

Supervisory Order on Authorizing Brcko District Government Expenditures From the 2004 Capital Needs Budget

In accordance with the powers vested in me in Paragraphs 8, 10, 13, 34, 37 of the Final Award of March 5, 1999, and Paragraph 8 B of Annex to Final Award of August 18, 1999, passed by the Arbitral Tribunal for Dispute over Inter-Entity Boundary in Brcko area;

Concerned over the Assembly's inability to allocate budgetary funds from the 2004 capital needs budget on objective grounds;

Recognizing that the Assembly's politicization of such issues on national grounds obstructs badly needed Government spending on infrastructure improvements and stimulation of the economy;

Deploring that available revenue, collected from taxpayers, is not being returned to them in a timely manner, in the form of services, jobs, salaries, and social contributions;

Recognizing that the construction season is advanced and that further delays will jeopardize the timely implementation of projects;

Respecting the authority of the Assembly in its fiduciary and legislative control functions, but at the same time recognizing the division of powers that cedes to Government the responsibility to act without undue interference;

Recalling the Supervisor's ultimate authority over the District's budget under Paragraph 8 B of the Annex to the Final Award;

Aiming to spend available funds in an appropriate and

timely manner so that their positive impact on the economy meets citizens' legitimate demands;

Urging the District Government to proceed in a timely, transparent and lawful manner;

I hereby order that:

The District Government is authorized to implement the:

1) Proposal for the allocation of funds submitted to the Assembly by the Budget Commission of the Assembly, dated April 9, 2004, No. 013-213/04, amendments No 7, 8, 9, 10, and 12;

2) Draft Decision on Method of Expenditure of Funds from the Capital Needs Budget in 2004 (Repair, Reconstruction and Construction Program), No. 01-014-003697/04, dated April 21, 2004, and the Draft Decision Establishing Criteria for the Selection of Priority Beneficiaries and Granting Repair, Reconstruction and Construction Assistance No 01-014-001263/04-1, dated April 13, 2004.

3) Draft Decision on Providing Funds from the Capital Needs Budget for 2004 and Criteria for Beneficiaries, No 01-014-004098/04, dated April 21, 2004;

The District Government shall inform the Assembly and the general public, on a monthly basis, about the status of work, expenditure of funds, progress achieved and items still to be accomplished. This obligation of the Government shall start as of May 31, 2004, when the Government's first report shall be presented.

The District Government shall retain an independent and professional auditing firm that shall audit the appropriate execution of the decisions under 1), 2) and 3) of this Supervisory Order in accordance with international auditing and accounting standards. The audit report shall be presented

by the end of September 2004.

This Supervisory Order has immediate effect, shall be published without delay in the Official Gazette of the Brcko District, and the Interim Government and Assembly of the Brcko District shall undertake all necessary measures to ensure its implementation.

Susan R. Johnson
Deputy High Representative
Supervisor of Brcko