

Supervisory Order on Temporary Financing of Brcko District Institutions for the Period from January 1 to March 31, 2009

In accordance with the powers vested in me by Paragraphs 8, 10, 11, 13, 36 and 37 of the Final Award, dated March 5, 1999, of the Arbitral Tribunal for Dispute over Inter-Entity Boundary in Brcko Area ("the Brcko Tribunal");

In further accordance with paragraphs 13 and 67 of the Final Award, which provide that the jurisdiction of the Arbitral Tribunal will remain in existence until such time as "the Supervisor, with the approval of the High Representative, has notified the Tribunal (...) that such (Brcko District) institutions are functioning effectively, and apparently permanently;"

Recalling provisions provided for in Paragraph 8 (b) of the Annex to Final Award of August 18, 1999 on the preparation of an annual District budget and the ultimate authority of the Supervisor over the District Budget;

Noting that local elections in Brcko District were held on October 5, 2008 for only the second time in the history of the District and that a reasonable timeframe is necessary for the newly elected Assembly to be constituted and consequently a new Government nominated;

Noting further that the constitutive session of the newly elected Assembly is still ongoing, and that political agreement over the nomination of the new Speaker, Deputy Speaker and Mayor has not been reached yet;

Bearing in mind the crucial need to reach a legitimate and sustainable political agreement within the newly elected Assembly, in order to ensure the effective functioning of Brcko District and create the conditions required for the orderly termination of Supervision and for the effective and apparently permanent functioning of District institutions after Supervision has terminated;

Noting that since the newly constituted Assembly is not yet in a position to decide upon the adoption of the Draft Budget 2009 or the temporary financing of the Brcko District Institutions before the end of this year as required by the Statute and the Rules of Procedure of the Brcko District Assembly;

Seized of the need to ensure financial stability and the continued smooth operation of Brcko District institutions until such time as there is agreement amongst political representatives in Brcko District;

Having consulted with the newly elected Councilors and with the Brcko District Finance Directorate on the need to provide for the temporary financing of Brcko District institutions until such time as the new elected Assembly is fully functioning and the new Government appointed and consented to by the Assembly;

Having therefore decided to undertake the necessary measures to ensure the financial stability of Brcko District institutions for the first three months of the next fiscal year;

I therefore hereby order that:

1. The Brcko District Government's Departments and Institutions of Brcko District shall be temporarily financed for the period from January 1, 2009 to March 31, 2009 in the total amount of BAM 26,734,764.49.

2. Budgetary funds for temporary financing referred to in Paragraph 1 of this Order shall be allocated to Brcko District Government's Departments and Institutions of Brcko District in the way presented in the Annex of this Order and shall be used in accordance with the Law on Budget of Brcko District.

3. Immediately after the election of the Speaker, Deputy Speaker, the Mayor and the Assembly Committees, the Brcko District Assembly shall schedule regular sessions and commence discussions on the draft budget for the fiscal year 2009 submitted by the Brcko District Government and shall adopt the budget so that it comes into force not later than March 31, 2009.

4. This Order has immediate effect without further procedural steps.

5. All public officials, civil servants and employees in the Brcko District shall take all necessary measures to ensure that this Order be executed in full.

6. The validity of this Order shall cease in case the budget is adopted by the Brcko District Assembly through regular procedure and before the 3 months deadline provided for in paragraph 3 of this Order.

7. For the avoidance of doubt, the provisions of this Order override all inconsistent legislation and legal acts to the extent necessary to give this Order full effect.

8. This Supervisory Order shall be published without delay in the Official Gazette of the Brcko District of Bosnia and Herzegovina.

9. This Supervisory Order is published in both English and the official languages of Bosnia and Herzegovina. In the event of any inconsistency, the English language version is authoritative for all purposes.

Dr. Raffi Gregorian
Supervisor of Brcko District
Principal Deputy High Representative

**Annex to the Supervisory Order dated 23 December , 2008
on Temporary Financing of Brcko District Institutions For the
Period From January 1 to March 31, 2009**

**Tabular presentation of funds allocated per Department and
institutions of Brcko District**

Organizational Code	Departments and Institutions	Amount, KM
10	Department of Administrative Support	810.297,78
12	Department of Public Records	713.935,51
13	Department of Healthcare	6.082.947,31
14	Department of Agriculture, Forestry and Water Management	851.070,66
16	Department of Public Works	356.040,57
17	Department of Education	6.697.730,94
18	Department of Utilities	336.176,62

19	District Assembly	906.876,61
21	District Police	1.907.350,79
22	District Judiciary	1.541.913,73
29	DEPRET	437.512,49
33	Department of Public Safety	1.029.810,78
34	Department of Spatial Planning and Property Affairs	300.463,52
35	Department of Economic Development, Sports and Culture	933.982,28
37	Finance Directorate	800.078,25
38	Commission for Securities	75.423,91
39	Office for Public Property	284.833,40
40	Mayor's Office	1.342.849,36
41	Office of the Coordinator in CoM	49.870,97
	TOTAL AMOUNT OF ONGOING EXPENDITURES	25.459.165,48
25	Ongoing Reserve	1.275.599,01
	TOTAL	26.734.764,49