

**OFFICE OF THE
HIGH REPRESENTATIVE**

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26 July 2001

Mr. Ismet Rahmanovic
Deputy of Mayor
Municipality of Banovici
Tuzla Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA/2001/80

Dear Mr. Rahmanovic,

I refer to your letter No: 11/8-31-46/2001 of 14 March 2001 requesting a written waiver from the High Representative's Decision of 27 April 2000 that bans the reallocation of state owned property, including former socially-owned property.

In particular, you request this office to allow the Municipality of Banovici to allocate two plots of land, registered in the land books as cadastral units numbers 1642/2, covering the area of 95,000 m² and 1642/3, covering the area of 2280 m² - cadastral municipality of Tulovici, to the Explosives company "BEX EKSPLOZIV" for the purpose of building an Explosives Factory.

The land records that you enclose demonstrate that the above mentioned cadastral numbers refer to socially-owned and undeveloped land and that the right to dispose of and to use the land in question rests with the Municipality of Banovici, as the new holder of the disposal right, transmitted from the D.O.O. Coal Mine "Banovici" (as stated on its Decision No: 7299/2000 of 10 November 2000 and as agreed in the contract of transmission of the right of disposal of the above mentioned property, in favour of the Municipality of Banovici, No: 01-05-1211/2001 of 5 January 2001).

The Municipal Council of Banovici Decision No: 16-800-131/01 of 23 April 2001 defined the land allocation in question as an allocation in the public interest, based on all the necessary and relevant evidence named in the Decision.

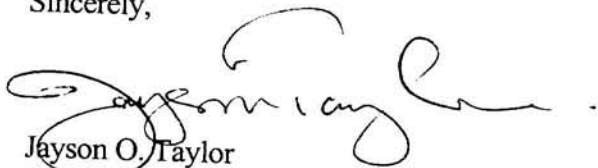
The land allocation in question was confirmed by the Municipal Council of Banovici, in its decision number 16-800-129/01 of 2 April 2001, and approved by the municipal public attorney, Mr. Rajif Delic, in his opinion number 13/1-75/2001 of 9 May 2001. The beneficiary's request for an urban permits No: 06/2-23/1048/00 was approved on 17 October 2000.

The company "BEX EXPLOZIV" D.O.O. Banovici, is obliged to pay land allocation compensation of 97,280.00 KM, while compensation for the land facilities will be agreed by the urban permit decision.

In light of the information that you have provided, this office authorises the Municipality of Banovici to allocate the aforesaid land for the purpose described above.

To the extent that this waiver is granted on the basis of the validity of the documentation you have provided, this waiver shall itself cease to be valid if a court of competent jurisdiction, under a final and binding decision, brings into question the authenticity or accuracy of this documentation, and/or the information that it contains.

Sincerely,



Jayson O. Taylor
Acting Deputy High Representative for Return
Deputy Head of Department
Return and Reconstruction Task Force