Statement on the RS press reports describing the Supervisory Orders on the Multi-Ethnic Judiciary and on Privatization as “unintelligible and legally unfounded”

Statements have appeared in the Republika Srpska press describing the Supervisory Orders on the Multi-Ethnic Judiciary and on Privatization as “unintelligible and legally unfounded”. Several statements charge me with neglecting the constitutional and legal regulations of the RS.

For example, Glas Srpski, December 10 quotes , Mladen Bosic, President of the SDS in Brcko, as saying: “The last Supervisory orders exclude Brcko from the RS Legal system, and that opposes both the DPA and the Interim Arbitral Award, where it states that the Brcko area is the part of Republika Srpska until the final decision, and thus it is under the RS Jurisdiction.” (OHR translation). Further, Bosic reportedly claimed the Supervisor had exceeded his authority under the Arbitration Award by issuing the two Orders. The President of the Brcko Radical Party, Jovo Jeftic, is reported as stating that “with the Order on Privatization the Supervisor has joined Brcko to the BiH Federation.” (OHR translation). These thoughts were echoed in Glas Srpski on December 11 by Aleksa Milojevic, Director of the Main Office for Privatization and Development in Republika Srpska.

The RS Minister of Justice Branko Petric, has also reportedly

made similar attacks on the Supervisory order on Multi-Ethnic Judiciary. In a democracy every citizen is entitled to express his or her own thoughts. Thus, these reported comments by RS Government and party officials, if accurate, reflect a specific point of view, hopefully a personal point of view. The Supervisory orders, however, are clear in their intent and are not open for discussion or negotiation. The Supervisors authority to issue such orders is clearly laid out in the Interim Arbitral Award for Brcko of February 14, 1997, a copy of which was given to each member of Municipal Assembly. The orders, therefore, stand as issued.

As has been stated several times, non-compliance with the Supervisory Orders shall constitute a major breach of the Parties' obligations under the Arbitral Award.

Brcko Press Release, 12 December 1997