

Supervisory Order Amending the Statute of the Brcko District of Bosnia and Herzegovina

In accordance with the powers vested in me in Paragraphs 8, 10, 37 and 38 of the Final Award;

In furtherance of the Supervisory Order of March 8, 2000, declaring the Statute of the Brcko District of Bosnia and Herzegovina to be in force and Supervisory Order Amending the Statute of the Brcko District of Bosnia and Herzegovina of March 26, 2004 aimed at improving efficiency and professional criteria of the Brcko District Government;

Reiterating the importance of the Statute as the main implementing document of the Final Award and the founding charter of the Brcko District based on the principles of rule of law and democratic governance;

Commending the Brcko District authorities for their commitment to uphold the Statute and ensuring that the legal framework of the Brcko District complies with the Statute;

Recognizing that after five years of implementation, some provisions of the Statute need to be adjusted to reflect developments in Brcko District;

In order to further improve the efficiency of the Brcko District Government;

Following consultations with councilors in the Assembly, the Mayor and political parties;

I hereby order that:

1. The following amendments to the Statute of the Brcko District are hereby enacted and shall enter into force on the date of the issuance of this Order and shall be published without delay in the Official Gazette of the Brcko District;
2. Government and Assembly of the Brcko District shall undertake all necessary measures to ensure their implementation.

AMENDMENT I

Article 22 Paragraph 1 of the Statute of the Brcko District shall be amended to read as follows:

“Councilors of the District Assembly (hereinafter the “Councilors”), the Mayor, the Vice Mayor, the Heads of Governmental Departments, the Chief and Deputy Chief of Police, the Head of the District Revenue Agency, the Head of Tax Administration, members of the Judicial Commission as well as public officials appointed by the Mayor with the consent or approval of the Assembly shall submit to the District Assembly an Annual Financial Disclosure Statement on their total income, sources, assets, and liabilities as well as the ones of their close family members to the first degree and the manner in which they acquired possession of them”.

AMENDMENT II

Article 34 Paragraph 1 of the Statute of the Brcko District shall be amended to read as follows:

“(1) The Assembly shall make decisions by a three-fifths majority of the total number of Councilors when the decision in question concerns:

- a. The Rules of Procedure of the Assembly;
- b. The Brcko District Budget;
- c. The adoption and amendment of Brcko District Laws;

d. The election and dismissal of all persons elected by the Assembly with the exception of Articles 30 and 55;

e. The consent given by the Assembly to the appointment or removal of officials in accordance with the Statute and the law;

f. The Assembly's veto of the appointment of the Vice Mayor and Heads of Departments by the Mayor in accordance with Article 48;"

AMENDMENT III

Article 46 of the Statute of the Brcko District shall be amended to read as follows:

"The District Government consists of the Mayor, the Vice Mayor and Heads of Departments".

AMENDMENT IV

Article 48 of the Statute of the Brcko District shall be amended to read as follows:

(1) The Vice Mayor and Heads of Departments shall be selected or dismissed by the Mayor based on professional criteria and shall reflect the composition of the population. The Assembly may veto the Mayor's selection or dismissal of the Vice Mayor or a Head of Department by a three-fifths majority vote.

(2) The Vice Mayor shall not at the same time be a Head of Department. The Vice Mayor shall assist the Mayor in exercising his/her duties and represent the Mayor in his/her absence.

AMENDMENT V

Article 50 Paragraph 3 of the Statute of the Brcko District shall be amended to read as follows:

(3) The Mayor appoints, promulgates the appointments,

promotions and dismissals of all public employees of the District in accordance with the law, and insures that they are subject to a comprehensive set of personnel regulations including standards for recruitment, rules of conduct and routine performance evaluations".

Susan R. Johnson
Supervisor of Brcko District
Deputy High Representative