Supervisory Order on Outstanding Cases of Article 17 of the Republika Srpska Law on use of Abandoned Property, Internally Displaced Brcko Residents, and Cases of Multiple Occupancy

Order on Outstanding Cases of Article 17 of the Republika Srpska Law on use of Abandoned Property, Internally Displaced Brcko Residents, and Cases of Multiple Occupancy

In accordance with the authority vested in me under the Arbitral Award of February 14, 1997; the Supplemental Award of March 15, 1998; and pursuant to Annexes 6 and 7 of the General Framework Agreement for Peace (GFAP), I hereby issue the following Order:

1. The Municipal Government of Brcko shall, using all availablerelevant sources of information, investigate all c ases of pre-war displaced families and pre-war Brcko residents either occupying or laying claim to more than o ne housing unit to which they are no t legally entitled. The Municipal Government shall catalog and

verify cases of multiple occupancy in the area of supervision and take control of the housing units from those who are not legally entitled to them. The Mu nicipal Government shallthen provide a written report to me, including the names, status (*i.e.,* pre-war Brcko or displaced family), and num ber of persons involved, as well as the addresses of relevant properties and the number of cases resolved, no later than November 13, 1998. All cases of multiple occupancy shall be resolved by December 15, 1998.

2. The Municipal Government shall take the necessary steps to return all those non-Serb pre-war residents of Brck o, who were evicted from their homes during the war but who remained in Brcko living with relatives or friends , to their homes of origin by Decemb er 15, 1998.
3. Pursuant to the recommendations of the Human Rights Ombudsperson for Bosnia and Herzegovina in her Special Rep ort of April 9, 1998, regarding the content and application of Article 17 of the Republika Srpska Law on the U se of Abandoned Property (LAP), the Municipal Government, with the assistance of the Republika Srpska Ministry for Refugees and Displaced Persons, shall resolve the property and housing issues of those pre-war Brcko residents whose cases fall under Article 17 of the LAP. Complete and unimpe ded exercise ofaccess and full ownership rights to their entire homes shall be restored to the original owners by December 15, 1998.
4. The Municipal Government shall submit progress reports on all of the above tasks to me on November 13, 1998. The progress reports shall be reviewed by a panel, convened and chaired by me at OHR-North, comprised of the M ayor, his two Deputies, representati ves of the RS Ministry for Refugees and Displaced Persons, UNHCR, and OHR. The panel will make recommendation s for further action. This panel shall reconvene on December 15, 1998, to measure compliance with this order.
5. This Order in no way abrogates my firm commitment not to

evict displaced persons residing legally in Brcko if no reasonably sufficient alternative housing is available. The responsibility for finding reasonably sufficie nt alternative accommodation for tho se displaced persons and families affected by this order falls entirely on the Municipal Government.

6. This Order shall have immediate effect.

Robert W. Farrand

Deputy High Representative

Supervisor of Brcko

November 3, 1998