

(“Official Gazette” of Bosnia and Herzegovina, 61/04)

Pursuant to Article IV.4.a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, at the 47th session of the House of Representatives, held on 2 December, 2004 and at the 34th session of the House of Peoples, held on 14 December, 2004, adopted

LAW ON THE AMENDMENTS TO THE LAW ON THE PROSECUTOR’S OFFICE OF BOSNIA AND HERZEGOVINA

Article 1

In the Law on the Prosecutor’s Office of Bosnia and Herzegovina (Official Gazette of Bosnia and Herzegovina No. 24/02, 3/03, 37/03, 42/03, 9/04 and 35/04), in Article 3, paragraph 1 before the words ‘Deputy Chief Prosecutors of Bosnia and Herzegovina’ the word ‘three’ shall be deleted and the word “four” shall be inserted.

Article 3, paragraph 3 shall be deleted and a new Article 3, paragraph 3 shall be inserted:

“3. Within the Prosecutor’s Office a Special Department for War Crimes and a Special Department for Organized Crime, Economic Crime and Corruption shall be established, as defined by law (hereinafter the ‘Special Departments’).”

Article 2

In the title of Article 6 the word ‘Department’ shall be deleted and the word “Departments” shall be inserted.

In Article 6, paragraph 1 the word ‘Department’ shall be deleted and the word “Departments” shall be inserted.

In Article 6, paragraph 2 shall be amended and read as follows:

“2. Deputy Chief Prosecutors shall be the Heads of the Special Departments (hereinafter ‘Heads of the Special Departments’). There shall be Deputy Heads, who shall be selected from the Prosecutors of the Special Departments.

Article 3

In Article 9, the first sentence of paragraph 3 shall be amended and read as follows:

“The budget shall include separate items specifying the budget requirements for the work of the Special Departments.”

Article 4

In Article 12, paragraph 3 the word ‘Department’ shall be deleted and the word “Departments” shall be inserted.

In Article 12, paragraph 3 after the words ‘the perpetrators of’ the words “War Crimes,” shall be inserted.

Article 5

In Article 13, paragraph 4 the words ‘Head of the Special Department’ shall be deleted and the words “Head of each of the Special Departments” shall be inserted.

Article 6

In Article 14, paragraph 3 the words ‘Head of the Special Department’ shall be deleted and the words “Head of each of the Special Departments” shall be inserted.

Article 7

In Article 15, the first sentence of paragraph 3 shall be amended and read as follows:

“The Special Departments shall have their own administration.”

Article 8

Article 16, paragraph 3 shall be amended and shall read as follows:

“3. An individual who is a graduate of law and has at least five years of relevant experience in law shall perform the duties of the Registrar. The basic salary and benefits of the Registrar shall be equivalent to 80% of the basic salary and benefits received by the Prosecutors of the Prosecutor’s Office of Bosnia and Herzegovina.”

Article 9

Article 18a, paragraph 1, 2 and 3 shall be amended and read as follows;

“1. During a transitional period, a number of international prosecutors may be appointed to the Special Department for War Crimes and the Special Department for Organized Crime, Economic Crime and Corruption. An international prosecutor may be appointed to both the Special Department for War Crimes and the Special Department for Organized Crime, Economic Crime and Corruption. International prosecutors shall not be citizens of Bosnia and Herzegovina or of any neighbouring state. The transitional period shall last not more than five years.

2. International Deputy Chief Prosecutors shall be the Heads of the Special Departments.

3. International prosecutors shall not be criminally prosecuted, arrested or detained, nor shall they be liable in civil proceedings for an opinion or decision made in the scope of their official duties.”

Article 10

After Article 18a, the following new Article 18b shall be inserted:

“Article 18b
International Registrar

During the transitional period, an international Registrar shall be appointed as Head of the Registry for the Special Departments, responsible for the provision of support services to the Special Departments.”

Article 11

This Law shall enter into force eight days after the date of its publication in the Official Gazette of Bosnia and Herzegovina.

PS BiH No. 128/04
14 December 2004
Sarajevo

Chairman
House of Representative
Parliamentary Assembly of BiH
Martin Raguž

Chairman
House of Peoples
Parliamentary Assembly of BiH
Goran Milojević, s. r.