

Decision suspending Mr. Zvonko Prskalo from his position as Deputy Head of Finance, Ministry of the Interior of Canton 7, for an initial period of thirty days

In the exercise of the powers vested in me by Article V of Annex 10 (Agreement on Civilian Implementation of the Peace Settlement) to the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative is the final authority in theatre regarding interpretation of the said Agreement on the Civilian Implementation of the Peace Settlement; and considering in particular Article II.1.(d) of the last said Agreement, according to the terms of which the High Representative shall "Facilitate, as the High Representative judges necessary, the resolution of any difficulties arising in connection with civilian implementation";

Recalling paragraph XI.2 of the Conclusions of the Peace Implementation Conference held in Bonn on 9 and 10 December 1997, in which the Peace Implementation Council welcomed the High Representative's intention to use his final authority in theatre regarding interpretation of the Agreement on the Civilian implementation of the Peace Settlement in order to facilitate the resolution of any difficulties as aforesaid "by making binding decisions, as he judges necessary" on certain issues including (under sub-paragraph (c) thereof) measures to ensure implementation of the Peace Agreement throughout Bosnia and Herzegovina and its Entities which "may include actions against persons holding public office or officials who are found by the High Representative to be in violation of legal commitments made under the Peace Agreement or the terms for its implementation";

For the reasons hereinafter set out I hereby issue the following:

DECISION

To suspend Mr. Zvonko Prskalo from his position as Deputy Head of Finance, Ministry of the Interior of Canton 7, for an initial period of thirty days. This suspension will remain in effect thereafter however until he is otherwise notified in writing by the High Representative.

This Decision has immediate effect and will not require any further procedural steps. Mr. Prskalo must vacate his office forthwith. The said suspension is to enable a full investigation to be made into the circumstances of Mr. Prskalo's actions hereinafter referred to. Mr. Prskalo is in consequence of such suspension forbidden while he remains so suspended from holding any public elective or appointive office in Bosnia and Herzegovina.

This Decision shall be published without delay in the Official Gazette of the Federation of Bosnia and Herzegovina.

REASONS FOR SUSPENSION

On 3 April 2001 a statement was issued by a number of individuals, including Mr. Prskalo, whose name appeared fifth out of the twenty involved, claiming to reject the constitutionality of the Federation Government, refusing to accept it, and pledging full support for the so-called "Croat National Assembly" and its decisions.

Mr. Prskalo has thereby become a party to an irresponsible attempt to violate the constitutional order in the Federation of Bosnia and Herzegovina and in Bosnia and Herzegovina. As Deputy Head of Finance, Ministry of the Interior of Canton 7, Mr. Prskalo must have known perfectly well that any constitutional matters of concern to him are matters which may be addressed by normal constitutional means.

It is precisely Mr. Prskalo's action of signing the statement referred to above which is liable to incite civil unrest, disobedience to the established authority, and a break down in law and order and of the rule of law. Such action seriously obstructs the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina.

Sarajevo, 26 April 2001

Wolfgang Petritsch
High Representative

Office of the High Representative