

Expressing the RS commitment for a consistent observance of the GFPA, which acknowledges and guarantees the constitutional position of the RS as one of the two entities BiH is composed of;

Starting from the fact that the international sovereignty of BiH was established by the GFPA based on the institutional will expressed by the two entities and a political agreement reached by the representatives of the three constituent peoples;

Rejecting any attempt to call in question the RS and its subjectivity and sovereignty;

Noting the damaging consequences and effects produced by the Decision of the BiH Constitutional Court of 26 November 2015 with regard to peace, stability and trust in BiH;

Given the fact that the RS was promulgated on 9 January 1992 by the Assembly of the Serb People in BiH, before the armed conflicts in BiH, and that the RS, as such, did participate in the peace conference in Dayton and signed the Annexes to the Agreement as a party thereto;

Having regard to the fact that the Day of the Republic of Srpska, 9 January, is a legal holiday of the RS, which is further reiterated by the Venice Commission in its opinion of 14 October 2010 produced at the request of the BiH Constitutional Court;

We, the undersigned, with regard to the abolition of certain provisions of the RS Holidays Act, hereby adopt the following:

DECLARATION

1. The Decision of the BiH Constitutional Court of 26 November 2015, whereby certain provisions of the RS Holidays Act are found incompatible with the BiH Constitution is an unacceptable act, the aim of which is to deny the legality and legitimacy of the RS and the constitutional organisation of BiH established by the Dayton Peace Agreement and as such cannot be implemented because it is imposed; hence, we demand that the BiH Constitutional Court annuls this Decision;
2. The Decision was rendered under the influence of international judges, which demonstrates that the Constitutional Court is not autonomous and independent in its work; hence, we reject any interference of international judges in the Court's adjudication process, including the pressure exerted by the international representatives to implement this Decision;
3. We support the RSNA Declaration No. 02/1-021-457/15 of 17 April 2015 with regard to the application No.U-3/13 filed with the BiH Constitutional Court to evaluate the constitutionality of the RS Holidays Act;
4. The Decision of the Constitutional Court of 26 November serves the attempts to review historical events leading to the establishment of the RS on 9 January 1992, which is absolutely unacceptable;
5. We call on the RSNA to reject any future decision of the BiH Constitutional Court that intervene in the status issues of the RS that is rendered by outvoting;
6. The RS will continue to celebrate the Day of the Republic on 9 January in accordance with the RS Holidays Act, which contains no elements of discrimination whatsoever, does not jeopardise any ethnic or religious identity or equality of any of the three constituent peoples, and is fully compliant with universal values and European acquis;
7. We demand that the BiH Parliamentary Assembly, within 120 days, enact a bill on the BiH Constitutional Court, which would specify that decisions are rendered only when at least one judge from all constituent peoples and both entities vote. Under this Bill, the BiH Constitutional Court will not have any foreign judges;
8. If a new bill on the BiH Constitutional Court is not enacted within the period of 4 months, the political parties will decide whether they will further participate in the work of the BiH joint institutions and sign a joint declaration to that end;
9. We agree that an analysis of all decisions rendered by the BiH Constitutional Court since 2001 be carried out, and that the RS NA issue its conclusions in that respect, in particular with regard to the decisions where the three foreign judges and two Bosniak judges outvoted the other judges;

10. We agree that the RS NA render a decision and call a referendum for the people to decide whether to accept the Decision of the BiH Constitutional Court abolishing the Day of the Republic, 9 January;
11. We call on all stakeholders, political parties, associations, organisations, institutions and citizens to support the positions of the signatories to this Declaration with their signatures. The Office of the President will decide on the manner in which this will be appropriate and available (*as in the original, not clear, probably: ... in which such support will be expressed*).
12. We agree to sign this joint declaration and persist in the implementation of the above positions:

SNSD -Milorad Dodik

SNSD

PDP

DNS

Socialist Party

NDP

RS Government

Željka Cvijanović, Prime Minister

RS NA

Nedeljko Čubrilović, Speaker

RS Council of Peoples

Nada Tešanović, Chairperson

RS Member of the BiH Presidency

Mladen Ivanić

BiH PA House of Representatives

Mladen Bosić, Deputy Speaker

BiH PA House of Peoples

Ognjen Tadić, Speaker

BiH Council of Ministers

Mirko Šarović, Deputy Chairman

Banja Luka, 29/11/2015