

Decision Enacting the Decision Extending the Mandate of the State Commission for the Review of Decisions on Naturalization of Foreign Citizens

In the exercise of the powers vested in the High Representative by Article V of Annex 10 (Agreement on Civilian Implementation of the Peace Settlement) to the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative is the final authority in theatre regarding interpretation of the said Agreement on the Civilian Implementation of the Peace Settlement; and considering in particular Article II.1. (d) of the last said Agreement, according to the terms of which the High Representative shall “[F]acilitate, as the High Representative judges necessary, the resolution of any difficulties arising in connection with civilian implementation”;

Recalling paragraph XI.2 of the Conclusions of the Peace Implementation Conference held in Bonn on 9 and 10 December 1997, in which the Peace Implementation Council welcomed the High Representative’s intention to use his final authority in theatre regarding interpretation of the Agreement on the Civilian Implementation of the Peace Settlement in order to facilitate the resolution of any difficulties as aforesaid “by making binding decisions, as he judges necessary” on certain issues including, under sub-paragraph (c) thereof, “measures to ensure implementation of the Peace Agreement throughout

Bosnia and Herzegovina and its Entities”;

Considering paragraph 12.1 of the Declaration of the Peace Implementation Council that met in Madrid on 15 and 16 December 1998, which made clear that the said Council considered that the establishment of the rule of law, in which all citizens had confidence, was a prerequisite for a lasting peace, and for a self-sustaining economy capable of attracting and retaining international and domestic investors;

Mindful of Article I, paragraph 7(c) of the Constitution of Bosnia and Herzegovina ;

Recalling the provisions of the Law on Citizenship of Bosnia and Herzegovina (Official Gazette of Bosnia and Herzegovina, Nos. 4/97, 13/99, 41/02, 6/03, 14/03 and 82/05) and in particular Articles 40 through 41a, which envision that a State Commission for the Review of Decisions on Naturalisation of Foreign Citizens shall be established and prescribes the mandate and the composition of the Commission;

Recalling further the Decision of the Council of Ministers of Bosnia and Herzegovina No. 46/06 of 16 February 2006 (Official Gazette of Bosnia and Herzegovina, Nos. 30/06 and 75/06) establishing said Commission;

Noting the communiqué of the Steering Board of the Peace Implementation Council issued in Vienna on 15 March 2006 by which the Board welcomed the establishment of the Citizenship Review Commission and requested, given its critical importance for the counter-terrorism agenda, an update on the Commission's activities;

Acknowledging that under the above mentioned Law on Citizenship the mandate of the Commission expires no later than one year after it is established;

Mindful in particular that the said law envisages the extension of the mandate of the Commission for an additional

period if the Parliamentary Assembly of Bosnia and Herzegovina so decides;

Acknowledging that the Council of Ministers of Bosnia and Herzegovina on its 131st session held on 18 October 2006 adopted the Report on work of the State Commission for the Review of Decisions on Naturalisation of Foreign Citizens for the period from 1 March 2006 to 31 August 2006 and passed conclusions by which it fully supported the work of the Commission, stated that it expected the Commission to continue its work and to prepare an exhaustive report on revoked citizenships including details on how the citizenships in question had been acquired, tasked the relevant institutions to review legislation pertaining to citizenship, tasked the Commission to forward its finding to the Prosecutor's Office of Bosnia and Herzegovina and instructed all institutions to treat the requests coming from the Commission as a priority;

Having in mind the initiative for the extension of the mandate of the State Commission for the Review of Decisions on Naturalisation of Foreign Citizens for another year, sent to the Parliamentary Assembly of Bosnia and Herzegovina on 7 February 2007;

Taking into account the fact that the Parliamentary Assembly of Bosnia and Herzegovina is not yet fully constituted following the October elections;

Conscious that the mandate of the Commission expires on 16 February 2007 and that there is an urgent need to ensure that the work of the Commission continues;

Having considered and borne in mind all matters aforesaid, the High Representative hereby issues the following

DECISION

**Enacting the Decision Extending the Mandate of the State
Commission for the Review of Decisions on Naturalization of
Foreign Citizens**

The **Decision Extending the Mandate of the State Commission for the Review of Decisions on Naturalization of Foreign Citizens**, which is hereby attached as an integral part of this Decision, shall be published on the official website of the Office of the High Representative and shall enter into force as the Decision of the Parliamentary Assembly of Bosnia and Herzegovina in accordance with Article III of the said Decision, on an interim basis until such time as the Parliamentary Assembly of Bosnia and Herzegovina adopts this Decision in due form, without amendments and with no conditions attached.

Sarajevo, 15 February 2007

*Dr. Christian Schwarz-Schilling
High Representative*

DECISION

**EXTENDING THE MANDATE OF THE STATE COMMISSION FOR THE REVIEW
OF DECISIONS ON NATURALIZATION OF FOREIGN CITIZENS**

I

As provided by Article 40, paragraph 4 of the Law on Citizenship of Bosnia and Herzegovina (Official Gazette of

Bosnia and Herzegovina, Nos. 4/97, 13/99, 41/02, 6/03, 14/03 and 82/05; hereinafter: the Law), the mandate of the State Commission for the Review of Decisions on Naturalization of Foreign Citizens, established by the Decision of the Council of Ministers of Bosnia and Herzegovina of 16 February 2006 (Official Gazette of Bosnia and Herzegovina, Nos. 30/06 and 75/06), is hereby extended.

II

The mandate of the Commission referred to in Article I of this Decision shall be extended for an additional period of one year ending on 16 February 2008, and shall be further extendible in accordance with the Law.

III

This Decision shall enter into force on the day of its publication on the official website of the Office of the High Representative and shall be published without delay in the Official Gazette of Bosnia and Herzegovina .