

OHR's Statement at the International Agencies' Joint Press Conference in Banja Luka

There Has Been No Transfer of Authority

Just one point from OHR this morning and it is on the subject of election rhetoric and a statement made earlier this week by Prime Minister Dodik. The Prime Minister appears to have misunderstood a provision in BiH law, and OHR would like to clear up this misunderstanding.

Prime Minister Dodik has suggested that if his party is in a position to do so after the elections it will seek to recover authority that has been transferred from the Entities to the State in regard to the BiH Court and the BiH Prosecutor's Office.

This authority cannot be recovered because it was never transferred in the first place.

The Law on the Court of BiH and the Law on the Prosecutor's Office of BiH were enacted on the basis of the BiH constitution, which makes certain criminal matters the clear responsibility of the State.

All matters relating to the BiH Court and the BiH Prosecutor's Office are matters for the State to decide, not the Entities. This has been confirmed by the Constitutional Court.

Mr Dodik also called for the removal of international judges and prosecutors, on the grounds that their presence in BiH courts is intolerable.

The international judges and prosecutors in Bosnia and Herzegovina have been hired because they can bring additional experience and skills to the country's hard-pressed justice system. This is about prosecuting criminals; it has nothing to do with Entity competencies. It is not immediately clear how firing judges and prosecutors who have come to work in BiH would help the fight against crime, which Mr Dodik says he wholeheartedly supports.