

# Remarks by the Supervisor of Brcko District, Raffi Gregorian at a Press Conference



Dobar Dan.

I've called this press conference today to announce the issuance of a number of Supervisory Orders intended to advance reforms, improve the functioning of the Brcko District Government and its relations with the BD Assembly, to make key appointments, to restore two pieces of property to their pre-nationalization owners, and to require my approval in the event that an Entity may wish to hold a referendum in which Entity citizens that are District residents may be eligible to vote.

Copies of these orders and related press statements-as well as summaries-are available on the table at the back. I encourage you to take copies and to actually read them, as each Supervisory Order includes text that describes the order itself as well as the reasons for issuing it.

I have decided to issue these orders all at once because of the negative atmosphere that has developed in the District since last summer. Before I arrived, issues related to the possible location of a new mosque near the courthouse complex, combined with rumors that some Bosniak politicians were boasting that key power positions, to include the Chief of Police and the Director of the new Financial Directorate, would be controlled by Bosniaks, helped promote fear and concern among non-Bosniak residents. There developed a sense that the situation would get worse after the end of

Supervision.

These comments and actions were irresponsible, but the resulting fear—and the exploitation of it by some parties—was unfounded and equally irresponsible. The fact is that none of this has come to pass, and suggestions by some Serb leaders suggesting that Serbs are somehow endangered and that they are facing assimilation by Muslims, are reprehensible. Serbs are not endangered in Brcko. They hold key positions throughout governing structures and are represented at a minimum in proportion to their share of the population.

Let me say this to all those would think their group will dominate the District or that spread fear to gain political advantage: the Final Award and the District Statute are not some a la carte menu from which you choose which parts you like. Members of the Assembly and the Government are obliged to uphold them in their entirety.

The Final Award and the Statute are clear: this is a multi-ethnic, single administrative unit, and that's the way it's going to stay. Period. It is time to stop with this reckless fear-mongering and name-calling. You are all friends, neighbors, relatives and you have the privilege of living in one of the best places in BiH. Negative talk will only scare away investors, and with them, the jobs that they would otherwise bring to the District. So stop it.

What IS a problem is the dysfunctional relationship between the Government and the Assembly. This dysfunctionality is not a national or ethnic issue, but one of bad political management by both bodies. The Mayor has sent the budget and various laws to the Assembly only to see his own coalition vote down the measures.

There are many reasons for this, but there is one major structural reason that lies at the heart of it: when the District moved from an appointed government and assembly to

elected bodies, the Statute did not reflect this change adequately. Specifically, the parts related to the definition and functioning of the government were not modified. Instead of having a government of the mayor and department heads, we instead have a group of department heads, who are political appointees, who can, in accordance with the Statute, only *recommend* things to the mayor. Since there are no formal votes for government decisions, the department heads are not accountable for what the mayor sends to the Assembly.

This needs to be fixed urgently, so in modifying the Statute to reflect the financial structures included in the recent reform laws, I undertook to make the necessary changes to the executive branch of government. I also took the opportunity to update the Statute in terms of reforms that have occurred at the level of BiH as well, such as reforms in the area of defence, customs, and judicial appointments, among others. Anti-discrimination provisions have also been enhanced. You will receive a summary of the amendments to the Statute with the press releases being distributed today.

In addition to requiring that the government pass decisions by simple majority votes, I have introduced a new mechanism to help deal with concerns of special sensitivity, such as language, education, culture, religion, and the budget. From now on when passing decisions or approving legislation in these areas, specific members of the government **MUST** be part of the majority that approves it. The distribution of these positions is currently balanced among constituent peoples, and any future Assembly majority must take this into consideration when approving any new government. This mechanism is described in more detail in the Supervisory Order enacting changes to the Statute.

Since the vast majority of District legislation is prepared and proposed by the government to the Assembly, legislation in these areas of special sensitivity can, henceforth, only reach the Assembly with broad national support.

Therefore, to the degree that any sort of national interest mechanism might be needed in Assembly procedures, they will only need to apply when councilors themselves propose legislation or amendments in these specific areas. I have committed to making sure that these concerns are addressed in a fair and modern way that does not allow blockage, that does not confuse "national interests" with human rights, and that are consistent with European standards. Now that these changes to the Statute have been made, it should be possible for all caucuses to have a real dialog on the subject.

Let me now turn to the issue of the Chief of Police. The District has been without one since last summer, and without other senior police commanders for more than a year. This is unacceptable. I am grateful to Deputy Police Chief Selimovic for his working as acting chief during this period. But it is now time to put in place the new leadership team.

The ISRB, presided over by Prosecutor Mujkanovic, and with members from the District judiciary and police from the Federation and the RS, did a good job under difficult circumstances. They faced a number of technical difficulties because of ambiguities and contradictions in regulations, rulebooks, and even the vacancy announcement criteria.

Having carefully reviewed the process, various complaints received, and having consulted with EUPM, I have determined that there were technical shortfalls in the application of the first choice of the ISRB, who as a result was not likely to be approved by the Assembly. Therefore, rather than permit a counter-productive fight in the Assembly which would inevitably lead to the entire process being repeated and possibly failing again, I have decided to appoint the second choice of the ISRB, Mr. Goran Lujic, as chief of police.

I have full confidence in Mr. Lujic, who since joining the Brcko District police has worked closely with Deputy Police Chief Selimovic. They will make an excellent leadership team,

and I urge them, and the Employment Board, to move rapidly to fill those senior police positions that have remained vacant far too long.

I had intended to announce today the appointment of the first Auditor General and two deputy auditors general. However, the candidate for Auditor General informed me only this morning that she cannot accept the appointment for understandable personal reasons. Therefore, I will delay appointments in this area until I can select a new candidate for Auditor General, which I hope to do in the next 14 days.

Today I am also pleased to announce the restitution of two properties to their pre-nationalization owners. The first is the small corner building of the Islahijet building to the Islamic community. This building, which lies vacant and gutted from war damage, sits in a key location at the confluence of the Brka and Sava rivers. It is an eyesore and in its present state hurts Brcko. With full ownership restored, the Islamic community can now refurbish the building for commercial and cultural use in way that will better the entire town of Br~ko.

The same applies for the Napredak building in the centre of town. Napredak intends to renovate the building and make it a hub of cultural activity as well as promotion of business investment.

I am grateful for the suggestion of Father Maksimovic, in our first meeting last year, to look at helping the Islamic and Catholic communities in this way, which will not only improve the District in a physical way, but also help restore confidence among the District's communities.

Lastly, I am issuing an order today that requires my approval for the holding of any referenda in the District. The reason for this is because of a legal vacuum that exists on this subject. If either entity wishes to hold a referendum in

which District residents, exercising their rights as Entity citizens, may be eligible to participate, the only prevailing law is one from the 1970s and is out of date. In such a situation, a referendum held in the District could be subverted for purposes contrary to the Dayton Peace Accords, which I, as Brcko Supervisor and PDHR, am obliged to uphold. As long as I can be assured that this will not be the case, then I will consider approving such activity in the District. Otherwise Entity citizens will only be able to participate by mail ballots or by traveling into Entity territory to vote.

Thank you. I will take your questions now.