

New amendments to accelerate Property law implementation

The Agencies involved in the Property Law Implementation Plan (OSCE, OHR, UNHCR and CRPC) note the recent publication of the property law amendments, passed by the High Representative, in the Entity Official Gazettes. The Amendments introduce a number of significant changes on issues such as multiple occupants and alternative accommodation availability in order to speed up the final stage of property law implementation.

The PLIP agencies expect the competent authorities in BiH to fully implement these amendments, as part of their efforts to substantially complete the process of property law implementation by the end of 2003. The amendments address the following issues in both entities:

- All multiple occupants now face fines if they fail to vacate within the deadline set out in the original administrative decision against them. When implemented, these provisions will ensure that housing authorities no longer have to waste time and resources carrying out evictions of multiple occupants.
- The authorities will no longer be responsible for damage made to vacated private property where they have taken all legal steps to notify the owner.
- If the municipal housing authorities find that alleged wartime or postwar exchanges or transfers of property meet the formal legal conditions to be found valid, they must suspend the administrative decision-making process, and refer the parties to the competent court for a final decision. If the municipal housing authorities find that the exchange or transfer is not formally valid, they must issue and enforce an administrative decision on repossession of the property.
- Municipal offices of the Republika Srpska Ministry of Refugees and Displaced Persons may now provide alternative accommodation anywhere in Republika Srpska to entitled temporary occupants

displaced in the municipalities they are competent for. This harmonizes the RS Law with similar Federation BiH provisions.

- The provisions on applicability of the minimum space requirement for alternative have been harmonized. Specifically, this limitation will only apply in cases where alternative accommodation has been provided by the competent authorities, or where members of the temporary occupant's 1991 family household have accommodation in the entity of displacement or municipality of 1991 residence.