

Signing of the Memorandum of Understanding on the Regulation of Legal Assistance between the Institutions of the Federation of BiH and the RS

Welcoming the signing of the Memorandum of Understanding on the Regulation of Legal Assistance between the Institutions of the Federation of Bosnia and Herzegovina and the Republika Srpska on 20 May 1998, by the Ministers of Justice of the Federation of Bosnia and Herzegovina and the Republika Srpska,

Acknowledging the importance of immediate implementation of the above-mentioned Memorandum of Understanding,

Noting that further and enhanced cooperation on legal matters between the Entities is necessary to ensure full implementation of the fundamental freedoms and human rights set forth in the Constitution of Bosnia and Herzegovina,

Underlining its readiness to take all efforts to improve the quality of criminal, administrative and civil proceedings for the sake of all citizens in both entities of Bosnia and Herzegovina,

Agrees on the following immediate steps to be taken by no later than 30 June 1998:

1. The Laws on Legal Practice of the Republika Srpska and the Federation of Bosnia and Herzegovina must include a provision, which reads: " A lawyer who is registered with any Bar Association in Bosnia and Herzegovina is

eligible to exercise his/her duties on the entire territory of Bosnia and Herzegovina without any limitation or further requirement".

2. The Entities must pass legislation regarding the recognition of public documents, which shall stipulate that public documents of the Entities, particularly those issued between April 1992 and December 1995, are mutually recognized, provided they carry insignia officially recognized under currently applicable law in both Entities.
3. The above-mentioned Memorandum of Understanding shall be supplemented in a way, that decisions rendered by a court of one Entity may be recognized by the other Entity.
4. Moreover, the Memorandum of Understanding shall be supplemented in a way, that ensures that judges, prosecutors, lawyers and witnesses cannot be criminally prosecuted or detained during the conduct of an official out-of court act such as a reenactments at-the-scene, which needs to be carried out in the other Entity.
5. The next meeting of the Commission is to take place on 29 June 1998, 16.00 in the premises of the Office of the High Representative in Sarajevo.