



High Representative suspends application of the RS Law on Immovable Property

The High Representative Christian Schmidt has today issued a Notice on the Application of his Order from 12 April 2022 to the RS Law on Immovable Property Used for Functioning of Public Authority, published in the Official Gazette of Republika Srpska on 20 February 2023.

The High Representative's Order from 12 April 2022 originally suspended the previous RS Law on Immovable Property Used for Functioning of Public Authority, which was adopted in February 2022 and repealed by the Decision of the BiH Constitutional Court from 22 September 2022. In the said decision, the Constitutional Court established that Republika Srpska does not have the constitutional competence to regulate the legal matter that is subject of that Law.

The Order from 12 April 2022 now applies to the new RS Law with the same title, which effectively means that the application of this said law is suspended until a final decision of the BiH Constitutional Court on its alignment with the BiH Constitution, or until the Constitutional Court decides on an interim measure with respect to the said law. Until there is a court decision on the case, the legal uncertainty has to be avoided.

The High Representative emphasized that the issue of state property cannot be resolved through unilateral measures and reminded all decision-makers that the BiH Parliamentary Assembly is the proper place to resolve this issue.