

Research Briefing

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# Bosnia and Herzegovina: secessionism in the Republika Srpska



## Summary

- 1 The peace settlement and political system
- 2 Independence moves in the Republika Srpska
- 3 NATO, the EU and Operation Althea

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## Summary

Following the break-up of Yugoslavia in the early 1990s, and the ethnic conflict that engulfed Bosnia and Herzegovina, a peace agreement was eventually reached in 1995. According to the General Framework Agreement for Peace in Bosnia and Herzegovina (otherwise known as the Dayton Agreement), signed in 1995, Bosnia and Herzegovina (BiH) is a single state, which consists of two principal political entities: the Federation of Bosnia and Herzegovina, principally comprising the Bosniak (Muslim)- and Croat-majority areas, and Republika Srpska (RS), principally comprising the Serb-majority area.

The Dayton Agreement [established an international High Representative](#) with responsibility for oversight of civilian implementation of the peace settlement. The High Representative has powers to remove public officials from office and impose laws on BiH as necessary to safeguard the peace agreement. Recent statements and actions by the leadership of RS have provoked international concern and been described by the High Representative as undermining the Dayton Agreement and threatening the territorial integrity of BiH.

## Separatism in Republika Srpska

In recent years, the Bosnian Serbs in RS have adopted a more assertive separatist stance under the leadership of Milorad Dodik. Dodik is President of RS (since 2022, and previously 2010 to 2018) and was a member of the three-person collective presidency of BiH from 2018 to 2022.

Dodik has [voiced his ambition](#) to organise a referendum on RS independence, and railed against [various decisions](#) taken by the High Representative for BiH. In July 2021, the Bosnian Serbs launched a boycott of key institutions of the state of BiH after the High Representative announced a law banning genocide denial related to the 1995 Srebrenica massacre. In October 2021, Dodik said that [RS would withdraw](#) from Bosnia and Herzegovina's armed forces, and key judicial and taxation bodies. In June 2022, Dodik said that the war in Ukraine and its knock-on effects had [forced RS leaders to delay plans](#) to withdraw from BiH state institutions.

Secessionist rhetoric from Dodik, sometimes combined with calls to unify RS with Serbia, has [intensified since he returned to the RS Presidency](#) in November 2022. In June 2023, the RS National Assembly adopted legislation suspending rulings by the BiH constitutional court and stopping publication of High Representative's decisions in the official gazette. This legislation was [overturned by the High Representative](#), but in early July Dodik signed the

legislation into law, effectively allowing the RS National Assembly to [disregard High Representative decisions](#).

In early December 2023, Dodik said that he would declare RS independence [if Donald Trump was re-elected](#) US president in 2024. In the summer of 2023, BiH state prosecutors had indicted Dodik on [charges of failing to execute the decisions](#) of the High Representative. Dodik then threatened legislation to [enable the arrest and deportation of the High Representative](#). The trial of Dodik [began in February 2024](#).

In April 2024, Dodik said that the situation in BiH [would change dramatically](#) after 2 May. A draft UN resolution to declare 11 July the “International Day of Reflection and Remembrance of the 1995 Srebrenica Genocide”, is scheduled to be voted on by the UN General Assembly on 2 May. Dodik has previously said that [BiH may not survive](#) the UN resolution.

## Relations with Russia

Dodik has said he has [support from both Russia and China](#). Both Russia and China [objected to the appointment](#) of the current High Representative, Christian Schmidt, in 2021 and proposed ending the role. Russia has also withdrawn from the [Steering Group of the Peace Implementation Council \(PIC\)](#) which provides the High Representative with political guidance. Dodik has visited Russia and [met with Russia’s President Putin on several occasions](#) since Russia’s invasion of Ukraine in early 2022. Dodik has sought to [block attempts by BiH to align with EU sanctions](#) against Russia, and RS and Russia have continued to discuss economic cooperation initiatives. On 8 January 2023, Dodik awarded President Putin the RS [highest medal of honour](#) for his “patriotic concern and love” for RS.

## International Reaction

A report from the High Representative in November 2021 referred to BiH as [“facing the greatest existential threat of the post-war period”](#). Subsequent reports have highlighted the secessionist rhetoric and actions of Dodik and RS and an [“unprecedented level of attacks”](#) on the Dayton Agreement. Statements from the PIC Steering Board have [affirmed international support for the High Representative](#), the Dayton Agreement and the territorial integrity of BiH.

Joint statements, from the USA, UK and the EU have [condemned moves to withdraw RS from the BiH institutions](#) and reaffirmed support for the territorial integrity of BiH. A joint statement by the USA, UK, Germany, France and Italy in September 2023 expressed concern over [“the escalating separatist and destabilizing rhetoric and actions”](#) (PDF) of Dodik. The USA and UK have imposed sanctions on Dodik and other RS leaders. In March 2023, the RS Government said it was [ending cooperation with the US and UK](#) embassies in BiH and accused both countries of interfering in BiH internal affairs.

There have been calls within the EU to impose sanctions, but [some Member States have opposed them](#). Hungary has given [financial and political support to RS](#). The EU has granted EU candidate status to BiH and has sought to

[encourage dialogue within BiH](#) and reforms to prepare BiH for eventual EU membership. In March 2024, EU leaders at the European Council [agreed to commence EU accession negotiations](#) with BiH once various reform steps had been undertaken.

In 2021, Dodik said that if the EU were to impose sanctions, then RS would declare its independence. He has also said that RS would “[defend ourselves with our own forces](#)” and that if NATO intervened “we will ask our friends – who told us clearly and loudly they never abandon their friends – to help us”.

Following the Dayton Peace Agreement in 1995, a NATO-led force kept the peace in BiH. This role was transferred to an EU-led force, [Operation Althea](#), in 2004. This currently comprises [approximately 1,600 personnel from 23 countries](#) (PDF). The UK’s role in the Operation ended shortly after the UK left the EU in 2020, although it could continue to participate under “[Berlin plus](#)” [arrangements](#) that allow the EU to draw upon NATO assets and capabilities.

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# 1 The peace settlement and political system

## 1.1 The Dayton Agreement

Following the break of Yugoslavia in the early 1990s, and the ethnic conflict that engulfed Bosnia and Herzegovina, a peace agreement was eventually negotiated in Dayton, Ohio (USA) and signed in Paris in December 1995. According to the General Framework Agreement for Peace in Bosnia and Herzegovina (otherwise known as the Dayton Agreement), signed in 1995, Bosnia and Herzegovina (BiH) is a single state, which consists of two political entities: the Federation of Bosnia and Herzegovina (FBiH), principally comprising the Bosniak (Muslim)- and Croat-majority areas, and Republika Srpska (RS), principally comprising the Serb-majority area. Each entity has its own president, government, parliament, police and other bodies.<sup>1</sup>

In addition to these entities, the ethnically mixed district of Brčko is self-governing but formally part of both the Federation and the Republika Srpska.

### Oversight of implementation

The Dayton agreement also established a High Representative of the International Community, with responsibility for oversight of civilian implementation of the peace settlement.<sup>2</sup>

Following the negotiation of the Dayton Peace Agreement, a Peace Implementation Conference was held in London in December to mobilise international support for the Agreement. The meeting resulted in the establishment of the Peace Implementation Council (PIC), with 55 countries and agencies as members. China was a member of the PIC but resigned in 2000.<sup>3</sup>

The PIC Steering Board includes the UK, USA, Russia, France, Germany, Italy, the Presidency of the EU, the European Commission, the Presidency of the EU and the Organisation of the Islamic Conference (OIC), which is represented by Turkey. The Steering board provides the High Representative with political guidance. Russia announced in July 2021 that it would no longer participate in

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<sup>1</sup> European Parliament, Directorate-General for External Policies, [Note on the main elements of the Dayton agreement for Bosnia and Herzegovina](#) (PDF), 28 November 2005

<sup>2</sup> Office of the High Representative, [Annex 10, Agreement on Civilian Implementation](#) [accessed 26 April 2024]

<sup>3</sup> Office of the High Representative, [Peace Implementation Council](#), [accessed 26 April 2024]



the meetings of the PIC Steering Board under the chairmanship of the High Representative.<sup>4</sup>

## 1.2 The role of the High Representative

The High Representative's mandate as set out in Article II of Annex 10 of the Dayton Peace Agreement included:

- to monitor implementation of the Dayton Agreement
- to maintain close contact with the parties to the Agreement and promote their full compliance with the civilian aspects of the Agreement.
- to coordinate activities of the civilian organisations and agencies in Bosnia and Herzegovina to ensure efficient implementation of the civilian aspects of the peace settlement.
- to facilitate resolution of any difficulties arising in connection with civilian implementation
- to report periodically on progress to the United Nations, EU, USA, Russia and other interested governments, parties and organisations.<sup>5</sup>

The High Representative's role has evolved over time. The role gained new important powers at the PIC Conference in Bonn in December 1997 (the so-called Bonn powers). The PIC requested that the High Representative remove from office public officials who violate legal commitments and the Dayton Peace Agreement, and to impose laws as necessary if Bosnia and Herzegovina's legislative bodies fail to do so.<sup>6</sup>

The High Representative used Bonn powers extensively initially, but their use was highly controversial. Acknowledging this, the High Representative ceased to use this power after 2011 with the support of the PIC. However, the outgoing High Representative Valentin Inzko used the power again in 2021, and his successor Christian Schmidt has used the power several times since taking office.<sup>7</sup> The use of these powers since 2021 has brought the High Representative into conflict with the leadership of RS (see section 2). Decisions taken by Schmidt to impose changes to electoral and constitutional rules in FBiH in 2022 and 2023, affecting the balance of power between the

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<sup>4</sup> Office of the High Representative, [Peace Implementation Council](#), [accessed 26 April 2024]

<sup>5</sup> Office of the High Representative, [Mandate](#) [accessed 26 April 2024]

<sup>6</sup> Office of the High Representative, [Mandate](#) [accessed 26 April 2024]

<sup>7</sup> Crisis Group, [Bosnia and Herzegovina's Hot Summer](#), 26 September 2022

Bosniak and Croat communities, were also highly controversial and led to protests in FBiH.<sup>8</sup>

Russia has been highly critical of the role of the High Representative since 2021 (see section 2.8). In February 2022, it announced that it had suspended its participation in the financing of the Office of the High representative.<sup>9</sup>

Explanations and accounts of the High Representative's decisions are set out in [biannual reports](#) provided by the High Representative to the Secretary-General of the United Nations.<sup>10</sup>

## 1.3 Political system

### Central state of Bosnia and Herzegovina

The central (state) government of Bosnia and Herzegovina (BiH) has a three-member collective presidency, which consists of one Bosniak and one Croat each directly elected from the Federation, and one Serb directly elected from RS. The Presidency has responsibility for foreign, diplomatic, and fiscal policy as well as law enforcement.

The Presidency appoints a chairman of the state Council of Ministers, subject to the approval of the House of Representatives. The chairman subsequently appoints the other ministers.<sup>11</sup>

#### BiH Parliament

The Parliamentary Assembly of BiH is bicameral and comprises a directly-elected House of Representatives and an indirectly elected House of Peoples. The House of Representatives comprises 42 members (serving a four year term) of whom two-thirds are directly elected from the territory of the FBiH and one-third from the territory of RS. The House of Peoples comprises 15 Members, with five Bosniaks and five Croats selected by the FBiH House of

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<sup>8</sup> Balkan Insight, [Bosnia's International Overseer Orders State to Fund Elections](#), 7 June 2022; Euronews, [Bosnia's peace envoy changed laws mid-election. But what does it mean?](#), 7 October 2022; Office of the High Representative, [HR decision on the Federation government of 27 April 2023: A short explanation](#), 28 April 2023; Reuters, [Regional Bosnia government formed as protesters chant 'treason'](#), 28 April 2023.

<sup>9</sup> Office of the High Representative, [Peace Implementation Council](#), [accessed 26 April 2024]

<sup>10</sup> See for example, for decision taken from April 2022 to April 2023: Office of the High Representative, [62nd report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General](#), 2 November 2022, Section II; and [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023, Section II B

<sup>11</sup> Web Portal of Council of Ministers of Bosnia and Herzegovina, [Background on the Council of Ministers](#) [accessed 26 April 2024]

Representatives, and five Serbs selected by the Council of Peoples of the RS People's Assembly.<sup>12</sup>

## Federation of Bosnia and Herzegovina

The Federation (FBiH) is made up of ten cantons, each with its own elected assembly, president and government.

The FBiH Parliament comprises two chambers: the directly elected Federation House of Representatives with 98 members and the indirectly elected Federation House of Peoples (delegates selected by the assemblies of the 10 cantons).<sup>13</sup> A decision of the High Representative on 2 October 2022 expanded the membership of the House of Peoples from 58 to 80 members.<sup>14</sup> The House of Peoples now comprises 23 Bosniak, 23 Croat, 23 Serb and 11 other deputies, elected by the cantonal assemblies.<sup>15</sup>

The FBiH Parliament elects a President and two joint Vice-Presidents of FBiH, which must comprise of one Bosniak, one Croat and one Serb, for a term of four years.<sup>16</sup>

## Republika Srpska

The Republika Srpska (RS) has a directly elected President and a unicameral legislature.

The RS Parliament (People's Assembly) has 83 members. The People's Assembly elects 28 delegates to a Council of Peoples, which has responsibilities including oversight of the legislative process to ensure that vital national interests of the constituent peoples are protected, and nomination of the RS representatives to the BiH House of Peoples. These 28 members comprise eight Bosniaks, eight Croats, eight Serbs and four others.<sup>17</sup>

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<sup>12</sup> Europa World, [Bosnia and Herzegovina, The Parliamentary Assembly of Bosnia and Herzegovina](#) [accessed 16 May 2022]

<sup>13</sup> Europa World, [Bosnia and Herzegovina, Government and Politics, Legislature](#) [accessed 16 May 2022]

<sup>14</sup> Office of High Representative, [Decision Enacting Amendments to the Constitution of the Federation of Bosnia and Herzegovina](#), 2 October 2022

<sup>15</sup> Europa World, [Bosnia and Herzegovina, Federation House of Peoples](#) [accessed 16 May 2022]

<sup>16</sup> [Constitution of the Federation of Bosnia and Herzegovina \(PDF\)](#), [accessed 29 April 2024]

<sup>17</sup> Europa World, [Bosnia and Herzegovina, Republika Srpska People's Assembly](#) [accessed 16 May 2022]; European Parliament, Directorate-General for External Policies, [Note on the main elements of the Dayton agreement for Bosnia and Herzegovina](#) (PDF), 28 November 2005

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## 2 Independence moves in the Republika Srpska

Bosnian Serbs in the majority-Serb entity in Bosnia and Herzegovina (BiH), the Republika Srpska (RS), have adopted a more assertive separatist stance under the leadership of Milorad Dodik. There is increasing international concern that this could lead to a return of the ethnic conflict of the past.

### 2.1 Dodik's leadership

Milorad Dodik is president of the Alliance of Independent Social Democrats (SNSD) the leading party in RS. He has promoted a secessionist stance as President of RS from 2010 to 2018 and again since 2022. Between 2018 and 2022 he was the Bosnian Serb member of the three-person collective presidency of Bosnia and Herzegovina. He continued to promote a secessionist agenda in this capacity.

Željka Cvijanović, who was President of RS between 2018 and 2022, was elected to replace Dodik on the collective presidency, and also promoted a secessionist agenda.<sup>18</sup>

Dodik signalled his support for eventual independence and challenged the international community's role in Bosnia as President of RS from 2010 to 2018. In 2011, Dodik called a state referendum on whether to reject Bosnia's state war crimes chamber and special prosecutor's office established in 2005.<sup>19</sup> He eventually dropped this plan after pressure from the EU.<sup>20</sup>

In 2016, Dodik held a referendum on celebrating "The Day of Republika Srpska" which celebrates the establishment of the breakaway republic from BiH at the beginning of the Balkan wars in 1992. The referendum was in defiance of a Constitutional Court ruling banning the vote for discriminating against non-Serbs. This led to sanctions being imposed on Dodik by the USA for undermining the Dayton Agreement.<sup>21</sup>

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<sup>18</sup> Radio Free Europe/Radio Liberty, [Britain Sanctions Bosnian Serb Politicians For Pushing 'De Facto Secession' Of Republika Srpska](#), 11 April 2022

<sup>19</sup> The Guardian, [Bosnia in worst crisis since war as Serb leader calls referendum](#), 28 April 2011; International Center for Transitional Justice, [The War Crimes Chamber in Bosnia and Herzegovina: From Hybrid to Domestic Court](#) (PDF), 2008

<sup>20</sup> Balkan Insight, [Bosnia: Dodik Agrees to Drop Disputed Referendum](#), 13 May 2011

<sup>21</sup> Reuters, [U.S. imposes sanctions on Bosnian Serb nationalist leader Dodik](#), 17 January 2017

In 2020, while a member of the BiH collective state presidency, Dodik threatened to lead RS secession from BiH, after disagreement with decisions taken by the constitutional court and voiced his ambition to organise a referendum on RS independence.<sup>22</sup> In 2021, Dodik suggested that RS would pass laws to declare null and void every law imposed by the High Representative (amounting to around 140 laws).<sup>23</sup>

## 2.2 Boycott of state institutions

In July 2021, the outgoing High Representative, Valentin Inzko, announced a law banning genocide denial related to the 1995 Srebrenica massacre and also outlawing the glorification of convicted war criminals. Perpetrators would receive up to three years in prison, with an additional three years if the denier is a public official and a further three years if the act is accompanied by threats or insults. Previous attempts to legislate for the matter in BiH had been blocked by Bosnian Serbs.<sup>24</sup> Dodik attacked the decision, saying Bosnian Serbs could “not live in a country where someone can impose a law by simply publishing it on his website”. Similar views were expressed by opposition parties, with leaders of Bosnian Serb political parties agreeing to boycott BiH state institutions in response.<sup>25</sup>

In October 2021, Dodik said that RS would withdraw from Bosnia and Herzegovina’s armed forces, and key judicial and taxation bodies. He also said that all laws imposed by the High Representative would be annulled.<sup>26</sup>

In December 2021, the RS parliament voted to start work on severing ties with aspects of the BiH state apparatus, including the armed forces, judiciary and tax system.<sup>27</sup> This move was condemned by the USA, UK, EU, Germany, France and Italy.<sup>28</sup>

### High Representative refers to “existential” threat

In November 2021, Christian Schmidt’s first report to the UN Secretary General as High Representative was published. He wrote that Bosnia and Herzegovina “is facing the greatest existential threat of the post-war period”. He referred to “grave challenges” to the fundamentals of the Dayton agreement, led by Dodik’s party. He said this not only endangered the peace

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<sup>22</sup> Al Jazeera, [Dodik’s repeated calls for Republika Srpska secession raise alarm](#), 18 February 2020

<sup>23</sup> Balkan Insight, [BIRN Fact-Check: The Questionable Claims of Bosnia’s Dodik](#), 15 October 2021

<sup>24</sup> DW, [Bosnia’s peace envoy outlaws genocide denial](#), 24 July 2021

<sup>25</sup> DW, [Bosnian Serbs threaten to block country’s major institutions](#), 27 July 2021

<sup>26</sup> Reuters, [Secessionist leader says Serbs will undo Bosnia state institutions](#), 14 October 2021

<sup>27</sup> Reuters, [Bosnian Serb leader Dodik says Ukraine war has delayed secession plan](#), 6 June 2022

<sup>28</sup> Politico, [Western countries warn Bosnian Serbs against secessionist move](#), 11 December 2021

and stability of the country and the region but could also lead to the undoing of the Agreement itself.<sup>29</sup>

The report referred, amongst other things, to Dodik's plan to draft a new constitution for the RS and his rejection of decisions and laws made by the High Representatives, as well as Dodik's plans to re-establish the army of the RS, from personnel withdrawn from the armed forces of BiH. The High Representative said Dodik's plans would lead to a reversion to the situation that existed on the ground prior to the implementation of the Dayton Agreement. This was "tantamount to secession without proclaiming it". The report said that state institutions had already been paralysed by the boycott announced in July.<sup>30</sup>

The High Representative also cited a warning from Dodik that any attempt by state-level authorities to intercede would be met with force and that if NATO were to intervene the RS "would seek assistance from unnamed 'friends'".<sup>31</sup>

## 2.3 Withdrawal from state institutions put on hold

After a meeting with the President of Serbia, Aleksandar Vučić, in January 2022, in which Vučić called on him to return RS to the work of the joint institutions in BiH, Dodik said RS representatives would return to BiH state institutions. However, he later said they would continue their work of transferring BiH state competences to RS.<sup>32</sup> Later in January 2022, he said the return to BiH state institutions would only occur if references to genocide by RS entities are prohibited.<sup>33</sup>

In late May 2022, Dodik said the time had come "to try once again to activate the mechanism of peaceful dissolution in BiH". He added that once this process is completed, everyone could "live peacefully." He also complained about what he called efforts by Bosniaks to dominate Serbs and Croats, which he described as "Muslim nationalism".<sup>34</sup> On 6 June 2022, Dodik said that the war in Ukraine and its knock-on effects had forced RS leaders to delay plans to withdraw from BiH state institutions.<sup>35</sup>

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<sup>29</sup> Office of the High Representative, [60th Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 5 November 2021

<sup>30</sup> Office of the High Representative, [60th Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 5 November 2021

<sup>31</sup> Office of the High Representative, [60th Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 5 November 2021

<sup>32</sup> N1, [Dodik: RS reps returning to BiH institutions to promote entity interests](#), 17 January 2022

<sup>33</sup> N1, [Dodik sets condition for return of RS entity representatives to BiH institutions](#), 26 January 2022

<sup>34</sup> Euractiv, [Bosnian Serb leader calls for 'peaceful break-up'](#), 25 May 2022

<sup>35</sup> Reuters, [Bosnian Serb leader Dodik says Ukraine war has delayed secession plan](#), 6 June 2022

## 2.4

## Further threats to secede from BiH

Secessionist rhetoric from Dodik, sometimes combined with rhetoric promoting a “Greater Serbia” has intensified since he returned to the RS Presidency in November 2022. On 9 January 2023, Dodik said “Serbs must never allow any form of organization other than the Serb national state, which is the RS and Serbia, with which we have the right to be integrated in accordance with international law”.<sup>36</sup> On 2 February 2023, Dodik: “I am not ready to go to war, but I am ready for Republika Srpska to come closer to the status of an independent state”.<sup>37</sup>

In December 2022, the RS parliament adopted the Law on Immovable Property, giving the RS ownership of rivers, forests and agricultural land on its territory. The High Representative temporarily suspended the law on 27 February 2023, in line with a previous decision of the Constitutional Court of Bosnia and Herzegovina in response to a very similar law in September 2022.<sup>38</sup>

On 24 March 2023, Dodik said: “I see the future in the unification of Serbia and Republika Srpska...the moment you attempt to seize property, we will pass a decision on the independence of Republika Srpska”.<sup>39</sup> On 14 April 2023, Dodik said in a joint news conference with President Vučić of Serbia that: “We are considering in the most serious terms to bring a decision to declare independence and secede Republika Srpska unless the property issue is solved”.<sup>40</sup>

On 24 April 2023, Dodik and Vučić both attended and spoke at a commemoration at a World War II concentration camp site. Dodik said: “All the people here must take ownership of the idea we have, to proclaim RS a country and unite it with Serbia. We are not making a country on someone else’s territory. This is our country, our property, our freedom”. He added: “We bear no ill will to Bosniaks and Croats, but my message to them is ‘leave us alone, we cannot be together’”. Dodik later tweeted: “Serbia and Republika Srpska become a joint state one day”.<sup>41</sup>

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<sup>36</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>37</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>38</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023, Section II B

<sup>39</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>40</sup> Reuters, [Bosnia Serb leader Dodik threatens to declare independence](#), 15 April 2023

<sup>41</sup> See Euractiv, [Bosnian Serb leader Dodik invokes merging of Serb entity with Serbia proper](#), 24 April 2023; and Radio Free Europe/Radio Liberty, [Dodik Says He Wants Bosnian Serb Entity To 'Unite' With Serbia](#), 24 April 2023

The High Representative's report to the UN Secretary-General on 2 November 2023 said the ruling coalition in RS had started to implement the following steps to create the preconditions for a potential future secession of Republika Srpska from BiH, as outlined in a joint statement signed by the ruling parties of RS on 24 April 2023:

Non-implementation of Decisions by the BiH Constitutional Court, readiness to withdraw Republika Srpska representatives from the state institutions, non-replacement of the Serb judges on the BiH Constitutional Court, non-implementation of the Decisions of the High Representative, readiness to declare the independence of Republika Srpska if the High Representative imposes a Law on State Property, readiness to limit the competences of the BiH Central Election Commission, readiness to re-examine all laws and decisions imposed by all High Representatives so far, and a termination of contact with the OHR as well as the U.S. and UK Embassies.<sup>42</sup>

In June 2023, the RS National Assembly adopted legislation suspending rulings by the BiH constitutional court and stopping publication of High Representative's decisions in the official gazette.<sup>43</sup> This legislation was overturned by the High Representative, but on 7 July 2023 Dodik signed the legislation into law, effectively allowing the RS National Assembly to disregard High Representative decisions.<sup>44</sup>

In early December 2023, Dodik said that he would declare RS independence if Donald Trump was re-elected US president in 2024. He said he planned to do this during Trump's first term but "got scared and didn't do it" but if Trump won again, he said he "wouldn't hesitate".<sup>45</sup>

## 2.5

### Dodik indicted and put on trial

On 11 August 2023, state prosecutors in BiH said they were launching a case against Dodik on charges of failing to execute the decisions of the High Representative.<sup>46</sup> This followed changes to the criminal code to introduce the offence made in a High Representative decision on 1 July 2023. A conviction on

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<sup>42</sup> Office of the High Representative, [64th Report of the High Representative for Implementation of the Peace Agreement on BiH to the Secretary-General of the United Nations](#), 2 November 2023

<sup>43</sup> Reuters, [Bosnia envoy revokes Bosnian Serb laws defying the state, peace deal](#), 1 July 2023

<sup>44</sup> Radio Free Europe/Radio Liberty, [Bosnia High Representative Annuls Anti-Dayton Laws Passed By Serb Entity's Assembly](#), 1 July 2023; and Radio Free Europe/Radio Liberty, [Dodik Signs Controversial Law Blocking Publication Of Decisions By International Envoy To Bosnia](#), 7 July 2023

<sup>45</sup> Radio Free Europe/Radio Liberty, [Bosnian Serb Dodik Says He'll 'Declare Independence' If Trump Retakes U.S. Presidency](#), 3 December 2023. See also BBC News, [Bosnian Serb leader Dodik faces trial for defying international envoy Schmidt](#), 6 December 2023

<sup>46</sup> Reuters, [Bosnian Serb leader Dodik charged over defying peace envoy's decisions](#), 11 August 2023



this charge can result in a prison sentence of between six months and five years.<sup>47</sup> The indictment was confirmed in September.<sup>48</sup>

On 6 September, Dodik said that work was under way in RS on a decree which would enable the arrest and deportation of the High Representative if he tries to enter RS.<sup>49</sup> In his report to the UN Secretary-General in November 2023, Schmidt said that he had made several visits to RS “which all took place without incidents and were organized with prudence” but that if the situation changed this “would have far-reaching consequences” and make the full civilian implementation of the Dayton Agreement in BiH impossible.<sup>50</sup>

The trial of Dodik was due to begin in Sarajevo on 6 December 2023, but was immediately adjourned after he requested it be transferred to Banja Luka, the capital of RS.<sup>51</sup> However, proceedings remained in Sarajevo and the trial began on 5 February 2024. The indictment referred to Dodik signing decrees on laws that had been annulled by Schmidt “even though he was aware that the decisions of [Schmidt] are legally binding”. Dodik’s defence team said the evidence of the prosecutor “isn’t based on facts” and that his defence would be based on “proving the sovereignty” of Bosnia and Herzegovina. The defence also sought the disqualification of the presiding judge for alleged political bias.<sup>52</sup>

On 28 March 2024, Dodik said that Bosnian Serbs would boycott the work of the BiH state government unless a change to the electoral law introduced by the High Representative on 26 March 2024 to improve the integrity of elections was annulled.<sup>53</sup>

Attending a security conference in St Petersburg in April 2024, Dodik said that RS “do not want to share the same air with Bosniaks” as “they are putting the label of a genocidal people to an entire nation, and you are aware that it did not exist, more precisely that it did not happen”.<sup>54</sup> Dodik said the situation will “change dramatically” after 2 May, following which “there will be the Great Wall of China”. He did not elaborate on what would happen on 2 May.<sup>55</sup>

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<sup>47</sup> Office of the High Representative, [Decision enacting the Law on Amendments to the Criminal Code of Bosnia and Herzegovina](#), 1 July 2023; AP News, [Bosnia court confirms charges against Bosnian Serb leader Dodik for defying top international envoy](#), 11 September 2023;

<sup>48</sup> AP News, [Bosnia court confirms charges against Bosnian Serb leader Dodik for defying top international envoy](#), 11 September 2023

<sup>49</sup> AP News, [Bosnian Serb separatist leader threatens top international envoy with arrest and deportation](#), 6 September 2023

<sup>50</sup> Office of the High Representative, [64th Report of the High Representative for Implementation of the Peace Agreement on BiH to the Secretary-General of the United Nations](#), 2 November 2023

<sup>51</sup> Al Jazeera, [Bosnian Serb leader Dodik stands trial for defying peace envoy](#), 6 December 2023

<sup>52</sup> Radio Free Europe/Radio Liberty, [Trial Of Republika Srpska President Opens In Sarajevo After Multiple Delays](#), 5 February 2024

<sup>53</sup> Reuters, [Bosnian Serb leader Dodik threatens to block national government](#), 28 March 2024

<sup>54</sup> bne IntelliNews, [Russia already treating Bosnia’s Republika Srpska as an independent state](#), 25 April 2024

<sup>55</sup> bne IntelliNews, [Russia already treating Bosnia’s Republika Srpska as an independent state](#), 25 April 2024

A draft UN resolution to declare 11 July the “International Day of Reflection and Remembrance of the 1995 Srebrenica Genocide”, is scheduled to be voted on by the UN General Assembly on 2 May 2024. Dodik has previously said that “Bosnia and Herzegovina may not survive” the UN resolution.<sup>56</sup>

## 2.6

### High Representative reports in 2023

In his report to the UN Secretary-General on 9 May 2023, the High Representative said that the “secessionist rhetoric and action by the RS authorities” and namely from Dodik, had intensified in the reporting period (October 2022 to April 2023).<sup>57</sup>

Schmidt said this rhetoric “poisons the political climate in the entity and the entire country” and noted that RS authorities “reject the authority of the Constitutional Court of Bosnia and Herzegovina, the [Office of High Representative] and they pursue a confrontationist attitude towards Western partners”. He also noted, with reference to the Law on Immovable Property, that RS authorities “continued to undermine BiH state institutions by obstructing their work and decision-making and claiming constitutional and legal competencies for RS, which belong to the State”.<sup>58</sup>

The High Representative also pointed to a joint statement signed by the RS ruling parties on 24 April, setting out concrete steps toward secession, and said this was “a dangerous development”.<sup>59</sup>

The High Representative urged the UN Security Council to take these threats seriously. He said that Dodik’s rhetoric posed “a threat to peace and stability in the country and potentially to the wider region”. Schmidt also noted that Dodik had shown sympathy with Russia’s role in the war in Ukraine.<sup>60</sup>

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<sup>56</sup> Euronews, [How UN resolution commemorating 1995’s Srebrenica massacre is igniting tensions](#), 13 April 2024

<sup>57</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>58</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>59</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>60</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

In addition to these developments, Schmidt referred to a “clear tendency toward authoritarianism in Republika Srpska, characterized by legislative initiatives which further shrink the space for civil society and media”.<sup>61</sup>

In his report to the UN Secretary-General on 2 November 2023, covering the period April to October 2023, the High Representative referred to an “unprecedented level of attacks” on the Dayton Agreement, and the steps being taken create the preconditions for a potential secession of RS from BiH, as outlined in the ruling parties’ joint statement on 24 April 2023. He also referred to attacks on the High Representative’s mandate, mainly coming from the Government of RS and Dodik. He said all actions by the RS government were “accompanied by divisive and inflammatory rhetoric” and by demonstrations at the Inter-Entity Boundary Line staged by political supporters of the Dodik.<sup>62</sup>

Schmidt said that Dodik had repeatedly called for the independence of RS and for a referendum on its status by the end of 2023, and for its unification with Serbia. Dodik had also presented the “peaceful separation” of the two entities of BiH as an official party objective at the SNSD Congress on 30 September 2023.<sup>63</sup>

## 2.7

## Relations with Serbia

Schmidt’s report on 2 November 2023 noted that while Dodik had made calls for the independence of RS and/or its unification with Serbia “the Government of Serbia has reiterated its commitment to the territorial integrity of Bosnia and Herzegovina”.<sup>64</sup> Serbian President Vučić has emphasised the need to respect the Dayton Agreement and the constitution of BiH, while also accusing the international community of making “thousands of mistakes in Bosnia” including taking “competencies and authorities out of the Serb Republic” and “not listening to the people”.<sup>65</sup> Vučić met with Dodik in January 2022 and called on him to return RS to the work of the joint institutions in BiH. Vučić was nevertheless critical of US sanctions against Dodik and of “political stakeholders” who are “jeopardising the stability of the entire region with untruths and insinuations, and are trying to shift the blame on to the Serb people and RS”.<sup>66</sup>

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<sup>61</sup> Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>62</sup> Office of the High Representative, [64th Report of the High Representative for Implementation of the Peace Agreement on BiH to the Secretary-General of the United Nations](#), 2 November 2023

<sup>63</sup> Office of the High Representative, [64th Report of the High Representative for Implementation of the Peace Agreement on BiH to the Secretary-General of the United Nations](#), 2 November 2023

<sup>64</sup> Office of the High Representative, [64th Report of the High Representative for Implementation of the Peace Agreement on BiH to the Secretary-General of the United Nations](#), 2 November 2023

<sup>65</sup> Financial Times, [Bosnian Serb leader Dodik defiant over sanctions as tensions flare](#), 13 January 2022

<sup>66</sup> Euractiv, [Vučić asks Dodik and Republika Srpska to participate in state institutions](#), 17 January 2022

At the beginning of August 2023, President Vučić said that Serbia would ignore US sanctions placed on RS officials for undermining the 1995 peace agreement. During a visit to RS where he met Dodik, Vučić said sanctioned RS officials would still be welcome in Serbia and that Serbia would treat the sanctions “as if they do not exist”.<sup>67</sup>

The European Commission’s November 2023 report on Serbia said there were “no outstanding issues concerning Serbia’s respect for the Dayton/Paris Peace Agreement”. It said that Serbia continues to support Bosnia and Herzegovina’s territorial integrity and its path to joining the EU. It noted that as envisaged by the Dayton agreement, Serbia continues to develop special relations with RS “as well as to publicly promote such relations” and that there were regular and frequent meetings between the Serbian leadership and the leadership of RS. This included a session of the two governments in Banja Luka (the RS capital) in August 2023.<sup>68</sup>

In April 2023, attending the same event at Dodik, Vučić did not comment on Dodik’s speech calling for RS to be united with Serbia. However, he said that Serbs should no longer be divided into Croatian or Bosnian Serbs “because we are one and the same people”.<sup>69</sup> In January 2024, Vučić announced a firework display would be held in Belgrade to synchronised with displays in Banja Luka and other towns in RS to celebrate the “Day of Republika Srpska” on 9 January.<sup>70</sup>

## 2.8

## Relations with Russia

Dodik has separately said he has support from both Russia and China.<sup>71</sup> Both Russia and China have opposed the role of the High Representative in Bosnia and Herzegovina (BiH). They objected to Schmidt’s appointment in 2021 and proposed ending the role. Russia argued that Schmidt’s appointment did not have consensus among Peace Implementation Council (PIC) members and that Bosnian Serbs had not been consulted. Russia has indicated that political challenges in the country should be resolved through internal dialogue rather than “foreign interference”.<sup>72</sup>

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<sup>67</sup> Radio Free Europe/Radio Liberty, [Serbia To Ignore U.S. Sanctions Against Bosnian Serbs Accused Of Undermining Peace Agreement](#), 4 August 2023

<sup>68</sup> European Commission, 2023 Communication on EU Enlargement policy, [Serbia Report 2023](#), 8 November 2023

<sup>69</sup> See Euractiv, [Bosnian Serb leader Dodik invokes merging of Serb entity with Serbia proper](#), 24 April 2023; and Radio Free Europe/Radio Liberty, [Dodik Says He Wants Bosnian Serb Entity To 'Unite' With Serbia](#), 24 April 2023

<sup>70</sup> The Guardian, [US joins Bosnia in show of support on eve of planned celebration by Serb nationalists](#), 9 January 2024

<sup>71</sup> The Guardian, [Bosnian Serb leader: Putin and China will help if west imposes sanctions](#), 29 November 2021

<sup>72</sup> Security Council Report, [What’s in Blue. Bosnia and Herzegovina: Debate and EUFOR ALTHEA Reauthorisation](#), 2 November 2021

In October, Ambassadors of the Steering Board of PIC issued a [joint statement](#) supporting the work of the High Representative. The statement said that:

Destabilizing and divisive rhetoric or acts, including undermining state institutions and reforms which have provided stability, financial benefit and functionality for all of BiH, must stop.<sup>73</sup>

However, Russia (which was part of the Steering Board, but had stopped attending) said it did not support this statement. The Russian Embassy said that the statement should be “ignored” as it does not represent the position of the entire international community.<sup>74</sup>

Dodik met with President Putin in Moscow in December 2021. According to Dodik, Putin reiterated his backing for “joint economic projects” in the RS including a new gas pipeline, further fuel deliveries and a planned solar plant. Dodik also said that Russia has “a series of objections about disregard for the Dayton peace agreement”.<sup>75</sup>

Following the Russian invasion of Ukraine in February 2022, Dodik said BiH would not be joining EU sanctions against Russia. However, he said that he supported the territorial integrity of Ukraine, in the same way as he supported the territorial integrity of Serbia and BiH. Sanctions against Russia were supported by the two other members of the BiH collective presidency, but without the support of Dodik they could not be adopted.<sup>76</sup> Nevertheless, BiH voted in favour of the United Nations resolution condemning Russia’s actions in Ukraine and calling on it to withdraw on 2 March 2022.<sup>77</sup>

During a visit by European Council President Charles Michel to BiH in May 2022, Dodik said it was important for BiH to remain neutral and not join EU sanctions against Russia. He referred to both economic and security implications for BiH if it imposed sanctions.<sup>78</sup>

Dodik visited President Putin in Moscow in September 2022. Putin wished Dodik success in the BiH general elections, and said he hoped that the “results will strengthen the position of the patriotic forces in the country, allowing us to continue to develop productive and mutually beneficial cooperation”.<sup>79</sup> Dodik also met Putin in June 2022, at the St Petersburg economic forum, where Putin reportedly praised Dodik for remaining loyal to Moscow. According to reports, RS and Russia have continued to discuss

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<sup>73</sup> Office of the High Representative, [Joint statement by the ambassadors of the Peace Implementation Council Steering Board](#), 11 October 2021

<sup>74</sup> Euractiv, [Dodik: EU Commission will not sanction Republika Srpska](#), 15 October 2021

<sup>75</sup> Bloomberg, [Putin Backs Bosnian Serbs Against 'Liberal' West, Dodik Says](#), 3 December 2021

<sup>76</sup> Euractiv, [Dodik ready to block BiH's decision to join EU's Russia sanctions](#), 1 March 2022

<sup>77</sup> United Nations, [General Assembly Overwhelmingly Adopts Resolution Demanding Russian Federation Immediately End Illegal Use of Force in Ukraine, Withdraw All Troops](#), 2 March 2022

<sup>78</sup> Reuters, [Serb leader tells EU Bosnia cannot join sanctions against Russia](#), 20 May 2022

<sup>79</sup> Euronews, ['Friend of our country': Putin praises separatist Bosnian Serb leader during his Kremlin visit](#), 21 September 2022

economic cooperation since the Russian invasion of Ukraine in February 2022, and this involves the construction of a Russian-funded gas pipeline to RS.<sup>80</sup>

On 8 January 2023, Dodik awarded President Putin the RS highest medal of honour (in absentia) for his “patriotic concern and love” for RS. Dodik said that “Putin is responsible for developing and strengthening cooperation and political and friendly relations between RS and Russia”.<sup>81</sup> The US Embassy in Sarajevo said the award was “reprehensible”. The award was also criticised by EU officials.<sup>82</sup>

Dodik met with Putin in Moscow in May 2023. Putin said that trade between Russia and RS had increased by 57% in the last year.<sup>83</sup> Dodik reportedly said that RS “remains pro-Russian, anti-Western, and anti-American”.<sup>84</sup>

On 1 September 2023, Bosnian Serb protesters gathered close to the border between RS and FBiH in support of Dodik and RS separatism, also waving Russian flags and holding banners with the image of Russian President Putin.<sup>85</sup>

Dodik visited Russia and met with Putin in Kazan February 2024, reaffirming that RS would not join sanctions against Russia and confirming “the good relations” between RS and Russia, and Putin personally. Putin said Dodik's visit would be “useful” and confirmed that representatives of RS visit Russia regularly and there was cooperation in various fields. Dodik also visited Belarus and met with its President Aleksandr Lukashenko on the same trip.<sup>86</sup> Dodik visited Russia again in April 2024, attending a security conference in St Petersburg.<sup>87</sup>

## 2.9

## Reaction of UK, USA and EU

### Joint statements

On 10 October 2021, a joint statement by the Embassies of the USA, UK, France, Germany, Italy and the EU delegation in BiH condemned the decision of the RS National Assembly to begin drafting legislation to create parallel institutions in the RS as “a further escalatory step” and said that the RS

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<sup>80</sup> Euronews, ['Friend of our country': Putin praises separatist Bosnian Serb leader during his Kremlin visit](#), 21 September 2022

<sup>81</sup> AP News, [Bosnian Serbs award Putin with medal of honor](#), 8 January 2023

<sup>82</sup> Politico, [EU, US slam Bosnian Serb leader for awarding Putin highest honor](#), 9 January 2023

<sup>83</sup> Reuters, [Russia's Putin meets Bosnian Serb leader Dodik, hails rise in trade](#), 23 May 2023

<sup>84</sup> Radio Free Europe/Radio Liberty, [Dodik Doubles Down On Refusal To Join Sanctions Against Moscow In Meeting With Putin](#), 21 February 2024

<sup>85</sup> Euronews, [Supporters of Bosnian Serb President Milorad Dodik stage protest with Putin flags](#), 2 September 2023

<sup>86</sup> Radio Free Europe/Radio Liberty, [Dodik Doubles Down On Refusal To Join Sanctions Against Moscow In Meeting With Putin](#), 21 February 2024

<sup>87</sup> bne IntelliNews, [Russia already treating Bosnia's Republika Srpska as an independent state](#), 25 April 2024

governing coalition “must be aware that continuing this dead end path of challenging the Dayton framework is damaging the economic prospects of the entity, threatening the stability of the country and the entire region and jeopardising BiH’s future with the EU”. It called for the resumption of dialogue to find a resolution and encouraged leaders to abandon “divisive and escalatory rhetoric and return to the state institutions in full capacity”. It also said they should focus on reforms important for BiH’s “EU accession path”.<sup>88</sup>

On 20 October 2021, the EU High Representative for Foreign Affairs and Security Policy Josep Borrell and US Secretary of State Antony Blinken issued a [joint statement on the Western Balkans](#), which set out their “serious concerns about increasingly divisive rhetoric in Bosnia and Herzegovina”. They said they were “united in their firm support for the territorial integrity of Bosnia and Herzegovina” and said the EU and USA were ready to facilitate the resumption of constructive dialogue.<sup>89</sup>

A joint statement by the USA, UK, Germany, France and Italy at the Organization for Security and Cooperation in Europe on 21 September 2023 expressed concern over “the escalating separatist and destabilizing rhetoric and actions” of Dodik. It said that Dodik’s attacks on the legitimacy of Bosnia and Herzegovina’s state institutions, especially the Constitutional Court were “deeply irresponsible and undermine the constitutional order”. It said that Dodik’s threats to prevent the High Representative from entering RS and to limit his freedom of movement were contrary to the Dayton Peace Agreement.<sup>90</sup>

### **PIC Steering Board statement**

A joint statement by the PIC Steering Board on 22 September 2023 reiterated their firm support for the High Representative’s work and rejected any attempts to undermine his legitimacy or attempts to restrict his ability to execute his mandate across the whole territory of BiH. It urged Dodik “to immediately stop his policy of non-recognition of and non-cooperation with the High Representative which is detrimental to the interests of the RS”. It also reiterated that “the International Community is fully committed and retains the necessary instruments to uphold the [Dayton Agreement], including the territorial integrity of BiH”.<sup>91</sup>

### **G7 statement**

A communiqué from G7 Foreign Ministers (USA, UK, Germany, France Italy, Canada, Japan) issued on 19 April and covering a wide range of global issues

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<sup>88</sup> Delegation of the EU to Bosnia and Herzegovina and EU Special Representative to the EU, [Joint Statement by the Embassies of the U.S., U.K., France, Germany and Italy the EU Delegation/EU Special Representative in BiH on Today’s Decision by the Republika Srpska National Assembly](#), archived, 10 December 2021

<sup>89</sup> European External Action Service, [Western Balkans: Joint Statement following the meeting of High Representative Josep Borrell and Secretary of State Antony Blinken](#), 20 October 2021

<sup>90</sup> [Joint Statement on the situation in Bosnia and Herzegovina](#) (PDF), 21 September 2023

<sup>91</sup> Office of High Representative, [Joint statement by the Ambassadors of the Peace Implementation Council Steering Board](#), 22 September 2023

included a section on the Western Balkans. It stated that the G7 ministers firmly rejected “any attempt from internal or external actors to undermine the sovereignty, territorial integrity and multiethnic character of Bosnia and Herzegovina”, and gave full support to the mandate of the High Representative. It urged all parties in BiH “to put aside divisive and inflammatory rhetoric, to avoid any act that could destabilize the country and to focus on internal reforms that would move the country closer to realizing its Euro-Atlantic aspirations”. It welcomed the European Council’s decision in March 2024 to open EU accession negotiations with BiH.<sup>92</sup>

## US statements and sanctions

At a meeting with Dodik in October 2021, Gabriel Escobar, Deputy Assistant Secretary at the US State Department with responsibility for the Western Balkans, told Dodik that the US position was that “threats of secession and rolling back reforms to state-level institutions are anti-Dayton and offer RS citizens nothing but isolation and economic despair”.<sup>93</sup>

The USA imposed sanctions on Dodik in January 2017, in response to his decision to go ahead with a referendum on celebrating “The Day of Republika Srpska”.<sup>94</sup> The sanctions included a ban on travelling to the US, or accessing assets under its jurisdiction. US sanctions against Dodik were expanded in January 2022. The US Government accused Dodik of undermining state institutions and the territorial integrity of BiH, as well as corruption.<sup>95</sup>

In July 2023, the USA sanctioned four RS leaders, including the Bosnian Serb member of the BiH collective presidency and former RS President Zeljka Cvijanovic, together with the RS Prime Minister Radovan Viskovic and the Speaker of the RS National Assembly and the RS Minister of Justice, for their role in the passage of the law declaring the decisions of the BiH Constitutional Court inapplicable in the RS, and therefor obstructing and threatening the implementation of the Dayton Peace Agreement.<sup>96</sup>

## UK statements and sanctions

In response to a Parliament Question on 19 November 2021 then Minister for Europe and the Americas, Wendy Morton, said that the UK remained committed to ensuring peace, and upholding international law in BiH. She underlined UK commitment to the role of the High Representative. She said the UK rejected efforts to undermine BiH's stability and would continue to

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<sup>92</sup> UK Government, [G7 Foreign Ministers’ Meeting communiqué \(Capri, 19 April 2024\) – addressing global challenges, fostering partnerships](#), 19 April 2024

<sup>93</sup> Euractiv, [Dodik to US envoy Escobar: F\\*\\*k the sanctions!](#), 4 October 2021

<sup>94</sup> Reuters, [U.S. imposes sanctions on Bosnian Serb nationalist leader Dodik](#), 17 January 2017

<sup>95</sup> Politico, [US slaps sanctions on Bosnian Serb leader Milorad Dodik](#), 5 January 2022

<sup>96</sup> US Embassy in Bosnia and Herzegovina, [U.S. Treasury Targets Four Officials in Bosnia and Herzegovina for Undermining the Dayton Peace Agreement](#), 31 July 2024



support BiH in implementing domestic reforms and tackling challenges to peace and security.<sup>97</sup>

The UK Government announced sanctions on Dodik and Cvijanovic (then President of RS) on 11 April 2022. The UK Government statement said this was “for their attempts to undermine the legitimacy and functionality of the State of Bosnia and Herzegovina” and referred to their encouragement by President Putin and “their reckless behaviour threaten[ing] stability and security across the Western Balkans”.<sup>98</sup>

In June 2022, the then Prime Minister Boris Johnson announced that the Government was sending two UK military specialists to Bosnia and Herzegovina to reinforce the NATO Mission and promote stability and security in the country. This included a disinformation expert and a civilian strategic defence adviser. The press release for the announcement said the disinformation expert would help block Russian and other efforts to sow mistrust and undermine democracy in the country and region. It also said that BiH was “currently facing the greatest existential threat in its post-war period, with secessionist leaders actively working to create further division and conflict”. It said these plans were “backed by Moscow as part of Putin’s drive to undermine both Bosnia’s Euro-Atlantic integration and its stability”. It also cited the following words from the Prime Minister:

We cannot allow the Western Balkans to become another playground for Putin’s pernicious pursuits. By fanning the flames of secessionism and sectarianism Russia seeks to reverse the gains of the last three decades in Bosnia and Herzegovina, gains that have brought more stability to our whole continent.

That is why we are stepping up support to Bosnia and Herzegovina, answering the call from our friends to help protect the peace they so rightfully deserve to enjoy.<sup>99</sup>

In response to a Parliamentary Question about UK discussions with the High Representative on 2 October 2022, then Minister for Europe Leo Docherty stressed the UK’s continuing support for his role and said the UK was in regular contact with him, including through the PIC Steering Board of Ambassadors.<sup>100</sup>

On 17 March 2023, Dodik threatened to cut off contacts with US and UK diplomats and embassies in Bosnia and Herzegovina over what his office described as interference in the internal affairs of Bosnia and Herzegovina. A statement from his office said that a team had been formed to “draw up

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<sup>97</sup> [UIN 71300, tabled on 8 November 2021](#)

<sup>98</sup> UK Government, [UK announces sanctions under Bosnia and Herzegovina sanctions regime, 11 April 2022](#)

<sup>99</sup> UK Government, [UK deploys military experts to counter Russian malign influence in Bosnia and Herzegovina](#), 30 June 2022

<sup>100</sup> [UIN 61136, tabled on 11 October 2022](#)

comprehensive information on the anti-Dayton activities of American and British diplomats and embassies and their interference in the internal affairs of Bosnia and Herzegovina”.<sup>101</sup> On 24 March, the RS Government confirmed that that it would “end cooperation” with US and UK embassies and accused both countries of “interfering with internal affairs in Bosnia”.<sup>102</sup>

In response to a parliamentary question about support for the High Representative tabled on 13 September 2023, Leo Docherty confirmed the UK’s full support for the High Representative. He referred to a statement on 8 September from the Prime Minister’s Special Envoy for the Western Balkans, Lord Peach. This made clear that attacks by Dodik against the High Representative “were illegal and anti-constitutional”, and that the UK Government welcomed the decision by the state prosecutor of Bosnia and Herzegovina to take legal action against Dodik for his failure to implement the decisions of the High Representative.<sup>103</sup>

In response to another parliamentary question on support for the High Representative tabled on 15 November 2023, Foreign Office Minister Lord Ahmad confirmed UK full support for the High Representative and the work of the PIC Steering Board “through which we provide the High Representative with political guidance”. The Minister referred to the statement issued by ambassadors of the PIC Steering Board on 22 September 2023 which urged Dodik “to immediately stop his policy of non-recognition of and non-co-operation with the High Representative”.<sup>104</sup>

In January 2024, the UK Government announced it was sanctioning a marketing company in BiH after it delivered a contract to organise “illegal public celebrations” to mark Republika Srpska Day on 9 January. This would involve an asset freeze and prohibiting the company from doing business in the UK. Then Europe Minister Leo Docherty said that the UK would “continue to support and protect peace and stability in Bosnia and Herzegovina and the wider Western Balkans region”.<sup>105</sup>

## The EU and sanctions

Following a meeting with EU representatives in October 2021, Dodik said he was confident that the EU would not impose sanctions, but that if there were sanctions then RS would declare its independence. He also said that RS would “defend ourselves with our own forces”. He said that if NATO intervened “we will ask our friends – who told us clearly and loudly they never abandon their friends – to help us”. Dodik did not specify who these “friends” are.<sup>106</sup>

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<sup>101</sup> Reuters, [Bosnia Serb leader Dodik threatens to declare independence](#), 15 April 2023

<sup>102</sup> Balkan Insight, [Bosnian Serb Govt 'Ends Cooperation' With UK, US Embassies](#), 24 March 2023

<sup>103</sup> [JIN 199472, tabled on 13 September 2023](#)

<sup>104</sup> [JIN HI 344, tabled on 15 November 2023](#)

<sup>105</sup> UK Government, [UK sanctions Bosnian marketing company for undermining constitution and destabilising peace](#), 15 January 2024

<sup>106</sup> Euractiv, [Dodik: EU Commission will not sanction Republika Srpska](#), 15 October 2021

EU statements have expressed concerns about developments in RS, while also encouraging reforms that would prepare BiH for eventual EU membership. In June 2022, political parties across BiH signed an EU-sponsored agreement to promote stable institutions, uphold democratic principles, promote dialogue and work decisively towards fulfilling 14 key priorities identified by the Commission to advance BiH on its path to EU membership (see also section 3.3).<sup>107</sup>

A statement from the EU office in BiH on 1 July 2023 referred to the laws adopted by the RS National Assembly that day as “a direct attack on the integrity of the Constitutional Court of BiH and on the BiH Constitution”. It expressed regret that the High Representative had to use Bonn powers to reverse them and recalled that “the Bonn Powers are a measure of last resort against irreparable unlawful acts”. The EU strongly urged the RS authorities to stop unilateral actions and instead to work constructively so that BiH can deliver on reforms and seize the opportunity offered by EU candidate status.<sup>108</sup>

Nevertheless, the EU has been criticised for its ineffective response to recent developments in Bosnia and Herzegovina.<sup>109</sup> Germany, other EU Member States and the European Parliament have called for EU sanctions against Dodik, but Croatia, Slovenia and Hungary have opposed them.<sup>110</sup> Hungary has argued that sanctions would be counterproductive to the process of EU enlargement in the Western Balkans.<sup>111</sup>

Hungary has given financial and political support to the RS.<sup>112</sup> Hungarian Prime Minister Viktor Orbán, who has also maintained good relations with Russia and sought to block EU support for Ukraine, has described Serbia and RS as “key to the stability of the Western Balkans” and warned against the “exorcism of Dodik”.<sup>113</sup> Orbán visited RS in April 2024 and received a state award, the “Order of the Republika Srpska”, from Dodik.<sup>114</sup>

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<sup>107</sup> European Council, [Political agreement on principles for ensuring a functional Bosnia and Herzegovina that advances on the European path](#), 12 June 2022

<sup>108</sup> Delegation of the EU to Bosnia and Herzegovina and EU Special Representative to the EU, [EU Office in BiH statement on today's decisions by High Representative Schmidt](#), 1 July 2023

<sup>109</sup> Politico, [In Bosnia, US overtakes EU as crisis boils](#), 9 November 2021

<sup>110</sup> European Parliament, [MEPs to debate the increasingly tense situation in Bosnia and Herzegovina](#), 2 March 2022; European Parliament, [Leading MEPs urge the EU to “finally impose” sanctions on Milorad Dodik](#), 5 July 2023; The Independent, [EU mulls ways to stop the possible breakup of Bosnia](#), 21 February 2022

<sup>111</sup> Reuters, [EU should consider sanctions on Bosnian Serbs if crisis worsens, document says](#), 14 February 2022

<sup>112</sup> Radio Free Europe/Radio Liberty, [Republika Srpska Signs Loan Agreement With Hungary's State EXIM Bank](#), 19 December 2022

<sup>113</sup> Radio Free Europe/Radio Liberty, [Bosnian Serb Leader Threatens To Cut Diplomatic Ties With U.S., Britain](#), 18 March 2023

<sup>114</sup> Radio Free Europe/Radio Liberty, [Orban Receives Award From EU-Sanctioned Bosnian Serb Separatist Leader](#), 5 April 2024

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## 3 NATO, the EU and Operation Althea

### 3.1 NATO implementation force

Upon conclusion of the Dayton Peace Accords in 1995, NATO was given the mandate by the United Nations to implement the military aspects of the agreement. A NATO-led multinational Implementation Force (IFOR), including UK forces, began its mission in December of that year.

It was succeeded by the NATO-led Stabilisation Force (SFOR) in December 1996. SFOR's primary role was to continue implementing the Peace Accords and deter the resumption of hostilities. But it was also tasked with providing stability so that the peace process could move forward.

In June 2004, and in response to the security situation on the ground, NATO leaders agreed to conclude the SFOR operation, and to hand over responsibility for stabilisation operations to the EU, albeit within the framework of newly agreed arrangements that allowed the EU to use NATO personnel and assets (the Berlin-plus agreement).<sup>115</sup>

### 3.2 Operation Althea

In December 2004 SFOR was formally concluded and the EU-led [Operation Althea](#) was launched.<sup>116</sup> The operation continued to be UN-mandated, and its objectives initially remained unchanged. NATO retained the ability to deploy, at short notice, an “over the horizon” reserve force, should the need arise. As a Berlin-plus operation, operational command of Althea was also the responsibility of the NATO Deputy Supreme Commander in Europe (DSACEUR), who has been a British General since 2004.

Force levels were restructured in 2007 following an assessment of the security situation in Bosnia and Herzegovina, at which point the UK withdrew the majority of its personnel from the mission. A further reconfiguration was undertaken in 2012 after which the primary focus of Operation Althea became capacity building and training of the Armed Forces of Bosnia and Herzegovina. However, following a strategic review of the operation in 2017, its core mission reverted back to “supporting the authorities of Bosnia and

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<sup>115</sup> NATO, [Operation Althea and the virtues of the Berlin plus agreement](#), 21 January 2024

<sup>116</sup> EU, [EU Force in BiH: Operation Althea](#), accessed 25 April 2024

Herzegovina in their efforts to maintain the safe and secure environment in the country”.<sup>117</sup>

Operation Althea currently comprises approximately 1,600 personnel from 23 countries (including EU and partner countries).<sup>118</sup> On 2 November 2023 the UN Security Council renewed Althea’s mandate for a further 12 months.<sup>119</sup>

In November 2023, NATO secretary-general Jens Stoltenberg reaffirmed NATO’s commitment to the security and territorial integrity of Bosnia and Herzegovina, and expressed concern at “the secessionist and divisive rhetoric as well as malign foreign interference, including [from] Russia”.<sup>120</sup>

## The UK’s role in Althea

The UK has had military forces in Bosnia since IFOR was established in 1995. The UK’s role in Operation Althea formally ended, however, on 18 December 2020, before the end of the Brexit transition period. In March 2019 operational command of Althea was also transferred from NATO’s DSACEUR to SHAPE’s Vice Chief of Staff, who at the time was a Belgian General.<sup>121</sup>

Theoretically, under the “Berlin plus” arrangements the UK could contribute as a NATO Member State.<sup>122</sup> Leo Docherty, the Minister for the Armed Forces, said in November 2023 that while the UK has “not sought to rejoin” Operation Althea, the UK recognises EUFOR’s “vital importance to BiH’s peace and security.” He also indicated the UK worked to secure the renewal of its mandate in the UN Security Council.<sup>123</sup>

The UK currently provides support to the NATO HQ in Sarajevo.<sup>124</sup>

## 3.3

## Application to join EU

Bosnia and Herzegovina applied for EU membership in February 2016.<sup>125</sup> In May 2019, the Commission identified 14 key priorities for the country to address in order to be granted candidate status. These included democracy and the functionality of its institutions, rule of law, fundamental rights, and

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<sup>117</sup> NATO, [Operation Althea](#), accessed 25 April 2024

<sup>118</sup> EU, [EUFOR Operation Althea factsheet](#), January 2024

<sup>119</sup> UN, [Security Council resolution 2706](#), 2 November 2023

<sup>120</sup> Euronews, [NATO chief commits to Bosnia's territorial integrity and condemns 'malign' Russian influence](#), 20 November 2023

<sup>121</sup> Official Journal of the EU, [Political and Security Committee Decision \(CSFP\) 2010/1010](#) [PDF], 2 July 2020

<sup>122</sup> NATO defence college, [NDC - News-Operation Althea and the virtues of the Berlin Plus Agreement](#), 25 January 2021

<sup>123</sup> PQ1265 [[Bosnia and Herzegovina: EUFOR](#)], 14 November 2023

<sup>124</sup> HL9606 [[Bosnia and Herzegovina: Armed Forces](#)], 7 August 2023

<sup>125</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Bosnia and Herzegovina](#) [accessed 26 April 2024]

public administration reform.<sup>126</sup> In its enlargement package report on BiH in October 2022, the Commission recommended that BiH be granted EU candidate status, on the understanding that steps were taken in line with the 14 priorities identified in May 2019.<sup>127</sup>

In its conclusions on 13 December 2022, the Council stressed the need for BiH to fulfil the 14 priorities identified by the Commission in 2019 and called on political leaders in BiH to swiftly implement commitments set out in the EU-sponsored June 2022 agreement where BiH political leaders pledged to promote stable institutions and dialogue and work towards the 14 priorities. The Council noted with concern the limited overall progress of reforms in BiH and urged all political actors in BiH to refrain from divisive rhetoric and actions “including questioning the sovereignty, unity and territorial integrity of the country”.<sup>128</sup> The European Council granted EU candidate status to BiH on 15 December 2022, on the basis of Council conclusions on 13 December.<sup>129</sup>

The November 2023 European Commission’s enlargement report highlighted the positive impact of candidate status on BiH with some required changes being introduced. It is also said it was important to preserve the constitutional order of the country and that the “secessionist and authoritarian measures” introduced in RS were “not in line with the EU path”. It referred to “backsliding” in guaranteeing freedom of expression and freedom of the media and expressed concerns about new criminal penalties for defamation in RS, and a draft “foreign agents” law in RS which would target civil society groups. It said progress was made in BiH in aligning with the EU’s common foreign and security policy but noted that RS had obstructed full implementation of restrictive measures against Russia.<sup>130</sup>

The Commission issued a recommendation to open accession negotiations with BiH “when the necessary compliance with the membership criteria was achieved”.<sup>131</sup> In December 2023, the Council said it was “seriously concerned about legislation and initiatives in the Republika Srpska entity that run counter to the EU path of Bosnia and Herzegovina, including secessionist rhetoric and questioning the constitutional order of the country”.<sup>132</sup> The European Council conclusions on 14-15 December 2023 endorsed the Council conclusions and said that the EU would open accession negotiations with BiH

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<sup>126</sup> European Commission, [Key findings of the Opinion on Bosnia and Herzegovina's EU membership application and analytical report](#), 12 October 2022

<sup>127</sup> European Commission, [2022 Enlargement package: European Commission assesses reforms in the Western Balkans and Türkiye and recommends candidate status for Bosnia and Herzegovina](#), 12 October 2022

<sup>128</sup> Council of EU, [Enlargement and Stabilisation and Association Process – Council conclusions](#) (PDF), 13 December 2022

<sup>129</sup> European Council, [European Council conclusions, 15 December 2022](#)

<sup>130</sup> European Commission, [Key findings of the 2023 Report on Bosnia and Herzegovina](#), 8 November 2023

<sup>131</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

<sup>132</sup> Council of EU, [Council conclusions on Enlargement](#) (PDF), 12 December 2023

“once the necessary degree of compliance with the membership criteria is achieved”.<sup>133</sup>

On 12 March 2024, the European Commission recommended that the EU open accession negotiations with BiH, stating that it had shown “strong commitment to move forward on long pending reforms” and taken “significant steps” in several areas. It also said that BiH had reached and maintained full alignment with the EU Common Foreign and Security Policy, “which is a significant positive step and crucial in these times of geopolitical turmoil”.<sup>134</sup>

The European Council endorsed the Commission’s recommendation at its meeting of 21-22 March 2024, and invited the Commission to prepare the accession negotiating framework for BiH. It said a negotiating framework would be adopted once BiH fulfils the recommendations made by the Commission in October 2022.<sup>135</sup>

The EU accession negotiation process can be lengthy, and commentators have expressed scepticism about BiH’s prospects of joining the EU.<sup>136</sup> Dodik has said he supports BiH’s accession to the EU.<sup>137</sup> In August 2023, Dodik however suggested that BiH should apply to join the BRICS group as an alternative to the EU, given that “new and unclear conditions for admission to the European Union are always emerging from Brussels”.<sup>138</sup>

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<sup>133</sup> European Council, [European Council conclusions, 14 and 15 December 2023](#)

<sup>134</sup> European Commission, [Commission proposes to open EU accession negotiations with Bosnia and Herzegovina and updates on progress made by Ukraine and Moldova](#), 12 March 2024

<sup>135</sup> European Council, [European Council conclusions, 21 and 22 March 2024](#)

<sup>136</sup> House of Commons Library briefing paper 9980, [EU enlargement: Ukraine, the Western Balkans and the accession process](#); Financial Times, [The EU pursues make-believe in Bosnia](#), 23 March 2024

<sup>137</sup> The Guardian, [Bosnian Serb leader: Putin and China will help if west imposes sanctions](#), 29 November 2021

<sup>138</sup> Politico, [Bosnian Serb leader says Bosnia should join BRICS, not EU](#), 29 August 2023

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