

Decision on further extending the Decision on Land Allocation of 27 April 2000 until the 31 March 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 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 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) and 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);

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 27 April 2000 until the 31 March 2003.

To avoid ambiguity, the following shall be additionally excluded from the application of the said Decision of 27 April 2000 as extended:

- Allocation of land for the purpose of legalizing the existing premises built before April 6, 1992;
- Allocation of land, on or adjacent to legally erected structures, for its regular use
- Construction of roof-top apartments;

- Registration of Joint Ventures established with state capital.

Further, by means of the adoption of harmonized legislation regulating the transfer and disposal of state-owned real property, including socially owned property, by a date as early as possible prior to 31 March 2003, the authorities of Bosnia and Herzegovina and its entities are to assume full responsibility for ensuring the re-allocation of state-owned real property, including formerly 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 July 2002

*Paddy Ashdown
High Representative*