

Supervisory Order On the Suspension of the Appointment of Mr. Esad Atic to the Position of Head of Department for Education in the Brcko District Interim Government

In accordance with the powers vested in me in paragraph 37 of the Brcko Final Arbitration Award of March 5, 1999, and paragraph 3 of the Annex of August 18, 1999;

Emphasising Article 11 of the Annex to the Final Arbitral Award that establishes the objective of creating a democratic multi-ethnic society within the District through its educational system, and the Supervisor's final decision-making authority throughout the period of supervision;

Further emphasising the provisions of paragraph (1) of Article 16 of the Statute of the Brcko District of Bosnia and Herzegovina on the equal right to education without discrimination;

With reference to the Supervisory Order of July 5, 2001, imposing the Law on Education in Primary and Secondary Schools of the Brcko District of Bosnia and Herzegovina, and the amendments to this law adopted by the Interim Assembly on December 23, 2003, and on July 28, 2004;

With further reference to the Supervisory Order of April 15, 2004, Delegating Authority on Education to the Brcko District Government and Assembly, by which the Supervisor retains the right to intervene in the area of education in case the District authorities violate the general principles of multi-ethnicity and democratic governance upon which the Brcko District is based;

Recalling the Supervisory Order of May 23, 2001, appointing Mr. Esad Atic to the Position of Head of Department for Education;

Concerned about serious mismanagement of the delivery of textbooks for Primary Schools in Brcko District that resulted in textbooks in certain subjects being distributed to many pupils printed in languages other than those guaranteed to them under the law, and thus severely harming the confidence in truly multi-ethnic and non-discriminatory education;

Mindful of the need to uphold political responsibility and accountability of executive office holders as an essential element in the District's democratic multi-ethnic governance;

Determined to protect the integrity and further enhance confidence in the District educational system that provides for utmost integration, but also the protection of legitimate national interests in the curriculum;

Emphasising that this Supervisory Order does not predetermine my final judgment in this matter;

I hereby order that:

1. Mr. Esad Atic be suspended from the position of Head of Department for Education.
2. Mr. Izet Banda is appointed Acting Head of the Department for Education.
3. The Mayor shall revoke the "Decision on Establishing the Commission to Inspect the Conducted Procedure and Determine Responsibility in the Procurement of Textbooks for the Brcko District Primary Schools Pupils", issued by Mr. Atic on September 20, 2004.
4. The Mayor shall establish an independent, impartial and professional commission to investigate the facts, circumstances and political and professional responsibilities under which textbooks were procured and distributed in Primary Schools, and submit the report of the Commission to me and the Interim Assembly within 15 days of the date of this Supervisory Order.
5. This Order shall have immediate effect and shall be published in the Brcko District Official Gazette. No

further procedural steps are required to give effect to this Order.

Susan R. Johnson
Deputy High Representative
Supervisor of Brcko