

April 4 Deadline Extended

The High Representative, Carlos Westendorp, has decided to extend by three months the April 4 deadline for filing requests for the restoration of occupancy rights to socially-owned apartments in the Federation. The new deadline is July 4, 1999.

Both the Law on Cessation of Application of the Law on Abandoned Apartments and the Law on Taking Over the Law on Housing Relations are thereby amended accordingly. The High Representative has made this decision exercising the powers vested in him by Annex 10 to the Dayton Peace Agreement and by Article XI of the Conclusions of the Peace Implementation Council Conference held in Bonn in December 1997.

The High Representative acknowledges that the process of registering claims for apartments has improved significantly over the past six months. Based on a survey of municipal housing authorities carried out by the OHR and other international organizations, it appears that approximately 75% of the abandoned apartments in the Federation have now been claimed.

However, the survey also shows that claims figures in some parts of the Federation are considerably lower, in particular in certain municipalities in the Una-Sana, Zenica-Doboj, Gorazde and Herzegovina-Neretva Cantons. This indicates that not all refugees and displaced persons with apartments in these areas have had a fair opportunity to make their claim and protect their property rights.

In addition, there are several problems with the property laws which must be solved before the deadline can be allowed to expire:

- First, an amendment to the Law on Housing Relations is currently on the agenda of the Federation Parliament and

may be adopted in the coming week. It will allow individuals whose occupancy right was canceled by a court decision to claim for their apartment through the administrative process under the Law on Cessation of Application of the Law on Abandoned Apartments. Those individuals must be given additional time to present their claim.

- Second, refugees and displaced persons whose apartments were never declared abandoned, but are now illegally occupied by another person, do not at the moment have a right to claim their apartments under this Law. The OHR considers that these individuals should also have the right to claim their apartments to the administrative authorities, and should be given additional time to do so.
- Third, the OHR is concerned about the status of apartments which are not claimed when the deadline expires. Under the Law, as soon as the deadline expires, displaced persons living in these apartments with temporary permits are unprotected and may be evicted immediately. The OHR has requested the Federation Government to adopt regulations requiring these apartments to be used for humanitarian purposes, so as to assist the return process.

The Federation Minister for Urban Planning, Ramiz Mehmedagic, has acknowledged these concerns of the OHR and agreed to work with the OHR in identifying solutions. The OHR is confident that an early solution to these problems will be found, and that no further extensions of the deadline will be necessary.

The High Representative's Decision applies only to the Federation. The deadline for claiming apartments in Republika Srpska remains June 19, 1999. However, if the process of registering claims in Republika Srpska does not improve dramatically in the coming months, the High Representative will not hesitate to extend that deadline as well.

The High Representative takes this opportunity to encourage all refugees and displaced persons from both Entities who have not yet claimed their apartments, to do so as soon as possible.