

FBiH House Of Representatives to Discuss Key European Reform Legislation

The FBiH House of Representatives tomorrow starts a two-day session at which it must fully align the proposed Radio-Television Law in the FBiH with the Public Broadcasting System Legislation adopted by the BiH Parliament on 5 October 2005. This is a key requirement if BiH is to move ahead with the Stabilisation and Association (SAA) negotiations. BiH, and its Entities, must meet the SAA requirements. These requirements include the immediate adoption of harmonised PBS legislation at the Entity level.

PBS reform encompasses the systematic reform of the Public Broadcasting System at the State and Entity level. The SAA requires an editorially independent and financially viable public broadcasting system that meets the programming requirements of all BiH citizens.

The legislation, which has been approved by the European Commission and has been enacted by the BiH Parliament, sets up a single interdependent system. It comprises of the State-level broadcaster, BHRT, the two Entity-level broadcasters, RTF BiH and RTRS, and the Corporation, *responsible for, amongst other things managing property and, technical and human resources of the three broadcasters.*

If this system is to become operational, then harmonised legislation must be passed at the Entity level. Without this the SAA requirement will not have been fulfilled.

The PBS legislation is now subject to a review by the Constitutional Court . This review was requested by BiH Presidency Chair Jovic. It is up to the Constitutional Court to rule on this issue, free from any interference. However, it

is important to stress that the SAA requirement will not change. Whatever the Constitutional Court 's ruling may be, it will still be necessary to enact harmonised legislation in order to fulfil the SAA requirement. Amendments can be included later if required by the Constitutional Court 's ruling.

At tomorrow's session, the FBiH HoR will also consider proposed Entity Laws on Minor Offences and Courts. This legislation will introduce new procedures to increase the efficiency of hearing minor offence cases. These laws are supported by the Presidents of the Entity Minor Offence Judges Associations and by the Council of Europe.

The Minor Offences restructuring will incorporate Minor Offence Courts, as Minor Offence Departments, in the existing Municipal and Basic Courts. The HJPC can then begin the process of reappointing judges dealing with minor offences.

Minor Offence Law reform is an integral and important element in BiH's broad judicial reform programme. Enactment of this legislation is crucial to the interests of BiH citizens.