

Brcko Supervisor: Brcko District will not Submit to Energy Blackmail



"There is now a lawful and plentiful supply of electricity available to Brcko District," Supervisor of Brcko District Dr. Raffi Gregorian said today. He was responding to comments made in *Blic* by Brcko Mayor Dragan Pajic. "I'm deeply disappointed that the Mayor made such mendacious and highly irresponsible statements, especially during the holiday season. I expected better from him."

"We observe the rule of law in Brcko District, and any arrangement for electricity outside the rule of law cannot be enforced in a court. A stable electricity supply must be based on something other than a politician's whim, which has been the case for the past few years and which the Mayor's party, the SNSD, apparently wishes to continue. I will not allow Brcko District to be blackmailed in such a despicable way," said Supervisor Gregorian.

On September 18, 2009, the High Representative issued a series of decisions providing the basis for the legal and enforceable supply of electricity to Brcko from providers in both entities. He acted after the entities failed to respond to several reminders from the Peace Implementation Council Steering Board, the High Representative, and the Supervisor. Those decisions, along with others related to allowing Brcko residents to change their entity citizenship, are legal obligations of the entities—in some cases more than 10 years old—stemming from the awards of the Brcko Arbitral Tribunal, which was set up under Annex 2 of the Dayton Peace Accords. In

defiance of the Brcko Final Award, Annexes 2, 4, and 10 of Dayton, as well as more than 10 years of UN Security Council resolutions under Chapter VII of the UN Charter, Republika Srpska authorities have refused to publish these decisions and now attempts to use electricity to blackmail the District and the Supervisor.

As on all other matters, Supervisor Gregorian has insisted that Brcko officials observe the rule of law. "Brcko authorities are in the process of concluding contracts for a reliable and entirely legal supply of electricity for 2010," he said. Residents could see some rise in prices if prices in the rest of the country increase too, but this depends in part on whether the State Electricity Regulatory Commission (SERC) performs its role in setting tariffs. Up to this point, the Chairman of the SERC, who is appointed by the RS, has been illegally preventing SERC from applying the law in this regard, despite being informed of the serious consequences and personal liability of his unlawful and anti-constitutional actions. "Neither entity can exercise any authority in Brcko District, which is under the direct sovereignty of the State, that is why only SERC can perform the function of regulator for Brcko," Supervisor Gregorian said.