

Supervisory Order Delegating Authority on Education to the Brcko District Government and Assembly

In accordance with the powers vested in me in Paragraphs 8, 10, 13, 34, 37, and 43 of the Final Award of March 5, 1999, passed by the Arbitral Tribunal for Dispute over Inter-Entity Boundary in Brcko Area;

Recalling paragraph 11 of the August 18, 1999, Annex to the Final Award mandating the Supervisor to integrate the District's educational system, harmonize curricula within the District, and ensure the removal of teaching materials that the Supervisor considers inconsistent with the objective of creating a democratic multi-ethnic society within the District;

Recognizing the determined and successful implementation by the Interim Assembly and Government of the Brcko District of the Law on Primary and Secondary Education of the Brcko District, imposed by the Supervisory Order of July 5, 2001:

Cognizant of Brcko Department of Education's implementation of the Action Plan of the Brcko District Government to ensure the multiethnic integration of pupils and teaching staff, free and fair access to education and a common core curriculum supplemented by a group of national subjects which has been introduced in all primary and secondary schools within Brcko District;

Recognizing further the harmonization of the Law on Primary and Secondary Education of the Brcko District with the BiH Framework Law on Primary and Secondary Education in Bosnia and Herzegovina adopted on July 1, 2003, (Official Gazette of BiH

18/03) through the Law on Amendments and Addenda to the Law on Primary and Secondary Education of the Brcko District adopted by the Interim Assembly of the Brcko District on December 31, 2003, (Official Gazette of Brcko District 28/03);

Urging the Interim Assembly and Government of Brcko District to further the implementation of the harmonized Law on Primary and Secondary Education of the Brcko District, including advanced training of teaching staff and modernization of the pedagogical methodology;

Recalling further that the Decision of the OSCE Permanent Council (July 2002) tasked the OSCE Mission to Bosnia and Herzegovina to coordinate the activities of International Community in BiH in regard to education reform and considering that OSCE's role is to facilitate, co-ordinate, and monitor implementation of the Education Reform Strategy in BiH;

Stating that as a consequence of significant progress in the area of education, I have strong and well-grounded reasons to believe that the Interim Assembly and the Government of the Brcko District are capable of continuing to deal with education without my direct supervision;

With the aim of empowering the future Assembly and Government of the Brcko District that will derive from the Assembly elections scheduled for October 2004 to exercise fully their authority and take ownership of the Statute, laws and regulations;

Emphasizing that I retain 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;

Noting that the powers of the Supervisor in all other areas in which the Supervisor has not delegated authority shall remain unchanged, and that international supervision shall continue until terminated by the Steering Board of the Peace

Implementation Council as provided in paragraph 37 of the Final Award;

I hereby order that:

1. The powers vested in me in Paragraphs 8, 10, 13, 34, 37, and 43 of the Final Award, and in Paragraph 11 of the Annex to the Final Award in the area of education are hereby delegated to the Interim Assembly and the Government of the Brcko District, with the obligation of the Assembly and the Government to submit to the Supervisor a comprehensive report on the current situation, developments and their plans at least twice a year.
2. This Supervisory Order has immediate effect, shall be published without delay in the Official Gazette of the Brcko District, and the Interim Government and Assembly of the Brcko District shall undertake all necessary measures to ensure its implementation.

Susan R. Johnson
Deputy High Representative
Supervisor of Brcko