

Calendar No. 378

117TH CONGRESS
2D SESSION

S. RES. 529

Supporting a democratic, pluralistic, and prosperous Bosnia and Herzegovina on the 30th Anniversary of its declaration of independence.

IN THE SENATE OF THE UNITED STATES

MARCH 2, 2022

Mrs. SHAHEEN (for herself, Mr. JOHNSON, Mr. MURPHY, Mr. DURBIN, Mr. WICKER, Mr. PETERS, Mr. MARKEY, Mr. TILLIS, Mr. GRASSLEY, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations

MAY 24, 2022

Reported by Mr. MENENDEZ, with an amendment and an amendment to the preamble

[Strike out all after the resolving clause and insert the part printed in italic]

[Strike the preamble and insert the part printed in italic]

RESOLUTION

Supporting a democratic, pluralistic, and prosperous Bosnia and Herzegovina on the 30th Anniversary of its declaration of independence.

~~Whereas Bosnia and Herzegovina has historically been a pluralistic society influenced by and composed of a diverse set of religions, cultures, and ethnicities;~~

~~Whereas, on March 3, 1992, Bosnia and Herzegovina declared independence, and on April 7, 1992, the United~~

States recognized Bosnia and Herzegovina as an independent state;

Whereas more than 100,000 people died and 2,000,000 more were displaced in Bosnia and Herzegovina between 1992 and 1995;

Whereas the United States, alongside the North Atlantic Treaty Organization (NATO), played a crucial role in ending the war in Bosnia and Herzegovina and brokering the General Framework Agreement for Bosnia and Herzegovina (also known as the “Dayton Agreement” and the “Dayton Accords”) in November 1995;

Whereas the Dayton Accords ended the war, affirmed the territorial integrity and political independence of Bosnia and Herzegovina, established the Federation of Bosnia and Herzegovina, Republika Srpska, and two tiers of government at the state, entity, district, canton, and municipal levels, installed the NATO Stabilization Force (SFOR) as an international interim peacekeeping force, and created the Office of the High Representative for Bosnia and Herzegovina (OHR) to oversee civilian implementation of the accords;

Whereas, since the Dayton Accords were signed, the Government and people of Bosnia and Herzegovina have made important strides toward re-building a peaceful society based on democracy, human rights, the rule of law, and a free-market economy;

Whereas, in 2004, the United Nations Security Council adopted United Nations Security Council Resolution 1575 authorizing a multinational stabilization force led by the European Union (EUFOR) as the legal successor to SFOR in Bosnia and Herzegovina;

Whereas, in 2008, the Peace Implementation Council Steering Board set out the requirements that need to be met prior to the closure of the OHR in the 5+2 Agenda;

Whereas, since 2009 and the case of Sejdić-Finci, the European Court of Human Rights (ECHR) has issued judgments concerning ethnic- and territory-based discrimination in the elections of Bosnia and Herzegovina and requiring reforms, which have yet to be implemented;

Whereas Bosnia and Herzegovina was invited to join a NATO Membership Action Plan in 2010, and Bosnia and Herzegovina submitted its first Reform Program to NATO in 2019;

Whereas Bosnia and Herzegovina formally applied for European Union membership on February 15, 2016;

Whereas, on May 29, 2019, the European Union adopted a roadmap to membership for Bosnia and Herzegovina, outlining needed reforms in the areas of democracy, the rule of law, fundamental rights, and public administration;

Whereas the United States and the European Union have called on Bosnia and Herzegovina to implement election and targeted constitutional reforms to ensure broad participation in the 2022 general election in Bosnia and Herzegovina and to comply with the Sejdić-Finci judgments from the ECHR;

Whereas, on October 20, 2021, the United States and the European Union issued a joint statement supporting the territorial integrity of Bosnia and Herzegovina and calling “on all parties to respect and protect state institutions, resume constructive dialogue, and take steps to ad-

vance progress on the EU integration path—including on relevant reforms²²;

Whereas some politicians in Bosnia and Herzegovina and other countries in the region continue to make statements downplaying or denying the 1995 Srebrenica genocide;

Whereas Milorad Dodik, a Bosnian Serb member of the Presidency of Bosnia and Herzegovina, has hampered reconciliation efforts through genocide denial, engaged in proactive and destabilizing security maneuvers, threatened to withdraw Republika Srpska from state-level institutions, including the judiciary, the security services, the Indirect Tax Authority, and the armed forces of Bosnia and Herzegovina, and called for the dissolution of the OHR;

Whereas, on December 10, 2021, the parliament of Republika Srpska voted in favor of denying the constitutional and legitimate authority of Bosnia and Herzegovina in the areas of taxation, justice, and security and defense;

Whereas the United States has imposed sanctions on Milorad Dodik pursuant to Executive Order 13304 (68 Fed. Reg. 32313, relating to the Termination of Emergencies With Respect to Yugoslavia and Modification of Executive Order 13219 of June 26, 2001) and Executive Order 14033 (86 Fed. Reg. 31079, relating to Blocking Property and Suspending Entry Into the United States of Certain Persons Contributing to the Destabilizing Situation in the Western Balkans) for obstructing the Dayton Accords and corruption;

Whereas, on January 9, 2022, Milorad Dodik presided over commemorations of an unconstitutional holiday;

Republika Srpska Day, which coincided with the day Bosnian Serbs declared their own state and ignited four years of war and bloodshed;

Whereas international financial institutions such as the International Monetary Foundation have warned that withdrawal from the Indirect Tax Authority would cripple the economy of Bosnia and Herzegovina;

Whereas, in 2020, the economy of Bosnia and Herzegovina contracted by an estimated 4.3 percent, and the youth unemployment rate rose to 33.6 percent, disrupting a five-year trend of decline in part due to the rampant corruption that remains unaddressed; and

Whereas at least 400,000 citizens of Bosnia and Herzegovina have emigrated from Bosnia and Herzegovina over the past 8 years: Now, therefore, be it

Whereas Bosnia and Herzegovina has historically been a pluralistic society influenced by and composed of a diverse set of religions, cultures, and ethnicities;

Whereas, on March 3, 1992, Bosnia and Herzegovina declared independence, and on April 7, 1992, the United States recognized Bosnia and Herzegovina as an independent state;

Whereas more than 100,000 people died and 2,000,000 more were displaced in Bosnia and Herzegovina between 1992 and 1995;

Whereas the United States, alongside the North Atlantic Treaty Organization (NATO), played a crucial role in ending the war in Bosnia and Herzegovina and brokering the General Framework Agreement for Bosnia and Herzegovina (also known as the “Dayton Agreement” and the “Dayton Accords”) in November 1995;

Whereas the Dayton Accords ended the war, affirmed the territorial integrity and political independence of Bosnia and Herzegovina, established the Federation of Bosnia and Herzegovina, Republika Srpska, and two tiers of government at the state, entity, district, canton, and municipal levels, installed the NATO Stabilization Force (SFOR) as an international interim peacekeeping force, and created the Office of the High Representative for Bosnia and Herzegovina (OHR) to oversee civilian implementation of the accords;

Whereas, since the Dayton Accords were signed, the Government and people of Bosnia and Herzegovina have made important strides toward re-building a peaceful society based on democracy, human rights, the rule of law, and a free-market economy;

Whereas, in 2004, the United Nations Security Council adopted United Nations Security Council Resolution 1575 authorizing a multinational stabilization force led by the European Union (EUFOR) as the legal successor to SFOR in Bosnia and Herzegovina;

Whereas, in 2008, the Peace Implementation Council Steering Board set out the requirements that need to be met prior to the closure of the OHR in the 5+2 Agenda;

Whereas, since 2009 and the case of Sejdić-Finci, the European Court of Human Rights (ECHR) has issued judgments concerning ethnic- and territory-based discrimination in the elections of Bosnia and Herzegovina and requiring reforms, which have yet to be implemented;

Whereas Bosnia and Herzegovina was invited to join a NATO Membership Action Plan in 2010, and Bosnia and

Herzegovina submitted its first Reform Program to NATO in 2019;

Whereas Bosnia and Herzegovina formally applied for European Union membership on February 15, 2016;

Whereas, on May 29, 2019, the European Union adopted a roadmap to membership for Bosnia and Herzegovina, outlining needed reforms in the areas of democracy, the rule of law, fundamental rights, and public administration;

Whereas the United States and the European Union have called on Bosnia and Herzegovina to implement election and targeted constitutional reforms to ensure broad participation in the 2022 general election in Bosnia and Herzegovina and to comply with the Sejdić-Finci judgments from the ECHR;

Whereas, on October 20, 2021, the United States and the European Union issued a joint statement supporting the territorial integrity of Bosnia and Herzegovina and calling “on all parties to respect and protect state institutions, resume constructive dialogue, and take steps to advance progress on the EU integration path—including on relevant reforms”;

Whereas some politicians in Bosnia and Herzegovina and other countries in the region continue to make statements downplaying or denying the 1995 Srebrenica genocide;

Whereas Milorad Dodik, a Bosnian Serb member of the Presidency of Bosnia and Herzegovina, has hampered reconciliation efforts through genocide denial, engaged in proactive and destabilizing security maneuvers, threatened to withdraw Republika Srpska from state-level institutions, including the judiciary, the security services, the Indirect Tax Authority, and the armed forces of Bosnia and

Herzegovina, and called for the dissolution of the OHR and the removal of EUFOR;

Whereas, on December 10, 2021, the parliament of Republika Srpska voted in favor of denying the constitutional and legitimate authority of Bosnia and Herzegovina in the areas of taxation, justice, and security and defense;

Whereas the United States has imposed sanctions on Milorad Dodik pursuant to Executive Order 13304 (68 Fed. Reg. 32313; relating to the Termination of Emergencies With Respect to Yugoslavia and Modification of Executive Order 13219 of June 26, 2001) and Executive Order 14033 (86 Fed. Reg. 31079; relating to Blocking Property and Suspending Entry Into the United States of Certain Persons Contributing to the Destabilizing Situation in the Western Balkans) for obstructing the Dayton Accords and corruption;

Whereas, on January 9, 2022, Milorad Dodik presided over commemorations of an unconstitutional holiday, Republika Srpska Day, which coincided with the day Bosnian Serbs declared their own state and ignited four years of war and bloodshed;

Whereas international financial institutions such as the International Monetary Foundation have warned that withdrawal from the Indirect Tax Authority would cripple the economy of Bosnia and Herzegovina;

Whereas, in 2020, the economy of Bosnia and Herzegovina contracted by an estimated 4.3 percent, and the youth unemployment rate rose to 33.6 percent, disrupting a five-year trend of decline in part due to the rampant corruption that remains unaddressed; and

Whereas at least 400,000 citizens of Bosnia and Herzegovina have emigrated from Bosnia and Herzegovina over the past 8 years: Now, therefore, be it

1 *Resolved, That the Senate—*

2 (1) congratulates Bosnia and Herzegovina on
3 the 30th anniversary of its declaration of independ-
4 ence;

5 (2) reaffirms strong and longstanding bipar-
6 tisan support for Bosnia and Herzegovina, and con-
7 tinues to believe that peace and stability in Bosnia
8 and Herzegovina is integral to the peace and sta-
9 bility of Europe as a whole;

10 (3) calls on all parties to uphold the spirit of
11 unity enshrined in the Dayton Accords and to redou-
12 ble their efforts to enact electoral and targeted con-
13 stitutional reforms prior to the 2022 general election
14 in Bosnia and Herzegovina;

15 (4) calls on the members of the Presidency of
16 Bosnia and Herzegovina to recognize their critical
17 role in preserving stability and to work together in
18 the best interests of their constituents as part of a
19 sovereign and independent Bosnia and Herzegovina
20 within its internationally recognized borders;

21 (5) encourages the Government of Bosnia and
22 Herzegovina to continue pursuing membership in the
23 North Atlantic Treaty Organization and the Euro-

1 pean Union and urges the European Union to in-
2 crease its efforts, cooperation, and assistance to
3 swiftly advance the accession process;

4 (6) calls on the President to prioritize efforts to
5 combat political corruption, democratic backsliding,
6 unemployment, and brain drain in Bosnia and
7 Herzegovina, in particular, by focusing on youth en-
8 gagement;

9 (7) commends the continued efforts of the Of-
10 fice of the High Representative (OHR) to advance
11 reforms, reaffirms the authority of the OHR as ar-
12 ticulated in the Dayton Accords, and calls on mem-
13 bers of the Peace and Implementation Council to
14 provide their full support to the OHR and advance-
15 ment of the 5+2 Agenda;

16 (8) calls on the President to develop an inclu-
17 sive and comprehensive strategy for Bosnia and
18 Herzegovina, in coordination with Bosnian and
19 Herzegovinian civil society and the European Union,
20 and to increase engagement with minority groups in
21 an effort to hear from a diverse cross-section of citi-
22 zens in Bosnia and Herzegovina, inclusive of all eth-
23 nic, political, or religious affiliations;

24 (9) encourages the United Nations and its
25 member states to continue to support the EUFOR-

1 Althea stabilization force and to review the current
2 levels of the force in the face of challenges to the in-
3 tegrity of Bosnia and Herzegovina;

4 (10) encourages the United States to consider
5 additional steps to support security and stabilization
6 in Bosnia and Herzegovina and to support EUFOR;

7 (11) condemns individuals who are actively
8 seeking to undermine the security, stability, and ter-
9 ritorial integrity of Bosnia and Herzegovina and
10 urges the President and European allies of the
11 United States to hold such individuals accountable
12 for their actions, including through the use of sanc-
13 tions where appropriate;

14 (12) condemns the inflammatory rhetoric of
15 politicians in Bosnia and Herzegovina and others in
16 the region who deny the severity or perpetration of
17 war crimes and genocide in Bosnia and Herzegovina;

18 (13) condemns politicians in Bosnian and
19 Herzegovina and the region who—

20 (A) persist in rampant corruption for per-
21 sonal enrichment at the cost of the prosperity
22 of the citizens of Bosnia and Herzegovina; and

23 (B) prevent Bosnia and Herzegovina from
24 adopting the reforms necessary to secure mem-

1 bership in the European Union and the North
2 Atlantic Treaty Organization; and

3 ~~(14) emphasizes that the United States Govern-~~
4 ~~ment will continue to support the people of Bosnia~~
5 ~~and Herzegovina in their quest to build a unified,~~
6 ~~pluralistic, prosperous, and peaceful state.~~

7 *That the Senate—*

8 *(1) congratulates Bosnia and Herzegovina on the*
9 *30th anniversary of its declaration of independence;*

10 *(2) reaffirms strong and longstanding bipartisan*
11 *support for Bosnia and Herzegovina, and continues*
12 *to believe that peace and stability in Bosnia and*
13 *Herzegovina is integral to the peace and stability of*
14 *Europe as a whole;*

15 *(3) calls on all parties to uphold the spirit of*
16 *unity enshrined in the Dayton Accords and to redou-*
17 *ble their efforts to enact electoral and targeted con-*
18 *stitutional reforms prior to the 2022 general election*
19 *in Bosnia and Herzegovina;*

20 *(4) calls on the members of the Presidency of*
21 *Bosnia and Herzegovina to recognize their critical*
22 *role in preserving stability and to work together in*
23 *the best interests of their constituents as part of a sov-*
24 *ereign and independent Bosnia and Herzegovina*
25 *within its internationally recognized borders;*

1 (5) encourages the Government of Bosnia and
2 Herzegovina to continue pursuing membership in the
3 North Atlantic Treaty Organization and the Euro-
4 pean Union and urges the European Union to in-
5 crease its efforts, cooperation, and assistance to swift-
6 ly advance the accession process;

7 (6) calls on the President to prioritize efforts to
8 combat political corruption, democratic backsliding,
9 unemployment, and brain drain in Bosnia and
10 Herzegovina, in particular, by focusing on youth en-
11 gagement;

12 (7) commends the continued efforts of the Office
13 of the High Representative (OHR) to advance re-
14 forms, reaffirms the authority of the OHR as articu-
15 lated in the Dayton Accords, and calls on members of
16 the Peace and Implementation Council to provide
17 their full support to the OHR and advancement of the
18 5+2 Agenda;

19 (8) calls on the President to develop an inclusive
20 and comprehensive strategy for Bosnia and
21 Herzegovina, in coordination with Bosnian and
22 Herzegovinian civil society and the European Union,
23 and to increase engagement with minority groups in
24 an effort to hear from a diverse cross-section of citi-

1 *zens in Bosnia and Herzegovina, inclusive of all eth-*
2 *nic, political, or religious affiliations;*

3 *(9) encourages the United Nations and its mem-*
4 *ber states to continue to support the EUFOR-Althea*
5 *stabilization force and to review the current levels of*
6 *the force in the face of challenges to the integrity of*
7 *Bosnia and Herzegovina;*

8 *(10) encourages the United States, in coordina-*
9 *tion with the EU and NATO, to consider a force pos-*
10 *ture review in light of the deteriorating political situ-*
11 *ation in order to consider additional steps to support*
12 *security and stabilization in Bosnia and Herzegovina*
13 *and to support EUFOR;*

14 *(11) calls on the United States to work in close*
15 *cooperation with NATO, the EU, and the United Na-*
16 *tions to ensure that contingency plans are considered*
17 *if the annual renewal of EUFOR's mandate at the*
18 *United Nations is put in jeopardy;*

19 *(12) condemns individuals who are actively seek-*
20 *ing to undermine the security, stability, and terri-*
21 *torial integrity of Bosnia and Herzegovina and urges*
22 *the President and European allies of the United*
23 *States to hold such individuals accountable for their*
24 *actions, including through the use of sanctions where*
25 *appropriate;*

1 (13) *condemns the inflammatory rhetoric of poli-*
2 *ticians in Bosnia and Herzegovina and others in the*
3 *region who deny the severity or perpetration of war*
4 *crimes and genocide in Bosnia and Herzegovina;*

5 (14) *condemns politicians in Bosnian and*
6 *Herzegovina and the region who—*

7 (A) *persist in rampant corruption for per-*
8 *sonal enrichment at the cost of the prosperity of*
9 *the citizens of Bosnia and Herzegovina; and*

10 (B) *prevent Bosnia and Herzegovina from*
11 *adopting the reforms necessary to secure member-*
12 *ship in the European Union and the North At-*
13 *lantic Treaty Organization; and*

14 (15) *emphasizes that the United States Govern-*
15 *ment will continue to support the people of Bosnia*
16 *and Herzegovina in their quest to build a unified,*
17 *pluralistic, prosperous, and peaceful state.*

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MAY 24, 2022

Reported with an amendment and an amendment to the
preamble