Decision removing Dragan Mandic from his position as Minister of Interior of Canton 7 and further banning him from holding any official, elective or appointive public office

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 decision, as he judges necessary" on certain issues including (under subparagraph (c) thereof) measures to

ensure implementation of the Peace Agreement throughout Bosnia and Herzegovina and its Entities which “may include actions against persons holding public office or officialsŠ who are found by the High Representative to be in violation of legal commitments made under the Peace Agreement or the terms for its implementation”;

Noting that in paragraph X:4. of the Annex to the Declaration of the Peace Implementation Council made at Madrid on 16 December 1998 it was stated that the Council acknowledged that leaders whom the High Representative bars from official office “may also be barred from running in elections and from any other elective or appointive public office and from office within political parties until further notice.”

For the reasons hereinafter set out I hereby issue the following:

DECISION

To remove Mr. Dragan Mandic from his position as Minister of the Interior of Canton 7, and to bar him from holding any official, elective or appointive public office unless or until such time as I may, by further Decision, expressly authorise him to hold the same.

This Decision has immediate effect and will not require any further procedural steps. Mr. Mandic must vacate his office forthwith and his entitlement to receive remuneration in respect of his office will likewise cease immediately. This Decision shall be published without delay in the Official Gazette of the Federation of Bosnia and Herzegovina.

REASONS FOR REMOVAL

On 3 April 2001 a statement was issued by a number of individuals, including Mr Mandic, whose name appeared at the head thereof, claiming to reject the constitutionality of the

Federation Government, refusing to accept it, and pledging full support for the so-called “Croat National Assembly” and its decisions.

Mr Mandic has thereby become a party to an irresponsible attempt to violate the constitutional order in the Federation of Bosnia and Herzegovina and in Bosnia and Herzegovina. As Minister of the Interior of Canton 7, Mr. Mandic must have known perfectly well that any constitutional matters of concern to him are matters which may be addressed by normal constitutional means.

It is precisely Mr. Mandic?s action of signing the statement referred to above which is liable to incite civil unrest, disobedience to the established authority, and a break down in law and order and of the rule of law.

In addition Mr. Mandic?s failure to exercise his authority and influence to stop the serious disturbances in Mostar on 6th April 2001, and moreover, his association with those disturbances, underlines his disrespect for the rule of law and the established authority. Such conduct seriously obstructs the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina.

Sarajevo, 26 April 2001	Wolfgang Petritsch
	High Representative

Office of the High Representative