

Decision removing Mrs. Branka Dacic from her position of Head of Legal, Personnel and Administration within Ministry of the Interior of Canton 7, and further banning her from holding any official, elective or appointive public office

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 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";

Further recalling that by my Decisions of 26th April, three senior officials of Canton 7 were suspended pending investigations into their involvement in a statement rejecting the constitutionality of the Federation government;

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

DECISION

To remove Mrs. Branka Dacic from her position as Head of Legal, Personnel and Administration within the Ministry of the Interior of Canton 7, and to bar her from holding any official, elective or appointive public office unless or until such time as I may, by further Decision, expressly authorise her to hold the same.

This Decision has immediate effect and will not require any further procedural steps. Mrs. Dacic must vacate her office forthwith and her entitlement to receive remuneration in respect of her office will likewise cease immediately.

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

REASONS FOR REMOVAL

On 3 April 2001 a statement was issued by a number of individuals, including Mrs. Dacic, whose name appeared sixth 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. It is clear from the investigation carried since Mrs. Dacic's suspension that she was instrumental in organizing the preparation and issuing of this statement.

Mrs. Dacic 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 Head of Legal Affairs, Personnel and Administration within the Ministry of the Interior of Canton 7, Mrs. Dacic must have known perfectly well that any constitutional matters of concern to her are matters which may be addressed by normal constitutional means.

Mrs. Dacic's action of organizing and signing the statement referred to above are liable to incite civil unrest, disobedience to the established authority, and a breakdown 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 June 2001

Wolfgang Petritsch
High Representative

Office of the High Representative