

Motion

tabled by the parliamentary groups of the SPD, Alliance 90/The Greens, and FDP

Support Bosnia and Herzegovina in emerging into a better future

The Bundestag is requested to adopt the following motion:

I. The German Bundestag notes:

The Dayton Peace Agreement of 14 December 1995 helped to end the near four-year brutal war in Bosnia and Herzegovina. According to the figures by the International Criminal Tribunal for the former Yugoslavia (ICTY), at least 105,000 people were killed and further 2.2 million people were displaced during this war. Numerous gravest crimes against humanity and war crimes were committed. The most tragic moment of the atrocities was the genocide of Bosniaks in Srebrenica, which was the first genocide in Europe since the Second World War. The war in Bosnia and Herzegovina and the genocide in Srebrenica are examples of the highly dangerous consequences of nationalistic and ethnonationalistic politics. A kind of politics that constructs supposed group memberships, divides people, and incites each other, and does not hang back from border changes, expulsions, and killings. The “Bosnian War” and the genocide in Srebrenica are not least a testament to the failure of the international community to stand against such politics unequivocally.

The post-war order in Bosnia and Herzegovina followed the principle that the coexistence of all citizens is secured in a common state as well as a permanent peace. The Peace Agreement, the Office of the High Representative, international peacekeeping forces, and the prospect of a European Union membership have contributed substantially to there being no more violent escalation in Bosnia and Herzegovina since 1995. On the other hand the Dayton Agreement left the country without functional state structures and preserved the ethnic divisions deepened by the war instead of overcoming them. The result is a constitution that is partly undemocratic, favours clientelism, and discriminates against many citizens of Bosnia and Herzegovina.

As such Bosnia and Herzegovina remains a country facing immense challenges. Supposed ethnic differences are reinforced and instrumentalised deliberately by the nationalistic political elites of the country in the Serbian, Croatian, and Bosniak parties and exploited to enrich and maintain power for themselves. Reforms have been blocked for decades to maintain a favourable condition for corruption and clientelism, political leaders are positioning themselves all the more on separatism, hate, and incitement, not least to divert attention away from stagnation and social frustration than take any responsibility. In particular the political activities of ethnonationalistic politicians such as the current member of the Presidency of Bosnia and Herzegovina, Milorad Dodik, and the president of the HDZ BiH party, Dragan Čović, have vested interest in destroying Bosnia and Herzegovina as a state and home for a diverse population. Such politics threatens the peace

in Southeastern Europe: it is unacceptable and demands determined and firm response from the European Union, its Member States, as well as the international community.

A political and social reckoning of the war crimes with the goal of reconciliation and trust-building among the population that also contributes to demonstrate justice being done to the victims and their relatives has not been supported by the political side. The denial of the Srebrenica genocide, particularly among the Bosnian Serb leadership, and also the glorification of lawfully convicted war criminals are diametrically opposite to peace and reconciliation. Particularly worrisome is the presentation of war criminals as heroes in school history books that indoctrinates specifically the young generation and thereby impedes reconciliation.

There are many examples of humanity who do not find their place in the culture of remembrance of the state. A politics of remembrance that could contribute substantially towards reconciliation through the acknowledgement of this engagement has only rarely taken place until now.

The parliament of the Bosnian Serb entity Republika Srpska voted in December 2021 to withdraw from the Bosnia and Herzegovina state forces as well justice and fiscal systems of the central government. The representatives of Republika Srpska have been boycotting the Bosnia and Herzegovina State institutions since July 2021. Unconstitutional paramilitary parades have taken place repeatedly in Banja Luka in the presence of high-ranking Serbian and Russian representatives. The recurrent and currently even louder demands for secession of the Bosnian Serb entity heighten internal tensions. Separatist rhetoric and the continuing attacks on the Bosnia and Herzegovina State institutions by the Government of Republika Srpska undermine the Dayton Peace Agreement incessantly. A further undermining of the Dayton Peace Agreement as well as the European legal system, particularly the Stabilisation and Association Agreement that came into force in 2016, harbour security policy risks for the European Union.

The task of providing a constitution and a suffrage to the country that do not discriminate against the three ethnic groups remains unresolved. The European Court of Human Rights has clarified repeatedly in its judgments that there can be no restriction for passive suffrage. The ethnonationalistic division must be overcome and the equality of all citizens guaranteed. A unilateral alteration of the suffrage without amendment of the constitution that simply papers over or even continues or deepens the ethnic division must be prevented. The upcoming elections in the autumn of this year require closest international attention and assistance. The obstruction, a boycott, or the manipulation of the elections by the named political forces would have severe consequences.

Rampant corruption across the whole country and at all levels has led to a massive and increasing emigration above all of young and well-educated citizens. This puts an additional, heavy burden for the development of Bosnia and Herzegovina. In the past few years, an average of 100,000 people have left the country annually. The enrichment at the expense of the people and their future prospects must cease. The Bundestag supports the efforts by the State of Bosnia and Herzegovina to fight corruption actively in the state and administration in these most difficult conditions. Stopping this development and supporting the country for new prospects count among the main tasks of the integration process into the European Union.

The civil society in Bosnia and Herzegovina that has not allowed itself to be discouraged in its tireless effort against nationalism and corruption as well as working for reconciliation and reappraisal of the wartime atrocities deserves the utmost respect. The courage of women who discussed sexualised violence committed against them has led to the United Nations recognising rape as crimes against humanity and weapon of war in 2008. The democratic civil society and the pro-European, democratic political forces must be considered as our closest partners for reforms and a future of the country as a member of the European Union. Their warnings of naivete towards the intentions of the nationalistic elites and their feeling of not being heard in the European negotiations with those politically responsible in Bosnia and Herzegovina must be taken seriously. The civil society in Bosnia and Herzegovina deserves more support and must be much more firmly integrated in the negotiations and decision-making processes than hitherto.

In these times risk warning must be heeded that the serious political crisis in Bosnia and Herzegovina widens to a security crisis. The current political situation and the actions of parts of the political elite are alarming and threaten the hard-won peace in Southeastern Europe. Supporters of the Serbian political leadership not only do not distance themselves from the ethnonationalistic idea of a “greater Serbia” but fuel such ideas with their statements. Also the emphatic support given by Russia under the leadership of Vladimir Putin to the divisive forces in the region must not be underestimated. Russia has an unconcealed interest to destabilise the Western Balkans and thereby the European Union. As a sovereign state, Bosnia and Herzegovina has the right to choose its alliances freely. The German Bundestag takes positive note of the intentions of the country to be closer to NATO, that is expressed inter alia by the acceptance of the Membership Action Plans in 2019.

In addition the Russian war of aggression against Ukraine and the actions of President Vladimir Putin demonstrate that targeted causation of enormous humanitarian catastrophe, extensive destruction, war crimes and crimes against humanity unfortunately are part of European reality in the 21st century and remain conceivable in the immediate future. The European Union must therefore mobilise all its powers and possibilities to counteract each and every attempt at destabilisation and defend democracy and peace in its neighbouring area.

II.

The German Bundestag declares:

As Federal Republic of Germany, we affirm our historical and European responsibility for peacekeeping, stability, and strengthening of the Western Balkans region, in particular in Bosnia and Herzegovina. The cooperation with democratic, legitimate institutions and the strengthening of the pluralistic, democratic civil society encourage peace in the country and the region. We protect international law and its institutions in Bosnia and Herzegovina. The German Bundestag would therefore welcome if the Federal Government take into consideration a renewed support for Operation EUFOR Althea as a contribution towards stabilisation of Bosnia and Herzegovina as well as for implementation of the Dayton Agreement.

The Federal Republic of Germany and the European Union are committed to a reliable EU membership accession for all states of the Western Balkan region. The German Bundestag affirms its interest in the further integration of Bosnia and Herzegovina into the European Union and will continue to support actively the country in its efforts. We encourage additionally the implementation of the Stabilisation and Association Agreement that came into force in 2016 and use existing instruments to achieve the long-term preservation of a stable peace in Bosnia and Herzegovina as well as its transformation into a strong, pluralistic democracy.

We support the implementation of the European Union's 14 reform priorities. It is essential for granting the EU candidate status. Bosnia and Herzegovina receives substantial, conditional EU support from the Multiannual Financial Framework 2021-2027 and can benefit inter alia from the Economic and Investment Plan for the Western Balkans adopted by the EU Commission with a total amount up to 9 billion euros. Separatist attempts are incompatible with this financial support.

The European Union bears an historical responsibility for overcoming the incomplete constitution of Bosnia and Herzegovina. The adoption of a constitution based on democratic principles, in accordance with the European Convention on Human Rights, and in the framework of an inclusive process with the participation of the civil society and opposition is necessary for the country to come closer to the EU. The required change in the constitution and suffrage in Bosnia and Herzegovina must aim to overcome the ethnic division of the country. The relevant judgments of the European Court of Human Rights (above all the cases of Sejdić and Finci, Zornić, Pudarić, Šlaku, and Pilav) must be implemented fully and substantively. The Bundestag observes with great concern the increase of negative influence from neighbouring states in a possible electoral reform. The so-called "principle of legitimate representation" is to be refuted. In the view of the German Bundestag, it is among others contrary to an equal participation of all citizens in the political process and is not in accordance with the values and standards of the European Union, would further deepen the division in Bosnia and Herzegovina and make the implementation of the judgements by the European Court of Human Rights difficult. The creation of a third entity, in addition to the current Federation of Bosnia and Herzegovina and Republika Srpska would threaten the territorial integrity of the State of Bosnia and Herzegovina and obstruct the goal of a pluralistic civil society.

We will act with conviction for historical and European responsibility for peace and stability in the Western Balkans. It is those politically responsible individuals locally who determine the future of their country. Yet we cannot and will not allow a renewed violent escalation in the region. We also reject categorically any form of ethnonationalism and suggestions for border shifts along the lines of local population majority. The integrity of Bosnia and Herzegovina is not negotiable. The German Bundestag welcomes emphatically the law that criminalises the denial of the genocide in Srebrenica, war crimes, as well as glorification of convicted war criminals.

III.

The German Bundestag calls the Federal Government to:

1.

call emphatically on the political leadership in Bosnia and Herzegovina for de-escalation and reduction of internal tensions;

2.

work emphatically as before in the European Union in close cooperation with the USA and the United Kingdom to strengthen targeted sanctions against persons, institutions, and businesses that

a.

undermine the sovereignty, territorial integrity, constitutional order, and international legal entity of Bosnia and Herzegovina;

b.

threaten gravely the security in Bosnia and Herzegovina, or;

c.

question the General Framework Agreement of Dayton/Paris and its Supplements, including measures that were introduced during its implementation;

3.

call on the political leaderships in Serbia, while noting the current EU accession process, and Croatia to distance themselves unequivocally from the ethno-separatist forces in Bosnia and Herzegovina;

4.

examine a renewed support of German forces in Operation EUFOR Althea as a clear signal of German support;

5.

strengthen the Office of the High Representative for Bosnia and Herzegovina (OHR), i.e. work for reporting in the committees of international community, such as supporting the implementation of the Agenda 5+2 and an increase in its resources;

6.

encourage the state-controlled surrender of small weapons to contain illegal weapons trade;

7.

strive for the strengthening of the operative cooperation especially in the areas of policing and resilience of Bosnia and Herzegovina with German personnel;

8.

accompany committedly Bosnia and Herzegovina coming closer to NATO and support actively in the implementation of the Membership Action Plan;

9.
pursue the “Berlin Process” vigorously;
10.
persist emphatically in the implementation of the judgment by the European Court of Human Rights contributing to the overcoming of the ethnic divisions in the country and remove the serious democratic deficit;
11.
guarantee, together with the OHR, the Council of Europe, the European Union, as well as the OSCE, the integrity of the election processes in the forthcoming elections for the Presidency, the Parliamentary Assembly of Bosnia and Herzegovina, the Parliament of the Federation of Bosnia and Herzegovina and Republika Srpska, and the 10 cantons in October 2022;
12.
support free, secret, and fair ballot on 2 October 2022 and supply technical support for them;
13.
examine a stronger condition for the instruments of bilateral development cooperation, of the Multiannual Finance Framework, especially the Instrument for Pre-Accession Assistance (IPA), as well as reviewing the funds allocated by international financial institutions, in particular the IMF and the EBRD, with a view to democratisation and integrity of Bosnia and Herzegovina;
14.
work at the European level for an intensive guidance of the reform process in Bosnia and Herzegovina by the local European institutions and demand an intensive cooperation between the EU Special Representative and the democratic and reform-oriented actors in politics and civil society;
15.
encourage much stronger than hitherto the civil society cooperation and democratic actors in Bosnia and Herzegovina and support initiatives for working through the past for a lasting reconciliation between peoples;
16.
expand further the support especially for women and young people;
17.
work for a continuous and sensitive reappraisal of sexualised war violence and resulting trauma as well as for appropriate regulations for compensation and psychological counselling and support for the victims;
18.
support financially and politically the Regional Youth Cooperation Office (RYCO) bilaterally and engage with the European Commission for an institutional support of RYCO;

19.

contribute to the creation of prospects in terms of education and jobs for young people in Bosnia and Herzegovina to counteract the immense emigration;

20.

work with the Government of Bosnia and Herzegovina for the social integration, job search, and medical integration of civilians disabled by war;

21.

support measures of an environmentally friendly energy economy and more energy efficiency;

22.

ensure projects in the countries in the Western Balkans in the following areas are supported much more strongly financially and institutionally through the Federal Government's own measures and European support:

a.

exchange programmes for journalists and representatives of the civil society as well as academics;

b.

exchange experiences and know-how in the area of dual vocational training;

c.

research and university cooperation;

d.

civil society projects in the area of strengthening the rule of law;

e.

the work of German political foundations;

f.

programmes for strengthening media competence and resilience against disinformation campaigns.

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Dr. Rolf Mützenich and the SPD parliamentary group

Katharina Dröge, Britta Haßelmann, and the Alliance 90/The Greens parliamentary group

Christian Dürr and the FDP parliamentary group

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