

Decision extending the validity of the 27 April 2000 Decision on the re-allocation of socially owned re-allocation of socially owned land until the authorities pass appropriate legislation or latest until 31 July 2002

In the exercise of the powers vested in me 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 my Decision of 27 April 2000, in which I 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, on December 20, 2000, I extended until 30 March 2001 (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);

Noting that the conditions which ought to enable the authorities of the Entities and of the State to dispose 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, I hereby issue the following:

DECISION

I further extend the Decision of 27 April 2000 until 31 July 2001 July 2002 and for avoidance of ambiguity expressly exclude it from applying to

- leases of state owned property on which businesses or other premises, which are the property of state owned firms, are situated, and,
- re-allocation of state-owned real property, including former socially-owned property, which took place prior to April 6, 1992.

Further, by a date to be agreed with the High Representative, or by 31 July 2002, whichever shall be the earlier, the authorities of Bosnia and Herzegovina and its entities are to assume full responsibility for ensuring re-allocation of state-owned real property, including former 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 the Federation of Bosnia and Herzegovina and the Official Gazette of the Republika Srpska.

Sarajevo, 30 March 2001

Wolfgang Petritsch

Office of the High Representative