



# Maritime Association in Bosnia and Herzegovina

Established in 2007, Reg. No. RU648/07 of the Ministry of Justice of Bosnia and Herzegovina

**Taking into account** that Bosnia and Herzegovina is a sovereign and internationally recognized state, which became a member of the United Nations on 22 May 1992, the same day as the Republic of Croatia, and that both states gained independence by a dissolution of the Socialist Federal Republic of Yugoslavia (former Yugoslavia),

## Referring to:

- Article 1 of the Constitution of Bosnia and Herzegovina (Annex 4 of the Dayton Peace Agreement, signed on 14 December 1995) which stipulates that "The Republic of Bosnia and Herzegovina, whose official name is now "Bosnia and Herzegovina", continues its legal existence under international law as the state, with an internal structure modified by this Constitution, and with existing internationally recognized borders";
- Decision of the Presidency of Bosnia and Herzegovina number 01-011-3110-1/07 on 17 October 2007, wherein it was emphasized that Bosnia and Herzegovina (B&H) is against the construction of the Peljesac Bridge until the outstanding issues related to the identification of the coastal border line between the two countries are resolved;
- Decision of the Presidency of Bosnia and Herzegovina number 01-011-3138-19/09 on 23 April 2009, emphasizing the need to respect the United Nations Convention on the Law of the Sea, 1982 (UNCLOS) and that the problems between the two states need to be resolved in a manner consistent with the provisions of UNCLOS and
- Declaration of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina (Official Gazette 68/17), dated 13 September 2017, confirming that B&H is a coastal state and a member of UNCLOS, and that all activities related to the construction of the Pelješac Bridge should be suspended and that all open issues at sea should be resolved amicably, while respecting good neighbourly relations and international law.

**Bearing in mind** the fact that the Republic of Croatia (Croatia) did not respect the interests of B&H, and that as European Union (EU) member it was financially supported by the European Commission (EC) with Euro 357 million for the construction of the Peljesac Bridge, as well as Euro 63 million from European Investment Bank (EIB) for finalization of the bridge with its connecting highway.

**Taking into account** the above and referring to the provisions of the Statute of the Maritime Association in Bosnia and Herzegovina (Maritime Association) accepted by the Ministry of Justice of Bosnia and Herzegovina, the Assembly of the Maritime Association on the proposal of the Board of Directors and the President of the Maritime Association on this day presents this declaration:

## DECLARATION

### on the protection of the sovereignty and territorial integrity of Bosnia and Herzegovina in the Adriatic Sea

#### By which we publicly confirm that:

- B&H is an independent, sovereign and indivisible state, internationally recognized with centuries of continuity;
- B&H is a coastal state and has a maritime coast of more than 24 km long and a sea surface of more than 14 km<sup>2</sup>, which provides B&H with exceptional opportunities for economic and social

development and

- B&H is a member of UNCLOS since January 1994 and the Convention on the Territorial Sea and the Contiguous Zone (1958) since September 1993.

**We further confirm that Croatia:**

- By adopting the Maritime Code in 1994 and 2004, declared its state sovereignty on the maritime territory and coast of the maritime waters of B&H, which corresponds to the intentions and goals of the joint criminal enterprise and aggression against B&H, as stated in the verdict (Case No.: IT-04-74-A) The International Criminal Tribunal for the former Yugoslavia (ICTY) 29 November 2017. In this way, it rejected the historical border of the two countries on the Adriatic Sea, and gravely undermined the sovereignty and territorial integrity of B&H;
- That it arbitrarily took over and "inherited" the straight baselines for the delimitation of the territorial sea from the former Yugoslavia, without respecting the sovereignty and territorial integrity of B&H, respect for Public International law, UNCLOS (member since May 1995) and the Convention on the Territorial Sea and the Contiguous Zone (member since August 1992), Proclaimed European Union democratic and security principles, International Human Rights Norms, The Dayton Peace Agreement (1995), and the Treaty on the State Border between the Republic of Croatia and Bosnia and Herzegovina (1999) and
- That it has not respected the Maritime Code deprived B&H of the acquired right to free access to the high seas, which B&H had as one of the six republics of former Yugoslavia and which, like Croatia, inherited the membership of former Yugoslavia in UNCLOS (1982) and the Convention on the Territorial Sea and the Contiguous Zone (1958).

**Accordingly, we demand:**

- The authorities of Croatia to adopt amendments to the current Maritime Code of Croatia (OG 181/04, 76/07, 146/08, 61/11, 56/13, 26/15) which would remove all effective provisions threatening the sovereignty and territorial integrity of B&H, and falling in line with the provisions of UNCLOS (1982), the Convention on the Territorial Sea and the Contiguous Zone (1958) and the EU Acquis Communautaire;
- The authorities of B&H to take the necessary actions to protect the sovereignty and territorial integrity of B&H in the Adriatic Sea and in general; and
- The EC to immediately cease all material and moral support to Croatia in achieving its intentions and goals, and to be actively involved in resolving the aforementioned problems caused by the EU member state as leading, responsible Multilateral entities.

**We hereby reserve and assert all of the rights of Bosnia and Herzegovina to the Adriatic Sea under the 1982 UN Law of the Sea Convention, the 1958 Geneva Convention on the Territorial Sea and Contiguous Zone, and all other sources of Public International Law.**

Sarajevo, 18 December 2020

Reg. No. 22/IB/20

