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DRAFT REPORT

on the 2022 Commission Report on Bosnia and Herzegovina
(2022/2200(INI))

Committee on Foreign Affairs

Rapporteur: Paulo Rangel

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the 2022 Commission Report on Bosnia and Herzegovina (2022/2200(INI))

The European Parliament,

- having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part¹,
- having regard to Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession Assistance (IPA III)²,
- having regard to the outcomes of the first and second meetings of the EU-Bosnia and Herzegovina Stabilisation and Association Parliamentary Committee, held on 5 and 6 November 2015 and 17 June 2021 respectively,
- having regard to Bosnia and Herzegovina’s application for EU membership, submitted on 15 February 2016,
- having regard to the declarations of the EU-Western Balkans summits of 17 May 2018 in Sofia, of 6 May 2020 in Zagreb, of 6 October 2021 in Brdo pri Kranju and of 6 December 2022 in Tirana,
- having regard to the outcomes of the ninth Berlin Process Summit of 3 November 2022,
- having regard to Council Decision (EU) 2021/1923 of 4 November 2021 on an Assistance Measure under the European Peace Facility to support capacity building for the Armed Forces of Bosnia and Herzegovina³,
- having regard to the European Council conclusions of 23 and 24 June 2022 on Ukraine, the Western Balkans, the EU membership applications of Ukraine, the Republic of Moldova and Georgia, and external relations,
- having regard to the European Council conclusions of 15 December 2022 granting EU candidate country status to Bosnia and Herzegovina,
- having regard to the Commission communication of 29 May 2019 entitled ‘Commission Opinion on Bosnia and Herzegovina’s application for membership of the European Union’ (COM(2019)0261) and the accompanying analytical report (SWD(2019)0222),

¹ [OJL 164, 30.6.2015, p. 2.](#)

² [OJL 330, 20.9.2021, p. 1.](#)

³ [OJL 391, 5.11.2021, p. 45.](#)

- 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 April 2020 entitled ‘Support to the Western Balkans in tackling COVID-19 and the post-pandemic recovery – Commission contribution ahead of the EU-Western Balkans leaders meeting on 6 May 2020’ (COM(2020)0315),
- having regard to the Commission communication of 6 October 2020 entitled ‘An Economic and Investment Plan for the Western Balkans’ (COM(2020)0641),
- having regard to the Commission communication of 12 October 2022 entitled ‘2022 Communication on EU Enlargement Policy’ (COM(2022)0528),
- having regard to the Commission staff working document of 12 October 2022 entitled ‘Bosnia and Herzegovina 2022 Report’ (SWD(2022)0336),
- having regard to special report 01/2022 of the European Court of Auditors (ECA) of 10 January 2022 entitled ‘EU support for the rule of law in the Western Balkans: despite efforts, fundamental problems persist’, and ECA special report 09/2021 of 3 June 2021 entitled ‘Disinformation affecting the EU: tackled but not tamed’,
- having regard to the expert report of 5 December 2019 on rule of law issues in Bosnia and Herzegovina,
- having regard to the Venice Commission’s opinion of 11 March 2005 on the constitutional situation in Bosnia and Herzegovina and the powers of the High Representative, and its subsequent recommendations regarding constitutional matters in Bosnia and Herzegovina,
- having regard to the compilation of Venice Commission opinions and reports of 14 December 2020 concerning the stability of electoral law,
- having regard to the political agreement of 12 June 2022 on principles for ensuring a functional Bosnia and Herzegovina that advances on the European path,
- having regard to the 62nd report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina of 2 November 2022 to the Secretary-General of the United Nations, and prior reports,
- having regard to UN Security Council Resolution 2658 (2022) of 2 November 2022, which extends the mandate of the EU Force Bosnia and Herzegovina (EUFOR) until 2 November 2023,
- having regard to its resolution of 9 July 2015 on the Srebrenica Commemoration⁴,

⁴ [OJ C 265, 11.8.2017, p. 142.](#)

- having regard to its resolution of 17 December 2015 on the 20th anniversary of the Dayton Peace Agreement⁵,
 - 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 summit⁶,
 - having regard to its resolution of 15 December 2021 on cooperation on the fight against organised crime in the Western Balkans⁷,
 - having regard to its recommendation of 23 November 2022 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy concerning the new EU strategy for enlargement⁸,
 - having regard to its previous resolutions on Bosnia and Herzegovina,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A9-0000/2023),
- A. whereas enlargement is the EU's most effective foreign policy instrument and represents a geostrategic investment in lasting peace, stability and security;
 - B. whereas the citizens of Bosnia and Herzegovina (BiH) aspire towards Euro-Atlantic integration for sustainable peace, democracy and prosperity;
 - C. whereas BiH has been granted EU candidate country status; whereas its progress towards EU accession depends on implementing the 14 key priorities identified in the Commission opinion on its application for EU membership;
 - D. whereas genuine reconciliation in BiH is needed, based on its multicultural character and equal rights;
 - E. whereas the EU is BiH's largest provider of financial assistance, namely through the IPA III;
 - F. whereas malign foreign interference aims to destabilise BiH;

Commitment to EU accession

1. Welcomes the European Council's decision to grant candidate status to BiH; reiterates its clear support for BiH's EU integration, grounded in unity, sovereignty and territorial integrity;

⁵ [OJ C 399, 24.11.2017, p. 176.](#)

⁶ [OJ C 362, 8.9.2021, p. 129.](#)

⁷ [OJ C 251, 30.6.2022, p. 87.](#)

⁸ Texts adopted, P9_TA(2022)0406.

2. Welcomes the swift appointment of a new state-level government, the resumption of political decision-making and the appointment of the President and two Vice-Presidents of the Federation of BiH; calls for the Federation of BiH's government formation to be swiftly completed;
3. Encourages all authorities to seize the momentum to meaningfully advance on the 14 key priorities and avoid slipping back into obstructive policies; underscores that BiH's path towards EU accession needs to be anchored in functioning democratic institutions, rule of law, the fight against corruption and organised crime, respect for fundamental rights and non-discrimination for all citizens and constituent peoples as enshrined in the constitution;
4. Calls on the Commission and the European External Action Service to continue supporting BiH's EU integration based on strict conditionality;
5. Reaffirms its support for the mandates of the Office of the High Representative and EUFOR Operation Althea in overseeing the implementation of the Dayton Peace Agreement;
6. Welcomes BiH's increased alignment with the EU's common foreign and security policy (CFSP), and urges for the effective implementation of sanctions stemming from CFSP alignment;
7. Supports BiH's sustained aspirations towards Euro-Atlantic integration and NATO membership;
8. Denounces the recurring inflammatory rhetoric and secessionist policies by the leadership of the Republika Srpska (RS) entity, including the celebration of the so-called RS Day; underlines that such actions destabilise BiH, undermine the Dayton Peace Agreement, contradict BiH's EU perspective and endanger access to EU funding;
9. Reiterates its call for targeted sanctions against destabilising actors in BiH;
10. Condemns malign foreign interference by third actors in BiH, notably Russia's destabilisation of the Western Balkans;
11. Stresses that the rule of law, good governance, pluralism and fundamental rights need to be mainstreamed in IPA III funding, which must be based on strict conditionality; recalls that EU funding for projects in the RS entity should remain frozen until the reversal of democratic backsliding by the RS entity and until full alignment with the CFSP;
12. Urgently calls on BiH to engage in regular inter-parliamentary cooperation through the Stabilisation and Association Parliamentary Committee;

Democracy and the rule of law

13. Reiterates the central role of the rule of law and institutional integrity; recalls the need for harmonised, merit-based civil service standards;

14. Welcomes the fact that the general elections held in October 2022 were generally well organised and competitive; notes however that they took place against a backdrop of stagnant reforms, divisive rhetoric and political obstruction; takes note of the changes introduced by the High Representative to the election law and constitution of the Federation of BiH, aimed at addressing a number of functionality issues;
15. Regrets the failure of political actors to bring the constitution and the electoral framework in line with the European Convention on Human Rights; calls on all decision makers to reach an agreement in line with the verdicts of international and domestic courts, as well as the political agreement of 12 June 2022; supports limited, transparent and inclusive reforms that would enable a sustainable transformation of the Dayton Peace Agreement;
16. Calls on BiH to harmonise party registration rules and to ensure the transparency of political party financing; acknowledges the steps taken by the Central Election Commission and calls for its capacities to be strengthened;
17. Calls for the judiciary's integrity and independence to be strengthened, namely by bringing the Law on the High Judicial and Prosecutorial Council and the Law on Courts in line with EU standards, and by eliminating selective justice, the case backlog, corruption, a lack of transparency and poor oversight;
18. Expresses its concern about the lack of progress on preventing widespread corruption and the increasing signs of state capture, political interference and obstruction; urges BiH to adopt conflict of interest laws and to strengthen protection for whistleblowers;
19. Calls for increased resources for anti-corruption structures; points to the added value of effective cooperation among law enforcement agencies and with the European Public Prosecutor's Office;
20. Notes the steps taken to increase the alignment of public procurement laws with the EU *acquis*; expresses its concern about the sector's vulnerabilities to corruption and irregularities;

Reconciliation and good neighbourly relations

21. Reaffirms the significance of reconciliation in BiH and calls on all authorities to actively promote and ensure access to truth, justice and non-selective reparations;
22. Expresses its solidarity with all survivors of war crimes and their families; deplores all historical revisionism, including genocide denial, the glorification of war crimes and war criminals, and the contestation of established facts and tribunals; calls for effective prosecution of such cases;
23. Notes the ongoing reduction in the backlog of war crimes cases, but regrets that the pace remains slow;
24. Calls for further efforts on the issue of missing persons;
25. Welcomes BiH's active participation in regional cooperation; welcomes the recent agreements in the context of the Berlin Process;

Fundamental freedoms and human rights

26. Emphasises the vital role of independent media; condemns attacks on and threats and intimidation against journalists, including by politicians and public figures; insists on appropriate judicial follow-up and the protection of journalists;
27. Deplores discrimination, segregation, violence and hate speech against minorities, and urges effective prosecution of such cases; calls on BiH to safeguard and promote the countrywide rights of all minorities;
28. Regrets that rulings of the European Court of Human Rights have still not been implemented;
29. Underscores the importance of inclusive and quality education; reiterates its call for an urgent end to the discriminatory practice of ‘two schools under one roof’;
30. Recognises the key role of civil society; calls on the authorities to foster a conducive environment for their work; calls for the protection and promotion of the freedom of assembly and of expression to be enhanced;
31. Reiterates the need for solidarity-based migration and asylum management and a fair distribution of reception capacities; welcomes the opening of negotiations on BiH’s upgraded status agreement with the European Border and Coast Guard Agency; regrets persisting shortcomings in migration and border management; calls on BiH to fully align with the EU’s visa policy;

Socioeconomic reforms

32. Welcomes the adoption of a public financial management reform strategy and calls for its thorough implementation;
33. Urges BiH to prioritise measures aimed at improving competitiveness and the business environment, boosting economic diversification and tax harmonisation, promoting the digital and green transitions, addressing the informal economy and tackling unemployment;
34. Urgently calls for measures to address the continued high degree of brain drain; stresses the importance of developing the Youth Guarantee in the Western Balkans;

Energy, environment, sustainable development and connectivity

35. Welcomes the Commission’s energy support package for the Western Balkans; recommends strengthening BiH’s integration into the European energy market;
36. Urges BiH to finalise and adopt the national energy and climate plan; calls on it to adopt the necessary legislation on gas, electricity, renewable energy and energy efficiency, and to ensure the full harmonisation of laws for a functional energy market;
37. Calls on BiH to accelerate its implementation of projects under the Economic and Investment Plan for the Western Balkans and the Green Agenda;

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38. 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, Council of Ministers and Parliamentary Assembly of Bosnia and Herzegovina, the governments and parliaments of the Federation of Bosnia and Herzegovina, the Republika Srpska and the Brčko District, the governments of the ten cantons of the Federation of Bosnia and Herzegovina and the Office of the High Representative.

EXPLANATORY STATEMENT

The people of Bosnia and Herzegovina have time and again demonstrated their choice for the European future of their state. Granting of the candidate status is a clear acknowledgement of their incessant work for the transformation of the country. It is also a wake-up call to the country's political leadership, which must move away from self-interest and start working for the benefit of all of Bosnia and Herzegovina's citizens, finally delivering on much-needed reforms.

Tectonic geopolitical, social, technological and environmental shifts leave no place for ambiguity and hesitation. Solidarity and cooperation are the only tools available for addressing joint challenges and threats. Russia's war of aggression against Ukraine has heightened this imperative and opened the EU door wider to partners that deliver on reforms and ensure a cross-cutting alignment with common policies.

With political will and commitment, imaginary excuses and real divisions can be overcome through reconciliation and cooperation. Institutional and constitutional reforms must ensure non-discrimination and a smooth 'transition from Dayton to Brussels', creating a solid basis for a peaceful and functional state, where all citizens have equal opportunities to shape political and public life of their country.

It is important to recall the efforts of the independent civil society, media, civil servants and office holders, enabling Bosnia and Herzegovina's transformation into a vibrant and prosperous multicultural state.

The European Parliament remains an ardent supporter of Bosnia and Herzegovina's European path, based on the democratic transformation and the rule of law. The EU will continue providing substantial financial and technical support to facilitate the country's transformation and progress. It is up to the country's political leaders and its society to use the opportunities to move away from divisions towards a viable democratic pluralism for the sake of the whole country and its people.

The time to seize the opportunity and advance on Bosnia and Herzegovina's political and socio-economic reforms is now.