

# **Notice of Decision by the High Representative to Lift the Bans Imposed on a Number of Former Public Officials by High Representative Decisions**

The High Representative, by way of his Decisions dated 7 March 2003, 7 July 2003, 3 February 2004, 16 April 2004, 30 June 2004, 16 December 2004, 10 July 2007 and 30 May 2008, removed individuals listed in the Annex to this Notice of Decision (hereinafter: this Decision) from public and/or party positions that they held at the time. The Decisions also barred the individuals listed in the Annex of this Notice of Decision from holding any official, elective or appointive public office and from running in elections ("bans"). The removals and bans were imposed for obstruction of the implementation of the General Framework Agreement for Peace through a lack of co-operation with the International Criminal Tribunal for Former Yugoslavia (ICTY; the Tribunal).

Ratko Mladić, who was until recently the last individual at large under indictment by the ICTY in relation to crimes perpetrated in Bosnia and Herzegovina, was indicted in 1995 by the ICTY Office of the Prosecutor for genocide, crimes against humanity and war crimes, allegedly perpetrated during the period of 1992 to 1995 in Bosnia and Herzegovina.

After indictments against both Ratko Mladić and Radovan Karadžić were confirmed in 1995, warrants of arrest were transmitted to the then Federal Republic of Yugoslavia, the then Republic of Bosnia and Herzegovina, and the Bosnian Serb administration which subsequently became Republika Srpska. As the warrants were not executed, the Tribunal issued an international arrest warrant.

The Tribunal considered that the failure to arrest Karadžić and Mladić could be ascribed to the refusal of the then Federal Republic of Yugoslavia (Serbia and Montenegro) and Republika Srpska to cooperate with the ICTY. The Tribunal noted in particular that this failure was a breach of the obligations made on Republika Srpska's behalf by the Federal Republic of Yugoslavia in the Dayton Peace Agreement.

The United Nations Security Council also issued a number of resolutions urging compliance with the Tribunal.

Ratko Mladić evaded arrest for 16 years. Upon his arrest on 26 May 2011, and his transfer from the Republic of Serbia to the custody of the ICTY on 31 May 2011, the conditions to repeal the bans have been met. It is hereby expressly stated that bans imposed under the High Representative's international mandate relating to the individuals listed in the Annex of this Decision are no longer in force.

This Decision does not entitle any of the individuals listed in the Annex to this Notice of Decision to restoration to the office from which they were removed pursuant to the Decisions nor does it imply any obligation on the part of employers to reinstate those individuals or to compensate them for loss of employment.

Further, this Decision does not entitle any individual listed in the Annex to this Decision to compensation or other forms of unvested monetary benefits or privileges or status forfeited as a result of the Decisions.

This Decision does not constitute an amnesty but rather a repeal, prospectively, of the Decisions. The Decisions are not expunged and remain as part of the legislative record of Bosnia and Herzegovina.

This Decision does not affect or otherwise prejudice any pending or impending criminal proceedings in or outside of Bosnia and Herzegovina.

To the extent the terms of this Decision contradict domestic legislation on any of the subjects encompassed thereby, the former shall prevail.

This Decision has immediate effect and will not require any further procedural steps.

This Decision is published on the official web-site of the Office of the High Representative and shall be published without delay in the Official Gazette of Bosnia and Herzegovina, the Official Gazette of the Republika Srpska.

Sarajevo, 10 June 2011

Dr. Valentin Inzko

High Representative

**Annex:**

List of Individuals Subject to the Notice of Decision by the High Representative to Lift the Ban Imposed on Number of Former Public Officials by the High Representative Decisions

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|----------------------------------|--------------------------------|
| 1. Milovan Bjelica               | 30. RadomirLukić               |
| 2. Đojo Arsenović                | 31. DragomirLjubojević         |
| 3. Dragomir Vasić                | 32. Miloš Lazović              |
| 4. Dragan Bašević                | 33. Aleksandar Savić           |
| 5. Veljko Borovčanin             | 34. Slavo Čeliković            |
| 6. Ivan Šarac                    | 35. Ljubisav Simić             |
| 7. Mirko Šarović                 | 36. Dragan Vučković            |
| 8. Dejan Miletić                 | 37. Predrag Perković           |
| 9. Cvetko Cvjetko Savić          | 38. Mirko Delić                |
| 10. Pantelija Čurguz             | 39. Slavko Tošović             |
| 11. Nedjeljko Nedeljko Đekanović | 40. Ljubomir Erić              |
| 12. Božidar Vučurević            | 41. Stevan Tadić               |
| 13. Cvjetan Cvijetin Nikić       | 42. Novak Gojković             |
| 14. Milan Ninković               | 43. Zoran Žuža                 |
| 15. Duško Kornjača               | 44. Drago Dragutin Đurašinović |
| 16. Milan Tupajić                | 45. Zvonko Bajagić             |
| 17. Rodoljub Đukanović           | 46. Pantelija Damjanović       |
| 18. Zoran Petrić                 | 47. Jovan Čizmović             |
| 19. Mile Pejčić                  | 48. Radenko Damjanović         |
| 20. Zoran Đerić                  | 49. Milorad Marić              |
| 21. Pero Šakota                  | 50. Milomir Mališ              |
| 22. Mirko Vojinović Bojinović    | 51. Predrag Jovičić            |
| 23. Svetislav Jokić              | 52. Petko Pavlović             |
| 24. Dragomir Keserović           | 53. Milorad Bilbija            |
| 25. Vesna Ećim-Zlojutro          | 54. Čedomir Popović            |
| 26. Momčilo Komljenović          | 55. Nade Radović               |
| 27. Milenko Stanić               | 56. Mrkša Skočajić             |
| 28. Momir Tošić                  | 57. Dragomir Andan             |
| 29. Mihajlo Mijanović            | 58. Predrag Čeranić            |