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

Recalling Article 25 of the Statute of Brcko District, which requires that "Councilors must conduct their public life in an exemplary, appropriate and ethical manner, performing their duties in accordance with their conscience and for the exclusive welfare of the District and Bosnia and Herzegovina";

Concerned however that the code of conduct for District Councilors ("the Code of Conduct"), adopted by District Assembly decision no. 0-02-022-327/05 at the 20th session of the District Assembly held on November 16 and 17, 2005, makes no reference to Article 25 of the Statute, and contains only five operative principles, each very narrow in scope;

Regretting therefore that notwithstanding the high standard of conduct to which all District Councilors are required to

conform under Article 25 of the Statute, the District Assembly has no procedure by which it can sanction violations of Article 25 of the Statute by its members, and therefore there is no efficient legal mechanism for implementing the high standards that Article 25 of the Statute requires and for holding those Councilors accountable whose conduct falls beneath that standard;

Further noting that one Councilor in the District Assembly, Mr. Semso Sakovic, has recently conducted himself in a manner that falls far below that standard, in that he has made serious public charges of misconduct against officials of the Office of the High Representative and, although challenged to give evidence to substantiate his allegations, he has failed to do so, and although he was subsequently offered the opportunity to apologize for his behavior, he again failed to do so, but instead appeared on national television and made offensive gestures in relation to the matter, for which he subsequently sought to blame others rather than take responsibility for his own actions, and for which he has not apologized to the people of Brcko District or to his fellow Councilors in the Assembly;

Concluding that the conduct of Mr. Sakovic falls far below the standards required of a District Assembly Councilor by Article 25 of the Statute, and regretting that Mr. Sakovic's actions have damaged throughout BiH the reputation of Brcko District and discredited the Brcko District Assembly;

Further noting that in a democratic society governed by rule of law, such conduct should be sanctioned by way of disciplinary measures against public officials, but no efficient domestic mechanism for sanctioning or otherwise holding Mr. Sakovic accountable for his misconduct exists;

Having therefore decided it is necessary to hold Mr Sakovic accountable for his misconduct in violation of Article 25 of the Statute, and to order the District Assembly to create a

disciplinary mechanism to address future violations of Article 25 of the Statute and the Code of Conduct;

Believing that the highest standards of behavior by all public officials in the District, including but not limited to District Councilors, are imperative to provide the highest standards of service to District residents, and to maintain public confidence in the District as a politically stable environmentand an economically attractive region in which to invest;

I hereby order that:

Assembly Code of Conduct

1. Not later than seven days after the date of this Order, the President of the District Assembly shall convene a committee to prepare a revised Code of Conduct for members of the District Assembly, which *inter alia* includes provisions for a disciplinary procedure and penalties where a Councilor has violated the Statute of Brcko District. One member of the staff of the Brcko Final Award Office shall subsequently be appointed by me to participate in the work of that committee.

2. The aforementioned committee shall produce a revised Code of Conduct in draft not later than June 15, 2007, for my approval. Once I have provided that approval, the District Assembly shall duly enact the revised Code of Conduct in accordance with its usual procedures.

Fine for misconduct

3. Mr. Semso Sakovic is hereby fined an amount equal to two months of his salary as a Councilor in the Assembly of Brcko District, that is to say a total fine of 4,562KM net of tax and other deductions.

4. This fine shall be enforced in the following way. Mr.

Sakovic shall not be remunerated nor receive any other form of compensation for his work as a Councilor for the period June 1, 2007 to July 31, 2007 inclusive. Neither the District Finance Directorate nor any other District institutionshall make any salary or other payment to Mr. Sakovicon account of his being a Councilor in the Brcko District Assembly for that period.

5. Notwithstanding the fine imposed upon him by paragraphs 3 and 4 of this Order, Mr. Sakovic shall continue to diligently fulfill his duties as a Councilor in the District Assembly. In particular, he shall attend all scheduled sessions of the District Assembly, regular and extraordinary, and shall vote on all issues on which a vote is required. Should Mr. Sakovic in any way default on his continuing obligations under this paragraph, the President of the Assembly shall forthwith inform me in writing whereupon further commensurate action may be taken.

Final provisions

6. This Supervisory Order has immediate effect without further procedural steps.

7. This Supervisory Order shall be published without delay in the Official Gazette of the Brcko District. All public officials of the District shall undertake all necessary measures to ensure its full and faithful implementation. Any person who fails to do everything necessary to this end shall be held personally responsible for that failure.

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

Raffi Gregorian

Supervisor of Brcko
Principal Deputy High Representative