

Decision Enacting the Law on Assigning Names to or Changing Existing Names of Facilities and Legal Persons of Public Interest for Bosnia and Herzegovina

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 “Facilitate, 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 as well as the smooth running of the common institutions”;

Recalling that the Assembly of the public enterprise “International Airport Sarajevo” issued, on 23 September 2005, a decision amending the Statutes of the enterprise to rename said enterprise as “International Airport Alija Izetbegovic”;

Further recalling the Decision of the High Representative annulling the Decision of the Assembly of the Public Enterprise “international Airport Sarajevo” (Nr. 379/05 of 14 October 2005) changing the name of the enterprise on the basis that such a decision could affect the smooth running of the common institutions by emphasizing the fact that the “International Airport Sarajevo”, in spite of being the main international airport that serves Bosnia and Herzegovina’s capital, is located within and administered by one of its entities and that the airport does not belong to and is not welcoming all constituent peoples;

Noting that the Steering Board of the Peace Implementation Council, meeting at Ambassadorial level on 14 October 2005, issued a Statement calling for the decision to rename the “International Airport Sarajevo” to be revised, in a transparent manner and after consultation with representatives of all constituent peoples and the Others;

Aware that reconciliation between the constituent peoples of Bosnia and Herzegovina is still fragile and could be undermined by the above-mentioned decision or by other similar decisions;

Bearing in mind that assigning and changing existing names of facilities and legal persons of Bosnia and Herzegovina is of great interest to the entire civil society and to all citizens of Bosnia and Herzegovina ;

Emphasising that the international image of a country is bound up with how its major transit ports operate and are perceived,

both internally and externally;

Mindful that the Constitution of Bosnia and Herzegovina, in its Article III,1, assigns competency for the establishment and operation of common and international communications facilities and for the regulation of inter-Entity transportation to the institutions of Bosnia and Herzegovina;

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

DECISION

Enacting the Law on Assigning Names to or Changing Existing Names of Facilities and Legal Persons of Public Interest for Bosnia and Herzegovina

Which is hereby attached as an integral part of this Decision.

The said Law shall enter into force as a law of Bosnia and Herzegovina, with immediate effect, on an interim basis, until such time as the Parliament of Bosnia and Herzegovina adopts this Law in due form, without amendment and with no conditions attached and shall be published without delay in the "Official Gazette of Bosnia and Herzegovina".

This Decision shall be published on the official website of the Office of the High Representative and shall enter into force forthwith.

Sarajevo, 28 October 2005
Paddy Ashdown
High Representative

Law on Assigning Names to or Changing Existing Names of Facilities and Legal Persons of Public Interest for Bosnia and Herzegovina

Article 1

(Subject of the Law)

This Law shall regulate the matter of and procedure for assigning names to or changing existing names of facilities and legal persons of public interest for Bosnia and Herzegovina.

Article 2

(Definitions)

(1) *Facilities of public interest for Bosnia and Herzegovina*, for the purpose of this Law, means the international airports, the rivers followed by a state border or used for international and/or inter-entity transportation, the naval ports which are used for international and/or inter-entity transportation, the buildings where the institutions of Bosnia and Herzegovina are located, the state border crossings, the bridges connecting Bosnia and Herzegovina with other countries or connecting the two entities of Bosnia and Herzegovina, the roads or highways linked to international and inter-entity road traffic as well as the bridges and tunnels related to such roads and highways, and the railways stations which are located on the inter-entity boundary line or are used for inter-entity or international transportation, provided that the names of such facilities are not attributed by another law adopted by the Parliamentary Assembly of Bosnia and Herzegovina.

(2) *Legal persons of public interest for Bosnia and*

Herzegovina, for the purpose of this Law, means any Institution of Bosnia and Herzegovina, any legal person established by the Institutions of Bosnia and Herzegovina and any public company and corporation established at the level of Bosnia and Herzegovina provided that the names of such legal person is not attributed by another law adopted by the Parliamentary Assembly of Bosnia and Herzegovina.

Article 3

(Procedure for assignment to or changing existing names)

(1) The body or institution legally responsible for assigning or changing the name of a facility or legal person of public interest for Bosnia and Herzegovina shall, prior to deciding on such matter, submit the proposed decision to the Council of Ministers of Bosnia and Herzegovina (hereinafter: the Council of Ministers) for approval.

(2) The Council of Ministers shall take a vote on the proposed decision. The proposed decision will be considered as approved by the Council of Ministers if adopted by consensus of all the members of the Council of Ministers.

(3) If the Council of Ministers approves the proposed decision pursuant to Paragraph 2 of this Article, the proposed decision will be forwarded to the body or institution legally responsible for assigning or changing the name of a facility or legal person of public interest for Bosnia and Herzegovina for final adoption.

(4) If the Council of Ministers fails to approve the proposed decision pursuant to Paragraph 2 of this Article, the proposed decision shall fail and the decision shall be returned to the proponent for a new procedure. In that event the proponent may not resubmit the original decision.

Article 4

(Entry into force)

This law shall enter into force forthwith and shall be published in the Official Gazette of Bosnia and Herzegovina without delay.