

Notice of Decision by the High Representative to Lift the Ban Imposed on Branka Dacic by the High Representative Decision, dated 26 April 2001

The High Representative, by way of his Decision, No. 99/01 ("Decision No. 99/01"), removed Branka Dacic from public office. Decision No. 99/01 also barred Ms. Dacic from holding any official, elective or appointive public office, running in elections and holding office within political parties ("Ban"). Decision No. 99/01 further provided explicitly for a lifting of the Ban at the sole discretion of the High Representative.

Upon careful consideration of Ms. Dacic's case and after concluding that the reasons for her removal no longer reply and she no longer poses a threat to peace implementation, institutional integrity or democracy in Bosnia and Herzegovina, I have decided to repeal the Ban. Branka Dacic is hereby expressly permitted to hold official, elective or appointive public office, to run in elections and to hold office within political parties.

The principles of equity, proper governance and judicious exercise of the High Representative's international mandate, all of which take into account the balance between the protection of national stability and the rights of the individual, justify this outcome.

This Decision does not call into question the validity of the 2001 Decision. This Decision does not entitle Ms. Dadic to automatic restoration to the office from which she was removed pursuant to Decision No. 99/01. Further, this Decision does not entitle her to compensation for any remuneration, other forms of unvested monetary benefits or privileges or status forfeited as a result of Decision No. 99/01.

This Decision does not constitute an amnesty but rather a repeal, prospectively, of Decision No. 99/01. The latter is not expunged and remains as part of the legislative record of Bosnia and Herzegovina .

This Decision does not prejudice the right of the High Representative to remove Ms. Dadic again should she, while occupying a public office in the future, be deemed to have violated her oath to respect the Constitution of Bosnia and Herzegovina and to uphold the General Framework Agreement for Peace in Bosnia and Herzegovina, which oath was freely given as a condition precedent for the lifting of the Ban.

To the extent the terms of this Decision contradict domestic legislation on any of the subjects encompassed thereby, the former shall prevail. High Representative Decisions supersede and preempt contradictory domestic legislation. This legislative statement is declaratory of existing and prospective High Representative Decisions.

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

This Decision shall be published without delay in the Official Gazette of the Federation of Bosnia and Herzegovina.

2005

Paddy Ashdown

High Representative