

“DOSTA JE” Property Rights Awareness Campaign

The Office of the High Representative, the OSCE Mission to BiH and the United Nations High Commissioner for Refugees, supported by UNMIBH and CRPC, have launched the “DOSTA JE” campaign, to address the most pressing obstacles standing in the way of implementation of property legislation in Bosnia and Herzegovina.

While it is no longer in question that the property laws are being, and will be implemented in BiH, there are those who, either by ignorance or choice, are still postponing the inevitable by not moving out of claimed apartments and houses. “DOSTA JE” is a message to them, for it is they who are slowing the implementation of the property laws, and therefore the return process and the normalization of life in BiH.

‘DOSTA JE’ is designed to express the frustration felt by claimants waiting to repossess their homes, temporary occupants concerned about their future, and all those involved in the process, who encounter the same obstacles day after day. The campaign addresses these problems, some of which are caused by misperceptions in some cases, the deliberate misinterpretation of the law.

- Temporary users who have the ability to solve their housing situation but have not yet done so, are the focus of the first phase of this campaign. This includes those who have voluntarily sold their pre-war property or who otherwise have sufficient means to rent. It also includes those who have access to the home of a 1991 family household member. These categories of temporary occupants are blocking the reinstatement of the legal tenants and abusing the housing space. They are double

occupants, whose housing needs can be met otherwise, and they are not entitled to alternative accommodation. They must move out.

- The provision of alternative accommodation will be the focus of the second phase of the campaign, beginning late December. Local authorities often use their own failure to seek and provide alternative accommodation to delay repossessions. The law is clear the authorities responsible for housing issues and the Ministries for DPs and Refugees in both entities must find and offer alternative accommodation to people in genuine need of housing. The lack of alternative accommodation does not prevent evictions from taking place, and it is the authorities that are responsible for providing it. Creative solutions to this problem are being found throughout BiH and the time for excuses and inaction has passed.
- Misperceptions regarding the purchase of apartments are the focus of the third phase of the campaign in mid/late January. Firstly, occupancy rights can never be sold attempts to do so are illegal, and place the purchaser in particular at risk, who might lose both the apartment and the money s/he has paid for it. Exchanges of occupancy rights are legal only between the legal occupancy right holders and with the consent of both allocation right holders. Secondly, unclaimed apartments, which should be used as alternative accommodation, are in some cases being illegally privatised. Temporary users of unclaimed apartments must meet very specific criteria to have their contract on use revalidated. If they have not met those criteria, any purchase contract based on that revalidation can be voided.

The TV and radio spots that deal with the above issues will be supported by billboards, posters, and newspaper advertisements throughout BiH. In addition, a leaflet will explain all the

issues in more detail.

Following on from the 'POSTOVANJE' campaign, 'DOSTA JE' was conceived and developed by the OHR with the OSCE and the UNHCR, drawing on the experience of field officers dealing with individual cases throughout BiH. The campaign was designed and produced by REFRESH Production, who also produced the "POSTOVANJE" campaign, and who were chosen following a rigorous tender procedure undertaken by OHR earlier this year.

Property Law Implementation Plan (PLIP)

On October 27, 1999 the High Representative, Wolfgang Petritsch, with the full support of OSCE, UNHCR and UNMIBH, launched the Property Law Implementation Plan (PLIP) by passing amendments and instructions that harmonised and clarified RS and FBiH legislation on property repossession. Thereby he created a consistent legal framework and equal rights and remedies for all refugees and displaced persons across Bosnia and Herzegovina. The goal of the Property Law Implementation Plan PLIP closely coordinated and executed by representatives of the OHR, OSCE, UNHCR, UNMIBH and CRPC – is to ensure that all citizens of BiH can exercise their individual rights to property, thereby unlocking the return process throughout BiH.