

High Representative Imposed Decisions to Accelerate Resolution of Property Disputes

High Representative, Paddy Ashdown, yesterday imposed 'Law on Construction Land'. This law ensures that all future transfers of land under the domestic legal process will be non-discriminatory, and will provide a framework for resolving disputed land allocations made after the start of the war in Bosnia and Herzegovina on 6 April 1992.

The decision comes three years after High Representative Wolfgang Petritsch first asked the local authorities to provide a framework for resolving disputed land allocations for refugees and displaced persons. It also brings the law into line with a ruling of the Constitutional Court by redefining specific categories of Construction Land, including socially-owned property, into either State owned or Privately owned property, as required by the Constitution of Bosnia and Herzegovina.

This decision will clarify the issue of land ownership, removing a major obstacle to economic development and growth.

The High Representative also enacted corrective technical amendments to the property repossession laws, the need for which was identified during the implementation of those laws, and in the decisions of the Human Rights Chamber. These amendments will help refugees and displaced persons by preventing unnecessary administrative proceedings both when an exchange contract is presented to a housing body, and when enforcing CRPC decisions. This will apply to both private and socially owned property.

These amendments will also speed up the resolution of property claims throughout BiH – a process that is 78% complete, and is on track to be finished by the target date of the end of 2003. OHR expertise will be available to assist in the training of local authorities to implement these laws quickly and accurately.

Decision follows extensive consultations within the international community, including the UNHCR and OSCE and CRPC, and with the competent Entity and State Ministries.