

BASIC DATA ABOUT COMMISSION TO PRESERVE NATIONAL MONUMENTS

Formation of the Commission

The Commission to Preserve National Monuments is an institution of the state of Bosnia and Herzegovina established pursuant to Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Decision of the Presidency of Bosnia and Herzegovina on the Commission to Preserve National Monuments (Official Gazette of BiH nos. 1/02 and 10/02).

The Commission is headquartered in Sarajevo, Obala Kulina bana 1 (the Labour Union building).

The work of the Commission is financed from the budget of the institutions of Bosnia and Herzegovina.

Jurisdiction of the Commission

Pursuant to its authority as stipulated by Annex 8 of the General Framework Agreement for Peace in BiH, the Commission issues decisions designating movable and immovable property as National Monuments, applying the Criteria on the Designation of National Monuments (Official Gazette of BiH no. 33/02).

The procedure for designating a given property as a National Monument is initiated by a petition or motion to designate a property as a National Monument, which may be filed by any interested natural or juristic person. The Commission has drawn up standard forms of petition by type of property and has lodged them with all the municipalities of BiH, the institutions dealing with the protection of the cultural and historical heritage, religious communities and other institutions.

The Commission also issues decisions on designation as a National Monument in the absence of specific application for each of the individual properties on the Provisional List of National Monuments of Bosnia and Herzegovina (Official Gazette of BiH no. 33/02).

The Commission's decisions are final, and are enforced pursuant to the Law on the Enforcement of Decisions of the Commission to Preserve National Monuments (Official Gazette of FBiH nos. 2/02 and 27/02, and Official Gazette of RS no. 9/02), which accords to National Monuments the highest degree of protection.

Responsibility for the enforcement of the Commission's decisions lies with the Entity governments and the ministries responsible for regional planning. In addition to issuing decisions designating National Monuments, the Commission monitors and considers the state of affairs and activities relating to National Monuments endangered by illegal construction, inexpert reconstruction, lack of maintenance or other forms of destruction. In specific cases, the Commission notifies the relevant Entity or other authorities (governments, the appropriate ministries, institutes for the protection of monuments, municipal authorities etc.) that a monument is endangered, and proposes measures for its protection in accordance with the law, including filing criminal charges with the relevant authorities pursuant to the provisions of the Criminal Proceedings Law.

Pursuant to the Decision of the Presidency of Bosnia and Herzegovina, the Commission is also authorized to perform activities of international cooperation in the field of cultural-historical heritage protection.

Members of the Commission

Pursuant to Annex 8 of the General Framework Agreement for Peace in BiH and the Decision on the Commission, at its 119th session, held on 21 December 2001, the Presidency of Bosnia and Herzegovina issued a decision appointing the following persons as members of the Commission: Zeynep Ahunbay, Amra Hadžimuhamedović, Dubravko Lovrenović, Ljiljana Ševo and Tina Wik.

Sessions of the Commission

The Commission meets every other month for a period of six days. The Commission's first session, which also saw the formal constitution of the Commission as a state institution, was held on 4 March 2002. So far the Commission has met six times.

Internal organization of the Commission

The professional and administrative affairs of the Commission are performed by the Commission's Secretariat, which is staffed by qualified personnel in the fields of the archaeological heritage, the architectural heritage, the town scape heritage and cultural landscapes, movable heritage items, legal affairs, financial affairs and technical coordination, respectively. The work of the Secretariat is managed and organized by an executive official. All posts are filled by selection from applicants responding to a public advertisement.

Collaboration with relevant institutions and authorities

In carrying out its duties, the Commission has entered into collaboration with the relevant institutions and authorities of Bosnia and Herzegovina, the Entities, Brčko District, towns, cantons and municipalities on issues of significance for the work of the Commission, pursuant to the Law on the Enforcement of the Decisions of the Commission to Preserve National Monuments established pursuant to Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina, which stipulates that authorities and institutions at all levels of governance shall collaborate with the Commission.

Access to public scrutiny

The Commission regularly and timely issues news releases on its work, decisions adopted, rulings and views. The Commission's work is accessible to public scrutiny by means of regular press conferences, the publication of its decisions in the official gazettes of BiH and of the Entity where the monument in question is located, and the posting of its documents and information on its activities on the Commission's official web site (www.aneks8komisija.com.ba)

DECISION OF THE PRESIDENCY OF BOSNIA AND HERZEGOVINA:

RULEBOOK ON THE ACTIVITIES OF THE COMMISSION AS REGARDS INTERNATIONAL COOPERATION

Article 2.

The Commission shall take the initiative in embarking on the procedure for entering into international agreements, draft the said agreements, take part in prior negotiations on international agreements at the expert level, implement international agreements, and carry out other activities of international cooperation in the field of the preservation of national monuments, relating in particular to:

representing the interests of Bosnia and Herzegovina in regard to the signing and implementation of international conventions;

resolving disputes on matters of shared interest for Bosnia and Herzegovina and another state or states or international organization or organizations, as the case may be;

issuing decisions to submit national monuments for registration on the UNESCO World Heritage List and the World Monuments Watch List of 100 Most Endangered Sites, etc;

cooperation with INTERPOL and with other international organizations and states in cases of the disappearance of movable national monuments;

procedural issues for the export of movable national monuments and the issuance of guarantees for their protection in the event of temporary export;

granting concessions to foreign nationals for research relating to national monuments;

raising funds from donations to fund the work of the Commission and the preservation of national monuments;

engaging foreign experts as needed by the Commission.