Decision removing Mr. Mirko Sarovic from his position in the Serb Democratic Party

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 the Peace Agreement throughout Bosnia and Herzegovina and its Entities which "may include actions against persons holding public office";

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”;

Mindful of the fact that the peace implementation process, which continues to be pursued under the aegis of the General Framework Agreement for Peace in Bosnia and Herzegovina, is not yet complete;

Further mindful of the fact that the peace implementation process requires to be completed in order that a stable political and security environment in Bosnia and Herzegovina is established which is conducive, inter alia, to fundamental economic reform and to the return of refugees and displaced persons;

Regretting that a number of persons indicted under Article 19 of the Statute of the International Criminal Tribunal for former Yugoslavia have been able, at least prior to the date hereof, to elude just prosecution, and that such eluding of just prosecution cannot have occurred without the assistance of other individuals and entities, whereby the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina has been obstructed;

Ever conscious of the need to balance in due proportion the public good with the rights of individuals.

For the reasons hereinafter set out the High Representative hereby issues the following:

DECISION

To remove Mr. Mirko Sarovic from his position in the Serb Democratic Party,

and to bar him from holding any official, elective or appointive, public office and from running in elections and from office within political parties unless or until such time

as the High Representative may, expressly authorise him so to do or to hold the same. Any entitlement henceforth to receive remuneration or any privileges or status arising out of his post as Vice-President of the Serb Democratic Party ceases forthwith.

This Decision has immediate effect and will not require any further procedural steps.

Mr.Sarovic must vacate his office immediately.

This Decision shall be published without delay in the Official Gazette of the Republika Srpska.

Reasons for Removal

Mr. Sarovic is a Vice-President of the Serb Democratic Party. He is involved in egregious activities inimical to stability and the rule of law, some or all of which, directly or indirectly provide material support and sustenance to an individual indicted under Article 19 as aforesaid, namely Mr. Radovan Karadzic.

Mr. Sarovic thereby obstructs the process of peace implementation and has to be removed from public office.

Sarajevo, 9 February 2004

Paddy Ashdown
High Representative