



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 24 May 2013

9991/13

**PE 239
ELARG 79
COWEB 73**

NOTE

from: General Secretariat of the Council
to: Delegations

Subject: Summary record of the plenary session of the European Parliament, held in
Strasbourg on 22 May 2013
2012 progress report on Bosnia and Herzegovina
Council and Commission statements

Ms Creighton, on behalf of the Council, delivered the speech in [Annex I](#).

Mr Füle, European Commissioner for Enlargement and Neighbourhood Policy, delivered the speech in [Annex II](#).

The following Members spoke on behalf of political groups:

- Ms Pack (EPP, DE), rapporteur, said that the debate in the plenary had been postponed in the hope that something would improve in the country, but nothing had happened. The Federation had once again showed that it was not capable of working and politicians had been giving the impression that they did not want to be helped. Under those circumstances the rapporteur defended the amendment she had tabled which called for the suspension of Bosnia and Herzegovina (BiH)'s membership of the Council of Europe and for the suspension of the Interim Agreement and the IPA financial assistance. She said she owed it to the people of both Bosnia and the EU.

- Ms Bozkurt (S&D, NL) also voiced her disappointment at the several deadlines missed by BiH, in particular regarding the implementation of the Sejdic/Finci ECHR ruling. Despite that, she said her group could not support Ms Pack's proposal which would amount to a collective punishment of the Bosnian people who, on the contrary, were eager to become part of the EU.
- Ms Neyts (ALDE, BE) spoke of exasperation with the situation in BiH and said she could understand Ms Pack's position but could not agree with it. The EU's role was rather to put pressure on the BiH authorities to adopt the much awaited reforms.
- Ms Cornellissen (Greens/EFA, NL) similarly rejected the idea of freezing IPA funds. She called on BiH and the EU to show some sense of urgency and to stop turning a blind eye to the situation in the country.
- Mr Poręba (ECR, PL) pointed out some of the major problems in the country, such as absence of the rule of law, the corruption, the lack of pluralist media and the ethnic divisions.
- Mr Belder (EFD, NL) stressed the security risks resulting from the rise of radical Islam in the country.
- Mr Angourakis (GUE/NGL, EL) wished that BiH could move as far away as possible from an EU that promoted capitalism in the country instead of healing war wounds.
- Mr Claeys (NI, BE) also hoped that the EU would not integrate BiH because radical Islam was on the rise in this country.

Individual speakers also voiced their concerns and frustration at the situation in BiH, notably at the fact that the Sejdic/Finci ruling had not been implemented. One Member warned against the temptation of giving up on the idea of a multi-ethnic BiH. Many pointed out that with the accession of Croatia, Bosnia would become a direct neighbour of the EU and called for easier access conditions for the Bosnian people. The Earl of Dartmouth expressed the opposite view: because of the high unemployment rate and the poverty of the country, the accession of BiH to the EU could lead to a massive outflow of people to the UK. Other Members from the right also voiced concerns about integrating into the EU such a divided country. For Mr Zemke (S&D, PL), keeping the accession perspective open could instead give the EU a useful leverage to change the country.

The amendment from the rapporteur received no support. For Ms Fajon (S&D, SI) that was rhetoric which went in the wrong direction. Mr Kacin (ALDE, SI) considered it inappropriate to put BiH on the same level as Belarus - the only European country not a member of the Council of Europe.

Commissioner Füle reassured those Members who were frightened by the perspective of BiH's accession and its consequences for the EU labour market. He said that under optimum circumstances, BiH would not be a member for 17 years from now. On the lack of a functional State, Mr Füle recalled that the Dayton agreement had been imposed and at the time it was the best possible framework to impose peace, but the time had come now to think about another framework. The implementation of the Sejdic/Finci ruling was an mandatory step, not only to allow BiH to present its application to the EU but also for the provisional application of the SAA. On the rather radical proposal from the rapporteur, Mr Füle noted that those Members that opposed it did not give one single alternative proposal to put pressure on BiH to comply with its international obligations. For the Commissioner, the time had come to sound the alarm and the EU had to make clear two points: firstly, that BiH had to align its constitution with the ECHR ruling, otherwise the provisional application of the SAA would be undermined and, secondly, the EU was ready to double its efforts but only if there was a shared vision from their side.

Ms Creighton, on behalf of the Council, took note of the shared sense of disappointment with the situation in BiH, but she also recalled that, according to the Treaty, any European State was entitled to apply. The EU, she said, could only help but not substitute for the government. On the eve of a conference in Dublin to mark the anniversary of the Thessaloniki declaration, Ms Creighton invited Members to remember the road that the Balkans had travelled : there had been a tragedy in Europe's backyard that had happened not that long ago. From that perspective it was clear how much progress the region had made . Regarding the rapporteur's proposal, Ms Creighton, speaking in her personal capacity, said that she could understand it but warned that it could prove counterproductive. Finally, she paid tribute to the often discreet work carried out by the European Parliament in the enlargement field and called on all institutions to work together.

On 23 May 2003 adopted a motion for resolution on the 2012 Progress Report on Bosnia and Herzegovina. The amendment from the rapporteur discussed in the debate was rejected.

President,
Honourable Members,

Developments in Bosnia and Herzegovina have not kept pace with our hopes and expectations. We have a number of concerns, and I know that these are broadly shared by this Parliament as reflected in the motion for Resolution which you will be voting on tomorrow. Let me take this opportunity to thank Doris Pack in particular for the commitment and knowledge which she has shown as your rapporteur. Here in particular the positive influence that you can bring to bear on current and future developments is very important.

Last December the Council noted that some progress had been made in Bosnia and Herzegovina at the start of 2012 with the formation of a State-level Council of Ministers. It also welcomed the adoption of two key EU-related laws – the Law on State Aid and on Population Census. However, it is regrettable that the momentum brought about through these developments has not been maintained. We are particularly disappointed that progress generally on the EU agenda has stalled, and that the use of divisive rhetoric has continued.

Also in December the Council welcomed the launch of the European Commission's High-Level Dialogue on the Accession Process with Bosnia and Herzegovina's political representatives which took place in June 2012. However, the timelines of the Roadmap forming part of this Dialogue have not been met and we remain concerned at the lack of implementation of the political agreements.

One of the top priorities for Bosnia and Herzegovina is to bring its Constitution into compliance with the European Convention of Human Rights and the Sejdic/Finci ruling. We have to see evidence of serious moves in this direction before the Stabilisation and Association Agreement can enter into force.

Completing the implementation of the Sejdic/Finci ruling is important. So too is the need for Bosnia and Herzegovina to demonstrate a satisfactory track record in implementing its obligations under the SAA/Interim Agreement. These key elements are essential before the EU could realistically consider any membership application.

The Council has also underlined the importance of establishing an effective coordination mechanism for engagement with the EU, including for the effective use of the EU's pre-accession assistance, as well as ensuring fiscal sustainability. Furthermore the State Aid and Population Census Laws now need to be fully implemented.

We have reaffirmed our support for the Structured Dialogue on Justice within the framework of the Stabilisation and Association Process, and have called on all the relevant authorities of Bosnia and Herzegovina to participate constructively in this process. This is key to ensuring the consolidation of an independent, accountable, credible, impartial and efficient judicial system. This would benefit all citizens across the country.

President,
Honourable Members

The EU intends to continue to strengthen its support for Bosnia and Herzegovina's EU integration process. As part of this process it has reaffirmed its full support for a strengthened EU presence on the ground.

But the political leadership in Bosnia and Herzegovina must intensify their efforts. Existing commitments must be fulfilled, and further work is required to bring greater stability and prosperity to the country. The leadership owes this to the citizens, who in turn deserve a better future.

EUROPEAN COMMISSION

Štefan Füle

European Commissioner for Enlargement and Neighbourhood Policy

What Bosnia and Herzegovina needs to do to move on EU path

Check Against Delivery
Seul le texte prononcé fait foi
Es gilt das gesprochene Wort

Plenary session of the European Parliament/ Brussels
22 May 2013

President, Honourable Members,

Let me first of all thank Doris Pack for an excellent Draft Report on Bosnia and Herzegovina (BiH). Last year I told you that when speaking about Bosnia and Herzegovina, it is difficult to be overly positive. Unfortunately I have the same problem this year.

As your Draft Report points out, progress has again been extremely limited. I am just as concerned about the political elite's continued lack of a shared vision for the overall direction of the country. As the motion states, the country is "falling further behind the other countries of the region".

Because of our concerns, the European Union has increased its engagement with Bosnia and Herzegovina and increased political facilitation efforts at all levels. Over the past several months, considerable political and diplomatic activity has taken place to help solve the most pressing issues that the country needs to tackle. In a nutshell: to implement all the steps in the roadmap agreed by political leaders in June 2012, which are outlined in several Council Conclusions and in your draft report.

In April, I went to Sarajevo to discuss with the politicians the way forward on Sejdić-Finci issue. Because of the lack of any meaningful progress resulting from our facilitation process, I regrettably had to cancel the third round of the High Level Dialogue on the Accession Process.

I came back with the impression that some were more focused on party and ethnic interests than on implementing the Sejdić-Finci judgement.

President, Honourable Members,

The European Union can only facilitate. It is up to the political leaders of the country to step up to the challenge in a genuine engagement. In the current situation of political instability in the Federation, it is difficult to find a genuine consensus on essential issues – and nevertheless, it remains vital.

The accession of Croatia will make Bosnia and Herzegovina a direct neighbour of the Union. We are doing our utmost to facilitate this new status and make it a success for both sides. I have held two ministerial meetings with Foreign Ministers of Croatia and Bosnia and Herzegovina to this aim, in addition to five technical meetings that my services have organised with both sides.

Despite the recurrent setbacks, we have reiterated that our continued engagement and support is available for those in the country who want to move things forward. Our structured dialogue on judiciary is bearing fruit. I understand that this house wholeheartedly supports this approach.

Thank you for your attention.

Closing remarks

President, Honourable Members,

Thank you for this extensive and useful debate.

We have a responsibility and commitment to BiH. Dayton 1995 – we imposed this agreement on them, and the Dayton agreement was the best framework for them to bring peace to BiH. Now, the time has come to think about another framework for transforming BiH. Enlargement is the most powerful instrument we have, it is not Dayton, it is enlargement, through it we will be able to tackle a lot of issues about which you, and the Commission too, are complaining.

First, we need to help them to pass the bridge to the EU enlargement process and that bridge is called implementation of the Sejdić-Finci ruling.

Second, it is important to see what is going on in the region, moving external border of the EU to BiH. The rest of the region is moving, the deal between Belgrade and Prishtina shows that if there is a will there is a way in the region. It shows how important is this European perspective and how much potential there is in the enlargement as an instrument of transformation. So we need to help BiH not to remain outside, in the cold, and be caught still within the Dayton framework while the rest of the region is moving in the EU framework.

Third, sometimes we tend to refer to Sejdić-Finci as the only obstacle for BiH to submit the EU application. Well, non-implementation of Sejdic-Finci is the reason why we still do not have the Stabilisation and Association Agreement entering in force. BiH is not living up to its international commitments and we need to make it clear. Do I agree that the time has come for the alarm to ring for BiH? Yes.

There will be elections next year. What will we do with the elections without BiH delivering on the ECHR ruling? Are we going to ring the alarm bell then? The time has come now not to threaten but to make it very clear: you need to deal with the ECHR ruling, you need to align the Constitution with that decision, because without it you will be in breach of international commitments and this has its consequences.

The second clear message is that we are here to help you, we are your partner, we have shown how serious we are in trying to help you to cross that bridge. If needed we will double our efforts, but we need you to have this vision, because it will be you delivering on that expectations.
