**Follow-up to European Parliament non-legislative resolution**

**on the 2022 Commission Report on Bosnia and Herzegovina**

1. **Rapporteur:** Paulo Rangel (EPP / PT)
2. **Reference number:** (2022/2200 (INI) / A9-0229/2023 / P9\_TA(2023)0284
3. **Date of adoption of the resolution:** 12 July 2023
4. **Competent Parliamentary Committee:** Committee onForeign Affairs (AFET)
5. **Brief analysis/ assessment of the resolution and requests made in it:**

The resolution is broadly in line with the Commission’s 2022 report. It discusses Bosnia and Herzegovina’s (BiH) EU accession process as regards democracy and functionality and the rule of law, fundamental rights, security, reconciliation and good neighbourly relations, socio-economic reforms, and energy, environment, sustainable development and connectivity. Overall, the resolution reflects the European Parliament’s continuous support for BiH’s EU path. It welcomes the European Council decision on candidate status and the High-Level Political Forum, encouraging all political authorities to seize the momentum to meaningfully advance on implementing the 14 key priorities for the opening of accession negotiations in line with the aspirations of all citizens. At multiple points, the resolution condemns the statements and actions by Milorad Dodik and the leadership of the *Republika Srpska* entity (RS), including the RS Day celebrations, the refusal to implement Constitutional Court decision, and the draft laws to criminalise defamation and to target non-governmental organisations as foreign agents. It reiterates the Parliament’s call for targeted sanctions against Dodik and his entourage. The resolution welcomes Bosnia and Herzegovina’s increased alignment with EU foreign policy, advocates for its NATO integration, and welcomes the extension of the EU military operation EUFOR Althea’s mandate and the role of the Organisation for Security and Cooperation in Europe (OSCE). It reaffirms the Parliament’s support to the Office of the High Representative for BiH (OHR) and calls on the Commission services and the European External Action Service (EEAS) to positively engage with it (paragraph 10). It takes note of the OHR’s decision to change electoral rules on the evening of the vote, while expressing concerns regarding the timing, transparency and lack of consultations in these processes (paragraph 33).

As last year, the Parliament takes note of the concept of constituent peoples but stresses that this concept should not in any way lead to the discrimination of other citizens or imply any additional rights for people identifying with one of these groups compared to other citizens of Bosnia and Herzegovina. It calls on the Commission and the European External Action Service (EEAS) to provide financial support in line with merit and conditionality, and to publish detailed explanations of and the measurement criteria for the 14 key priorities (paragraph 7); to invest in communication campaigns and convene dialogues with civil society and the private sector (paragraph 23); and to develop guidelines on the application of conditionality (paragraph 25). It recalls its position that EU funds for projects in the RS entity ‘must remain frozen’ (paragraph 26). As regards reforms to strengthen the rule of law, the resolution is in line with Commission recommendations; it notably welcomes the draft integrity amendments to the Law on the High Judicial and Prosecutorial Council (HJPC) and calls for their parliamentary adoption and urges new legislation on anti-money laundering. The resolution also calls on Bosnia and Herzegovina to swiftly ratify the three regional mobility agreements, and to enable visa-free travel between Bosnia and Herzegovina and Kosovo.

1. **Response to requests and overview of action taken, or intended to be taken, by the Commission:**

The Commission welcomes the support this resolution provides for its 2022 Report. The Commission shares the European Parliament’s assessment on the situation in Bosnia and Herzegovina and the need to deliver concrete results on fulfilling the 14 key priorities for the opening of accession negotiations, following the granting of candidate status. The Commission also expects all political leaders to put a stop to secessionist and divisive actions and rhetoric. The Commission will continue to support Bosnia and Herzegovina in all these areas.

In its 2023 Communication on enlargement policy, the Commission recommended the opening of EU accession negotiations with Bosnia and Herzegovina, once the necessary degree of compliance with the membership criteria is achieved.[[1]](#footnote-1) In line with the Commission’s recommendation, in December 2023, the European Council decided that it would open accession negotiations with Bosnia and Herzegovina, once the necessary degree of compliance with the membership criteria was achieved. The European Council invited the Commission to report to the Council on progress at the latest in March 2024, with a view to making a decision.[[2]](#footnote-2) The Commission reported to Council on 12 March 2024, considering that Bosnia and Herzegovina had achieved the necessary level of compliance with the membership criteria, and recommending to the Council to open accession negotiations with Bosnia and Herzegovina. Furthermore, the Commission recommends that the Council adopts the negotiating framework once Bosnia and Herzegovina has taken further steps in line with the Commission’s report. The Commission is ready to report back to the Council about the progress made by Bosnia and Herzegovina in relation to these steps[[3]](#footnote-3). Building on the Commission’s recommendation, on 21 March 2024 the European Council decided to open accession negotiations with Bosnia and Herzegovina. The European Council invited the Commission to prepare the negotiating framework with a view to its adoption by the Council the moment all relevant steps set out in the Commission’s recommendation of 12 October 2022 are taken.

On specific requests contained in the resolution, the Commission’s position is the following:

As regards **paragraph 7**, the Commission will continue providing financial assistance to Bosnia and Herzegovina, ensuring that it reaches the citizens. The new growth plan announced by President von der Leyen is yet another illustration of the Commission’s commitment to support the socio-economic convergence of the Western Balkans with the EU. The Commission stands ready to provide technical assistance as needed to support Bosnia and Herzegovina in addressing the key priorities. The Commission will continue coordinating with Bosnia and Herzegovina, in particular via the Directorate for European Integration, in line with the Stabilisation and Association Agreement (SAA). The EEAS will also continue to support the Commission and in cooperation with relevant partners, facilitating the political process, in particular liaising with authorities and political parties, and promoting dialogue between the different levels of government.

As regards the call to positively engage with and rely on the OHR and EUFOR Althea (paragraph10), the Commission will continue supporting the OHR, including by contributing to almost half of its budget, as well as by providing expert advice as needed, including on EU law, as in the context of the OHR-led working group on property issues. The Commission and the EEAS will also continue supporting the military operation EUFOR Althea, as key EU contribution to peace and stability in Bosnia and Herzegovina.

As regards the call to invest in communication efforts and convene dialogues with civil society and the private sector (paragraph 23), the Commission will continue enhancing its strategic communication efforts in the Western Balkans, and will continue consulting civil society and business actors, including in support of policy dialogue with Bosnia and Herzegovina under the SAA. The EEAS has reinforced the EU delegations in the Western Balkans including Bosnia and Herzegovinawith StratCom officers, who, together with the Western Balkans Strategic Communication Task Force and in line with the Tirana Summit Declaration, are working to narrow and close the space for Foreign Information Manipulation and Interference (FIMI), including disinformation by partnering and reaching out to regional audiences and positioning the EU, its policies, principles and values in the local information environment.

As regards the call to develop guidelines on the application of conditionality, and to implement the recommendations of the European Court of Auditors’ (ECA) Special Report 01/2022 (paragraph 25), the Commission has implemented all four recommendations and has reported on it to the ECA. The Commission continues to apply conditionality in its financial assistance on a case-by-case basis following a thorough analysis and due consideration of its impact. In view of further improving the reporting on the Instrument for Pre-Accession Assistance (IPA III) results, including in rule of law, the Commission adopted the IPA III Results Framework in December 2022 with a uniform set of indicators.

As regards the call to seek an opinion by Member States and the European Parliament prior to resuming the provision of funds for the RS entity (paragraph 26), the Commission notes that it has taken no decision on the issue, and it will assess when conditions are in place for signing the contribution agreements for the Western Balkans Investment Framework (WBIF) projects located in the RS entity. The EEAS shares the current assessment of the Commission.

1. [2023 Commission communication on enlargement, COM(2023) 690 final](https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-11/COM_2023_690%20Communication%20on%20EU%20Enlargement%20Policy_and_Annex.pdf), paragraph 11 [↑](#footnote-ref-1)
2. [European Council conclusions, 14 December 2023](https://www.consilium.europa.eu/en/meetings/european-council/2023/12/14-15/), paragraph 17 [↑](#footnote-ref-2)
3. . Commission Report on progress in Bosnia and Herzegovina – March 2024, COM(2024)129 [↑](#footnote-ref-3)