

Addendum to the August 4, 2006 Supervisory Order “Abolishing Entity Legislation within Brcko District and Declaring the Inter-Entity Boundary Line to Be of No Further Legal Significance within the District”

In accordance with paragraphs 8, 11, 13, 37 and 39 of the Final Award of March 5, 1999, of the Arbitral Tribunal for Dispute over Inter-Entity Boundary in Brcko Area (“the Brcko Tribunal”);

Noting in particular Paragraph 1 of the Annex to Final Award of August 18, 1999 in its relevant parts, providing that, “Every present or future resident of the District who was a citizen of an entity prior to the establishment of the District shall remain a citizen of that entity. As to all other District residents, including persons born after the establishment of the District, the Supervisor may provide in the Statute for the District Government, after taking into account applicable laws of Bosnia and Herzegovina, that each such person shall have the right at an appropriate time to choose his or her entity citizenship. The Supervisor may also include in the District Statute, after taking into account applicable laws of Bosnia and Herzegovina, a mechanism for allowing any resident of the District to change his or her entity citizenship, regardless of his or her location within the District (...).”

Recalling that the August 4, 2006 Supervisory Order “Abolishing Entity Legislation within Brcko District and Declaring the Inter-Entity Boundary Line to Be of No Further Legal Significance within the District” and its Addendum issued on January 17, 2008, abolished Entity legislation within the Brcko District and declared the Inter-Entity Boundary Line (“IEBL”) to be of no further legal significance within the District;

Reminding that on September 18, 2009, the High Representative issued three Decisions amending the Entity and State legislation on Entity and Bosnia and Herzegovina citizenship establishing a mechanism allowing any resident of the District to change his or her entity citizenship;

Reminding further that the Brcko District Assembly adopted unanimously the Law of Brcko District of Bosnia and Herzegovina on Selection and Change of Entity Citizenship at its 15th session on October 28, 2009, fully harmonized with Entity and State Laws;

Determined to eliminate any legal uncertainty about the applicability of Entity Laws regulating entity citizenship on the Brcko District territory;

Emphasizing that the August 4, 2006 Supervisory Order “Abolishing Entity Legislation within Brcko District and Declaring the Inter-Entity Boundary Line to Be of No Further Legal Significance within the District” and its Addendum of January 17, 2008, remain in force;

I therefore hereby order that:

1. A new Paragraph (5a) shall be added to the Supervisory Order “Abolishing Entity Legislation Within Brcko District and Declaring the Inter-Entity Boundary Line to Be of No Further Legal Significance within the District”, dated August 4, 2006 and shall read as follows:

“5a. Nothing in this Supervisory Order shall affect the validity within the District of Entity legislation regulating citizenship issues in accordance with Paragraph 1 of the Annex to Final Award, respective laws of Bosnia and Herzegovina and of District.”

2. Brcko District institutions shall undertake all necessary measures to ensure implementation of this Order.
3. This Supervisory Order has immediate effect without further procedural steps.
4. This Supervisory Order shall be published without delay in the Official Gazette of the Brcko District of Bosnia and Herzegovina in English and in the official languages of Bosnia and Herzegovina. In the event of any inconsistency, the English language version is authoritative for all purposes.

Dr. Raffi Gregorian

Supervisor of Brcko District

Principal Deputy High Representative