

High Representative issues Decision establishing interim procedures to protect vital interests of Constituent Peoples and Others, including freedom from Discrimination

The High Representative, Wolfgang Petritsch, today issued a Decision which establishes an essential interim mechanism guaranteeing the means to implement the Constitutional Court's ruling of 30 June and July 1, 2000, in what is now known as the "Constituent Peoples Case".

Entity parliaments were required to amend their respective Constitutions to comply with the Court ruling. To date, no progress has been made in this area.

The High Representative's Decision ensures that the Constituent Peoples of Bosnia and Herzegovina – Bosniacs, Serbs, Croats and Others – enjoy protection of their vital interests, including freedom from discrimination throughout the country.

The Decision, of an interim nature, guarantees rights – fully in line with the European Convention on Human Rights – until the Constitutional Court ruling has been fully implemented. The High Representative has set a deadline of 15 March 2001 for both Entity parliaments to present proposals for the implementation of the Constitutional Court's ruling.

Today's Decision sees the restructuring of the Constitutional Commissions in both the Federation and Republika Srpska, which will each now comprise 16 members, to be made up of equal

numbers of delegates from the Constituent Peoples and Others in BiH. The High Representative will appoint members to the Commissions. All other legislative structures in BiH remain unchanged.

The Constitutional Commissions must be convened no later than one week after the publication of the Decision in the Official Gazette of Bosnia and Herzegovina.

The Constitutional Commissions will be able to convene meetings if a majority of any one of the Constituent Peoples or Others fear that a law, decision or government regulation – copies of which must be given to the Commissions at least 10 days before debate in the Federation House of Representatives or the RS National Assembly – would be of a discriminatory nature. If after three days the Commission failed to reach agreement on an issue, it would be then put before the High Representative to decide.

The High Representative looks forward to the swift implementation of the Constitutional Court ruling in both Entities.