

High Representative imposes Law on Human Rights Ombudsman of BiH

The High Representative, Wolfgang Petritsch, yesterday imposed the Law on the Human Rights Ombudsman for Bosnia and Herzegovina. The High Representative used the powers vested in him by Article V of Annex 10 of the Dayton Peace Accords and through the Conclusions of the Bonn Peace Implementation Council in 1997.

The Law forms a cornerstone for the protection of human rights and fundamental freedoms in Bosnia and Herzegovina by ensuring that the responsibility for the Human Rights Ombudsman lies within the state of Bosnia and Herzegovina.

It is essential that the responsibility for this institution passes to the state of BiH, which the High Representative wants to strengthen as part of his three main priorities for the country.

The Law was first forwarded to the BiH Presidency in August 1999 yet the authorities in Bosnia and Herzegovina have not put this vital piece of legislation into force, despite a September 2000 deadline set by the Brussels Peace Implementation Council in May of this year. It is deeply disappointing that the state authorities felt unable to adopt the Law which protects crucial rights for all BiH citizens.

The BiH Ombudsman can:

- investigate human rights violations
- refer cases to the Human Rights Chamber, whose decisions are legally binding
- present special reports on human rights issues to all levels of government

- can also make recommendations to the High Representative
- has access to all official documents, including classified papers, and can require any citizen, including officials, to cooperate in providing evidence

The BiH Ombudsman has had nearly half of its non-binding recommendations acted on by Entity and State Governments.