

# Supervisory Order on Suspension of Adoption of Regulatory Plans until Amendments and Addenda to the Urban Development Plan for Brcko, Brcko District of BiH are adopted

***In accordance with*** the powers vested in me in Paragraphs 8, 11, 13, 37, of the Brcko Final Award of March 5, 1999, by the Arbitral Tribunal for Dispute over Inter-Entity Boundary in Brcko area;

***Recalling*** that the Law on Spatial Development of the Brcko District stipulates that the Spatial Plan and the Urban Development Plan are higher long-term strategic planning documents that should form the basis and condition on which Regulatory Plans can be developed;

***Underscoring*** the importance of the fact that the new Regulatory Plans must be consistent with adopted the Urban Development Plan and that new Regulatory plans cannot have any elements that are not harmonized with the valid Urban Development Plan.

***Regretting*** that so much time has elapsed in developing new Spatial and Urban Development Plans, and that, therefore, there is no comprehensive planning framework for the District;

***Regretting further*** that, in the absence of higher plans, partial substitutes for Regulatory Plans and complete Regulatory Plans have been improvised on an ad hoc basis and

that such practices have not always served the best interests of citizens;

**Concerned** about recent reports by independent auditing houses that describe deficiencies in the disposal of public property that were based on inappropriate Regulatory Plans or partial Regulatory Plans;

**Emphasizing** that under Paragraph 12 of the Annex to the Final Award of August 18, 1999, no public property in the District may be disposed of except in accordance with the Law and with the approval of the Supervisor;

**Reiterating** that the Law implies the existence of an updated Urban Development Plan for the Brcko District prior to the adoption of new regulatory plans, and that further Supervisory approvals for the disposal of public property will depend on the same;

**Determined** to ensure that spatial, urban development and regulatory planning is carried out transparently, in full conformity with the Law, and in the interests of the District and its citizens;

I hereby order that:

1. The drafting and adoption of new regulatory plans for urban areas in Brcko shall be suspended with immediate effect until such time as relevant amendments and addenda to the Urban Development Plan for Brcko District BiH are adopted by the Assembly.
2. All regular activities related to the implementation of regulatory plans already adopted shall continue in accordance with respective regulations.
3. As an exception to Item 1 of this Order, the Supervisor may approve the adoption of planning documents in the case of a compelling need for economic, financial, social or safety reasons. In such cases, the District Mayor shall request prior Supervisory approval, in

writing, justifying that need.

4. This Supervisory Order has immediate effect and shall be published without delay in the Official Gazette of the Brcko District. The Government and Assembly of the Brcko District shall undertake all necessary measures to ensure its implementation.

*Susan R. Johnson*  
*Supervisor of Brcko*  
*Deputy High Representative*