

23 new complaints against sitting judges and prosecutors for violation of the property laws

The agencies involved in the Property Law Implementation Plan (PLIP), the UNHCR, OHR, UNMIBH, CRPC and the OSCE, wish to make clear that violation of the property laws or obstruction of their implementation by sitting judges or prosecutors will not be tolerated. Judicial officials found to have broken these laws or obstructed their implementation will be sanctioned by the commissions and councils established to monitor the conduct of the judiciary.

Through investigations in the field, the OSCE Human Rights department has identified a further 23 sitting judicial officials who have violated the property laws, either by overstaying legal deadlines to vacate other people's prewar homes, or by remaining in such properties illegally despite having access to housing elsewhere.

The PLIP agencies stated last September that judges and prosecutors who fail to comply with the property laws "are in breach of their duty to act independently, fairly, and impartially," and that they "place themselves in a position of conflict of interest, and are unsuitable for judicial or prosecutorial duties."

As a result of the OSCE investigation, complaints have been filed by the PLIP agencies with the relevant commissions and councils, against ten judges and four public prosecutors in the Federation of Bosnia and Herzegovina and six judges and

three public prosecutors in Republika Srpska.

These 23 complaints form part of an ongoing review of the professionalism of judges and prosecutors in BiH, which has the full support of the BiH authorities, the International Community and the PIC Steering Board. The integrity of judges and prosecutors is central to the functioning and fair legal system which underpins democracy. Judicial officials who violate the property laws are unfit to carry out their duties in such a system.