

Supervisory Order amending the Supervisory Order dated March 23, 2007

Supervisory Order amending the Supervisory Order dated March 23, 2007, on urban planning Annulling certain decisions made by the Appellate Commission And reinforcing certain urban approvals And dismissing certain officials from the District Government And mandating certain changes to District urban planning rules And imposing certain legislative amendments relating to the operation of the Appellate Commission

In accordance with the powers vested in me by Paragraphs 8, 10, 11, 13, 36 and 37 of the Final Award, dated March 5, 1999, of the Arbitral Tribunal for the Dispute over the Inter-Entity Boundary in Brcko Area ("the Brcko Tribunal");

Emphasizing that legal certainty is one of the most important goals in promoting the rule of law in the District, as mandated by paragraphs 4, 5 and 6 of the August 18, 1999 Annex to the Final Award;

Recalling my Supervisory Order on Urban Planning dated March 23, 2007, which, inter alia, enforced through paragraphs 3 to 8 certain changes to the District urban planning regime;

Recalling further that the Mayor, encouraged by the Order, subsequently appointed the working group with the aim to prepare a new law that would regulate urban planning and construction in the District and that the effort of the working group resulted with the adoption of the Law on Spatial Planning and Construction published in the Official Gazette of Brcko District of Bosnia and Herzegovina, No. 29/08;

Commending the work of the working group and the fact that the

District has a modern law that should now be used by the authorities in resolving accumulated problems in the area of urban planning and construction;

Noting that the Law regulates the matter of issuing urban approvals in cases when there are no detailed planning documents in a manner technically different than in the Order although the principle is the same;

Acknowledging that the difference in regulating the specific matter as mentioned above and the nature of the current Order that supersedes any other inconsistent legislation, could create legal uncertainty when it comes to issuing urban approvals for areas that are not covered with detailed planning documents;

Concluding from above that there is a need to take immediate appropriate legal actions for ensuring legal certainty in the District;

I hereby order that:

1. I hereby repeal operative Paragraphs 4 and 6 of the **Supervisory Order dated March 23, 2007, on Urban Planning annulling certain decisions made by the Appellate Commission and reinforcing certain urban approvals and dismissing certain officials from the District Government and mandating certain changes to District urban planning rules and imposing certain legislative amendments relating to the operation of the Appellate Commission**, whereas remaining paragraphs are still fully in force.
2. This Supervisory Order has immediate effect without further procedural steps.
3. This Supervisory Order shall be published without delay in the Official Gazette of the Brcko District of Bosnia and Herzegovina.
4. This Supervisory Order is published in both English and

the official languages of Bosnia and Herzegovina. In the event of inconsistency, the English language version is authoritative for all purposes.

Dr. Raffi Gregorian
Supervisor of Brcko District
Principal Deputy High Representative