

113TH CONGRESS
2^D SESSION

H. RES. 746

Expressing support for the people of Bosnia and Herzegovina as they seek to hold government officials accountable, prepare for elections at the state, entity, and cantonal level, and consider constitutional or other reforms to enhance the country's prospects for European and Euro-Atlantic integration.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2014

Mr. SMITH of New Jersey (for himself and Mr. KEATING) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing support for the people of Bosnia and Herzegovina as they seek to hold government officials accountable, prepare for elections at the state, entity, and cantonal level, and consider constitutional or other reforms to enhance the country's prospects for European and Euro-Atlantic integration.

Whereas a brutal conflict marked by more than three years of aggression and ethnic cleansing, including the commission of war crimes, crimes against humanity, and genocide as well as the use of sexual violence, especially rape, as a tool of war, was brought to an end by the decisive actions eventually undertaken by the international community with the strong leadership by the United States,

culminating in the General Framework Agreement for Peace in Bosnia and Herzegovina (commonly referred to as the “Dayton Peace Accords”), which was agreed to at Wright Patterson Air Force base in Dayton, Ohio, on November 21, 1995, and signed in Paris on December 14, 1995;

Whereas considerable progress on post-conflict recovery was achieved by Bosnia and Herzegovina in partnership with an actively engaged international community during the first decade of the implementation of the Dayton Peace Accords, generating efforts to move beyond the Accord’s compromises that were originally intended to restore peace more quickly and preserve and protect human life, but have been considered in a more stable and secure environment to be a hindrance to the development of more democratic, efficient and effective political institutions, particularly at the state level, during a time when the prospects for European and Euro-Atlantic integration make the existence of such institutions necessary;

Whereas the Council of Europe’s Venice Commission has concluded that the current constitutional arrangements of Bosnia and Herzegovina are neither efficient nor rational and need to be reformed to make state-level institutions more effective and democratic if the country is to move forward, and the European Court for Human Rights has found certain provisions of the constitution of Bosnia and Herzegovina to be in breach of the European Convention on Human Rights because they establish ethnic criteria for certain elected positions that are discriminatory;

Whereas the failure to reach consensus on constitutional reforms in the second decade of the implementation of the Dayton Peace Accords has led to a deterioration of the

political atmosphere in Bosnia and Herzegovina, which has been marred by divisive rhetoric, unwillingness to work constructively with representatives of the international community, threats to the sovereignty, legal continuity, unity, and territorial integrity of the country and pervasive official corruption;

Whereas citizens in various municipalities of Bosnia and Herzegovina reacted to their severely worsening socio-economic conditions in 2014 with public protest and the formulation of demands for the accountability of government officials, an end to rampant corruption and numerous other actions to address their grievances, particularly at the local level;

Whereas elections at the state, entity, and cantonal level are scheduled to be held in Bosnia and Herzegovina on October 12, 2014;

Whereas the European Union (EU) has expressed its full and firm support for Bosnia and Herzegovina's EU perspective, considers the country to be a potential candidate country for membership, but views it at a standstill in the European integration process while other countries in the region are moving ahead;

Whereas the North Atlantic Treaty Organization (NATO) is committed to open membership to any European country in a position to undertake the commitments and obligations of membership and contribute to security in the Euro-Atlantic area, including Bosnia and Herzegovina once it has achieved the necessary progress in its reform efforts;

Whereas the international community retains the robust powers given to it by the Dayton Peace Accords, but has de-

clined in recent years to use those powers adequately to address the deterioration of the political atmosphere in Bosnia and Herzegovina and the resulting stagnation in the country's progress toward integration; and

Whereas it is in the national interest of the United States to ensure that the sovereignty, legal continuity, unity, and territorial integrity of Bosnia and Herzegovina within its internationally recognized borders, are respected and that Bosnia and Herzegovina make progress in achieving its aspirations for Euro-Atlantic and European integration through genuine reform efforts: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) reaffirms its continuing strong support for
3 the sovereignty, legal continuity, unity, and terri-
4 torial integrity of Bosnia and Herzegovina within its
5 internationally recognized borders;

6 (2) affirms equally strong support for the peo-
7 ple of Bosnia and Herzegovina as they seek greater
8 democracy, economic prosperity, and successful inte-
9 gration in European and Euro-Atlantic institutions;

10 (3) expresses profound dissatisfaction with the
11 inability of Bosnia and Herzegovina's political lead-
12 ers to achieve agreement on reforms necessary for
13 progress in these areas;

14 (4) deplors the divisive rhetoric and abuse of
15 legal protections that have become part of Bosnia
16 and Herzegovina's political discourse, including the
17 wrongful denial or mischaracterization of crimes and

1 genocide associated with the conflict between 1992
2 and 1995, the excessive and unwarranted reliance on
3 veto powers to block decisionmaking at the state-
4 level even when such decisions do not present any
5 reasonable threat to the “vital interests” of con-
6 stituent peoples, and the general fomenting of dis-
7 trust, division, and fear among citizens based on the
8 country’s ethnic and religious diversity;

9 (5) views the October 12, 2014, elections at the
10 state, entity, and cantonal level as an opportunity
11 for voters to address Bosnia and Herzegovina’s cur-
12 rent political stagnation and associated problems as
13 well as to express support for reform and for Euro-
14 pean and Euro-Atlantic integration;

15 (6) calls upon the relevant authorities of Bosnia
16 and Herzegovina to ensure these elections are con-
17 ducted in a free and fair manner;

18 (7) encourages the growth of peaceful, civic ac-
19 tivism to hold public officials accountable and to en-
20 gage citizens in the political life of the country, in-
21 cluding in the election process and any new initia-
22 tives to achieve structural or constitutional reform,
23 in order to achieve increased public trust in the po-
24 litical process, broader consensus on the reforms to

1 be adopted, and more effective, efficient, and demo-
2 cratic governance;

3 (8) calls upon the European Union and the
4 North Atlantic Treaty Organization and their mem-
5 ber states to make clear the specific steps Bosnia
6 and Herzegovina needs to take in the integration
7 process;

8 (9) supports the maintenance of a robust inter-
9 national presence in Bosnia and Herzegovina and
10 the full retention and necessary use of all powers ac-
11 corded to the international community, including the
12 Office of the High Representative, to meet fully the
13 objectives and conditions set by the international
14 Peace Implementation Council; and

15 (10) urges the United States and concerned
16 members of the international community, in all as-
17 pects of their relations with Bosnia and
18 Herzegovina, to place renewed emphasis, on respect
19 for the human rights and fundamental freedoms
20 held by the individual, which should not be com-
21 promised by any collective protections and privileges
22 accorded to a group, ethnically based or otherwise.

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