Resolving the Issue of Land Ownership in BiH

The Office of the High Representative and the German Corporation for Technical Co-operation (GTZ) will hold a joint seminar at Jahorina this Friday, June 16, to review the new draft Law on Land Registry with the responsible Entity Ministers, and discuss the measures that need to be taken to ensure the successful implementation of the new system. If consensus among decision-makers is reached, the proposed Law can be presented to the parliaments for adoption this summer.

At the request of the Entity Ministers of Justice, the GTZ had drafted a proposal for a new property registration law in 1999. Several other institutions in BiH, including international organizations, had focused on land ownership and registration issues in a similar manner from a geomatic perspective.

The various players presented and discussed their proposals in detail at a crucial seminar in Sarajevo in March 2000. Based on the views expressed and recommendations made at this seminar, two legal experts sponsored by the GTZ subsequently developed a new draft law, which represents the optimal solution. It integrates legal land registration and cadastral administration, and successfully addresses all remaining legal uncertainties and gaps. It is based on the introduction and use of new geomatic-driven, cadastral technology, which meets European standards.

The importance of a country-wide approach to issues relating to BiH as a whole was specifically recognised by the Peace Implementation Council (PIC) at its recent meeting in Brussels. Only a reliable, solid, all-encompassing, integrated and fully functioning land registration system establishes the

degree of legal certainty necessary for both domestic and foreign private-sector investors and lenders to proceed with investment in BiH.

The OHR expects the new Law to be adopted as soon as possible and the responsible authorities and institutions to ensure that all land registration offices are adequately equipped with the new technology and that the employees receive the necessary retraining or new training.