High Representative creates framework for the establishment of law and order across the Federation

The High Representative, Wolfgang Petritsch, last night and this morning issued five Decisions creating the framework for the establishment of law and order across the Federation. This package of Decisions is the result of careful scrutiny of the situation in the Federation following the events surrounding the establishment of Croat "self-rule" and the appointment of a Provisional Administrator for Hercegovacka Banka.

The High Representative dismissed the Minister of Interior of Canton 7, Dragan Mandic , suspended three officials from the Interior Ministry and allocated jurisdiction for the investigation, prosecution and trials of incidents of violence and intimidation in the Federation during the past month to the Cantonal Prosecutor and Cantonal Court of Sarajevo, the capital of the Federation and Bosnia and Herzegovina.

Dragan Mandic violated the Dayton Peace Agreement by signing, on April 3, a declaration of loyalty to the so-called "Croat National Assembly", which is an illegal and unconstitutional body, and by rejecting the authority of the legal Federation institutions in the same declaration. Mr Mandic has thereby become a party to an irresponsible attempt to violate the constitutional order of the Federation and Bosnia and Herzegovina. Mr Mandic also failed to exercise his authority and influence to stop the serious disturbances in Mostar on 6 April. Mr Mandic is removed with immediate effect, denied any further remuneration in respect to his former office, and barred from holding any official, elective or appointive office.

Further, the High Representative suspended Ivan Djogic, Chief of the Cabinet of the Interior Minister of Canton 7, Branka Dadic, Head of the Sector for Legal, Personnel and Administration Issues within the same Ministry, and Zvonko Prskalo , the Deputy Head of Ministry's Financial Sector. Like Mr Mandic, these three officials signed the April 3 declaration of loyalty to the so-called "Croat National Assembly". In order to enable a full investigation to be made into the circumstances of their action, in particular to establish whether they signed the declaration under duress, the three officials are suspended for an initial period of 30 days, during which they are forbidden from holding any public, elective or appointive office. Their suspensions will remain in effect after the 30 days unless they High Representative notifies them of the opposite.

By signing the declaration, Mr Mandic and the three suspended officials have made themselves liable to inciting civil unrest, disobedience to the established legal authority and a breakdown of law and order. Such actions seriously obstruct the implementation of the Dayton Peace Agreement.

Lastly, the High Representative allocated jurisdiction for the investigation, prosecution and trials of incidents of violence and intimidation in the Federation during the past month to the Cantonal Prosecutor and Cantonal Court of Sarajevo, the capital of the Federation and Bosnia and Herzegovina, in order to ensure fair, efficient, timely and comprehensive judicial proceedings. The criminal acts in question include the following:

- the offences arising from the violence exercised on April 6 in Mostar, Grude, Medjugorje, Siroki Brijeg, Posusje and Tomislavgrad in connection with the establishment of the provisional administration of Hercegovacka Banka;
- the car bombing in Siroki Brijeg on April 10;
- offences such as intimidation and violence against

persons, property or public peace committed in support to the so-called Croat “self-rule” in the Federation; and

- offences committed against the constitutional order of the Federation.

The Decision does not touch upon the responsibility of the Supreme Court to deal with certain criminal acts specified in the Law on the Federation Supreme Court. These offences, which include, inter alia, terrorism, inter-Cantonal crime and organised crime, remain in the jurisdiction of the Supreme Court.

All municipal and Cantonal prosecutors and courts that would otherwise be competent to investigate, prosecute and try the acts mentioned in the High Representative’s Decision are required to comply with this Decision and to, if they have already started to fulfil their duties, transfer the cases to the Cantonal Prosecutor or Cantonal Court of Sarajevo. All law enforcement agencies are required to assist the Cantonal Prosecutor of Sarajevo.

The High Representative has issued the five Decisions exercising his authority under Annex X of the Dayton Peace Agreement and in accordance with the Conclusions of the Peace Implementation Council in Bonn in December 1997. The Decisions are effective immediately and shall be published in the Official Gazette of the Federation without delay.