



Security Council

Seventy-fourth year

8522nd meeting
 Wednesday, 8 May 2019, 10 a.m.
 New York

Provisional

<i>President:</i>	Mr. Djani	(Indonesia)
<i>Members:</i>	Belgium	Mr. Pecsteen de Buytswerve
	China	Mr. Yao Shaojun
	Côte d'Ivoire	Mr. Moriko
	Dominican Republic	Mr. Singer Weisinger
	Equatorial Guinea	Mrs. Mele Colifa
	France	Mrs. Gueguen
	Germany	Mr. Heusgen
	Kuwait	Mr. Alfassam
	Peru	Mr. Meza-Cuadra
	Poland	Ms. Wronecka
	Russian Federation	Mr. Polyanskiy
	South Africa	Mr. Mabhongo
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Mr. Cohen

Agenda

The situation in Bosnia and Herzegovina

Letter dated 1 May 2019 from the Secretary-General addressed to the President of the Security Council (S/2019/364)

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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 1 May 2019 from the Secretary-General addressed to the President of the Security Council (S/2019/364)

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. Valentin Inzko, High Representative for Bosnia and Herzegovina, 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 of the item on its agenda.

I wish to draw the attention of Council members to document S/2019/364, which contains the text of a letter dated 1 May 2019 from the Secretary-General addressed to the President of the Security Council, transmitting the fifty-fifth report of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

I now give the floor to Mr. Inzko.

Mr. Inzko: Before I start, I would like to take a moment to remember Lord Paddy Ashdown, who passed away in December. As High Representative, Lord Ashdown led the international community in Bosnia and Herzegovina through a critical period, implementing key provisions of the General Framework Agreement for Peace and building and strengthening the institutions crucial to reintegrating the country and its people. Lord Ashdown was quoted as saying about Bosnia and Herzegovina when he left, "It is a place we cannot leave behind". He showed that to be true until the very end of his life: even just days before his passing, Lord Ashdown remained a vocal advocate for

the country and a champion of multilateralism in an increasingly complex world.

Last November (see S/PV.8392), I reported to the Security Council on how the 7 October general elections had defined the political events of the previous months. Now, seven months on from those elections, the process of building coalitions and appointing Governments continue to dominate the political dynamic in Bosnia and Herzegovina. While the Republika Srpska and some Federation cantons moved swiftly to form Governments, regrettably there has been no appointment of a State-level Council of Ministers or a Federation Government. Nevertheless, concrete discussions among parties on a state-level coalition appear to be more advanced now, as confirmed in my contacts with key political players before my departure. The international community expects a new Council of Ministers to be formed as quickly as possible, focused on a forward-looking agenda of reforms.

Over the past six months, we have continued to see a positive consensus across the political spectrum on the need for the further integration of Bosnia and Herzegovina with the European Union. This was reflected in February, when the Council of Ministers finalized the follow-up responses to the European Commission questionnaire, and in March when the Bosnia and Herzegovina Presidency Chair Milorad Dodik personally delivered the answers to Brussels. As Council members know, there were almost 4,000 questions and, accordingly, 4,000 answers.

Despite this positive political step, we have also seen a continuation of divisive and destabilizing rhetoric, sometimes from the very same leaders who profess a commitment to the country's European Union (EU) path. This inconsistency poses a serious challenge to Bosnia and Herzegovina. While Presidency Chair Dodik has worked with his fellow Presidency members to find agreement on several important issues, he continues to speak against the statehood of Bosnia and Herzegovina, to threaten the future secession of Republika Srpska and to assert that Republika Srpska is a State, for example most recently saying that "we are already separated. It just has not been proclaimed yet." He has also stated that if Kosovo becomes a Member of the United Nations, Republika Srpska would declare independence. To illustrate his intentions, he has on more than one occasion displayed a map of Serbia joined with Republika Srpska and a part of Montenegro as a single State.

It is my duty to warn the Council of potential developments, but I would also ask its members how they might react if a regional representative in their own country made such explicit statements and declared part of their country an independent State? The secessionist rhetoric and the long-standing policy of challenging the State of Bosnia and Herzegovina has unfortunately become a constant over the past several years. I therefore believe that we should push back on these negative trends more decisively.

In addition to separatist statements from some Republika Srpska political representatives, the main Croat parties persistently reject the judgments of international courts concerning their wartime leadership and seek to revive the structures of that period's para-State. To be clear, they are rejecting the judgments of an international court, the International Tribunal for the Former Yugoslavia (ICTY), which was created by this very body, the Security Council, in a unanimous vote in 1993.

Also, earlier this year the main Bosniak party announced its intention to launch an initiative to challenge the name of Republika Srpska before the Bosnia and Herzegovina Constitutional Court, which predictably led to further threats of secession. In this context, I must stress that the Constitution of Bosnia and Herzegovina establishes that the State of Bosnia and Herzegovina consists of two entities, the Federation of Bosnia and Herzegovina and Republika Srpska. The international community remains unwavering in its commitment to the territorial integrity and fundamental structure of Bosnia and Herzegovina. I am grateful to Angela Merkel and Emmanuel Macron for organizing the recent Berlin meeting of Balkan leaders affirming the international community's resolve in this regard.

In contrast to statements from the Bosnia and Herzegovina Presidency Chair challenging the statehood of Bosnia and Herzegovina and supporting the independence of Republika Srpska, I must acknowledge with pleasure that President Vučić of Serbia has continued to express respect for Bosnia and Herzegovina's territorial integrity and sovereignty, most recently at the opening of the Mostar fair on 9 April and following the recent Berlin conference.

Another issue that recently emerged and has raised tensions is the possibility of reserve police forces being created in the entities. In April, the Republika Srpska National Assembly moved forward with legislation to

create a reserve police force, whose purpose has been variously explained as a response to public security challenges associated with migration or to respond to natural disasters. This move, interpreted by some as an attempt to build an alternative military force, raised grave concerns in the Federation. In response, the competent parliamentary committee in the Federation has said it would do the same.

The issue has also been seen in the light of the previous controversy over the disproportionate purchases of long-barrel weapons by the Republika Srpska police. Recently, a member of the main board of the ruling party in the Republika Srpska wrote that the reserve police is "a replacement for the army of Republika Srpska". The current political discourse related to reserve police forces in the entities, which began with the unilateral steps taken by the Republika Srpska, does not contribute to peace and stability in Bosnia and Herzegovina. On the contrary, it has generated a negative spiral of mistrust and unhealthy competition. If the current dynamic escalates further, it could create tensions and divisions, destabilizing the country.

Bosnia needs fewer weapons and fewer people in police uniforms, not more. We must do all we can to prevent a police arms race. Instead, authorities at all levels should work towards better cooperation in order to maximize public security and a safe environment for all citizens. Immigration, refugee and asylum policy are the constitutional responsibilities of state institutions, and their capacities should be reinforced. This would be an appropriate example of better cooperation, and I have made that clear in my public statements. Given the region's recent past, these matters deserve the continued attention of the Council.

All that I have described today is occurring against a backdrop in which the political leaders continue to shirk their obligations with respect to the rule of law, particularly and persistently failing to respect binding decisions of the State judiciary. I have previously mentioned the unimplemented decisions of the Bosnia and Herzegovina Constitutional Court in the Ljubić case and on the electoral system of the city of Mostar, the latter of which has prevented the organization of local elections since 2008. It is inconceivable that a major city in any country that aspires to join the European Union and to be the cultural capital of Europe has not held local elections for over a decade!

On the other side, the Republika Srpska authorities continue to refuse to respect judgments of the Bosnia and Herzegovina State Court and Constitutional Court concerning the registration of defence property and the 9 January “Republika Srpska Day” holiday. Additionally, the authorities of several Federation cantons have failed to take necessary steps to ensure the equality of Serbs in those cantons. According to the cantonal constitutions, Serbs do not exist in those cantons. The Constitutional Court has therefore said that this must change.

I must also highlight the failure of the authorities to implement decisions of the European Court of Human Rights in the *Sejdić and Finci* and related cases, which leaves in place a system that discriminates against a significant number of citizens to exercise their right to stand for public office. They can all vote but they cannot be elected. This is a group of some 300,000 people.

It is now 24 years since Dayton and almost 10 years since the European Court of Human Rights first ruled on this issue, and representatives of minority groups still cannot run for the state Presidency or the House of Peoples. For this group of citizens, one of the most sacred principles of civilization, *égalité*, has not existed for a quarter of a century. This is unacceptable, and the authorities must act without delay to remedy the situation.

In the context of the rule of law, I must also report that, following the recent decision to increase the sentence imposed on Karadžić, we have again heard denials of the genocide committed in Srebrenica, even though it has been confirmed by two international tribunals, one being the ICTY, established by this organ.

We have also witnessed efforts over the past six months to curb freedom of expression and dissent. In December, the Republika Srpska authorities broke up the months-long daily protests in Banja Luka over what activists alleged was a cover-up in the suspicious death of a young man and have impeded attempts to organize new protests. As the authorities have expressed intentions to amend legislation related to public gatherings and the work of journalists, the international and non-governmental organization communities have spoken out against actions that would limit democratic rights and freedoms. In this context, I welcome the fact that the Republika Srpska authorities have taken steps to reflect such concerns with regard to the Law

on Public Peace and Order, and I encourage continued dialogue on related initiatives.

My intention today is to illustrate that Bosnia and Herzegovina still requires the attention and unified approach of the international community. We have long taken it for granted that the great progress the country has made since 1995 is somehow irreversible, but it is important that we recognize backsliding when it occurs and acknowledge that our mission is not yet complete.

The Office of the High Representative is in Bosnia and Herzegovina to ensure that the Dayton Peace Agreement, including the Bosnia and Herzegovina Constitution, is respected and that the substantial reforms enacted to implement it are not only maintained but completed. That functionality is a logical precondition for the country to meet the challenges ahead, including the integration aspirations supported by all major political parties.

For my part, I continue to focus on fulfilling my mandate in accordance with annex 10 of the General Framework Agreement for Peace and the relevant Security Council resolutions. It is imperative to insist that the authorities remain focused on full compliance; otherwise we risk encouraging further rollback of the reforms. At the same time, I cannot govern in place of the elected leaders of Bosnia and Herzegovina. Only they can take the steps necessary to move to the country forward.

I therefore invite the political leaders of Bosnia and Herzegovina to make sincere efforts to overcome their differences and finally move forward with the appointment of the state and Federation executive authorities, and work with the authorities of the Republika Srpska and the cantons to fully implement the Dayton Peace Agreement. Additionally, I implore the leaders to abandon the destabilizing and divisive rhetoric rooted in the past and to take strides to keep the country moving forward on the path to the European Union, in the interest of all the citizens who they represent. It is of particular importance to establish a positive socioeconomic environment and ensure the rule of law in order to curb the exodus of brilliant young people, the country’s most important natural resource.

Citizens of Bosnian and Herzegovinian origin are now sitting in the Parliament of Austria, in the House of Lords in the United Kingdom and in at least one state legislature in the United States. Outstanding young people like them who have remained in Bosnia

and Herzegovina represent hope for change and the future of the country. That is why I am ending with an optimistic tone, and also with Lord Ashdown's quote that I mentioned at the outset: "Bosnia and Herzegovina is a place you cannot leave behind."

The President: I thank Mr. Inzko for his briefing.

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

Mr. Mabhongo (South Africa): We would like to thank you, Mr. President, for convening this debate on the situation in Bosnia and Herzegovina.

We wish to express our appreciation for the informative briefing by High Representative Inzko on the latest report of his Office on the political, security and humanitarian situation in the country (S/2019/364, annex).

We welcome the progress made between the parties in discussions on the State-level Government, as well as the international community's support for the parties. South Africa concurs with the views expressed by the High Representative as we look forward to the formation of a new Council of Ministers as soon as possible. We remain concerned, however, about the continued disagreement between the political parties, which has the potential to undermine the fulfilment of the 5+2 agenda established by the Peace Implementation Council Steering Board. We encourage all parties to exercise restraint and refrain from provocative, divisive and nationalistic rhetoric that could weaken the sovereignty and territorial integrity of the State.

The Security Council, in its support of the parties concerned, should promote an environment that is conducive to dialogue and cooperation and that would ease the challenges and hardships faced by the people of Bosnia and Herzegovina. We wish to reiterate that a new coalition Government should be formed soon so as to allow the country and its people to implement the 5+2 agenda in its entirety, which would enable its assumption of full sovereign responsibility and authority over its domestic and international affairs.

Recent human rights developments are of concern and have the potential to exacerbate the tensions between the parties. Such developments could have negatively implications for local communities and the broader region. Any country wishing to achieve sustainable peace must respect international human rights law and the relevant Council resolutions. In that

regard, South Africa calls on all parties to respect the rule of law and the legal instruments that underpin the political structures in the country, guided by international norms and standards.

The political impasse is not sustainable. Political dialogue is critical to resolving outstanding issues. In that regard, we call for inclusive, consultative and constructive dialogue among all stakeholders, including the different ethnic groups and entities, youth and women, as well as among the various Bosnian structures through the Office of the High Representative, the European Union and the United Nations.

In the spirit of finding a long-term, peaceful solution for all, we encourage all parties to recommit to the full implementation of their obligations under the Dayton Agreement. Political will and national ownership are essential to moving the process towards long-term peace, stability and reconciliation.

In conclusion, the support of the international community for the Government and the people of Bosnia and Herzegovina is critical to achieving security, stability and an inclusive democracy in the country and in the region.

Mr. Moriko (Côte d'Ivoire) (*spoke in French*): My delegation thanks Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for introducing his twenty-first report to the Secretary-General on the situation in Bosnia and Herzegovina (S/2019/364, annex).

We would also like to pay a fitting tribute to Lord Paddy Ashdown, former High Representative for Bosnia and Herzegovina, for all his efforts to bring peace to that country, and to extend our condolences to the family of that illustrious servant in the cause of peace.

My delegation welcomes the submission, by the Bosnian authorities to the Commission of the European Union, of the finalized official replies to the 665 questions required for the review of Bosnia's application for membership in the European Union. This is a clear demonstration of the Bosnian Government's willingness to pursue its efforts to initiate reforms in the areas of the rule of law, the independence of the judiciary and fundamental rights. Those reforms will undoubtedly drive the country's political, economic and social transformation and improve its chances of joining the European Union.

My delegation welcomes the adoption by the Central Election Commission and the Constitutional Court of Bosnia and Herzegovina of electoral reforms that will put an end to institutional dysfunction. In addition, my country welcomes the decision of the Srebrenica Municipal Assembly to build a monument dedicated to peace to commemorate the tragic events that occurred in that city in July 1995.

In spite of those positive developments, my delegation remains concerned about the persistence of political tensions, particularly with regard to the difficulties encountered in the formation of the Council of Ministers since the general elections of 7 October 2018. Continued delays in the formation of the Government could further complicate the complex economic and social challenges facing Bosnia and Herzegovina.

My delegation believes that the search for peaceful solutions to intercommunal disputes in the country must become a demand shared by all Bosnian political actors. In that context, it calls on them to refrain from all discourse and actions likely to compromise the territorial integrity of Bosnia and Herzegovina and its integration into the European Union. My delegation therefore notes with concern the adoption by the Parliament of the Republika Srpska of a law on public security. The law, which allows for the creation of a reserve police force, could undermine relations between the central State and the Republika Srpska. For that reason, Côte d'Ivoire urges the Parliament of the Republika Srpska to postpone the creation of the police force.

In conclusion, my country invites the Security Council and the neighbouring countries of Bosnia and Herzegovina to remain engaged in the pursuit of peace and stability in that country and in the Balkans. We support the efforts of the High Representative for the full implementation of the Dayton Peace Agreement.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We welcome the convening of this meeting and thank High Representative Valentin Inzko for his valuable presentation and for his efforts to consolidate peace in Bosnia and Herzegovina, in recognition of the importance of national ownership in this complex process.

In effect, by reaffirming the validity of the 1995 General Framework Agreement for Peace, we recognize the role of the Office of the High Representative in

supporting Bosnia and Herzegovina to meet the five objectives and two conditions — the 5+2 agenda — it seeks to bring about the conditions that will ensure its full autonomy. In that regard, we reiterate the priority that both the Federation and the Republika Srpska maintain their commitment to the implementation of the Agreement, while recognizing the sovereignty and territorial integrity of Bosnia and Herzegovina. Accordingly, we welcomed the advent of more positive economic prospects at the beginning of the year, as well as the Government's reaffirmation of its willingness to advance on the road towards European integration and maintain close coordination with the European Commission.

We continue, however, to note with concern the limited progress in the implementation of the 5+2 agenda and the lack of commitment to support State institutions and the enforcement of their decisions. Given that situation, we must continue to emphasize the need to strengthen the rule of law and build inclusive institutions. We welcome the formation of the Government of the Republika Srpska and call on the Federation to take ownership of it, as well as work together for the appointment of the Council of Ministers.

Peru believes that it is imperative that the entities respect the Constitution and the State institutions and their competencies at all levels. Republika Srpska must comply with the provisions of the Agreement with regard to the registration of military property, and the cantons of the Federation must harmonize their constitutions with the Federation constitution. The rule of law also entails fostering access to justice and respect for human rights and fundamental freedoms. In particular, we are concerned about measures affecting the freedoms of speech and the press as well as association and peaceful protest. In that regard, Peru also believes that it is necessary to strengthen capacities to combat organized crime and corruption. To that end, we believe that, together with the establishment of a special prosecutor and court department for fighting those crimes, it is necessary to improve the legitimacy of, and the population's trust in, their institutions.

Political leaders shoulder the responsibility to lead the peacebuilding process and encourage political dialogue and reconciliation. In that regard, we regret and reject language and initiatives that foster division and hatred, such as xenophobic, secessionist and revisionist narratives and initiatives. Conversely, we welcome proposals that promote reconciliation, such as

the decision to build a peace monument in Srebrenica, and we encourage greater participation by women and young people in those national political processes.

In conclusion, we stress the importance of the parties' full cooperation with the High Representative and the European Union-led Operation Althea, for which we reiterate Peru's full support in fulfilling their respective mandates.

Mr. Yao Shaojun (China) (*spoke in Chinese*): China thanks High Representative Inzko for his briefing.

China has maintained a consistent position of respecting Bosnia and Herzegovina's sovereignty, independence, national unity and territorial integrity, while respecting the choice of its people in charting the way forward for their country and supporting the various ethnic communities of Bosnia and Herzegovina living in harmony and seeking common development. China congratulates Bosnia and Herzegovina on its October 2018 holding of general elections and the country's recent successful holding of the twenty-second Mostar International Trade Fair.

We welcome the efforts of Bosnia and Herzegovina to promote national reconciliation and socioeconomic development. We look forward to seeing all parties in the country work together to form a cabinet as soon as possible, actively reinforce the political process, search for consensus through dialogue and consultations, comprehensively implement the Dayton Accords and accord further attention to, and support for, the country's socioeconomic development so that they can collectively benefit from the peace and development dividends.

Bosnia and Herzegovina is an important country in the Balkans. Maintaining peace, stability and development in the country and ensuring harmony among the various ethnic groups are in the interest of the international community in the large and small countries of the region. With regard to the issue of Bosnia and Herzegovina, the international community should listen with an open mind to the positions and concerns of all parties and take a balanced and prudent approach. While advancing the reform process, the international community should duly consider the specific characteristics of the country and its level of resilience, focus on helping people overcome their challenges independently and as they see fit, and step up support for the country's economic development.

China welcomes the positive efforts of High Representative Inzko to move Bosnia and Herzegovina's political process forward. We hope that the High Representative will work according to his mandate and contribute to the implementation of the Dayton Accords. We also hope that the European Union-led Operation Althea will continue to strengthen engagement with the parties concerned to help maintain the security and stability of Bosnia and Herzegovina. China stands ready, together with the rest of the international community, to do its part in helping Bosnia and Herzegovina achieve lasting peace, stability and development.

Mr. Hickey (United Kingdom): Let me begin by thanking the High Representative for Bosnia and Herzegovina for his very objective and detailed briefing and report (S/2019/364, annex) and for all the efforts that he and his team have made to support peace and security in Bosnia and Herzegovina. He continues to have our full support. I would also like to echo the tribute that he made to Lord Ashdown, who played a vital role in galvanizing international action during the conflicts that followed the breakup of the former Yugoslavia. We will not forget his personal contribution to the stability and security of the region.

I think that the High Representative brought out very clearly for us in his briefing the major challenges with regard to the rule of law, the backsliding against different commitments and the many risks to Bosnia and Herzegovina's future. I believe that his briefing really brought home to us the need for the Security Council to remain highly focused on the situation in Bosnia, as well as the continuing importance of his role and that of the Office of the High Representative, which remains the final authority concerning the civilian implementation of the Peace Agreement on Bosnia and Herzegovina. That includes the United Kingdom's support for the use of the Bonn powers, if the situation requires, as well as continuing support for the European Union-led Operation Althea and its executive mandate. He has our full support.

The previous time that we met to discuss this issue (see S/PV.8392), elections had just taken place. However, seven months later, the process of Government formation is still not complete. While we welcome the swift progress made in the Republic of Srpska, we share the disappointment of the representatives of South Africa and Côte d'Ivoire that the State-level Bosnia and Herzegovina Council of Ministers, the Federation entity Government and four of the 10

cantonal Governments have not yet been appointed. We also urge political leaders to engage constructively on Government formation at all levels so that they can begin to implement reforms that benefit all of their citizens.

Once again, when we met previously, many Council members, including the United Kingdom, urged those in positions of responsibility to refrain from spreading divisive sentiments and act in the interests of all citizens. It is once again extremely disappointing that the divisive nationalist rhetoric, which dominated the election period, has persisted. As the High Representative indicated, such divisive nationalistic rhetoric makes politics difficult and compromise elusive. It does not serve the citizens whom they are elected to represent, nor does it encourage the peace and stability for which we hoped for many years.

It is particularly of concern that some authority figures have attempted to use their position to undermine State institutions and intimidate Bosnian citizens, such as through announced changes to the criminal code of the Republic of Srpska, which the High Representative highlighted in his report. We fully support the Peace Implementation Council Steering Board's commitment to Bosnia and Herzegovina's fundamental structure as a single sovereign State, composed of two entities. The spread of nationalistic sentiment is indicative of the wider political environment, in which the democratic sphere is gradually being eroded. Laws on public assembly fall short of international standards across Bosnia and Herzegovina. Therefore, recent moves to make those even more restrictive in the Republic of Srpska were particularly alarming. The freedoms of expression, peaceful assembly and the media are fundamental elements of a healthy functional democracy. Unnecessary and antagonistic legislative changes serve only to undermine democracy and move Bosnia and Herzegovina further away from the international standards and democratic norms that it needs to meet in order to progress.

The United Kingdom welcomes the progress made, including the appeals judgment of the International Residual Mechanism for Criminal Tribunals on the case of Radovan Karadžić. That judgment is an important result for international justice that sends a powerful message that those who carry out atrocities will be held accountable for their actions and sentenced accordingly. It is therefore simply appalling that political leaders and sections of society continue to deny not only the

judgments of the International Tribunal for the Former Yugoslavia and the Residual Mechanism but also the genocide in Srebrenica, despite the conclusive finding of genocide by both international tribunals and national courts. It is deplorable that political actors are willing to put their political pursuits ahead of justice for victims and peace for all.

We also commend the submission of the answers to the follow-up questions of the European Commission questionnaire, and we welcome the public commitment of the Presidency of Bosnia and Herzegovina to the European path, as declared in a joint statement in December. Bosnia must now demonstrate its commitment to European-Atlantic integration, including to the rule of law, democracy and human rights. To ensure that this is successful, the implementation of difficult but essential reforms are necessary, as are efforts on socioeconomic reforms, which provide more opportunities for the citizens of Bosnia and Herzegovina, and therefore help arrest the flow of people leaving in search of a more prosperous and stable future elsewhere.

Although there has been some progress, as I have just mentioned, towards long-term peace and prosperity for Bosnia and Herzegovina, there is clearly still a very long way to go. I think, therefore, that it would be useful for the Council to hear further from the High Representative about what more we and the international community could do to enhance the rule of law in Bosnia and Herzegovina and encourage reconciliation. We look forward to hearing from him.

Ms. Wroniecka (Poland): Let me begin by thanking High Representative Valentin Inzko for his objective briefing and presence here today. We express our deep appreciation for him personally and lend our full support to his Office in maintaining stability in Bosnia and Herzegovina.

We recall that the High Representative has been equipped by the international community with instruments commensurate with his responsibility: the Bonn powers, which should be used if the situation requires. We also reiterate that there are clear conditions set by the Peace Implementation Council for the closure of the Office of the High Representative, namely, the 5+2 agenda. Although those are well within the realm of possibility, they have regrettably not yet been met.

To start our assessment of the current situation in Bosnia and Herzegovina on a positive note, we commend

the continued support of the political leadership of the country for European integration, as evidenced by the submission of over 650 responses to the European Commission questionnaire. It is a genuine sign that the European course is strong and remains unchanged after the elections. We believe that it would also be beneficial if the same level of united commitment were shown with respect to fulfilling the conditions for the activation of the membership action plan, so that the stability to come with the European integration is eventually anchored in transatlantic security.

Many of the pertinent issues will be voiced in a common European Union statement to be delivered later during this meeting. Poland fully aligns itself with that statement. Allow me, however, to underscore the following issues that are of particular concern and deserve to be raised in this forum.

Seven months after the elections in Bosnia and Herzegovina there is still no Government, neither State nor Federation. We call on the political parties to forge ahead with the Government formation with a sense of urgency. It is of the utmost importance to set aside minor political considerations and implement the will of the people by creating a strong executive. Every day that the provisional measures are prolonged, the trust of the electorate further erodes.

Moreover, there are unrelenting threats to the territorial integrity of the country posed by both words and actions. In fact, the distinction between words and actions is often rendered meaningless. The repeated open calls for secession are actions, in and of themselves, that defy every letter of the Dayton Peace Agreement and pose a direct threat to peace, as does defying State institutions and the judiciary and usurping the prerogatives of the central Government by entities, in addition to the creation of de facto armed forces by organizing police reserves with long-barrel arms. We have seen in history what such a mix of pernicious rhetoric with under-the-radar armaments may lead to. We know how it may end if unchecked.

There is also the issue of the rule of law. It is a prerequisite for citizens' trust in State institutions and the mortar that holds the societal structure together. Political elites, if they wish to be worthy of their name, must do everything in their power to uphold and promote the rule of law, stamp out corruption and fight organized crime. They cannot act and be seen as defenders of narrow vested interests.

Lastly — and I want this point to reverberate especially strongly — we find the continuous attempts to rewrite history unacceptable. The recent decision of the Republika Srpska to appoint a commission to reopen the interpretation of the events of the Srebrenica massacre is only latest such example. Let it be stated clearly: there is no room for reinterpretation. Survivors have been heard and evidence gathered, studied and accepted. Perpetrators have been brought to justice by international and domestic courts. The shedding of responsibility is corrosive and closes the door to reconciliation.

In conclusion, let me reiterate that Poland is vitally interested in seeing Bosnia and Herzegovina as a united, prosperous and modern democratic country, strongly anchored in Euro-Atlantic structures. We have been with Bosnia and Herzegovina since the beginning, and we will continue our active support as we have done thus far.

Mr. Singer Weisinger (Dominican Republic) (*spoke in Spanish*): At the outset, we would like to commend the convening of this meeting and extend our gratitude to Mr. Inzko for having presented his report (S/2019/364, annex) today. We take this opportunity to express that we greatly appreciate his personal efforts, as well as those of his Office, to fulfil his mandate as the highest authority in the civilian implementation of the Dayton Peace Agreement for the well-being of the citizens in Bosnia and Herzegovina.

Today we would like to add our voice to the sorrow of the international community over the passing last December of Lord Paddy Ashdown. We commend his timely contributions as High Representative for Bosnia and Herzegovina from 2002 to 2006.

The Dominican Republic acknowledges the unity, territorial integrity and sovereignty of Bosnia and Herzegovina. At the same time, we look forward to full compliance with the objectives and conditions for the definitive closure of the Office of the High Representative, known as the 5+2 agenda.

With regard to the elections, we look forward to the completion of the process to form the new authorities to lead the country. In that regard, we urge the political representatives to ease their positions, for there is no time to lose. Bosnia and Herzegovina needs its authorities to be focused on carrying out the necessary reforms, strengthening the rule of law and building a future of shared opportunities for which the country

years, while consolidating unity in diversity, peace and sustainable socioeconomic development.

We note with interest the efforts of the authorities to comply with the judgments of the Bosnia and Herzegovina Constitutional Court as they move steadily towards integration with the European Union — this time delivering the 655 official answers to the European Commission follow-up questions — which shows that when wills are unified, adversities take second place.

The Dominican Republic supports the mandate and management of the International Residual Mechanism for Criminal Tribunals. In that regard, it regrets that certain sectors in Bosnia and Herzegovina continue to issue revisionist statements and positions on the conflict in Srebrenica and try to ignore the cases of genocide that have already been confirmed by the sentences of the international tribunals. We believe that, after an exhaustive judicial process in both national and international courts, such acts undermine the process of national reconciliation and promote impunity, ethnic confrontation and hostility.

We note with concern the conflict generated by an announcement last January by an important political party in Bosnia that disputed the name of Republika Srpska before the Constitutional Court of Bosnia and Herzegovina. Although legal action has not materialized, the announcement brought the political negotiations to a standstill and warnings of secession were intensified. In that context, all should promote unity and not lose sight of the fact that Bosnia and Herzegovina is a single sovereign State that is constitutionally composed of the two entities of Republika Srpska and the Federation. We therefore invite all parties to refrain from any unilateral exercise that could stall or prejudice the process of reconciliation and consolidation of peace in the country.

We would like to especially highlight the initiative of the Srebrenica Municipal Assembly, which adopted, by a large majority of representatives of Bosnia and Serbia, a decision to build a monument to peace in Srebrenica. That is a very positive and exemplary development, designed to act as a symbol of unity for the citizens of Bosnia and Herzegovina.

We call for continued efforts to ensure a system for the independent administration of justice; for transparency in Government institutions; and for continued advocacy to ensure respect for the crucial role played by the press in a free and democratic society. We

also call for action to be taken to implement Federation legislation adopted in 2014 to combat corruption and organized crime.

Finally, the Dominican Republic would like to take this opportunity to call on all those involved to join forces in support of the Office of the High Representative and the European Union-led Operation Althea in order to create a strengthened Bosnia and Herzegovina that will enable an atmosphere of inclusion; the reconciliation of ethnic and religious diversity; guaranteed access to justice; accountability; the security of civilians and effective policies to combat violence; the struggle to reduce poverty; and the safe return of refugees and displaced persons to their homes.

Mrs. Mele Colifa (Equatorial Guinea) (*spoke in Spanish*): I would like to join the members of the Security Council who have preceded me in welcoming Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, and thanking him for his report (S/2019/364, annex) on the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina.

The Republic of Equatorial Guinea reiterates its full respect for the sovereignty, independence and territorial integrity of Bosnia and Herzegovina and we commend the commitment of the High Representative for Bosnia and Herzegovina, within his mandate, to promote the implementation of the Dayton Peace Agreement. We recognize the efforts made by all Bosnians over the past decade to achieve national unity and sustainable peace. Therefore, we believe it is important to highlight two points in Mr. Inzko's report that we believe are crucial in that context.

First, we note with concern that six months after the general elections of October 2018, it has not been possible to form a Government. As the report underlines, those delays — in the formation of the Federation Government and of the State Council of Ministers and the appointments of some cantonal governments — both reflect and can have an impact on the divisions and tensions that exist between the different ethnic groups in the country.

Secondly, we would like to encourage a focus on pre-emptive and peacekeeping initiatives. In that regard, we encourage the Bosnian people to continue their efforts towards commitment to the rule of law and respect for the judiciary and its binding decisions.

We encourage the continued development of efforts and solutions, especially with regard to the electoral system in the city of Mostar, where no local elections have been held since 2008. For those reasons, we call on the parties to work together to strengthen the rule of law, continue efforts to contain and eliminate ethnic divisions, crime, corruption, violent extremism and terrorism, and intensify their efforts to implement the 5+2 agenda, which are necessary for the closure of the Office of the High Representative.

On the other hand, we are greatly encouraged by the positive achievements and developments during the reporting period, such as the progress on economic reform and Bosnia and Herzegovina's continued engagement in the process of Union European integration. Those advances are an indication that only by working together with a view to the future can stability and prosperity be achieved.

To conclude, we cannot but regret the divisive rhetorical statements that are jeopardizing all the achievements and efforts made by the parties towards reconciliation between the different ethnic groups and communities. We consider that there is still much to do, so that we must continue to work towards a vision of a common future that will help to foster a lasting national unity.

In that regard, we encourage the parties to put ethnic divisions behind them, refrain from divisive rhetoric and focus their efforts on creating favourable conditions for the achievement of national reconciliation and lasting peace in the country with a view to creating a united, prosperous and secure Bosnia and Herzegovina.

Mr. Alfassam (Kuwait) (*spoke in Arabic*): At the outset, I thank Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for his informative statement and his most recent report (S/2019/364, annex) on the implementation of the Peace Agreement on Bosnia and Herzegovina. He can be assured that he has our full support in carrying out his mandate and efforts aimed at assisting the authorities of Bosnia and Herzegovina to overcome the challenges they are facing.

We commend the efforts to maintain stability in Bosnia and Herzegovina and the unity of the country with all of its ethnic and cultural components. We recognize and appreciate the important role of the Multinational Stabilization Force led by the European Union. In that regard, we welcome the positive developments in Bosnia and Herzegovina and the progress achieved

in the implementation of some obligations related to the Euro-Atlantic integration processes, responses provided by the national authorities with respect to the European questionnaire and the adoption of a series of tax laws, which allowed for the completion of the review by the International Monetary Fund. All of those achievements will undoubtedly have positive effect on security and stability in Bosnia and Herzegovina and the region, which will encourage the country to implement the necessary reforms in order to integrate into its European environment.

Two decades since it was signed, the General Framework Agreement for Peace in Bosnia and Herzegovina remains the cornerstone of institutional stability and the solid reference point for peace in the country. We are therefore concerned about the escalation of inflammatory rhetoric and divisive statements. We call upon all political leaders to place the national interests of the people of Bosnia and Herzegovina above all other considerations and to move away from narrow political and ethnic interests that undermine prospects for stability and progress. We also call upon them to constructively engage in implementing the results of the elections held in October last year, including the establishment as soon as possible of a State council of ministers and a Federation entity Government. Undoubtedly, that will have a positive impact on the political process. In addition, efforts must be intensified so that the Parliament can adopt new laws to ensure that judicial authorities are not left without the tools needed to address organized crime, corruption, terrorism and extremism, which are a direct threat to the rule of law and hinder efforts aimed at achieving economic and social development, as well as efforts aimed at integration with the European Union.

According to the report, such events are occurring at a time when limited progress is being made on the implementation of five objectives and two conditions before the closure of the Office of the High Representative for Bosnia and Herzegovina. In that regard, we reiterate our full support for the Office of the High Representative as provided for in the Dayton Peace Agreement and the relevant Security Council resolutions. We call upon the High Representative to step up his efforts to fully implement the plan.

In conclusion, the State of Kuwait underscores the importance of respecting the unity, stability and territorial integrity of Bosnia and Herzegovina. We also underscore the need for all parties to respect the

national Constitution of the country, as well as all the judgments issued by the judicial authorities so as to lay the groundwork for stability in the country. We call upon all parties in Bosnia and Herzegovina to make the necessary efforts in order to implement the General Framework Agreement for Peace and to respect the mandate of the High Representative, as outlined by annex X of the Agreement and the relevant Security Council resolutions.

Mr. Pecsteen de Buytswerve (Belgium) (*spoke in French*): Belgium aligns itself with the statement to be made on behalf of the European Union (EU).

First of all, I would like to thank the High Representative for Bosnia and Herzegovina for his briefing, which paints a bleak picture of the current situation in the country. The implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina remains incomplete; its work remains essential. In that respect, any refusal to grant access to official information and documents at the Office of the High Representative, as mentioned in his report (S/2019/364, annex), is a matter of concern to us. We recall that all authorities in Bosnia and Herzegovina are required to cooperate fully with the High Representative, in full compliance with the letter of the General Framework Agreement for Peace in Bosnia and Herzegovina.

The High Representative's report illustrates the scant progress made. The reconciliation process has deteriorated in recent years. A change of attitude is apparent in the rhetoric on war crimes. Those are all important signs of a setback, and we must monitor them closely. The process of forming a new Government drags on at the national level and at the level of the Federation of Bosnia and Herzegovina. We call on the country's political leaders to overcome their differences and assume their responsibilities so that they can continue to implement the many reforms the country needs.

We deplore the fact that the implementation of several recommendations made in the past to improve the electoral process in Bosnia and Herzegovina has remained a dead letter. The Constitution of Bosnia and Herzegovina recognizes three constituent peoples. At the same time, we reiterate that the principle of equality of all citizens and non-discrimination must be fully guaranteed. Any political or legislative solution concerning the electoral process must be in line with the case law of the European Court of Human Rights.

Strengthening the rule of law remains one of the main challenges. It is imperative that the authorities implement urgent reforms to strengthen the independence and impartiality of the judiciary and intensify the fight against corruption and organized crime.

The human rights situation remains at the centre of our focus. We are deeply concerned about the increasing number of statements that deny the genocide in Srebrenica, glorify war crimes and their perpetrators and spread hatred. Such statements are incompatible with European Union membership and must give way to reconciliation efforts. It is important that the reconciliation process be widely supported in society and include civil society organizations, young people and women. We strongly condemn attacks on journalists. We also recall the need to respect the freedom of assembly, without any discrimination.

We are concerned about the adoption at first reading by the National Assembly of the Republika Srpska of a law providing for a police reserve unit. That development is part of a broader framework of secessionist rhetoric and only increases tensions. It is not conducive to a climate of reconciliation.

In conclusion, we reiterate our firm commitment to the mandate given by the Council to the European Union-led Operation Althea mission, which plays an indispensable role in maintaining a secure and stable environment. We will also continue to offer our support to Bosnia and Herzegovina on its path to Euro-Atlantic integration. As a member of the European Union, Belgium supports the aspirations of Bosnia and Herzegovina to one day become a member of the European Union, as a united and sovereign country.

Mrs. Gueguen (France) (*spoke in French*): I too would like to thank the High Representative for Bosnia and Herzegovina, Mr. Valentin Inzko, for his informative brief, which shows that the current situation clearly still requires the attention of the Security Council.

Ten days ago, on 29 April in Berlin, President Macron, together with Chancellor Merkel, reaffirmed France's commitment to contributing to the stability of the Western Balkans. This re-engagement in the region is focused on economic and social development, security, justice and defence — four pillars of a French strategy presented in advance of that meeting with the leaders of the Western Balkans. Bosnia has its rightful place in this French strategy, which supports the actions of the European Union. It is to that European future that

the political authorities of Bosnia and Herzegovina must turn their attention. My country therefore welcomes the replies sent to the European Commission in February rather than reopening the wounds of the past. Three points deserve the full attention of the Council.

First, it is time to put an end to the declarations aimed at undermining the authority of the decisions taken by the International Criminal Tribunal for the former Yugoslavia (ICTY), which was succeeded more than a year ago by a residual mechanism. France strongly condemns the advocacy of crimes and war criminals, regardless of their community of origin. National and international justice has done outstanding work to identify those responsible for the atrocities committed during the conflict. All initiatives aimed at challenging or reinterpreting ICTY decisions — I am thinking in particular of those relating to the Srebrenica genocide — are likely to undermine the country's cohesion. We call on all political actors in Bosnia and Herzegovina to favour a constructive approach to strengthen this cohesion, without which the country will not be able to meet the challenges of development and the construction of the rule of law.

As such, the formation of a new Government must be a priority. Instead of being the subject of sterile polemics, Bosnia and Herzegovina's sovereignty and territorial integrity should be the basis for national consensus. The improvement of the well-being of the entire population is at stake.

Secondly, it is urgent to strengthen and consolidate the judicial system. Let us not forget that the rule of law and respect for human rights are not luxuries to which only prosperous countries can lay claim. On the contrary, it is the condition for fair and sustainable economic and social development, the vitality of civil society and the stability of institutions. France calls on all political movements to respect the competences of the central State, in particular in the field of defence, and the decisions taken by national and international judicial bodies, including the Constitutional Court. The functionality of Bosnia and Herzegovina's institutions suffers from the refusal, often motivated by political calculations, to comply with the decisions taken by the courts of Bosnia and Herzegovina.

My third and final point is that the European perspective requires more than a redoubling of efforts to adopt the reforms that the country sorely needs. In this regard, France associates itself with the statement

to be delivered by the European Union delegation to the Council. The prospect of integration into the European Union, when the time is right and the conditions are met, is an extension of the European Union's massive and multifaceted engagement in Bosnia and Herzegovina. The European Union-led peacekeeping force Althea, mandated by the Council, is a testimony to this support. Beyond this support, it is the responsibility of the authorities of Bosnia and Herzegovina to adopt bold reforms to make progress in European rapprochement. Those reforms in the economic and social fields can give new opportunities to the younger generations and encourage them to contribute to the country's development.

Stable institutions, a prosperous country and fair justice are within Bosnia and Herzegovina's reach. Its leaders must rise to this historic challenge in a spirit of compromise and political courage. France stands with Bosnia and Herzegovina' to build this future and make progress in European rapprochement.

Mr. Cohen (United States of America): I thank High Representative Inzko for his leadership and for his presence in the Chamber today.

The United States reiterates its strong support for the Office of the High Representative's mandate as the final authority on the interpretation of the civilian implementation of the Dayton Peace Accords and reaffirms, as other speakers have also done, that the option to use the Bonn powers remains a legitimate right of the High Representative. We welcome the progress made towards Government formation following the October elections, urge the new parliamentarians in the Federation and the new entity Government in Republika Srpska to begin the hard work of implementing reforms, and encourage the Presidency to agree on policy priorities allowing formation of the State-level Government.

Bosnia and Herzegovina has several opportunities on the immediate horizon to achieve its goals and strengthen its relationship with the Euro-Atlantic community. We are pleased that Bosnia and Herzegovina is completing the necessary steps towards European Union candidacy. Separately, in December NATO allies agreed to allow Bosnia and Herzegovina to submit its first annual national programme, proving that progress towards Western integration is possible by making difficult but necessary reforms. We

encourage the country's leaders to take advantage of this opportunity soon.

While there are opportunities, many challenges remain. Nationalist rhetoric exacerbates divisions among the three constituent peoples. There are calls for the closure of the Office of the High Representative from some who wish to see the country less stable, less secure and more divided. A common characteristic among those who seek division is their resentment of authorities or institutions that prevent them from exploiting the country's tumultuous political landscape for personal gain.

The United States is concerned about recent rule of law developments in the Republika Srpska that are inconsistent with democratic norms and a European future. We are also troubled by the lack of local elections in the city of Mostar since 2008, as the High Representative has pointed out. The United States encourages greater engagement on the part of his Office on resolving these and other issues and to facilitate confidence-building and collaboration among stakeholders. Expanding cooperation, strengthening the rule of law, making institutions more functional, and tackling corruption are vital steps to ensure a bright future for the country.

The United States looks forward to a time when the Office of the High Representative is no longer essential, but the current state of affairs indicates that we are not there yet. Only when the 5+2 conditions established by the Peace Implementation Council are met can we in the international community confidently say that Bosnia and Herzegovina will have fully implemented its responsibilities under the Dayton Peace Accords and can responsibly take care of its own affairs. When it becomes clear that State-level institutions are viable and respected, international supervision through the Office of the High Representative will no longer be required. Until that day, the United States will continue to fully support Bosnia and Herzegovina and the Office of the High Representative in realizing the Security Council's vision for the country as a peaceful, stable and multi-ethnic democracy fully integrated into the Euro-Atlantic community.

Mr. Heusgen (Germany): I too would like to start by paying tribute to Paddy Ashdown, one of Mr. Inzko's predecessors who did a fantastic job in the country at the time. I would also like to pick up the quotation that Mr. Inzko used: "Bosnia is not a place we can leave

behind." In this respect, I thank him for his work and his commitment to the country. When we look around with regard to envoys — just a few weeks ago, we lost the longest-serving envoy, Matt Nimitz, who held his post for 20 years — I think Mr. Inzko has been in his office for 10 years, which gives him another 10 years to finalize what the representative of the United States said before with regard to the High Representative's job.

Germany remains committed to the sovereignty and territorial integrity of Bosnia and to its European perspective. Our commitment was reflected in the conference that we held in Berlin last week, to which my French colleague just referred. In this respect, and also with regard to the territorial integrity and sovereignty of Bosnia and Herzegovina, I would at this stage like to commend Serbia. I was very critical of Serbia and its Foreign Minister the last time we had a discussion on Kosovo (see S/PV.8459), but as has been mentioned again here today and I want to highlight, despite all the secessionist rhetoric we get out of Banja Luka, President Vučić has clearly committed himself and his country to the territorial integrity and sovereignty of Bosnia and Herzegovina.

Returning to our commitment to the Balkans, we, together with our French partners, conducted an Arria Formula meeting on small arms and light weapons in the Balkans. Of course, the police arms race that Mr. Inzko alluded to runs totally counter to our intention and that of the international community of limiting small arms and light weapons in the country.

To return to our commitments, Germany supports UN-Women, which does the very important work of supporting those who survived sexual violence during the 1992-1995 war. The efforts that it is supporting there reflect the substance of resolution 2467 (2019), adopted two weeks ago, which has a survivor-centred approach.

With regard to current issues, particularly the formation of the Government, the rule of law, corruption and socioeconomic reforms, the exodus of young people that Mr. Inzko mentioned is very upsetting. I do not want to go into detail, as I can align myself in general with what was said by the representatives of the European Union, the United Kingdom, Poland, Belgium, France and others. The representative of the United Kingdom asked Mr. Inzko what more we can do. I would ask the same question and also turn it around to ask what else Mr. Inzko can do. The Bonn powers were mentioned, and I would like to ask Mr. Inzko to what extent the

Bonn powers can be used. There has been discussion around the table of nationalistic rhetoric, revisionism and the police arms race. What else can be done? The entire judiciary system is also in a deplorable state. We need to know what else can be done about that, because it is key. There is also a problem with ensuring respect for international law and international rulings. In that context I have heard that a dormitory in Republika Srpska has been named “Karadžić”. What can be done to get rid of that?

Finally, I would like to know what can be done in general to increase women’s participation at the various levels of the various Governments. There are so many Governments in Bosnia that we should have more women in them.

Mr. Polyanskiy (Russian Federation) (*spoke in Russian*): Unfortunately, the report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina (S/2019/364, annex) under discussion is far from an impartial assessment of the situation in the country, contrary to what its author, Valentin Inzko, would have us believe. What we see is an effort to use every possible means to justify maintaining elements of the international protectorate of Bosnia and Herzegovina, and to prove that the Office of the High Representative is still needed at the current stage of the Bosnian settlement. The entire structure of the report is subordinated to that dubious aim and that has continued to have a negative impact on the substance of its content.

First of all, Mr. Inzko continues to settle personal scores with the leaders of the Bosnian Serbs and Croats by blaming them without justification for all of Bosnia and Herzegovina’s problems. Our substantive dialogue with their leaders, including a meeting in Belgrade on 17 January between President Putin and Milorad Dodik, the Chair of the Bosnia and Herzegovina Presidency, testifies to the exact opposite, which is that all of the responsible Serb and Croat politicians in Bosnia and Herzegovina are committed to the 1995 Peace Agreement. However, they are also determined to ensure strict compliance with the Agreement’s provisions relating to the inviolability of the decentralized architecture of Bosnia and Herzegovina and the equality of its three constituent peoples.

The equality guaranteed by the Dayton Peace Agreement has recently been increasingly attacked by various Sarajevo actors, and that is the main reason

for most of Bosnia’s problems. However, Mr. Inzko stubbornly refuses to acknowledge that, only in passing and uncritically mentioning some of the most reprehensible examples of the undermining of equality. They include the idea announced by the Bosniaks of disputing in Bosnia and Herzegovina’s Constitutional Court the name of Republika Srpska, which is Dayton terminology, and their reluctance to meet the Bosnian Croats halfway on the issue of amending the Election Law to afford sufficient guarantees that only legitimate representatives of the three constituent peoples of Bosnia and Herzegovina can be approved for its highest offices.

Much has already been said of Mr. Inzko’s affection for the issue of Bosnia and Herzegovina’s European and transatlantic integration, which does not correspond to the High Representative’s mandate and is detrimental to his direct responsibilities related to the implementation of the 5+2 agenda. As a result, there has been no progress in that direction in the past few years, and a good deal of the resources for the Office of the High Representative have been wasted, for all practical purposes. We are waiting for Mr. Inzko to finally start giving proper attention to winding up the Office of the High Representative, both in his reports and, most importantly, in his practical work.

I want to address the issue of the relationship between Bosnia and Herzegovina and NATO separately. I would like to underscore that even the High Representative has been obliged to acknowledge and document the existence of substantive disagreements on the issue of the country’s further rapprochement with NATO. Banja Luka has consistently opposed it, finding it unacceptable that it would transform Bosnia and Herzegovina’s border with militarily neutral Serbia into a new geopolitical dividing line. That simply cannot be ignored, and attempts to bring Sarajevo closer to NATO, in violation of the Dayton principles of consensus on external policy decisions, threaten to undermine all the work on the reform front and have other destructive consequences.

We cannot help noticing that Mr. Inzko’s report contains a whole series of negative comments about measures aimed at fully equipping and staffing law-enforcement bodies for two of the constituent entities. This is puzzling, because the High Representative, of all people, should know that all the measures he describes comply fully with existing law. Furthermore, they represent a reaction to the massive increase in

the past few years in risks related to migration and the terrorist threats that accompany them. Unfortunately, those topics are not adequately reflected in the High Representative's report.

The attitude to the creation in Republika Srpska of independent international commissions for investigating the crimes committed between 1991 and 1995 against members of all of Bosnia and Herzegovina's peoples in Srebrenica and against Serbs in Sarajevo also seems extremely biased. The High Representative straight out makes the a priori claim that their ability to contribute to bringing justice and reconciliation between the national groups would be minimal. We think that is an unacceptable approach. We want to emphasize that the establishment of the commissions was the direct result of obvious gaps in the work of the International Tribunal for the Former Yugoslavia and the International Residual Mechanism for Criminal Tribunals, which we have expressed our justifiable concerns about many times. We hope that the experts from 12 countries on the commissions will be able to recreate a comprehensive picture of inter-ethnic and inter-religious crimes in Srebrenica and Sarajevo, since many of them fell outside of the scope of the International Tribunal's activity. We also suggest holding off on any conclusions until the commissions issue their findings.

We would also like to draw attention to some quite important procedural aspects. We first call on the High Representative to accurately reflect in his reports the work being done by the Steering Board of the Peace Implementation Council and to make sure that citations from communiqués and statements are accompanied by clear information about the countries that did not support them, if there are any. The Russian delegation did not approve the Steering Board communiqué of 5 December 2018 for a number of serious reasons. We believe that the text's unsupported negative assessments of the 7 October general elections in Bosnia, its one-sided discussions of war crimes and condescending attitude to the Bosnia and Herzegovina Presidency only undermine the Steering Board's authority. We hope that this international mechanism will remain focused on formulating consensus-based, long-term approaches to the settlement in Bosnia so that the High Representative will not have to disguise the real state of affairs.

We once again note with regret that Council members had only a few days to study the High Representative's report before discussing it in the

Council. We would have liked to have had more time to familiarize ourselves with it. We want to point out that all our colleagues who are interested in a deeper understanding of what has happened in Bosnia and Herzegovina can read the informative and very useful report of the Government of Republika Srpska, which covers the period from November 2018 to April of this year and fills in many of the gaps in the High Representative's report.

The Russian position on the stabilization process in Bosnia and Herzegovina will continue to be based on ensuring all parties' strict adherence to the Peace Agreement, the active promotion of an intra-Bosnian political dialogue, the socioeconomic development of the country and its entities and the preservation of cultural diversity. We are convinced that the time for the external protectorate over Bosnia and Herzegovina is gone forever, and that the Office of the High Representative, with its extraordinary Bonn powers, has become an impediment to the country's future democratic progress. We think it is vital to continue reducing the budget and staffing of the Office, which is fully in keeping with the concept of local ownership approved by the Steering Board of the Peace Implementation Council more than 10 years ago.

We believe that the key issue for Bosnia and Herzegovina continues to be the completion of the formation of a new Council of Ministers at the central level, and of Governments at the level of the Federation of Bosnia and Herzegovina and four of its ten cantons, which should be based on a strong parliamentary majority and focused on pursuing the incremental reforms, which include improving the work of the pan-Bosnian judicial authorities, including the removal of foreign specialists from the Constitutional Court of Bosnia and Herzegovina, and enhancing the effectiveness, professionalism and impartiality of the Court and the Office of the Prosecutor. However, it will be crucial to ensure that the Bosnians themselves agree independently on the content of all such reforms. That is the only way to ensure that future solutions will be a viable step forward for Bosnia and Herzegovina in the implementation of the Dayton accords.

We repeat that the continued external pressure on Republika Srpska and the Bosnian Serb leadership, primarily through illegitimate, unilateral restrictive measures, is unreasonable and counterproductive. Such actions, and the negative anti-Serb rhetoric of a number of Western colleagues, have been visibly

worsening the political atmosphere in the country, stirring up internal disagreements and hampering the building of inter-ethnic trust. We would like to believe that all the participants will soon acknowledge the inappropriateness of those restrictions at the current stage of the Bosnian settlement.

In conclusion, I would like to emphasize Russia's desire to develop a mutually beneficial dialogue with Bosnia and Herzegovina on a basis of respect for its sovereignty and territorial integrity, as well as the broad powers provided for in the Peace Agreement for the two entities and the equal rights of the country's three constituent peoples. We sincerely wish the Bosnian parties every success in building a coalition and gradually resolving all the outstanding issues.

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

Like others, I want to thank High Representative Valentin Inzko for his important briefing. We assure him of our support. Unlike our German colleague, I hope it does not take another 10 years for him to complete his job. We would like to see more progress.

My statement will focus on three key messages. The first is making progress on the five objectives and two conditions. My delegation attaches great importance to reaching those targets in order to underpin longer-term stability. We will need the strong and relentless commitment and dedication of all stakeholders in Bosnia and Herzegovina to achieve those targets. As many others have done this morning, we therefore encourage the country's authorities to make progress on the five objectives and two conditions. That also means that everyone should focus on full compliance with the General Framework Agreement for Peace.

My second point is on the establishment of the rule of law. Indonesia is pleased to see meaningful progress, as shown by the Parliament of Bosnia and Herzegovina's adoption of numerous new laws at many levels. Nonetheless, enforcing those laws is still the key factor. We support the High Representative's view on the necessity of maintaining the rule of law, particularly with regard to the many unimplemented court decisions. We also share his concern about the limited progress made on the anti-corruption measures that have not yet been implemented. The rule of law should be respected in order to preserve and further strengthen the basic structure of democracy. We believe that Bosnia and Herzegovina will find its own way to democracy, but

the bedrock of democracy is the rule of law. No country can maintain a compass or moral guidance without it.

That brings me to my third point, which is unity. Bosnia and Herzegovina is undeniably multi-ethnic and multicultural, but we must focus on what make us stronger together, not on what divides us. Coming from Indonesia, which has more than 1,200 ethnic groups and more than 650 languages, and whose people live on 17,000 different islands, we have found strength, stability and prosperity in being together. Unity is important. Although the differences are real, we must act together for a better future. Progress will be a long way off in Bosnia and Herzegovina until there is unity in the country. I believe that it is time to move forward. As an example and as mentioned by the High Representative, local elections in Mostar should be held immediately to ensure the participation of all people of Bosnia and Herzegovina in determining their future as a country. For Indonesia, the priority is clear. The people's interests must be put first.

I would like to conclude by once again expressing our long-standing support for the authorities of Bosnia and Herzegovina, with a view to reaching a lasting solution that can accommodate the needs of all stakeholders and, most importantly, the needs of the people of Bosnia and Herzegovina. We underscore the critical need for respecting the country's sovereignty and territorial integrity, together with a shared sense of ownership and belonging among the people.

I now resume my functions as President of the Council.

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

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

We also welcome Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, and have taken note of the fifty-fifth report (S/2019/364, annex) on the situation in Bosnia and Herzegovina, covering the period from 16 October 2018 to 15 April 2019.

While it is apparent that numerous challenges lie ahead on our path towards full-fledged integration into the European Union (EU), our commitment and dedication to facing and overcoming those challenges

remain firm. Having fulfilled the requirements for the next step of the process, we hope that we will be in a position to achieve candidature status for EU membership by the end of this year, after the European Commission finishes its analysis and presents its conclusions to the Council of the European Union.

We thank the European Union and its member States for their commitment to the EU perspective of Bosnia and Herzegovina and other Western Balkan States. We are grateful to the EU for its active support to Bosnia and Herzegovina's European path and would like to urge both the EU and its member States to strengthen that support further. For our part, we have intensified efforts in a number of areas relevant to achieving that goal, which include the implementation of the reform agenda and socioeconomic reforms as a matter of priority, as well as our continuing work to strengthen the rule of law and good governance.

The fostering of friendly and constructive cooperation among the countries of the region on issues of mutual interest remains a top priority of Bosnia and Herzegovina's foreign policy. The cooperation of Western Balkan States within the framework of the Berlin process remains a key driver of their integration into the European Union and of stability in the region.

Currently, Bosnia and Herzegovina presides over the South-East European Cooperation Process, the Migration, Asylum, Refugees Regional Initiative and the Western Balkans Fund, which aim to promote regional connectivity and collaboration. We are firmly convinced that those initiatives and forums greatly contribute to peace and stability in the region.

During the reporting period, Bosnia and Herzegovina continued to fulfil its international obligations with regard to countering terrorism and violent extremism. The framework action plan and the strategy for preventing and combating terrorism for the period from 2015 to 2020 are being implemented.

The judicial institutions of Bosnia and Herzegovina continue to process individuals involved in fighting on behalf of terrorist organizations, as well as those who facilitate the recruitment of terrorist fighters. It is important to emphasize that the strategy, in addition to security measures, includes preventive activities for deradicalization led by national stakeholders, such as religious communities, educational institutions, civil society organizations and the media.

In addition, Bosnia and Herzegovina's rule of law and security institutions made progress during the reporting period in combating organized crime, human trafficking, drugs, corruption and money-laundering. With regard to processing war crimes in domestic courts, we would like to reiterate that fighting impunity is vital for Bosnia and Herzegovina as a complex and multinational State. In that regard, implementing the national strategy for processing war crimes, regardless of the national or religious origin of the perpetrators and victims, is essential for reconciliation and long-term stability.

Bosnia and Herzegovina continues to contribute actively to international peace and security by deploying its military and police personnel to United Nations peacekeeping missions. Currently, we have approximately 45 personnel serving in United Nations peacekeeping missions worldwide.

With regard to the economic situation, it is always important to stress that Bosnia and Herzegovina's economy, like those of other countries of the region, has been increasingly dependent on global economic performance. Nonetheless, Bosnia and Herzegovina's economy continued to improve on a modest scale, with a growth rate of 3.1 per cent in 2018. Infrastructure projects, on the other hand, are being implemented at a slower pace. The unemployment rate dropped by 2.1 per cent in 2018 in comparison to 2017.

Our focus and top priority in economic reform programmes remains the creation of a legal framework to improve the business environment and job creation for young people. Currently, the main concern is the significant outflow of young, skilful and educated people, which could have a very negative impact on future economic development. Massive investments in infrastructure, health care and education are needed to reverse that trend. We would be grateful for more foreign direct investment in those projects and a wider engagement of international financial institutions in order to achieve greater success in tackling that burning issue.

Bosnia and Herzegovina has also started a very important planning, monitoring and evaluation process in the field of social and economic development that is fully in line with the 2030 Agenda for Sustainable Development. One of the areas of concern is the situation of illegal migrants. The international migrant crisis continues to pose a substantial challenge to the

States of the region and their economies. During the reporting period, Bosnia and Herzegovina experienced a significant increase in refugees and migrants, most of whom crossed the border illegally. According to the most recent data, the number of illegal migrants detected in Bosnia and Herzegovina in 2018 is close to 24,000, most of them undocumented.

In response, Bosnia and Herzegovina's authorities have undertaken a set of comprehensive measures, including in the humanitarian and security areas. In that context, we would like to reiterate that Bosnia and Herzegovina has been implementing its strategy in the area of migration and asylum, together with its plan of action for the period from 2016 to 2020, which sets out Bosnia and Herzegovina's policy on migration and asylum in accordance with the highest European and international standards.

As the question of illegal migration is a cross-border issue, we are also exploring possibilities for improved cooperation with police agencies within Bosnia and Herzegovina, as well as intensified cooperation with neighbouring countries and the EU. We therefore welcome the European Commission's decision of 29 April on financial support for Bosnia and Herzegovina's authorities in handling migration and strengthening its capacity for border management.

The European Union-led Operation Althea has been present in Bosnia and Herzegovina for many years. It is important to emphasize that Bosnia and Herzegovina has enjoyed respectable and fruitful cooperation with Operation Althea, particularly in the areas of capacity-building and the training of its armed forces.

Finally, we would like to express the readiness of Bosnia and Herzegovina's authorities to continue their work in securing a better and prosperous future for its citizens, as well as our gratitude to our international partners for supporting Bosnia and Herzegovina on that path.

The President: I now give the floor to the observer of the European Union.

Mr. Gonzato: I have the honour to speak on behalf of the European Union (EU) and its 28 member States.

The candidate countries Turkey, North Macedonia, Montenegro and Albania, and the European Free Trade Association country of Liechtenstein, member of the European Economic Area, as well as Ukraine, align themselves with this statement.

I join other speakers in welcoming High Representative Valentin Inzko back to the Security Council and assuring him of the European Union's continued support. I also welcome the representative of Bosnia and Herzegovina and thank her for her statement.

The European Commission will soon release its opinion on Bosnia and Herzegovina's application for EU membership. The Council of the European Union will then pronounce itself on the next steps to be taken. That will be a historic moment for Bosnia and Herzegovina's path towards integration in the European Union, based on the values of peaceful coexistence, prosperity and diversity for its member States and citizens.

Seven months have passed since the holding of the country's general elections in October 2018. We commend the rapid formation of the executive institutions in the Republika Srpska entity and in seven of the 10 cantons of the Federation entity, as well as the formation of the parliamentary institutions at all levels. We welcome, after the adoption of an ad hoc domestic solution, the formation of the Federation entity — the Federation House of Peoples — and, as a consequence, the state-level House of Peoples.

Nevertheless, we are concerned about the slow progress made towards the formation of Governments at the State and Federation levels. The prolongation of caretaker Governments seriously hinders the implementation of reforms. Internal party politics and a lack of willingness to compromise should not block the legitimate aspirations of the citizens of Bosnia and Herzegovina to advance towards European Union integration. We urge all political leaders to assume their responsibilities and proceed without further delay to the formation of Governments for the benefit of the whole country and its people.

The European Union has repeatedly stated that election-related issues, including provisions for holding local elections in Mostar and holding elections for the Presidency in Bosnia and Herzegovina, should be addressed as soon as possible, while taking into account the situation in the country and respecting the European standards and decisions of the Constitutional Court of Bosnia and Herzegovina. The European Union underlines that no legislative or political steps should be taken that would make it more challenging to implement the European Court for Human Rights *Sejdić-Finci* ruling and related rulings.

In that respect, the European Union underlines that it expects the Bosnia and Herzegovina authorities to rapidly advance the reforms needed to advance on the country's EU path in line with its citizens' expectations. The European Union insists on the need for the authorities to urgently resume its reforms and work towards strengthening the rule of law, in particular with regard to the independence and impartiality of the judiciary, fighting corruption and organized crime, countering radicalization and addressing irregular migration, as well as the independence of the media, the safety of journalists, promoting young people's employment and education, and ensuring the adoption and the full and effective implementation of a new set of socioeconomic reforms.

Progress in the field of the rule of law and fundamental rights is key for the country to advance towards the European Union. We therefore call upon the authorities in Bosnia and Herzegovina to urgently align legislative initiatives and law enforcement practices with European and international standards.

Taking into account the political and security situation on the ground and the importance of maintaining a safe and secure environment, the European Union reiterates its firm commitment to the executive mandate entrusted to the European Union-led peacekeeping operation Althea by the Council.

(spoke in French)

Bosnia and Herzegovina has been clear about its willingness to one day become a member of the European Union, an aspiration that we support. In that context, we welcome the statement made by the Presidency of Bosnia and Herzegovina in December 2018 that reaffirms that the country's accession to the European Union remains a strategic priority for the entire country. We reiterate the EU's unequivocal commitment to the European perspective of Bosnia and Herzegovina as a single, united and sovereign country. We call on the political leaders of Bosnia and Herzegovina to refrain from any secessionist and provocative rhetoric and any action that could destabilize the country and prevent it from addressing its real challenges.

The European project was built on reconciliation among peoples. The armed conflict in Bosnia and Herzegovina has brought suffering and destruction to all communities. The denial of genocide by elected officials or any revisionism promoted by the elected Parliamentary Assembly offends our conscience and is

incompatible with the prospect of integration into the European Union.

(spoke in English)

We expect the institutions and political leaders of Bosnia and Herzegovina to uphold the commitment to lasting reconciliation in a true European spirit, guided by the aspiration of the vast majority of their fellow citizens to join the European Union.

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

Mr. Drobnjak (Croatia): I would like to start by joining other speakers in welcoming High Representative Valentin Inzko. I would also like to thank him for his briefing today and his comprehensive report (S/2019/364, annex).

Croatia aligns itself with the statement delivered by the observer of the European Union (EU) and I would like to add several remarks in my national capacity.

Croatia never misses the opportunity to participate in debates on Bosnia and Herzegovina in this Chamber, which is a sign of the respect and importance that we attach to our neighbour. It cannot be overstated—Croatia and Bosnia and Herzegovina are neighbouring and friendly countries, sharing more than 1,000 kilometres of border. Croatia is Bosnia and Herzegovina's first, and still its only, EU neighbour and is one of its top trade and investing partners.

Among the main reasons why Croatia has attached the utmost importance to Bosnia and Herzegovina and will continue to do so is that Croats in Bosnia and Herzegovina are one of the three constituent peoples and that Croatia, as a signatory to the Dayton-Paris Accords, has a special responsibility towards them and their country, Bosnia and Herzegovina. For all those reasons, Croatia ascribes the greatest importance to the territorial integrity, stability and functionality of Bosnia and Herzegovina. The prosperity and well-being of Bosnia and Herzegovina is therefore of strategic significance for Croatia.

For today's discussion, I wish to focus on three major points: stability and functionality, equality and electoral reform, and European integration.

A stable, peaceful and prosperous Bosnia and Herzegovina, which moves ahead with determination on its European path and in which full institutional equality among its three constituent peoples and all

its citizens is guaranteed, should play an invaluable role in upholding the stability of South-East Europe and contributing to the stability of the European Union as a whole. At previous Council meetings on that matter, Croatia cautioned that political impasse and divisive rhetoric pose the risk of derailing Bosnia and Herzegovina from the path towards much-needed reforms and undermine the very functionality and stability of the country.

The responsibility remains with the authorities of Bosnia and Herzegovina to take ownership of political reforms. Bosnia and Herzegovina must prove that it knows how to and that it is able to organize its political life effectively and that it will, in a spirit of compromise, build the consensus of all political stakeholders in Bosnia and Herzegovina. That is particularly important for a country aspiring to one day become a credible member of the European Union.

The European path and the reasonable expectations of the citizens of Bosnia and Herzegovina to benefit from much-needed reforms and advance towards European Union integration must not be held hostage to partisan politics and politicizing. In that sense, we echo the European Union's position that urges all political leaders to assume their responsibilities and proceed without further delay to the formation of Governments.

The elections of last autumn were held in a very complex political environment. Not only was the election campaign rather heated and divisive but the legal loopholes and inconsistencies with the country's Constitution, which were not fixed in time for the elections, created legal uncertainties and once again opened the door to electoral engineering. We consider that ignoring the aim and spirit of the Dayton Peace Accords remains counterproductive and dangerous and we hope that a legal solution will be found in the future with a view to ensuring the legitimate representation of the political representatives of all three constituent peoples in the Presidency of Bosnia and Herzegovina.

As one of the constituent peoples, Croats feel that such electoral engineering has deprived them of their legitimate representative in the Presidency. We cannot pretend that nothing happened and a solution should be actively sought. In this very Chamber, we have already expressed on an earlier occasion our deep concern regarding that adverse development and its important political ramifications. It is therefore of key importance to embark on the election law reform without any delay

in order to avoid similar situations in the future. Not doing so or failing to take action would be much too damaging for Bosnia and Herzegovina. Consensus should actively be sought among all three constituent peoples in that regard.

We stress, once again, that the urgent adoption of electoral reform, following the rulings by the Constitutional Court of Bosnia and Herzegovina in the *Ljubić* case and in the case of the city of Mostar, is necessary and of paramount importance for the stability of Bosnia and Herzegovina. Ensuring equality through the proportionate and legitimate representation of the constituent peoples at all levels of Government is essential for preserving the stability of the country. The time to act is now; delays will only deepen the problem.

Next year, municipal elections are scheduled to be held in Bosnia and Herzegovina. All necessary improvements of the electoral process must be accomplished before that. We truly hope that the people of Mostar will be in a position to go to the polls and stand in the elections. In that sense, the year 2019 does not have to be a part of the negative cycle; on the contrary, it provides an opportunity for the country to enhance its functionality for years to come. The functionality of Bosnia and Herzegovina remains one of the most important issues in its European and Euro-Atlantic integration. Bosnia and Herzegovina deserves a secure and prosperous future and can rely on Croatia's continuous and staunch support.

Our goal is to see Bosnia and Herzegovina fully entrenched on its European path. That is the best catalyst for addressing the internal outstanding issues and providing a safeguard to ensure further democratization and reforms. Strengthening institutions and ensuring the freedom of media and an independent, impartial and efficient judiciary are of the essence.

In conclusion, Croatia stands ready to render its full support and assistance. A bilateral agreement on European partnership is not only a token of political support from Croatia, but also provides a substantial framework for technical work and expertise. We extend our full support to Bosnia and Herzegovina and hope it finds internal strength and wisdom in overcoming internal hurdles so that it can proceed more efficiently and firmly on the European integration trajectory and spare no effort in fully developing its vast yet untapped potential.

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

Mr. Milanović (Serbia): All-round cooperation with neighbours is among the most important foreign policy priorities of Serbia. As a key function of regional stability and prosperity, such cooperation plays a pivotal role in Serbia's relations with Bosnia and Herzegovina and its efforts to bring about regional reconciliation.

The Dayton Peace Agreement, which put an end to the tragic conflict in Bosnia and Herzegovina, is an important building block in that regard. Signed almost a quarter of a century ago, it is just as important today as a basis for peace and security. As a guarantor of the agreement, Serbia will continue to work on its consistent implementation, aimed at bringing about reconciliation and prosperity in Bosnia and Herzegovina and the entire region.

The region has faced numerous challenges for centuries, including the suffering of the recent past. Respect for the sovereignty and territorial integrity of States is therefore of paramount importance, and my country considers it to be an overarching international standard and principle that is binding on all. Proceeding from that, as well as from the Dayton Peace Agreement, Serbia has been firmly and continually committed to the sovereignty and territorial integrity of Bosnia and Herzegovina as the cornerstone of regional stability.

However, political tensions and messages that we thought belonged to the past have been evident in the region of late. It has not always been blessed with a constructive approach, positive agendas and mutual respect. That is also true of the situation in Bosnia and Herzegovina and the relations among its constituent peoples and entities. Regrettably, they have sometimes been burdened by unproductive rhetoric.

Serbia's approach and measures have been aimed at stabilizing the situation and helping to calm political passions and to create the conditions for overcoming differences through dialogue. It is the obligation of us all to invest our best efforts in promoting peace, progress and a better life for our citizens. After all, dialogue and agreement have been the best way to address all outstanding issues in Bosnia and Herzegovina and find acceptable and implementable solutions. That is what the peoples of Bosnia and Herzegovina expect from their political representatives and what my country wholeheartedly supports. We are motivated by the vision of a better future for the region and the drive

to develop ever better relations and cooperation with Bosnia and Herzegovina.

The Western Balkans is changing. Reconciliation, stabilization and European Union (EU) integration are the order of the day. To continue along that path, we need to strengthen regional confidence, just as the two entities and three constituent peoples of Bosnia and Herzegovina, which is also home to a large number of Serbs, need to do. To help achieve those goals, Serbia continues to develop and deepen its relations with Republika Srpska in a transparent way and in accordance with the Dayton Peace Agreement. It also actively promotes relations with the Federation of Bosnia and Herzegovina.

Last October, general elections were held in Bosnia and Herzegovina. More than six months later, Government institutions, including the Council of Ministers, have not yet been formed. Serbia hopes that the institutions will be formed soon and that they will take up their full responsibilities, to the benefit of all citizens of Bosnia and Herzegovina. Once formed, the Council of Ministers will partner with the Government of Serbia, as it has in the past.

As a token of extensive communication and political dialogue and an important instrument for the promotion of a positive agenda of relations with Bosnia and Herzegovina, Serbian President Aleksandar Vučić visited Mostar on 9 April and attended the opening of the twenty-second International Economy Fair, in which many Serbian companies took part. In his statement, President Vučić emphasized that it is important that Serbia and Bosnia and Herzegovina continue to build a common future in peace and stability, irrespective of the potholes in our historical legacy and differences of views in that regard.

Bosnia and Herzegovina is among Serbia's most important foreign-trade partners and mutual trade has been increasing year after year. Such cooperation is in line with the Central European Free Trade Agreement. However, Pristina recently increased tariffs on goods originating from Serbia and Bosnia and Herzegovina, contrary to that agreement's provisions. It is my hope and belief that the international community will step up its pressure on Pristina to bring those harmful practices to a speedy end.

Serbia and Bosnia and Herzegovina, as well as our other neighbours, have resolved to work together to link peoples, regions and economies. We have made

commitments in different formats to carrying out needed reforms and promoting regional cooperation in the area of joint infrastructure projects and in the transportation and energy sectors, for instance.

As partners in promoting mutual links, the two countries are part and parcel of the process of EU enlargement and integration. Every step made by our neighbour in that direction is a step forward on that important road and, therefore, highly appreciated. As a candidate country, Serbia strongly supports its neighbour's EU membership aspirations and the relevant reforms it is carrying out in order to achieve that goal. It considers the submission of the reply to the additional questions from the European Commission questionnaire by Bosnia and Herzegovina last March to be an important step forward on the country's road to EU integration and stands ready to intensify cooperation and transmit its own experiences in the process.

Serbia believes, and I hope that I can also say this on behalf of Bosnia and Herzegovina, that the European Union will continue to support the process of Western Balkan EU integration which, once achieved, will bring lasting stability and prosperity to the region and help consolidate and develop Europe in its entirety. That happens to be the strategic goal of my country's Government. Peace, stability and good-neighbourliness have no alternatives and are lodestars on our region's road to the European Union. They are achievable only through dialogue, mutual respect and civility.

The President: I now give the floor to Mr. Inzko to respond to questions and comments.

Mr. Inzko: First, I would like first to respond to the statement made by the representative of the Russian Federation. He said that my report is "far from impartial". I will respond not with my own words but with those of the Prime Minister of Republika Srpska. Yesterday, he said that

"[a]s far as the Republika Srpska is concerned, Mr. Inzko's support is among the best so far. For the first time, Republika Srpska is not a black sheep in the view of the High Representative".

Those are the words of the Prime Minister of Republika Srpska. Yet, I hear from the Russians that I am not impartial.

As far as NATO is concerned, I will not express my personal opinion again. Instead, I will recall that there is a defence law that exists in Bosnia and Herzegovina

that foresees NATO membership and the membership action plan. Politically, the Republika Srpska has declared neutrality but the defence law still exists. If somebody wanted to change Bosnia and Herzegovina's position they would have to change the defence law. The defence law was adopted with votes from members of the Alliance of Independent Social Democrats party, to which Mr. Dodik belongs, and we have the signature of a previous member of the Presidency of Bosnia and Herzegovina, Mr. Radmanović, in support of the aforementioned defence law. So it is a legal obligation.

As to the report of Republika Srpska, the late Ambassador Churkin, speaking in a very small circle, once joked that the report was like a report Chechnya would send to the Security Council. But, jokes aside, Dayton does not provide for reports by the entities. Dayton provides only for reports by the High Representative. It also provides that foreign affairs issues are State issues, not regional issues. Under the original Dayton Accords, foreign affairs, foreign policy and foreign trade are State-level issues. So entities cannot send reports. In addition, I wonder whether this report was sent via the mission of Bosnia and Herzegovina to the Security Council, because reports can become official United Nations documents only through a Member State. Otherwise they are illegal and do not exist as official documents. That is the case for this report.

In response to the German and British questions on the rule of law, I would say that there are several categories of rule of law. One category is that of unimplemented decisions or verdicts of international and local constitutional courts. Such decisions have simply been ignored for 10 or more years, like those on Mostar and Sejdīć and Finci. Then there is the outright rejection of certain decisions and verdicts from international or local tribunals, especially when it comes to war crimes. Some parties are rejecting outright the verdicts of the International Criminal Tribunal for the Former Yugoslavia.

Corruption committed by political parties is also quite evident in the huge public sector, and I think we have to address this issue. It is widespread in such areas as employment and public tenders and bidding. It is all over the place. Recently, there was a huge scandal relating to fake diplomas. Germany has already prohibited nurses from working in Germany if they have fake diplomas from Bosnia and Herzegovina or Croatia. If they come from Bosnia and Herzegovina,

certain diplomas are no longer being recognized, but this is all part of the wider issue of the rule of law.

I think it would be very good if we could have the presence of foreign judges and prosecutors in Bosnia and Herzegovina again. I think Albania has asked for a vetting procedure, and we did have foreign judges and prosecutors in Bosnia and Herzegovina in the past. Regrettably — and this is my personal opinion — we allowed them to go home about 10 years ago, but maybe if they were to act in a monitoring capacity, their return would not be so bad.

Today, 8 May, we celebrate the liberation of Europe. I would like to recall that we, in my own country of Austria, also had a sort of High Representative: the Allied Forces. It was very helpful. Nazism did not return because there was an Allied Forces presence. Democracy was restored — we had not had a parliament since before the Second World War. In the presence of the Allied Forces, democracy was strengthened. And there was also the Marshall Plan. The foreign presence was therefore beneficial. Further, owing to the presence of the Allied Forces, certain judicial proceedings were commenced in Austria against Nazis. It was very good for our own country to come to terms with our past, to purify our secret service and to look towards the future. And now Austria is one of the most successful countries in the world. But, of course, this presence was limited. When all of what the Allied Forces wanted to do was implemented, they withdrew and left Austria, and we became a fully independent country.

That brings me to the so-called Bonn powers. The Permanent Representative of Germany might want to call them Berlin powers. There has been a change in capitals as well as a change in philosophy. We used the Bonn Powers exactly 958 times in the past. The Bonn powers are actually rooted in and extend from the General Framework Agreement for Peace, and they make the High Representative the final authority on the interpretation of the Dayton Accords and the actor that should facilitate the resolution of difficulties. This comes from the original Dayton Accords. However, to activate these Bonn powers, a conference took place in Bonn in 1997, at which the Peace Implementation Council under the strong leadership of Foreign Minister Kinkel, who passed away recently, welcomed the intention of the High Representative to use final authority and facilitate the resolution of difficulties in future much more robustly.

Of course, the first 10 years were very active as far as High Representatives, including my predecessor, of course, were concerned. We established many institutions. There were only three ministries after Dayton and based on Dayton; now we have nine. There was no border police. There was no currency. As the Bosnian delegation mentioned this morning, the economy is doing quite well, and the country has perhaps the most stable currency in the Balkans. There is no inflation. The currency is pegged to the euro, and it is still called the mark — not the Deutsche mark, but the convertible mark — and it is a very stable currency. It can be exchanged, sent abroad and so forth. Also, there was no flag or national anthem. We still do not have lyrics for the national anthem, but at least there is a national anthem. There has been a lot of progress, and when a Common Minister for Defence was created — initially we had two Ministers for Defence and three armies, but about 11 years ago, a single army was created, with one Minister for Defence, and a defence law, which I mentioned previously, was adopted — the international community said we would have to use the Bonn powers less. We will now have to stress local ownership, because local ownership is the future anyway.

Regrettably, there has been a retreat on that progress in the last 10 years. We have not seen the establishment of very many new institutions, nor have many new laws been adopted. We mentioned Lord Ashdown earlier. When he was there, during his four-year tenure, 236 laws were adopted. In the last four years, only about 40 laws have been adopted. I therefore think we should reconsider our presence in Bosnia and Herzegovina. Maybe we should enter into a stronger cooperation arrangement with local leaders, a more robust and prescriptive cooperation, basing our presence, of course, on local ownership, and Bonn Powers should only be exercised as a last resort. When everything else fails then maybe we should intervene.

Mostar could be a good example. We allowed local ownership in Mostar more than 10 years ago, and for some 10 years now we have had a decision by the Constitutional Court in Mostar that the electoral law should be changed. But nothing has happened. In the meantime, we are happy that the mayor is sane. He is distributing about \$30 million a year, which means \$300 million have been distributed in the last 10 years without a municipal council. So local people have had no opportunity to exercise their most basic

democratic right, namely, the right to vote. Mostar is the fifth biggest city in Bosnia and Herzegovina. Can Council members imagine the fifth biggest city in their countries having no elections or no municipal council for 10 years?

That is what we have to address in future. We also should not tolerate what we have to tolerate at the moment, in particular double standards. For example, hate speech is not allowed in our countries. In Bosnia, it is possible to use hate speech because there is no law prohibiting it. Holocaust denial is not allowed in our countries; in Bosnia, genocide denial is allowed because there is no law. But we have genocide laws specifically referring to Bosnia and Herzegovina in Belgium, in Canada, in Switzerland and in some other countries, but not in Bosnia.

As I mentioned earlier, one of the most sacred principles of civilization — *égalité* — is not being implemented in Bosnia and Herzegovina. If one is a Jewish citizen or a Roma citizen or an ethnic Ukrainian citizen, that person cannot run for the State Presidency or for Parliament. This is a great discrimination, and we are just beginning to look at it. I think we should

have a more proactive approach in future as well as greater efforts to strengthen the rule of law. Believe me, I would be very happy if I could say in one or two years that we have rule of law and good governance. At that point, I would be able to close my office, which would be a happy moment for me, believe me.

We should probably take a fresh look at all the open issues. We rely on local ownership, with the local populations working together with us. We saw this approach worked in the Baltics; in Estonia, Latvia and Lithuania, local ownership worked. In this way, the wonderful people of Bosnia and Herzegovina will be able to build their own future. Otherwise, the exodus that we have witnessed for the last 10 years — 500,000 people have left Bosnia and Herzegovina — will continue, which is not good for the country, especially when the best people are leaving.

I thank the members of the Security Council for keeping this issue on the Council's agenda. We should perhaps do a reset and have a fresh look at the issues in Bosnia and Herzegovina, and then, together with local ownership, we can make a difference.

The meeting rose at 12.20 p.m.