



Security Council

Distr.: General
28 October 2024
English
Original: French

Letter dated 24 October 2024 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution [1031 \(1995\)](#), I have the honour to transmit herewith the sixty-sixth report on the implementation of the Peace Agreement on Bosnia and Herzegovina, covering the period from 16 April to 15 October 2024 (see annex). It should be noted that not all members of the Security Council acknowledge the High Representative for Bosnia and Herzegovina.

I should be grateful if you would bring the report to the attention of the members of the Security Council.

(Signed) António **Guterres**



Annex

[Original: English]

Letter dated 18 October 2024 from the High Representative for Bosnia and Herzegovina addressed to the Secretary-General

Pursuant to Security Council resolution [1031 \(1995\)](#), in which the Council requested the Secretary-General to submit to it reports from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, in accordance with annex 10 to the General Framework Agreement for Peace in Bosnia and Herzegovina and the conclusions of the London Peace Implementation Conference of 8 and 9 December 1995, I transmit herewith the sixty-sixth report of the High Representative. I kindly ask that the report be distributed to the members of the Council for their consideration.

This is my seventh regular report to the Secretary-General since assuming the post of High Representative for Bosnia and Herzegovina on 1 August 2021. The present report covers the period from 16 April to 15 October 2024.

Should you or any member of the Security Council require any information beyond what is provided in the report or have any questions regarding its contents, I should be pleased to provide you with such information.

(Signed) Christian **Schmidt**
High Representative for Bosnia and Herzegovina

Sixty-sixth report of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General

Summary

The present report covers the period from 16 April to 15 October 2024.

During the reporting period, the political situation was mixed. Externally, momentum continued for an accelerated integration of the Western Balkan countries into the European Union. However, Bosnia and Herzegovina fell short of fully benefiting from this initiative, mainly due to its failure to fulfil all of the requirements of the European Union Growth Plan for the Western Balkans. Internally, the period was dominated by the preparations for the recent local elections that took place on 6 October 2024, but also by continued attempts to undermine the General Framework Agreement for Peace in Bosnia and Herzegovina. The reporting period ended on a sad note due to the national emergency caused by flooding and landslides that resulted in the loss of precious lives and damage to property in five central municipalities.

Local elections in Bosnia and Herzegovina were conducted in a peaceful atmosphere without any major incidents. Citizens and representative non-governmental organizations in Bosnia and Herzegovina showed strong approval for the use of new technologies to enhance election integrity, which were implemented for the first time after the Election Law had been amended by my Decision of 26 March 2024.

Another important feature of my amendments to the Election Law was the prohibition of persons sentenced for war crimes, genocide and crimes against humanity to stand as candidates or hold any elective, appointive or other office. At the same time, novel provisions targeting the use of hate speech for election campaign purposes yielded positive results, with a noticeable reduction in the number of such cases. Improving election integrity is certainly one of the essential elements of the ongoing efforts in restoring citizens' trust in elections and the development of a democratic tradition in the country. However, the persistently low level of women's participation in political life remained unaltered in the recent local elections.

In terms of reforms and European integration, the reporting period witnessed the failure of politics of ethnicity, culminating in the failure to adopt a draft reform agenda fully in line with all 113 requirements of the European Union Growth Plan for the Western Balkans. Consequently, Bosnia and Herzegovina has become the only country in the region to be left out of the European Union Growth Plan for the time being, and the responsibility falls on the domestic political actors. Meanwhile, the stated commitment of the Government of Bosnia and Herzegovina towards European integration remains unchanged. Local ownership of the reform process will ultimately be critical for Bosnia and Herzegovina to advance on its path towards European integration.

Commitments to reform the Constitution of Bosnia and Herzegovina to implement the judgments of the European Court of Human Rights in the Sejdić-Finci group of cases have led to no results so far. Political parties and authorities in Bosnia and Herzegovina have taken no initiative in this regard, and show little interest in acting despite repeated calls by the international community and myself as High Representative urging them to implement the judgments of the European Court of Human Rights in the Sejdić-Finci and related cases concerning eligibility to stand for election, which requires amending the Constitution of Bosnia and Herzegovina in order to eliminate discrimination. The High Representative is responsible, among other things, for the sustainable development of democracy in Bosnia and Herzegovina. In

this regard, I will invite, in the upcoming period, all stakeholders to launch an initiative aimed at implementing the judgments of the European Court of Human Rights.

The ruling coalition in the Republika Srpska continues to subvert the State of Bosnia and Herzegovina, undermine the authority of its central institutions and weaken their performance. At the same time, despite proceeding with the adoption of the unconstitutional Election Law of the Republika Srpska, it is worth noting that all political parties in the Republika Srpska decided to take part in the recent local elections organized by the Central Election Commission of Bosnia and Herzegovina.

On 23 May 2024, the General Assembly adopted resolution [78/282](#), in which it designated 11 July as the International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica and condemned any denial of that historical event and any actions that glorified those convicted of war crimes, crimes against humanity and genocide by international courts. The adoption of the resolution was met with an aggressive campaign of historical revisionism, repeated denials of genocide in Srebrenica and glorification of war criminals on the part of the ruling coalition in the Republika Srpska.

On the same day, ahead of the General Assembly vote on resolution [78/282](#) on Srebrenica, the Government of the Republika Srpska adopted a so-called draft agreement on “peaceful disassociation” from the Federation of Bosnia and Herzegovina – a document that disregarded the statehood, sovereignty and territorial integrity of Bosnia and Herzegovina. After the adoption of resolution [78/282](#) on Srebrenica, the first All-Serb Assembly, with the theme “One nation, one assembly – Serbia and Srpska”, was held in Belgrade on 8 June 2024 with the aim of adopting the Declaration on the Protection of National and Political Rights and the Common Future of the Serb People. Meanwhile, the National Assembly of the Republika Srpska continued legislative work towards creating a parallel legal framework.

Challenges by the ruling coalition in the Republika Srpska to the State-level institutions, in particular the Constitutional Court of Bosnia and Herzegovina, as well as the institution and mandate of the High Representative, also continued during the reporting period. These challenges involved threats and inflammatory rhetoric but also actions to undermine my credibility as High Representative and thereby the ability to implement my mandate. Such actions are in direct violation of annex 10 to the General Framework Agreement for Peace, which mandates the full cooperation of the parties to the Agreement with the High Representative.

Earlier trends of return-related violence continued during the reporting period, with several cases of violence and intimidation against, or involving, returnees. Such cases continued to produce tension and burden inter-ethnic relations, rendering efforts towards the improvement of relations and reconciliation more difficult. Return-related violence, together with a wider context of occasional cases of general inter-ethnic violence, generated additional constraint to positive processes.

Inter-ethnic tension, and the level of concern in general, rose notably during April and May 2024, which was a period of public debate and campaigns in relation to the adoption of General Assembly resolution [78/282](#) on Srebrenica, and there were reports of increased anxiety among the local population. As High Representative, I continued to urge all relevant stakeholders to show more tolerance and increase their engagement on inter-ethnic dialogue towards reconciliation.

There was no major breakthrough in the implementation of the 5 plus 2 agenda during the reporting period. There has been no legislative work at the State level towards the resolution of the highly contested issues of State property. Certain steps that were taken by the entities were first suspended and then quashed by the

Constitutional Court of Bosnia and Herzegovina. In the Brčko District, the generally positive trend continued, but the pace of progress has not accelerated. The Fiscal Council of Bosnia and Herzegovina held no sessions during the reporting period and has not adopted the Global Framework of Fiscal Balance and Policy in Bosnia and Herzegovina for 2025–2027, which has disrupted the preparation of the State budget for 2025. Negotiations regarding the new Law on the High Judicial and Prosecutorial Council and the new Law on Courts of Bosnia and Herzegovina, which make up a substantial part of the rule of law cluster among the European Commission's 14 key priorities, continued during the reporting period without any definitive results.

There is ample evidence of the fact that, if managed in a coordinated way, the General Framework Agreement for Peace and European integration are complementary and mutually reinforcing. The integration of Bosnia and Herzegovina into the European Union has thus far been possible based on the secure foundations provided by the General Framework Agreement for Peace, but it is the European Union integration process that will keep the country on the path to lasting peace and prosperity. Bosnia and Herzegovina stands at a crossroads, and can either seize or lose this opportunity as a candidate to join the European Union. All political actors in Bosnia and Herzegovina must respect the General Framework Agreement for Peace, which leaves no doubt about the sovereignty, territorial integrity and administrative structure of the country.

I. Introduction

1. The present report is my seventh regular report submitted to the Security Council since I assumed the position of High Representative for Bosnia and Herzegovina in August 2021. It represents an impartial assessment of the implementation of the civilian aspects of the General Framework Agreement for Peace in Bosnia and Herzegovina and includes information on developments and progress towards achieving previously established goals.

2. I am fulfilling my mandate pursuant to annex 10 to the General Framework Agreement for Peace and in accordance with relevant decisions of the Security Council and paragraph XI.2 of the conclusions of the Peace Implementation Conference held in Bonn, Germany, on 9 and 10 December 1997. Progress on the five objectives and two conditions (the 5 plus 2 agenda), established in 2008 as the agenda for Bosnia and Herzegovina to make the transition from international oversight, remains the obligation of the authorities of Bosnia and Herzegovina to fulfil.

3. One of the most important political events in the reporting period was the local elections on 6 October 2024, the preliminary results of which indicated that the politics of ethnicity is still prevalent in Bosnia and Herzegovina. The elections were successfully conducted in a calm and peaceful manner, receiving wide acclaim domestically and internationally.

4. The elections became successful in large part owing to the elections integrity package that had been introduced by my Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina on 26 March 2024. The details of my Decision were presented at length in my sixty-fifth report to the Security Council in May 2024 ([S/2024/367](#)).

5. In line with the recommendations of the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights, the Group of States against Corruption and the Venice Commission, the elections integrity package ensured the transparency of the elections process during voting and counting with the introduction of election technologies and the appointment of a depoliticized election administration, and ensured the transparency of other aspects of the electoral process that were previously susceptible to fraudulent activities. Moreover, the integrity package introduced the prohibition of any person convicted by any international or domestic court of the crime of genocide, crimes against humanity or war crimes to stand as a candidate for elections or hold any elective or appointive office, and introduced additional measures to tackle the widespread use of hate speech during election campaigning.

6. Successful conduct of the local elections was of utmost importance for the democratic future of the country, paving the way for the comprehensive application of new technologies in election processes in future election cycles. The citizens of Bosnia and Herzegovina deserve to have transparent, fair and reliable election processes, and enabling technological features to improve election integrity is certainly one of the essential elements of the ongoing efforts to restore citizens' trust in elections and develop a democratic tradition in the country.

7. In terms of reforms and European integration, a draft reform agenda fully in line with all 113 requirements of the European Union Growth Plan for the Western Balkans was not adopted during the reporting period, so it has not been possible for Bosnia and Herzegovina to have access to the much-needed funds that would otherwise be available in the context of the Growth Plan, the responsibility for which falls on the domestic political actors. Meanwhile, the stated commitment of the Government of Bosnia and Herzegovina towards European integration remains

unchanged. Local ownership of the reform process will ultimately be critical for Bosnia and Herzegovina to advance on its path towards European integration.

8. The ruling coalition in the Republika Srpska still continues to subvert the State of Bosnia and Herzegovina, undermine the authority of its central institutions and weaken its performance. Secessionist rhetoric and destructive tendencies notwithstanding, all parties in the Republika Srpska decided to participate in the local elections organized by the Central Election Commission of Bosnia and Herzegovina.

II. Political update

A. General political environment

Local elections on 6 October 2024

9. The 2024 local elections were announced by the Central Election Commission of Bosnia and Herzegovina on 8 May 2024. Despite numerous challenges stemming from, inter alia, the novelties introduced by my Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina, the Central Election Commission of Bosnia and Herzegovina successfully prepared and conducted the 2024 local elections, implementing the related legislation in an independent, professional and efficient way.

10. It is important to underscore one particular situation in which the speedy and efficient cooperation and mutual support of two State institutions prevented a potential crisis in the implementation of the election process. Owing to a shortcoming stemming from public procurement procedures, the Central Election Commission of Bosnia and Herzegovina encountered difficulties in transporting sensitive election material (including ballots) to local election commissions throughout the country. However, in cooperation and with the support of the Ministry of Defence of Bosnia and Herzegovina, this problem was solved. The joint efforts of two State institutions in implementing and protecting democratic processes in the country are praiseworthy and encouraging. The Central Election Commission of Bosnia and Herzegovina also stressed the excellent cooperation and support of the police agencies throughout the country and of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina.

11. For the first time in an election, voters in Bosnia and Herzegovina had the opportunity to benefit from modern technology to cast their votes at 458 polling stations in 24 basic electoral districts throughout the country. This was made possible by my amendments to the Election Law and by way of four pilot projects provided by the Central Election Commission of Bosnia and Herzegovina, along with OSCE and some of its member States, the United States Agency for International Development and the European Union missions in the country.

12. The OSCE Office for Democratic Institutions and Human Rights deployed its election observation mission for the twelfth time in the 2024 local elections in Bosnia and Herzegovina. According to the statement of preliminary findings and conclusions issued by the Office on 7 October 2024, the local elections were competitive and efficiently managed by the election administration, which worked in a professional manner. However, there were insufficient efforts to generate public engagement, elections took place in an environment lacking social and political cohesion and the limited media coverage had a negative impact on voters' opportunity to make an informed choice. Furthermore, the short time frame to implement the new tasks, coupled with inadequate resources, placed a significant burden on the election administration and left some important provisions unfulfilled. Despite these

challenges, the Office for Democratic Institutions and Human Rights assessed the legal framework as providing “a solid basis for democratic elections”. It confirmed that my amendments to the Election Law of Bosnia and Herzegovina on 26 March 2024 introduced important integrity safeguards and confidence-building measures and further strengthened some aspects of the electoral process by addressing many long-standing recommendations made by the Office. The Office also praised the implementation and use of information and communication technologies that was made available through my amendments.

13. On 6 October 2024, the Central Election Commission of Bosnia and Herzegovina had to adopt a decision to postpone elections in five municipalities – Jablanica, Konjic, Kiseljak, Kreševo and Fojnica – due to floods and landslides in those places, which caused a national emergency that resulted in the loss of precious lives and damage to property and infrastructure.

14. The Central Voter Register, according to which there were approximately 3.4 million registered voters, was closed on 22 August 2024. Some claim the number of registered voters to be inflated owing to the difficulties relating to amending the Register. On the day of the elections, registered voters had the opportunity to vote for their chosen representatives in 143 local self-government units (municipalities, cities and the Brčko District). A total of 1,560,446 citizens cast their ballots, making the turnout rate 47.73 per cent. The turnout rate was 2.27 per cent lower than that of the 2020 local elections. The Central Election Commission pointed to the postponement of elections in five electoral districts as one of the reasons for the lower turnout.

15. The elections were held in a peaceful atmosphere without any serious incidents.

16. According to the preliminary findings of the Central Election Commission and relevant observation missions, the pilot projects were successful. The overall feedback was very positive from different sides – citizens, the election administration and the observation missions deployed on the election day.

17. The domestic election observation “Pod lupom” coalition noted in their preliminary report issued on 7 October 2024 that the introduction of new technologies was successful at 97.9 per cent of the observed polling stations. In addition, the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina announced on 6 October 2024 that the pilot projects to integrate cutting-edge and novel technologies into the voting process in the 2024 local elections in Bosnia and Herzegovina had surpassed expectations.

18. The Association of Victims and Witnesses of Genocide also praised the success of the election integrity package in preventing any person convicted by any international or domestic court of the crime of genocide, crimes against humanity or war crimes to stand as a candidate for elections or hold any elective or appointive office.

19. The Central Election Commission of Bosnia and Herzegovina is still in the process of certifying and confirming the results within the 30-day deadline after the elections, but preliminary results and findings are sufficiently indicative.

20. According to the preliminary, unofficial and unconfirmed results, political parties with ethnic backgrounds maintained their dominance in the country. In this framework, the Party of Democratic Action, the Union of Independent Social Democrats and the Croat Democratic Union of Bosnia and Herzegovina won most of the mayorships and achieved significant results in the local councils and assemblies. However, in urban centres such as Sarajevo, Banja Luka, Tuzla, Zenica, Bijeljina and Bihać, some of those parties lost important mayorships to opposition parties. Following the confirmation of the results, indirect elections will be conducted in three places – Sarajevo, Mostar and the Brčko District.

21. As soon as the results are confirmed by the Central Election Commission of Bosnia and Herzegovina, I expect all elected representatives to assume their duties within the set deadlines.

Government reform efforts in the context of integration into the European Union

22. The World Bank's fall 2024 Western Balkans Regular Economic Report took note of three powerful economic anchors in Bosnia and Herzegovina that have accounted for macroeconomic stability and resilience in the country. Along with the currency peg to the Euro and the statewide collection of indirect taxes, macroeconomic stability and resilience closely depended on the prospects of European Union membership. The economic indicators, in addition to social preferences, especially relating to emigration, strongly indicate that European integration is a sine qua non for Bosnia and Herzegovina.

23. However, the breakthrough Bosnia and Herzegovina made with regard to European integration in the previous period, following the European Union's decision to open accession negotiations, and the momentum it created at the time, did not prevail during the current reporting period.

24. While the rhetorical commitment to the European path by the political elites has continued unabated, there has been only so much done during the reporting period to change that commitment into tangible progress on the path to European integration and to fulfil any of the remaining requirements for the opening of accession negotiations with the European Union.

25. The reporting period saw no progress in the adoption of relevant legislation. There was no agreement on the Law on Courts of Bosnia and Herzegovina, the Law on Border Control, the Law on Protection of Personal Data or the new Law on High Judicial and Prosecutorial Council. No proposals were formally brought forward.

26. On 4 June 2024, the Chair of the Council of Ministers of Bosnia and Herzegovina, Borjana Krišto, co-chaired with the European Union Commissioner for Neighbourhood and Enlargement, Olivér Várhelyi, the third High-level Political Forum on European integration in Sarajevo. The Forum reiterated the undivided commitment of all participants to the European path. The Forum was attended by the Deputy Chairs of the Council of Ministers, members of the Collegium and heads of the clubs and caucuses of both Houses of the Parliamentary Assembly of Bosnia and Herzegovina, entity and cantonal prime ministers, and the Mayor of the Brčko District.

27. Although the list of reforms for the period 2024–2027, which is required for the implementation of the European Union Growth Plan for the Western Balkans, was ready by 30 April 2024, the working group reported on 24 July that the draft reform agenda had not been adopted, as the representatives of four cantons led by the Party of Democratic Action had not given their consent to the proposed draft document, despite an extended deadline by the European Commission and numerous attempts at harmonizing positions. Prior consensus on the Growth Plan in its entirety was not reached with the Republika Srpska on several matters, including the appointments of judges to the Constitutional Court of Bosnia and Herzegovina and compliance with its decisions. Agreement on the draft reform agenda was a precondition for a €70 million allocation by the European Union as part of the first tranche of the Growth Plan. Failure to adopt the draft reform agenda provoked a storm of reaction and inter-party accusations, and responsibility falls on the domestic political actors.

28. On 17 September 2024, the Chair of the Council of Ministers of Bosnia and Herzegovina informed the European Commission about the lack of agreement concerning the draft reform agenda, but still submitted the document with 111 agreed and 2 missing points. Unfortunately, Bosnia and Herzegovina has become the only

country among the six beneficiaries to be left out of the Growth Plan. Nevertheless, the Chair pledged to continue looking for ways to reach a consensus within the incumbent coalition.

29. The prospect of economic progress has not only been improved by the concrete European offer of integration, but was also underlined by the substantial results of the tenth anniversary meeting of the Berlin Process Summit, which was held in Berlin on 14 October 2024. Bosnia and Herzegovina committed to several ambitious declarations and agreements for strengthening ties with the other Western Balkan countries in fields such as connectivity, trade, energy, transportation, the implementation of innovations and the green transition. If these commitments are fully implemented, Bosnia and Herzegovina can take advantage of the manifold opportunities that stem from the linkage between regional and European integration.

Democracy and non-discrimination

30. As previously reported, judgments of the European Court of Human Rights in the Sejdić-Finci group of cases remain unimplemented. These judgments concern eligibility to stand for election, which requires amending the Constitution of Bosnia and Herzegovina in order to eliminate discrimination.

31. Commitments to reform the Constitution of Bosnia and Herzegovina to implement the judgments of the European Court of Human Rights in the Sejdić-Finci group of cases have shown no results so far, although they were part of the political agreement on principles for ensuring a functional Bosnia and Herzegovina, signed by political leaders of Bosnia and Herzegovina and facilitated by the President of the European Council, Charles Michel, in Brussels on 12 June 2022, after the failure to amend the Constitution and the Election Law by consent in the so-called Neum talks. Political parties were not ready to act despite repeated calls by the international community and myself as High Representative to political actors and relevant authorities to reach agreement on amending the Constitution of Bosnia and Herzegovina to ensure the full equality of all citizens and eliminate discrimination, particularly by implementing the European Court of Human Rights case law in the Sejdić-Finci group of cases.

32. In particular, the Croat Democratic Union of Bosnia and Herzegovina continued to link and condition any agreement on amendments to the Constitution and the Election Law of Bosnia and Herzegovina aimed at addressing the judgments of the European Court of Human Rights in the Sejdić-Finci group of cases with the need to ensure the equality of the three constituent peoples of Bosnia and Herzegovina, in which each constituency is represented by “legitimate” representatives.

33. Such constitutional reform processes are also aimed at addressing the key priorities of the 2019 opinion of the European Commission. The country’s accession status will be reviewed in the upcoming period by European institutions with the idea of possibly advancing the accession negotiations by holding the first intergovernmental conference and setting up the negotiating framework. It is understood that constitutional reforms, including the implementation of the judgments of the European Court of Human Rights in the Sejdić-Finci group of cases, would be included in the first cluster of the negotiating framework governing fundamental rights and the functioning of democratic institutions, which will require the engagement of the authorities in their implementation from the very outset.

34. It is imperative that talks resume between the political parties on implementing the judgments of the European Court of Human Rights in the Sejdić-Finci group of cases, and I will invite all stakeholders to launch such an initiative.

35. In addition, through my past interventions, I have already included provisions regarding citizen participation in the legislative process in the Federation of Bosnia and Herzegovina. However, this participation in public affairs remains weak and much more remains to be done to enable all citizens and stakeholders to influence government activities and decision-making in order to actively participate in public life.

Subversion of the State of Bosnia and Herzegovina and secessionists acts of the Republika Srpska

36. The Republika Srpska authorities continued to take active steps towards the establishment of a parallel legal and institutional framework outside the State-level constitutional, legal and institutional frameworks as well as undermine State-level institutions.

37. One such example was the adoption of the Republika Srpska Election Law on 19 April 2024. With this legislation, the National Assembly of the Republika Srpska established, contrary to the Election Law of Bosnia and Herzegovina, a parallel electoral framework that assumed and undermined the competencies of the Central Election Commission of Bosnia and Herzegovina. This subversion of the State electoral framework bolstered the Republika Srpska leadership's broader strategy of asserting greater autonomy to maintain political dominance. The law entered into force on 17 July but was subsequently annulled by the Constitutional Court of Bosnia and Herzegovina on 19 September.

38. Another example was the adoption of the Republika Srpska Law on Referendum and Citizens' Initiative on 19 April 2024. This law, which aimed at establishing a separate legal and institutional framework to be utilized by the Republika Srpska authorities for the conduct of referendums independently from the Central Election Commission of Bosnia and Herzegovina and the Election Law of Bosnia and Herzegovina, lowered the threshold of votes needed to validate referendums in order to accommodate situations with low voter turnout.

39. In addition, following the proposal of the President of the Republika Srpska, Milorad Dodik, the Government of the Republika Srpska held a session in Srebrenica on 23 May 2024 and adopted a so-called draft agreement on "peaceful disassociation" from the Federation of Bosnia and Herzegovina. On 1 July, the Collegium of the National Assembly of the Republika Srpska decided to hold a special session to discuss the so-called Agreement on Disassociation between the Republika Srpska and the Federation of Bosnia and Herzegovina. The documents for discussion were leaked to the media, but they were never published on the official website of the National Assembly. The special session was cancelled on 9 July.

40. On 6 June 2024, the National Assembly of the Republika Srpska passed the Law on Police and Internal Affairs to reduce the authority the State-level Agency for Identification Documents, Registers and Data Exchange has over digital signatures.

41. On 4 July 2024, the National Assembly of the Republika Srpska adopted the Draft Law on Amendments to the Law on the Use of the Flag, Coat of Arms and Anthem. The adoption of the amendment to the law is aimed at implementing the All-Serbian Assembly Declaration to create the legal basis for the display of the Serbian anthem, flag and coat of arms/All-Serb symbols by public authorities in the Republika Srpska. Adoption of the amendment to the law is also seen as circumventing the past decisions of the Constitutional Court of Bosnia and Herzegovina. In 2007, the Constitutional Court of Bosnia and Herzegovina found the provisions of the previous Law on the Flag, Coat of Arms and Anthem of the Republika Srpska, which had adopted the Nemanjić coat of arms (a double-headed white eagle) and the national anthem of Serbia, "Bože pravde", as the entity's anthem, to be unconstitutional. If adopted by the National Assembly of the Republika Srpska, this amendment to the

law could lead to “discriminatory practice” by authorities in the Republika Srpska in favour of the Serb people and at the expense of all constituent peoples and others. Similar discriminatory practices had been declared incongruent with the Constitution of Bosnia and Herzegovina in previous decisions of the Constitutional Court of Bosnia and Herzegovina. The final public discussion on the law took place on 1 August 2024 in Banja Luka, where it was announced that it would be sent to the National Assembly of the Republika Srpska after the local elections in October.

42. These acts are accompanied by secessionist rhetoric, mainly from the President of the Republika Srpska. On 7 June 2024, without providing details, the President of the Republika Srpska said that the Republika Srpska would hold a referendum on secession from Bosnia and Herzegovina. He has continued to use the State property issue to threaten secession. On 7 July, the President reiterated that the Republika Srpska would not hesitate to declare independence if the international community imposed a law on State property. There is also a tendency to describe the Republika Srpska entity as a State itself.

Intentional obstruction of the Constitutional Court of Bosnia and Herzegovina

43. The ruling coalition in the Republika Srpska and the Republika Srpska authorities continued to pursue serious attacks on the Constitutional Court of Bosnia and Herzegovina as part of a deliberate, formal policy to undermine the Constitutional Court, hinder its normal functioning and ultimately incapacitate the Court. Policies and activities challenging the Constitutional Court of Bosnia and Herzegovina included the denial of the legitimacy of the Court; the disregard of its final and binding decisions on the territory of the Republika Srpska, including by not publishing its judgments in the Official Gazette of the Republika Srpska; persistent calls for the removal of international judges from the Court; and the persistent failure to meet the constitutional obligation to appoint two judges from the Republika Srpska. The refusal by the National Assembly of the Republika Srpska to appoint two replacements was not only part of a deliberate policy to put pressure on the Court and its ability to operate, but also an instrument of pressure on other political parties to agree on the adoption of a State law that would purportedly terminate the international presence in the Court.

44. The deliberate blocking of appointments of two vacant positions to the Constitutional Court of Bosnia and Herzegovina by the Republika Srpska authorities, the submission of legislation aimed at terminating the international presence in the Court and the intensified efforts of political parties to terminate international presence in the Court have proven that, more than ever, the presence of international judges is crucial to upholding the Constitution of Bosnia and Herzegovina and the Court’s ability to overcome political obstacles and continue its work.

45. On 20 May 2024, the House of Representatives of the Federation of Bosnia and Herzegovina proceeded with the long overdue appointment of a judge to replace former judge Mato Tadić, who retired in August 2022. The new judge, Marin Vukoja, took office at the plenary session of the Court held on 30 May 2024. The Constitutional Court currently has seven judges – four national and three international – out of a full membership of nine.

46. On 16 March 2024, the Venice Commission adopted its opinion on “certain questions relating to the functioning of the Constitutional Court of Bosnia and Herzegovina”, in which it concluded that the Constitutional Court could amend its rules in order to lower the majority of votes required to adopt decisions and allow acting judges to continue their mandate beyond the age of 70 until a successor was appointed. In its opinion, the Venice Commission expressed grave concerns that the Constitutional Court could not function at its full capacity and that this had led to an accumulation of more than 7,000 pending cases, which rendered access to

constitutional justice excessively lengthy, jeopardizing the effectiveness and credibility of the judicial system. The Venice Commission emphasized that:

Crippling the effectiveness of a constitutional court undermines all three basic principles of the Council of Europe: democracy – because of an absence of a central part of checks and balances; human rights – because access to the Constitutional Court could be slowed down to a level resulting in the denial of justice; and the rule of law – because the Constitutional Court, which is a central part of the judiciary in Bosnia and Herzegovina, would become ineffective.

The Venice Commission concluded that: “It is undeniable that the failure of the authorities to fulfil their constitutional obligations to keep the Constitutional Court of Bosnia and Herzegovina functioning violates the Constitution.” At its session held on 30 and 31 May, the Constitutional Court decided to amend its rules to introduce a provision allowing for an exceptional extension of a judge’s term of office. The amendment to the rules provides that, if the relevant authority does not elect a new judge by the date of termination of office of a judge by reason of age, the judge in question shall continue performing his or her duties until the relevant authority elects a new judge and until the newly elected judge assumes office.

47. In July and September 2024, the Constitutional Court of Bosnia and Herzegovina issued press statements against improper statements and pressure on the Court, in particular international judges sitting on the Court. In its press release issued on 5 July, the Constitutional Court condemned public demands to set a deadline for the departure of the international judges from the Court, stating that such demands represented an attack on the Court aimed at undermining its work and that “the Constitution ... does not contain a single provision requiring exclusion of the international judges from the Constitutional Court, nor is the departure of the international judges one of the conditions for the start of [the country’s] negotiations for accession to the [European Union]”. In reaction to the public statements of politicians aimed at campaigning for the termination of office of the international judges through the tailoring of the report on the financial audit of the Constitutional Court of Bosnia and Herzegovina for 2023, on 26 September the Court issued a press release highlighting that “the failure on the part of the [e]ntity Parliaments to elect the judges – with the [e]ntities having a constitutional obligation to elect judges in due time – is the underlying and only cause of decrease in the number of decided appeals”.

48. On 18 March 2024, a majority of delegates in the House of Peoples of Bosnia and Herzegovina voted in favour of putting on the agenda the proposed Law on the Constitutional Court put forward by a delegate of the Serb Democratic Party, after which the majority of Bosniak delegates left the session. Bosniak delegates conditioned their return to the regular session on the removal of the unconstitutional proposal from the agenda. I publicly clarified that such a law would be unconstitutional and a direct attack to the independence of the judiciary and announced that should it be adopted, I would have to repeal it. I also announced my intention to act against any legislation that would undermine the Constitutional Court of Bosnia and Herzegovina and in particular the presence of its international judges. On 14 October, the proponent decided to withdraw the proposed law. The proposal aimed, inter alia, to regulate matters of the organization and functioning of the Constitutional Court. The Constitutional Court, in its past jurisprudence, had underlined that matters of organization and functioning of the Court were already regulated by its rules, which had constitutional standing and fell within the exclusive responsibility of the Constitutional Court itself and could not be regulated by law. The proposed law also aimed at removing the international judges from the Constitutional Court and introducing criteria of ethnicity of judges and minimum entity representation in the requirements for decision-making in the Court. As such, the proposed law was incompatible with the Constitution of Bosnia and Herzegovina,

European standards and the principles of independence, impartiality and integrity of the judiciary. The same applied to the draft Law on Cessation of Mandates of Foreign Judges and the Election of Local Judges in the Constitutional Court of Bosnia and Herzegovina, which the Union of Independent Social Democrats submitted to the House of Representatives of Bosnia and Herzegovina at the end of March 2024.

Republika Srpska authoritarian measures

49. In the Republika Srpska, the deep concerns caused by the criminalization of defamation, which entered into force in January 2024, continued during the reporting period. Though the Proposal Law on Special Registry and Publicity of the Work on Non-profit Organizations, also known as the Foreign Agents Law, had been withdrawn from the agenda of the National Assembly of the Republika Srpska, statements by the President of the Republika Srpska indicated that it had not been fully abandoned. In fact, he stated it would be put forward again following “harmonization” with European standards.

50. Moreover, in July 2024, the National Assembly amended the Republika Srpska Law on Geological Exploration, removing the requirement to consult with the communities concerned and to perform impact assessments, in breach of relevant international standards.

Evasion and circumvention of the sanctions of the United States of America

51. The list of United States sanctions on individuals and commercial establishments in both entities was expanded on 18 June 2024 to include seven establishments and two persons in the Republika Srpska. The effects of the United States Office of Foreign Assets Control sanctions on the budget and, to some extent, on the fiscal stability of the Republika Srpska have gradually become more apparent. The Government of the Republika Srpska has been facing difficulties raising credit from financial markets in the past six months. The 2024 budget envisaged borrowing KM 1.3 billion, but as of mid-October it had only managed to borrow KM 425 million.

52. Sanctions have had direct substantial impacts on blacklisted Republika Srpska officials and affiliated companies. The political leadership in the Republika Srpska is in public conflict with the banking sector of the entity because the latter is obliged to follow rules established by the United States Office of Foreign Assets Control. During the reporting period, the National Assembly of the Republika Srpska passed legislation that would enable certain blacklisted officials to circumvent the sanctions. This legislative response accounts for the ongoing usage of legal mechanisms by Republika Srpska leaders to shield themselves from accountability.

B. Decisions of the High Representative during the reporting period

Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina

53. As stated in my previous report ([S/2024/367](#)), I imposed the Decision Enacting the Law on Amendments to the Election Law of Bosnia and Herzegovina on 26 March 2024 in order to ensure enhanced transparency and election integrity during the 2024 local elections, and thereby restore citizens’ trust in the election system in the country.

54. Any further delays in addressing electoral corruption, fraud and irregularities would have rendered the election integrity measures inapplicable to the local elections in October 2024, with serious consequences for the democracy and political stability of Bosnia and Herzegovina as well as its prospects of integration with the European Union.

55. I am pleased to report that the amendments received wide public support. There have been no complaints or objections to the contents of the amendments, which strictly adhered to the recommendations of the competent international organizations.

56. Following this enactment, the Central Election Commission of Bosnia and Herzegovina adopted 26 bylaws on 3 May 2024 for the purposes of regulating and implementing the Election Law in its entirety. This included the implementation of all integrity-related amendments as well as the pilot projects as provided by the transitional provisions of the Election Law. To that extent, I must commend the Central Election Commission for the successful work it has carried out in the conduct of elections from the moment the elections were announced on 8 May 2024 until the announcement of their preliminary results.

57. It is important to note that, while certain parties based in the Republika Srpska initially opposed my enactment of the Law on Amendments to the Election Law and despite the failed attempt of the National Assembly of the Republika Srpska to adopt a parallel entity election law, all of the parties decided to participate in the local elections as announced and organized by the Central Election Commission of Bosnia and Herzegovina.

58. The first-time implementation of the enacted amendments proved they were long-awaited and very necessary. Citizens and representative non-governmental organizations in Bosnia and Herzegovina showed their strong approval for the use of the new technologies in the election process as a tool for securing the protection of their votes. In addition, for the first time ever, early election campaigning was prohibited and sanctioned by the Central Election Commission of Bosnia and Herzegovina, and the Polling Station Committees were managed by neutral and independent persons appointed by the Central Election Commission. Persons sentenced for war crimes, genocide and crimes against humanity were not allowed to stand as candidates or hold any elective, appointive or other office, including the presidents and deputy presidents of the Polling Station Committees, as stipulated by one of my amendments to the Election Law. Ultimately, all these circumstances contributed to the overall calm environment present during the election campaign and on the day of the elections.

59. Despite numerous challenges along the way, the Central Election Commission of Bosnia and Herzegovina managed to prepare and organize the 2024 local elections in accordance with the decision and the law. I commend the Commission, as a competent and responsible State institution, for its unwavering commitment, efficiency and impartiality in this very demanding task. I have no doubt that the election administration as a whole will achieve further progress during the upcoming non-election year in advancing their procedures in preparation for the 2026 general elections.

60. Having said that, it is crucial that the responsible authorities in Bosnia and Herzegovina continue with further improvements to the election legislation and other relevant processes in the country and to appropriately fund the Central Election Commission in order to extend the application of election integrity technology throughout the country to ensure its steady transition to a stable and exemplary democracy.

C. Five objectives and two conditions for the closure of the Office of the High Representative

Progress of the objectives

61. There was no major breakthrough in the implementation of the 5 plus 2 agenda during the reporting period. Unfortunately, there has been no legislative work at the State level towards the resolution of the highly contested issues of State property. Certain steps that were taken by the entities were first suspended and then annulled by the Constitutional Court of Bosnia and Herzegovina. In the Brčko District, the generally positive trend continued, but the pace of progress did not accelerate. The Fiscal Council of Bosnia and Herzegovina held no sessions during the reporting period and did not adopt the Global Framework of Fiscal Balance and Policy for 2025–2027, which disrupted the preparation of the State budget for 2025. Negotiations regarding the new Law on the High Judicial and Prosecutorial Council and the new Law on Courts of Bosnia and Herzegovina, which make up a substantial part of the rule of law cluster among the European Commission's 14 key priorities, continued during the reporting period without any definitive results.

State and defence property

62. During the reporting period, the Constitutional Court of Bosnia and Herzegovina issued several decisions concerning the regulation and disposal of State Property by the entities' bodies.

63. On 22 February 2023, the Bosniak member of the Presidency of Bosnia and Herzegovina at the time, Denis Bećirović, submitted a request for an assessment of the constitutionality of the Law of the Republika Srpska on Immovable Property Used for Functioning of Public Authority. On 28 February 2024, the Croat member of the Presidency of Bosnia and Herzegovina, Željko Komšić, 11 deputies in the House of Representatives of Bosnia and Herzegovina and 5 delegates of the House of Peoples of Bosnia and Herzegovina followed suit.¹ The Law on Immovable Property Used for Functioning of Public Authority regulated the ownership of immovable property that served as a means of exercising and enforcing public authority, and which was used by subjects who exercised that authority after the signing of the General Framework Agreement for Peace. The implementation of the law was suspended on 2 March 2023, and on 30 May 2024, the Constitutional Court established that the Republika Srpska lacked the constitutional competence to regulate the matter and annulled the disputed legislation.

64. On 28 December 2023, the Government of the Republika Srpska adopted the Decision on the Sale of Immovable Property Located within the Special Area of Jahorina. Pursuant to that decision, immovable property subject to public competition is owned by the Republika Srpska; however, according to available information, the list of land plots for sale also included agricultural and forest land, in violation of the State property disposal ban and contrary to the relevant decisions of the Constitutional Court of Bosnia and Herzegovina. Following media reports, the Public Attorney filed a lawsuit against the Republika Srpska in February 2024, requesting the Court of Bosnia and Herzegovina to declare the sale of land in Jahorina and the relevant documentation null and void. That included the relevant decision of the Government of the Republika Srpska, the public announcement of the sale and the relevant sale contract. The public announcement of the sale of real estate in Jahorina was published on 4 January 2024, and the Government of the Republika Srpska decided to sell this property to a company from Teslić, as confirmed by the Government of the Republika

¹ See Constitutional Court of Bosnia and Herzegovina, case No. U-5/23.

Srpska on 1 February. Thirteen members of the House of Representatives of Bosnia and Herzegovina submitted a request to resolve the dispute between Bosnia and Herzegovina and the Republika Srpska regarding the decision.² The applicants sent a request to the Prime Minister of the Republika Srpska on 27 February 2024 to stop the proceedings relating to the disposal of real estate in Jahorina and annul the decision, which was not done by the Government of the Republika Srpska. At the plenary session of the Constitutional Court of Bosnia and Herzegovina on 30 May 2024, the Court granted a request for an interim measure suspending the disputed decision of the Government of the Republika Srpska until a final decision in the case was made. At its plenary session held on 11 July, the Constitutional Court of Bosnia and Herzegovina established that the contested decision was not compatible with the Constitution of Bosnia and Herzegovina and rendered it null and void. The Government of the Republika Srpska and the Ministry of Trade and Tourism of the Republika Srpska were ordered to take all steps necessary to quash all decisions and activities taken based on the contested decision.

65. On 15 November 2023, the Government of the Federation of Bosnia and Herzegovina adopted the Decision on Change of Purpose of Forestland and Temporary Use of Forestland for Other Purposes. Pursuant to that decision, forest lands may be temporarily used for planned purposes other than forest stewardship, such as for the purpose of extracting minerals and other natural resources, during the concession contract. The intention of the Government was to fill the legal void caused by the long absence of a Federation-level law on forests, and at the same time to attempt to abide by the State property disposal ban and enable the implementation of important investment projects. The Speaker of the House of Peoples of Bosnia and Herzegovina, Kemal Ademović, submitted a request for a review of the constitutionality of that decision to the Constitutional Court of Bosnia and Herzegovina.³ The Constitutional Court suspended the disputed decision of the Federation of Bosnia and Herzegovina on 30 May 2024 until a final decision. On 11 July, the Constitutional Court established that the contested decision was not compatible with the Constitution and rendered it null and void. The Court further ordered the Government of the Federation of Bosnia and Herzegovina and the Ministry of Agriculture, Water Management and Forestry of the Federation of Bosnia and Herzegovina to repeal all decisions and activities based on the contested decision.

66. In its decision, the Constitutional Court of Bosnia and Herzegovina provided its own interpretation of the definition of the concept of disposal, determining that disposal should cover the use and change of purpose of forest lands even when there were no changes in the ownership title. Furthermore, the Court underlined that no temporary user could be considered a bona fide user and as such did not enjoy protection under the legislation which regulates property rights on real estate. This legal interpretation is far reaching, as it might refer to any “disposal” of State property in its wider sense (i.e. not only relating to direct or indirect transfer of ownership), as stipulated in the State property disposal ban, but could include also other transfers of rights and claims or other disposition. This may have a serious impact on current and future development and investment projects.

67. Considering its important financial implications in the context of investment and development projects, it is now even more necessary to address the issue of the apportionment and management of State property in accordance with the legal principles established by the jurisprudence of the Constitutional Court of Bosnia and Herzegovina. This should ultimately entail a State-level law that will comprehensively regulate the issue and provide for legal disposals and transfers of State property

² See Constitutional Court of Bosnia and Herzegovina, case No. U-6/24.

³ See Constitutional Court of Bosnia and Herzegovina, case No. U-3/24.

assets. I will therefore, in the coming period, call on all stakeholders to urgently address and resolve this long-standing issue.

Completion of the Brčko Final Award

68. As the Brčko District has not managed to reach the pace of progress from before the reshuffling of its District Assembly in mid-March 2023, the absence of an energetic and results-driven approach resulted in fractional progress on the draft reform agenda, including with regard to fiscal discipline and transparency in spending public resources, infrastructure development and economic growth.

69. Even though the District's decision-makers continually declared that the focus remained on strengthening the financial stability of the Brčko District and on promoting fiscal discipline and transparency in public funds spending, there were still numerous examples of an approach that lacked well-planned, systemic and criteria-based spending. For example, the Brčko District Assembly recently approved the allocation of KM 1 million in donations to sports associations in the Brčko District, but failed to apply any merit-based and/or results-driven criteria. The amount was allocated to 60 sports clubs, ensuring that all applicant associations received the donation, thus financing these sports associations in a manner contrary to both the Law on Sports and the Law on Associations and Foundations. The Assembly representatives explained this allocation as a last-minute measure caused by the failure of the Department for Economic Development, Sport and Culture of the Brčko District to carry out the procedure in time.

70. As noted in the previous report, a draft Law on the Office for Prevention of Corruption and Coordination of Activities Combating Corruption was prepared by the Anti-Corruption Office in consultation with legal experts from the Office of the High Representative, the European Union delegation, OSCE and the United States Embassy. In the process of presenting the draft to the Brčko District authorities, it became apparent that either there was no actual political will in the majority to finally confront the widespread corruption, or there was an absence of a clear understanding of the fight against the corruption or of the role of the Anti-Corruption Office itself. Following a series of meetings that the Supervisor of the Brčko District held with local interlocutors, the law was finally adopted on 31 July 2024.

71. Further to the adoption of the amended Code of Conduct of the Brčko District Assembly in March 2024, which is aligned with international standards and introduces, inter alia, three lay members to the Brčko District Assembly Commission in charge of the implementation of the Code of Conduct, the appointment of the three lay members was approved by the Brčko District Assembly in the beginning of September, at its final session before the local elections in October. As an important component of a system of integrity, the amended Code of Conduct was expected to strengthen accountability, efficiency and public trust in the Brčko District Assembly.

72. Even though the plan was to work on additional amendments to the Law on Police and the Law on Police Officers in order to address personnel issues such as hiring, promotion and retirement, the activities of the working group established for this purpose were postponed due to the overwork of the police members of the working group and were expected to resume after the local elections in October.

73. The draft of the new Law on Public Administration was in the process of review by a consultant from the European Union delegation, while there was no further work on the new Law on Civil Service during the reporting period.

74. The duration of a year-long Brčko Port project initiated by the European Bank for Reconstruction and Development to strengthen corporate governance was extended for six months, at the request of the Bank.

75. Following an agreement signed between Croatia and Bosnia and Herzegovina in September 2023, the first phase of the project to reconstruct the Brčko-Gunja Bridge, which connects Brčko to the commercially crucial Zagreb-Belgrade highway in Croatia, began. The Ministry of Maritime Affairs, Transport and Infrastructure of Croatia was preparing technical documentation that would be subject to the approval of the Ministry of Communications and Transport of Bosnia and Herzegovina.

76. In June 2024, the World Bank's €25 million loan intended for the Sava and Drina Rivers Corridors Integrated Development Programme became operational. Two of five infrastructure projects were ready for implementation, while the local authorities continued to work on preparing the remaining technical documentation for the other three.

77. Implementation of the project to construct a main water pipeline that would secure sustainable, clean and uninterrupted water supply throughout the Brčko District began in early April 2024. The project was expected to be completed in 18 months.

78. To strengthen the District's energy security through infrastructure development, a European Union-compliant legal framework that had been previously adopted, which included the Law on Electricity, the Law on Renewable Sources of Energy and the Law on Energy Efficiency, was further developed by a working group that had been established for this purpose. Following its previously agreed schedule with the United States Agency for International Development Energy Policy Activity project, the working group drafted laws on concessions, water, environmental protection and spatial planning and construction, but had to halt further proceedings on three of the laws until the complex procedure of obtaining supporting paperwork was finalized. The Law on Environmental Protection was adopted in early September 2024. The Law on Water was adopted in the first reading at the same session, but the Brčko District Assembly had planned a public hearing, in between two readings, before its final adoption. Two other laws were still pending several procedural steps and then would be ready for adoption.

79. Mindful of the objectives of the Brčko District Sustainable Energy and Climate Action Plan, the authorities continued to work with the United Nations Development Programme on retrofitting public buildings for better energy efficiency. Works on the Brčko District Assembly building as the third building of the four selected for retrofitting during the period 2023–2025 were completed.

80. Due to the overall slowdown in the implementation of the draft reform agenda, the construction of the Brčko District's first business zone, which began on the basis of an agreement signed with an Austria-based consortium, was minimal owing to the failure of the Brčko District to make significant progress on providing necessary infrastructure to the zone, which it is obligated to provide under the agreement. The consortium continued to work on meeting technical requirements for three more investment projects in the Brčko District. The Brčko District Assembly approved the regulatory plans for two of those projects – a key prerequisite to initiating the preparation of corresponding technical documentation. The third project, the construction of an ethnographic village, was in progress.

81. With regard to clearing the entire Brčko District of mines by the end of 2024, demining activities progressed during the reporting period in accordance with the planned schedule. The Government of the Brčko District responded quickly and effectively to a problem of an administrative nature that emerged in September 2024, thus demonstrating its readiness to follow the schedule through to the end of the year.

Fiscal sustainability

82. Certainty and adequacy of financing are key elements that affect the ability of the institutions of Bosnia and Herzegovina to carry out their constitutional and legal obligations. Similar to the previous reporting period, no steps have been taken to provide assurances to that end regarding the 2024 budget.

83. The Fiscal Council of Bosnia and Herzegovina held no sessions during the reporting period. The Fiscal Council should have adopted the Global Framework of Fiscal Balance and Policies for 2025–2027 by the end of May 2024. At the time of writing, the four-month delay had already disrupted the preparation of the State budget for 2025.

84. Certainty and adequacy of financing of the State and all other levels of government in the country are also directly dependent on the stability and functionality of the single indirect tax system and its institutional structure: the Indirect Taxation Authority of Bosnia and Herzegovina and the Governing Board. The Governing Board did not meet during the reporting period. The most recently agreed indirect tax revenue allocation coefficients – those from the third quarter of 2023 that benefit the Republika Srpska – will continue to apply.

85. There was no progress on at least two long-standing issues with financial implications.

86. The Governing Board has not yet identified an alternative enforcement source for the outstanding KM 30 million debt of the Indirect Taxation Authority to the Republika Srpska on the basis of a 2015 Court of Bosnia and Herzegovina decision. The attempted debt enforcement by the Republika Srpska in 2018 from public revenue accounts of the Indirect Taxation Authority caused financial damage to all indirect tax revenue beneficiaries, including both entities and the Brčko District, as well as to recipients of value-added tax refunds and customs insurance depositors. The suspension of the enforcement by the Court of Bosnia and Herzegovina expires in June 2025.

87. The Board has not yet agreed to a model of distribution of road toll revenue reserves, which had accumulated to about KM 274.1 million as of the time of writing. The absence of an agreement prevents using these funds for highway and road construction. It also damages the Indirect Taxation Authority financially, as it must pay charges on the deposit accounts.

88. Addressing the issues pertaining to the certainty and adequacy of financing of the institutions of Bosnia and Herzegovina, as well as to the stability and functionality of the single indirect tax system, is crucial to strengthening the fiscal sustainability of Bosnia and Herzegovina and thereby its political stability.

89. Another important element is that of the Central Bank of Bosnia and Herzegovina, which, pursuant to the General Framework Agreement for Peace, is the sole authority for issuing currency and for monetary policy throughout Bosnia and Herzegovina. The Office of the High Representative continues to follow and strongly support the work of this institution, whose unimpeded work and ability to meet constitutional and legal obligations safeguard the monetary and financial sector stability of Bosnia and Herzegovina and are vital for reforms and the overall stability of the country.

Rule of law

90. Concrete requirements in the rule of law sector form part of the 14 key priorities set out in the European Commission opinion on the application of Bosnia and Herzegovina for membership in the European Union, namely the adoption of the new

Law on the High Judicial and Prosecutorial Council and the new Law on Courts of Bosnia and Herzegovina. While the drafting and the consultation process, including the opinion of the Venice Commission of the Council of Europe on the new Law on the High Judicial and Prosecutorial Council, is continuous, it did not yield the finalization of the draft. The situation was the same with regard to the new Law on Courts of Bosnia and Herzegovina, as there has been no agreement regarding the location of the new separate appellate chamber. I have serious reservations about the proposals to move the appellate chamber to Banja Luka.

91. The Court of Bosnia and Herzegovina is the cornerstone of the division of competencies between the State of Bosnia and Herzegovina and its entities, as its competency over the entire territory of the country and its criminal jurisdiction over offences prescribed by entity codes, when they have consequences for or endanger the values of the whole State or are otherwise of an inter-entity character, is the State's ultimate response in defence of its constitutional values and in ensuring that it functions pursuant to the rule of law, as is its constitutional requirement. The new Law on Courts of Bosnia and Herzegovina should not diminish the Court's competency or its functionality.

92. The new Law on the High Judicial and Prosecutorial Council contains a provision that should correct a serious flaw in the recent amendments adopted in 2023. To the detriment of the rule of law, the rigorous asset declaration scheme, initially envisaged to prevent and sanction possible conflicts of interest and irregularities of judges and prosecutors, fight corruption and improve perception of the judiciary, was seriously undermined by diluting the obligation of the authorities to deliver the information required to investigate the truthfulness of asset declarations. That situation does not meet the expectations of the Steering Board of the Peace Implementation Council and the international community, which were expressed formally to the Collegium of the Parliamentary Assembly of Bosnia and Herzegovina. The current law is thus insufficient, as it makes the application of the State-level law dependent on entity-level and Brčko District legislation, which may directly contradict State obligations and thus render the State law void, creating the possibility of different legislative treatment of judges and prosecutors depending on their entity background.

93. On a positive note, the new draft of the law reverted to the explicit provisions guaranteeing the functional independence of the High Judicial and Prosecutorial Council by prescribing that general legislation regulating administrative bodies would not apply to the Council, an issue that could otherwise be ambivalent and enable operational influence of the executive branch over the Council. But the adoption process of the draft has been stalled by the lack of agreement on the composition of the Council. It has been pointed out that the composition of the Council should reflect the constitutional provision that officials appointed to positions in the institutions of Bosnia and Herzegovina should generally be representatives of the peoples of Bosnia and Herzegovina, and – as the Venice Commission specified – it should reflect as much as possible the country's diversity in terms of ethnic, gender, linguistic, religious or other criteria, in order to enhance the legitimacy and public trust in such an institution. At the same time, it should primarily rely on objective and merit-based criteria.

94. For both requirements, there is a danger that the process designed to improve rule of law conditions in Bosnia and Herzegovina could be abused to undo previous reforms. In order to continue to build a country that functions on the principle of the rule of law, previous reforms should only be enhanced and added to by measures identified in the Priebe report of 2019. Much needs to be done to guarantee judicial independence and impartiality, especially considering the ongoing challenges to the judiciary by public authorities. As a priority, the rollback of previously achieved results must be halted and reversed.

Criminal records on war crimes

95. During the reporting period, the implementation of the memorandum of cooperation on the provision of information from judgments of convictions of the International Criminal Tribunal for the Former Yugoslavia and the International Residual Mechanism for Criminal Tribunals started. Pursuant to this memorandum of cooperation, information on criminal judgments against citizens of Bosnia and Herzegovina and persons born in Bosnia and Herzegovina is officially delivered to Bosnia and Herzegovina. The relevant bodies in Bosnia and Herzegovina have been charged with integrating the received information into domestic criminal records. The domestic registration of judgments of the International Criminal Tribunal and the Residual Mechanism is not only a general rule of law issue but is tantamount to the implementation of legislation that requires a clean criminal record or at least requires that a person has not been sanctioned for war crimes in order to perform certain public functions. I attach particular importance to this issue and I intend to continue facilitating and monitoring this process.

96. The registration of international judgments regarding the most serious violations of international humanitarian law is a step forward in curbing a disregard for these judgments in political, professional and social life to the detriment of reconciliation and social cohesion, as various parts of the country still glorify war criminals. While domestic registration in Bosnia and Herzegovina depends on the basis of citizenship or of having been born in the territory of Bosnia and Herzegovina, there is no centralized registry for criminal records. The task of registering criminal records is the responsibility of local police authorities who reside in the place of birth of the person being registered. Comprehensive legislation is needed to tackle the issues of registration in criminal records, the legal consequences of convictions and rehabilitation.

D. Further challenges to the General Framework Agreement for Peace*Attacks on the High Representative*

97. Challenges to the institution and mandate of the High Representative by the ruling coalition in the Republika Srpska continued during the reporting period. These involved threats and inflammatory rhetoric but also actions to undermine the credibility of the High Representative and thereby his ability to implement his mandate. Such actions are in direct violation of annex 10 to the General Framework Agreement for Peace, which mandates the full cooperation of the parties to the Agreement with the High Representative.

98. As has been noted in my previous reports to the Security Council, the President of the Republika Srpska has stated on more than one occasion that he does not recognize me as High Representative and does not deem my decisions as High Representative to be binding. His defiant stance and his unlawful acts of disregarding my decisions led to his indictment on 11 September 2023, along with the Acting Director of the Official Gazette of the Republika Srpska, and to their subsequent prosecution in the Court of Bosnia and Herzegovina. The trial of the President continues in the Court of Bosnia and Herzegovina. He regularly appears at the trial in spite of the fact that he has labelled the Court of Bosnia and Herzegovina as unconstitutional.

99. With that being said, I expect all authorities of the Republika Srpska to show full compliance with the Constitution and all institutions of Bosnia and Herzegovina, as well as the General Framework Agreement for Peace and all its institutions, including the Office of the High Representative.

General Assembly resolution on Srebrenica

100. On 23 May 2024, the General Assembly adopted resolution [78/282](#), in which it designated 11 July as the International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica and condemned any denial of that historical event and any actions that glorified those convicted of war crimes, crimes against humanity and genocide by international courts.

101. Although the resolution on Srebrenica is grounded on facts established in judgments of the International Criminal Tribunal for the Former Yugoslavia, which contain guilty verdicts for the crime of genocide committed in Srebrenica in 1995, as well as the judgment of the International Court of Justice of 26 February 2007 in the case concerning the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, the authorities in the Republika Srpska have used the adoption of the resolution as a pretext to undertake various political actions. These actions, both before and after the resolution's adoption, have aimed at secessionism and the dissemination of inflammatory and nationalistic rhetoric under the guise of a false narrative that Serbs have been dubbed a "genocidal people".

102. In response to the possible adoption of the resolution, on 18 April 2024, the National Assembly of the Republika Srpska adopted the Conclusions regarding the Concluding Report of the Independent International Commission of Inquiry on the Sufferings of All Peoples in the Srebrenica Region between 1992 and 1995. This involved rejecting the 2004 report of the Commission for Investigation of the Events in and around Srebrenica between 10 and 19 July 1995. The 2004 report was part of the implementation of the March 2003 judgment by the Human Rights Chamber for Bosnia and Herzegovina in the "Srebrenica Cases", which addressed 49 applications filed by relatives of persons who disappeared during the events in and around Srebrenica during that period. The National Assembly of the Republika Srpska disputed the use of the term "genocide" to describe the crime committed in Srebrenica, minimizing the number of Bosniak victims to 3,000.

103. At approximately the same time, on 15 April 2024 the Srebrenica Municipal Assembly adopted a decision to change the names of streets, squares, parks and populated areas without the participation of Bosniak representatives in the decision-making process. The street names were last changed in 2002, when the Municipal Assembly annulled its earlier decision in 1996 to use names reflecting the then post-war all-Serb character of Srebrenica. The 2024 decision also included the renaming of Reuf Selmanagić Crni Street, which is known from a 1995 video showing Ratko Mladić demanding the removal of the street's sign. In addition, the Mayor of Srebrenica, Mladen Grujičić, and the President of the Republika Srpska publicly discussed a potential initiative to rename Srebrenica in order to remove any affiliation of the municipality with the legally and factually established act of genocide that was perpetrated in July 1995.

104. A day before the adoption of the General Assembly resolution on Srebrenica, the National Assembly of the Republika Srpska adopted a text entitled "Protest against the breach of the General Framework Agreement for Peace in Bosnia and Herzegovina and general international law" in the false capacity of a contracting party to the General Framework Agreement for Peace. In a protest note addressed to the parties to the General Framework Agreement for Peace and its witnessing countries and to other countries that submitted the final draft of the resolution to the General Assembly, the National Assembly of the Republika Srpska argued that these countries had violated their international obligations by circumventing the Presidency of Bosnia and Herzegovina. The Republika Srpska demanded an immediate cessation of alleged

actions that contravened the General Framework Agreement for Peace, threatening the suspension or annulment of the Agreement, and ultimately self-determination.

105. The protest note represents an unauthorized attempt by the Republika Srpska to proclaim a violation of the General Framework Agreement for Peace under the erroneous assumption that it is entitled to suspend or terminate the Agreement through application of the Vienna Convention on the Law of Treaties. The Republika Srpska is neither party to the General Framework Agreement for Peace nor does it have the international legal capacity to act vis-à-vis third states under the Constitution of Bosnia and Herzegovina or the Vienna Convention, and therefore it is not authorized to submit a protest note to the signatories or witnesses of the General Framework Agreement for Peace or to any other State.

All-Serb Declaration

106. On 8 June 2024, subsequent to the adoption of the resolution on Srebrenica, the first All-Serb Assembly, with the theme “One nation, one assembly – Serbia and Srpska”, held in Belgrade, gathered political and ecclesiastical leaders with the aim of adopting the Declaration on the Protection of National and Political Rights and the Common Future of the Serb People. The Declaration, consisting of 49 conclusions, addresses a wide range of issues relevant to the position of the Serb people, including claims that undermine the sovereignty and territorial integrity of Bosnia and Herzegovina. The All-Serb Assembly continues to advocate for a return to the so-called original Dayton Agreement and erroneously characterize the appointment of the High Representative in Bosnia and Herzegovina as contrary to annex 10 to the General Framework Agreement for Peace. Among other points, the Declaration asserts that Serbia, as a signatory of the General Framework Agreement for Peace, should internationalize the issue of undermining the Agreement. To ensure its full implementation, the National Assembly of the Republika Srpska adopted the Declaration on 2 July, and it was ratified by the National Assembly of Serbia on 31 July.

107. In the aftermath of the All-Serb Assembly and the adoption of its Declaration, the ruling coalition in the Republika Srpska announced an agreement on regulating relations between the Republika Srpska and the Federation of Bosnia and Herzegovina in accordance with the General Framework Agreement for Peace and international acts. The so-called Agreement on Peaceful Disassociation, accompanied by a 47-page comprehensive background document, was proposed by the Government of the Republika Srpska to its National Assembly and was to be shared with the Federation of Bosnia and Herzegovina, but was withdrawn from the agenda of the fourteenth special session of the National Assembly of the Republika Srpska held on 9 July 2024. The so-called Agreement relies on the false and dangerous premise that Bosnia and Herzegovina is a union of States or a confederation, with each entity vested with the capacity to launch the procedure for “peaceful disassociation” between the two entities. This represents yet another dangerous step in ignoring and violating the General Framework Agreement for Peace and international law, and the territorial integrity of the State of Bosnia and Herzegovina, with the aim of pursuing a policy of secession by the Republika Srpska.

108. To implement one of the conclusions from the Declaration of the All-Serb Assembly and to create the legal basis for the display in the Republika Srpska of the official anthem and coat of arms of Serbia as all-Serb symbols, the National Assembly of the Republika Srpska adopted a Draft Law on Amendments to the Law on the Use of the Flag, Coat of Arms and Anthem. The final outcome of this issue, including potential court challenges, remains to be seen.

Threats to transitional justice and social cohesion

109. The President of the Republika Srpska and other political leaders in the Republika Srpska engaged in an aggressive campaign against General Assembly resolution 78/282, in which the Assembly established 11 July as the International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica.

110. As elaborated earlier in the present report, this context significantly affected the occurrence of the denial of genocide and the glorification of war criminals. The Srebrenica Memorial Center, which monitors public occurrences of these acts, recorded 305 cases of denial in Bosnian and Serbian media during the first half of 2024 – a threefold increase compared with the same duration the previous year. Its records show a surge in occurrences in April and May 2024, coinciding with the voting on the General Assembly's resolution on Srebrenica. The President of the Republika Srpska and other political leaders from that entity engaged in an aggressive campaign against the General Assembly resolution that was characterized by historical revisionism, the repeated denial of genocide in Srebrenica and secessionist rhetoric.

111. Public attention has been drawn to the lack of institutional responses to hold leading figures accountable for genocide denial, in particular the lack of prosecutions of such cases in line with the amendments to the Criminal Code introduced in July 2021, which make the denial of genocide and other war crimes, as well as the glorification of war criminals, offences criminally punishable on the State level. The Srebrenica Memorial Center and other actors from civil society emphasize that the absence of sanctions undermines positive norms, such as respect for the rights of the victims and court rulings, as well as the deterring effects of these legal provisions. Instead, the lack of law enforcement creates an environment that motivates the well-documented, continued use of denialist rhetoric, especially by high-ranking politicians seeking to exploit such rhetoric for political gain.

112. Some 100 cases related to the criminal offence of inciting national, racial and religious hatred, discord and intolerance, which includes genocide denial and other denials of war crimes, have been registered with the Prosecutor's Office of Bosnia and Herzegovina. According to the Prosecutor's Office, complaints were most often filed by citizens against other citizens, largely due to social media posts and online comments, and by citizens and non-governmental organizations in response to statements made by politicians in the media and public space. However, almost no cases have been formed based on reports submitted by police and security agencies with the relevant level of evidence of the elements of a criminal offence and witness statements. Many of the applications submitted by citizens have been sent through email, often anonymously, and a significant number of applicants were unwilling to engage in further cooperation, which – according to the Prosecutor's Office – complicates the case development process. On the other hand, the Prosecutor's Office is obliged under the law to prosecute cases as its official duty, regardless of whether there was any outside report received. So far, several indictments have been raised with regard to this criminal offence, and the Court of Bosnia and Herzegovina has rejected an indictment in one case. One case has been completed in the first instance pending appeal, while two other cases are currently being processed.

113. On a positive note, owing to the great public interest regarding these cases, especially the provision of the offence that prohibits the public approval, denial, gross minimization or attempts to justify crimes of genocide, crimes against humanity or war crimes, the Prosecutor's Office of Bosnia and Herzegovina has taken steps to enhance the transparency of case processing and the reasons for prosecutorial decisions. It began publishing indictments and negative prosecutorial decisions (in anonymized form) on its website, along with explanations of the actions of the acting prosecutors. In addition, I welcome the exchange of views and best practices between

judges and prosecutors of Bosnia and Herzegovina and judges and prosecutors from other countries regarding the prosecution and adjudication of genocide denial and hate crimes.

Developments related to annex 7 to the General Framework Agreement for Peace

114. The provisions of annex 7 to the General Framework Agreement for Peace in Bosnia and Herzegovina regulate the issues of refugees and displaced persons. The implementation of annex 7 to the General Framework Agreement for Peace is based on strategies adopted by the domestic authorities and other measures, including projects implemented by domestic authorities with the help of various international organizations. The Strategy of Bosnia and Herzegovina for the Implementation of Annex 7 of the Dayton Peace Agreement, which was adopted in 2003, pointed to the basic aims and directions of strategic activity necessary to fulfil the goals of annex 7. The Revised Strategy of Bosnia and Herzegovina for the Implementation of Annex 7 of the Dayton Peace Agreement was adopted in 2010 by the Parliamentary Assembly of Bosnia and Herzegovina, outlining 10 fields correlating to the identified needs of internally displaced persons and returnees.

115. The Ministry of Human Rights and Refugees of Bosnia and Herzegovina continues to release reports on the implementation of the Revised Strategy of Bosnia and Herzegovina for the Implementation of Annex 7 of the Dayton Peace Agreement, in accordance with the Revised Strategy, which is still in effect. The Council of Ministers of Bosnia and Herzegovina adopted the 2022 report on 20 May 2024, making it the most recent report to be adopted. In the report, the Ministry stated there were 91,223 displaced people in Bosnia and Herzegovina, while there were 16,935 refugees outside the country, according to data from the Office of the United Nations High Commissioner for Refugees. The number of internally displaced persons in the country remains high owing to various factors, including financial issues, legal issues and the need to update the database of internally displaced persons, as the current system makes it harder to determine the real numbers.

116. The Regional Housing Programme, which lasted from 2013 to 2023, is the most significant recent multilateral effort to provide sustainable housing solutions to displaced persons and refugees in the Western Balkans. The original goal for housing in Bosnia and Herzegovina was 5,400 households, or 14,000 people. However, by the time the project ended in November 2023, the Regional Housing Programme had provided 2,778 housing units in the country, helping between 9,000 and 10,000 people. As of early June 2024, 321 Regional Housing Programme units in the country remained unfinished because of a lack of co-financing from institutions of Bosnia and Herzegovina.

117. Earlier trends of return-related violence continued during the reporting period, with several cases of violence and intimidation against, or involving, returnees. Such cases continue to produce tension and burden inter-ethnic relations, rendering efforts towards the improvement of relations and reconciliation more difficult. Return-related violence, together with a wider context of occasional cases of general inter-ethnic violence, generate additional constraint to positive processes. Inter-ethnic tension, and the level of concern in general, rose notably during April and May 2024, which was the period of public debate and campaign in relation to the adoption of the General Assembly resolution on Srebrenica. In some areas of return, but also country-wide, there have been reports of increased anxiety among the local population.

118. Initiatives towards introducing stricter legislation to tackle return-related violence have come to a halt, after a period of increased activity and the presentation of proposals for change in relevant legislation. In May 2024, the relevant working group appointed by the House of Representatives of Bosnia and Herzegovina

deliberated on the possibility of changing the Criminal Code of Bosnia and Herzegovina and introducing the criminal offence of “attack on returnees” and calling on the local communities to establish local security forums to tackle return-related security problems. However, these proposals have not been adopted by the Parliamentary Assembly of Bosnia and Herzegovina during the subsequent session in August 2024, as no support was forthcoming from the members from the Republika Srpska.

119. On the other hand, some of the return associations and groups stress that security may not be one of their top concerns. During the reporting period, there have been several reports and reactions noting returnees’ concerns regarding the implementation of new legislation in the entities that may affect the returnees’ rights of ownership of land. Several such concerns were raised in both the Republika Srpska and the Federation of Bosnia and Herzegovina. Furthermore, behind the tensions and spats triggered by return-related incidents, the everyday problems of this category of the population remain insufficiently visible. Therefore, the returnee families’ problems relating to access to employment and appropriate healthcare, housing, education and economic sustainability in general remain unanswered.

120. In this context, I recall that both entities assumed the responsibility, under article II of annex 7 to the General Framework Agreement for Peace, to create in their territories the political, economic and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons, without preference for any particular group.

121. In the current situation, a number of positive developments remain overshadowed. However, the opening of several reconstructed mosques in some returnee communities in the Republika Srpska (in Bijeljina, in Kučić Kula near Zvornik and in Kotezi near Trebinje), as well as the introduction of the Serbian language in the schools in Glamoč, and initiatives to do the same in Mostar, send positive messages that, with more concentrated and dedicated support, normalization is possible.

Missing persons

122. It is worth recalling the notable successes made in the field of missing persons. Over 75 per cent of the more than 30,000 persons who went missing during the war of the 1990s have been accounted for, representing the highest rate of case resolution worldwide. However, at this point, challenges remain in the search for those persons still unaccounted for. These are the most difficult cases, and at the same time, their investigation is further exacerbated by, inter alia, the passage of time, changes in terrain and the slow progress in war crimes proceedings, which complicates access to reliable information on the location of burial sites (e.g. testimonies from surviving witnesses).

123. Families of the missing have highlighted the challenges in the search for missing persons, most recently on 30 August 2024, the International Day of the Victims of Enforced Disappearances. The families, who have made an immense contribution to the process, have appealed to the authorities and the public not to burden future generations with this unresolved issue and its effects on justice and trust-building. Resolving these cases is not only a technical process but also a moral and legal obligation. The families urged responsible State authorities to step up their efforts to fulfil their international and domestic legal obligations. It is essential to improve the resources and technical equipment to facilitate the process of identification of missing persons as well as cooperation with the Missing Persons Institute of Bosnia and Herzegovina as an independent, State-level institution so that it can continue its critical work in the non-discriminatory search for burial sites, exhumation and identification.

124. The 2004 Law on Missing Persons – another unique post-war achievement – is not being fully implemented owing to a lack of political agreement on the

establishment of a fund for families of the missing. The families therefore suggest changes to the law, which would transform the fund in a way that would support the work of the associations of families of missing persons through grant funding.

125. Finally, the search for the missing represents an area in which cooperation beyond the politicization of the ethnic identity of the victims produces the best results. In this regard, regional cooperation in accounting for the 11,000 persons still listed as missing and restoring the dignity of the victims through multilateral mechanisms currently represents one of the few platforms demonstrating potential for the active promotion of transitional justice and reconciliation. This includes the Missing Persons Group for the former Yugoslavia, which comprises senior representatives of the institutions in the region responsible for addressing missing persons issues. In October 2024, the Group briefed European Union Ministers for Foreign Affairs at the Berlin Process Summit on the progress achieved in the identification of persons missing in connection with the conflicts in the 1990s.

Compensation for victims of war

126. Since my previous report, the overall situation regarding victims' access to reparations shows no progress in terms of the implementation of the State's international obligations to secure their rights as prescribed by international human rights law.

127. The authorities in Bosnia and Herzegovina did not show any willingness to establish an effective reparations scheme at the national level to provide all forms of redress to victims of war crimes, including sexual violence, or for the development and adoption of a framework law that clearly defines criteria for obtaining the status of victims of war crimes, including sexual violence, and sets out the specific rights and entitlements guaranteed to victims.

128. Victims of war crimes find themselves unable to enforce their right to obtain effective and adequate reparations for the harm suffered. This is mainly owing to the absence of legislative, policy and practical measures, including psychological support and a comprehensive reparations scheme, that would enable them to access effective remedies.

129. The fragmented nature of the legal framework, in which conditions for accessing rights and the range of rights are regulated differently in the Republika Srpska, the Federation of Bosnia and Herzegovina and the Brčko District, is hindering survivors' efforts to claim their rights.

130. The courts in the Republika Srpska continue the practice of seeking reimbursement for court costs from victims of war who were barred by statutes of limitations from seeking compensation through civil proceedings. All other levels of courts in Bosnia and Herzegovina ceased this practice following the relevant rulings of the European Court of Human Rights and the Constitutional Court of Bosnia and Herzegovina.⁴ According to recent data provided by TRIAL International in 2024, there are approximately 600 pending cases at different stages in the specialized courts in the Republika Srpska. These cases oblige victims of war to pay thousands of convertible marks for court fees to the very entities they had initially sued and ask them to compensate for the harm they suffered, leading to grave retraumatization and aggravating the already difficult socioeconomic situations in which they find themselves, which is predominantly in returnee communities.

⁴ European Court of Human Rights, *Cindrić and Bešlić v. Croatia*, Application No. 72152/13, 6 September 2016, and Constitutional Court of Bosnia and Herzegovina, No. AP 1011/17, 22 March 2018.

131. At the same time, the Republika Srpska authorities have yet to amend the Republika Srpska Law on Victims of Torture in order to extend the deadline for application by victims in order to be granted such status. The amendments should also address concerns related to the procedures which govern granting such status to ensure the law meets international standards.

132. As I reported previously, the 2019 decision of the Committee against Torture ordering the State to ensure that applicants receive the compensation previously awarded in criminal proceedings, medical and psychological care and a public apology, remains unimplemented.

Education and curricula

133. Education across the country is still used to entrench rather than overcome divisions, irresponsibly undermining social cohesion and fuelling mistrust among future generations. The teaching of history, especially in relation to the recent past, remains a critical element in this regard. Currently, it promotes ethnocentric, biased versions of the war and specific war events and their perpetrators and victims, rather than encouraging young students to develop an informed view on legally established historical facts and critical thinking and to adopt positive norms such as respect, mutual understanding and empathy towards others.

134. In September 2024, the Ministry of Education and Culture of the Republika Srpska introduced a new history curriculum for students in grade 9. The introduction of the new history curriculum sparked reactions from civil society and political leaders, including requests for a review of the curriculum's constitutionality. Upon the application of 13 members of the House of Representatives of Bosnia and Herzegovina requesting the review of the constitutionality of article 4 (1) (12) of the Rulebook on the Curriculum for Primary Upbringing and Education of the Republika Srpska, and of appendix No. 20 (on the curriculum for the subject of history for the 9th grade of primary school), the Constitutional Court of Bosnia and Herzegovina took an interim decision at its extraordinary plenary session on 11 October 2024 to suspend, effective immediately, the implementation of the disputed article of the Rulebook and the appendix in the part pertaining to "Topic 11, Republika Srpska and the Homeland Defence War" until a final verdict by the Constitutional Court.⁵

135. The Constitutional Court of Bosnia and Herzegovina also underlined that primary and secondary education was of fundamental importance for the personal development of every child and that the right of the child to education was also about preparing the child for a responsible life in a free society, in a spirit of understanding, peace, tolerance, gender equality and friendship among all peoples, ethnic, national and religious groups and persons of Indigenous origin. The Constitutional Court further explained that the adoption of the interim measure was necessary since teaching in schools in the Republika Srpska had already begun and the application of disputed parts of the Rulebook could potentially endanger the human rights of pupils and cause them considerable harm that could not be remedied retroactively. The Constitutional Court explained that the consequences were reflected in the existence of a risk of possibly causing further segregation and division among students of different ethnic communities and an increase in the sense of exclusion and marginalization of students from other ethnic communities, which could create an atmosphere of discrimination.

136. The lack of fact-based, impartial teaching about history remains problematic across the country and is a significant hurdle to trust-building and reconciliation. OSCE, which has been closely monitoring the situation regarding education, sees it

⁵ See Constitutional Court of Bosnia and Herzegovina, case No. U-20/24.

not as an isolated development of political populism and pressure on education but as part of a larger trend that is moving further away from the much-needed reform of the teaching of history, and is not limited to the Republika Srpska but also extends across Bosnia and Herzegovina. Moreover, this development is not in line with the country's aspirations towards membership in the European Union. It represents steps backward in relation to key priority 5 of the 14 key priorities in the European Commission opinion on the application by Bosnia and Herzegovina for membership in the European Union, namely the promotion of an environment conducive to reconciliation in order to overcome the legacies of the war.

Peacebuilding Fund

137. As indicated in my previous report, following the confirmation of the eligibility of Bosnia and Herzegovina in 2022 for support from the Peacebuilding Fund, the inaugural session of the Peacebuilding Steering Committee for Bosnia and Herzegovina, co-chaired by the Minister for Foreign Affairs of Bosnia and Herzegovina, Elmedin Konaković, and the United Nations Resident Coordinator in Bosnia and Herzegovina, Ingrid Macdonald, was held in February 2024 in Sarajevo. The establishment of the Peacebuilding Steering Committee marked a pivotal moment in collective efforts to support sustaining peacebuilding initiatives in Bosnia and Herzegovina and is aligned with the Government's progress in implementing key priority 5 of the European Union accession priorities, which is focused on creating an environment conducive to reconciliation.

138. Authorities in Bosnia and Herzegovina, particularly in the Ministry of Foreign Affairs, the Ministry of Human Rights and Refugees, the Ministry of Civil Affairs and entity health ministries, have continued implementing programmes supported by the Peacebuilding Fund. These programmes focus on women and peace and security; youth, peace and security; strengthening trust between institutions and civil society; addressing hate speech; and dealing with the past. The peacebuilding efforts are led by the Peacebuilding Steering Committee. The establishment of this committee is recognized as one of the benchmarks for the start of European Union accession negotiations. In addition, at the seventy-ninth session of the General Assembly in September 2024, the Minister for Foreign Affairs of Bosnia and Herzegovina addressed the ministerial meeting of the Peacebuilding Commission on the theme "Perspectives on the 2025 peacebuilding architecture review", highlighting the country's engagement with the Peacebuilding Fund and prioritizing community ties, women's involvement and youth empowerment as key elements for both peace and European integration.

139. Positive developments in promoting peacebuilding and social cohesion in Bosnia and Herzegovina included efforts to address the challenges of transgenerational trauma, improve the quality of social services and foster dialogue between communities. Nine local authorities – from Bosanski Petrovac, Bosansko Grahovo, Drvar, Glamoč, Ključ, Livno, Mrkonjić Grad, Ribnik and Sanski Most – contributed to the stabilization and development of their regions. The health ministries of the Federation of Bosnia and Herzegovina and the Republika Srpska committed to addressing gaps in essential services for conflict-affected and marginalized groups. This included increasing the capacity and sustainability of selected healthcare providers, strengthening institutional frameworks through the integration of standard operating procedures and revising resource packages for interconnected service provision.

140. Regardless of such positive developments, any progress in creating an environment conducive to reconciliation must address the numerous systemic failures in ensuring the status and enforcement of wartime victims' rights across the country.

Gender-based violence

141. Gender-based violence remained widespread during the reporting period. In the first half of 2024, seven women were murdered in Bosnia and Herzegovina by their partners or family members. Following public outrage over a femicide committed live on social media in August 2023, the Ministry of Justice of the Federation of Bosnia and Herzegovina intensified efforts to draft a Law on Protection from Domestic Violence and amendments to the Criminal Code of the Federation of Bosnia and Herzegovina. The draft law is currently in the process of being approved by the Government of the Federation of Bosnia and Herzegovina, after which it is expected to be submitted to the Parliament.

Gender equality

142. In June 2024, Bosnia and Herzegovina submitted its progress report on the implementation of the Beijing Declaration and Platform for Action as part of the 30-year review of the implementation of the Beijing Declaration and Platform for Action. The report provided a comprehensive overview of progress, challenges and priorities in gender equality, highlighting institutional efforts, budget constraints and the need for continued support and systemic action. Despite alignment with gender equality standards, Bosnia and Herzegovina faces significant economic gender inequalities, with the lowest female labour-market participation in south-eastern Europe (35 per cent). Substantial barriers to higher decision-making positions persist. In addition, 37.5 per cent of women reported experiencing sexual harassment in the workplace, with one in five women facing repeated harassment, further discouraging labour-market participation. Gender-based harassment and segregation remained prevalent, particularly affecting women in rural areas. Gender stereotypes in education, which reinforce inequality, were also underscored in the report, as women often leave education for family responsibilities and spend more time on unpaid household chores (six hours per day) than their counterparts in the European Union.

143. The persistently low level of women's political participation (around 20 per cent) remains concerning, and was also the case in the context of the recent local elections. In the previous local elections in 2020, only 3.52 per cent (5 of 142) of elected mayors and 19.58 per cent (622 of 3,177) of elected councillors to municipal legislatures were women. While 42 per cent (10,983 of 26,089) of the overall number of candidates in the 2024 local elections were women (the legally prescribed gender quota is 40 per cent), which was a very slight increase in comparison with previous local elections, only 7.5 per cent (29 of 386) of them were candidates for mayoral positions, including 4 of the 5 incumbent female mayors. According to the preliminary results of the 2024 local elections, there was a slight increase in the number of women who were elected mayors in Bosnia and Herzegovina – 5.83 per cent or 8 women, which is still extremely low. The results with the exact overall number of future female councillors were not available at the time of writing. There is one female candidate running for mayor in one of the five municipalities where elections were been postponed owing to the recent disaster.

144. Women are underrepresented in State and entity legislatures and face significant challenges during electoral campaigns. In the current State and entity legislatures, women make up between 17 and 28 per cent of elected members.

145. Mounting anti-gender initiatives are threatening the progress achieved towards the protection of women's rights and gender equality. In early 2024, the National Assembly of the Republika Srpska abandoned the draft Republika Srpska Law on Gender-based and Domestic Violence, which was to introduce important provisions. In July, the entity submitted to the National Assembly amendments to the Republika Srpska Criminal Code seeking to remove the term "gender". While purporting to

protect women and families, these initiatives will have profound and harmful effects on women and girls, and on society. They will also limit efforts to address the widespread issue of gender-based violence, including domestic violence, femicide and hate crimes.

III. Developments related to the State institutions of Bosnia and Herzegovina

A. Presidency of Bosnia and Herzegovina

146. The Presidency of Bosnia and Herzegovina held six regular sessions during the reporting period as well as a number of extraordinary sessions. The Presidency took decisions from within its competency in the domain of foreign policy and defence and engaged in various bilateral and multilateral forums and international summits and conferences.

147. On 5 July 2024, the Presidency adopted the State budget for 2024 and submitted it to the Parliamentary Assembly of Bosnia and Herzegovina.

148. The members of the Presidency continued to hold and express diverging positions on multiple issues, including the implementation of the General Framework Agreement for Peace, the constitutional and legal order of Bosnia and Herzegovina, statehood matters, State property, North Atlantic Treaty Organization (NATO) integration, the mandate and role of the High Representative, Russian aggression against Ukraine, genocide in Srebrenica and its continued denial by the Republika Srpska authorities, the adoption of General Assembly resolution [78/282](#) on Srebrenica and the All-Serb Assembly.

149. With regard to political actions and public narrative, the two major events which dominated the reporting period and had a major impact on the work of the Presidency and relations between its members were the adoption of General Assembly resolution [78/282](#) on Srebrenica on 23 May, and the All-Serb Assembly in Belgrade and the subsequent adoption of the Declaration on the Protection of National and Political Rights and the Common Future of the Serb People.

150. During the reporting period, the Chair of the Presidency, Denis Bećirović, continued his intense international diplomatic activity, both in bilateral meetings with different Heads of States and in multilateral forums, attending regional and international summits, including the South-East European Cooperation Process, the seventy-ninth session of the General Assembly and meetings of the Security Council. He consistently stressed the need to preserve the peace and encourage dialogue, regional cooperation, the affirmation of a culture of remembrance and the prevention of genocide. The Chair maintained that membership in NATO represented the only true guarantee for security in the region. He consistently warned and condemned actions by the Republika Srpska authorities, saying they would endanger and undermine the General Framework Agreement for Peace, which would undermine the independence, sovereignty and statehood of Bosnia and Herzegovina, hence endangering peace and stability.

151. The Chair regularly warned of the serious political situation in the country, which was unravelling in the aftermath of the All-Serb Assembly and the subsequent adoption of the Declaration on the Protection of National and Political Rights and the Common Future of the Serb People by both the National Assembly of the Republika Srpska and the Parliament of Serbia, which institutionalized and internationalized the issue and its political and legal impact. The Chair has been insistent that the adopted Declaration could produce unforeseeable consequences and represents an open attack

on national and international law and an attack on the General Framework Agreement for Peace, as well as on the constitutional order of Bosnia and Herzegovina.

152. Both the Chair of the Presidency and Presidency member Željko Komšić engaged in an intensive diplomatic campaign at the end of April 2024 at United Nations Headquarters in New York, together with the Permanent Representative of Bosnia and Herzegovina to the United Nations, Zlatko Lagumdžija, to facilitate the adoption by the General Assembly of a resolution on Srebrenica, recalling that genocide denial and the glorification of convicted war criminals represented an attack on victims of genocide and their dignity, and that the resolution could help reconciliation within Bosnia and Herzegovina as well as the region. The Chair went on a series of bilateral visits specifically to raise awareness of the importance of the adoption of the resolution on Srebrenica at the United Nations.

153. The Chair referred to the adoption of the resolution as the most important diplomatic, political and moral victory of Bosnia and Herzegovina of the twenty-first century. On 24 May 2024, following the adoption by the General Assembly of resolution [78/282](#) on Srebrenica, the Chair addressed the public, stressing that the resolution was not targeting peoples, but represented an invitation to respect the values of civilization and reach catharsis. He delivered an impassioned speech at the 11 July commemoration of the events in Srebrenica, stressing the importance of the resolution and its future impact, the significance of 11 July becoming not only an international day of remembrance of the Srebrenica genocide to be marked across the world, but also a chance for catharsis and dealing with the past. The Chair recalled the dangers of the present and the reminiscence of the 1990s, warning of the dangers of the Greater Serbia statehood project and how it endangered peace and stability.

154. On 21 June 2024, Presidency member Željko Komšić addressed the plenary session of the Venice Commission on matters related to the Constitutional Court of Bosnia and Herzegovina, including the criteria for the appointment of judges and the ethical system, and political agendas that wish to insert ethnic/entity-based decision-making into the Constitutional Court, declaring them unacceptable.

155. The Serb member of the Presidency, Željka Cvijanović, maintained the position of the Union of Independent Social Democrats that the foreign policy system had completely collapsed owing to a failure to respect the constitutional competencies within the system and a failure to harmonize positions when presenting them on behalf of Bosnia and Herzegovina and addressing international organizations. Following the adoption by the General Assembly of the resolution on Srebrenica, on 28 May 2024, Presidency member Cvijanović put forward a proposal for the dismissal of the Permanent Representative of Bosnia and Herzegovina to the United Nations for abuse of his official position and an attack on the constitutional order. The Presidency rejected her initiative.

156. Presidency member Cvijanović continued to stress the need to consistently respect the General Framework Agreement for Peace, the constitutional competencies of different levels of governance and the need to intensify internal dialogue, stabilize the political situation and further advance on the path to membership in the European Union.

157. Presidency member Cvijanović strongly condemned the speech by the Chair of the Presidency at the commemoration of the Srebrenica genocide on 11 July 2024, accusing him of inflaming hatred against Serbia, Serbs and the Republika Srpska, and ultimately stating that Bosnia and Herzegovina was not facing a Greater Serbia agenda, but rather a Greater Bosniak agenda, which persistently aimed at marginalizing two of the three constituent peoples.

158. The Presidency members held extraordinary sessions on 4 October to pass decisions on approving the engagement of the Armed Forces of Bosnia and Herzegovina in the areas of Mostar, Konjic, Jablanica and Kiseljak to help with rescues after the catastrophic floods hit the region and to assist civilian authorities in their urgent response to the natural disaster.

B. Council of Ministers of Bosnia and Herzegovina

159. During the reporting period, the Council of Ministers of Bosnia and Herzegovina held 15 regular sessions and 13 extraordinary sessions under the leadership of the Chair (a member of the Croatian Democratic Union of Bosnia and Herzegovina).

160. Soon after the enactment of the election integrity package that amended the Election Law of Bosnia and Herzegovina, the Chair of the Council of Ministers initially showed some resentment, claiming that this intervention had interrupted good cooperation and synergy among the members of the State-level coalition. No evidence of this claim was noted.

161. The Chair continually stressed the Government's commitment to the European path and the European future of Bosnia and Herzegovina, the need for the continuation of reforms, especially in the domains of the judiciary, the rule of law, the fight against corruption and the need for the respect and protection of equal collective rights of the three constituent peoples and others, including the election of legitimate political representatives.

162. The reporting period was marked by lively diplomatic activity, encompassing numerous bilateral and multilateral visits and participation in various international conferences and summits, as well as domestic forums and symposiums.

163. The established practice of not proposing legislation to the Parliamentary Assembly of Bosnia and Herzegovina unless there was full political consensus continued to be duly followed, resulting in a less than modest legislative output.

164. The Council of Ministers of Bosnia and Herzegovina adopted two pieces of legislation, one of them the State budget for 2024, which the Council adopted on 4 July 2024, and the other changes to the Law on High Judicial and Prosecutorial Council. The adoption of other documents within its competence included a midterm strategy on debt management, a work programme for 2024, a strategy for fighting corruption for the period 2024–2028 along with an action plan for its implementation (a European Union priority), an action plan for the implementation of an agricultural census and the 2023 Bosnia and Herzegovina Migration Profile and plans to set up the Central Harmonization Unit of the Ministry of Finance and Treasury. In addition, the Council agreed on numerous appointments of council and governing board members and directors to State institutions.

165. The Council of Ministers continued to focus on regional and cross-border cooperation, dealing with pending legal disputes, migration, infrastructure projects, digitalization, energy efficiency and other technical and European Union-related matters. On 26 September 2024, the Council of Ministers appointed a coordination team to set up a common regional market in the Western Balkans, aimed at implementing the Common Regional Market Action Plan.

166. On 31 July 2024, the Council of Ministers failed to reach a consensus after the Minister for Foreign Affairs requested the revision of the agreements on police cooperation that Bosnia and Herzegovina had signed with Serbia and Croatia. Two Cabinet ministers from the Republika Srpska, the Minister for Security, Nenad Nešić (Democratic People's Alliance), and the Minister for Trade and Economic Relations, Staša Košarac (Union of Independent Social Democrats), reacted harshly to the

request for revision, which had been initiated as a result of the visit of Serbian police and military cadets to Bosnia and Herzegovina to mark the eighty-second anniversary of the battle of Kozara during the Second World War, and the massive public reaction that followed.

C. Parliamentary Assembly of Bosnia and Herzegovina

167. During the reporting period, the House of Representatives of Bosnia and Herzegovina held four regular and two urgent sessions, while the House of Peoples of Bosnia and Herzegovina remained effectively blocked and held only two urgent sessions.

168. As a result, the legislative output of the Parliamentary Assembly of Bosnia and Herzegovina was seriously constrained, with a total of three laws adopted, one of which was the State budget for 2024, and the others changes to the Law on High Judicial and Prosecutorial Council and changes to the Public Procurement Law.

169. The House of Peoples of Bosnia and Herzegovina has failed to reconvene in a regular fashion since 18 March 2024, when Bosniak Caucus representatives walked out of the session in protest over the inclusion in the agenda of an unconstitutional Serb Democratic Party proposal on the Law on the Constitutional Court. The Bosniak Caucus conditioned its return to regular sessions on the removal of the controversial proposal from the agenda. Finally, the proponent removed the proposal.

170. Delegates in the House of Representatives of Bosnia and Herzegovina flooded the agenda with initiatives and legislative proposals in an attempt to compensate for the limited legislative output on the part of the Council of Ministers of Bosnia and Herzegovina.

171. A total of four legislative proposals that had been previously raised by delegates were rejected. Also rejected was an initiative by the Deputy Speaker of the House of Representatives, Denis Zvizdić, tasking the Council of Ministers of Bosnia and Herzegovina to engage in implementing priorities from item 4 (g) of the opinion of the European Commission on the application of Bosnia and Herzegovina for membership in the European Union, which refers to ensuring that veto rights are eliminated in the administrative bodies entrusted with implementing the European Union acquis.

172. On 16 July, the House of Representatives of Bosnia and Herzegovina rejected an initiative by the Party of Democratic Action for the removal of the Minister for Security of the Republic Srpska for publicly offending victims of genocide and denial of genocide in Srebrenica.

173. An urgent session of the House of Representatives of Bosnia and Herzegovina was convened on 18 April, at the request of the Union of Independent Social Democrats, to discuss the present political situation in State institutions, with emphasis on the legislative role of the Parliamentary Assembly of Bosnia and Herzegovina. A set of controversial and illegal conclusions was proposed by the Union of Independent Social Democrats, which the House rejected, and which included the explicit intention to, while abusing the Parliamentary Assembly, sideline the High Representative, annul his decisions by declaring them not legally binding and effectively ordering the Official Gazette of Bosnia and Herzegovina not to publish them, all under a veil of promoting the pathway to European Union membership, defending the political independence of Bosnia and Herzegovina and promoting the idea of the complete failure of the foreign policy system.

174. On 19 July, the Official Gazette of Bosnia and Herzegovina published the decision of the Central Election Committee of Bosnia and Herzegovina concerning the fifth delegate in the Serb Caucus of the House of Peoples of Bosnia and Herzegovina,

whereby the seat was allocated to the Party of Democratic Progress, Nenad Vuković, while the Union of Independent Social Democrats, represented by Snježana Novaković Bursać, lost its seat, which resulted in the Union of Independent Social Democrats formally losing the ability to defeat any decision in the House by itself.

IV. Developments related to the Federation of Bosnia and Herzegovina

A. Executive and legislative authorities of the Federation of Bosnia and Herzegovina

175. As already reported, after all constitutional deadlines for the formation of a Government expired following the 2022 general elections, my 27 April 2023 Decision unblocked the appointment of the Government of the Federation of Bosnia and Herzegovina and helped to overcome the continual political stalemate at the entity level.

176. An integral part of my 27 April 2023 Decision was an amendment to the Constitution of the Federation of Bosnia and Herzegovina that entered into force on 1 May 2024, as the Parliament of the Federation of Bosnia and Herzegovina had failed to amend the Constitution. The amendment enabled Federation authorities to overcome similar government formation blockages by allowing them to provide deadlines for the appointment of the Government and introduce new unblocking modalities in case the appointment failed, including the dissolution of the Parliament of the Federation and the cantonal assemblies leading to early elections. It was expected that the Parliament of the Federation of Bosnia and Herzegovina would develop a long-term solution to prevent future obstacles in the formation of the government and that the 12-month period between the Decision and the amendment's entry into force should have been sufficient for an agreement to emerge on constitutional changes relating to this issue. Only one initiative to that end was launched when, on 12 April 2024, a majority of delegates in the Bosniak Caucus in the House of Peoples of the Federation proposed an amendment to the Constitution of the Federation in place of the enacted amendment. While the request by the majority of the Bosniak Caucus to schedule parliamentary debates in both Houses for the consideration of the proposed constitutional amendments was not met, Muamer Zukić, President of the Bosniak Caucus, sent a letter to my Office asking for the enactment of a decision that would set a new deadline for the entry into force of my amendments. I did not meet this request since I had already reminded all relevant political stakeholders of the deadline and there was no impediment to amending the Constitution of the Federation in this regard after its entry into force. I welcomed any constructive proposals by domestic authorities to improve the Constitution of the Federation with regard to good governance and ensuring the functionality of institutions, and reiterated that without a stable Federation, there could be no functional State and no progress towards the future the citizens of this country deserved.

177. The Government of the Federation met regularly throughout the reporting period, holding 10 regular sessions and 50 extraordinary sessions. On the other hand, the Parliament of the Federation met far less frequently, with the House of Peoples holding only one extraordinary session and five regular sessions and the House of Representatives holding two extraordinary sessions and four regular sessions. It is important to note that two joint thematic sessions were held to discuss the institutional response to domestic violence and violence against women.

178. The Federation Parliament adopted two new laws as well as six proposals amending current laws. Following the 25 September 2023 resignation of Mirjana Marinković-Lepić (Naša Stranka) from the position of the Speaker of the House of Representatives for health reasons, the House elected Dragan Miokovic from the same political party on 29 May 2024.

179. On 29 May 2024, the House of Representatives of the Federation finally met its constitutional obligation to appoint a replacement for a member of the Constitutional Court of Bosnia and Herzegovina, Mato Tadić, who retired in November 2022. The lack of agreement among the members of the Selection and Appointment Committee in the House of Representatives on whether to propose only the top-ranked candidate or the full list of successful candidates to the House for a final vote prolonged the appointment for more than a year. Finally, the House voted on only one candidate, appointing Marin Vukoja as a judge to the Constitutional Court of Bosnia and Herzegovina with a majority vote on 29 May 2024.

180. To date, a replacement for Kata Senjak, a judge on the Constitutional Court of the Federation of Bosnia and Herzegovina, who met the retirement requirements on 14 January 2023, has not been appointed by the House of Peoples. It is important to note that, by virtue of the amendment to the Constitution of the Federation of Bosnia and Herzegovina that I enacted on 2 October 2022, if a new judge is not appointed by the date when the judge to be replaced reaches 70 years of age, the judge who reaches 70 years of age shall continue to serve until a new judge assumes office. As a result, Ms. Senjak may continue to serve until the relevant authorities meet their constitutional obligation. Although the procedure to fill the vacant seat on the Constitutional Court of the Federation of Bosnia and Herzegovina was initiated on 27 June 2022, the Constitutional Court reminded the House of Peoples of the urgency of filling the vacant seat on several occasions. Lack of action by Tomislav Martinović (Croat Democratic Union of Bosnia and Herzegovina), the Speaker of the House of Peoples, prevented the House from implementing its constitutional duty to appoint a replacement.

181. As reported earlier, on 15 November 2023 the Government of the Federation of Bosnia and Herzegovina adopted the Decision on Change of Purpose of Forestland and Temporary Use of Forestland for Other Purposes, allowing for the temporary use of forest lands for planned purposes other than forest stewardship, such as the extraction of minerals and other natural resources, during the concession contract. The intention of the Government was to fill the existing legal void caused by the long-lasting absence of a Federation-level Law on Forests, and at the same time to attempt to abide by the State property disposal ban and enable the implementation of important investment projects.

182. Following the judgment of the Constitutional Court of Bosnia and Herzegovina establishing that the contested decision was not compatible with articles I (1), I (2) and VI (5) of the Constitution of Bosnia and Herzegovina, and rendering it null and void, the Government of the Federation of Bosnia and Herzegovina annulled the disputed decision on 14 August 2024 and sent its decision to the company Adriatic Metals so as to act in accordance with the law.

183. The post of Police Director of the Federation of Bosnia and Herzegovina has been vacant since January 2019, and the post of Deputy Police Director has been vacant since February 2023. The Independent Board of the Federation of Bosnia and Herzegovina, responsible, inter alia, for recruiting those posts, disbanded in August 2022. The Parliament of the Federation of Bosnia and Herzegovina has not appointed a new Independent Board.

184. The Federation legislation establishing a special prosecutor and court department for fighting corruption and organized crime, which was adopted in 2014,

has remained unimplemented for 10 years. This demonstrates how ready the authorities are to enforce the fight against corruption.

185. At an urgent session on 2 September, the Government of the Federation of Bosnia and Herzegovina took a decision on the location of the premises for the special department for fighting corruption and organized crime. The Federal Ministry of Justice, led by the Croat Democratic Union of Bosnia and Herzegovina, announced its intention to amend the law on establishing special departments to fight corruption and organized crime with the aim of weakening special departments by diminishing the scope of crime that the departments would deal with, especially with regard to corruption offences in a canton. This would hinder the special departments' ability to deal with one substantial potential source of corrupt practices.

B. Mostar

City Statute

186. The non-implementation of the Mostar Agreement, endorsed on 17 June 2020, remained a pressing issue as the city approached the 2024 local elections. The original Agreement, which stipulated changes to the election system in Mostar and the adoption of the City Statute by a qualified majority (24 of 35 city councillors), should have occurred at the City Council's first inaugural session. As was explained in my previous report, owing to a lack of political willingness to implement that provision, the Statute has been neither adopted nor amended, further exacerbating the political gridlock.

187. On 17 June 2024, the President of the Croat Caucus in the House of Representatives of the Federation of Bosnia and Herzegovina, Damir Džeba (Croat Democratic Union of Bosnia and Herzegovina), publicly issued a reminder on the fourth anniversary of the 2020 Mostar Agreement, claiming that while the local elections held in December 2020 fulfilled the first part of the Agreement, the second part – amendments to the Bosnia and Herzegovina Election Law – remained unresolved. The President of the Croat Caucus in the House of Representatives blamed the delay on the President of the Party of Democratic Action, Bakir Izetbegović, and other Bosniak leaders, stressing the importance of these amendments for securing legitimate representation of all constituent peoples and citizens at all governance levels.

188. On 15 July 2024, the President of the Party of Democratic Action of the Mostar City Council, Salem Marić, made a third attempt to introduce the revised Statute in a City Council session but withdrew it. Before this, he had urged international representatives, including me, to pressure councillors from the main parties of the Mostar City Council to support it, citing the apparent reluctance of the Croat Democratic Union of Bosnia and Herzegovina to do so. However, my stance remains unchanged: the Statute must result from internal political and expert consensus, not external pressure.

189. In the light of this prolonged stagnation, I strongly urge all parties to elevate their discourse and commit to adopting the Statute. It is essential that a functional, equitable and cohesive governance structure be established for Mostar, one that genuinely serves the interests of its diverse population and safeguards the city's long-term stability.

Contentious issues

190. The ongoing controversy surrounding the construction of the Mevlana Intercultural Centre at a disputed site in Mostar continues. The Mevlana Intercultural Centre in Mostar is perceived by the Croat political group, including the Croat

Democratic Union of Bosnia and Herzegovina, as a strategic move to assert Bosniak presence in the predominantly Croat western part of the city.

191. The twentieth anniversary of the reconstruction of the Old Bridge was marked on 23 July 2024, endorsing a commitment to a symbol of unity and to future intercultural dialogue in multicultural societies through reconciliation and harmonious interactions. I remain engaged in promoting intercultural dialogue in Mostar and in Bosnia and Herzegovina as a whole.

C. Cantons, municipalities and cities

192. Heavy rainfall in Bosnia and Herzegovina on 3 and 4 October 2024 caused severe floods and landslides that resulted in the loss of lives and property, especially in the municipalities of Jablanica and Konjic in Herzegovina-Neretva Canton and Fojnica, Kiseljak and Kreševo in Central Bosnia Canton.

193. Humanitarian relief aid at all levels was received quickly. On 4 October 2024, the Chair of the Council of Ministers of Bosnia and Herzegovina called for international assistance. Thanks to good cooperation between all levels of authority in Bosnia and Herzegovina and strong support from the EUFOR-Althea mission, coupled with national and international civilian teams as well as the coordinated efforts of the European Union and the United Nations, all types of disaster relief were provided for the citizens of the affected areas. Due to the scale of devastation, the European Union activated its Civil Protection Mechanism for urgent assistance at the request of Bosnia and Herzegovina.

194. The damage assessment and the coordination of rehabilitation activities for the citizens of the affected areas posed the biggest challenges to the local and international stakeholders. The impact of this tragic disaster was not solely endured by the local communities but will inevitably have a general bearing on the whole country in economic terms.

195. While the Republika Srpska was among the first to extend disaster relief to the affected areas, the Serb members of the Council of Ministers soon after blocked a State-level decision to declare a three-day mourning period.

V. Developments related to Republika Srpska

A. Executive authorities of the Republika Srpska

196. The reporting period was marked by the adoption by the General Assembly of resolution [78/282](#) on Srebrenica on 23 May 2024, the subsequent convention of the All-Serb Assembly with the theme “One nation, one assembly – Serbia and Srpska” in Belgrade on 8 June, and local elections on 6 October. Meanwhile, the trial of the President of the Republika Srpska and the Acting Director of the Official Gazette of the Republika Srpska for breaching obligations in office continued.

197. Two dominant and interlinked trends have defined the political landscape of the Republika Srpska: (a) the deliberate subversion of the State of Bosnia and Herzegovina, its competencies and institutions; and (b) the pursuit of a secessionist agenda by the political leaders of the Republika Srpska.

198. Republika Srpska leaders claim that the State threatens the security, autonomy and identity of Bosnian Serbs. By rejecting State-level laws, policies and rulings, the authorities of the Republika Srpska portray themselves as defenders against perceived external threats and protectors of Serb interests in Bosnia and Herzegovina. The intent

of this narrative is to gain exclusive political and economic power within the entity and diminish the control of the State. Such defiance and rhetoric distract the attention of voters from the governance failures of the authorities of the Republika Srpska.

199. As at 16 September 2024, the Government of the Republika Srpska had held 21 regular sessions during the reporting period.

B. National Assembly of the Republika Srpska

200. During the reporting period, the National Assembly of the Republika Srpska held two regular sessions, one special session and one “solemn” session, during which 20 pieces of legislation were passed. Of a total of 20 adopted laws, 8 were on three agenda items: circumventing United States sanctions, undermining the High Representative’s authority and subverting Bosnia and Herzegovina State competencies.

VI. Public security and law enforcement

201. The practice of inappropriate political interference in operational policing did not diminish during the reporting period.

202. Border protection in Bosnia and Herzegovina is in urgent need of consistent, proper State funding. No improvement in this regard was made during the reporting period.

203. The lack of police officials is evident in most of the cantons of the Federation of Bosnia and Herzegovina. Most of the competition procedures for appointment of the new police officials are under way, while the capacities of the Police Academy are limited. While candidates wait for their turn for training, police administrations face problems owing to the large number of retirements.

204. The Deputy Director of the State Investigation and Protection Agency, Zoran Galić, is suspected by the Prosecutor’s Office of Bosnia and Herzegovina for the alleged criminal offence of abuse of office and of accepting gifts or other forms of benefit to facilitate tobacco smuggling to Bosnia and Herzegovina during the period when he was the Director of the Border Police of Bosnia and Herzegovina. He has been out of the reach of the authorities of Bosnia and Herzegovina since the beginning of August, when he crossed the Croatian border just before his planned arrest.

205. The Council of Ministers of Bosnia and Herzegovina did not deliberate on the appointment of a new Director of the State Investigation and Protection Agency following the proposal of the Minister for Security of Bosnia and Herzegovina, given the clear opposition of the Bosniak members of the Council of Ministers against the name which the Minister for Security put forward, and the insistence by the Serb members of the Council of Ministers on the proposed name. Currently, the appointment remains blocked.

206. At its urgent session on 17 May 2024, the Government of the Federation of Bosnia and Herzegovina appointed Vahidin Munjić as the new Acting Director of the Police Administration of the Federation of Bosnia and Herzegovina. The Police Administration has been without a Director since 2019, when Dragan Lukač was dismissed at his personal request. There is still no concrete progress with regard to the amendments to both the Law on Internal Affairs and the Law on Police Officials in the Federation of Bosnia and Herzegovina.

207. At its session on 4 June 2024, the Central Bosnia Cantonal Assembly adopted amendments to the Law on Police Officials. Considering the large number of

retirements in the Cantonal Ministry of the Interior, the main aim of the amendments was to maintain the operational activities of the Police Administration.

208. On 3 July 2024, the Herzegovina-Neretva Cantonal Government passed a decision to relieve the Deputy Police Commissioner, Ramiz Hasić, from duty owing to his retirement, and appointed Mirsad Subašić for a period of four years.

209. On 18 July 2024, the Una-Sana Cantonal Government appointed Amel Kozlica as the Director of the Police Administration for a period of four years upon the proposal of the Canton's Ministry of the Interior and based on the decision by the Canton's Independent Selection and Revision Board. The Canton had been lacking a police chief since October 2022, and this appointment was the first following extensive changes to the relevant Cantonal legislation in March 2024, when the title of the post was revised (from Police Commissioner to Director of the Police Administration) and different appointment procedures were adopted, which was a departure from the police independence model of the previous legislation.

210. Following the completion of the procedure for the selection of a candidate for the new Police Commissioner by the Independent Board, and upon the proposal of the Cantonal Minister for the Interior, the Central Bosnia Cantonal Government appointed Ibrahim Klisura as the new Police Commissioner on 20 September 2024.

211. The agreement of cooperation between the European Border and Coast Guard Agency (Frontex) and Bosnia and Herzegovina is still in the final stages of negotiation.

VII. Economic and social developments

A. Economic trends

212. Economic activity in Bosnia and Herzegovina for 2024 indicates a positive trend. The growth rate in the first quarter was 2.7 per cent compared with the same period in 2023. On the other hand, some economic indicators – such as exports and industrial production – confirm a slowdown. During the period from January to July 2024, exports dropped by 7.1 per cent, while imports increased by 3.9 per cent. During the same period industrial production dropped by 5.3 per cent, while inflation was 1.9 per cent. Foreign direct investment in the first quarter amounted to KM 509.4 million (an increase of 4 per cent compared with the same period in 2023).

213. The Ministry of Finance and Treasury of Bosnia and Herzegovina estimated the overall public debt at the end of the first quarter of 2024 at KM 13.09 billion, which was around 25.5 per cent of the country's gross domestic product. Of this amount, foreign debt was KM 8.98 billion (68.60 per cent) and domestic debt was KM 4.11 billion (31.40 per cent). The Federation share of the overall debt was 50.96 per cent, the share of the Republika Srpska was 48.28 per cent, and the shares of the State institutions and the Brčko District were 0.44 per cent and 0.32 per cent, respectively.

214. The financial sector appears stable. According to the preliminary data, the banking sector in Bosnia and Herzegovina had a profit of KM 463 million during the period from January to June 2024 – a 27.9 per cent increase compared with the same period in 2023.

215. On 2 August 2024, the credit rating agencies S&P Global Ratings and Moody's confirmed the rating of Bosnia and Herzegovina as "B+ outlook stable" and "B3 outlook stable", respectively.

216. The social indicators improved, but the progress was merely statistical. In June 2024, the average net salary was KM 1,374, an increase of 8.5 per cent compared with

the same month in 2023. In July, the average pension in Bosnia and Herzegovina amounted to KM 666, an increase of 8.1 per cent compared with July 2023. Nevertheless, income levels remained significantly below the average price of the basket of goods of over KM 3,000 for a family of four, suggesting that even those with steady incomes struggle to make ends meet. The number of unemployed persons in July was 328,700. This is a 6.2 per cent decrease compared with the same month in 2023. The registered unemployment rate was about 27.6 per cent, while the real (labour survey-based) unemployment rate was about 13.3 per cent for the second quarter of 2024. The number of employed persons was 852,500 (an increase of 0.5 per cent). The number of pensioners was 736,203 (an increase of 2.5 per cent).

217. The imminent demographic crisis that Bosnia and Herzegovina is faced with was outlined in my previous report ([S/2024/367](#)). There has been no apparent improvement in the demographic situation during the reporting period. Political instability, corruption, nepotism and poor standards of living are cited as the key factors accounting for emigration. The outflow of youth is among the most serious impacts of the political, economic and social challenges Bosnia and Herzegovina faces, and it continues to jeopardize the overall economic, political and social prospects of the country.

B. Fiscal issues

218. There were no delays in debt servicing and regular budget payments during the reporting period. This was foremost a result of the continued growth of indirect tax revenue, which accounts for most budget revenue for all levels of government. In the first eight months of 2024, the Indirect Taxation Authority of Bosnia and Herzegovina collected KM 7.50 billion. This is an increase of 8.25 per cent, or KM 572 million, over the same period in 2023. The regular execution of financial commitments should also be attributed to borrowing, which was particularly excessive in the Republika Srpska, but decreased owing to United States Office of Foreign Assets Control sanctions.

219. The adoption of the 2024 budget at the State level was significantly delayed. The budget was adopted on 16 July by the House of Representatives of Bosnia and Herzegovina and on 19 July by the House of Peoples. While this can be attributed to the eight-month delay in the adoption of the Global Framework of Fiscal Balance and Policy for 2024–2026 as the first step in the budget process at the State level, the 2024 budget preparation and adoption was also held hostage to political party calculations.

220. The budget of the institutions and international obligations of Bosnia and Herzegovina for 2024 totalled KM 2.786 billion, which is a 9 per cent increase compared with the 2023 budget. Of this overall amount, the financing of State institutions constitutes KM 1.355 billion (an increase of 3 per cent) and the servicing of foreign debt constitutes KM 1.430 billion (an increase of 15 per cent).

221. Looking only at the financing of State institutions, domestic revenues total KM 1.269 billion (an increase of 8 per cent), of which KM 1.020 billion comes from indirect tax revenues (the same amount as in 2023), KM 248 million comes from non-tax revenues (an increase of 63 per cent) and KM 0.75 million comes from transfers from other levels (an increase of 10 per cent). The budget shows a deficit in the amount of KM 84.8 million (a decrease of 48 per cent), and the coverage of the deficit is planned to be taken mainly from the transferred unspent funds from previous years, in the amount of KM 84.8 million.

222. On the expenditure side, in general terms projected expenses include KM 806.3 million for gross salaries and allowances (an increase of 2 per cent); KM 167.9 million for employee and parliamentary compensation (a decrease of

3 per cent); KM 225.8 million for material and service expenditures, rent and agreed services, among other things (an increase of 13 per cent); KM 35.4 million for current transfers and grants (an increase of 4 per cent); and KM 108.9 million for capital expenditures for the purchase of land, buildings and equipment (an increase of 20 per cent).

223. The implications of extended temporary financing in 2024 compounded by the implications of inadequate financing in the past decade are not addressed by the adoption of the 2024 budget. The overall increase of KM 40 million is modest considering the number of institutions (75) and their mounting needs and obligations. With a few exceptions, State institutions will remain at about the same level of financing in 2024 as in 2023.

224. That being said, the 2024 budget is unlikely to make a positive difference in terms of supporting the functionality of State institutions and equipping them to properly cope with obligations arising under the European Union accession process.

225. The preparation of the 2025 budget has been already delayed by more than four months, as the Fiscal Council of Bosnia and Herzegovina failed to adopt the Global Framework of Fiscal Balance and Policy for 2025–2027 before the 31 May deadline as the first step of the 2025 budget preparation. Thus far, the Fiscal Council of Bosnia and Herzegovina has made no effort to get the document agreed or adopted.

226. The Federation maintained its budget stability, which should be attributed to the sustained growth of indirect tax revenues and continued domestic borrowing, mainly through the issuance of treasury bills and bonds.

227. On 12 September 2024, the Federation Government adopted a consolidated report on budget execution for the period January–June 2024, which included the overall data on the Federation level, the cantons, the local self-government units and extrabudgetary funds. All levels of government of the Federation of Bosnia and Herzegovina achieved a positive financial result in the amount of KM 390.4 million. The total financial result at the level of the budget of the Federation of Bosnia and Herzegovina amounted to KM 84.5 million, at the level of cantons KM 94.1 million, at the level of municipalities in the amount of KM 151.9 million, and at the level of the social protection sector (i.e. at the level of extrabudgetary funds) in the amount of KM 59.9 million.

228. The Republika Srpska is currently facing significant financial challenges. It is burdened with high debt service, which will amount to KM 822 million in 2024, KM 1.07 billion in 2025 and KM 1.6 billion in 2026. Owing to sanctions by the United States Office of Foreign Assets Control, the Republika Srpska finds borrowing difficult. The 2024 budget envisaged borrowing KM 1.3 billion but, owing to sanctions, the Republic Srpska has only managed to borrow KM 425 million. Despite this, the Republika Srpska has been servicing its debt regularly, with debt services amounting to over KM 600 million since the beginning of the year.

229. According to the Fiscal Council of the Republika Srpska, future economic challenges will be overstaffing, losses incurred by public companies and sustaining the health sector.

230. The Republika Srpska authorities acknowledge the negative impact of the sanctions but claim that the financial situation is manageable. The budget plan has been designed to ensure that current revenues cover priority payments, such as pensions and civil servant salaries, which are not currently at risk. However, austerity measures may be necessary if the sanctions persist, such as reducing non-priority expenses and public investment and delaying supplier payments.

C. Problems of specific State legal entities

Electricity Transmission Company of Bosnia and Herzegovina

231. During the previous reporting period, the Electricity Transmission Company of Bosnia and Herzegovina was still governed by a management board and executive management in an acting capacity, owing to a seven-year delay in appointing new members. The failure to appoint new members with full credentials impeded investments in transmission networks. The company was established by the Bosnia and Herzegovina Law Establishing the Electricity Transmission Company, adopted by the Parliamentary Assembly of Bosnia and Herzegovina in 2004, following the June 2003 agreement between the two entities regulating the issue of the establishment of a joint transmission company and independent system operator at the State level, based on article III (5) (b) of the Constitution of Bosnia and Herzegovina.

232. The appointment of a new management board was finally possible during the present reporting period. On 5 September 2024, the Council of Ministers of Bosnia and Herzegovina appointed four members on the proposal of the Government of the Federation of Bosnia and Herzegovina and three on the proposal of the Government of the Republika Srpska. The handover to the newly appointed management board occurred on 2 October 2024, while executive management is still performing duties in its acting capacity.

Seven cultural institutions of special significance for Bosnia and Herzegovina

233. These institutions, which were established before the signing of the General Framework Agreement for Peace by the laws of the former Socialist Republic of Bosnia and Herzegovina, perform activities of public interest for the State and its citizens. However, the current situation in the management structures of the cultural institutions is alarming and represents an immediate threat to their functioning in the near future.

234. The seven cultural institutions of special significance for Bosnia and Herzegovina are the National Museum of Bosnia and Herzegovina, the Historical Museum of Bosnia and Herzegovina, the National and University Library of Bosnia and Herzegovina, the Museum of Literature and Theatre of Bosnia and Herzegovina, the Library for Blind and Visually Impaired Persons of Bosnia and Herzegovina, the National Film Archive of Bosnia and Herzegovina and the Art Gallery of Bosnia and Herzegovina.

235. Since the signing of the General Framework Agreement for Peace, the legal status of these cultural institutions has been disputed, with Republika Srpska-based parties questioning the validity of the laws establishing them, opposing their registration as State-level institutions and challenging their funding from the Bosnia and Herzegovina budget. As a result, these institutions have been operating without permanent management (e.g. directors, executive and supervisory boards) and relying on temporary appointments from the Government of the Federation of Bosnia and Herzegovina to avoid closure. This has limited their ability to carry out important legal, administrative and logistical tasks essential to their smooth functioning.

236. The situation is the most critical at the National and University Library, as it has no director or any other authorized representative. The previous director retired on 6 September 2024, leaving the employees in a very difficult position and without a person responsible for authorizing the most basic tasks essential for its functioning. The employees stopped providing services to the public on 9 October and the Library has ceased its operations.

237. These institutions are State institutions and, consequently, Bosnia and Herzegovina has the legal status of the founder and owner of these institutions and needs to exercise its competencies regarding the necessary appointments and financing.

Public Railways Corporation of Bosnia and Herzegovina

238. The Public Railways Corporation of Bosnia and Herzegovina is the only corporation established under annex 9 to the General Framework Agreement for Peace. As mentioned in my previous report, the Corporation lacks sufficient funds to settle its financial obligations, including the payment of salaries and operational expenses. The Corporation is fully dependent on financial transfers from the entities. While the Federation of Bosnia and Herzegovina respects its dues, the Republika Srpska continues to contribute less than its share of 40 per cent, leaving the Corporation at the risk of not being able to sustain itself. The situation remained unchanged during the reporting period.

Financial sustainability of the public broadcasting system

239. The public broadcasting system continues to face financial challenges. The three public broadcasters comprising the public broadcasting system are financed separately, contrary to the legislation in force. The financing of Bosnia and Herzegovina Radio-Television and Radio-Television of the Federation of Bosnia and Herzegovina has been temporarily settled by a contract with Elektroprivreda BiH, which collects the radio and television (RTV) tax at about 56 per cent of households, with notable non-payment in western Herzegovina. Radio-Television Republika Srpska has been independently collecting the RTV tax in the Republika Srpska since 2017 and is not allocating the collected tax in accordance with the stipulated ratio (50 per cent to Bosnia and Herzegovina Radio-Television and 25 per cent to each entity's broadcasters). The partial collection of the RTV tax, as well as the large organizational structures of all three public broadcasters, especially Bosnia and Herzegovina Radio-Television, cannot result in financial sustainability of the system as a whole.

240. Following the final decision of the Municipal Court of Sarajevo from 2022 establishing the debt of Bosnia and Herzegovina Radio-Television to the European Broadcasting Union in the amount of KM 9.8 million and contracted interest in the amount of KM 8.2 million, as well as the statutory default interest from the date of the lawsuit (2016), the Municipal Court issued a conclusion scheduling a hearing for the sale of real estate by Bosnia and Herzegovina Radio-Television for 25 September 2024. The potential sale of property used by Bosnia and Herzegovina Radio-Television will further complicate the financial situation of the State's only public broadcaster. It is also worth noting that there are registered claims of the Tax Administration of the Federation of Bosnia and Herzegovina and the Indirect Taxation Authority of Bosnia and Herzegovina in the amount of KM 38 million. The Public Attorney of Bosnia and Herzegovina intervened in the court proceedings, stating that the property on which the enforcement is ordered is State property on which there is a prohibition on disposal, and it is likely that intervention will delay the sale of specified real estate. However, the fact remains that the debt of Bosnia and Herzegovina Radio-Television, which is only the debt established by the final court decisions at the moment, amounts to more than KM 60 million and still needs to be settled.

241. On 29 June 2024, it was reported in the media that the Ministry of Communications and Transport of Bosnia and Herzegovina would request that the debt repayment to the European Broadcasting Union be financed from the State budget for 2025, and that further strengthening of Bosnia and Herzegovina Radio-Television through a new law on the public broadcasting system, which would guarantee the collection of the RTV tax throughout the country, needed to be

achieved. The Minister for Communications and Transport, Edin Forto, is reported to have emphasized the importance of the smooth functioning of Bosnia and Herzegovina Radio-Television as one of the most obvious symbols of statehood, which must survive despite everything and be stronger than ever. However, considering the overall political context, the intended activities will be challenging to carry out.

242. The efforts of Bosnia and Herzegovina to meet the European Union's 14 priorities are critical, and include ensuring the financial sustainability of the public broadcasting system. The proposed solutions include short-term measures for immediate stability and long-term strategies such as legislative changes and internal restructuring to ensure the efficiency of the public broadcasting system.

243. A joint letter from the international community was sent to the Parliament of the Federation of Bosnia and Herzegovina on 27 February 2024 expressing concerns arising from the fact that Radio-Television of the Federation of Bosnia and Herzegovina had been operating with only one of four members of the Governing Board for more than 10 years, and asking the Parliament to fulfil its responsibility and appoint board members so that this body, part of the public broadcasting system, could function properly. As a result of the letter, the Federation Parliament published vacancy announcements for four members of the Governing Board on 1 July. Interviews with candidates for members of the Governing Board were cancelled on 2 September because of a lack of quorum in the joint working group on the appointment of the Parliament of the Federation of Bosnia and Herzegovina. As of the time of writing, attempts at scheduling a new date for interviews were pending.

D. Specific international obligations

244. Bosnia and Herzegovina has not rectified its non-compliance with the Energy Community Treaty, which is the reason for on-and-off sanctions by the Energy Community Ministerial Council since 2015. During an informal Ministerial Council meeting of the Energy Community held in Banja Luka on 3 July 2024, the contracting parties were urged to accelerate the transposition and implementation of the electricity integration package without further delay to avoid potential tariffs on power exports to the European Union in the future.

245. Bosnia and Herzegovina is breaching the Energy Community Treaty in six different cases (in relation to the areas of electricity, energy efficiency, infrastructure, gas, environment and "third energy package"). The most serious breach concerns the long-standing failure of Bosnia and Herzegovina to establish a gas sector regulator at the State level, which the Republika Srpska persistently rejects. In addition, Bosnia and Herzegovina has the highest overall number of cases/breaches and the lowest implementation of Treaty obligations, with a score of 35 per cent.

E. Sustainable Development Goals

246. In June 2024, the Council of Ministers of Bosnia and Herzegovina adopted a Sustainable Development Goals financing framework to support the implementation of the Sustainable Development Goals Framework, the first country-wide strategic vision for sustainable development since 2007. The Sustainable Development Goals financing framework, serving as a de facto integrated national financing framework, provides a common reference point for all levels of government. It enables informed and targeted financing measures and improves the mobilization of additional resources for accelerated sustainable development, as outlined in the Sustainable Development Goals Framework. It includes both short- and medium-term actions, including the establishment of policies, institutions and instruments, and modalities

necessary to rechannel existing public funds and more effectively use external funds to integrate and attract private capital.

247. Following the successful preparation and presentation of the second voluntary national review at the high-level political forum on sustainable development in New York in July 2023, work on advancing the Sustainable Development Goals and the 2030 Agenda for Sustainable Development continued in an inclusive, country-wide manner. In line with the decision by the Council of Ministers of Bosnia and Herzegovina to adopt the Sustainable Development Goals Framework in Bosnia and Herzegovina in April 2021, subnational levels of government have proceeded with the preparation and harmonization of their respective sustainable development strategies with the Sustainable Development Goals Framework.

248. In this context, the Development Strategy of the Federation of Bosnia and Herzegovina 2021–2027 was prepared and adopted in 2022 in full alignment with the Sustainable Development Goals Framework. The Brčko District Development Strategy was also adopted. Guided by the same framework, the Republika Srpska has initiated the process of preparing its own development strategy, expected to be completed by 2025. This demonstrates how the Sustainable Development Goals and the 2030 Agenda serve as integrating factors for Bosnia and Herzegovina, offering a common agenda of importance and value for all peoples and levels of government. This process has been facilitated by the inclusive Sustainable Development Goals Council in Bosnia and Herzegovina, established by the Council of Ministers in 2023. The Sustainable Development Goals Council, chaired by the Directorate for Economic Planning and co-chaired by the Ministry of Foreign Affairs, includes representatives from entity and Brčko District authorities directly engaged in strategic planning across various levels of government.

249. The delegation of Bosnia and Herzegovina played an active role at the Summit of the Future held on 22 and 23 September 2024 in New York. The Chair of the Presidency of Bosnia and Herzegovina and the Minister for Foreign Affairs addressed the Summit of the Future and held meetings on the sidelines of the seventy-ninth session of the General Assembly, respectively.

250. The Chair of the Presidency delivered a speech emphasizing the commitment of Bosnia and Herzegovina to the fundamental principles of the United Nations and the importance of multilateralism in addressing global challenges. During his address, the Chair underscored the country's dedication to global peace, human rights and climate action. His speech also highlighted the tragic lessons from the past, particularly the genocide in Srebrenica, and called for a more effective United Nations role in conflict prevention and peacebuilding. He reaffirmed the support of Bosnia and Herzegovina for the Pact for the Future and its readiness to actively contribute to its implementation.

VIII. Developments related to annex 8 to the General Framework Agreement for Peace

251. With five professional expert members – two international and three local (two from the Federation of Bosnia and Herzegovina and one from the Republika Srpska) – the Commission to Preserve National Monuments operated effectively. The effectiveness of the Commission was also due to relevant decisions adopted by the Presidency of Bosnia and Herzegovina in the early 2000s. However, in 2016, the Presidency of Bosnia and Herzegovina decided not to fill the two international positions in the Commission. The 2016 decision of the Presidency was temporary, as it was supposed to be applicable until 30 May 2017. At the same time, a new rule was introduced whereby the presence of the three domestic members constituted a quorum

for work and decision-making. Despite advocacy from the international community at the time, the remaining two international members have not been appointed to the Commission as of the time of writing. Nevertheless, the quorum and decision-making rules (i.e. the presence of three members and the consensus of three members) were incorporated into the Commission's rules of procedure, which are still applicable.

252. The Commission's independence is jeopardized because two of its members are active in political parties and have been elected to cantonal assemblies.

253. The National Assembly of the Republika Srpska adopted the Draft Law on Changes to the Law on Implementation of the Decisions of the Commission for Protection of National Monuments in accordance with the Annex 8 of the General Framework Agreement for Peace at its tenth general session held on 2 July 2024. The draft law would, among other things, remove "Bosnia and Herzegovina" from the previous wording of the law, which is "national monuments of Bosnia and Herzegovina".

254. Regarding the state and operations of the Commission, nothing changed throughout the reporting period. The planned sessions of the Commission in July and August 2024 were cancelled owing to disagreements about the agenda, which was not adopted. Disagreements over the date of the final scheduled session, which was supposed to take place on 6 September 2024, prevented it from happening.

IX. Media developments

Intimidation of journalists

255. As was underlined in my previous report, the intimidation of journalists is still a major problem, especially in the Republika Srpska. Denying access to information and governmental institutions to journalists who are not aligned with the ruling party remains a frequent practice. Several pieces of new legislation in the Republika Srpska still risk restricting media freedom.

Communications Regulatory Agency

256. The mandate of the members of the Governing Council of the Communications Regulatory Agency of Bosnia and Herzegovina expired at the end of 2017. Although the Council of Ministers of Bosnia and Herzegovina established a candidates list and submitted it to the Parliamentary Assembly of Bosnia and Herzegovina to carry out the appointment procedure for new members of the Governing Council in March 2024, the candidates list has still not been considered by the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina. The delay suggests significant political influence in what should be a procedural appointment, raising concerns about the independence and neutrality of this regulatory body, which are crucial to fair governance in the communication and broadcasting sectors.

257. Nevertheless, the current Governing Council of the Communications Regulatory Agency, consisting of only four of the intended seven members, held a competition for a new director general of the Agency, with an application deadline of 17 June 2024. The Governing Council has not yet considered the one application that had arrived as of the time of writing. The current Director General, Draško Milinović, who was the former Director General of Radio-Television Republika Srpska, will presumably be reappointed.

Digitalization progress

258. In terms of its operations, on 26 January 2024, the Communications Regulatory Agency made a public call for the allocation of a licence for Multiplex C to optimize available capacities for digital broadcasting. This is in addition to the already established Multiplex D, within which 18 stations already broadcast digitally. The Agency also granted a licence for Multiplex 1 for digital radio, enabling the commencement of digital radio broadcasting.

259. The digitalization process is advancing through two Multiplexes. Multiplex A, primarily for public broadcasters, saw an expedited procurement procedure – finalized in January 2024 with the signing of an agreement between the Ministry of Communications and Transport of Bosnia and Herzegovina and a consortium of companies from Banja Luka and Zagreb – for the procurement of equipment for digital transmission and broadcasting of public radio and television services in Bosnia and Herzegovina (i.e. equipment necessary to finalize phases I and II of the digitalization project). However, the company based in Banja Luka was in the meantime blacklisted by the United States Office of Foreign Assets Control and withdrew from the project. On 10 August, the Minister for Communications and Transport of Bosnia and Herzegovina confirmed that Sirius 2010 withdrew from the Multiplex A digitalization project aimed at public broadcasters as a result of the sanctions. The Croatian company Odašiljači i veze (OIV) was expected to take over the project, but significant delays have already had an impact on the timeline. While this decision prevents further disruption, the overall process still lags behind initial expectations.

260. Meanwhile, according to the Communications Regulatory Agency, Multiplex D was on track to cover 90 per cent of the territory of Bosnia and Herzegovina with digital terrestrial signals by the end of the year, and at the time of writing was hosting 18 television stations, with an ongoing invitation for new participants.

X. European Union military mission in Bosnia and Herzegovina

261. As underlined in my previous report, the unanimous approval of the Security Council on 2 November 2023 to extend the mission of EUFOR-Althea was of utmost importance for peace and stability in Bosnia and Herzegovina. The international community cannot permit a security vacuum to develop in Bosnia and Herzegovina.

262. Owing to the lack of reconciliation in the State, EUFOR-Althea is still needed as a reassuring element for the citizens of Bosnia and Herzegovina. The visibility and mobility of the deployed EUFOR-Althea troops and the availability of its over-the-horizon reserve forces remain essential given the unique political and security situation.

263. According to articles I and II of annex 1-A and articles I, II and IV of annex 1-B to the General Framework Agreement for Peace, all parties are committed to arms control and have agreed to cooperate with international organizations. EUFOR-Althea undertakes a role in arms control by conducting verifications and inspections. This creates a safe and secure environment in close coordination with the relevant ministries. EUFOR-Althea is also a key contributor in the field of humanitarian demining through the mine action strategy of Bosnia and Herzegovina.

264. Since the invitation to the NATO membership action plan in 2010, the Armed Forces of Bosnia and Herzegovina have continuously evolved to become a reliable partner in the Euro-Atlantic security architecture. Although the Armed Forces of

Bosnia and Herzegovina is a crucial State-level institution in which cooperation within the multi-ethnic structure functions best, its operational and command capabilities remain dependent on the support of strong NATO and European Union partners.

XI. Operations of the Office of the High Representative

265. While the Office of the High Representative has faced substantial reductions to its budget and staff over the past few years, its remaining tasks have not decreased commensurately. The current annual operating budget of the organization is €5.8 million. Collecting budgeted funds remains challenging, with around €600,000 of the budget expected to go uncollected in the current operating period. As previously noted, the Russian Federation suspended its contribution to the Office's budget in February 2022, and this remains its position. The Office employs 75 national staff and 20 international staff, 16 of whom are seconded to Sarajevo and its regional and field offices.

266. To achieve progress on the 5 plus 2 agenda, it is imperative to maintain a robust and efficient Office of the High Representative. Its capacity to fulfil its mandated responsibilities is highly dependent on the appropriation of necessary resources. The current financial situation is not commensurate with the goals established by the Steering Board of the Peace Implementation Council and could endanger the achievement of the purported mandate of the Office of the High Representative.

267. As mentioned in my previous report, deliberations continue regarding the organization of a high-level political evaluation conference in 2025 that will coincide with the thirtieth anniversary of the Srebrenica genocide and the thirtieth anniversary of the General Framework Agreement for Peace. The conference will aim at developing an integrated approach that will encompass the implementation of the General Framework Agreement for Peace and the integration of Bosnia and Herzegovina into the European Union.

XII. Reporting schedule

268. I submit the present report in accordance with the requirement in Security Council resolution [1031 \(1995\)](#) for the High Representative to submit regular reports to the Secretary-General for transmission to the Council. Should the Secretary-General or any member of the Council require further information, I am at their disposal. The next regular report is scheduled for May 2025.
