A New Strategic Direction: Proposed Ways Ahead For Property Law Implementation In A Time Of Decreasing IC Resources

Overview

This paper sets out a new policy direction for the Property Law Implementation Plan (PLIP) building on the PLIP Inter-Agency Framework Document of October 2000 and focusing on the following elements:

- Operationalizing chronological processing of claims and insisting on adherence to the letter and spirit of the property laws, as amended by the High Representative on 4 December 2001, save for subsequent HR decisions identifying specific categories of claimants who will be processed in an expedited manner. Creating legal certainty, fairness and transparency for both claimants and temporary occupants by requiring that decisions be issued and enforced in accordance with the laws. Protecting housing officials from political pressure and corruption by eliminating their discretion over order of case processing.
- Immediate issuance and enforcement of decisions, according to the laws, for verified multiple occupants, without further investigation by the housing authorities.
- Intensified monitoring engagement with municipal housing authorities, including all appropriate forms of support, regular consultation and sanctions where necessary.
- Public information work to ensure that the property laws and the policies for their implementation are clarified for all affected parties and all sectors of the IC. Development of united IC position to counter obstruction at all levels.
- Increasing consultation with domestic institutions on both interventions on individual cases and formulation and implementation of policy.

1. Background

The right of displaced persons and refugees to repossess and return to their pre-war property has long been one of the central concerns of the international community (IC) in Bosnia and Herzegovina and is guaranteed in Annex 7 of the Dayton Peace Agreement (GFAP). This is based on the recognition that the failure to return properties to their rightful owners represents a violation of the right to property *inter alia* under Article 1 of Protocol 1 to the *European Convention on Human Rights* (ECHR). Return of property is essential to the creation of durable solutions for refugees and displaced persons. This can take the form of either actual return to the property or sale of the property in order to finance one's own local integration elsewhere, through purchase or rental of a home that does not belong to someone else.

The centrality of property repossession to the goals set out in the GFAP is reflected by the priority given to the interagency Property Law Implementation Plan (PLIP). Ultimately, the viability of Bosnia and Herzegovina (BiH) as a stable, secure and independent state and the IC's plans for responsible disengagement both hinge on creating the conditions for full completion of the PLIP by end 2003.

However, despite considerable progress in property law implementation over the past three years, the current situation leaves considerable room for improvement and consolidation. The rate at which refugees and displaced persons are able to repossess property remains limited on average at- 2% per month countrywide. Without exponential increases in this rate, full implementation of the Property Laws may be delayed from completion in many municipalities even as IC disengagement accelerates.

These concerns are heightened by the fact that the Bosnian political spectrum remains apathetic or openly hostile to a resolution of the problem. The estimated 110,000 families (according to the PLIP statistics at end July 2002) still waiting to repossess their homes are also becoming disillusioned, as reflected by the legally dubious but

increasingly common practice of selling off property claims before they have been realised. These trends not only extinguish the possibility of return in individual cases, but also cast doubt on the sustainability of hard-won progress in overall returns made to date.

The current trend in the implementation of the property laws – based on the strategies the IC has adopted so far – risks leaving thousands of property claimants still without the prospect of having their property returned to them by the time the IC has substantially withdrawn. This paper sets out concrete steps that must be taken to address this situation.

2. Evolution of PLIP Policy

In its attempts to guarantee property rights and support return, the IC has proved adept at matching its tactics to changing conditions on the ground. First came the push for adoption of Entity laws on administrative property repossession in 1998, and their initial harmonisation through High Representative amendments in 1999. Early implementation efforts overcame local authorities' initial resistance, at first to taking, and later to deciding, claims.

The current phase of implementation has focused on enforcement by drawing the authorities' attention to cases of "double" or "multiple occupancy." The fact that multiple occupants are defined by their ability to otherwise meet their own housing needs (by dint of income, access to housing elsewhere, etc.) renders them "easy cases," whose eviction carries little political cost for the authorities.

As a result, the IC has been able to kick-start real enforcement of the property laws by encouraging the housing authorities to focus their resources on confirming and acting on allegations of multiple occupancy. Very often the IC field presence has been relied on to provide data confirming multiple occupancy status to be acted on by the authorities. In light of the ongoing reduction of IC resources, this pattern is no longer sustainable.

The initial focus on multiple occupancy saw implementation rates rise to 15% in the summer of 2000 and over 30% one year later, reaching an implementation rate of 57% at end July 2002. However, the cost of this strategy has been borne fully by those claimants whose property is occupied by "hard cases," i.e. temporary occupants who *cannot* otherwise meet their own housing needs and are therefore entitled to look to the authorities for alternative accommodation (AA). Where the authorities fail to provide AA within legal deadlines, they are required to evict the temporary occupant, unless, in accordance with the conditions prescribed by the property laws, they have conclusively proven to OHR's satisfaction the non-availability of AA. This requirement for eviction in accordance with the legal deadlines is the most widely breached provision of the property laws leaving the owners of properties occupied by 'hard cases' indefinitely dispossessed. Temporary occupants with the right to AA are effectively given an open-ended right to live in other people's claimed property in open violation of the law.

In effect, the current strategy risks creating the appearance of tacit IC approval of two illegal practices—the failure to provide AA (despite numerous available low-cost options) and the related failure to nevertheless return properties occupied by "hard cases" to their rightful owners. Compounding this problem, the freedom to pick and choose alleged multiple occupant cases for prioritised processing has left housing authorities with broad discretion over the order of processing all cases, inviting both bribery and pressure not to act against politically protected groups.

These concerns have given rise to the third phase of the PLIP, described in this paper. The "New Strategic Direction" (NSD) reflects a new emphasis on chronological processing of all cases, other than the exceptions provided by law. This policy must be supported by the provision of sufficient alternative accommodation to ensure smooth processing of "hard cases" as they arise within the chronology, and allowing the rightful owners to repossess their property without further delay.

Crucial preliminary steps have already been taken. Most importantly, the amendments imposed on 4 December 2001 to the property laws have made chronological processing an explicit legal obligation binding on housing authorities in both Entities, save for the exceptions defined in subsequent HR decisions. The PLIP agencies have also intensified their campaign of pressuring authorities at all levels to provide sufficient budgetary funds for AA and ensure their efficient use. Chronological processing is now virtually universally understood and accepted in principle and is being applied in practice in an increasing number of municipalities. The time has come for ad hoc efforts to promote chronology based on adequate alternative accommodation to give way to a clear and systematic IC policy in line with recent amendments to the property laws as promulgated by the HR.

3. Elements of the New Strategic Direction

The new strategic direction set out in this paper focuses on the resolution of each claim in chronological order in compliance with the amended property laws and related decisions by the HR. The requirement that housing authorities provide alternative accommodation to those temporary occupants entitled to it can no longer be ignored. Neither, however, can the requirement that failure in this regard may not delay the reinstatement of the rightful owner to their pre-war home, unless the authorities have in accordance with the conditions prescribed by the property laws conclusively proven to OHR's satisfaction the non-availability of AA -.

In order to bring this about, the IC must fully commit itself to the following basic principles. In most cases, the PLIP agencies have already taken significant steps in this direction. These must now become the PLIP's central policy tenets and be followed up rigorously and consistently.

3.1. Broadening Consensus and Strengthening Ownership

The New Strategic Direction, like all prior PLIP strategies, relies on a uniform IC approach in which the highest levels of each organisation routinely support the efforts of their respective field staff. Now, however, the prospect of international disengagement makes it more pressing than ever that domestic administrative and human rights bodies be actively included in the implementation of the strategy. Given that the ongoing property problem affects the work of such institutions, they have an inherent interest in resolving them. It is now incumbent upon PLIP to convince these institutions that the strategies adopted by the IC, to the extent consonant with their own mandates, are the best means of resolving outstanding property issues. To the extent such bodies take ownership of the PLIP process over the long run, they will allow the IC to disengage secure in the knowledge that they leave behind institutions capable of bringing the process to a close.

3.1.1. Human Rights Institutions: The PLIP Cell has made increasing efforts to bring domestic human rights institutions directly into its implementation efforts. Contacts have been made with BiH Ministry of Human Rights and Refugees (MHRR), the BiH and Entity Ombudsmen, and the BiH Human Rights Chamber (HRC). The Entity Ombudsmen and UNHCR-administered Legal Aid Information Centres (LAICs) have attended OSCE's January 2002 workshops on the recent property law amendments. The NSD should be distributed and explained to these institutions, which should be invited to participate in its implementation.

3.1.2. Local Authorities: The process of negotiating the 5 December 2001 inter-municipality information-exchange instruction with the competent Ministries as well as consulting with them in the drafting of the December 4, 2001 property amendments has improved the resulting legal instruments and points the way forward in legislative drafting and implementation issues. The State Commission on Refugees and Displaced Persons chaired by MHRR has become a particularly useful forum for such discussions.

3.1.3. Databases: OHR-RRTF has spearheaded efforts to ensure that databases developed in furtherance of return and the PLIP be transferred to domestic institutions in a manner that guarantees their continued application for property law implementation and return purposes. CRPC is beginning to identify issues related to the transfer of the numerous databases it disposes over to national bodies in this context.

3.2 Monitoring Chronology in the Field: from Casework to Consultation

Until now, implementation of the property laws has been largely subject to the discretion of local authorities. Decision-making has been conducted with little regard to principles of administrative fairness. Political interference, corruption and, often, pure arbitrariness have dictated which claims are processed and when. Temporary users have believed that—and behaved as if—they were entitled, as of right, to remain in other persons' property indefinitely. Owners and occupancy right-holders have had no clear expectation as to when, if ever, their property would be returned. In response, the IC has all too often focused on ad hoc interventions in individual cases. While this undoubtedly benefited individual claimants, it hurt the process by undermining the principle of chronology.

The High Representative's 4 December 2001 Decisions make it clear that, almost four years after the property laws were passed, this situation is no longer tolerable. They explicitly set out the chronology requirement that has always been implicit in the law: claims for the return of property should be processed and implemented in the order in which they were received by the authorities. This will prevent manipulation of the order of claims

processing for political and other purposes and ensure that claimants and temporary users have a clear expectation as to where determination of their rights stands.

Chronological processing in accordance with the law will lead to more efficient use of housing authority resources. Under the current system, housing officials throw virtually all of their interviewing and field research capacity into investigating cases of *alleged* multiple occupancy. These resources should now be redirected to processing the chronological list of all claims. Temporary occupants should be prioritised as multiple occupants when their status is verified by evidence strong enough that no confirmation by the housing authorities is justified. Examples include municipal reports indicating repossession-related multiple occupancy transmitted under the BiH-wide *Information Exchange Program*, as well as verified reports of reconstruction-related multiple occupancy delivered by the RRTF *Housing Verification and Monitoring Unit* (HVM). Claimants should be encouraged to bring forward any evidence of this nature available to themselves, such as official proof that the occupant of their property has repossessed and sold their own pre-war property.

Beyond verified multiple occupants and other categories exempted from chronology under the property laws, the claims of minority returnee police officers are prioritised in accordance with an April 2002 HR decision. Residents of collective and transit centres who registered their intent to return may also repossess their property on an expedited basis. This will take place based on a plan mandated by an August 2002 HR decision and will be co-ordinated by UNHCR, under which collective centre spaces occupied by this category of claimants are offered to the occupants of their property, rendering them multiple occupants. This plan allows expedited repossession without disrupting chronological processing. Given the small number of beneficiaries and their impact on return movements, these exceptions to chronology are justified in terms of the goals of Annex 7 of the GFAP.

The chronological principle will greatly facilitate a new model of PLIP Focal Point (FoP) monitoring. Instead of acting as ad hoc advocates for individual claimants, the FoPs should work closely with the housing authorities on improving the overall processing system. UNHCR has for the past two years already referred individual property cases to its network of Legal Aid Centres (LAICs) and OSCE has taken steps to do likewise. This should allow the FoPs to focus on collaborative monitoring of the local authorities in a systematic manner rather than monitoring individual cases.

PLIP FoPs have encouraged municipal efforts to translate broad acceptance of the chronological processing principle into practice. This trend will take on speed as increasing numbers of municipal chronological databases created by OSCE and CRPC Data Entry Clerks come on line. As chronology takes hold, monitoring will be facilitated by the resulting clear expectations of the housing authorities: As soon as a chronological list is in place, the first claim registered *must* be processed before the second and so on. Discretion on the part of the housing authorities to respond to bribes or political pressure will be eliminated. Meanwhile, the transparency afforded by the new system should be highlighted for affected parties in any way possible. Devices such as publicly available lists showing where all cases stand will show claimants that the process will end and encourage temporary occupants to voluntarily vacate occupied property and begin planning their next steps.

3.3. Adapting Existing PLIP Tactics to Chronology

Many of the initiatives already introduced by PLIP will complement chronological processing, enhancing the efficiency of the housing authorities' work. Such programs include:

3.3.1. Capacity-building: Assistance by PLIP agencies such as OSCE's program of inserting short-term Data Entry Clerks into municipal housing offices to create chronological databases, and CRPC's pilot project for the comparison of municipal claims data with CRPC claims data can both improve housing authority performance and enhance IC monitoring. Trainings such as those conducted by OSCE in Fall 2001 on information exchange, in Spring 2002 on the property law amendments, and in Summer 2002 on revalidation issues, and those provided by UNHCR to its network of LAICs, are also helpful, especially when they bring together housing authorities who share axes of return.

3.3.2. Work with donors: Alternative accommodation projects might be funded in municipalities that have already demonstrably done all they can to provide AA themselves More reconstruction funds should be channelled to the needs of "PLIP Beneficiaries", i.e. displaced persons from destroyed villages who are occupying property in town. This type of reconstruction is known to increase public acceptance of the PLIP and can be the starting point for long chains of repossession via the BiH-wide Information Exchange Program. In some cases the material needs limiting housing authorities' ability to function (i.e. lack of computers) should be addressed.

3.3.3. Public Information Campaigns (PICs): Interagency PICs, such as those which introduced the 4 December 2001 property amendments play a crucial role in ensuring that the rights of all parties affected by the PLIP process, as well as the proper role of housing officials, is understood. In some cases, such as recent OSCE posters setting out legal penalties for threatening housing officials, they can provide direct support. In others, such as UNHCR sponsored radio talk shows with LAICs professionals answering PLIP related queries from the public, they increase awareness of the laws and its entitlements. Wherever possible, local public information events should be arranged, allowing local authorities themselves to explain the law and forestalling social tensions often associated with PLIP.

In the past, interagency PICs have fallen into two broad categories. First, they have proven to be an excellent tool for delivering important new information to people directly affected by the property laws. Previous campaigns informing refugees and displaced persons of deadlines for claiming socially owned apartments as well as the campaign on the 4 December 2001 amendments to the property laws typify this category. Second, PICs have been used to change the perceptions of those affected by the property laws and counter systematic misinformation by local authorities. The summer 2000 "Postovanje/Respect" PIC and fall 2000 "Dosta Je/Its Enough" PICs have, for instance, been widely credited with dispelling the myth that temporary occupants were entitled to remain in other people's property indefinitely. Both types of PIC should continue to be used wherever appropriate in support of accelerated PLI.

3.4. Ensuring Adequate Alternative Accommodation

Alternative Accommodation is a key element of the new strategic direction. Authorities that have begun to take their obligation to provide AA seriously have often found that it increases the efficiency of the PLIP process exponentially. The basic standards for AA reflect its humanitarian nature, and temporary occupants often turn it down, revealing that they do, in fact, have better accommodation options elsewhere. This underlines the need for authorities to not only budget for AA but also to ensure that these funds are used with maximum efficiency. Expensive relocation projects in the guise of AA must be treated as what they are—obstruction—until such time as all available economically efficient means of providing AA have been harnessed to the resolution of local PLI issues.

Experience has shown that while it is relatively easy to identify buildings that could be used for AA, negotiations about their actual use become mired in inter-ministry arguments with negligible results. The IC should step back from micro-managing this process and reiterate strongly and publicly the responsibilities of the authorities to provide AA. Concerted pressure must remain on all levels of authority in BiH for the provision of appropriate units of AA, proportionate to the needs of each community. It must be emphasised that failure to provide AA has empirically been linked to obstruction, not scarcity. The property laws include provisions allowing evictions to be put on hold in municipalities that demonstrate complete lack of AA to OHR's satisfaction, but not one municipality has made a credible attempt to meet this burden.

Tools for ensuring provision of adequate budgetary funds are in place. In December 2001, the PLIP Cell sent a letter on responsibility for budgeting and providing AA to the competent Entity Ministers, all Entity Ombudsmen, and all Cantonal Prime Ministers. The PLIP Cell followed up by compiling information on planned and executed AA budgets for every municipality in BiH as well as specific projects. The High Representative's decision of 24 January 2002 requiring the competent ministers of both Entities to report quarterly to MHRR on the use of funds budgeted for return will complement these efforts.

The 4 December 2001 amendments to the property laws strengthen the hand of local authorities and the IC in ensuring AA is provided. Municipalities will now effectively be able to pool resources locally to account for uneven distributions of available AA and people who need it. Higherlevel authorities and ministries stand under a greater obligation to provide resources for AA. In addition, a process has been set up for returning to service the thousands of unclaimed socially owned apartments that should have been the single greatest source of AA but have instead been mired in illegal and corrupt transactions. Specifically, the amendments require the formation of long overdue "revalidation commissions" to oversee this process. In the course of the spring and summer of 2002, all necessary regulations were issued and revalidation commissions began to be set up. OSCE has provided trainings on revalidation to both IC monitors and newly constituted revalidation commissions.

The amendments also provide important new tools in ensuring that AA is only provided to those who need it. The conditions for entitlement have been tightened and an increased burden will be put on temporary occupants to show that they meet them. In doing so, they must now both show that they genuinely having no other housing options and demonstrate having taken all possible steps to help themselves by seeking repossession or reconstruction of their own pre-war property.

Finally, the amendments provide that prior decisions entitling temporary occupants to AA must immediately be revised and enforced when the holder is no longer entitled to AA. Thus, the category of persons to be evicted with no right to AA will become significantly larger. Given this reality, the most effective and judicious way to move forward with the current backlog of cases will be systematic chronological order.

3.5 Resolve in the Face of Obstruction

An encouraging number of communities are facing up to the challenge of putting property law implementation behind them. Responsible authorities that show genuine dedication to meeting their legal obligations should be encouraged with strong IC support as set out in section 3.3, above.

However, far too many housing authorities and political leaders remain set against PLIP because it threatens their financial and political interests. In implementing the new strategic direction, the IC must be prepared to face their arguments, and, ultimately, not to back down in the face of obstruction. Consistent and visible high-level support will be essential from all involved international organisations. The rest of the IC, including all international agency staff and Embassies will need to be informed of this approach and requested to give it public support.

Complaints against chronological implementation can be predicted at all levels. Housing authorities can be expected to balk at evicting temporary occupants without alternative accommodation, despite the fact that many such occupants have already enjoyed years of illegal shelter from eviction, blocking the return of pre-war owners. More plausibly, they will cite insufficient resources, political pressure not to implement the law, and interference and threats from individuals and groups opposed to property law implementation.

Political leaders such as Mayors, Cantonal Governors and Ministers often speciously refer to the failure of other political institutions to fully implement the property laws in explaining their own failures to take minimum steps. More concretely, they complain about the political and financial cost of evicting persons before they are able to return (i.e. having to provide AA for them pending repossession of their own property). This results in the periodic re-emergence of the completely impracticable idea that all displaced people should pick one day for mass collective movement to their pre-war homes.

Within political institutions, lack of coherent budgetary co-ordination typically leaves various levels of government pointing fingers at each other when none of them have provided sufficient funds for AA. As a result, political leaders often end up trying to push the costs of PLIP onto the pre-war municipalities of people displaced in their community or onto the international community. Pressure from interest groups opposed to PLIP is still a problem at all levels.

Particular resistance to the new strategic direction can be expected from interest groups representing war veterans or war victims as well politically connected persons with a stake in preventing PLI. Such groups are likely to continue harassing housing authorities, organising demonstrations against evictions and politicising the issue in the press. In some cases, the backlash may direct itself against PLIP Focal Points and international agencies associated with PLIP.

Field experience has repeatedly shown that political forces often orchestrate local obstruction to new initiatives to see if the IC will back down. *In each case*, a show of concerted IC purpose will be necessary to ensure consistent application of PLIP policy countrywide. It will be essential for the IC to be fully prepared to present a firm and united response to any pressure. This should include the following elements:

3.5.1. Clear Message: IC public information campaigns must stress that the authorities are legally obliged to implement the property laws in a transparent and consistent manner. They must also underline that interference in the work of the housing authorities is a criminal offence. The Principals of all PLIP agencies should undertake TV appearances and visits to key municipalities to reiterate the authorities' responsibility to implement the laws as amended, and subsequent HR decisions, and explain how the consistent implementation of the laws will accelerate PLIP, while reiterating the authorities'responsibility to provide AA.3.5.2. Sanctions: PLIP Focal Points should report to their respective Regional or Head Offices any persons who interfere with the work of the housing offices as well as seek prosecution or administrative sanctions against local authorities who fail to carry out their duties. Where necessary as a last resort, OHR should swiftly remove persistent obstructers.

3.5.3. Focus on Evictions: The requirement of chronology and intensified monitoring under the New Strategic

Direction will significantly constrain the discretion of housing authorities, minimising their ability to obstruct PLIP. It can therefore be predicted that the next phase of obstruction will focus on the eviction process, in which the housing authorities must rely on local police support, often in the face of public opposition. Close co-operation with the Ministries of Interior, as well as international agencies overseeing the police (IPTF and UNCA through their mandate, then the EUPM) will be necessary to ensure prompt and appropriate police support for the housing authorities to carry out scheduled evictions. However, sustained high-level support will also be necessary, as the highest-level Entity politicians have not shied away from personal interventions to postpone evictions.

4. Action Plan and Timeline

In practice, the New Strategic Direction will require co-ordinated Focal Point action and consistent Regional and Head Office support. The expectations of the International Community must be made crystal clear to the housing authorities and local politicians.

With immediate effect, the IC should emphasize publicly that all housing offices should begin chronological processing according to the letter and spirit of the law—including evicting persons with 90-day decisions in chronological order regardless of the availability of AA, unless the authorities have, in accordance with the conditions laid down by the laws, proven conclusively to OHR's satisfaction that there is a lack of AA). To this end, the IC should offer its assistance in accomplishing the following tasks:

- Taking immediate steps to mobilise all locally available alternative accommodation.
- Development of a full chronological list of claims, ideally in the form of municipal claims databases.
- Reviewing procedures to ensure that requests for enforcement of CRPC decisions have been properly registered and implemented in accordance with the law.
- Eliminating any backlog of cases. Scheduling and implementing evictions in all cases of multiple occupancy, and other cases that are an exception to chronology as specified in law, and requiring no further confirmation.
- Systematically reviewing the legal status of occupants of unclaimed socially owned apartments, and putting all apartments thus made available to use as alternative accommodation, as set out in law.

As soon as these basic steps have been taken, the housing authorities should begin to systematically review all remaining claims in the order in which they were received. Evictions should immediately be scheduled and implemented in all cases of expired decisions, including where the claimant is entitled to AA. Decisions are to be issued in the case of all claims not yet decided.

Decisions should be issued outside of the chronological order and enforced immediately in all cases of verified multiple occupancy and other exceptions to chronology as set out by the HR's decisions. This procedure should be carried out on an ongoing basis without any further hearings or checks.

Throughout this process, the IC should support the New Strategic Direction by all means available to it, including:

- Public information work to inform the public, local authorities and all members of the IC of the New Strategic Direction in the PLIP and expected acceleration in the repossession process.
- Reporting any cases of political pressure, threats, attacks or offers of bribes to relevant prosecutors and IC monitors.
- Monitoring to ensure that housing authorities schedule and execute evictions even in the absence of AA and do not postpone evictions under any circumstances except those set out in the law.

4.1. Timelines

December 4, 2001	– Property Laws and related instruments amended by High Representative decision. Chronology principle made explicit and entitlement to AA restricted. Entry into legal force on December 29.
December 21, 2001	– PLIP Cell sends letter on responsibility for budgeting and providing AA to competent Entity Ministers, all Entity Ombudsmen, and all Cantonal Prime Ministers.
January 15, 2002	– Official PLIP launch of interagency Property Information Campaign (PIC) on December 4 amendments.
Jan. 16 – Feb. 08, 2002	– OSCE conducts 17 regional workshops on the December 4 amendments for all municipal housing authorities in BiH, as well as deputy and assistant Ombudsmen, UNHCR LAICs, and other NGOs.
January 24, 2002	– High Representative decision requiring RS Government to provide information to allow RSNA to examine whether funds allotted for return are sufficient. Competent ministers of both Entities to report quarterly to MHRR on use of funds budgeted for return.
February 28, 2002	– Deadline for temporary occupants to take minimum steps to seek repossession or reconstruction of their pre-war property or lose right to alternative accommodation. In all cases where a request for enforcement of a municipal decision has not been made, the municipal authorities should notify their counterparts in the municipality of the claimant's displacement. CRPC should identify mechanism for identifying temporary occupants who have failed to request enforcement of CRPC decisions. Municipalities of displacement to treat such cases as verified double occupancy.
April 30, 2002	– High Representative decision prioritising the repossession of property by returning police officers, as an exception to chronology.
June 12-17, 2002	– OSCE conducts four regional trainings for IC monitors on the procedure for review of revalidations. Trainings for members of the review commissions to take place as the commissions are constituted.
July 1, 2002	– Deadline for claiming destroyed socially-owned apartments under the December 4, 2001 amendments to the property laws
August 1, 2002	– High Representative decision requiring use of available space in collective centres as alternative accommodation and mandating a plan for expedited property repossession of collective centre residents through exchange of spaces in collective centres.
September XX, 2002	– IC adopts New Strategic Direction

Follow-up Actions

– Statement of expectations from PLIP Cell to competent ministers and housing authorities throughout BiH, stressing the need for chronological processing, adherence to the letter and spirit of the laws, non-postponement of evictions, obligation to provide AA and defining 'verified multiple occupants', and the early resolution of cases that are an exception to chronology as specified in law and related HR decisions.

– PLIP field staff to initiate consultative planning with local authorities on concrete details of implementation of new strategic direction and identify needs the IC can assist with. Clear benchmarks should be identified and all steps

taken to process case backlogs, prepare AA, and begin reviewing lists of claims in chronological order.

– Development of interagency PIC to announce and explain the new policy.

– IC to closely monitor resolution of budgeting negotiations, reminding all levels of authority of their AA obligations. Particular care must be taken to ensure that end of USG funding to RS MRDP is reflected in RS budget allocation.

– IC coordination with UNMiBH, SFOR and Entity Ministries of Interior on security needs with regard to accelerated PLIP.

– OSCE workshop for domestic human rights and administrative authorities on PLIP policy.

– OSCE and CRPC PLIP Data Entry Clerks to finalise chronological databases wherever possible.

– Housing authorities to shift all hearing and investigative capacity to chronological processing except verified multiple occupancy cases and other cases that are an exception to chronology as specified in law.Such cases are to be processed out of chronology as received, without hearings or investigations.

– Housing authorities to work through first 500 claims in chronological order, immediately scheduling enforcement of expired decisions, issuing decisions on claims where necessary, and revising decisions entitling temporary occupants to alternative accommodation according to the 4 December 2001 amendments.

– Publication of lists with schedule of evictions and processing, in which claimants and temporary occupants are able to identify themselves by case number.

– FoPs to continue monitoring closely, assisting co-operative authorities, reporting violations of the law, and highlighting systematic problems for high level attention.

– Competent entity ministries issue instructions pursuant to property laws on composition and work of revalidation commissions; these commissions are constituted and begin work, returning all illegally revalidated apartments identified to use as alternative accommodation.