herzegovina must be able to successfully resolve the differences among themselves.

As a friendly and neighbouring country, Croatia will continue to extend unequivocal support to Bosnia and Herzegovina to successfully overcome its political and economic challenges and make progress towards membership in the European Union, which is the prospect that the greatest majority of citizens of Bosnia and Herzegovina, irrespective of their nationality or ethnicity, wish for their future.

The meeting rose at 4.45 p.m.