

Continued Progress/Obstacles in Property Law Implementation

During the period from July (the last release of statistics) to September, the rate of repossessions rose from 21% to 24% in the Federation and from 9% to 10% in the Republika Srpska, and the overall rate for BiH rose from 15% to 18%. The rate of issuance of decisions rose in the Federation from 48% to 51% and in the Republika Srpska from 24% to 26%. Overall in BiH, decisions have been issued on 39% of claims filed.

The apparent decrease in the rate of repossessions for August and September in the Republika Srpska is due to the fact that RS authorities included repossessions of destroyed properties. Thus, corrections were necessary to ensure that the PLIP statistics reflect only repossession of habitable residential property.

We welcome efforts by local authorities to identify categories of individuals whose income demonstrates that their housing needs can be otherwise met, i.e. through private rental, and as such are not entitled to alternative accommodation. These categories would normally include higher-level government and military officials, judges and public prosecutors. Promising initial steps have been taken in the Brcko District and in most municipalities in Central Bosnia Canton, in particular.

However, we continue to be concerned with the overall slow rate of implementation of the property laws in BiH. In too many cases local officials have failed to take ownership of the repossession process. High officials of both Entity Ministries for refugees and displaced persons have made inappropriate statements indicating evictions would be postponed during the winter months for particular groups of

persons, which is directly contrary to the laws of both entities.

In particular, we are concerned that housing officials are doing too little to identify alternative accommodation, including emergency accommodation. The law is clear: the failure of the housing authorities to meet their obligations in this regard must not delay evictions. Only in a few municipalities have the housing authorities taken appropriate steps as required by law to provide alternative accommodation to those entitled to it who are facing eviction during the oncoming winter months. As a most urgent measure, local officials should take decisive and transparent steps to identify and use all unclaimed socially owned apartments as alternative accommodation.