

OHR RRTF Report July 1997 – Annex 4

RRTF: Report July 1997

Annex 4

“Programmes, performance and capacities of local governments”

July 1997

The policy programmes of the authorities remain inadequate in view of the dimension of the problem of displacement and return. Designs towards relocation of displaced persons within the Entities of Bosnia and Herzegovina as well as towards ethnic consolidation still prevail in spite of political statements favouring return. [Some Cantonal authorities in Central Bosnia seem to be pursuing the most genuine efforts towards return. Policies differ from Canton to Canton.] The RRTF should not disregard the fact that the unsolved problem of internal displacement poses a real and severe burden on the local society and administration. In many cases, and in both Entities, original residents profess their preference to have their old neighbours back, instead of integrating displaced persons, often from other social and regional backgrounds. The current situation cannot be solved by local authorities alone, as long as policies pursued by Entity and Central governments diverge.

In this context, the question on the capacity of local governments to deal with the immense displacement and repatriation problems arises. Since autumn 1996, the common institutions of Bosnia and Herzegovina have gradually been established in an arduous process under the auspices of the Office of the High Representative. A member of the Council of

Ministers has been assigned the portfolio of civil affairs and communication. However, the structure of the Ministry has not been defined, no work plan prepared, and although the Ministry budget has been approved none of the funds are actually available to the Ministry at this time. The apparatus of the previous Ministry for Refugees, Displaced Persons, Social affairs and Emigration still carries out all functions related to the repatriation of refugees from host countries although they should rightfully be undertaken by the Ministry for Civil Affairs. These parallel structures are a consequence of political interests delaying the establishment of effective common administrative organs. The structures of the Entity governments are similarly complex with regards to reconstruction and return.

Within the Federation of Bosnia and Herzegovina, the Ministry of Social Affairs, Displaced Persons and Refugees and the Ministry for Physical Planning and the Environment are assigned responsibilities in this context. The latter ministry's portfolio includes housing reconstruction and mine clearing as well as acting as the "parent" of the Housing Project Implementation Unit (PIU). The channels of interaction between these ministries, however, seem blurred. Furthermore, a minister without portfolio is responsible for some reconstruction issues, including reconstruction in support of return to Brcko, but lacks any administrative cadre worth mentioning. In each of the ten Federation Cantons, Ministries for Social Affairs, Displaced persons and Refugees, for reconstruction and development as well as for planning and environment, create a three-layer responsibility for return and reconstruction issues. The control mechanisms between the Federation and Cantonal levels are still underdeveloped. In the Croat-controlled areas of the Federation, parallel structures exist on refugee and displacement issues. In the Bosniak-controlled areas war-time regional ministries prove sometimes difficult to disband. Each municipality also entertains a secretariat for displaced persons and refugees.

Given the importance of the registration of returnees, Cantonal and municipal police authorities are also essential to the administrative handling of return-related issues. Lastly, nearly every other ministry has responsibilities in the reconstruction of war-damaged assets within its own sector (health, education etc.).

In the Republika Srpska, the Ministry for Refugees and Displaced Persons is responsible for shelter, accommodation, repatriation, integration and rehabilitation of refugees, displaced persons and returnees. The Office of the Commissioner for Refugees and Humanitarian Aid, whose activities are co-ordinated by the Ministry, is responsible for emergency response, management of collective centres and care of their residents, registration of NGOs providing humanitarian assistance, co-ordination of the distribution of humanitarian assistance (except shelter assistance). The Commissioner is also responsible for the transport of returnees and their belonging and has recently been entrusted by the Ministry with the registration of returnees. The responsibility for housing reconstruction lies with the Ministry for Planning and Construction. The system of municipal responsibility has been retained from the former Socialist Republic of Bosnia and Herzegovina, but some municipalities have been geographically re-arranged. Direct political control of reconstruction projects directed at the relocation of displaced persons and returnees ("Serb Sarajevo", "Serb Sanski Most", "Serb Gorazde" and similar visionary projects) by-passing these ministerial portfolios, is an additional element of government structure. The ambivalence between Banja Luka and Pale, the notorious competition for power within the Republika Srpska, and a geographical differentiation between the Western and Eastern territories of this Entity add to the equally diffuse picture in the Republika Srpska.

Budgetary provisions for these manifold administrative organs

also prove inadequate. It is anticipated that in 1997 the housing repairs required for refugees could be close to DM 815 million (around 650 million in the Federation and 165 million in the Republika Srpska) – a sum equal to over one third of the total budgeted government expenditures in Bosnia and Herzegovina (including estimated budgeted spending for local governments in the Federation). There is, reportedly, very little money in either central, entity or local government budgets to cover the cost of refugee returns. Estimates of budgeted expenditures on refugees suggest that only about 2,4 million DM is directly budgeted for refugee returns in the Federation (primarily at the local level) and around 2,5 million DM in the Republika Srpska. Out of the total budget approved for the Bosnia and Herzegovina Ministry for Civil Affairs and Communication amounting to 1,6 million DM, only 220,000 DM are allocated for programmes. Although additional funds in other parts of the budget might also be used towards refugee returns, it is unlikely that these will prove sufficient. In conclusion, although the long-term benefits of refugee return are likely to be quite high, in the near term the cost seems far beyond the means of any level of government in Bosnia and Herzegovina.

Considerable efforts in capacity building of the civil service and sufficient budgetary provisions will have to be undertaken to allow local governments to effectively address the issue, first as partners of the international community and later in sole reliance on local resources. At present, staffing, both in terms of numbers as well as work orientation, is generally inadequate. In many cases, co-ordination within and between ministries is very much underdeveloped. Delegation of decision-making authority to the civil service level is also lacking, burdening ministers with routine decisions. Thus, they are taken in an ad-hoc rather than systematic way.

In the Tuzla-Podrinje Canton of the Federation, UNHCR has initiated a capacity-building programme, with the prospect of

additional bilateral support (National Support Unit project). IMG, with initial funding from the Italian Government, started a process of emergency support to the cantonal ministries for reconstruction and development in the Central Bosnia and Zenica-Doboj Cantons. Similar action is planned for the Posavina, Sarajevo, Una-Sana, Gorazde and Neretva Cantons.

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Office of the High Representative Reconstruction and Return Task Force