

Mr. Nermin NIKŠIĆ
Prime Minister of the Federation of Bosnia and Herzegovina
Alipasina no. 41
71000 Sarajevo
Bosnia and Herzegovina
E-mail: info@fbihvlada.gov.ba

Brussels, 25 March 2011

Dear Prime Minister,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE) which represents around one million European lawyers through its member bars and law societies from 31 full member countries, and 11 further associate and observer countries.

The CCBE has been informed that in the Federation of Bosnia and Herzegovina the lawyers' profession is still not explicitly exempted from the obligation to use fiscal cash registers.

Taking this into account, the CCBE would like to take the opportunity to emphasise once more its concerns about the introduction of fiscal cash registers for lawyers, which we first pointed out to Mr. Mustafa Mujezinović, the former Prime Minister of the Federation of Bosnia and Herzegovina, last April in a joint letter with the Union Internationale des Avocats (UIA). I have attached the CCBE and UIA letter of 12 April 2010 again for your information.

The CCBE would like to stress that according to the CCBE's survey carried out in 2010 no country in Europe requires its lawyers to use fiscal cash registers. We regard this practice as having negative implications for the lawyers' profession and the administration of justice as a whole. In our view the use of fiscal cash registers for lawyers would endanger lawyers' independence, duty of confidentiality (fundamental in the lawyer-client relationship which is based on trust), and the client's right to access to justice. Since we do not see how to guarantee these fundamental rights in your proposals, we fear that this will eventually damage the administration of justice as such.

In addition, we would like to point out that the Ministry of Finance of the Federation of Bosnia and Herzegovina previously clearly indicated (in 1998 and 2003) that lawyers, due to the special nature of their functions, can be exempted from the obligation to use fiscal cash registers.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Dal', with a long horizontal line extending to the right from the end of the signature.

Georges-Albert Dal
CCBE President

Annex CCBE letter of 12 April 2010

CC:

Mr Zoran MIKULIĆ
Minister of Justice of the Federation of Bosnia and Herzegovina
E-mail: entonis@pris.gov.ba

Mr Ante KRAJINA
Minister of Finance of the Federation of Bosnia and Herzegovina
E-mail: info@fmf.gov.ba; fmf.kab@bih.net.ba