

Supervisor Gregorian Resolves Property-Legal Relations At Ilicka Settlement



Brcko Supervisor Raffi Gregorian today issued a [Supervisory Order](#) abolishing the prohibition of transfer of land plots allocated for construction of residential buildings in the Brcko settlement of Ilicka, and instructing the Brcko District Government to immediately initiate procedures to lawfully register the beneficiaries as owners and/or co-owners of the allocated plots. The abolition will come into effect on January 1, 2008.

This Order will resolve the property-legal relations in the Ilicka settlement.

Based on former Supervisor Robert W. Farrand's initiative to allocate land plots to displaced persons, refugees and returnees of all ethnic groups back in May 2000, and the subsequent decisions of the then Brcko Mayor and the Assembly of the Brcko District, 1,257 contracts on land plot allocation were concluded in the course of 2001, 2002 and 2003. The Ilicka settlement was built on these plots, and the exercise has generally served its purpose – to contribute to resolving the housing problem in Brcko.

By these actions, the District Government and Assembly granted ownership rights to the beneficiaries. However, the contracts were drafted in an ambiguous way that created legal

uncertainty, particularly the provision that the users of these land plots cannot dispose of them within a period of 10 years after concluding the contract.

As a result, many beneficiaries have alienated the land plots allocated to them, contrary to the provisions of the contracts concluded, thus creating further legal uncertainty over the real property relations.

The Supervisor recognized that this uncertainty created a legal and political time bomb. It has prevented the users of real property in Ilicka to develop or complete their dwellings and, contrary to the original intent of the Brcko Supervisor, created impediments to Ilicka residents to improve their property and thereby develop their local community.

Today's Order provides that all beneficiaries who were awarded land plots in the Ilicka settlement based on the Assembly decisions from 2001 and those who subsequently concluded contracts will be granted ownership rights over the allocated land plot. All transfers of land plots or buildings that took place contrary to the provisions of the contracts that the Government concluded with beneficiaries will be convalidated, and all those who acquired real property in such a way will be entitled to be registered as owners according to law.

In cases of illegal construction, the procedures stipulated by the Brcko District Law on Legalizing Illegal Structures will apply.

The Assembly Speaker, Deputy Speaker, Mayor and Deputy Mayor agreed that a Supervisory Order was the most appropriate way of resolving this issue because of the previous role of the Supervisor. The Supervisor informed the Heads of Caucuses of the Brcko District Assembly in advance about the purpose and the contents of this Supervisory Order.

Supervisor Gregorian reminds that legal certainty is one of the basic factors to fostering economic prosperity in Brcko

District.