

Joint Statement on Implementation of the Property Laws

Yesterday, Wednesday 22 September, principals from OHR, OSCE, UNMiBH and UNHCR met to discuss means of tackling obstacles to the implementation of property legislation, a central plank of the returns process. Property legislation has been intentionally misused by authorities throughout BiH.

While expressing maximum support for those courts and members of the judiciary and police who do endeavour to implement property legislation, the principals noted that there is still far too much interference of the executive with the judicial process. They were also deeply concerned about the continued political interference in the administration, preventing it from working in accordance with the rule of law.

The independence of the judiciary must be unconditionally protected and administrators must be able to exercise their functions free of political interference: without this, there can be no proper respect for the rule of law. And the implementation of property legislation has to be a prerequisite for BiH membership of the Council of Europe.

The International Community will monitor removal of any judges and in the case of judges who are removed wrongfully for carrying out their duties, their removal will be closely scrutinized by OHR and appropriate action taken to remedy this situation.