

Joint Statement Regarding the Future of the Human Rights Ombudsman Institutions of Bosnia and Herzegovina

On 20 March 2002, the Council of Ministers of the Council of Europe adopted a Resolution (Res (2002) 5) inviting Bosnia and Herzegovina to become a member of the Council of Europe. This Resolution was adopted notably in the light of the Opinion regarding Bosnia and Herzegovina's application for membership in the Council of Europe, which was adopted by the Parliamentary Assembly of the Council of Europe on 22 January 2002.

In its Opinion, the Assembly took particular note of Bosnia and Herzegovina's pledge to honour several detailed post-Council of Europe accession commitments. With regard to human rights, Bosnia and Herzegovina committed, among other things:

"to work towards establishing multi-ethnic Ombudsmen and to consider establishing, in the long term, a single, unified Human Rights Ombudsman's Office at state level, which would include the present Ombudsmen institutions at Entities level."

and to

"implement the legislation to guarantee the independence of the ombudsman institutions at state as well as entity levels including amendments to the FBiH Ombudsmen Law drafted by the Venice Commission".

This document clearly states that any such a merger would have to be considered "in the long term". Further, before any such

consideration, the Council of Europe foresees in the short and medium term further concrete steps to be taken regarding the Entity Ombudsman institutions.

Furthermore, the Venice Commission is currently addressing the issue and has appointed a group of rapporteurs to examine it closely. Their report will be adopted by the Venice Commission at its 51st Plenary Session in Venice, on 5-6 July 2002.

The Council of Europe, the Office of the High Representative, the Organization for Security and Co-operation in Europe Mission to Bosnia and Herzegovina would like thus to underline that this long-term commitment should not be addressed conclusively at this point in time.