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**OFFICE OF THE
HIGH REPRESENTATIVE**

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To: Dr. Denis Bećirović
Predsjedavajući Predstavničkog/Zastupničkog doma
Parlamentarne skupštine
Bosne i Hercegovine

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From: Dr. Valentin Inzko

Function: Visoki predstavnik

Subject : odgovor na pismo

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SARAJEVO

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Dr. Valentin Inzko
The High Representative for Bosnia and Herzegovina

H.E. Dr. Denis Bećirović
Speaker
House of Representatives
Parliamentary Assembly of Bosnia and Herzegovina

17 August 2011

RE: Delegate Question from Ms. Dušanka Majkić

Dear Mr. Bećirović,

Thank you for forwarding the question of Ms. Dušanka Majkić posted at the 3rd Session of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina concerning the ban against Radislav Jovičić.

Radislav Jovičić was removed in 2009 due to his actions that directly threatened the implementation of the General Framework Agreement for Peace.

A process of reviewing past removal decisions was initiated six years ago, and that process led to the lifting of the ban against certain removed officials. The Decision to lift an individual ban is taken following a process initiated by the individual that was removed. The bans against 124 individuals have been lifted to date. These decisions are available at <http://www.ohr.int/decisions/removalssdec/archive.asp>.

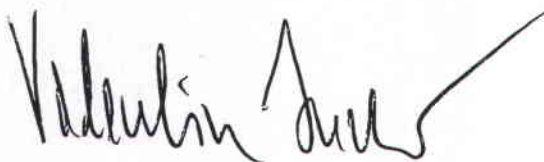
In addition, please let me use this opportunity to draw your attention to three High Representative decisions that limit the scope of the ban from holding public office and lift the ban from holding office within political parties. These Decisions are available on OHR's web site:

(http://www.ohr.int/decisions/removalssdec/default.asp?content_id=36075,
http://www.ohr.int/decisions/removalssdec/default.asp?content_id=36919,
http://www.ohr.int/decisions/removalssdec/default.asp?content_id=37615).

At this time I have not taken the decision to lift the ban against Radislav Jovičić and I am not in a position to provide information about the timing of such a decision. I would however like to inform you that the ban against Radislav Jovičić falls within the scope of the three above mentioned decisions limiting the scope of the bans.

All removal decisions taken by the High Representative are based on the authority granted by Annex 10 of the General Framework Agreement for Peace and endorsed by the U.N. Security Council. I will continue to review individual sanctions and work to ensure that an appropriate legal framework is in place for further review or modification of sanctions by the time of OHR's closure. In all of these efforts, I am guided by the requirement to balance the respect for individual human rights against the obligations for peace implementation placed on the High Representative by Annex 10 of the General Framework Agreement for Peace, the decisions of the Peace Implementation Council, and the resolutions of the U.N. Security Council.

Yours sincerely,



Nj.E. Dr. Denis Bećirović
Predsjedavajući Predstavničkog/Zastupničkog doma
Parlamentarne skupštine
Bosne i Hercegovine

17. avgust 2011. godine

Veza: Delegatsko pitanje gospođe Dušanke Majkić

Poštovani gospodine Bećiroviću,

Hvala Vam što ste prosljedili pitanje gospođe Dušanke Majkić postavljeno na Trećoj sjednici Predstavničkog/Zastupničkog doma Parlamentarne skupštine Bosne i Hercegovine u vezi sa zabranom izrečenom Radislavu Jovičiću.

Radislav Jovičić je smijenjen 2009. godine zbog aktivnosti kojima je neposredno ugrozio provedbu Općeg okvirnog sporazuma za mir.

Proces preispitivanja odluka o smjenjivanju je započet prije šest godina. Taj proces je doveo do ukidanja zabrane protiv nekih smijenjenih zvaničnika. Odluka o ukidanju zabrane se donosi nakon procesa koji pokreće osoba koja je smijenjena. Do danas je ukinuta zabrana protiv 124 osobe. Te odluke nalaze se na:

<http://www.ohr.int/decisions/removalssdec/archive.asp>.

Nadalje, dopustite mi da iskoristim ovu priliku da Vam skrenem pažnju na tri odluke visokog predstavnika kojima se ograničava obim zabrane obavljanja javne funkcije i ukida zabrana obavljanja funkcije u političkim strankama. Ove odluke nalaze se na Internet stranici Ureda visokog predstavnika:

(http://www.ohr.int/decisions/removalssdec/default.asp?content_id=36075,
http://www.ohr.int/decisions/removalssdec/default.asp?content_id=36919,
http://www.ohr.int/decisions/removalssdec/default.asp?content_id=37615).

Do danas nisam donio odluku kojom se ukida zabrana izrečena Radislavu Jovičiću i nisam u položaju da dam informaciju o vremenu kada će takva odluka biti donesena. Međutim, želim Vas obavijestiti da zabrana izrečena Radislavu Jovičiću spada u okvire tri gorespomenute odluke kojima se ograničava obim zabrana.

Sve odluke o smjenjivanju koje je donio visoko predstavnik se zasnivaju na ovlastima danim Aneksom 10 Općeg okvirnog sporazuma za mir, a koje je potvrdilo i Vijeće sigurnosti U.N. Nastaviću da preispitujem pojedinačne sankcije i radim na tome da se osigura da bude uspostavljen odgovarajući pravni okvir za dalje preispitivanje ili modificiranje sankcija u vrijeme kada lokalne vlasti ispune uvjete za zatvaranje Ureda visokog predstavnika. U svim ovim naporima, vodi se zahtjevom za uspostavu ravnoteže između poštivanja ljudskih prava pojedinca i obaveze za provedbu mira koja je dana Uredu visokog predstavnika Aneksom 10 Općeg okvirnog sporazuma za mir, odlukama Vijeća za provedbu mira, te rezolucijama Vijeća sigurnosti U.N.

S poštovanjem,

(Potpisao: Dr. Valentin Inzko
Visoki Predstavnik za Bosnu i Hercegovinu)