

Decision removing Mr. Miladin Simic from his position of President of the Municipal Assembly of Bratunac

To: Miladin Simic
President of Municipal Assembly, Bratunac

Sarajevo, November 29, 1999

Dear Mr. Miladin Simic,

For reasons outlined in the attached Decision, we herewith notify you of the following: under the powers vested in the High Representative, you are removed from public office with immediate effect. In addition, in accordance with the Provisional Election Commission Rules and Regulations, this Decision bars you from being a candidate in the upcoming municipal elections.

It is with great regret that we are forced to acknowledge that during your term in office not only have you failed to show any commitment to the implementation of the General Framework Agreement for Peace, but you have also seriously and persistently obstructed its implementation.

Sincerely,

Wolfgang Petritsch
High Representative

Robert L. Barry
Chairman of the PEC
OSCE Head of Mission

In the exercise of the powers vested in the High Representative by Article 5 of the Annex 10 of the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative *'is the final authority in the theater regarding interpretation of [the] Agreement on the civilian implementation of the peace agreement'*;

Endorsing the interpretation of these powers given in paragraph XI, 2 of the Conclusions of the Peace Implementation Conference held in Bonn on 10 December 1997, in particular, sub-paragraph c thereof, by means of which the High Representative is entitled to take actions against persons holding public office who are found by the High Representative to be in violation of legal commitments made under the Peace Agreement or the terms of its implementation;

Noting the reiteration of the acknowledgement of such powers by the Peace Implementation Council in Chapter X of the Annex to the Madrid Declaration of 16 December 1998;

Considering the mandate entrusted with the Provisional Election Commission under Article III of the Annex 3 to the General Framework Agreement for Peace in Bosnia and Herzegovina and article 7.10 of the Rules and Regulations adopted thereafter which provides that *no person who has been removed by the High Representative shall be permitted to be a candidate in the elections.*

We hereby issue the following

Decision

To remove Mr. Miladin Simic from his position of President of the Municipal Assembly Bratunac and to prevent him from being a candidate for the next municipal elections or to hold any executive office at any level unless authorised to do so.

This decision has immediate effect.

Reasons for removal

Mr. Miladin Simic has abused his power by persistently and seriously obstructing implementation of the General Framework Agreement for Peace. By pursuing an extra-legal agenda, he has consistently refused to take ownership of the laws of Bosnia and Herzegovina.

Mr. Simic has persistently and aggressively obstructed progress in the implementation of Annex Seven of the GFAP. In addition, he has made inflammatory anti-Dayton statements. For these reasons, we hereby remove Mr. Miladin Simic from the position of President of the Municipal Assembly Bratunac. The decision will be effective immediately and will not require any further procedural steps.

The position left vacant by Mr. Miladin Simic's removal will be filled by the Municipal Assembly in accordance with the legal regulations governing this election. In order to protect the institution to which a replacement is to be elected, no further actions are to be taken by the appointing authorities until OHR and OSCE communicate that there are no objections and that the proposed name can proceed.

The mandate of Mr. Miladin Simic will be passed to the next candidate on the SRS candidate list in accordance with the Article 7.90 of the Provisional Election Commission Rules and Regulations.

Sarajevo, 29 November 1999

Wolfgang Petritsch
High Representative

Robert L. Barry
Chairman of the PEC
OSCE Head of Mission

Office of the High Representative