

Decision extending the 31 July 2002 ban on the allocation of state-owned land in BiH until 15 May 2003

In the exercise of the powers vested in the High Representative by Article V of Annex 10 (Agreement on Civilian Implementation of the Peace Settlement) to the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative is the final authority in theatre regarding interpretation of the said Agreement on the Civilian Implementation of the Peace Settlement; and considering in particular Article II.1.(d) of the last said Agreement, according to the terms of which the High Representative shall “Facilitate, as the High Representative judges necessary, the resolution of any difficulties arising in connection with civilian implementation”;

Recalling paragraph XI.2 of the Conclusions of the Peace Implementation Conference held in Bonn on 9 and 10 December 1997, in which the Peace Implementation Council welcomed the High Representative’s intention to use his final authority in theatre regarding interpretation of the Agreement on the Civilian Implementation of the Peace Settlement in order to facilitate the resolution of any difficulties as aforesaid “by making binding decisions, as he judges necessary” on certain issues including (under sub-paragraph (c) thereof) “measures to ensure implementation of the Peace Agreement throughout Bosnia and Herzegovina and its Entities”;

Recalling the Declaration of the Peace Implementation Council Steering Board adopted at the level of Political Directors in

Brussels on 30 January 2003, in which the Steering Board fully endorsed the Implementation Strategy concerning Annex 7 of the General Framework Agreement for Peace in Bosnia and Herzegovina which had been developed by the UNHCR, the OHR and the Ministry of Human Rights and Refugees and has been presented by the Minister for Human Rights and Refugees of Bosnia and Herzegovina, as an evolving domestic framework for continued progress on returning refugees and displaced persons;

Recalling further the High Representative's Decision of 27 April 2000, in which the High Representative imposed a ban on, *inter alia*, the disposal, allocation, transfer or sale of state-owned real property, including former socially-owned property, (*Official Gazette* of Bosnia and Herzegovina no. 13/00, *Official Gazette* of the Federation of Bosnia and Herzegovina no. 17/00 and *Official Gazette* of the Republika Srpska no. 12/00) and which the High Representative extended on December 20, 2000 (*Official Gazette* of Bosnia and Herzegovina no. 34/00, *Official Gazette* of the Federation of Bosnia and Herzegovina no. 56/00 and *Official Gazette* of Republika Srpska no. 44/00), on March 30, 2001 (*Official Gazette* of Bosnia and Herzegovina no. 11/01, *Official Gazette* of the Federation of Bosnia and Herzegovina no. 15/01 and *Official Gazette* of Republika Srpska no. 17/01) and on 31 July 2002 (*Official Gazette* of Bosnia and Herzegovina no. 24/02, *Official Gazette* of the Federation of Bosnia and Herzegovina no. 43/02 and *Official Gazette* of Republika Srpska no. 49/02);

Noting that the conditions which ought to enable the authorities of the Entities and of the State to dispose of or otherwise allocate state-owned real property, including former socially-owned property, in a manner that is non-discriminatory and in the best interests of the citizens, do not now exist throughout Bosnia and Herzegovina.

Having considered, borne in mind and noted all the matters aforesaid, the High Representative hereby issues the

following:

DECISION

further extending the Decision of 31 July 2002 until 15 May 2003

The said Decision is issued in order to enable the authorities of Bosnia and Herzegovina and its Entities to adopt, by no later than 15 May 2003, harmonized legislation regulating the transfer and disposal of state-owned real property, including socially owned property.

By 15 May 2003 aforesaid, the authorities of Bosnia and Herzegovina and its Entities are thereby to assume full responsibility for ensuring the re-allocation of state-owned real property, including former socially-owned property, in a non-discriminatory manner and in the best interests of the citizens of Bosnia and Herzegovina.

This Decision, which shall come into force forthwith, shall be published without delay in the Official Gazette of Bosnia and Herzegovina, the Official Gazette of the Federation of Bosnia and Herzegovina and the Official Gazette of the Republika Srpska.

Sarajevo, 31 March 2003

*Paddy Ashdown
High Representative*