

High Representative Acts to Normalise Legal Status of Removed Individuals

The High Representative, Christian Schwarz-Schilling, today issued a Decision addressing the legal status of individuals removed by previous High Representatives – with the exception of those removed for reasons connected to non-cooperation with the ICTY.

Today's Decision allows removed officials to apply for and hold positions in public companies and public institutions such as hospitals or any institution to which the respective laws regulating the civil service do not apply but which are partly or fully financed from a budget at any level of government in Bosnia and Herzegovina.

Today's Decision does *not* apply to directly or indirectly elected positions within the legislature at any level of government in BiH; or to any executive position at any level of government, or to any advisory position connected to such elected positions. Nor does it apply to positions in the security sector or to managerial positions in the civil service.

The Decision does not encompass any *entitlement* to positions occupied in the past.

Today's Decision is part of a two-track process of regularizing the legal status of removed individuals announced by the High Representative on 21 March.

Since then, removed individuals have been free to apply to the OHR to have their removals rescinded. These applications will be reviewed on a case-by-case basis.

At the same time, the High Representative announced that bans would also be lifted across the board in a phased way, relevant to certain employment sectors. Today's Decision is the first in this "sectoral" approach. Subsequent Decisions covering additional categories of office will depend on a variety of factors, including BiH's progress towards Euro-Atlantic integration.

While removals have played an important role in helping Bosnia and Herzegovina emerge from the aftermath of war, it is clear that, as Bosnia and Herzegovina proceeds further down the path of Euro-Atlantic integration, the necessity of removals is diminishing. It is also important that the legal status of removed officials is resolved before the OHR closes.