

Minister Lovrinovic's Continuing Defiance to The Rule of Law

OHR and OSCE Mission note with disappointment and concern that Central Bosnia Canton Education Minister Nikola Lovrinovic persists in misinterpreting the Laws on Amendment of the Laws on Primary Education and Secondary Education. He made this obvious by the "standpoint" on these laws he presented to the Cantonal Assembly today. OHR had provided Mr Lovrinovic with a clear legal explanation of why the laws in question were perfectly straightforward and, as a consequence, why his interpretation of them was both erroneous and unnecessary.

Implementation of these laws is a litmus test of the responsible minister's seriousness, not only in regard to the reform of primary and secondary education, but also in his respect for the rule of law. The High Representative had been compelled to impose amendments to the laws in question on 7 July 2004, following Central Bosnia Canton's long failure to harmonise its legislation with the Framework Law on Primary and Secondary Education passed unanimously by the BiH Parliamentary Assembly in June 2003. The Federation Constitutional Court subsequently rejected, in November 2004, an attempt by Croat assembly members to invoke "vital national interest" in the case of these amendments

Administrative and legal unification of "2 schools under 1 roof" that is provided for in these amendments is a Council of Europe requirement for BiH as a whole. Such unification will also save public money now wasted on the double administrations of such schools. It will not, however, affect pupils' and parents' rights to opt for the curriculum of their choice.

Minister Lovrinovic's continuing defiance of the law and his transparent attempts to obstruct its application for another school year cannot be tolerated indefinitely. Minister Lovrinovic should amend his ways and carry out his responsibilities towards the pupils and parents that should be his primary concern.