

Claims for Private property increase – those who fail to claim risk losing right to alternative accommodation

Sarajevo, 17 April 2001 < From January to February 2001, repossessions of properties increased by about 5% with the numbers rising from 36,534 to 38,379 in the Federation and from 14,904 to 15,791 in RS.

Next to increasing repossessions, a clear<but easily overlooked<sign of progress in the field of property law implementation has been the steady increase in claims filed for the return of real property. Since the Property Law Implementation Plan began publishing statistics in August 2000, claims for real property have risen from 130,155 to 141,530, an increase of 11,375 (or almost 9%). This means that each month since August 2000, almost 1,900 new claims have been submitted on average.

During this period, new claims have been split relatively evenly between Republika Srpska (5,536 total) and the Federation (6,432 total). Because an increase in claims for real property in a particular area may indicate improving conditions for return there, the implementation ratio is not the only factor to watch in PLIP statistics.

The PLIP agencies (PLIP = Property Law Implementation Plan) warn all of those who fail to claim real property that they may jeopardise their right to alternative accommodation by doing so. The provision of alternative accommodation is necessary to ensure that claimants can repossess their pre-war property without further delay.

However, alternative accommodation under the property laws is not meant as a substitute for the responsibility the authorities have to provide housing for those who cannot otherwise afford it. Instead, it is a short-term solution available to meet the immediate humanitarian needs of those who are waiting to repossess property from which they were displaced and who have no available means to resolve their housing situation. Those people who fail to exercise their right to claim pre-war property<just like those who reject reconstruction of their pre-war property<should not expect to receive the right to alternative accommodation under the property laws.

It is time both Entities created a long-term housing policy that consists of more than merely putting displaced people and refugees in property that does not belong to them. However, such a policy should only benefit those who have done all they can to meet their own housing needs.

For the same reasons, all those who fail to request enforcement of decisions in their favour – whether for socially owned or private property – should not expect to receive alternative accommodation under the property laws.