

file: LA Cent. Bosnia

**OFFICE OF THE
HIGH REPRESENTATIVE**

1 Emerika Bluma 71000 Sarajevo
Tel: 387 71 447275 Fax: 387 71 447420

20 September, 2000

OHR-RRTF-HR/0008

Besim Halilovic
Mayor of Travnik
CC:
Chairman of the Travnik Municipal Council

Dear Mr. Halilovic,

OHR hereby grants you a waiver for the allocation of 84 land plots as specified in your requests for waivers dated June 20th and July 19th.

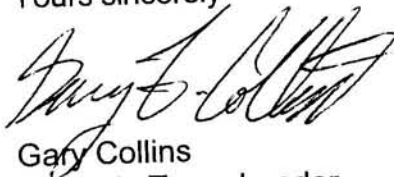
The waiver is granted based on information provided by the municipality that:

- 1) The land does not negatively affect the rights of Displaced persons, refugees or returnees or impact the right to return;
- 2) that the current users have the approval of the pre-war users for use of the land;
- 3) that the allocation was done in accordance with relevant local legislation;
- 4) that the allocation was non-discriminatory and
- 5) that the municipality states that the project is in the best interests of the public..

However, I take this opportunity to point out that the exceptions which allow allocation without tender under the Travnik municipal law (Official Gazette of Travnik municipality, no.2/90) are much broader than they are under the BiH Law on Construction Land (Official Gazette no.34/86). This could result in allegations against the municipality of patronage and other forms of Misfeasance in Office by individuals or groups who felt they did not have a fair opportunity to bid for the land. This waiver should in no way impact on any such allegations that potential complainants may wish to bring to the responsible authorities in the future.

We encourage you to work together with the municipal council to tighten the provisions in the municipal law so that they more closely accord with higher level law, and provide greater transparency in the land allocation process.

Yours sincerely



Gary Collins
Property Team Leader
Department of Human Rights and Rule of Law

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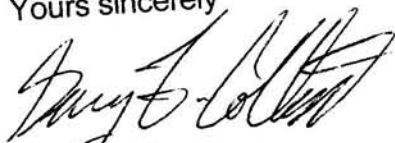
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