

Highlights and Lowlights: Take Your PIC

Last week's meeting of the Peace Implementation Council Steering Board (PIC SB) and its subsequent communique brought few surprises. Here's a quick review

Point 2 of the communique referred to terrorist attacks carried out in Bosnia and Herzegovina and beyond, "encourage[ing] all relevant authorities in Bosnia and Herzegovina in their efforts to combat terrorism, to prosecute those involved in terrorist activities, to prevent radicalization and to reinforce cooperation among authorities within BiH and with other countries in this regard." Nothing to argue with here, though dreamers might have hoped that recent articles noting the impact of governmental fragmentation on more effective anti-terrorist activities in Belgium would be referenced as a cautionary tale of the impact that weak governance, minimally-harmonized justice sector and weak inter-agency coordination has on the ability of a state to ensure a safe and secure environment.

"Structured Dialogue" Presented as the Solution

Point 5 on education urged (once again) standardization, non-politicization, inclusiveness, and other such worthy goals. It also noted that both entities should provide "appropriate classes for the National Group of Subjects." It's good that the PIC reminded everyone of this obligation. But the drafters seem to have conveniently forgotten that the national group of subjects, introduced back in 2002, was itself meant to be an interim measure, to be replaced by a broadly more acceptable curriculum in due time. Then, rather oddly for a document aimed at public consumption, the communique noted the following: "Regarding the Bosnian language issue, the PIC Steering Board supports the OSCE as the lead international agency on this issue, noting the request in the 7 October letter to the RS National Assembly to review its position." One could be forgiven for thinking that no organization can be handed this task, and that the speakers of the language will rightly determine the status of their own language; a basic principle underpinning the Framework Convention for the

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Protection of National Minorities, the European Charter on Regional and Minority Languages and other relevant documents. It will be interesting to follow developments regarding this issue and controversy, which is not simply symbolic. Finally, it is unfortunate that the link between the country's three mutually exclusive education systems and the cultivation of extremist worldviews was not explicitly made within the context of this point on education.

Point 6 made the inevitable reference to the 20-year anniversary of the Dayton Peace Agreement (DPA), noting the positive changes since it was signed, and urging "all the authorities in BiH never to cease their efforts in building a democratic and functional state, operating under the rule of law, and in accordance with the GFAP." It is likely that many citizens would take issue with the notion that anyone in authority has genuinely made such efforts, particularly in the last several years.

In Point 7 the PIC SB congratulated the Armed Forces of BiH on its 10th anniversary, noting that the military was the only branch of government to respond adequately to the 2014 flood disaster (I would argue the only other level of government somewhat up to the task was municipal). This praise is deserved and the defense reform process to date should be held up as an example of how to conduct a successful reform. However, the politically-motivated budget decisions that have put the Armed Forces on a starvation diet

should be reconsidered.

Point 8 noted that the entities have no right to secede, seeking to fend off the continuing, multi-year threats from the RS to eventually do just that. The RS referendum threats related to the judiciary (and now encompassing the BiH Constitutional Court) were characterized as distracting, with the "structured dialogue" process presented as the solution. This point also confirmed the existence of the two-entity structure in perpetuity: "The PIC SB confirmed that it would view as a serious and imminent threat to peace and security any attempt to undermine the fundamental structure of BiH as a single, sovereign state comprising two entities." It was then conversely noted that there are indeed constitutional amendment procedures that, presumably, could amend the structure. No mention was made that substantial constitutional reforms have been an integral part of the membership accession process of nearly every EU candidate, or that BiH should be prepared to do the same.

A reminder that Mostar needs an election law was included, but there was no mention of the (literal) rats that have taken over this beautiful town.

Not Mentioned

Russia was unable to agree with Point 10 (regarding the illegality of the RS referendum challenge to the state judiciary) and Point 11 (confirming the legitimacy of the BiH Constitutional Court - confirmed in the DPA in Annex 4, Article VI). This is in line with recent practice as Russia has often resisted state strengthening affirmations and actions. Russia did not object to the narrowly-worded point 13 (referencing progress on the NATO Membership Action Plan for BiH).

Finally, it is important to note some of the words and themes NOT mentioned in the communique: Sejdic-Finci/Zornic/Pilav; census; corruption; accountability; transparency. Perhaps at the next PIC in June...