

**OFFICE OF THE
HIGH REPRESENTATIVE**

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04 July 2001

Mr. Husein Mahmutovic
Mayor of Ilidza
Sarajevo Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA/2001/62

Dear Mr. Mahmutovic,

I refer to your letter of 18 January 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 Ilidza to allocate one land plot, registered in the land books as cadastral unit 62/05, covering the area of 320 m² – cadastral municipality of Hrasnica, to Mr. Omer Popovac for the purpose of individual housing construction.

The enclosed land records demonstrate that the above mentioned cadastral number refers to socially-owned and undeveloped orchard land and that the right of use rests with Ms. Ajisa Bajraktarevic and Mr. Muhamed Hadzikapetanovic. According to the Minutes of the Public Hearing of 20 October 2000, the current users agreed with the allocation of the land in question to the beneficiary.

The Municipal Council of Ilidza approved the land allocation in question by its Decision number 01-31-1762/00 of 21 December 2000, while the Municipal Urbanism Department gave the urban permit for the proposed construction in its Decision number 03-23-4554/99 of 23 February 2000. The land allocation in question was also approved by the Cantonal Public Attorney, Ms. Nermina Zaciragic, who states in her letter number U-37/01 MF/ZM of 25 June 2001 that there are no legal obstacles to the issuance of the requested waiver of the High Representative's Decision of 27 April 2000.

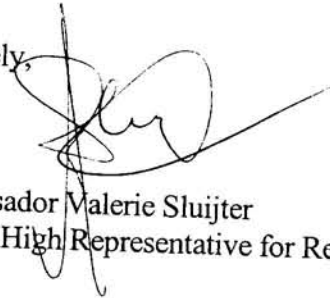
Based on Article 2 of the Decision on Land Allocation Discounts ("Official Gazette of the Sarajevo Canton", No 22/00), Mr. Popovac is not obliged to pay compensation for the land facilities (rent). The compensation for the land allocation was directly agreed between the previous users and the beneficiary.

In light of the information that you have provided, this office authorises the Municipality of Ilidza 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 90 days from the date of the issuance 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,

A handwritten signature in black ink, appearing to read 'Valerie Sluijter', with a long horizontal stroke extending to the right.

Ambassador Valerie Sluijter
Deputy High Representative for Return and Reconstruction