Notice of Decision by the High Representative to Lift the Ban Imposed on Milos Tomovic by the High Representative Decision, dated 30 June 2004.

The High Representative, by way of his Decision, dated 30 June 2004 ("the 2004 Decision"), removed Milos Tomovic from public office. This Decision also barred Mr. Milos Tomovic from holding any official, elective or appointive public office, running in elections and holding office within political parties ("Ban"). The 2004 Decision further provided explicitly for a lifting of the Ban at the sole discretion of the High Representative.

Upon careful consideration of Mr. Tomovic's case and after concluding that the reasons for his removal no longer apply and he no longer poses a threat to peace implementation, institutional integrity or democracy in Bosnia and Herzegovina , I have decided to repeal the Ban. Milos Tomovic is hereby expressly permitted to hold official, elective or appointive public office, to run in elections and to hold office within political parties.

The principles of equity, proper governance and judicious exercise of the High Representative's international mandate, all of which take into account the balance between the protection of national stability and the rights of the individual, justify this outcome.

This Decision does not call into question the validity of the 2004 Decision. This Decision does not entitle Mr. Tomovic to

automatic restoration to the office from which he was removed pursuant to the 2004 Decision. Further, this Decision does not entitle him to compensation for any remuneration, other forms of unvested monetary benefits or privileges or status forfeited as a result of the 2004 Decision.

This Decision does not constitute an amnesty but rather a repeal, prospectively, of the 2004 Decision. The latter is not expunged and remains as part of the legislative record of Bosnia and Herzegovina .

This Decision does not prejudice the right of the High Representative to remove Mr. Tomovic again should he, while occupying a public office in the future, be deemed to have violated his oath to respect the Constitution of Bosnia and Herzegovina and to uphold the General Framework Agreement for Peace in Bosnia and Herzegovina, which oath was freely given as a condition precedent for the lifting of the Ban.

To the extent the terms of this Decision contradict domestic legislation on any of the subjects encompassed thereby, the former shall prevail. High Representative Decisions supersede and preempt contradictory domestic legislation. This legislative statement is declaratory of existing and prospective High Representative Decisions.

This Decision has immediate effect and will not require any further procedural steps.

This Decision shall be published without delay in the Official Gazette of the Republika Srpska.

Sarajevo, 4 November 2005
Paddy Ashdown
High Representative