

(“Official Gazette” of Bosnia and Herzegovina – International Agreements 3/07)

Pursuant to Article V.3. (d) of the Constitution of Bosnia and Herzegovina, the Presidency, with the approval of the Parliamentary Assembly of Bosnia and Herzegovina (Decision PA No. 48/07, of 30 March 2007), at its 13th session held on 11 April, 2007, issued

DECISION ON RATIFICATION OF THE AGREEMENT BETWEEN THE HIGH REPRESENTATIVE FOR BOSNIA AND HERZEGOVINA AND BOSNIA AND HERZEGOVINA ON THE REGISTRY FOR SECTION I FOR WAR CRIMES AND SECTION II FOR ORGANISED CRIME, ECONOMIC CRIME AND CORRUPTION OF THE CRIMINAL AND APPELLATE DIVISIONS OF THE COURT OF BOSNIA AND HERZEGOVINA AND FOR THE SPECIAL DEPARTMENT FOR WAR CRIMES AND THE SPECIAL DEPARTMENT FOR ORGANISED CRIME, ECONOMIC CRIME AND CORRUPTION OF THE PROSECUTOR’S OFFICE OF BOSNIA AND HERZEGOVINA AS WELL AS ON THE CREATION OF THE TRANSITION COUNCIL, REPLACING THE REGISTRY AGREEMENT OF 1 DECEMBER 2004 AND THE ANNEX THERETO

Article 1

Agreement between the High Representative for Bosnia and Herzegovina and Bosnia and Herzegovina on the Registry for Section I for War Crimes and Section II for Organised crime, Economic Crime and Corruption of the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina and for the Special Department for War Crimes and the Special Department for Organised Crime, Economic Crime and Corruption of the Prosecutor’s Office of Bosnia and Herzegovina, as well as on the Creation of the transition Council, replacing the Registry Agreement of 1 December 2004 and the Annex thereto, signed on 26 September 2006 in Sarajevo, has been ratified on Bosnian, Croatian, Serbian and English language.

Article 2

Text of the Agreement is the following:

AGREEMENT BETWEEN THE HIGH REPRESENTATIVE FOR BOSNIA AND HERZEGOVINA AND BOSNIA AND HERZEGOVINA ON THE REGISTRY FOR SECTION I FOR WAR CRIMES AND SECTION II FOR ORGANISED CRIME, ECONOMIC CRIME AND CORRUPTION OF THE CRIMINAL AND APPELLATE DIVISIONS OF THE COURT OF BOSNIA AND HERZEGOVINA AND FOR THE SPECIAL DEPARTMENT FOR WAR CRIMES AND THE SPECIAL DEPARTMENT FOR ORGANISED CRIME, ECONOMIC CRIME AND CORRUPTION OF THE PROSECUTOR’S OFFICE OF BOSNIA AND HERZEGOVINA AS WELL AS ON THE CREATION OF THE TRANSITION COUNCIL, REPLACING THE REGISTRY AGREEMENT OF 1 DECEMBER 2004 AND THE ANNEX THERETO

Invoking the Agreement between the High Representative for Bosnia and Herzegovina and Bosnia and Herzegovina on the Establishment of the Registry for Section I for War Crimes and Section II for Organised Crime, Economic Crime and Corruption of the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina and the Special Department for War Crimes and the Special Department for Organised Crime, Economic Crime and Corruption of the Prosecutor's Office of Bosnia and Herzegovina (“the Registry Agreement”) of 1 December 2004;

Attentive to Article 3, Paragraph 2, Item 2.6 of the said Agreement envisaging a transitional plan to be presented by the Registrar on or before the expiration of a three (3) year period from the commencement of the implementation of the Agreement;

Noting the presentations and addresses made by the officials of Bosnia and Herzegovina, the President of the Court of Bosnia and Herzegovina and the Chief Prosecutor of Bosnia and Herzegovina at the Conference on the Funding Needs of the State Justice Sector Institutions of Bosnia and Herzegovina held in Brussels on 31 March 2006, and in particular the request for the establishment of a transition council to implement the transitional plan of the Registry;

Further noting the Declaration following the said Conference of Bosnia and Herzegovina, the Donor Countries and the European Commission of 31 March 2006, in which in particular the expanded capacity within national justice institutions to effectively process complex cases of war crimes and organised crime was noted, as well as the importance of their continued partnership for further success in the Justice Sector and for the continued progress of Bosnia and Herzegovina towards the European Union;

Bearing in mind the commitment expressed by Bosnia and Herzegovina to progressively ensure adequate funds in its budget for sustainable capacity building of the Justice Sector, together with the funds invested by the international community, including the arrangement for the Ministry of Justice of Bosnia and Herzegovina to develop a comprehensive National Justice Sector Plan for the country, which will serve as a catalyst for further developing and strengthening of the Justice Sector of Bosnia and Herzegovina;

Acknowledging the request for the establishment of a coordination council for a transitional period, as agreed by the Minister of Justice, the President of the Court and the Chief Prosecutor of Bosnia and Herzegovina on 14 March 2006 and mindful of the need for a body which will ensure a successful transition to national authorities;

Recognising therefore the need to replace the Registry Agreement of 1 December 2004 and the Annex Amending and Supplementing the Registry Agreement from February 2006 by a new agreement that incorporates and integrates the Transition Plan provided to the Parties;

Reaffirming the commitment to a full integration and transition of the Registry into national institutions and the eventual dismantling of the Registry upon completion of its mandate after the transitional period, with the shared goal of ensuring that the processing of complex cases of war crimes and organised crime meets national and international standards of due process of law and fair and public trials;

Having duly coordinated the matter with the relevant authorities of Bosnia and Herzegovina, including, but not limited to, the Ministry of Justice and the Ministry of Finance and Treasury of Bosnia and Herzegovina;

The Presidency of Bosnia and Herzegovina and the High Representative for Bosnia and Herzegovina (“the Parties”) hereby conclude the following

AGREEMENT BETWEEN THE HIGH REPRESENTATIVE FOR BOSNIA AND HERZEGOVINA AND BOSNIA AND HERZEGOVINA ON THE REGISTRY FOR SECTION I FOR WAR CRIMES AND SECTION II FOR ORGANISED CRIME, ECONOMIC CRIME AND CORRUPTION OF THE CRIMINAL AND APPELLATE DIVISIONS OF THE COURT OF BOSNIA AND HERZEGOVINA AND FOR THE SPECIAL DEPARTMENT FOR WAR CRIMES AND THE SPECIAL DEPARTMENT FOR ORGANISED CRIME, ECONOMIC CRIME AND CORRUPTION OF THE PROSECUTOR’S OFFICE OF BOSNIA AND HERZEGOVINA AS WELL AS ON THE CREATION OF THE TRANSITION COUNCIL, REPLACING THE REGISTRY AGREEMENT OF 1 DECEMBER 2004 AND THE ANNEX THERETO

Article 1

The Registry

- (1) The Registry for Section I for War Crimes and Section II for Organised Crime, Economic Crime and Corruption of the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina and for the Special Department for War Crimes and the Special Department for Organised Crime, Economic Crime and Corruption of the Prosecutor's Office of Bosnia and Herzegovina (hereinafter: the Registry) established by the Agreement between the Presidency of Bosnia and Herzegovina and the High Representative for Bosnia and Herzegovina of 1 December 2004 shall continue, as provided under this Agreement, until such time as the following minimum requirements are met:
 - National staff of the Registry is integrated into relevant national institutions, in accordance with the Integration Strategy of the National Staff of the Registry into the Justice Institutions of Bosnia and Herzegovina (Article 7, Paragraph 1) attached to this Agreement (hereinafter: the Integration Strategy; Attachment A);
 - The ownership of assets of the Registry is transferred to the relevant national institutions (Article 7, Paragraph 2); and
 - All responsibilities of the Registry are transferred to the appropriate national institutions.
- (2) The Registry shall be autonomous with regard to the execution of its functions under this Agreement.
- (3) The Registry shall not interfere with the independent fulfilment of the duties of judges and prosecutors.
- (4) The Registry shall consist of two Registrars - Registrar for Section I for War Crimes and Section II for Organised Crime, Economic Crime and Corruption of the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina (hereinafter: the Court Registrar) and the Registrar for the Special Department for War Crimes and the Special Department for Organised Crime, Economic Crime and Corruption of the Prosecutor's Office of Bosnia and Herzegovina (hereinafter: the Prosecutor's Office Registrar). The Registrars shall be the citizens of Bosnia and Herzegovina and shall be recruited by the Registry in accordance with its internal book of rules. Prior to hiring, the Prosecutor's Office Registrar shall be approved by the Chief Prosecutor and the Court Registrar shall be approved by the President of the Court. The Registry shall recruit such other staff as may be required for its efficient operation.
- (5) The Court Registrar and Prosecutor's Office Registrar shall exercise the authority of the Registry. The Court Registrar shall carry out the functions of the Registrar for Section I for War Crimes and for Section II for Organised Crime, Economic Crime and Corruption of the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina (hereinafter: Sections I and II of the Court) and the Prosecutor's Office Registrar shall carry out the functions of the Registrar for the Special Department for War Crimes and the Special Department for Organised Crime, Economic Crime and Corruption of the Prosecutor's Office of Bosnia and Herzegovina (hereinafter: Special Departments of the Prosecutor's Office). Both Registrars will draw on the administrative resources of the Registry as needed to fulfil their respective duties.
- (6) For a limited period not exceeding one year, one member of the already employed international staff of the Registry may be designated as Acting Registrar, subject to approval of the Chief Prosecutor for the Prosecutor's Office Acting Registrar and the President of the Court of Bosnia and Herzegovina for the Court Acting Registrar.
- (7) The Registry shall have a Management Committee with competencies and responsibilities foreseen herein.

Article 2

Mandate of the Registry

- (1) The Registry shall have the mandate for the administration and provision of support services to Sections I and II of the Court and for the provision of support services to the Special Departments of the Prosecutor's Office. Support services may include, *inter alia*, organisation and coordination, along with the relevant institutions in Bosnia and Herzegovina, of activities related to detention, defence, and witness protection and support.
- (2) The Registry shall recruit the Registrars and may recruit staff for administrative and other support services, to assist the work of the international judges and international prosecutors and to support coordination activities of the Registry. The Registry shall administer the recruited staff.

Article 3 Responsibilities of the Registrars

- (1) The Court Registrar shall be responsible for the following:
 - a) Determination of the number of international judges pursuant to Article 8 of this Agreement;
 - b) Performance of duties in relation to the recruitment of international judges, in accordance with Article 8 of this Agreement;
 - c) Providing administrative support services to Sections I and II of the Court, including the management and supervision of the Court Management Unit responsible for running the courtrooms, managing case files and operating courtroom technical equipment;
 - d) Management of the Judicial Support Unit providing legal support to the judges;
 - e) Management of the Witness Support Office providing logistical and psychological support to witnesses before, during and after trial;
 - f) Liaison with International Criminal Tribunal for the Former Yugoslavia (“ICTY”) Chambers and Registry regarding the transfer of cases from ICTY to Bosnia and Herzegovina and other relevant issues;
 - g) Passing the Rule Books of the Registry Units;
 - h) Ensuring implementation of the approved budgets in accordance with Article 5 of this Agreement as well as implementation of the Transition Plan, which is fully incorporated and integrated into this Agreement;
 - i) Performance of any other duty as prescribed by this Agreement and the Law on the Court of Bosnia and Herzegovina.

- (2) The Prosecutor’s Registrar shall be responsible for the following:
 - a) Determination of the number of international prosecutors pursuant to Article 8 of this Agreement;
 - b) Performance of duties in relation to the recruitment of international prosecutors, in accordance with Article 8 of this Agreement;
 - c) Providing administrative support services to Special Departments of the Prosecutor’s Office;
 - d) General supervision of the Registry Units for support to Prosecution;
 - e) Providing Prosecution Teams support staff to assist the prosecutors;
 - f) Facilitating cooperation with the Office of the Prosecutor of the ICTY and liaison with that office and Registry regarding the transfer of cases from ICTY to Bosnia and Herzegovina and other relevant issues;
 - g) Passing the Rule Books of the Registry Units;
 - h) Ensuring implementation of the approved budgets and transition plans, in accordance with Article 5 of this Agreement;
 - i) Performance of any other duty as prescribed by this Agreement and the Law on Prosecutor's Office of Bosnia and Herzegovina.

Article 4 Transition Council

- (1) Transition Council shall be established, composed of the President of the Court, the Chief Prosecutor, the Registrars, the President of the High Judicial and Prosecutorial Council (hereinafter: HJPC), the Minister of Finance and Treasury and the Minister of Justice of Bosnia and Herzegovina, as well as the Director of the Directorate for EU Integration. The Transition Council shall elect its Chair.
- (2) The Transition Council shall be assisted by two international experts in the field of management of criminal justice institutions and/or criminal justice, who shall enjoy Observer status on the Transition Council.
- (3) The members shall act in the Transition Council *ex officio* and shall receive no remuneration from the budget of the Registry. The Observers shall likewise receive no remuneration from the budget of the Registry.
- (4) The Transition Council shall have an advisory role and shall be responsible for coordinating the transition of the Registry into national institutions, including, but not limited to:

- a) Coordination of implementation of the Integration Strategy and transition of the Registry with particular support to the Management Committee;
 - b) Review of changes to the organisation structure of the Registry as proposed by the Management Committee;
 - c) Assistance in preparation of contingency planning, including policy development to address capacity matters related to prosecution and adjudication of war crimes cases if, *exempli gratia*, more cases are transferred from the ICTY than initially envisaged;
 - d) Advocacy at the national level, to secure the annual increase in Bosnia and Herzegovina's budget for the justice institutions;
 - e) Advocacy at the international level to secure continued financial support;
 - f) Assistance in preparation and implementation of the transition plan for the Criminal Defence Office and supervision of the implementation;
 - g) Assistance in preparation and implementation of the proposal of the transition of the Registry authority in relation to witness protection, including the conclusion of relocation agreements;
 - h) Supervision of the implementation of the transition with the establishment of timeframes for set stages;
 - i) Coordination of the work on preparation of legal amendments required for implementing the transition of Registry authorities and the integration of national staff into the institutions in Bosnia and Herzegovina;
 - j) Review and appraisal of the annual and quarterly budget forecasts as presented by the Management Committee;
 - k) Appointment of internal and external auditors for the Registry and the review of audit reports from the aforementioned;
 - l) Coordination of fundraising activities by the Registry and officials of Bosnia and Herzegovina, including the management and preparation of additional donor conferences and coordination of activities at Ministerial or Government level with other States and the European Commission.
- (5) The proposals on transitional matters to the Transition Council shall be made by the Management Committee that shall also provide administrative support to the Transition Council in the execution of its duties.
 - (6) All authorities in Bosnia and Herzegovina shall provide such cooperation and assistance as may be necessary for the implementation of transition of the Registry. The authorities shall comply without undue delay with a request for assistance by the Transition Council.
 - (7) The financial donors and donors-in-kind whether they be donor countries or international organisations (hereinafter: the Donors) shall submit to the Office of the High Representative and the Presidency of Bosnia and Herzegovina ("the Parties") the names of international experts in the field of management of criminal justice institutions and/or criminal justice. The Parties shall select two experts who shall serve as Observers on the Transition Council.
 - (8) The Transition Council shall begin its work immediately, regardless of the appointment or presence of the international observers.
 - (9) The Transition Council may engage consultants as required to implement its mandate.

Article 5

The Management Committee

- (1) The Management Committee is an internal body of the Registry, which shall consist of the Registrars, the Head of Finance and at least one other senior staff member of the Registry, as proposed by the Registrars and endorsed by the Transition Council. It shall be responsible for facilitating implementation of the Integration Strategy and transition of the Registry, including recruitment of personnel, setting remuneration, management of banking relationships and internal audits, as well as cooperation with external auditors and the certification of expenditures. Its responsibilities include, but are not limited to:
 - a) Adoption of a Book of Rules as well as regulations regarding personnel, the use of information technology, and the financial and procurement procedures;
 - b) In consultation with the Transition Council, adoption of the budget;
 - c) Provision of support to the international staff, as well as to the national staff to be integrated to the justice institutions in Bosnia and Herzegovina;

- d) Producing the Annual Report and quarterly reports as required by the international Donors;
 - e) Coordination with Donors and fundraising activities;
 - f) Requesting the Transition Council to engage in Ministerial Level Donor Activities and providing briefing material for the same, as well as conclusion of agreements with the authorities of Bosnia and Herzegovina, foreign governments, international and non-governmental organisations;
 - g) Conclusion of agreements with any authority in Bosnia and Herzegovina on the provision of support services to the Registry, Sections I and II of the Court and Special Departments of the Prosecutor's Office.
- (2) Financial responsibilities of the Management Committee include:
- a) Implementing regulations and procedures, banking relationships and management of internal audits and cooperation with external auditors;
 - b) Management, preparation and signing off of the international financial statements;
 - c) Preparation, implementation and monitoring of the international budget;
 - d) Reallocation of the international funds between budget lines;
 - e) Grant management and the conclusion of grant agreements;
 - f) Certification of expenditures and release of funds.
- (3) The Registrars shall abstain from voting on any matter that affects them directly.

Article 6
Facilities, Staff and Expenses of the Registry

- (1) The Registry shall have appropriate facilities in the same premises as the Court and the Prosecutor's Office of Bosnia and Herzegovina.
- (2) The expenses of the Registry and support services provided by the Registry shall be borne by donations and voluntary contributions from the Donors and by allocation of funds from the budget of the institutions of Bosnia and Herzegovina.
- (3) The Registry shall enjoy, under the laws of Bosnia and Herzegovina, such legal capacity as may be necessary for the exercise of its functions, including the capacity to contract and to acquire and dispose of real and movable property.
- (4) Staff of the Registry shall not be held criminally or civilly liable for any act carried out within the scope of their duties.
- (5) Staff of the Registry and their families, who are not citizens of Bosnia and Herzegovina, shall be accorded the same privileges and immunities as are enjoyed by diplomatic agents and their families under the Vienna Convention on Diplomatic Relations.
- (6) Other staff members employed by the Registry and their families are accorded the same privileges and immunities as are enjoyed by members of the administrative and technical staff and their families under the Vienna Convention.
- (7) The Registry and its premises, archives, and other property shall be accorded the same privileges and immunities, including inviolability as are enjoyed by a diplomatic mission and its premises, archives, and other property under the Vienna Convention on Diplomatic Relations.
- (8) Staff recruited by the Registry in accordance with Article 2, Paragraph (2) of this Agreement shall have the same privileges and immunities as other staff within the Registry.

Article 7
Integration of Staff and Transfer of Assets and Property

- (1) The national staff of the Registry shall be gradually integrated into the relevant national institutions, in particular the Court and the Prosecutor's Office as well as the Ministry of Justice of Bosnia and Herzegovina, in a manner envisaged by the Integration Strategy. The number of staff to be integrated shall be reviewed every six months by the Transition Council and shall reflect actual needs, the workload of the institutions and the available budget of the institution. The relevant institutions shall ensure that the necessary internal acts regulating the organisational structure and employment of the transitioned employees to the respective institution are developed prior to the integration of the staff.
- (2) The Registry shall gradually transfer the ownership of all assets, equipment, tangible and intangible

materials, files and other documents or property to the appropriate national institutions. Assets, equipment, tangible and intangible materials, files and other documents or property transferred in this way shall not be subject to customs, tax or duties.

Article 8

Appointments of International Judges and Prosecutors

- (1) The number of international judges at the Court and prosecutors in the Prosecutor's Office of Bosnia and Herzegovina shall be determined – within applicable regulations and the availability of funds – by the President of the Court or the Chief Prosecutor of Bosnia and Herzegovina respectively and the Registry.
- (2) The Registry shall – as early as possible – inform the HJPC when a position as an international judge or prosecutor becomes vacant.
- (3) The HJPC shall announce vacant positions as international judges or prosecutors on its web page and by sending the vacancy notice to embassies in Bosnia and Herzegovina and to other addressees that the HJPC or the Registry deem relevant.
- (4) The Registry shall contact embassies and relevant foreign authorities in order to secure the availability of suitable candidates for vacant positions as well as to secure and negotiate funding arrangements for such candidates.
- (5) Interested candidates shall apply to the HJPC for a vacant position within the deadline set in the vacancy notice.
- (6) The basic requirements for appointment as an international judge or prosecutor shall be:
 - at least 8 years of experience as a judge, prosecutor or defence attorney in complex criminal matters;
 - specific experience in war crimes, economic and fraud cases particularly desirable;
 - knowledge of international criminal law desirable;
 - proven record of impartiality and excellent performance record in previous employment.
- (7) Appointments of international judges and prosecutors shall be made by the HJPC. The HJPC shall establish an appointment panel consisting of at least three members of the HJPC. As long as there are international members of the HJPC, one member of the panel shall be an international. No candidate shall be appointed without having been interviewed. Interviews may be conducted either in person or by telephone.
- (8) Upon the termination of the mandate of an international judge or prosecutor, the Registry shall determine if the position shall be filled by an international candidate or by a citizen of Bosnia and Herzegovina. If it shall be filled by an international candidate, the appointment process shall be as provided for in the HJPC Book of Rules, in coordination with the Registrars and the President of the Court or Chief Prosecutor of Bosnia and Herzegovina, respectively. If it shall be filled by a citizen of Bosnia and Herzegovina, the Registry shall so inform the HJPC six months before the termination of the mandate, so that the recruitment process of the HJPC can be undertaken immediately.
- (9) The appointment panel referred to in Paragraph (7) of this Article shall verify the applications, evaluate and rank the applicants and make a recommendation to the Council with respect to who should be appointed. Article 14, 41 and 42 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina shall apply.
- (10) Only international candidates for whom the Registry has confirmed that a funding arrangement has been agreed may be appointed or reappointed.
- (11) Before taking up his/her official duties the candidate shall make a solemn declaration in accordance with Article 47 of the Law on the High Judicial and Prosecutorial Council.
- (12) The mandate of an international judge or prosecutor shall be a maximum of two years and may be prolonged once for another maximum period of two years. No mandate shall exceed the time provided for in the Law on the Court of Bosnia and Herzegovina.

Article 9

Rules and Regulations

The Registry shall promulgate such rules and regulations, consistent with this Agreement, as may be necessary to carry out its functions.

Article 10 Funding

Bosnia and Herzegovina shall allocate sufficient funds to the budgets of the Court, the Prosecutor's Office, the HJPC and the Ministry of Justice of Bosnia and Herzegovina to facilitate the timely integration of the staff of the Registry as referred to in Article 1, Paragraph (1) and Article 7, Paragraph (1) of this Agreement and to provide for a full funding of these institutions by Bosnia and Herzegovina at the end of the transitional period.

Article 11 Cooperation

All authorities in Bosnia and Herzegovina shall, within their mandate, provide such cooperation and assistance as may be necessary for the operation of the Registry. The authorities shall comply without undue delay with any request for assistance by the Registry.

Article 12 Settlement of Disputes

Any dispute between the Parties concerning the interpretation or application of this Agreement shall be settled by negotiation, or by any other mutually agreed-upon mode of settlement.

Article 13 Entry into Force

This Agreement shall enter into force in accordance with the laws of Bosnia and Herzegovina.

Article 14 Replacement of Previous Instruments

This Agreement shall replace the Agreement between the High Representative for Bosnia and Herzegovina and Bosnia and Herzegovina on the Establishment of the Registry for Section I for War Crimes and Section II for Organised Crime, Economic Crime and Corruption of the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina and the Special Department for War Crimes and the Special Department for Organised Crime, Economic Crime and Corruption of the Prosecutor's Office of Bosnia and Herzegovina of 1 December 2004 and the Annex Amending and Supplementing the said Agreement of February 2006.

Article 15 Monitoring the Implementation of this Agreement

The Parties shall monitor the implementation of this Agreement.

Article 16 Amendments

This Agreement may be amended by mutual consent and after consultation with the Registrars in writing, at any time at the request of either party. Any amendment shall enter into force on the day after both parties have notified each other in writing that the legal requirements for entry into force have been complied with.

Article 17 Final Provision

Unless otherwise stipulated, in the event of termination of the mandate of the High Representative, any approval or agreement stipulated by this Agreement shall be deemed to have been delegated to his legal successor.

In Witness whereof,

the High Representative for Bosnia and Herzegovina and
the Presidency of Bosnia and Herzegovina have signed this Agreement.

Done in Sarajevo on 26. September 2006 in four (4) originals in the Bosnian, Croatian, English and Serbian.

High Representative
for Bosnia and Herzegovina
Dr. Christian Schwarz-Schilling
26. September 2006.

Chairman of the Presidency
of Bosnia and Herzegovina
Sulejman Tihić
25. September 2006.

ATTACHMENT A

INTEGRATION STRATEGY OF THE NATIONAL STAFF OF THE REGISTRY INTO THE JUSTICE INSTITUTIONS OF BOSNIA-HERZEGOVINA 2006 – 2009

I AIMS AND OBJECTIVES

GENERAL

- a) To ensure full responsibility of Bosnia and Herzegovina for the Court and the Prosecutor's Office of Bosnia and Herzegovina in terms of finance, administration and personnel as required by:
- *Objectives of the European Union realisation program;*
 - *Priority 4b of the European Partnership for BiH Medium-term priorities, issued by the Council of Ministers of Bosnia and Herzegovina in May 2005.*
- b) To guarantee long-term sustainable capacity within the justice institutions of BiH to ensure that the processing of war crimes and organized crime cases meets international and national standards of due process of law and fair and public trials.

SPECIFIC

- a) Integration of permanent, qualified national staff into the institutions of Bosnia and Herzegovina in the period from 2006 to 2009 and the creation of permanent internship positions;
- b) Gradual increase in cost assumption by the budget of Bosnia and Herzegovina and subsequent decrease of international donors' support.

II NATIONAL STAFF INTEGRATION

Since its inception in December 2004, the Registry has established the necessary departments within the Court and the Prosecutor's Office of Bosnia and Herzegovina to process war crimes and organised crime cases at the highest international standards. All national staff of the various departments has been recruited, trained and placed in accordance with Registry Personnel Rules, which have been qualified by the Registry's international internal and external auditors as robust controls reflecting European best practices.

The Integration Process is necessary to ensure the professional and sustainable national capacity of the Court and the Prosecutor's Office of Bosnia and Herzegovina. The integration will be carried out gradually, subject to availability of funds and with the flexibility, as reflected in Article 7 of the Agreement between the High Representative and Bosnia and Herzegovina to which this Integration Strategy is attached, to ensure the financial viability of the budget of the justice institutions of Bosnia and Herzegovina in the period from 2006 to 2009, as follows:

The Court and the Prosecutor's Office of Bosnia and Herzegovina								
Integration Analysis								
	2006 07	2007 01	2007 07	2008 01	2008 07	2009 01	2009 07	2010 01
Registry	-	4	4	4	4	4	4	7
Court Management	25	25	25	26	26	26	26	26
Judicial Management	-	18	18	18	18	18	18	18
Witness Support	5	5	6	6	6	6	6	6
SDWC	-	-	43	43	43	43	43	43
SDOC	-	-	17	17	17	17	17	17
ITC	-	-	-	-	9	9	9	9
Library	-	-	-	-	2	2	2	2
Security	-	-	-	-	2	2	2	2
Building Maintenance	-	-	-	-	4	4	4	4
Criminal Defence	-	-	-	-	-	-	15	15
	30	52	113	114	131	131	146	149
Integrated Internships	-	10	22	22	22	22	22	22
Integrated Staff	30	42	91	92	109	109	124	127

Numbers represent staff members; SDWC = Special Department for War Crimes, SDOC = Special Department for Organized Crime

In addition, the Registry also undertakes to pay a supplement to integrated staff in order to secure the sustainability of the integration.

Article 3

This Decision shall be published in the Official Gazette of the BiH on Bosnian, Croatian and Serbian language and shall enter into force on the date of its publication.

No. 01-011-1105-21/07
11 April 2007
Sarajevo

Chairman of the Presidency
Nebojsa Radmanovic