Supervisory Order Enacting the Law on Amendments to the Law on Public Administration of Brcko District and also Resolving the Status of the Office of the Coordinator for Brcko District in the Council of Ministers of Bosnia and Herzegovina

In accordance with the powers vested in me by Paragraphs 8, 10, 11, 13, 36 and 37 of the Final Award, dated March 5, 1999, of the Arbitral Tribunal for Dispute over Inter-Entity Boundary in Brcko Area ("the Brcko Tribunal");

With reference to the Supervisory Order of April 4, 2006, Appointing Members of the Brcko District Office in the Council of Ministers, Article 50 of the Statute of the Brcko District of Bosnia and Herzegovina (Official Gazette of Brcko District of Bosnia and Herzegovina, No. 17/08) and Article 33 of the Law on Public Administration of Brcko District of Bosnia and Herzegovina (Official Gazette of Brcko District of Bosnia and Herzegovina, Nos. 19/07 and 2/08);

Recalling my letter of September 29, 2008, in which I asked for the annulment of the vacancy notice issued upon the expiry of the mandate of the members of the Brcko District Office in the Council of Ministers (hereinafter: "Office"), and by which I extended their mandate until December 31, 2008;

Noting that experiences gained in the functioning of the Office over the last two years suggest that the Office would benefit from some adjustments to its structure and terms of reference of members of the Office, and more effectively manage its mandate of representing the Brcko District's interests before the institutions of Bosnia and Herzegovina;

Recognizing the need to define in the legislative act the competences, responsibilities and the status of the Office as an integral part of Brcko District public administration as stipulated by the Brcko District Statute;

Dedicated to my responsibility stemming from the Final Award to ensure cooperation of the Brcko District with institutions of Bosnia and Herzegovina and that Brcko District institutions are functioning effectively and apparently permanently;

Mindful of the need to promptly resolve the status of the Office in a situation when the mandates of the current members have expired almost at the same time when local elections in Brcko District were conducted, and Brcko District legislative and executive institutions have not yet been constituted;

Having consulted with the Mayor, the Deputy Mayor, the Speaker and Deputy Speaker and the representatives of all political parties represented in the District Assembly and having received unanimous support to the amendments envisaged and to their enactment by way of a Supervisory Order;

Having therefore decided to regulate the issue by way of a Supervisory Order as the most expeditious and acceptable way;

I therefore hereby order that:

1. The Law on Amendments to the Law on Public Administration of Brcko District of Bosnia and Herzegovina (hereinafter: the Law), hereinafter set out in the Annex to this Supervisory Order, is hereby enacted as a Law of Brcko District and shall enter into

force on the date of this Supervisory Order.

2. This Order and the Law enacted herewith repeal the Supervisory Order Appointing Members of the Brcko District Office in the Council of Ministers dated April 4, 2006, and my letter dated September 29, 2008, by which the Order was amended, with the exception of Operative Paragraph 5 of the Order which stays in force.
3. The Law enacted by virtue of Paragraph 1 of this Supervisory Order may subsequently be amended by the Brcko District Assembly in accordance with the Statute of Brcko District of Bosnia and Herzegovina and the Rules of Procedure of the Assembly of Brcko District of Bosnia and Herzegovina.

4. The Mayor of Brcko District and/or other officials and bodies in charge shall enact the Organizational Plan of the Office and announce vacancy notices for all positions in the Office not later than two weeks from the date of this Supervisory Order. Current members of the Office will exercise their duties in the Office until new members are appointed on the basis of this Order, the Law enacted herewith and other relevant regulations.

5. This Supervisory Order has immediate effect without further procedural steps. All public officials, civil servants and employees in the Brcko District shall take all necessary measures to ensure that this Order be executed in full.

6. The Law hereby enacted and attached to this Supervisory Order, as its Annex, shall be published without delay in the Official Gazette of Brcko District of Bosnia and Herzegovina in the official languages of Bosnia and Herzegovina, which are authoritative for all purposes.

7. This Supervisory Order shall be published without delay in the Official Gazette of Brcko District of Bosnia and Herzegovina.

8. This Supervisory Order is published in both English and the official languages of Bosnia and Herzegovina. In the event of inconsistency, the English language version is authoritative for all purposes.

Dr. Raffi Gregorian

Supervisor of Brcko District

Principal Deputy High Representative

Annex to the Supervisory Order dated October 24, 2008 Enacting the Law on Amendments to the Law on Public Administration of Brcko District and also Resolving the Status of the Office of the Coordinator for Brcko District in the Council of Ministers of Bosnia and Herzegovina

Law on Amendments to the Law on Public Administration of Brcko District of Bosnia and Herzegovina