Decision removing Mr. Ramiz Dzaferovic from his position of Director of the Federation Tax Administration and member of the Governing Board of the Payment Bureau

Mr. Ramiz Dzaferovic
Director
Federation Tax Administration
Sarajevo

Dear Mr. Dzaferovic,

For reasons outlined above in the attached decision, we herewith notify you that under the powers vested in the High Representative, you are removed from your office as Director of the Federation Tax Administration and member of the Governing Board of the Payment Bureau with immediate effect. In addition, in accordance with the Provisional Election Commission Rules and Regulations, this decision bars you from holding public office and/or any position in public companies in the future.

It is with great regret that we are forced to acknowledge that you have failed to ensure the highest standards of non-political professionalism, thereby undermining the objectives of the Brussels Peace Implementation Council and public confidence in your agency and in the economic reform process.

Yours sincerely,

Wolfgang Petritsch	Robert L. Barry
High Representative	Chairman of the PEC
	OSCE Head of Mission

Cc: Mr Edhem Bicakcic, Prime Minister
Mr. Dragan Covic, Deputy Prime Minister and Minister of Finance
Federation of Bosnia and Herzegovina

In the exercise of the powers vested in the High Representative by Article 5 of the Annex 10 of the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative "*is the final authority in the theater regarding interpretation of [the] Agreement on the civilian implementation of the peace agreement*";

Endorsing the interpretation of these powers given in paragraph XI, 2 of the Conclusions of the Peace Implementation Conference held in Bonn on 10 December 1997, in particular, sub-paragraph c thereof, by means of which the High Representative is entitled to take actions against persons holding public positions who are found by the High Representative to be in violation of legal commitments made under the Peace Agreement or the terms of its implementation;

Noting the reiteration of the acknowledgment of such powers by the Peace Implementation Council in Chapter X of the Annex to the Madrid Declaration of 16 December 1998;

Acknowledging the Declaration of the Brussels Peace Implementation Council of 24 May 2000 by which "*the Council urges the High Representative to use his authority in accordance with his mandate to ensure full and accelerated implementation in all sectors of civilian implementation, including removing obstacles that stand in the way of economic reform.*"

Considering the mandate entrusted with the Provisional Election Commission under Article III of the Annex 3 to the General Framework Agreement for Peace in Bosnia and Herzegovina and article 115 of the Rules and Regulations adopted thereafter which provides that no person who has been removed by the High Representative shall be permitted to be a candidate in elections or hold any public elected or appointed office.

I hereby issue the following

Decision

To remove Mr. Ramiz Dzaferovic from his position of Director of the Federation Tax Administration and member of the Governing Board of the Payment Bureau, and to ban him from holding any public elected or appointed office at any level unless authorized by the High Representative to do so.

This Decision has immediate effect.

Reasons for removal

Mr. Ramiz Dzaferovic through acts of professional misconduct impedes the economic reform effort which is a pillar of the peace implementation process. His actions have also threatened the democratization process and the anti-corruption effort which are fundamental to the implementation of the Dayton Peace Agreement.

In particular, Mr. Ramiz Dzaferovic is responsible for committing tax evasion as director of a public company that led to a conviction upheld by the Federation Supreme Court. Additionally, Mr. Dzaferovic remains the object of a further outstanding criminal report on tax evasion and abuse of position, and other allegations of corruption and abuse of office which have never been properly clarified.

This disqualifies Mr. Dzaferovic from any position of public

trust, especially those relating with public finances.

In addition, Mr. Dzaferovic is responsible for endangering the integrity and independence of the Federation Tax Administration by undertaking actions directed against persons and parties under such conditions as to compromise the non-political status of the agency and to harm the democratic process generally. Specifically as an example, Mr. Dzaferovic ordered the inspection of an opposition party less than one month prior to the April municipal elections.

The position left vacant by Mr. Dzaferovic's removal will be filled in accordance with the legal regulations governing its appointment. In order to protect the institution, to which a replacement is to be selected, no further actions are to be taken by relevant authorities until OHR communicates that there are no objections and that the proposed name can proceed further through the legal process.

27 July 2000

Wolfgang Petritsch	Robert L. Barry
High Representative	Chairman of the PEC
	OSCE Head of Mission

Office of the High Representative