

Decision Appointing International Members Of The Election Commission Of Bosnia And Herzegovina

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;

Recalling the agreement in Article V of Annex 3 to the General Framework Agreement for Peace in Bosnia and Herzegovina obliging Bosnia and Herzegovina and the Entities to create a permanent Election Commission with responsibilities to conduct future elections in Bosnia and Herzegovina;

Noting that the Parliamentary Assembly of Bosnia and Herzegovina adopted on 30 August 2001 the Election Law of Bosnia and Herzegovina, which inter alia establishes the Electoral Commission of Bosnia and Herzegovina to regulate the lawful operation of the election commissions and polling station committees under that Law;

Observing that the said law was published in the Official Gazette of Bosnia and Herzegovina (23/01) on 19 September 2001 to enter into force eight days thereafter;

Noting that under Article 20.1 of the said Law it is provided inter alia that until the High Representative's mandate terminates or he or she so decides, the Election Commission shall include three members selected from the International Community who shall be appointed by the High Representative;

Acknowledging the close involvement and experience of the Organisation for Security and Cooperation in Europe in the organisation of elections in Bosnia and Herzegovina since the time of the Peace Settlement;

Having considered and borne in mind all the matters aforesaid, I hereby issue the following

DECISION

1. I hereby appoint as international members of the Election Commission of Bosnia and Herzegovina the Head of the Organisation for Security and Cooperation in Europe Mission to Bosnia and Herzegovina or his or her designate, the Deputy Head of the Organisation for Security and Cooperation in Europe Mission to Bosnia and Herzegovina or his or her designate, and the Senior Deputy High Representative of the Office of the High Representative or his or her designate.

2. These appointments shall take effect from the date hereof and for so long as the Office of High Representative remains in place or until so provided by the High Representative.

3. This Decision shall enter into force forthwith and shall be published without delay in the Official Gazette of Bosnia and Herzegovina, in the Official Gazette of the Federation of Bosnia and Herzegovina and in the Official Gazette of Republika Srpska.

27 September 2001

Wolfgang Petritsch
High Representative