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INTERSTATE AND INTERNATIONAL HEREDITARY RELATIONS IN BOSNIA AND HERZEGOVINA: CHALLENGES OF A COMPLEX LEGAL SYSTEM

Summary: The constitutional division of competencies in Bosnia and Herzegovina has conditioned two specific private international law problems. The first problem is faced by domestic authorities when they want to resolve the issue of interstate conflict of laws. The second problem, which foreign law authorities are trying to solve, is related to the situation when a foreign choice of law rule refers to the law of Bosnia and Herzegovina as a state with more than one legal system. This issue is expressed in the matter of inheritance law, given the existing substantive differences present in the three laws on inheritance that apply in Bosnia and Herzegovina.

After presenting a number of different inheritance solutions, the authors will point out the relevant provisions of the 1979 Law on Resolving Conflicts of Law and Jurisdiction in Status, Family and Inheritance Relations, which offer solutions but also raise issues specific to Bosnia and Herzegovina.

Keywords: complex legal order, interstate conflict of laws, inheritance law.