

Decision removing Mr. Ante Barisic from his position of Minister of Internal Affairs of Canton 10

To: Ante Barisic, Minister of Internal Affairs, Canton 10

Sarajevo, April 3, 2000

Dear Mr. Barisic:

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 holding any public office and/or any position in public companies in the future.

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

Cc.:
Mr. Ivan Ivic
Governor Canton 10

Mr. Mirko Mihaljevic
Prime Minister Canton 10

Mr. Ivo Andric Luzanski
President Federation BiH

Mr. Ante Jelavic
President HDZ BiH

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 7.11 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. Ante Barisic from his position of Minister of Internal Affairs of Canton 10 and to ban him from holding any public office at any level unless authorised to do so.

This Decision has immediate effect.

Reasons for removal

Mr. Ante Barisic 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.

In particular, since his appointment in February 1999, Mr. Barisic has presided over an essentially unreformed Ministry of Internal Affairs in Canton 10. Despite a letter of warning on 16 September 1999, Mr. Barisic has repeatedly refused to implement decisions of UNMIBH and the OHR, and has played a central role in creating a climate of hostility and intolerance toward returnees in Canton 10.

The unreformed nature of the Canton 10 MUP was vividly demonstrated on 9 February 2000, when a routine IPTF weapons inspection found caches of illegal weapons, as well as a recently utilized intelligence gathering complex in the same corridor as the Minister's office.

Despite repeated instructions from both OHR and UNMIBH concerning neutral and non-offensive insignia, the Canton 10 MUP under Mr. Barisic's authority continues to refuse compliance.

Last summer (16 June 1999), Mr. Barisic, in instructions to police chiefs in Drvar, Bosanski Grahovo, Glamoc and Kupres, threatened all returnees who did not register with the police with deportation, in direct violation of the General Framework Agreement for Peace.

Mr. Barisic's ministry was also behind the refusal of police to recognize documents necessary for returnees to get ID cards, forcing OHR to issue a nationwide decision to cover this issue.

During Mr. Barisic's time in office, police under his control and instruction have applied totally different and separate standards of justice and law enforcement for citizens on Canton 10 depending on their ethnic origin, which was part of a clear program obstructing returns.

All of the above establishes a disturbing and unacceptable pattern of deliberate attempts to obstruct the implementation of the General Framework Agreement for Peace. For these reasons, we hereby remove Mr. Ante Barisic from the position of Minister of Internal Affairs, Canton 10. The Decision will be effective immediately and will not require any further procedural steps. Mr. Barisic must vacate his office immediately.

The position left vacant by Mr. Barisic's removal will be filled in accordance with the legal regulations governing its appointment. In order to protect the institution to which a replacement is to be selected, no further actions are to be taken by relevant authorities until OHR and OSCE communicate that there are no objections and that the proposed name can proceed further through the legal process.

Sarajevo, 3 April, 2000

Wolfgang Petritsch
High Representative

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

Office of the High Representative