

Decision On Appointment of the Director of the State Investigation and Protection Agency

In the exercise of the powers vested in the High Representative by Article V of Annex 10 (Agreement on Civilian Implementation of the Peace Settlement) to the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative is the final authority in theatre regarding interpretation of the said Agreement on the Civilian Implementation of the Peace Settlement; and considering in particular Article II.1. (d) of the last said Agreement, according to the terms of which the High Representative shall "Facilitate, as the High Representative judges necessary, the resolution of any difficulties arising in connection with civilian implementation";

Recalling paragraph XI.2 of the Conclusions of the Peace Implementation Conference held in Bonn on 9 and 10 December 1997, in which the Peace Implementation Council welcomed the High Representative's intention to use his final authority in theatre regarding interpretation of the Agreement on the Civilian Implementation of the Peace Settlement in order to facilitate the resolution of any difficulties as aforesaid "by making binding decisions, as he judges necessary" on certain issues including (under sub-paragraph (c) thereof) "measures to ensure implementation of the Peace Agreement throughout Bosnia and Herzegovina and its Entities";

Recalling further the December 1998 Declaration of the Peace Implementation Council in which it expressed establishment of the Rule of Law in which all citizens had confidence, was a prerequisite for a lasting peace and a self-sustaining economy capable of attracting and retaining international and domestic investors;

Noting the May 2000 Declaration of the Peace Implementation Council that "a democratically accountable police and independent judiciary are prerequisites for the Rule of Law and the full protection of human rights;"

Bearing in mind the February 2002 direction of the Steering Board of the Peace Implementation Council to continue to strengthen Rule of Law in Bosnia and Herzegovina;

Considering that, in September 2004, the Steering Board of the Peace Implementation Council noted the continuing importance of building local capacity in all BiH rule of law institutions, including the police, judiciary and prosecutorial offices to ensure that these institutions are fully capable of combating organized crime and other serious offences;

Mindful of the fact that the Parliamentary Assembly of Bosnia and Herzegovina adopted the Law establishing the State Investigation and Protection Agency (hereinafter: "the Law") in June 2004 (Official Gazette of Bosnia and Herzegovina , No. 27/04 and 63/04);

Further mindful of the fact that since the adoption of the Law, the State Investigation and Protection Agency (hereinafter: "the Agency") has been taking measures in order for it to develop rapidly into a robust State police force capable of fighting, *inter alia*, organized crime and terrorism;

Noting that, pursuant to transitional and final provisions of the Law, the procedure of appointment of managerial staff of the Agency, including its Director, should be finalized no later than six (6) months from the day of entry into force of said Law;

Taking into account that, as at the date hereof, no such appointment has been made;

Reminding that the short-term appointment of the Acting Director of the Agency expired on 24 April 2005 ;

Conscious of the need to nominate a Director of the Agency in order to ensure the proper functioning of the said Agency;

Having considered and borne in mind all these matters, the High Representative hereby issues the following

DECISION

On Appointment of the Director of the State Investigation and Protection Agency

Article 1

This Decision provides for the appointment of Mr. Sredoje Novic as Director of the Agency for a mandate of 4 (four) years starting on 7 June 2005.

Article 2

During the period referred to in Article 1 of this Decision, Mr. Novic shall perform his duties and responsibilities of the Director of the Agency pursuant to the Law on the State Investigation and Protection Agency and other relevant laws and regulations of Bosnia and Herzegovina.

Article 3

This Decision shall enter into force forthwith and shall be published without delay in the Official Gazette of Bosnia and Herzegovina.

Sarajevo, 7 June 2005
Paddy Ashdown
High Representative