

Notice of Decision by the High Representative to Lift the Remainder of the Ban Imposed on Munir Alibabić by the High Representative Decision dated 21 October 2002

101/14

The High Representative by way of his Decision dated 21 October 2002 ("the 2002 Decision") removed Mr. Munir Alibabić from his position of Director of the Federacija Bosne i Hercegovine Obavještajno-Sigurnosna Služba. This Decision also barred Mr. Alibabić from holding any official, elective or appointive public office and from running in elections and from office within political parties ("Ban"). The 2002 Decision further provided explicitly for a lifting of the Ban at the sole discretion of the High Representative.

On 1 December 2006 the High Representative issued the Notice of his Decision to repeal the Ban ("the 2006 Decision") subject to the limitations that Mr. Munir Alibabić should not hold any type of position in the Ministry of Security of Bosnia and Herzegovina, the Ministry of Defense of Bosnia and Herzegovina, the State Investigation and Protection Agency, the State Border Service of Bosnia and Herzegovina, the Office for Cooperation with Interpol, the Intelligence-Security Agency of Bosnia and Herzegovina, the Armed Forces of Bosnia and Herzegovina and any other agency, body or unit responsible for matters related to public security, defense and

intelligence. Further that Mr. Munir Alibabić should not hold any type of position in the Ministry of Interior in the Federation of Bosnia and Herzegovina and any other agency, body or unit responsible for matters related to public security, nor any type of position in the Ministry of Interior of Republika Srpska and any other agency, body or unit responsible for matters related to public security.

Upon consideration of Mr. Alibabić's case, I have decided to repeal the remainder of the Ban. Mr. Munir Alibabić is no longer barred by the decision of the High Representative from holding any type of positions referred to in the 2006 Decision. For the avoidance of any doubt, any ban arising out of the 2002 Decision is hereby lifted.

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 2002 and the 2006 Decisions. Like the 2006 Decision, this Decision does not entitle Mr. Alibabić to restoration to the office from which he was removed pursuant to the 2002 Decision, nor does it entitle him to compensation for any remuneration, other forms of unvested monetary benefits or privileges or status forfeited as a result of the 2002 Decision.

This Decision does not constitute an amnesty but rather a repeal, prospectively, of the remainder of the Ban imposed by the 2002 Decision. It is not expunged and remains as part of the legislative record of Bosnia and Herzegovina.

This Decision does not affect or otherwise prejudice any pending or impending legal proceedings in or outside of Bosnia and Herzegovina.

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 Bosnia and Herzegovina and the Official Gazette of the Federation of Bosnia and Herzegovina.

Sarajevo, 19 August 2014

Dr. Valentin Inzko
High Representative