

Decision on re-allocation of socially owned land, superseding the 26 May 1999 and 30 December 1999 Decisions

In accordance with my authority under Annex 10 of the General Framework Agreement for Peace in Bosnia and Herzegovina, and Article XI of the Conclusions of the Peace Implementation Conference held in Bonn on 10 December 1997, I hereby

DECIDE

Notwithstanding the provision of any other law, state-owned real property, including former socially-owned property, but excluding socially owned apartments, may not be disposed of, allotted, transferred, sold, or given for use or rent, by the authorities of either Entity or Bosnia and Herzegovina.

Any decision referred to in the previous paragraph made by the authorities of the Entities after 6 April 1992 which affects the rights of refugees and displaced persons shall be null and void, unless a third party has undertaken lawful construction work.

This Decision does not apply to transactions for the purposes of restitution to pre-nationalisation owners, or for the purposes of privatisation, in accordance with Entity laws specifically regulating these subjects.

This Decision does not apply to the territory of the District of Brcko.

Any decision, agreement or transaction in violation of this Decision is null and void. The Office of the High Representative may, upon a clear showing by the competent authorities of an Entity or Bosnia and Herzegovina that a proposed transfer of state-owned real property is non-discriminatory and in the best interests of the public, grant a written exemption to this Decision. The burden of clearly showing that a proposed transfer of state-owned real property is non-discriminatory and in the best interests of the public rests with the competent authority requesting a written exemption to this Decision.

This Decision shall enter into force as law on 27 April 2000 and shall remain in force until 31 December 2000. This Decision may be extended.

My Decision of 31 December 1999 extending my Decision of 26 May 1999 on the suspension of the transfer of certain categories of socially owned property is hereby revoked and superseded by this Decision.

Sarajevo, 27 April 2000

Wolfgang Petritsch
High Representative

Office of the High Representative