

# State property myths

## **MYTH 1: APPORTIONMENT**

*Claim: "Apportionment" is a recently introduced term that means stripping the state of BiH of its property.*

**Reality:** The term "apportionment" means to **share according to a plan**. It has been in this context since 2004 by the BiH Council of Ministers. Later the Peace Implementation Council adopted the terminology in describing one of the five objectives for completing international supervision in BiH as "an acceptable and sustainable solution of the apportionment of property between the state and other levels of government."

**The ultimate function of state property is to serve the wellbeing of all citizens of BiH!**

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## **MYTH 2: STATUS**

*Claim: The state property issue has already been resolved.*

**Reality:** The issue of state property **was not resolved** in Dayton in 1995 and remains one of the objectives and conditions for completing international supervision in BiH.

Dayton and the BiH Constitution establish BiH as the continuation of the Republic of Bosnia and Herzegovina. As one of the successors to SFRY, BiH as the titleholder of state property has been confirmed by the Constitutional Court. A comprehensive and sustainable solution for the apportionment of property between the state and other levels of government needs to be adopted in the BiH Parliamentary Assembly.

Until then, **the ones suffering from the existing legal uncertainty are the citizens of Bosnia and Herzegovina.**

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## **MYTH 3: TERRITORY**

*Claim: The issue of property apportionment is being pushed to take away territory from the entities.*

**Reality:** The issue of state property **has no bearing** on the territorial ratio set by the Dayton Agreement.

For example, prospective defense property registered as the property of the BiH Defense Ministry is still part of the territory of the entities. The same goes for property owned by private individuals or companies, or large industries with foreign capital such as the steel plant in Zenica or the refinery in Brod.

**The issue of state property is a technical and functional issue to find the best way of utilizing state property to serve the wellbeing of all BiH citizens.**

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## **MYTH 4: SOVEREIGNTY**

*Claim: Opening the issue of state property means endangering the existence of Bosnia and Herzegovina.*

**Reality:** The issue of state property is an internal, technical matter of Bosnia and Herzegovina which does not affect BiH's fundamental structure as a single, sovereign state comprising two entities.

**It is a technical and functional issue with the aim of utilizing state property to best serve the interests**

**of all BiH citizens.**

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#### **MYTH 5: AUTHORITY**

*Claim: BiH Parliamentary Assembly is not in charge of the state property issue as it belongs to entities.*

**Reality:** The BiH Parliamentary Assembly consists of 42 representatives elected **from both entities** and 15 delegates elected directly by the FBiH Parliament and the RS National Assembly. Therefore, in line with its constitutional competencies and its composition, the BiH Parliamentary Assembly is **the only competent and the most suitable place** to adopt comprehensive legislation to resolve the state property issue for the benefit of all citizens of Bosnia and Herzegovina.