Background: Sarajevo Declaration

In recent days, the implementation of the Sarajevo Declaration and the suspension of reconstruction aid to Bosnia's capital by individual donors have been one of the main topics of public discussion and reason for many conflicting reports. In that regard, the OHR would like to clarify its position.

The Sarajevo Declaration was passed on February 3 this year with the goal of encouraging minority returns to Sarajevo. The agreed target was the return of 20,000 Serb, Croat and other non-Bosniak pre-war residents by the end of this year.

To date, minority return had been at unsatisfactory levels throughout Bosnia and Herzegovina, in particular in Republika Srpska. But the participants of the Sarajevo Conference – senior representatives of the OHR, the USA, the EU, members of Bosnia and Herzegovina's Presidency and other senior State, Entity and Cantonal officials – agreed that Sarajevo's status as the capital and its history of multi-ethnic co-existence necessitated that it take the lead and serve as an example for reconciliation and the unconditional right of every citizen of Bosnia and Herzegovina to return home. Another encouraging factor was that the party in power in Sarajevo Canton, the SDA, had officially always supported the idea of a re-united, multi-ethnic country.

The participants agreed on a set of measures and dead-lines to meet these obligations, which included the adoption of property and housing legislation by the Federation, a review of the education system, the creation of employment opportunities for returnees, the restructuring of the police force, and the solution of specified return cases, among them 100 outstanding UNHCR cases and 29 cases from the Jewish Community.

In addition, as Sarajevo authorities had indicated previously that there were numerous cases in Sarajevo in which one person or family illegally occupied more than one apartment or house, the Sarajevo Declaration called on the authorities to identify 500 such cases of "multiple occupancy" by April 1 and another 1,500 by June 30. A principle agreed at the Conference was that nobody would be made homeless by returns. In the case of multiple occupancy that was given automatically: the "multiple occupants" would move to the one apartment to which they had the occupancy right, and the pre-war tenant would be reinstated in the other one. This seemed a fair way of freeing up space for returnees.

Over the following months, Cantonal authorities and international organizations identified hundreds of cases of potential "multiple occupancy." But almost none of them was resolved. On May 27, High Representative Carlos Westendorp and the Ambassadors of the Steering Board of the Peace Implementation Council handed a list of 261 such cases to the Chairman of the Presidency Alija Izetbegovic, asking him to help resolve them. This list included 220 cases initially identified as cases of multiple occupancy by Cantonal authorities and international organizations, which were selected from 794 cases reported by the public following a public appeal, as well as 41 cases reported to the Federation Ombudsman and the OHR directly.

Still today only 26 of these cases have been or are in the process of being solved, according to the Sarajevo Housing Commission, and the authorities have made no further attempts to identify cases of multiple occupancy, though the Sarajevo Declaration calls for the identification of a total of 2,000 such cases. Only 32 out of the 100 UNHCR cases and ten of the 29 Jewish Community cases have been solved, according to the UNHCR and the Jewish Community, respectively. And according to figures provided by the Cantonal Ministry of Labor, Social Affairs, Displaced Persons and Refugees, 724 minority families

that translate into 1,202 individuals (654 Serbs, 488 Croats, 60 others) had returned to Sarajevo as of today since March 1.

Some progress has been achieved regarding the legislation, the restructuring of the police and employment and education issues, but is by no means satisfactory.

As a result of the weak performance of the Sarajevo authorities, some donors have suspended providing reconstruction aid to Sarajevo. High Representative Carlos Westendorp agrees with this course of action and will support their decision until the situation improves. At the Steering Board meeting in Brussels on Wednesday, the Board expressed similar views, voicing disappointment at the performance of the Sarajevo authorities. The Board considers the current the situation to be unacceptable and demands immediate and demonstrable action to move the process forward as rapidly as possible.

So far, Sarajevo has received more aid than any other city or Canton in Bosnia and Herzegovina: over 400 million DEM, out of which 80 million have been spent on the reconstruction of housing. The High Representative would like to continue pressing for reconstruction aid and other support, but needs to see a clear commitment of the authorities to a multi-ethnic city in which all citizens are equal and enjoy equal rights. In recent days, there appears to be some movement on the outstanding issues. He hopes very much that the activities will translate into positive results that will convince donors to continue rebuilding Sarajevo.