

High Representative discusses Property Issues with Federation and BiH Ministers

The High Representative, Wolfgang Petritsch, today met with Kresimir Zubak, the BiH Minister for Human Rights and Refugees, Ramiz Mehmedagic, the FBiH Minister for Urbanism, and Fikret Ferhatovic, the acting FBiH Minister for Social Affairs, Displaced Persons and Refugees to discuss the property laws. Mr Udo Janz, Deputy Chief of Mission of the UNHCR, and representatives from OSCE attended the meeting too. The High Representative is acutely aware that changes are urgently needed; the increase in the pace of property law implementation has stalled over recent months, forcing many people to wait before repossessing property, often in makeshift shelters. Many others are being prevented from privatising their apartments.

Returnees' associations, interest groups and activists, as well as housing officials, from across BiH have expressed concern that legal measures, discussed for more than half a year, are still not in place. Improvements to the legislation will reduce the possibility of manipulation and delay, and will allow the speedier eviction of multiple occupants, and the return of Displaced Persons and Refugees to their homes.

In October a Property Conference was held in Teslic, and was attended by State and Entity officials. This was a positive step in the return process and for the concept of ownership. Despite reaching an impressive level of agreement and co-operation, resulting in many of the issues raised by Federation and RS authorities being included in the amendments package, the participants left certain issues unresolved. In Teslic it was agreed that November 15th would be the deadline for harmonising the proposed amendments. Moving this process forward now will benefit the development of BiH as a functioning state, and will best serve the interests of refugees, who most often form the most vulnerable levels of society.

The proposed amendments will ensure the full rights of refugees and displaced persons to "freely return to their homes of origin", as guaranteed by the Dayton Peace Agreement. The High Representative stressed that the waning international financial support for BiH means that implementation, supported by the International Community, must be accomplished over the short term.

The High Representative following extensive consultation with the relevant State and Entity Ministries, and taking into consideration the problems facing refugees from BiH, is well aware that a solution to the amendments issue is required in the coming days. The High Representative duly noted the request by the BiH Minister for Human Rights and Refugees for the use of his powers under Annex 10 as a means of effecting a final decision on this issue.

The High Representative highlighted the need to implement fully the provisions of the law, mentioning specifically future amendments to property laws and the allocation of socially-owned land. The High Representative appealed to all authorities to abide by the ban on the allocation of socially-owned land, and called on Entity ministries, to ensure that the relevant municipal authorities uphold the rule of law.

The High Representative indicated his increasing concern with regard to the allocation of socially-owned land, which in many cases is allocated by municipal authorities without the required waiver from the High Representative. The beneficiaries of these allocations should be aware that the title to this property can be challenged, and the municipal functionaries who approve them may be disciplined. The State Commission for Refugees has recently set up a Working Group to address the issue of land allocation, which the High Representative welcomed. The Working Group will consider existing policies on land allocation, and future solutions.