

High Representative Consolidates Prosecutorial System in both BiH Entities

The High Representative, Paddy Ashdown, today issued Decisions harmonising the Prosecutorial systems in the Federation of Bosnia and Herzegovina, its ten Cantons and in the Republika Srpska. The High Representatives Decisions amend the existing laws governing the Prosecutors Offices in the FBiH Cantons and in both BiH Entities consolidating Prosecutors Offices' at Canton and District levels. The High Representative also amended the Entity High Judicial and Prosecutorial Council Laws to allow for these changes.

The High Representative's Decisions reform the current Prosecutorial system in the FBiH and the RS, closing all municipal level prosecutors offices and consolidating positions into existing Canton (FBiH) and District (RS) Offices. These changes are reflected in the amended Laws on the FBiH Prosecutor's Office and the Prosecutor's Offices of the RS, which are also given a new structure. The State level Prosecutors Office is not effected by these changes.

Currently, Municipal Prosecutors are required to deal with all types of prosecutions, including ever more complex cases of fraud and organised crime. By expanding the Canton and District Prosecutors Offices it will now be possible for prosecutors to specialise in specific types of prosecution. The High Representatives decisions set up a more efficient, professional and modern Prosecutorial system across BiH.

These changes will not reduce the number of Prosecutors in BiH, but they do address major problems raised by Prosecutors across BiH. In small municipal offices prosecutors have often found themselves too close to the accused, but too far from

the professional support network offered by colleagues, making effective investigation and decision making more difficult. The current fragmented structure has also lead to unclear jurisdictions and unnecessary administrative costs arising from maintaining a large number of small offices.

These reforms are part of the High Representative's focus on justice and ensuring the rule of law in Bosnia and Herzegovina that is essential for job creation and the further development of both international and domestic investment. A proposed plan for the restructuring of the Court system across BiH has been forwarded to the relevant Entity institutions.

The amendments to the Laws on the Cantonal Prosecutor's Offices and the Laws on the FBiH Prosecutor's Office and the Prosecutor's Offices of the RS enters into force immediately, though their application is suspended until the newly appointed High Judicial and Prosecutors Councils make the respective nominations to these positions.