



---

## TEXTS ADOPTED

---

### **P9\_TA(2022)0283**

### **2021 Report on Bosnia and Herzegovina**

### **European Parliament resolution of 6 July 2022 on the 2021 Commission report on Bosnia and Herzegovina (2021/2245(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 (BiH), of the other part,
- having regard to the first meeting of the EU-BiH Stabilisation and Association Parliamentary Committee (SAPC) held on 5-6 November 2015 and the second meeting of the EU-BiH SAPC held on 17 June 2021,
- having regard to the third meeting of the EU-BiH Stabilisation and Association Council held on 13 July 2018,
- having regard to the fourth meeting of the EU-BiH Stabilisation and Association Committee held on 7 November 2019,
- having regard to BiH's application for membership of the European Union of 15 February 2016,
- having regard to the Sofia declaration of the EU-Western Balkans summit of 17 May 2018 and the Sofia Declaration, annexed thereto,
- having regard to the EU-Western Balkans summit, held in Zagreb on 6 May 2020, and its declaration,
- having regard to the Sofia Summit of 10 November 2020, including the Declaration on the Common Regional Market and the Declaration on the Green Agenda for the Western Balkans,
- having regard to the 8th Berlin Process Summit of 5 July 2021,
- having regard to the EU-Western Balkans summit, held in Brdo pri Kranju on 6 October 2021, and its declaration,

- 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 Herzegovina<sup>1</sup>,
- having regard to the Council conclusions of 18 October 2021 on BiH and Operation EUFOR Althea, following the third strategic review of the operation,
- having regard to the Council conclusions of 14 December 2021 on the enlargement and stabilisation and association process,
- having regard to the Council conclusions of 24 and 25 March 2022 on the prolonged political crisis in Bosnia and Herzegovina and the need for leaders in the country to demonstrate a strong commitment to finalise swiftly the constitutional and electoral reform,
- 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)<sup>2</sup>,
- 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),
- having regard to the Commission communication entitled ‘Commission Opinion on Bosnia and Herzegovina’s application for membership of the EU’ (COM(2019)0261) and the accompanying analytical report (SWD(2019)0222),
- 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’,
- having regard to the Commission communication of 24 July 2020 entitled ‘2020-2025 EU action plan on firearms trafficking’ (COM(2020)0608),
- 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 14 April 2021 on the EU strategy to tackle organised crime 2021-2025 (COM(2021)0170),
- having regard to the Commission communication of 14 April 2021 on the EU strategy on combating trafficking in human beings 2021-2025 (COM(2021)0171),
- having regard to the Commission communication of 19 October 2021 entitled ‘2021 Communication on EU Enlargement Policy’ (COM(2021)0664), accompanied by the

---

<sup>1</sup> OJ L 391, 5.11.2021, p. 45.

<sup>2</sup> OJ L 330, 20.9.2021, p. 1.

Commission staff working document entitled ‘Bosnia and Herzegovina 2021 Report’ (SWD(2021)0291),

- having regard to the Expert Report on rule of law issues in Bosnia and Herzegovina of 5 December 2019,
- having regard to the European Court of Auditors Special Report of 10 January 2022 entitled ‘EU support for the rule of law in the Western Balkans: despite efforts, fundamental problems persist’,
- having regard to the Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative adopted by the Venice Commission at its 62nd plenary session (Venice, 11-12 March 2005), and subsequent recommendations of the Venice Commission regarding constitutional matters in Bosnia and Herzegovina,
- having regard to the Compilation of Venice Commission opinions and reports concerning the stability of electoral law of 14 December 2020,
- having regard to the relevant European Court of Human Rights rulings in favour of the plaintiffs, including Azra Zornić, Dervo Sejdić and Jakob Finci, among others,
- having regard to the joint statement of 21 December 2020 by High Representative of the Union for Foreign Affairs and Security Policy Josep Borrell and Commissioner for Neighbourhood and Enlargement Oliver Varhelyi on the holding of local elections in Mostar,
- having regard to the sixtieth and prior reports of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations,
- having regard to Resolution 2604 (2021) of the UN Security Council of 3 November 2021 on the situation in Bosnia and Herzegovina, extending the mandate of the European Union Force Bosnia and Herzegovina (EUFOR Althea) until November 2022,
- having regard to the decisions by the US authorities on 5 January 2022 to impose sanctions on the Serb member of the Presidency of Bosnia and Herzegovina in response to his corrupt activities and continued threats to the stability and territorial integrity of Bosnia and Herzegovina, and by the UK authorities on 11 April 2022 imposing sanctions on the Serb member of the Presidency and the President of the Republika Srpska entity for their destabilising activity in Bosnia and Herzegovina,
- having regard to the Political agreement on principles for ensuring a functional Bosnia and Herzegovina that advances on the European path, adopted in Brussels on 12 June 2022,
- having regard to the European Council conclusions of 23 June 2022 on Ukraine, the membership applications of Ukraine, the Republic of Moldova and Georgia, Western Balkans and external relations,
- having regard to the Convention on Environmental Impact Assessment in a Transboundary Context, adopted on 25 February 1991,

- having regard to the final declaration of the 8th Western Balkans Civil Society Forum dated 1 October 2021,
  - having regard to the 2019 Poznan Declaration on Roma Integration within the EU Enlargement Process,
  - having regard to the Council of Europe Convention of 16 May 2005 on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism,
  - having regard to the Constitutions of the Federation of Bosnia and Herzegovina and Republika Srpska,
  - having regard to its resolution of 9 July 2015 on the Srebrenica Commemoration<sup>1</sup>,
  - having regard to its resolution of 17 December 2015 on the 20th anniversary of the Dayton Peace Agreement<sup>2</sup>,
  - 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<sup>3</sup>,
  - having regard to its resolution of 15 December 2021 on cooperation on the fight against organised crime in the Western Balkans<sup>4</sup>,
  - having regard to its resolution of 17 February 2022 on the implementation of the common foreign and security policy - annual report 2021<sup>5</sup>,
  - having regard to its resolution of 9 March 2022 on foreign interference in all democratic processes in the European Union, including disinformation<sup>6</sup>,
  - having regard to its previous resolutions on the country,
  - having regard to Rule 54 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A9-0188/2022),
- A. whereas BiH citizens aspire towards Euro-Atlantic integration for sustainable peace, democracy and prosperity; whereas the future of the Western Balkans is within the EU and the prospect of future EU integration was offered to the citizens of the Western Balkans, including BiH, during the 2003 Thessaloniki summit;
- B. whereas the EU, and the European Parliament, have continuously supported BiH's path towards the EU and its democratic transformation, underpinned by its strategic

---

<sup>1</sup> OJ C 265, 11.8.2017, p. 142.

<sup>2</sup> OJ C 399, 24.11.2017, p. 176.

<sup>3</sup> OJ C 362, 8.9.2021, p. 129.

<sup>4</sup> Texts adopted, P9\_TA(2021)0506.

<sup>5</sup> Texts adopted, P9\_TA(2022)0039.

<sup>6</sup> Texts adopted, P9\_TA(2022)0064.

orientation and commitment to European integration; whereas EU accession requires the engagement of all BiH political leaders, authorities, institutions and office holders;

- C. whereas the EU is the biggest trade and investment partner of BiH and its largest provider of financial assistance, notably through the Instrument for Pre-Accession Assistance (IPA III);
- D. whereas BiH's progress on its EU accession path depends on it fulfilling the 14 key priorities set out in the Commission Opinion on its EU membership application, and whereas EU assistance should address the persistent lack of progress in that regard by BiH counterparts;
- E. whereas the credibility of the enlargement process is based on clear progress in key areas of rule of law and judicial reform, the fight against corruption and organised crime, security, fundamental rights, democratic institutions, public administration reform, and economic development and competitiveness;
- F. whereas the legacy of the Dayton Peace Agreement must be upheld;
- G. whereas the international High Representative and the Office of the High Representative (OHR) remain tasked under Annex 10 to the Dayton Peace Agreement with overseeing the implementation of the civilian aspects of the peace accords until completion of the 5+2 agenda set out in 2008;
- H. whereas since 2004 the European Union maintains a military operation in BiH – EUFOR Althea – tasked with the executive mandate of the UN Security Council to support the authorities in maintaining a safe and secure environment; whereas EUFOR Althea should be further reinforced in order to be truly effective; whereas there is a concrete risk of non-extension of its mandate within the UN Security Council;
- I. whereas the OHR and EUFOR Althea are integral in preserving peace, security and stability in BiH and in the region, and in enforcing the Dayton Peace Agreement, in accordance with their mandates;
- J. whereas the High Representative used the Bonn Powers to suspend the Republika Srpska entity's Law on Immovable Property;
- K. whereas the strong international supervision mechanism established a great degree of responsibility for the international community, including the EU, with regard to the democratic functioning and prosperous and peaceful future of BiH;
- L. whereas under the European Convention on Human Rights and Fundamental Freedoms all BiH citizens should enjoy equal rights and obligations, regardless of their ethnic background, throughout BiH territory; whereas the country has committed to international and domestic obligations to end systematic ethnicity and residence-based discrimination and ensure citizens' equality before the law, while respecting the constitutional order of the country, which needs to be brought fully in line with European standards and principles;
- M. whereas it is crucial to ensure an adequately diverse representation at all levels of governance;

- N. whereas BiH is yet to implement a multitude of judgments of the European Court of Human Rights ruling in favour of Bosnian citizens who have been discriminated against; whereas such rulings enable all BiH citizens to effectively exercise their basic civil and political rights;
- O. whereas constitutional and electoral changes should enhance BiH's standing as a multi-ethnic, inclusive and democratic state and remove discrimination and corruption from the electoral system;
- P. whereas the legal framework of BiH must be revised in light of international jurisprudence;
- Q. whereas BiH's transition from the Dayton Peace Agreement to the EU framework is a prerequisite to preserve the country's sovereignty and sustain its democratic transformation;
- R. whereas according to UN surveys 47 % of Bosnians aged 18 to 29 are contemplating emigration, either temporarily or permanently, disillusioned by the lack of prospects at home; whereas, according to a UN Population Fund report, an average of 50 000-55 000 people – mostly skilled workers and professionals – leave BiH every year;
- S. whereas official or unofficial glorification of convicted war criminals, ethnic or religious segregation and discrimination go against the very essence of the European project; whereas there is an urgent need to effectively outlaw denial of the Holocaust, genocide, war crimes and crimes against humanity;
- T. whereas BiH is currently facing the greatest instability since the war between 1992 and 1995; whereas certain political leaders of the Republika Srpska entity in BiH are using inflammatory rhetoric and engaging in destabilising actions, aiming to prepare a withdrawal from state institutions (including the military, tax system and judiciary) and set up independent authorities, which is a violation of the Dayton Peace Agreement; whereas certain foreign political actors actively support the disruptive and secessionist efforts of the Bosnian Serb leadership, led by Milorad Dodik;
- U. whereas on 18 March 2022 the Council adopted Decision (CFSP) 2022/450<sup>1</sup>, prolonging the existing sanctions framework for individuals undermining the sovereignty, territorial integrity and constitutional order of BiH or the Dayton Peace Agreement;
- V. whereas the Council regularly expresses its support for the sovereignty, unity and territorial integrity of BiH;
- W. whereas malign foreign direct and proxy interference and disinformation aim to sow discord among different communities and destabilise the region, especially in light of the Russian invasion of Ukraine;

### ***Functioning of democratic institutions***

---

<sup>1</sup> OJ L 91, 18.3.2022, p. 22.

1. Underscores that the pace of EU accession is determined by the implementation of reforms aimed at guaranteeing the due functioning of democratic institutions, grounded in the rule of law, good governance and fundamental rights;
2. Urges BiH and all of its political actors to show commitment and make significant steps towards EU membership by advancing on the 14 key priorities, in particular by restoring the independence of the judiciary, strengthening the rule of law and its values and principles across state institutions, intensifying and enhancing the fight against corruption and organised crime, fostering and securing media freedom and an enabling environment for civil society, and protecting vulnerable groups;
3. Deplores that more than 25 years after the war has ended, the country is still facing divisions promoted by political elites, secessionist attempts and a high degree of corruption, which is contributing to a massive brain drain and demographic decline due to a lack of prospects;
4. Welcomes the meeting of the EU-BiH SAPC of 17 June 2021 and the adoption of its rules of procedure, and underlines the importance of ensuring its functioning through an inclusive political dialogue and regular cooperation; regrets, however, the lack of genuine engagement by the Bosnian counterparts in pro-actively establishing constructive parliamentary cooperation, which would contribute to priority 3 of the 14 key priorities;
5. Reiterates its clear support for BiH's civic democratic transformation through European integration, based on unity, sovereignty and territorial integrity, grounded in the principles of equality and non-discrimination of all BiH citizens as enshrined in the constitution and in line with European Court of Human Rights decisions;
6. Underlines respect for the legacy of the Dayton Peace Agreement, recalling its purpose in ending the war and safeguarding peace; takes note of the concept of constituent peoples but stresses that this concept should not in any way lead to the discrimination of other citizens or imply any additional rights for people identifying with one of these groups compared with other citizens of BiH; condemns statements and proposals aiming to undermine BiH's statehood and constitutional values, and recalls that BiH needs to address shortcomings in its constitutional framework, bringing it in line with European standards and principles;
7. Stresses that enforcement of the Dayton Peace Agreement includes the obligation to implement the High Representative's decisions, without prejudice to the implementation of much-needed political and structural reforms in the country; underlines the need to strengthen the ownership of BiH citizens and politicians in the country's development;
8. Expresses its strong support for the OHR exercising its full mandate, including the use of the Bonn Powers as a last resort, if necessary to ensure full respect for the Dayton Peace Agreement and the sovereignty and integrity of BiH; strongly calls on the Commission, the European External Action Service (EEAS) and the Member States to publicly express their unequivocal support for the full mandate of the High Representative and to cooperate closely with a view to supporting the High Representative in the implementation of the 5+2 agenda; calls on all UN Security

Council members to ensure the renewal and continuity of the mandate of the OHR as a crucial anchor of BiH stability;

9. Takes note of the recent decision by the High Representative to suspend the Law on Immovable Property in the Republika Srpska (RS) entity and to extend the ban on disposing of state property; condemns in the strongest possible terms all hate rhetoric and threats of violence aimed at the High Representative, including those expressed at a rally in Banja Luka on 20 April 2022 in the presence of the RS entity leadership; calls on the authorities to prevent and prosecute those issuing such threats;
10. Opposes any harmful concessions on the issue of state and defence property; calls on the international stakeholders, notably the Commission and the EU delegation, to support the OHR and its expert group in their work towards finding a sustainable solution to the benefit of the whole country and all citizens and to react to the secessionist efforts of the RS entity leadership with a more forceful and credible approach;
11. Regrets the impasse in negotiations on constitutional and electoral law reform in BiH, as well as the lack of political will to overcome it, and the failure to implement it ahead of the October 2022 elections, despite several facilitation attempts by the EU and the United States; calls on all actors to ensure that elections will proceed in October as scheduled and to negotiate in good will and reach a balanced agreement, in line with European standards, European Court of Human Rights rulings and Venice Commission recommendations, to fulfil the constitutional duty of democratic governance, and to ensure the transparency, integrity and efficiency of the electoral process by immediately implementing the integrity package;
12. Strongly denounces the disregard for international and national norms and obligations, all hate rhetoric and disruptive action, including the withdrawal from and consequent blockade, boycott and obstruction of state institutions, particularly by the leadership of the RS entity, which destabilises the country, undermines its statehood in violation of the constitution and the Dayton Peace Agreement and systematically hampers decisions on key laws and reforms, which are essential to advance towards EU integration, and prevents their fulfilment; rejects all attempts to form parallel parastatal institutions, which undermine state institutions, the constitutional and legal order, judicial independence and sovereignty; calls on the RS entity to immediately withdraw and revoke any such laws;
13. Condemns the conclusions of 10 December 2021 of the RS entity National Assembly (RSNA) on the withdrawal from State-level institutions, the passing of the Law on Immovable Property Used for the Functioning of Public Authority, adopted by the RSNA on 10 February 2022, and the National Assembly's vote aimed at establishing a separate High Judicial and Prosecutorial Council; expresses concerns about allegations regarding the role of the Commissioner for Neighbourhood and Enlargement in the vote of the RSNA on the roadmap for its withdrawal from the State institutions of BiH; recalls the Commissioners' obligations of integrity, discretion and independence, in compliance with the code of conduct for the Members of the Commission, and therefore calls on the Commission to assess the recent actions of Commissioner Várhelyi in this light;



14. Calls on all actors in BiH to end the multilevel blockage and immediately, unconditionally, effectively, fully and non-selectively return to work in all state institutions, ending the persisting political deadlock in the country and restoring the functioning of the government and bodies to the benefit of all citizens;
15. Urges the EU, its Member States and the EEAS, also in light of the Russian war of aggression against Ukraine, and in light of the secessionist threats by the pro-Russian stance of the leadership of the RS entity, to immediately focus their primary efforts on ensuring a safe environment and guaranteeing mid -and long-term security in the country; calls on the international community to contribute to finding a comprehensive solution to the current complex situation in BiH;
16. Calls on the EU, its Member States and the international community to follow the example set by the United States and the United Kingdom and use all available tools, namely targeted sanctions and the suspension of funds, against destabilising actors in the country, including those threatening the territorial order of BiH, notably Milorad Dodik; calls on all Member States to ensure that such sanctions can be adopted by the Council; regrets, in that respect, the amending of the decision-making procedure in the context of the March 2022 extension of the EU sanctions regime for BiH;
17. Welcomes the Political agreement reached in Brussels on 12 June 2022; urges all political actors in BiH to abide by the agreement;
18. Welcomes the European Council's call on all political leaders in BiH, as expressed in its conclusions of 23 June 2022, to swiftly implement the commitments set out in the political agreement of 12 June 2022 and urgently finalise the constitutional and electoral reform, which will allow the country to advance decisively on its European path, in line with the opinion of the Commission;

### ***Reconciliation***

19. Expresses its solidarity with the survivors and families of victims of war crimes and crimes against humanity, displacement, disappearances, killings, torture, sexual assault, genocide and ethnic cleansing;
20. Underlines that the EU future of BiH depends on sustainable and lasting peace, addressing the past and enabling genuine reconciliation among citizens and among high-level politicians alike, warranting its democratic, inclusive, pluralistic and multi-ethnic character; urges BiH to expedite effective and impartial prosecution of war crimes under the revised national war crimes processing strategy; calls on all regional governments, parliaments and political leaders to swiftly set up the Regional Commission tasked with establishing facts about all victims of war crimes and other human rights violations committed on the territory of former Yugoslavia (RECOM), building on the significant work of the Coalition for RECOM;
21. Stresses that the persistent challenges in the reconciliation process should be addressed more vigorously; calls on the Commission to provide frameworks for dialogue on legacies from the past;
22. Calls on all authorities to abide by their international human rights obligations to promote reconciliation by ensuring access to truth, justice and effective and non-

selective reparations, including to survivors of sexual violence, as well as by adopting measures to prevent recurrence through education, culture, human rights protection, institutional vetting, reconstruction assistance, job creation, social measures, and access to healthcare, as well as by ensuring that perpetrators of war crimes are precluded from holding public office;

23. Encourages the authorities to intensify cooperation and data sharing on missing persons and to ensure redress and guarantees of non-repetition for the families of civilian victims, and the safe and sustainable return of refugees and internally displaced people, the full respect of their rights and the return of their property or compensation for non-returnable property, both at national and regional level;
24. Welcomes the efforts by local and international organisations, including the International Commission on Missing Persons, to account for over 30 000 persons who went missing during the conflicts in the territory of the former Yugoslavia in the 1990s and more than 8 000 Srebrenica genocide victims; recalls that 7 200 people are still missing;
25. Welcomes and supports the amendments to the BiH Criminal Code enacted by the High Representative outlawing the glorification of war criminals and the denial of genocide, crimes against humanity and war crimes, following the failure of local actors to adopt a proposal; deplores and rejects any attempt not to implement this decision; strongly condemns all forms of historical revisionism, denial, or minimisation or glorification of war crimes including non-compliance with decisions of international and domestic tribunals; calls for the swift implementation of the amendments and effective investigation and prosecution of genocide denial;
26. Reiterates that the denial of genocide, celebrating war crimes and war criminals and threatening regional stability and reconciliation are contrary to European values and aspirations; against this background, strongly condemns the inflammatory events on the occasion of the so-called 'RS day' on 9 January 2022, in violation of the BiH constitution; also condemns the desecration of the Partisan Memorial Cemetery in Mostar and calls on the authorities to thoroughly investigate it and to bring the perpetrators to justice;

### ***Reform process***

27. Urges BiH's political actors to make progress on judicial, electoral, administrative and economic reforms that are needed to bring the country closer to the EU, and to include civil society in the process; denounces all attempts to stall these reforms, thus slowing BiH's compliance with EU accession criteria and endangering access to EU funding under IPA III, which must be based on strict conditionality and depends on the cooperation of different authorities;
28. Stresses that IPA III funding must be modulated or even suspended in the event of a significant regression or persistent lack of progress in the area of the rule of law and fundamental rights, including the fight against corruption and organised crime, as well as media freedom, and calls on the Commission to develop guidelines on its application, as per the recommendations of the European Court of Auditors Special Report 01/2022; calls in this context on the EU and the Western Balkan countries to establish a framework for effective cooperation with the European Public Prosecutor's Office;

29. Welcomes the recent suspension of Corridor Vc projects in the RS entity worth EUR 600 million, and recalls that these funds will be allocated only after RS representatives completely return to state institutions; calls for a thorough reconsideration and scrutiny of all EU-funded projects and assistance applicable to and within the RS entity, including macro-financial assistance, with a view to freezing direct and indirect funding benefiting its authorities; notes that the German Government has decided to suspend four infrastructure projects in the RS entity worth EUR 105 million;
30. Deeply regrets the damage and loss of lives caused by a powerful earthquake near Stolac on 22 April 2022;
31. Recalls the significance of respecting the democratic principle of regular elections; stresses the importance of holding fair, open, transparent and inclusive elections in 2022 as scheduled, and urges all political actors to refrain from calling for a blockade of the elections, and to allow citizens to express their democratic choice; calls for timely parliamentary approval of election integrity legislation; recalls and regrets the fact that due to the adoption of the state budget being continuously delayed, electoral funds were not secured on time; stresses that the holding credible elections and implementing the results is a key feature of a well-functioning democracy, as well as a requirement for any country wishing to join the EU; welcomes the decision of 7 June 2022 by the OHR to make full use of its mandate in order to ensure Bosnian citizens' fundamental political rights to free and fair elections, through the adoption of the necessary budget, since the national authorities failed to do so;
32. Supports transparent and inclusive constitutional and electoral reforms to ensure equality and non-discrimination of all citizens, enhance accountability and transform BiH into a fully functional and inclusive state by immediately implementing rulings, opinions and recommendations of competent domestic and international courts and bodies, thereby ensuring the integrity of the elections and the process; stresses that institutional reforms depend on the will and commitment of political leaders and the democratic orientation of the country's institutions; notes transatlantic facilitation efforts to this end and condemns the obstructions and inactivity of political actors in that regard; calls for a review and lessons-learned exercise as regards the facilitation attempts by the EEAS and the EU Delegation, calls on the EEAS and the EU Delegation to always act in line with the EU's highest democratic standards; calls for sustained consideration and integration of citizens' proposals;
33. Deeply regrets that BiH still remains in breach of the European Convention on Human Rights by not implementing the rulings of the European Court of Human Rights in the cases of Sejdić-Finci, Zorić, Pilav and Šlaku; regrets that BiH still has not implemented the ruling of the Constitutional Court of BiH in the Ljubić case;
34. Stresses the importance of implementing recommendations of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODHIR), the Venice Commission and the Council of Europe's Group of States against Corruption (GRECO);
35. Stresses that inclusive electoral reform should eliminate all forms of inequality, discrimination and bias in the electoral process and put in place conditions for competitive elections; recalls that this should be done by harmonising rules on party

registration, ensuring transparency of political party financing and ensuring the independence and capacities of election commissions;

36. Calls on all stakeholders to reach an agreement on reform of the Election Law in line with the verdicts of the European Court of Human Rights and the Constitutional Court, to ensure an adequately diverse political representation at all levels of governance;
37. Calls for the implementation of consistent country-wide merit-based civil service standards, enabling a streamlined, depoliticised and accountable public administration that can reduce the impact of patronage hiring processes that fuel corruption; stresses that no discrimination should take place in the opportunities for all citizens to be represented in the public sphere;

### ***Economy, energy, environment, sustainable development and connectivity***

38. Underlines the need to enhance internal and regional economic harmonisation and connectivity; welcomes European investments in road and rail infrastructure in BiH, namely the development of Corridor Vc linking Central Europe to the port of Ploče on the Adriatic coast, and highlights the need to ensure that international funds enhancing connectivity reduce gaps and discrepancies and improve the situation for the whole country, while respecting the principle of subsidiarity;
39. Calls on the authorities to adopt country-wide strategies, improvements to strategic planning, financial management and monitoring and evaluation, and create control and audit structures; underlines the urgent need to ensure accountability and transparency of the economy and to shield state and private enterprises from the influence of patronage and criminal networks;
40. Encourages using the potential offered by digitalisation for modernising administrative, electoral, judicial, fiscal and economic processes, which would help address fragmentation, red tape, the informal economy, customs and tax evasion, and money laundering, while increasing competitiveness for SMEs;
41. Welcomes the efforts of the EU and its Member States, as well as neighbouring countries in the region, in assisting the country in mitigating the consequences of the COVID-19 pandemic; stresses the importance of a coordinated country-wide strategic response to helping increase one of the lowest vaccination rates in Europe;
42. Welcomes the removed roaming charges between the six Western Balkan states; urges all relevant parties to negotiate a plan that would lead to the elimination of roaming charges between the six Western Balkan states and the EU Member States; calls on BiH and its neighbours to work towards improving relations and enabling visa-free travel between BiH and Kosovo;
43. Calls on the BiH authorities to increase efforts in setting up the Common Regional Market for deepening integration across the Western Balkans, and in establishing and guaranteeing free movement of persons, goods, services and capital in the region as a stepping stone in the EU accession path; emphasises that all regional economic cooperation schemes in the Western Balkans should be inclusive and acceptable to all six countries, establishing cooperation on an equal footing, while strengthening further alignment with EU standards and the EU *acquis*; expresses, in this context, its caution

towards the Open Balkan Initiative, which does not encompass all six countries, and is convinced that it should be based on EU rules and contribute to the EU integration processes;

44. Recalls the need to adopt improved state-level laws on gas and electricity, renewables, energy efficiency and climate, leading to a sustainable socioeconomic transition from coal and a significant mitigation of energy poverty, and to step up environmental and nature protection and ambition towards a green transition through the harmonisation of environmental laws and the adoption of an environmental protection strategy; urges the BiH authorities to ensure greater alignment with EU standards and policy objectives on climate protection and energy, in line with the European Green Deal and the Green Agenda for the Western Balkans;
45. Calls on BiH to finish the preparation of the National Energy and Climate Plan in line with the necessary 2030 energy and climate ambition;
46. Notes some positive developments with regard to environmental protection initiated by local environmental and civil society organisations; urges BiH to respect its citizens' calls for the protection of rivers, notably in the construction of infrastructure projects, and other public goods;
47. Expresses its concern over ongoing plans to increase coal energy production capacities; calls for more efforts in order to achieve a climate-resilient and sustainable energy transition based on renewables, energy efficiency and energy market integration, steering investment and providing support for workers who need reskilling; urges the BiH authorities to opt out from new coal generation facilities financed by China that are contrary to EU State aid rules and the country's commitments in the context of the Green Agenda;
48. Recommends focusing public investment on sustainable projects aimed at advancing the social market economy, facilitating the green and digital transitions and reducing severe air pollution, including in its transboundary nature, and making full use of the Economic and Investment Plan for the Western Balkans; underlines the need to significantly improve *ex ante* environmental impact assessments with the meaningful involvement of local communities, civil society and independent experts with a view to increasing transparency, and the need for more efficient prosecution of environmental crimes;
49. Stresses the importance of respecting BiH's sovereignty when implementing infrastructure projects in BiH, notably projects involving companies from third countries;

### ***Rule of law***

50. Underlines that the rule of law and judicial reform are the backbone of a democratic transformation, ensuring legal certainty, transparency, access to justice and non-discrimination;
51. Calls for urgent action to tackle widespread selective justice, state capture, nepotism, cronyism, high-level corruption and criminal infiltration, including through the long-overdue legislative updates on judicial integrity, asset verifications, conflict of interest, public procurement, access to information, witness protection and restructuring of state-

owned enterprises; reiterates the urgent need for judicial reform across BiH to improve the professionalism and integrity of the judiciary based on the 14 key priorities and the 2019 Priebe report recommendations, ensuring its full institutional and financial independence, resolving the large backlog of pending cases, and strengthening the monitoring of performance of judiciary actors; deplores the obstruction of such reform by holders of political and judicial office;

52. Urges the authorities to adopt a new justice sector strategy and action plan and to adopt the amendment to the law on the High Judicial and Prosecutorial Council and the new Law on the Court of Bosnia and Herzegovina, in line with European standards;
53. Calls on BiH to ensure the implementation and enforcement of all court decisions, recalling that the rule of law is integral to the country's progress in Euro-Atlantic integration; points out a particularly low enforcement rate of judgments in environmental cases; calls for faster handling of cases by courts competent for administrative disputes against illegal acts of public authorities;
54. Recalls the need to update laws and align with the EU on anti-money laundering and countering the financing of terrorism, and to establish an asset recovery office;
55. Urges BiH to strengthen and adequately organise and fund anti-corruption structures, covering conflicts of interest and lobbying; recalls the need for unhindered investigations into illicit enrichment of public officials; underlines the importance of addressing GRECO's recommendations enabling detection and accountability; recalls the need to update laws and align with the EU on the protection of whistleblowers;
56. Reiterates the need to investigate political and administrative links to organised crime; calls for administrative reform to eradicate corruption and for improved corruption monitoring mechanisms, as well as effective prosecution of high-profile corruption cases;
57. Underlines the dangers posed by poor cooperation of BiH's law enforcement agencies and their failure to effectively collaborate with Europol, Eurojust and the European Public Prosecutor's Office; welcomes bilateral efforts supported by Europol and Eurojust aimed at dismantling people trafficking networks;
58. Calls for further enhancement in this cooperation also with the aim to fully operationalise the Joint Action Plan on Counter-Terrorism for the Western Balkans; encourages establishing a firearms focal point;

### ***Fundamental rights***

59. Deplores the continuing failure to safeguard media freedom and pluralism; insists on eliminating political interference and protecting the safety and well-being, including the labour rights, of journalists, protecting them from intimidation, as well as from strategic lawsuits against public participation (SLAPP), with systematic and effective prosecution, including immediate and effective investigative steps following any threats and attacks against them; calls on the authorities to assign a special layer of protection for journalists in criminal codes; deplores the increased gender-based violence against female journalists, including threats and discrimination at work;

60. Calls for effective measures to ensure the financial sustainability and political independence of public broadcasters, notably of the BiH national public broadcaster (BHRT); urges the authorities to take action to identify a sustainable solution to BHRT's funding problems and prevent its closure and to adopt legislation on media ownership transparency; notes with concern the lack of plurality in the media and difficulties for new actors to obtain licences and other elements necessary to operate in the Telecoms market; expresses its concern over the lack of a variety of traditional media channels, including the availability of content in all official languages;
61. Deplores threats from the authorities against civil society; condemns the persistent restrictions on freedom of expression and freedom of assembly in BiH, and growing restrictions on these rights in the RS entity; condemns in this context the decision of local authorities in Prijedor to ban the announced peaceful march marking White Ribbon Day, which commemorates civilian victims of the 1992-1995 war; calls for the adoption of a framework for the transparent funding of civil society organisations;
62. Stresses the need to ensure the participation of citizens in the democratic life of the country through effective, meaningful and inclusive involvement of civil society organisations in the EU integration process; calls on the authorities to ensure an enabling environment for civil society that upholds international standards and to develop and implement a strategic cooperation framework;
63. Calls on the Commission to refocus IPA III support to strengthening in-country democratic forces, standards, institutions and procedures, the rule of law, genuine reconciliation, and civil society organisations, fostering an environment for functioning pluralism, independent civil society, media and a market economy; calls for better absorption of funds by local and regional administration;
64. Calls on the Commission to take a stance and make it clear that sustainable peace and genuine reconciliation are one of the conditions for BiH to receive EU financial support;

### ***Social agenda***

65. Stresses the need to safeguard the rights of religious and ethnic minorities, including Roma, and the social inclusion of vulnerable populations, including people with disabilities; calls for stronger country-wide human rights and anti-discrimination strategies, measures against interfaith and interethnic intolerance, access to quality public healthcare, and for the implementation of the recommendations of the Institution of the Human Rights Ombudsman for dealing with human rights violations and issues; urges the prevention and proactive prosecution of hate crimes, hate speech, discrimination and disinformation, as well as gender-based and sexual violence;
66. Recalls that women are under-represented in politics and public life and calls on the BiH authorities and the EU, in its external financial instruments, to increase efforts aimed at gender equality and women's rights, including by prioritising gender mainstreaming and increased cooperation with civil society, in particular women's organisations;
67. Calls for the harmonisation and effective enforcement of legislation on gender equality across the country and for the authorities to significantly improve the institutional response to gender-based violence, particularly on protective and prevention measures,

victim support, legal aid and safe accommodation, and the prosecution of crimes of sexual violence, including for women victims of war crimes, and secure witness protection; calls for the amendment of the criminal codes in the Federation of BiH and Brčko District to expand provisions against incitement to hatred and violence so that they include sexual orientation, gender identity and sex characteristics as protected grounds;

68. Calls for the introduction of legislation to protect LGBTI+ persons, for the prosecution of violence and hate crimes against them, and for their social inclusion to be promoted; calls for the adoption of the Action Plan for Equality of LGBTI Persons in Bosnia and Herzegovina 2021-2023, which has been stalled since 2020; welcomes the conclusions of the Intersectoral Working Group on same-sex rights and partnership, which officially recommended the drafting of a law on same-sex partnerships; calls on the government to address this recommendation without delay;
69. Welcomes the peaceful organisation of the second Sarajevo Pride parade on 14 August 2021 and the fact that the Government of the Canton of Sarajevo covered its security costs; welcomes, likewise, the peaceful organisation of the third Sarajevo Pride parade on 25 June 2022; condemns, however, earlier counter-protests and statements, including from politicians, aimed at undermining the rights of LGBTI+ persons in BiH;
70. Stresses the need to duly prevent the discrimination of Roma and other ethnic minorities, to improve their access to healthcare, education and the labour market and to develop and implement social inclusion strategies;
71. Reiterates that BiH still needs to develop and adopt a new action plan on child protection; in this regard, stresses that child exploitation and child begging remain of concern;
72. Regrets the lack of progress in addressing the rights of people with disabilities; encourages BiH to take action to protect people with disabilities and develop and adopt a strategy on deinstitutionalisation; condemns the fact that the law allows persons with disabilities to be deprived of their legal capacity, which is a clear violation of the Convention on the Rights of Persons with Disabilities, which the country has signed; underlines that it is unacceptable that support provided is differentiated by the type of disability;
73. Underlines that educational reform is a fundamental pillar for creating a prosperous and inclusive pluralistic society, free from all forms of segregation and marginalisation and enjoying its political freedoms; reiterates that the work on the reconciliation process must focus on the country's youth and start at an early age, embedding reconciliation into the education process;
74. Reiterates its call to urgently end segregation and discrimination in education, including by implementing court rulings to end the discriminatory illegal practice of 'two schools under one roof'; stresses the need for increased investment in the education sector to achieve better and equal opportunities for all citizens; calls for inclusive curricula, fostering critical thinking and improving the quality of education and training, taking into account cultural and language diversity, and eliminating counter-factual content that promotes division;



75. Welcomes the continued participation of BiH in the Erasmus+, Creative Europe and Europe for Citizens programmes; stresses that education and cultural exchanges and joint projects are an essential part of bringing the citizens of BiH and the EU closer;
76. Remains concerned by the large number of young people leaving the country, and stresses the importance of urgently adopting measures to reduce youth unemployment and ensure a future for young people in the country, including by establishing and implementing the Youth Guarantee in line with the EU model and guidance;
77. Notes serious unaddressed challenges in the fields of employment, social inclusion and protection, and poverty reduction; stresses that strengthening the welfare state is an important condition for social cohesion; calls on the authorities to foster social dialogue; calls on the Commission to give due consideration to collective bargaining, social rights and their protection and enforcement in its annual report;
78. Expresses deep concerns about the pushbacks of refugees to Serbia and Montenegro, as well as the limitations placed on their movements and the limitations of public transport inside the country; deplores the failure of the authorities to address the severe migration-related humanitarian crisis at the border; reiterates its serious concern over the rights and situation of people in transit in BiH; stresses that EU border management by the BiH authorities is of concern in light of the violations of human rights, resulting, in particular, from the lack of independence, credibility and effectiveness of the recently established border mechanism; underlines the EU's duty to conduct a humane migration approach aimed at protecting the fundamental rights of persons in need of international protection in countries of transit such as BiH; recalls the need for human rights and solidarity-based solutions on migration, asylum and border management in coordination and cooperation with affected EU Member States on the EU's external border, ensuring adequate humanitarian assistance and appropriate reception capacities across the country; urges BiH to conclude an agreement with the European Asylum Support Office; welcomes the opening of the EU-funded centre in Lipa, but regrets the fact that it still lacks accessibility and remains concerned about reports of insufficient reception conditions; takes note of the closure of the Miral camp on 28 April 2022 and the fact that people living there were forcibly moved to the Lipa camp, which is far away from any basic facilities;
79. Condemns the eviction of squatters by the police, by force, on 28 April 2022, which happened when people were sleeping; condemns the fact that the people were moved to the Lipa camp;
80. Recalls the need to establish an accessible and efficient asylum system in the country as well as a full range of integration services for asylum seekers; stresses the need to increase transparency and scrutiny in the allocation and implementation of EU funds in the field of migration, in particular the large amount of funds implemented by the International Organization for Migration; expresses concerns about credible and numerous reports of pushbacks into BiH;
81. Urges BiH to step up its efforts against cross-border crime, especially human and weapons trafficking and irregular border crossing, and recommends that BiH timely conclude a status agreement with the European Border and Coast Guard Agency (Frontex) that would facilitate better protection and management of its borders; urges

both the agency and BiH to ensure border management with full respect for fundamental rights;

***Foreign policy and security***

82. Calls on all leaders of the region to promote stability and de-escalation, avoiding uncalled-for and inflammatory remarks, which furthermore have a detrimental effect on stability, the democratisation of the country and the ongoing reform process, and to strengthen good neighbourly relations and work on resolving ongoing bilateral issues; expresses its concern about the dangers of political destabilisation in BiH and the Western Balkans region following the recent Russian war of aggression against Ukraine;
83. Welcomes BiH's increasing alignment with the EU's common foreign and security policy in votes condemning the Russian invasion of Ukraine; regrets, however, that some political actors are blocking the implementation of sanctions against Russia and Belarus following the invasion of Ukraine; calls therefore on these actors in BiH to abide by the country's international commitments and ensure that its national policies conform to the relevant Council decisions on restrictive measures related to the Russian invasion of Ukraine;
84. Welcomes the decisions by the Council of Ministers of BiH to facilitate the entry and extend the length of stay for Ukrainian refugees;
85. Warns of Russia's continuing interest in destabilising the region and its European path; condemns Russia's support for the RS entity's separatist policies and remains concerned about the continuous alignment and friendly ties between prominent political actors in BiH and the Kremlin; urges all actors to swiftly and unambiguously distance themselves from Putin's regime; is concerned by Russia's plan to open a 'humanitarian centre' in Banja Luka, which could serve to camouflage military cooperation as civilian activities and calls on the BiH authorities to revoke any agreement to open it;
86. Is highly concerned that the EU accession countries in the Western Balkans are being hit particularly hard by attacks in the form of foreign interference and disinformation campaigns stemming from Russia and China; is alarmed that Hungary and Serbia are helping China and Russia with their geopolitical objectives; is deeply concerned about the spread of disinformation about the Russian aggression against Ukraine; calls on the authorities to take action, in coordination with the EU, to fight disinformation and other hybrid threats; recommends convening dialogues with Western Balkan civil society and the private sector to coordinate anti-disinformation efforts in the region, including regional expertise; stresses the need for the EU to boost its proactive strategic communication; in this regard, calls on the Commission to build up the infrastructure required to counter disinformation threats, and on the EEAS to expand StratCom monitoring to focus on cross-border disinformation threats from Western Balkan countries and their neighbours;
87. Urges the EU to take concrete steps to integrate the Western Balkans and BiH within a broader strategic and security context, also in view of the Russian aggression against Ukraine, disinformation and malign interference destabilising the country and region; underlines the need for the EU to boost assistance and technical expertise for BiH cybersecurity;

88. Welcomes the European Council's readiness to grant candidate country status to BiH, as mentioned in its conclusions of 23 June 2022, and takes note of the European Council's invitation to the Commission to report without delay to the Council on the implementation of the 14 key priorities set out in its opinion, with special attention to those which constitute a substantial set of reforms in order for the European Council to revert to decide on the matter; underlines that the granting of candidate status could contribute to de-escalating nationalistic rhetoric, reduce ethnic divisions, inspire optimism and create the prospect of a better European future for BiH citizens; stresses the importance of a message of support and a credible accession perspective for BiH;
89. Welcomes the statements of 4 March and 24 March 2022 by NATO's Secretary-General on the need to further support BiH, including by upholding its sovereignty and strengthening its resilience; recognises the added value that BiH's NATO membership would bring;
90. Expresses its concern about the effects of the war in Ukraine on BiH, namely relating to inflation, energy supply, fuel prices and food security; urges the EU to assist BiH in increasing its green energy security amid the precariousness of energy prices;
91. Takes note that the implementation of BiH's 2018-2023 foreign policy strategy, which includes full membership of the EU, activation of the NATO Membership Action Plan, the fight against terrorism, cooperation at regional level, and bilateral and multilateral cooperation, has been undermined by frequent divergent positions; urges the authorities to step up its implementation;
92. Welcomes the mobilisation of the European Peace Facility funds worth EUR 10 million, which will finance 150 metal detectors and 68 special vehicles to build capacities to boost demining and the disposal of weapons, ammunition and explosives; underlines that BiH officially aligns itself with the criteria and principles of the Common Position on Arms Exports and is a State Party to most disarmament, non-proliferation and arms control treaties, and calls for its meaningful support of the activities by the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons;
93. Welcomes the continued presence of Operation EUFOR Althea in the country and the extension of its mandate by the UN Security Council on 3 November 2021;
94. Welcomes the recent reinforcement of EUFOR Althea by the deployment of approximately 500 personnel from its reserves stationed outside BiH as a precautionary measure and the support under the European Peace Facility to strengthen the demining battalion of the armed forces of Bosnia and Herzegovina; recalls that the mission continues to play an important role in safeguarding the security and stability of the country; stresses the strategic importance of the Brčko District and calls for further deployment to be considered based on a realistic threat assessment;
95. Stresses the imperative need to extend the mandate of EUFOR Althea beyond November 2022; calls therefore on the Member States to work within the UN to extend the mandate, and underlines the paramount importance of having alternative solutions ready in the event of non-extension; calls, therefore, for the EU and its international partners, including NATO, to develop adequate alternatives so as to maintain a peace-enforcement mechanism in BiH should the Operation's UN Security Council mandate not be extended;

o

o o

96. 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, the governments of the 10 cantons, as well as the Office of the High Representative.