

Decision empowering the Provisional Administrator of Hercegovacka Banka to declare the deposits and investments in Hercegovacka Banka to be totally or partially blocked beyond the period of one year

In the exercise of the powers vested in me 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 (b) thereof) measures to ensure implementation of the Peace Agreement throughout Bosnia

and Herzegovina and its Entities;

Recalling that Article 11 of my Decision of April 6 2001 to Appoint a Provisional Administrator for the Hercegovacka Banka (Official Gazette of the Federation of Bosnia and Herzegovina 12/01) empowered the Provisional Administrator at any time to declare all or part of the deposits and investments by the public in the Hercegovacka Banka to be totally or partially blocked for a maximum period of one year;

Noting that the Provisional Administrator has blocked all deposits and investments by the public in the Hercegovacka Banka as from her appointment pursuant to the provisions of the said Article;

Considering that the de-blocking of the deposits and investments after the expiration of the period of one year might jeopardize the work so far accomplished by the Provisional Administrator of Hercegovacka Banka;

All this considered, borne in mind and noted, I hereby issue the following

DECISION

To amend my said Decision to Appoint a Provisional Administrator so as to empower the Provisional Administrator of the Hercegovacka Banka to extend the period of total or partial blocking of the deposits and investments by the public in the Hercegovacka Banka

1. The Provisional Administrator shall be empowered to declare all or part of the deposits and investments by the public in the Hercegovacka Banka to be totally or partially blocked beyond the maximum period of one year referred to in Article 11 of the said Decision to Appoint a Provisional Administrator for such further period or periods as he or she may determine to be necessary in order to implement fully his or her mandate.

2. In all other aspects, my said Decision of 6 April 2001 shall remain unchanged.

3. The amendment contained herein shall take effect by virtue of the powers vested in me pursuant to the General Framework Agreement for Peace in Bosnia and Herzegovina exactly as if the same had been included within my said Decision of 6 April 2001.

4. This Decision, which has immediate effect, shall be published without delay in the "Official Gazette of the Federation of BiH".

Sarajevo, 4 April 2002

Wolfgang
Petritsch

High Representative