

High Representative Upholds Provisional Ban On State Property



The High Representative, Miroslav Lajčák, today issued a [Decision](#) withdrawing the 'Interpretation of Article 3 of the Law on Transfer of Social Property into State Property', that was adopted by the *Republika Srpska's* National Assembly (RSNA) on 18 July 2007.

Under the High Representative's Decision temporarily banning State Property transfers, any legal act undertaken on the basis of that interpretation is null and void.

In 2005, when the High Representative enacted the temporary ban, he sought to protect the interests of the State, Entities and Brcko District until such time as laws are adopted that clarify their rights and responsibilities over State Property.

Until new legislation ensures that each level of government has the assets necessary to fulfil its constitutional responsibilities, the authorities of BiH may only transfer State Property through the mechanisms established by the High Representative's Decision. The registration of State Property as property of Republika Srpska, as directed by the RSNA's interpretation, falls outside of those mechanisms.

Meeting in June this year the Peace Implementation Council's Steering Board expressed its deep dissatisfaction with the

three-year failure of the State and entity authorities to reach an agreement on the issue of apportionment of State Property.

In his speech to Parliament on 6 September, the High Representative urged the State, Entity and Brčko District authorities to reach agree upon the division of State Property before 30 September, and to urgently finalize the new legislation.