Decision suspending Dzevad Mlaco from his position as Mayor of Bugojno and from any other elected offices in Bugojno

Mr. Dzevad Mlaco
Mayor of the Municipality of Bugojno

Dear Mr. Mlaco,

On repeated occasions, the Office of the High Representative and OSCE, together with other international agencies and representatives of the international community, have asked for your support in the implementation of the Dayton Peace Agreement. Time and again, we have noted a persistent pattern in your unwillingness to contribute to the peace process, despite your duty as an official of the Federation of Bosnia and Herzegovina.

Encouraging developments in the areas of return and implementation of the election results, following the final certification of the Municipality as of 11 May 1998, have never translated into a wholehearted commitment to significant and lasting co-operation with the international community. As the Mayor of Bugojno, you must bear responsibility for the negative impact of almost two years of sanctions on the development of the Municipality of Bugojno, and on the welfare of its citizens.

The detrimental effect of ongoing non-compliance in Bugojno on developments and stability in the Central Bosnia Canton has been a matter of great concern to the Office of the High

Representative. On repeated occasions, for example, the Office of the High Representative has raised with you directly the implications of the failure of Bugojno authorities to provide information on the fate of 21 Bosnian Croat men who went missing from Bugojno in 1993. You have consistently failed to require that the Bugojno authorities co-operate with the requests for information from the Bosniak representative of the Working Group on Missing Persons. Continued failure of the Bugojno authorites to provide information on the fate of these individuals has posed significant barriers to Federation relations, for which you must be held in part responsible in your position as Mayor of Bugojno.

Furthermore, we have no choice other than to hold you personally responsible for a number of very serious recent developments. First, you have taken no action in response to the findings in the joint report of the OSCE and the Federation Ombudsmen in September 1998 concerning misallocation of state-owned property in the Municipality. There has been no serious investigation of the matters raised in the report by the appropriate Municipal authorities, and no legal remedies have been undertaken. Neither you nor the Municipal Council have taken steps to halt construction work on the properties in question pending the outcome of appropriate legal proceedings, despite our request that you do so. Although OHR has suggested a number of possible resolutions to these vital questions, you have chosen only to attack the report and its authors. As the individual ultimately responsible for the conduct of Municipal affairs, we consider your conduct in this matter to be unacceptable.

Most recently, we find your renewed and unsubstantiated public attack on Mrs. Branka Raguz as Federation Ombudsmen to be extremely irresponsible. The Ombudsmen institution is a constitutional organ of the Federation, with a vital role in the protection of human rights. It is highly inappropriate for an elected official such as yourself to bring allegations of

this nature through the media in an inflammatory fashion. Such actions can only serve to undermine the institution itself, to the great detriment of citizens of the Federation.

If you do indeed hold evidence to substantiate your claims, you should provide it to an appropriate legal body, where the matter will be properly investigated. In the meantime, you should refrain from making any further public comment.

Directly related to return of displaced persons and refugees, the municipal administration has under your leadership shown unacceptable procrastination or non-action when it comes to processing claims under the Federation property legislation and in this regard we would like to point toward relevant parts of the Federation penal code established with the direct intention to protect the rights of returnees.

Because of the seriousness of these matters, under the authorities vested upon me under section XI of the Bonn PIC Declaration, the High Representative of Bosnia and Herzegovina suspend you from the office of Mayor and all other elected offices in the Municipality of Bugojno until further notice. We will review your suspension after 30 March. Any steps by the Bugojno authorities towards an effective response to the OSCE/Ombudsmen report will be taken into account in our subsequent decision. Should you continue to make inflammatory statements undermining the institution of the Ombudsmen, you must face permanent dismissal from office.

A copy of this letter will be forwarded to H.E. Alija Izetbegovic, member of the Presidency of Bosnia and Herzegovina and Edhem Bicakcic, Prime Minister of the Federation of Bosnia and Herzegovina.

Yours sincerely,

Carlos Westendorp	Norbert Klingler
High Representative	Acting Head of OSCE Mission

cc. H.E. Alija Izetbegovic, Member of the Presidency of Bosnia and Herzegovina
Edhem Bicakcic, Prime Minister of the Federation of BiH

Office of the High Representative