



LEGAL ASPECT

DAYTON PEACE AGREEMENT (1995)

Apart from having a complex political structure, imposed upon it under the terms of the 1995 Dayton Peace Agreement, Bosnia and Herzegovina is committed to participate actively in important housing and urban reforms and to cooperate closely with countries of the region as well as with international institutions and organisations. In addition to the complex and divergent administrative structures, very often political reasons are slowing down reform process in BiH. Although the right to housing is formally endorsed and the Annex VII of the Dayton Peace Agreement formally evoked the right of refugees and displaced persons to return to their homes, it is not easy to fully access and exercise these rights.

IN THE CONSTITUTION

According to the BiH Constitution there are no state competencies in housing, urbanism or spatial planning. These areas are being regulated at the level of Entities and Brčko District. Recognizing the outstanding need and necessity to coordinate activities in the area and aiming to a comprehensive approach the recent legal amendments provided for the state competencies in housing policy being founded with the Ministry for Human Rights and Refugees of Bosnia and Herzegovina with a mandate for setting up basic principles for coordinating activities, harmonising BiH government policies and plans with international commu-

nity in the field of housing policy, reconstruction and development.

Source: Housing and Urban Profile of Bosnia and Herzegovina, 2006, Ministry for Human Rights and Refugees

Bosnia and Herzegovina has ratified the Revised European Social Charter on 07/10/2008, but not the art.31 about housing right. Commissions are formed to continue to discuss about these articles and some of them are now ratified, concerning health social security and social protection for exemple. It has not signed the Additional Protocol Providing for a System of Collective Complaints.

FORCED EVICTION

According to Human Right Watch (2012), **many Roma in Bosnia live in informal settlements that lack stability and security for their families.** Forced evictions are an ever-present danger, and the government has made no provisions for adequate alternative housing for those who are evicted. Forced evictions have been a particular problem in Mostar, with some Roma families evicted twice in the past two years. Most recently, in October 2011, 100 Roma were left without adequate housing after an eviction to make space for housing for other Roma. None of these evicted were offered alternative accommodation.

Source : Human Right Watch



SOCIETY CIVIL ACTORS :
 MIKROKREDITNA FONDACIJA LOK
 - UNOPI - HABITAT FOR HUMANITY
 BOSNIA HERZEGOVINA - ASSO-
 CIATION DES CITOYENS NEŠTO
 VIŠE - ...

PROBLEMS

DISPLACED PERSONS AND REFUGEES

There remains a significant number of displaced persons, refugees and other conflict-affected persons of concern who are in need of durable solutions, among them, 125,000 displaced persons whose status was confirmed in the 2005 re-registration process. Many of these people are extremely vulnerable and traumatized, living in inhumane conditions in displacement. Unfortunately, around 2,700 families continue to live in collective centers in BiH. Also, many persons are unable to return because their pre-war property is destroyed and is on the list of 45,000 housing units of returnees awaiting reconstruction or because landmines have not been cleared from their pre-war villages.

Source: Revised Strategy of Bosnia and Herzegovina for the implementation of the Annex VII of the Dayton Peace Agreement, MHRR 2010.

PUBLIC HOUSING AND PRIVATIZATION

The process of privatization comprised socially owned housing units throughout BiH. However, the Entities applied different privatization models. Privatization on the basis of certificates in FBiH corresponded to advantageous method for final beneficiaries, but the revenue from privatization was nil to zero, while on the other hand, using the voucher system and by relying on cash payments, RS achieved much better arrangements with regard to the financial effects of the housing privatization that contributed to the strengthening of housing budgets. However, both methods can be evaluated as versions of a "give away" privatization, because even in RS the actual payment was around 10-15% of the actual market value. As a result of privatization, social ownership has practically disappeared and the local governments have been left without public housing units.

Source : Habitat for Humanity



HABITAT WORLDMAP

BETTER UNDERSTAND THE CONTEXT : WWW.WM-URBAN-HABITAT.ORG

UNDER CONSTRUCTION

