

Supervisory Order on Restructuring the Brcko District Administration

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

Emphasizing that effective, efficient, transparent, citizen-friendly and financially sustainable government institutions are essential goals for the Brcko District, the pursuit of which is mandated by the Final Award;

Appreciating the Brcko District Government's commitment to administrative reform, confirmed in the Mayor's program for 2005 and demonstrated by the allocation of budgetary funds to retain the services of the independent professional consultant Deloitte who, on October 20, 2004 completed a report entitled "Assessment of Public Administration in Brcko District Government with specific recommendations for reforms to promote efficiency and accountability" ("the Report");

Commending the Government's actions in amending the Organizational Plan to establish a Human Resources subdivision within the Government, and in hiring a consultant to assist this process;

Disappointed with the lack of timely, practical steps to implement the recommendations made by these consultants, notwithstanding that these recommendations have been accepted in full by the District Government;

In view of the need for Brcko District institutions to function effectively and apparently permanently in order to support its multiethnic character and its fiscal self-sustainability;

Aiming at overcoming procedural issues that the Government cites as obstacles to the timely implementation of recommendations for restructuring the District's administration;

Without prejudice to the right of the District Assembly to subsequently review the procedures applied and the budgetary funds spent by the Government in executing administrative reform, as recommended by Deloitte and as mandated by this Supervisory Order;

I hereby order that:

1. All the provisions of the Brcko District laws, "Law on Audit of Financial Operations in Institutions of Brcko District BiH", and "Law on Budget of Brcko District BiH", shall be fully implemented by the Assembly, the Government and other public institutions referred to in those laws, no later than December 31, 2005 .
2. All the recommendations contained in the Report are to be implemented immediately and in any event implementation shall be completed no later than December 31, 2005 . The Deputy Mayor shall be responsible for implementing these recommendations, and shall be accountable for any failure to do so.
3. A Human Resources Subdivision shall be established within the District Government forthwith. It shall adopt the structure, and have the mandate, recommended in the Deloitte Human Resources Manual (being part of the Report), and shall be given such powers as may be necessary to perform that mandate. Responsibility for establishing the Subdivision shall lie with the consultant hired on July 10, 2005 ("the Consultant"). The Deputy Mayor and the District Government shall give the Consultant all assistance necessary to undertake this task.
4. Five positions in the Human Resources subdivision shall be filled by transfer of staff currently employed in the Sub-Division for Personnel, in the Department of Budget and Finance.

The position of the Head of the Human Resources Subdivision, and three more positions within that subdivision, shall be filled through a vacancy notice posted no later than November 30, 2005 .

The Consultant shall carry out the responsibilities of the Head of the Human Resources Subdivision until such time that the Government has permanently filled this position.

5. The budgetary expenditures necessarily and properly incurred in the recruitment and funding of the following

positions, are hereby authorized and approved: Head of Human Resources Subdivision, Senior Expert Associate – Lawyer, Senior Expert Associate for Evaluation and Expert Associate for Personnel and all positions in Auditors Office as provided in the Law on Audit of Financial Operations in Institutions of Brcko District BiH.

6. The District Government shall send a draft Law on Salaries to the District Assembly no later than November 30, 2005. The salary structure recommended in the Deloitte 2004 consultancy report shall form the basis for salary and ranking structure in that draft law.

7. This Supervisory Order has immediate effect, and shall be published without delay in the Official Gazette of the Brcko District. The Government and Assembly of the Brcko District shall undertake all necessary measures to ensure its implementation.

Susan R. Johnson
Supervisor of Brcko
Deputy High Representative