

Responsible Government

A Statement by Henry L. Clarke, Supervisor of Brcko

In December 2001 I presented a concept of privatization of apartments to the District Assembly and Government. After due deliberation, the Assembly passed the apartment privatization law in July 2002. The law clearly states that the District Government must sell apartments to qualified buyers within three months of their application. Some 3,500 apartments must be sold by July 2004.

Today, six months after passage of the law, not one apartment has been measured to verify the final price. Not one building has had the common areas specified and measured so that the common ownership could be properly registered with the court. No one has surveyed the land surrounding any apartment building to determine how much should be allocated to the future owners and how much will remain under the maintenance responsibility of the Government. It is not clear when or where this work will begin. Over 2000 apartment dwellers have collected application forms and many of them appear eager to buy their apartments.

The lead responsibility for implementing privatization of apartments was assigned to Public Works. I have accepted the resignation of the Department Head, Mr. Hamed Jerkovic, and I have asked the Mayor to begin immediately recruiting a professional manager to serve as the new Department Head.

But the failure to implement apartment privatization quickly is not a personal one. The Mayor could have taken action earlier. The Head of the Department of Public Records could have developed a plan for the cadastral survey. Support from the Department of Urbanism, which is responsible for real estate, was lacking. There was no effective coordinating mechanism – even after I intervened personally, Departments

were blaming each other.

The District must also keep its contractual obligations to private parties – or the District will be unable to attract investment in the private sector, and may become liable for enormous damages. It is irresponsible to sign contracts without knowing whether the Government can meet the stated deadlines. But having agreed to a contract, the Government must honor it. It can do so if the Mayor makes specific officials accountable for doing so. The Arizona Market contract has been violated repeatedly by the Government. When revised deadlines have been set, they have not been met. Members of the Government must support its policies, including expropriation of land needed for infrastructure, or no one will be sure whether the policies and the contract will be implemented.

On October 14, I outlined to the Mayor four critical steps that must be taken by his Government, as required by the contract, or continued delay would delay the first phase of reconstruction of Arizona Market. These were: (1) demining to permit construction of sewage facilities, (2) a detailed plan for the provision of high voltage electricity, including the location of the transformer, (3) expropriation of one private property to permit construction of a new interior road and buildings for Phase One, and (4) removal of shops illegally built on public land to permit enlargement of the Tuzla-Oraje Road. Each of these steps is essential to create the infrastructure without which Phase One can not be built.

Today, nearly four months later, none of these four steps has been accomplished, although there has been progress on all except demining. Phase One has been delayed. Uncertainty about the willingness or ability of the Government to enforce the law and execute its obligations has discouraged retailers in the market from committing themselves to move into Phase One facilities when they are ready. I have been sympathetic to the Government, as I know individual officials have been

threatened and harassed by opponents to the redevelopment of the market. But there is no excuse for shirking of duty on the part of their leaders.

The mandate of the Supervisor in Brcko includes reform of the public sector and revitalizing the economy. It does not say that I am responsible for personally intervening to ensure coordination between Departments of the Government – as I have, too often, found myself doing.

As part of the reorganization now underway, I am insisting upon a new position to support the Mayor – a manager to ensure coordination among Departments. We will also be rearranging some Department responsibilities to permit more efficient supervision, and perhaps changing some more Department Heads. This is not a moment for Department Heads to be seeking new imperial staffs. Some of the proposals I have seen are unworkable. The Assembly has asked for specific proposals for reorganization, and we will provide the best we can this month.

The District is almost three years old. This is not too soon to be making some more organizational changes. The Brcko District Government has made truly great progress during that time – in the budget, in transparency, and in the economic growth of the District. These improvements can, and will, continue.