

**OFFICE OF THE
HIGH REPRESENTATIVE**

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20 December, 2001

Mr. Dzevad Hadzic
Head of the Department
Municipality of Donji Vakuf
Central-Bosnia Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA/2001/245

Dear Mr. Hadzic,

I refer to your letter No: 04-31-841/00 of 12 December 2000 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 Donji Vakuf to allocate one land plot, registered in the land books as cadastral lot 437, covering the area of 378 m² – cadastral municipality of Donji Vakuf, to Mr. Salih Tica for the purpose of housing construction.

The enclosed land records demonstrate that the cadastral number 437, refers to socially-owned construction land and that the right of use rests with Mr. Sulejman Tica (Mr. Tica Salih's father), who is the owner of the building located on the mentioned plot of land. According to the Minutes of the Municipality of Donji Vakuf, No: 04-31-841/00 of 2 October 2000, Mr. Sulejman Tica agrees with the land allocation in question..

The Municipal Council of Donji Vakuf approved the land allocation in question by its Decision number 01/1-023-1204/00 of 1 December 2000, while the Municipal Urbanism Department gave the urban permit for the proposed construction in its Decision number 23/02-456/00 of 30 August 2000. The land allocation in question was also approved by the Municipal Public Attorney Mr. Enes Gudic, who states in his letter number U-22/01 of 16 July 2001 that there are no legal obstacles to the issuance of the requested waiver from the High Representative's Decision of 27 April 2000.

According to the Municipal Council's Decision of 1 December 2000 Mr. Tica is obliged to pay the land allocation compensation of 1,606.50 KM and compensation for the land facilities (rent) of 1,075.80 KM.

In light of the information that you have provided, this office authorises the Municipality of Donji Vakuf 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.

This waiver is also granted on the understanding and condition that the beneficiary named above, inasmuch as he himself or his immediate family members are users of abandoned/claimed property, he and/or his immediate family members will, in a period of not more than 150 days from the date of your receipt of this decision, fully vacate this property. In addition, within the period stated, he must provide to your office correct documentary evidence, approved by the relevant housing body, that he himself and/or immediate family members have fully vacated all such property, and that the property remains in a habitable condition. Inasmuch as these conditions are not met, this waiver ceases to be valid immediately upon the expiry of the period stated.

Sincerely,



Ambassador Peter Bas- Backer
Deputy High Representative for Return and Reconstruction