

High Representative Extends State Property Prohibition



The High Representative, Christian Schwarz-Schilling, today issued a Decision extending the State and Entity laws which temporarily prohibit the disposal of state property until 30 September 2007. The High Representative today called upon the governments of Bosnia and Herzegovina, the Federation of BiH and Republika Srpska to agree on the division of rights and responsibilities regarding this property before then.

The prohibition on the disposal of State property, originally imposed on 21 March 2005, expires tomorrow (31 May 2007). The Commission established by the BiH Council of Ministers in December 2004 with a mandate to determine rights over state property, and to draft legislation for its management has floundered because of high-level political intransigence, which has prevented any progress.

The State Commission was mandated to ensure that the rights to State property are apportioned in a way that is consistent with the respective responsibilities of the State, the Entities and Brcko District under the Constitution. This is usually the case in a decentralised country, but because of the level of political will, the Commission has failed to make any progress at all.

Today the High Representative has called for an intergovernmental agreement to on State Property to be negotiated and signed no later than 30 September this year.

The High Representative also welcomed the CoM initiative to appoint new members of the State Property Commission so that the Commission would be reinvigorated and called on this process to be completed as soon as possible. He further called on Governments to extend the State Property Commission's mandate so that could draft legislation in line with the intergovernmental agreement.

"In the absence of comprehensive legislation that divides ownership rights and management responsibilities over state property I am compelled to intervene to protect the interests of the Country as a whole," said the High Representative today.

Defining the rights of the State, Entity and Brcko District governments to existing state property remains an important aspect of BiH's obligation to develop and promote a market economy, and to its integration into European and Atlantic institutions.