

Abolishment of de facto Municipality of Skelani

Today, the High Representative, Wolfgang Petritsch, issued a Legal Opinion declaring the de facto municipality of Skelani unconstitutional, and consequently abolished it.

The so-called municipality of Skelani was created by the National Assembly of Republika Srpska in 1992, but never recognized by the International Community. When it was established, no referendum or other consultations were held among the majority Bosniak population of Srebrenica or Skelani. The High Representative believes that the RS National Assembly wanted to isolate the town of Srebrenica and strip it of security, territory and economic resources for political reasons.

More recently, the unrecognized authority in the southern Skelani settlement of the municipality of Srebrenica had a negative influence on the work of the newly-established joint municipal administration of Srebrenica. It also hampered Srebrenica's chances for economic recovery and the creation of jobs. For this reason, the Office of the High Representative examined the legal validity of the municipality of Skelani and confirmed that it did not have such validity.

The Constitution of Bosnia and Herzegovina guarantees to all refugees and displaced persons "the right freely to return to their homes of origin." The Constitution also states that only laws, regulations and judicial rules of procedure consistent with the Constitution will remain in effect. In addition, [Annex 7](#) of the [Dayton Peace Agreement](#) calls, among other things, for the creation of "political, economic, and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons."

The existence of the de facto Skelani municipality was in contradiction to both the Constitution of Bosnia and Herzegovina and Annex 7 of the Dayton Peace Agreement. It presented a challenge to the joint authorities of the municipality of Srebrenica and stripped Srebrenica of significant economic resources.

For the reasons mentioned above, the RS Law on Establishing the Serb Municipality Skelani is unconstitutional and has today been declared null and void by the High Representative. There is no longer a separate authority in Skelani. The settlement of Skelani is part of the municipality of Srebrenica.