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(2019/2171(INI))

Committee on Foreign Affairs

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the 2019-2020 Commission Reports on Bosnia and Herzegovina (2019/2171(INI))

The European Parliament,

- having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina (BiH), of the other part, and to the Protocol of its Adaptation to take account of the accession of the Republic of Croatia to the European Union,
- having regard to BiH's application for membership of the European Union of 15 February 2016,
- having regard to the Council conclusions of 14 October 2019 and 12 October 2020 on BiH and Operation EUFOR Althea,
- having regard to the Commission communication of 5 February 2020 entitled 'Enhancing the accession process – A credible EU perspective for the Western Balkans' (COM(2020)0057),
- having regard to the Commission communication of 29 May 2019 entitled '2019 Communication on EU Enlargement Policy' (COM(2019)0260), accompanied by the Commission Staff Working Document entitled 'Commission Opinion on BiH's application for membership of the EU' (COM(2019)0261) and the Analytical Report (SWD(2019)0222),
- having regard to the Commission communication of 6 October 2020 entitled '2020 Communication on EU Enlargement Policy' (COM(2020)0660), accompanied by the Commission Staff Working Document entitled 'Bosnia and Herzegovina 2020 Report' (SWD(2020)0350),
- having regard to the Commission communication of 6 October 2020 entitled 'Economic and Investment plan for the Western Balkans' (COM(2020)0641),
- having regard to the Berlin Process, launched on 28 August 2014 and its EU-Western Balkans summit, held in Sofia on 10 November 2020,
- having regard to the Zagreb Declaration of 6 May 2020,
- having regard to the Sofia Declaration adopted during the EU-Western Balkans summit of 17 May 2018, and to the Sofia Priority Agenda annexed thereto,
- having regard to the 58th and previous reports to the UN Security Council by the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina,
- having regard to UN Security Council Resolution 2549 (2020) of 5 November 2020 renewing the mandate of operation Althea,

- having regard to its resolution of 9 July 2015 on the Srebrenica Commemoration¹,
 - having regard to its resolution of 17 December 2015 on the 20th anniversary of the Dayton Peace Agreement²,
 - having regard to its previous resolutions on the country,
 - having regard to its recommendation of 19 June 2020 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the Western Balkans, following the 2020 summit,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A9-0000/2021),
- A. whereas the Stabilisation and Association Process and Bosnia and Herzegovina's EU membership application represent the country's strategic choice towards European integration;
 - B. whereas Parliament is a strong supporter of BiH's European integration;
 - C. whereas the implementation of meaningful reforms that improve citizens' lives and facilitate EU accession require the engagement of all BiH political leaders, authorities, institutions and office holders;
 - D. whereas a clear distribution of responsibilities and enhanced cooperation between different levels of government is essential;
 - E. whereas BiH's progress on the path to EU accession depends on the implementation of the 14 key priorities in the Commission's Opinion on BiH's EU membership application;
 - F. whereas the country continues to face numerous challenges related to the rule of law, governance, accountability, freedom of expression and media freedom, and a functioning market economy;
 - G. whereas BiH is a migrant transit route, and reception capacities remain insufficient for hosting migrants and asylum seekers present in the country;
 - H. whereas the EU is Bosnia and Herzegovina's biggest trading partner and the largest provider of financial assistance;
 - I. whereas the COVID-19 pandemic aggravated BiH's socio-economic situation; whereas the EU has mobilised EUR 80.5 million to assist BiH in tackling COVID-19 and its post-pandemic recovery, and up to EUR 250 million in macro-financial assistance; whereas the Economic and Investment Plan for the Western Balkans will facilitate a long-term recovery;

¹ OJ C 265, 11.8.2017, p. 142.

² OJ C 399, 24.11.2017, p. 176.

1. Recalls that the path towards the EU depends on sustainable peace and genuine reconciliation warranting the democratic and multicultural character of BiH; urges the country to expedite effective prosecution of war crimes under the revised National War Crimes Processing Strategy, and calls for impartial and effective investigations into these crimes; condemns any kind of historical revisionism, secessionist rhetoric and related acts, denial or glorification of war crimes committed during the 1990's war;
2. Recalls that over 7 200 BiH citizens are still missing, and urges the authorities to intensify cooperation and data sharing on issues related to missing persons, redress to civilian victims of war, and to ensure the safe return of refugees and internally displaced people;
3. Calls on all regional political leaders to set up the Regional Commission tasked with establishing the facts about all victims of war crimes and other human rights violations committed on the territory of the former Yugoslavia (RECOM), building upon the significant work carried out by the Coalition for RECOM;
4. Urges the authorities to ensure inclusive and non-discriminatory education for all children;
5. Urges all BiH political leaders and institutions to significantly accelerate work and co-operation to fully comply with the 14 key priorities; calls on the authorities to maintain the political will for enhanced co-operation demonstrated at the onset of the COVID-19 crisis;
6. Underlines that the effective organisation and independent functioning of institutions is an essential feature of a viable democracy and a prerequisite for advancing the EU integration process, including obtaining candidate status; warns that ethno-nationalistic rhetoric and attempts to obstruct the functioning of institutions undermine country-wide co-ordination and decision-making on key policies and reforms;
7. Commends the adoption of the amendments to the BiH Election Law that allowed Mostar citizens to vote in the 2020 local elections; welcomes the Parliamentary Assembly's vote of 22 July 2020 on the Rules of Procedure governing the meetings of Stabilisation and Association Parliamentary Committee (SAPC), paving the way for their formal adoption by the 2nd EU-BiH SAPC as soon as possible;
8. Underlines the urgent need to address shortcomings in the constitutional framework and to make progress on reforms that would transform BiH into a fully functional and inclusive state; stresses that institutional reforms depend on the will and commitment of political leaders and institutions in the country; urges the international community to facilitate the conditions for constitutional dialogue under the leadership of the EU, in particular Parliament, and in consultation with civil society;
9. Underlines the need to considerably strengthen cooperation and data exchange between state, entity and cantonal jurisdictions across all policy areas; notes the urgency of strengthening state-level capacity and expertise in the wide range of issues that need to be addressed to fulfil the obligations related to European integration;
10. Regrets the lack of progress on reforms in the judiciary; reiterates the urgent need to

strengthen the professionalism and accountability of the judiciary and to ensure its independence from undue influence;

11. Calls for immediate steps to tackle corruption and impunity in the public sphere in order to rebuild citizens' trust in the institutions;
12. Underlines the need to ensure consistent country-wide professional civil service standards, and calls for the implementation of merit-based standards in public appointments and promotions as a priority; welcomes the adoption of the Public Administration Reform Strategic Framework, enabling mobilisation of related EU funds;
13. Expresses concern over the fundamental rights situation, and calls for more effective and comprehensive countrywide human rights and anti-discrimination strategies, as well as measures against interfaith and interethnic intolerance; stresses the need to duly prevent and prosecute the proliferation of hate speech, hate crimes and violence, and to promote social inclusion of minorities and vulnerable populations, including the Roma;
14. Commends the decision of the Constitutional Court of 4 October 2019 to repeal Article 11 of the Constitution of the Republika Srpska entity, thus abolishing capital punishment across BiH;
15. Regrets BiH's continued inability to comply with anti-discrimination rulings of the European Court of Human Rights (ECtHR); notes the continuing shortcomings in the election process, and reiterates the need to address discriminatory ethnicity and residency-based restrictions on the right to stand for election through the required constitutional changes;
16. Calls for thorough investigations into alleged electoral irregularities, including identity theft, barriers to independent electoral observation and political pressure on the BiH Central Election Commission (CEC), during of the 2020 municipal elections;
17. Regrets continued political and financial pressure and instrumentalisation of the media, undermining freedom of expression and media pluralism; expresses its concern at the hostile environment for independent media, and urges the authorities to effectively investigate and prosecute threats and attacks against journalists and media personnel;
18. Insists that the EU must enhance its communication strategy in order to effectively counter disinformation campaigns aimed at diminishing the EU's credibility in the region;
19. Notes the increased migratory pressure on the country; calls for effective inter-institutional coordination of migration and border management in the face of a mounting humanitarian crisis; calls for equitable burden-sharing and adequate support for local communities hosting temporary reception centres; underlines the need to ensure appropriate reception conditions and to boost capacity for processing incoming migrants and asylum-seekers; urges BiH to conclude an agreement with the European Asylum Support Office (EASO); calls on the EU to step up its support to BiH's authorities, namely with regard to operational assistance;

20. Urges BiH to step up its efforts against cross-border crime, especially human trafficking, and to ensure swift conclusion of the status agreement with the European Border and Coast Guard Agency (Frontex) that would facilitate better protection of borders in full respect for fundamental rights, while helping fight cross-border crime;
21. Calls for a co-ordinated, strategic countrywide response to the ongoing health emergency and post-pandemic recovery measures; recalls COVID-related EU support to address the acute situation in the country; calls on the European Commission and the Member States to allocate a sufficient number of COVID-19 vaccines to the Western Balkan countries;
22. Recalls that rule of law deficiencies, together with fragmented and malfunctioning product and labour markets, undermine the functioning of the market economy, economic growth and foreign direct investment (FDI) inflows;
23. Calls on BiH to step up active labour market measures aimed at reducing long-term and youth unemployment, contributing to the most acute brain drain in the region;
24. Urges the authorities to prioritise measures aimed at boosting economic diversification, digitalisation and tackling the informal economy, while developing effective and transparent mechanisms for energy market, transport infrastructure, sustainable tourism and support for SMEs;
25. Recommends focusing on growth-enhancing public investment and infrastructure projects, making full use of the Economic and Investment Plan for the Western Balkans;
26. Urges BiH's authorities to ensure alignment with EU standards and policy objectives on climate protection and energy, facilitating the green and digital transition, and calls for the prioritisation of measures reducing ecological degradation and environmental risks to health;
27. Urges BiH to continue progressively improving Common Foreign and Security Policy (CFSP) alignment; calls for the strengthening of good neighbourly relations and increased efforts to resolve all outstanding bilateral issues;
28. Welcomes the continued presence of EUFOR's Operation Althea in the country and the extension of EUFOR's mandate until November 2021;
29. Welcomes ongoing and continued efforts on the disposal of weapons, ammunition, explosives and demining;
30. Reaffirms its position that representatives of the Western Balkan countries should be engaged in the Conference on the Future of Europe;
31. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the Presidency of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, the Governments and Parliaments of the Federation of Bosnia and Herzegovina, the Republika Srpska and Brčko District, and the Governments of the ten

cantons.

EXPLANATORY STATEMENT

The European Parliament is undoubtedly a strong supporter of Bosnia and Herzegovina's European path. BiH is by history and geography at the heart of Europe; ethnic and religious diversity is at the core of the European Union's DNA and so the future integration of BiH could not be more natural and more desired.

During the reporting period, it was clear that deep reforms are still to be implemented in order for BiH to reach the aspired candidate status. However, taking into account the particularly acute situation caused by the COVID-19 pandemic, some progress must be recognised. Nonetheless, the Rapporteur believes that it is possible to achieve more and deliver faster results, having in mind that most of the urgently needed reforms depend solely on the political will and commitment of the political leaders and institutions in the country.

Institutional reforms shall not be deemed impossible, as there are examples of best practices and international standards to follow. At the same time, constitutional and electoral reforms depend on that same political will and can also be inspired by the examples of other countries, namely EU member states. Bosnia and Herzegovina is not the only multi-ethnic state in the world. Future reform must guarantee respect for the pluralistic nature of the country whilst ensuring a functional and viable democracy where all citizens are equal.

The EU should be available to facilitate the internal dialogue needed to achieve the objectives that will grant BiH the candidate status and further progress in its European path. With the institutional and constitutional matters being the most pressing ones, authorities must keep in mind that the main goal of the required reforms is to ensure full enjoyment of rights and a better life for all Bosnian people. In this respect, the Rapporteur applauds the EU support provided to the country, namely the economic recovery assistance and the efforts to support the creation of better conditions for young people to stay in the country.

For the Rapporteur, there is a particular field where BiH must work on, in order to be able to succeed as a democratic and prosperous society: education. A swift reform of the education system in BiH must take place, namely by warranting equal education for all Bosnian children and young people, eradicating all ethnic segregation. It is unthinkable to accept that a society can be built on the basis of ethnic segregation, where different origins would mean different curricula and asymmetric opportunities. The education system should definitely become a priority, which will naturally require a broad and consistent support of European institutions.

The Rapporteur would like to address his appreciation to all representatives, office holders, local and international stakeholders and civil society organizations with which he was able to cooperate, and whose insights deeply contributed to his work.