

Expiry of the April 19 Deadline for Filing Claims to Repossess Socially-Owned Apartments in the Republika Srpska

The Office of the High Representative would like to remind all pre-war occupancy right holders who have not yet claimed their socially owned apartments in Republika Srpska that the deadline will expire on Wednesday, 19 April 2000. Pre-war occupancy right holders who have not claimed yet – including those who swapped apartments during the war, and those who were allocated other apartments under the process of space rationalization – should submit their claims by April 19, as the deadline will not be extended and they will otherwise lose their occupancy right.*

Pre-war holders of occupancy rights to socially owned apartments in the RS have had one-and-a-half years to file their claims, and lately there have been no more complaints about the registration of claims. It is important to finish this process so that unclaimed socially owned apartments used by illegal or double occupants can be used as alternative accommodation, as set out in the law. It is the responsibility of the authorities to free these apartments and provide them on a temporary basis to those in need of housing, such as displaced persons who are entitled to alternative accommodation.

According to statistics of the RS Ministry for Refugees and Displaced Persons, 26,468 claims for the return of socially owned apartments had been filed by April 3. However, only 458 (1,73%) have been returned to the rightful occupancy right holders. If the process continues at this pace, it will take more than 80 years to finish.

The High Representative, Wolfgang Petritsch, is utterly dissatisfied with the slow pace of the process. He considers it a result of managerial incompetence by the RS Ministry for Refugees and Displaced People and the lack of political will. Both are incompatible with the Rule of Law and the democratic principle that citizens' rights are respected and enforced.

In particular, the High Representative is disappointed with the inactivity of the RS Ministry for Refugees and Displaced Persons and its municipal sections (OMIs) with regard to tackling double and illegal occupancy. A solution to this burning issue would allow for the return of this property to the rightful owners and occupants and for the creation of alternative accommodation.

The High Representative has also noticed continued efforts by officials of the Ministry and OMIs to distort the legal process by failing to provide alternative accommodation to people who vacate property and whose housing needs are not met otherwise. This is unacceptable. Under the law, everybody in need of alternative housing is entitled to such. These officials are neglecting their legal duty to protect displaced persons.

Following recent incidents directed against OMI officials who have actually been trying to implement the laws, the High Representative supports better security arrangement for those officials.

The High Representative expects to see a significant improvement in the performance of the Ministry and its OMIs very soon. A failure to improve the effectiveness might result in undesirable consequences for the RS, in particular in the light of the upcoming conference of the Peace Implementation Council in Brussels.

There is no deadline for filing claims for the return of private property.

* The Commission for Real Property Claims of Displaced Persons and Refugees (CRPC) will allow certain categories of occupancy right holders to apartments in the RS who have filed or tried to file a claim by April 19, but have encountered problems, to submit a claim with CRPC for another 60 days. CRPC will shortly issue a press release with further details.