

High Representative Lifts Suspension of Federation Apartment Privatisation

The High Representative, Wolfgang Petritsch, today issued three Decisions lifting the 4 December 2001 freeze on the privatisation of certain unclaimed apartments in the Federation. He also established the necessary Commissions to review the revalidation of cancelled occupancy rights and the issuance of new occupancy rights to socially owned property made after 1 April 1992. The freeze had been imposed by the High Representative at the time in the RS and the Federation in order to prevent illegal privatisation.

Due to the fact that the Federation Ministry of Physical Planning and Environment was unable to meet its legal obligations and issue an adequate instruction within a reasonable amount of time, the High Representative today provided for the necessary instruments in order to be able to lift the ban on privatisation. Any further unnecessary delay in the privatisation process would have caused unacceptable hardship for individuals who wish to purchase their apartments.

The Decision by the High Representative establishes the content, competence and procedures of the review commissions. They will be made up of representatives from the competent cantonal ministries responsible for housing affairs, and will be monitored by the Federation Public Defender's Office. Members of the International Community will also be involved in monitoring the proceedings by having field staff attend Commission meetings and by reviewing the information compiled by the Commissions. A separate Commission will be established by the Federation Ministry for Defence to review concluded and revalidated occupancy rights to former-JNA apartments. This

Commission will be monitored by the BiH Ministry for Human Rights and Refugees.

In lifting the freeze, the High Representative also clarified the scope of the Commissions work. This Decision exempts from review those apartments where the occupancy right has been passed to a spouse after the death of the occupancy right holder, where the original occupancy right was issued prior to 1 April 1992. It also exempts cases where new occupancy rights have been issued because the original occupancy right contracts were destroyed or where the name of the allocation right holder has changed.

The High Representative is pleased with the level of co-operation shown by the Federation Public Defender's Office, the BiH Ministry for Human Rights and Refugees and the Federation Ministry of Defence in resolving this issue together with the OHR and OSCE.

In the RS the ban on privatising socially-owned apartments in the RS was lifted on 30 April after the necessary legal procedures were established to ensure that only those who meet the legal criteria under the property laws are able to remain in unclaimed apartments.