

Draft Law on the State Border Service

In the continuation of the 61st BiH Presidency session, held on November 9, 1999, Chair of the Presidency Ante Jelavic and Member of the Presidency Zivko Radisic once again declined to forward the Draft Law on the State Border Service to the Parliament.

The OHR regrets the actions of Mr Jelavic and Mr Radisic and holds the view that the Draft Law should be promptly provided to the Parliament for review and action.

The present Draft is the result of months of work by representatives of each member of the Presidency, together with the International Community. The OHR strongly believes that further drafting efforts at this stage – before the law is submitted to the Parliament – will simply delay the creation of this vital institution and is an excuse for inaction.

It is evident from the Presidency discussions that some would wish the Border Service to be subordinate to the Entities. However, it has always been clear that this Border Service must be solely an institution of the State of Bosnia and Herzegovina, and not of the Entities. Such a Service – at the State level – is a minimal requirement of a modern sovereign state.

The main purpose of the envisaged Border Service is to prevent smuggling and illegal immigration. Bosnia and Herzegovina has hundreds of border crossings without customs and police, and smuggling is a major problem in the country. Both Entities lose huge amounts of customs revenues, which could be used to improve the financial situation of pensioners, teachers, workers, the unemployed – to name only a few.

We believe it is high time that the Parliament be given the opportunity to consider this important piece of legislation.

The OHR continues to assume that the three Presidents will honor their June 24, 1999, commitment to form a State Border Service.