

Schwarz-Schilling Urges Appointment of HoR Vetting Commission

The High Representative and EU Special Representative, Christian Schwarz-Schilling, urged the House of Representatives of Bosnia and Herzegovina to appoint the Parliamentary Commission responsible for vetting nominees to government positions as soon as possible.

“This Commission will assess the suitability of nominations for the executive positions and so it must be ready to do its job when the Presidency nominates the Chair of the Council of Ministers,” Mr Schwarz-Schilling said.

Amendments to the Law on the Council of Ministers adopted by Parliament of Bosnia and Herzegovina in September require the nominating authorities – the Presidency in the case of the Chair of the Council of Ministers, and the Chair in the case of the Ministers – to obtain background information on the candidates’ academic qualifications, employment history, criminal record (if any), wartime activities and personal finances.

To date, the Office of the High Representative (OHR) has conducted a vetting process at State level.

The Parliamentary Commission will review the information provided by the candidates to assess whether an individual is suitable and qualified to hold executive office. The Committee may conduct interviews with each nominee as a part of this process. Under the law the interview process may be open to the public. The Committee will then make a non-binding recommendation to the House of Representatives. The House of Representatives is ultimately responsible for

approving Ministerial nominations.

The State Investigation and Protection Agency will be responsible for checking the accuracy of the information submitted by each nominee. This is not an investigation and SIPA will forward their findings to the nominating authority, which will take this report into consideration when making its nomination. The House of Representatives will be made aware if any false information provided.

The Central Election Commission is responsible for confirming that each nomination meets all the requirements applicable under the Election Law. Failure to do so could result in a candidate being disqualified.

This process assures public scrutiny of individuals nominated to the highest government office. It will enhance the relationship between government and parliament and make executive appointments more transparent.

The aim is to give the Presidency and the Chair of the Council of Ministers all the information they need about a potential nominee before they formally make a nomination and in that way prevent nominations that clearly would not pass close public scrutiny.

Similar legislation does not yet exist at Entity and Cantonal level. As a result, the OHR will undertake this role again. At Entity and Cantonal level, OHR will vet candidates for Minister of Interior, Minister of Refugees, Minister of Finance, Minister of Justice and Minister of Education.

The Law on Council of Ministers requires that the nomination and approval of the Chair of the Council of Ministers must be completed no later than 22 days after the inaugural session of the House of Representatives. That session took place on 20 November, when MPs took the oath. This means that the deadline, under BiH law, for the Presidency to appoint the

Chair of the Council of Ministers is 5 December.

This also means that political parties need to agree on at least the nominee for the Chair of the Council of Ministers by that time, if the deadlines are to be respected. The citizens of Bosnia and Herzegovina deserve proper political representation – representation they voted for two months ago.