

# 2016 Commission report on Bosnia and Herzegovina

2016/2313(INI) - 15/02/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 496 votes to 132, with 67 abstentions, a resolution on the 2016 Commission Report on Bosnia and Herzegovina.

Parliament recalled that progress has been achieved on the EU integration path. It stated that the Council asked the Commission to prepare its opinion on Bosnia and Herzegovina's (BiH) application for membership.

**Towards BiH's accession:** Parliament welcomed the consideration of BiH's EU membership application by the Council and the handing in of the questionnaire and looks forward to the Commission's opinion on the merits of the application for membership. It called on competent BiH authorities to **commit actively to this process** and to cooperate and coordinate in participating in the Commission's Opinion process by providing a single and coherent set of replies to the Commission's inquiries.

It reiterated that the EU accession process is inclusive and involves all stakeholders.

**Democratic reforms:** Members welcomed the progress made on the implementation of the 2015-2018 Reform Agenda, as well as the country's determination to pursue further institutional and socio-economic reforms. They noted that the situation has somewhat improved, but stressed that harmonised and effective implementation of the Reform Agenda in line with the action plan is needed to achieve real change across the country.

Parliament called for the momentum of the reform to be maintained in order to transform BiH into a fully effective, inclusive and functional state based on the rule of law, guaranteeing equality and democratic representation of all its constituent peoples and citizens. It regretted, however, that common reform efforts often continue to be hampered by ethnic and political divisions, caused by deeply-rooted disintegrative tendencies hindering normal democratic development.

**Protocol to the Stabilisation and Association Agreement (SAA) with BiH:** Parliament expressed satisfaction about the signature of the Protocol on SAA adaptation that has been provisionally applied as of 1 February 2017, automatically reinstating the autonomous trade measures that had been suspended as of 1 January 2016. However, it regretted that the Rules of Procedure of the EU-BiH Stabilisation and Association Parliamentary Committee (SAPC) have still not been adopted, due to the attempts to introduce ethnic blocking. As a consequence, BiH has remained the only enlargement country where such a body could not be properly constituted. Members urged the presiding bodies of the BiH Parliament to find, without delay, a solution to this problem.

**Fighting corruption:** Parliament regretted that the declared political commitment to combat corruption did not translate into tangible results. It underlined that there is no track record of high-profile cases and that the legal and institutional framework for combating systemic corruption such as in relation to political party finance, public procurement, conflicts of interest, and assets declaration is weak and inadequate. It stressed the need to address swiftly any outstanding shortcomings of the judiciary and urged the rapid adoption of the action plan for the implementation of the 2014-2018 justice sector reform.

**Unity of the country:** Parliament also strongly condemned the Law on Order in the Serb Republic which is still in force and undermines the fundamental democratic rights. It urged the full implementation of the

Freedom of Access to Information Act and urged leaders on all sides to **refrain from divisive, nationalist and secessionist rhetoric** that polarises society as well as from actions that represent a challenge to the cohesion, sovereignty and integrity of the country.

Members emphasised the importance of the recent decision of the Constitutional Court on the principle of constituent status and the **equality of its three constitutive peoples** to elect their own legitimate political representatives based on legitimate and proportional representation in the House of People of the Parliament of the Federation of Bosnia and Herzegovina.

They strongly condemned the decision of the RS National Assembly in October 2016 to express appreciation to former leaders of the Serb Republic convicted of war crimes.

**Respect for minorities and refugees:** the resolution noted that some progress with regard to refugees and internally displaced persons, who were displaced as a result of the Bosnian war. It called on the competent authorities to facilitate their sustainable return, access to healthcare, employment, social protection and education and to devote further attention to compensation for damage to property which cannot be returned.

Members called on the Commission to continue work on migration-related issues with all countries of the Western Balkans in order to make sure that European and international norms and standards are observed.

**Radicalisation:** Parliament pointed out that the polarisation of the country, in combination with the deterioration of the socio-economic situation, especially for young people, increases the danger of spreading radicalism. It called, as a matter of urgency, to **boost efforts to combat radicalisation** and further measures to identify, prevent and disrupt the flow of foreign fighters as well as channels of untraceable money intended for further radicalisation.

**Protection of minorities and women:** Parliament expressed concern about continued discrimination against persons with disabilities and the Roma community. It welcomed the fact that some governments and parliaments have begun discussing LGBTI rights and drawing up specific measures for their protection.

Moreover, it highlighted the importance of the effective implementation of the legislation on the prevention of and protection from gender-based violence. Members welcomed the commitment of the competent authorities to implement the Istanbul Convention of the Council of Europe on preventing and combating violence against women and domestic violence.

**Youth unemployment:** Members also welcomed the slight reduction in unemployment but remain concerned that youth unemployment continues to be high. They encouraged BiH to participate actively in various programmes designed for young people in the region, such as those in the framework of the Positive Agenda for the Youth in the Western Balkans or Regional Youth Cooperation Office (RYCO).

**Neighbourhood relations:** Parliament welcomed BiH's continued constructive and pro-active role in promoting bilateral and regional cooperation. It called for further efforts to resolve outstanding bilateral issues, including **border demarcation with Serbia and Croatia**.

Parliament welcomed the continued presence of Operation Althea, which retains the capability to contribute to the BiH authorities' deterrence capacity if the situation so requires, while focusing on capacity building and training.

Lastly, Parliament regretted the decision by BiH authorities not to back EU restrictive measures against Russia, following the latter's illegal annexation of Crimea. It reminded BiH of the need for a unified foreign policy and that **foreign policy alignment is an essential part of EU membership**.

