

**OFFICE OF THE
HIGH REPRESENTATIVE**

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03 February 2003

Mr. Enes Baljic
Mayor of Jablanica
Herzegovina-Neretva Canton
Federation of Bosnia and Herzegovina
Bosnia and Herzegovina

OHR-RRTF/LA2003/659

Dear Mr. Baljic,

I refer to your letter of 10 May 2002 requesting a written waiver of the High Representative's Decision from 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 Jablanica to allocate one plot of land, registered in the land books as cadastral unit number 917/3, covering the area of 207 m²— cadastral municipality of Jablanica, to Mr. Zijad Demirovic for the purpose of constructing housing premises.

The enclosed verified cadastral information of the Department for Geodetic Issues provided by the geometer Mr. Nedžad Nezirić demonstrate that the above-mentioned cadastral number refers to socially-owned land with the right of disposal held by the Municipality of Jablanica, with no registered users.

Based on Articles 6 and 17 of the Law on Construction Land and on Article 9 of the Decision on conditions for and manners of the construction land allocation, the land allocation in question was confirmed by the Municipal Council of Jablanica in its decision number 01/3-02-439-XIX-9/02 of 29 April 2002. It was also approved by the Municipal Public Attorney, Mr. Zenaid Djelmo who states in his letter number M 13/02 of 22 April 2002 that there are no legal obstacles to the issuance of the requested waiver from the High Representative's Decision of 27 April 2000. The beneficiary's request for an urban permit was approved on 8 April 2002.

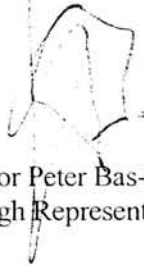
According to the Municipal council's Decision of 29 April 2002 the beneficiary, Mr. Demirovic is obliged to pay the land allocation compensation of 1,242.00 KM and the land facilities compensation (rent) in the amount of 1,400.00 KM

In light of the information that you have provided, this office authorises the Municipality of Jablanica 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 60 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,

A handwritten signature in black ink, appearing to read 'Peter Bas-Backer', written over a vertical line that extends from the text below.

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