

Departamento de Europa y Comunidad de Estados Independientes

COUNCIL OF EUROPE

Committee of Ministers

120th Session of the Committee of Ministers

(Strasbourg, 11 May 2010)

Declaration on Bosnia and Herzegovina

by Micheline Calmy-Rey, outgoing Chair of the Committee of Ministers, and Antonio Miloshoski, incoming Chair of the Committee of Ministers

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- Emphasising the importance of democracy, human rights and the rule of law for the stability of States and the well-being of their populations,
 - Recalling the crucial importance of the European Convention on Human Rights and the case-law of the European Court of Human Rights for the enjoyment of those rights by all,
 - Reminding all member States of their obligation to comply fully and expeditiously with the final judgments of the European Court of Human Rights,
 - Stressing the significance of the Court's judgment in the case of Sejdić and Finci vs. Bosnia and Herzegovina of 22 December 2009 in this regard,

- Noting the lack of progress of Bosnia and Herzegovina towards compliance with this judgment, particularly in view of the general elections planned for October 2010,
- Referring to Parliamentary Assembly Resolution 1725 on the urgent need for a constitutional reform in Bosnia and Herzegovina, adopted on 29 April 2010, as well as to the relevant decisions agreed at the 1075th and 1078th meetings of the Ministers' Deputies;

We

1. Urge the authorities of Bosnia and Herzegovina to bring the country's Constitution and laws in line with the European Convention on Human Rights as a matter of priority,
2. Call upon the authorities of Bosnia and Herzegovina to take into account the relevant opinions of the Venice Commission for Democracy through Law in this regard,
3. Recall that the Council of Europe is willing to offer the authorities of Bosnia and Herzegovina all necessary assistance and support, through the Committee of Ministers' mechanism for the execution of judgments, but also through other Council of Europe mechanisms, notably the Venice Commission, to enable the country to meet its obligations under the European Convention on Human Rights,
4. Call for close coordination and consultation within the international community, in order to guarantee a coherent and effective common international approach to the constitutional reform in Bosnia and Herzegovina as required by the judgment of the European Court of Human Rights,
5. Remind the authorities of Bosnia and Herzegovina of the importance to continue their efforts to fulfill the country's obligations vis-à-vis the Council of Europe, and to implement the judgment of the European Court of Human Rights in the case of Sejdić and Finci.

1 This document has been classified restricted at the date of issue. It was declassified at the 120th Session of the Committee of Ministers (11 May 2010).