



HOUSING AND LIVING CONDITIONS
IN BOSNIA AND HERZEGOVINA
(HOLICOB)

THE SECOND PHASE
PROJECT METHODOLOGY 2017-2020

August, 2020

Contents

Introduction to the methodology	4
Strategic approach to stimulating solving housing issue for young people	5
Sustainable development and housing.....	7
Informational support to students	12
Safety and security in housing	18
Advocacy for legislation improvements	28
Tax regulation and legislative policies	32
Gender mainstreaming and housing	36

1. Introduction to the methodology

The CENZOR Association is a non-governmental and non-profit organization that promotes the improvement of the quality of life and housing in BiH by directing its actions especially towards young people and initiating a participatory approach of all relevant actors towards mutually acceptable solutions.

Herby we present the methodology CENSOR applies within the HOLICOB project in Bosnia and Herzegovina. HOLICOB came about many years ago when the Swedish Union of Tenants (SUT) built up long term cooperation with projects in the Western Balkan region. Results achieved during the period 2014-2016 convinced the SUT, CENSOR and local partners to continue its efforts in developing the housing and living conditions in BiH particularly in Tuzla and Sarajevo through the support obtained from Olof Palme International Centre from Sweden.

Objectives of actions were related to:

- contribution in creating long term strategy of housing and living conditions in Tuzla and Sarajevo;
- provision of new perspectives in this domain using competence of organizations of civil society and having strong influence in debates related to housing and living
- involvement of youth to make them active in process of acquiring better housing and living conditions

HOLICOB has so far recognized what the current housing situation is for youth in Sarajevo and Tuzla and is now looking to implement solution to improve the situation for young tenants.

A common problem for civil society actions is the lack of experience of citizens to claim their rights within democratic structures. This is true both for civil society itself as well as for governmental structures and representatives. Civil society has the potential to play a role to be able to change this by fostering a culture of democracy and to create a closer and more open relationship between citizens and decision makers. The continuation of HOLICOB will address this problem by empowering tenants to take action and find out their rights and obligations.

This methodological guide we present is aiming to sharing the experience with those who are interesting to start similar initiatives and highlight the issue of housing on agenda of all relevant stakeholders.

2. Strategic approach to stimulating solving housing issue for young people

The exodus of the number of inhabitants in Bosnia and Herzegovina to the Western Europe, has catapulted over the most recent five years. The largest share of the population that migrates are young people aged 20-35 with completed higher or secondary education.

One of the principle motives for the mentioned, besides finding adequately paid employment, is the inability to solve the housing issue in the optimal time horizon. Discouraging factors include low incomes, credit insolvency, high interest rates, and the lack of perspective to be capable of providing social security that will enable starting a family.

It is obvious that the steps the competent public authorities need to take, in addition to strengthening the economic capacity that will facilitate employment, is to enable young people to solve the housing issue on more favorable terms than those who govern the real estate market.

The Vital Signs 2019 Quality of Life Report reveals that young people from the Tuzla Canton, aged between 15-30, live in following housing structures:

- **A house (56.5%), or an apartment (16.3%) owned by the parents or parent of the spouse**
- A house with the parents (9.5%)
- A house that is owned by one of the spouses (8.5%)
- As a tenant separately from the parents (5.7%)
- An apartment owned or owned by the spouse (2.1%)

The situation analysis shows that a significant number of young people (more than 87%) will be faced with the problem of solving the housing issue in the coming period.

Due to the observed statistics that speak for themselves, CENSOR conducted a research in April 2020, aimed at encouraging housing for youth of Sarajevo and Tuzla canton, which was created within the HOLICOB project (Housing and Living Conditions in Bosnia and Herzegovina).

CENSOR strategic approach relies on the classical methodology of strategic planning, being structured from a couple of logically interconnected units:

- Identifying the strategic framework and clarifying the relevance

- Presenting the current regulatory and institutional framework for addressing youth housing problems
- Scrutinizing the legal framework and current practice for the Tuzla and Srajevo Canton
- Presenting the findings of the analysis of the current perspectives with special reference to the current ways of housing of young people, whereby potential development problems are emphasized
- Giving a proposal of a strategic goal
- Explaining accompanying programs
- Defining a strategic action plan for the realization of the priority goals

Expert team of CENSOR associates who developed the strategy in close communication with relevant stakeholders provided an overview of the strategic approach to youth housing in Bosnia and Herzegovina.

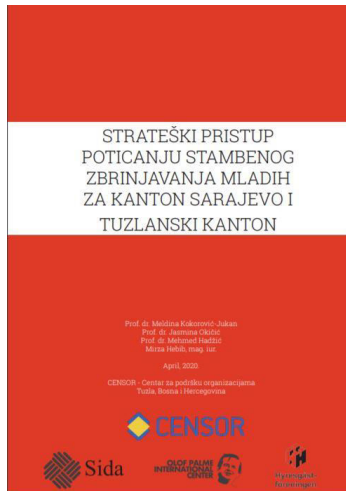
Research conducted during the process of strategy development has shown key shifts and positive trends are visible in the option of buying an apartment 36.62% of respondents decide. This data is encouraging, because the tendency is common ownership can be tied apparently, given the sample of respondents, to young people educated person.

Starting from the identified problem, strategic framework and relevance in context regulatory and legal structure of the Federation of Bosnia and Herzegovina, systemic approach in **Solving the problem of housing for young people** can go in two directions, through:

1. integration into the development strategies of cantons or local self-government units (cities and municipalities) and
2. integration into partial strategies for solving the problems of the socially endangered category.

This document provides the competent public authorities in the Sarajevo Canton and the Tuzla Canton with an insight into various possibilities for action in resolving the housing issue of young people. For more info in this regard, check out link attached

<http://holicob.ba/wp-content/uploads/2020/04/Strates%CC%8Cko-pozicioniranje-CENSOR-2020.pdf>



The publication was supported by the Swedish International Development Cooperation Agency (SIDA) and the Olof Palme International Center (OPC).

3. Sustainable development and housing

In order to promote the International Housing Day, on the eve, September 8, 2019, CENSOR hosted a conference in its premises entitled ***“Let make cities inclusive, safe, resilient and sustainable.”***

The panellists were eminent experts from the fields of Economics and Law, Lawyers, and representative of Youth associations from the areas of Sarajevo, Tuzla, Zenica, and Ključ. The total number of participants was 50 with the gender structure composed of 28 women and 21 men. The structure of the stakeholders involved was composed of 25 representatives of OCD including student organisations, 20 representatives of the relevant public institutions such as; line ministries, city administrations, local governments, and 4 representatives of the condominium owners.



Censor: TV Reportage

TV reportage is available at the following link:

<http://holicob.ba/2019/10/09/povodom-obilježavanja-medunarodnog-dana-stanovanja-censor-je-08-10-2019-organizovao-konferenciju-pod-nazivom-ucinimo-gradove-ukljucivim-sigurnim-odrzivim-i-odrzivim/>

Topics that were the focus of the conference and motivated many constructive discussions among involved participants were the following:

- condominium
- tax policy
- quality of urban housing
- new jobs
- housing policies for young people
- quality of social housing

Tailor made conference agenda including corresponding participatory methodology is provided below as an example.



Example of the Conference program
"Let make cities inclusive, safe, resilient and sustainable"
Hotel "Senad od Bosne", Lukavac
07.-08.10.2019

07.10.2019. (Monday)

19:00

Welcome and group socialisation, Hotel "Senad of Bosnia"

08.10.2019. (Tuesday)

09:00 - 09:20	Registration of participants
09:20 – 09:30	Welcome and introductory presentation <ul style="list-style-type: none">• Indira Prljača, conference moderator
09:30 - 10:00	Greetings and introductory addressing of the audiences <ul style="list-style-type: none">• Emira Mešanović, Olof Palme International Centre• Jasminka Tadić-Husanović, CENSOR
10:00 - 10:35	Topic: Condominium ownership - how to ensure security of acquisition and peaceful enjoyment of the ownership <ul style="list-style-type: none">• Prof. Dr, Meliha Povlakić
10:00 – 10:45	Questions and answers
10:45 - 11:20	Topic: New jobs until 2030 <ul style="list-style-type: none">• Prof. Dr. Edin Osmanbegović
11:20 – 11:30	Questions and answers
11:30 - 12:00	Coffee break
12:00 - 12:35	Topic: Tax policy of BiH from the aspect of housing <ul style="list-style-type: none">• Amela Pejdah i Sanela Džanić, Joint Law Office Amela Pejdah & Sanela Džanić
12:35 – 12:45	Questions and answers
12:45 - 13:20	Topic: Youth and housing policy

13:20 – 13:30	<ul style="list-style-type: none"> Jasmina Banjalučkić i Nedim Alibegović (Council of youth of the Federation BiH), Mevludin Purić (Reaktiv, Youth association) <p>Questions and answers</p>
13:30 - 15:00	Lunch break
15:00 - 16:30	<p>Parallel workshops:</p> <ol style="list-style-type: none"> 1. Current quality of urban housing, moderator Prof. Dr. Edin Osmanbegović 2. Confiscation of property acquired through criminal offenses and its use through social policy, moderator Prof. Dr. Midhat Izmirlija 3. (In) activity in solving the housing issue of young people in BiH - quo vadis ?, moderator Mirza Hebib, MA iur.
16:30 - 17:00	Coffee break
17:00 - 17:30	Presentation of workshop conclusions
17:30 – 17:40	Evaluation and closure of the conference
19:00	Joint dinner, Hotel “Senad od Bosne”



Through the panel discussion, CENSOR tried to pinpoint the importance of housing issue when it comes to tax regulations for purchase and lease agreements. In addition, what especially sparked discussions were no adequate solutions in terms of incentive policy when it comes to youth housing. It is this challenge that is at the top of the list when young people decide to emigrate to other countries. Due to this burning issue and its significance as one of the essentials in the life of every person, useful housing policies and examples from neighbouring European countries were presented, as well as possible ways to integrate them into our policies.

With their long term partner, the Association of Tenants of the Swedish Region Aros-Gävle, Censor undertook the action of providing informational insight in these issues by producing reportage advertised through the TV programs.

One of the proposals advocated by experts is the transfer of state land to young people for the construction of real estate, with the possibility of their subsequent purchase at reasonable and rational prices.

Currently, there is no mechanism at the state level supporting solving of the housing issue and very few steps have been taken by a small number of local governments. For example, the city of Tuzla, the city of Sarajevo, and Zenica-Doboj Canton - in the form of providing incentive fund for more attractive interest rates in resolving the housing issue.

All this is insignificant and modest, but on the other hand there is a lot of room for significant progress.



Censor : Informative short video spot

The conference resulted in extensive proposals, and at the attached link see the key findings of the discussion as well as the corresponding conclusions and recommendations:

http://holicob.ba/wp-content/uploads/2019/10/zakljucci_cjelokupne_konferencije.pdf

4. Informational support to students

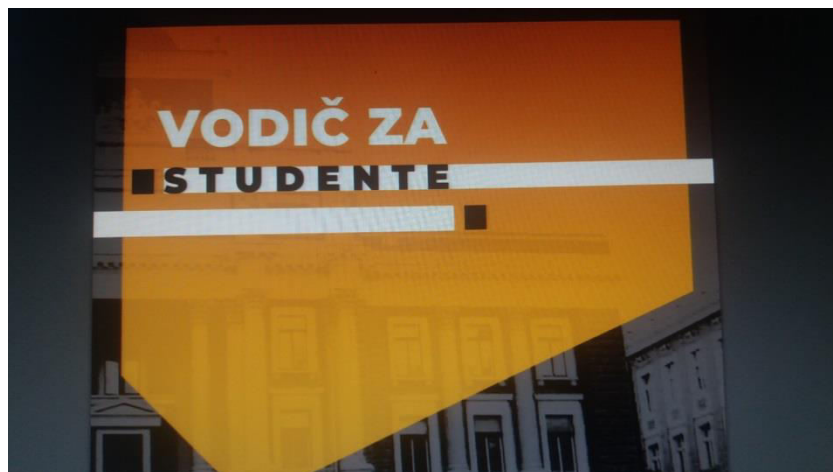
Guide and info brochure to students in Sarajevo and Tuzla canton

In order to provide relevant information to students of universities in the Sarajevo city, CENSOR has produced the comprehensive brochure called ***Guide for students***.

The content of the brochure was based on the most relevant and interesting questions raised by students, as well as general info that every student should know. The brochure was disseminated at the most frequent spots where students circulate, such as faculties registration desk and similar and is available at the CENSOR web site. The presented information has filled the gap in the information which is not available to students in a systematic and comprehensive way otherwise.

The contents of the ***Guide for students in Sarajevo***:

- Accommodation in dormitories
- Overview information about student dormitories in Sarajevo
- Applications and acquisition of rights to student dormitories
- Lease of an apartment
- Legal regulation of residence and stay
- Application procedure
- Student health care
- City transport in Sarajevo
- Libraries and reading rooms
- Student activism and associations



Brochure: Guide for students

Brochure available at: http://censorba.org/wp-content/uploads/2018/11/Vodic_za_studente.pdf

CENSOR has prepared similar info material *“Guide to find accommodation in a student dormitory or lease/ rent”*, for students in Tuzla city.

The Guide is consisted of the information answering the following questions:

- How to get a room in a dormitory in Tuzla?
- What is required to register residence and apartment address?
- What is residence and what is domicile stay?
- Where can I get a certificate /proof of residence?
- How is health care provided in the area of another canton?
- How and to whom to turn for help in finding private accommodation?
- What to do first when renting an apartment?
- Does the lease agreement have to be certified?
- Can a lease contract be concluded for an indefinite period of time?
- What are the legal obligations of the lessor and which of the lessee?
- Can the landlord enter the apartment unannounced whenever he wants?
- Can the renting be terminated?
- In case of violation of the provisions of the lease agreement, does the lessee have judicial protection?
- Can a tenant become a property owner over time?
- Does the tenant have to be the owner of the property?
- How long do litigation last?

Info material available at the link: <http://holicob.ba/wpcontent/uploads/2018/12/vodiczadomizakup.pdf>

TV spots as an info tool

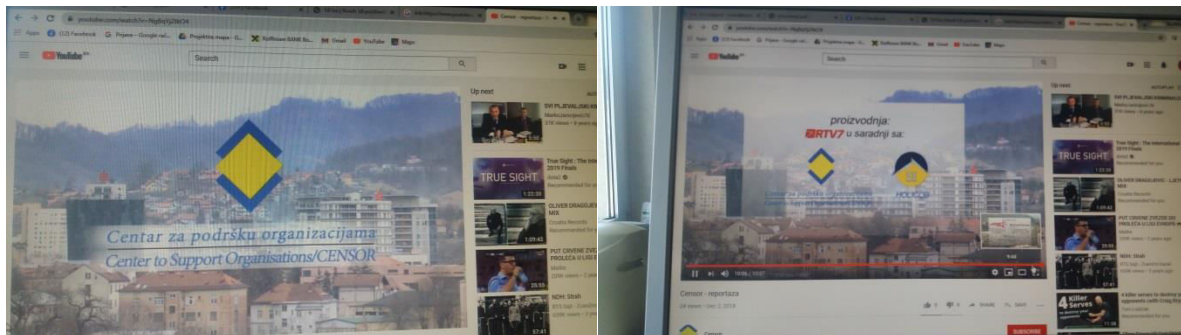
The similar information presented in brochure were broadcasted through the TV spots – simple and informative providing info about more info to be found in the brochures and at the web site of organisation.

It is an additional tool that ensured greater interest and rising knowledge about these issues among the students.

CENSOR in its methodological approach struggle to use the combination of the methods as to reach as much as possible number of beneficiaries.

TV informative spot introducing too the link to more details available at the *Guide for students* in Sarajevo could be found at the link: <https://www.youtube.com/watch?v=7ObNNSNb8Cc>

While the info about the students /tenants' rights and tax regulations in the renting agreements is accessible at the link: <https://www.youtube.com/watch?v=NgBqYjZtkO4>



TV reportage on You Tube

Duration of the TV spot is around 3 minutes for students in Sarajevo, while for the students in Tuzla info reportage introducing too the tax regulation in renting the apartments/rooms is lasting 10 minutes.

Scenario for both reportages was agreed upon with the service provider and producers aiming to be simple and user friendly contents that will attract students to look for the more information at the organisation websites.

Research activities as the information verifiable data

In order to highlight the possibilities of youth access to the municipalities' owned apartments the case study research is conducted and presented to the policy makers. The research is called "Municipal apartments in the area of the city of Sarajevo and possibilities of usage in the context of solving youth housing problems"

For the purpose of conducting the analysis, and based on the provisions of the Law on Freedom of Access to Information CENSOR requested from targeted city municipalities in Sarajevo the following information:

- (1) List of apartments over which municipalities are entitled ownership;

- (2) Data on the procedure of disposing of all apartments (leasing by public invitation, transfer of apartments to the socially endangered families, refugees and displaced persons, etc.);
- (3) in the case of apartments that have been leased, information on the amount of the rent and the duration of the lease;
- (4) the legal basis on which the apartments were acquired,
- (5) information on the long-term planning of the disposal of the apartments, and plans within municipalities if any;
- (6) information on possible planned expansion of the municipal housing stock and the goals that would be achieved in that way.

CENSOR also checked the data kept in the Land Register, related to apartments owned by municipalities, and analysed all available data related to the disposal of apartments available on the websites of municipalities.

Questioner used to assess the attitudes of youth towards the housing issues is presented below:

1. Gender of respondents

- man
- woman
- I do not want to declare myself

2. How old are you?

- 20-30
- 30-40
- 40-50
- 50-60

Enter _____

3. Your educational status is:

- Unfinished primary school
- Completed primary school
- Secondary education
- Higher education
- Higher education
- MA
- Ph.D.

4. What is your marital status?

- Single
- Living together (You are not married but live with a partner)
- Married
- Formally married, but live separately by choice
- Divorced-a
- widow / widower
- Doesn't want to answer

5. Where do you currently live?

- As a tenant with parents
- As a tenant but separate from the parents
- In an apartment owned by your parents (or wife's parents)
- In an apartment that is your property (or your wife's)
- In a house owned by your parents (or wife's parents)
- In a house that is your property (or your wife's)
- Student dormitory

- Something else
- He doesn't want to answer

6. If you do not have a housing issue resolved, do you intend to resolve it?

- I have already resolved the housing issue (→ Go to question 8)
- I have not resolved the housing issue and I do not want to resolve it (→ Go to question number 8)
- I have not resolved the housing issue and I intend to resolve it (→ Go to question number 7)

7. How do you intend to solve your own housing issue?

- Buy an apartment
- Buy a house
- Inherit property (house or apartment)
- Rent an apartment or house
- I don't know / He doesn't want to answer

8. How many square meters of living space is in use in the house / apartment in which you currently live, including the kitchen and bathroom?

Enter _____

9. Taking everything into account, how would you rate the quality of your apartment / house in which you live?

- Poor
- Of limited satisfaction
- Good
- Very good
- Doesn't want to answer

The results of this research are to serve the CENSOR association in further endeavours and steps of development of the Strategy for advancing the housing potentials of in the area of Tuzla and Sarajevo, which is one of the long-term goals in the project implementation process.

The Research is available at the link: <http://holicob.ba/wp-content/uploads/2019/07/istrazivanje.pdf>

5. Safety and security in housing

Censor has developed several supportive instruments dealing with the safety and security issues, making it not only content relevant, but also illustrative and user friendly for reader and any potential user. Several brochures, instructions and related survey are presented in this project component.

Guide and info brochure related to protection against electric shocks in residential buildings

In order to provide relevant advices related to the security issues the CENSOR has produced the brochure which content was based on the most relevant questions regarding potential household electric threats, as well as general illustrative information and advices that everyone should be aware of.

PROTECTION AGAINST ELECTRIC SHOCK IN RESIDENTIAL BUILDINGS

To avoid electric shock and minimize the potential causes , CENSOR advises the following:

- Prevent defective devices from connecting to the network (periodically inspect your devices for any visible damage to the device body or power lines)
- Follow the instructions provided by the signs governing certain actions.
- Do not throw away the appliances, do not leave the house / apartment if you have an electrical appliance turned on (dryer, washing machine, kettle, oven or stove).
- When working in electrical installations, it is necessary to meet the requirements of the rules, instructions, sequence of technological processes.
- It is advisable to do a test of your home electrical installations by certified companies / persons every three years (three-year test).
- Do not ignore danger signs that are clearly placed on switchboards and electrical appliances.

PRACTICAL ADVICE

In addition to the above, it is possible to completely reduce the possible dangers in household by acting responsibly. Here we include the activities as follows:

- When disconnecting the plug from the wall socket, do not pull it out, but always hold the plug firmly and pull it out
- In no case disconnect / connect the power cord with wet or damp hands

- Always Turn off the light bulb when changing it
- Do not overload the socket with too much energy
- Do not pour water into the iron while it is connected to the power supply
- Never keep electrical appliances connected to the power supply near the pool
- Do not allow children to operate electrical appliances
- Educate all family members first aid
- In the event of damage to the power cord, which should not be used until repair, it must be replaced by the manufacturer, dealer or other authorized person
- If you have any doubts about the correctness of an electrical appliance, leave the repairs of household appliances and installations to authorized and trained persons

Find detailed information in at the link

<http://censorba.org/wp-content/uploads/2019/11/StrujniUdar.pdf>

Guide brochure related to protection against earthquake

HOW TO BEHAVE IN CASE OF EARTHQUAKE

If you are aware of the possible dangers and risks that earthquakes carry, if you know how and where to get the necessary information, as well as to organize yourself in critical moments, your life and the lives of people around you will be much safer. You are a responsible actor - you must be aware of the danger, know how to react and how to cooperate with the rescue services.

CENSOR outlines what an earthquake is, and how to behave during an earthquake in different conditions you may find yourself in. Particularly important CENSOR considers the following:

- How to behave in the open air?
- How to behave indoors?
- How to act in case you find yourself in a car in the event of a natural disaster?
- How to act in case you find yourself under the ruins during a natural disaster?
- What necessary steps to undertake after an earthquake?
- What should an emergency bag contain in the event of an earthquake evacuation?

Find detailed information in at the link

http://censorba.org/wpcontent/uploads/2019/12/Zemljotres_prirucnik.pdf

Guide and info brochure related to protection against massive crowds

CROWD CONTROL IN CASE OF DISASTERS (EARTHQUAKE, FIRE, ETC.)

Crowds can occur in a variety of situations such as religious congregations and processions, food distribution / humanitarian aid, entertainment events, moving tracks / escalators, bridges, sporting events, political rallies, riots, and fires during certain events, natural disasters, and so on.

People are prone to panic because of mass psychology. Humans are subject to certain instinctive reactions that have helped them cope with a situation of struggle and survive as a species.

Supervising large crowd is very important, even the slightest case of mismanagement can lead to a stampede or chaos.

Crowd management is based on several pillars such as:

- Capacity planning,
- Risk assessment,
- Improved preparedness planning,
- Response to occurrence,
- Capacity building, etc.

Planning and management are subjectively based on several parameters such as:

- **Type of event** (such as religious, school / university, sporting event, music event, political event, product promotion, etc.)
- **Expected crowds** (age, gender, economic strata, etc. such as farmers, merchants), motives of crowds (such as social, academic, religious, entertainment, economic, etc.)
- **Place** (location, topography of the area, temporary or permanent, open or closed, public or private)
- **Role of other institutions** / bodies (such as NGOs, venue neighbors, local administrators, etc.).

Guide for preventive protection of citizens and procedures in case of fire, explosion or accident.

In most cases, tragedies can be prevented by proactive planning and implementation by the competent institutions / bodies.

CENSOR offers detailed instructions for preventive protection of citizens and procedures in case of **fire, explosion or accident**. Available on following link <http://www.censorba.org/uputstvo-za-preventivnu-zastitu-gradana-postupci-u-slucaju-pozara-eksplozije-ili-nesrece/>



Illustrative instructions

Advices for well-being of all in neighbourhoods

Based on good practice of good organised neighbourhoods for well-being of all, CENSOR brings set of advices on how we can live better together. If we ensure greater interaction with each other, if we talk to each other about issues that concern us together, if we help each other, we will create the preconditions for creating a beautiful environment in which people will live comfortably.



Illustrative brochure: Well-being and safety in our neighbourhoods

Illustrative brochure available at:

http://censorba.org/wp-content/uploads/2020/07/sigurnost_brosura_finalna.pdf

Within the set of advices, the link with the review of duties and responsibilities of the "Building managers in Tuzla" are given, which is available at:

http://censorba.org/wpcontent/uploads/2018/12/sudskapraksa_upravitelji_web2.pdf

Brochure related to security in housing and gender perspective

SECURITY FACTORS - HOUSING AND GENDER PERSPECTIVE

Considerations of the housing security aspect are gaining in importance as well as the gender dimension of security. There are many initiatives that in recent years have led to better implementation of the system of measures for coordination and timely response in raising the security of housing to a higher level.

However, there is room for improvement through raising awareness of security aspects and integrating good gender practices in the field of housing.

Effective development programming requires consideration of specific need of both men and women. The approach is based on specific risks that may or may not, depending on specific factors in a particular situation, affect or worsen the level of security and sense of security of each individual. The aim of this survey was to point out general security challenges, quality standards in housing, as well as to shed light on gender specifics in housing from a security perspective.

In order to highlight the awareness of security aspects CENSOR conducted a research in the period November-December 2019. The research was conducted in the city of Tuzla, with participation of the 29 local communities took part in the survey, online questionnaires and direct interviews. A total of 521 respondents took part, of which 328 are women and 193 men. The survey was conducted through an online questionnaire and directly through interviewers.

Women showed greater interest in the research, as many as 328 or 63% of them, while 193 or 37% of men took part in the research. Since it was not possible to do a comparative gender analysis based on the number, it was done based on the percentage in such a way that the total number of both viewed individually as hundred percent.

The highest percentage of 46% of male respondents and 41% of female respondents were aged 18-35 years, while the second larger group in both men and women consisted of respondents in the age group from 35 to 50 year.

Participants answered questions relating to safety factors and rated aspects such as:

- Adequacy of exit from / entrance to residential building
- Appropriate residential environment
- Be able to get help
- Clean and welcome environment (interior and surroundings of the building)
- The social aspect of security

Gender related difference in attitudes were visible in several aspects and as such represent a solid base to City authorities and Buildings managers in improving the situation in the highlighted areas.



Brochure: Results of Survey

More information about the survey results can be found at the link:

<http://censorba.org/wp-content/uploads/2020/03/STANOVANJE- SIGURNOST GENDER -Rezultati-ankete.pdf>

Questioner used to assess the attitudes towards the safety factors is presented below:

ACCESS / ENTRANCE OF A RESIDENTIAL BUILDING

1. How would you describe the location and what you see in front of the apartment building?

- Arranged
- Partially arranged
- Unordered
- Very neglected

2. Do you think it is important that the front door of a building is always locked?

- Yes
- No, it is necessary
- No

3. Is the area in front of the entrance adequately lit?

- Yes
- Not always
- No

4. How do you feel in front of the building?

- Safe and comfortable
- I don't think about the security aspect
- insecure and uncomfortable

II. APPROPRIATE ENVIRONMENT

1. How do you assess the existence of necessary and visible signs in the vicinity of a residential building?

- Good and visible to read
- There are, but they are difficult to read
- There are no required characters

2. Sign for bus and / or taxi station near the residential building:

- There is (a sign exists next to a visible mark of the place where passengers should wait)
- Not particularly prominent, but there is (no bus or taxi station nearby)
- There is no sign for bus and / or taxi stops

3. Are pedestrian crossings close to the facility?

Appropriate

Partially appropriate and visible

They do not exist

4. How do you assess the brightness of the streets and parking lot in front of the residential building?

Sufficiently lit.

Partially lit.

Poorly lit.

Very often we are left without outdoor lighting

Not lit.

5. Is the lighting in front of the building and on the way to the destination (car, taxi or bus) important for your movement at night?

It is not an important factor for my movement at night

Partly an important factor for my movement at night

It is an important factor for my movement at night

6. Evaluate the accessibility of your housing:

Good, no physical barriers

Overgrown tree canopies are a danger and an obstacle

Unfinished buildings around the building are an obstacle to safe access

Drains / water shafts are not adequately covered

Holes and damage to the road have not been repaired

Other

III. BEING ABLE TO GET HELP

1. Assess whether there are circulating around your home:

Lots of people

It is crowded, but not too many people

A few people

Rare passers-by

2. Who do you think you can count on the most in case of a call for help?

Police support

Ambulance

Passers-by

Residents of the building

Others

IV. CLEAN AND WELCOME ENVIRONMENT (interior and surroundings of the building)

1. How do you assess the maintenance of the facility by the manager?

Very good maintenance

Good maintenance

Poor maintenance

2. Are condominium owners and tenants involved in activities to maintain the safety and comfort of common areas or is it the sole responsibility of the manager?

Yes, they include

Very rarely

No, not at all

3. Is the staircase always lit?

Yes

Mostly it is

Very often it is not

No

4. Do persons with disabilities:

The facility can be accessed in a wheelchair

Wheelchair access is not completely adequate

I cannot access the facility in a wheelchair

5. Is there a walking path in front of the residential building?

Good and properly decorated

Not properly arranged - a lot of holes and obstacles

The path does not exist

6. Is there a safe place / playground for children near the facility

Yes, safe and tidy

Yes, but play facilities are not safe and regularly maintained

No, it does not exist

V. SOCIAL ASPECT OF SECURITY

1. How do people most often move in front of your home:

Alone

In pairs

In small groups

2. What they do:

They pass

They are walking in front of the building

They play board games

They are sitting in a nearby restaurant or cafe

3. To what extent do you feel safe in your neighbourhood

Very safe

Safe

I don't think about the security aspect

Insecure

4. If you are alone do you feel safe during the day?

Yes, completely

Not quite

No, not at all

5. If you are alone do you feel safe during the night?

Yes, completely

Not quite

No, not at all

WHICH OF THE FOLLOWING ASPECTS OF HOUSING AND SECURITY IS MOST IMPORTANT TO YOU:

A. ADEQUACY OF EXIT FROM / ENTRANCE TO RESIDENTIAL BUILDING

B. APPROPRIATE RESIDENTIAL ENVIRONMENT

C. BE ABLE TO GET HELP

D. CLEAN AND WELCOME ENVIRONMENT (interior and surroundings of the building)

E. THE SOCIAL ASPECT OF SECURITY

6. Advocacy for legislation improvements

Policy Guide related to protection of mishaps due to missing lease agreement

With the support of their partners, the Association of Tenants of the Swedish Region Aros-Gävle, CENSOR prepared policy brief and conducted a research as the argumentation for advocating the improvement of the quality of housing and living conditions, through the strengthening of the legal framework in this particular arena.

The following are the results of research and guidelines for supplementing legislation in the field of solving the housing issue of students through apartment rent, created within the HOLICOB project (Housing and Living Conditions in Bosnia and Herzegovina).

A survey conducted on a random sample of 2,000 respondents at the University of Sarajevo revealed that a significant number of students (over 25% of respondents) living in rented real estate generally do not enter into a formal / informal apartment lease agreement. These are mostly students coming to Sarajevo from other towns/cities in Bosnia and Herzegovina.

In practice, this situation reflects the following:

- Unannounced rent increases,
- Earlier than anticipated loss of possession,
- Ambiguity in case of regular and extraordinary repairs and maintenance of the apartment,
- Difficulties resolving various issues in periods when students do not use leased real estate (note university non-working days),
- In the event of a possible court dispute, it is difficult for both parties to prove their stance, which often causes great uncertainty and material losses for both parties.
- Weakening of legal security in the field of student housing,
- Avoiding the implementation of laws in the field of regulation of residence,
- Avoiding paying property and income taxes by landlord.

The policy brief and research provided argumentation for encouraging both parties to conclude written lease agreements. This would be reported to and certified by the competent authorities, followed by multiple benefits;

- The landlord and the tenant shall be protected if either of the contracting parties fails to comply with its contractual obligations.
- The gray economy would shrink, providing the lease agreement portrays positive legal regulation
- since the revenues from the property tax are allocated to the budgets of municipalities / cities in the amount of 100%, The competent government institutions administer additional budget funds,
- Government competent institutions obtain statistical data on the official number of rented real estate.
- Building managers shall gain insight into the ownership structure, with the aim of efficient subsequent collection of fees for joint maintenance and management of common spaces of the building.

Advocacy action towards Sarajevo Canton Government

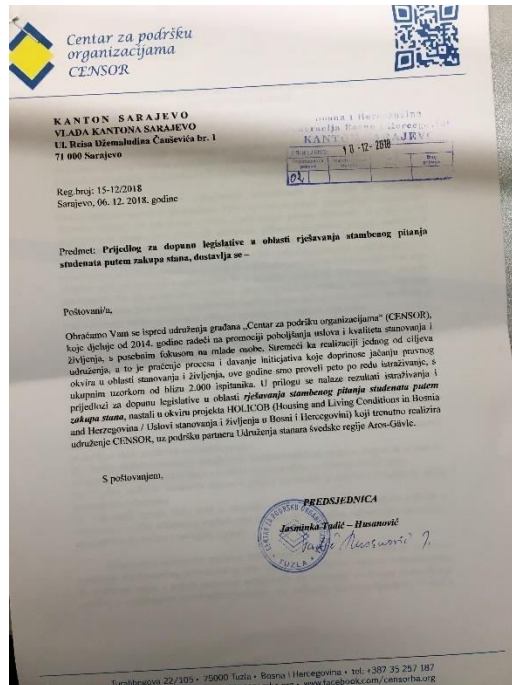
The CENSOR Association forwarded proposal/policy brief including survey results to the competent Ministry of Education to initiate the adoption of an appropriate bylaw that would govern concluding tenancy agreements.

It would prescribe the obligation for universities to require full-time students to submit certificates of regulated residence in the Sarajevo Canton when enrolling the semester. In this regard, it is necessary to provide one of the following:

- proof of ownership or co-ownership or possession of an apartment, house or other residential building,
- a certified lease agreement or a certified tenancy agreement with certified proof of ownership or co-ownership or possession of the landlord,
- a certificate that a dispute over ownership is being conducted before the competent authority, ie that a procedure for legalization or registration of a building, apartment or house has been initiated at the address where the residence is registered,
- a certified statement by the landlord that he gives consent for a certain person to be registered at his address,
- proof of marital or extramarital status.

By adopting the proposed bylaw, students will be directly encouraged to enter into lease agreements.

Letter to the Canton Sarajevo Government as Proposal for amendment of legislation in the field of solving the housing issue of students through the formal leasing of apartment.



Letter to the Canton Sarajevo government accompanied by the policy brief and survey results

More about the policy document and the research results on the link:

http://holicob.ba/wp-content/uploads/2018/12/rezultati_istrazivanjaKS.pdf

It is of utmost importance for the CSO advocacy actions towards government to be built on appropriate arguments, and this is way professional associate in the related legislation field should be involved to ensure relevant and based policy proposals.

Research Questionnaire

RESOLVING STUDENTS' HOUSING ISSUE THROUGH APARTMENT LEASE

(Sarajevo, November 2018)

RESPONDENT DATA:

University and faculty where they study

- a. University of Sarajevo - Faculty of Law
- b. University of Sarajevo - Faculty of Political Science
- c. University of Sarajevo - Faculty of Economics

The place they come from

- a. Sarajevo
- b. Another city in BiH
- c. Another city outside BiH

Age

- a. <20 years
- b. 20-25 years
- c. > 25 years

Gender

- a. Male
- b. Female

1. Where you live during your studies

- a. Own property
- b. Student dormitory
- c. Parental property
- d. Leased property
- e. Extended family property
- f. Else

2. Rental prices of rented real estate

- a. 1
- b. 2
- c. 3
- d. 4
- e. 5

3. Assessment of the quality of accommodation of rented real estate

- a. 1
- b. 2
- c. 3
- d. 4
- e. 5

4. Possession of a lease agreement

- a. yes
- b. no Tax regulation and legislative policies

7. Tax regulations and legislative policies

When developing strategies related to solving the housing issue of young people in Bosnia and Herzegovina, in addition to the strategy on how to help young people get an apartment, tax benefits should also be taken into account. In this regard, CENSOR undertook the actions to help young people by introducing them to the topic of exempting youth from paying real estate sales tax or at least the possibility of providing benefits when calculating sales tax.

Real estate tax rate

The real estate tax rate is different at the BiH level:

- In Federation BiH the tax rate is 5%
- In Republika Srpska, the tax rate is 0.20%
- In Brcko District, the tax rate is from 0.10 to 0.20%

If one decides to buy an apartment, the steps are as follows:

- Final selection of real estate
- Preliminary legal steps
- Conclusion of a notarized contract of sale
- Obligations after concluding the contract of sale
- Choice of financing methods
- Accompanying costs of the entire process

The first cost after concluding the sales contract and paying the purchase price is the obligation to pay real estate transfer tax, which in the Federation of Bosnia and Herzegovina is regulated by laws at the cantonal level and amounts to 5% of the estimated value of real estate.

Example of the tax benefits for young couple in Tuzla canton: In accordance with Article 6, paragraph 1, item 15 of the Law on Sales Tax of Tuzla Canton, this tax is not paid if the transfer of ownership of real estate is up to 70 m² and serves for housing, when the buyer is a young married couple who first settles their housing issue and who are not owners or possessors or were not owners, ie possessors of real estate that has served or is used for housing.

If one is a citizen of Bosnia and Herzegovina and decides to buy real estate, he/she will be exempted from paying sales tax if the apartment is in circulation for the first time, more precisely if one buys it from a construction company for resale. However, one is required to pay real estate transfer tax if he/she owned the property and sold it and is buying another one.

Apartment rent

If one decides to lease apartment instead of buying it, there are certain laws that govern leasing process. Even though these are regulated by cantonal levels, the implementation process and follow up remain challenge.

First of all, the issue remains problematic due to the fact that in the area of Tuzla canton , and Federation BiH level as well, there is no register of the subtenants. The motive for this stems from the landlords lease agreements signing avoidance due to the tax obligations arising from them.

The issue of leased housing is administered by the Law on Tax Administration, The income Tax Law and the Law on Tax on Property, Inheritance and Gift of TK.

Even though there is evident success when it comes to charging a certain share of taxes by the tax administration office, the lion share of those remains uncollected. Moreover, even the collected amount remains hard to estimate as all property charges, whether housing rental agreements, parking, land, garages or other lease agreements, classify on the same payment account. Hence, there is no easy way to distinguish.

Reaching those who fail to fulfil their obligations to report their extra income is a leading problem faced by the Tax Administration Office and sanctioning inspectors as well.

More info available at: http://holicob.ba/wp-content/uploads/2019/12/Porezna_politika.pdf

Observed problems were a reason for CENSOR to take a proactive role in ensuring that adequate information are reaching people dealing with these issues.

With their long term partner, the Association of Tenants of the Swedish Region Aros-Gävle, Censor undertook the action providing informational insight in these issues by producing reportage advertised through the TV programs.

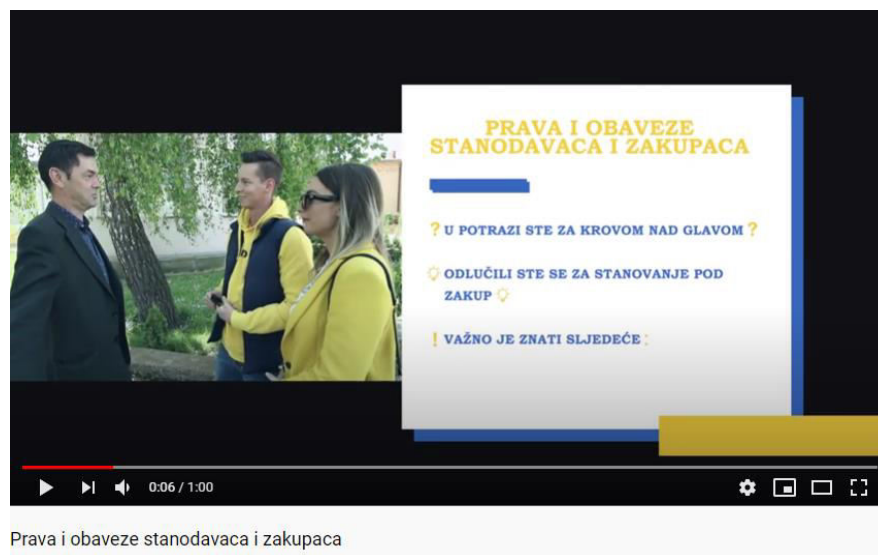
More information on this particular matter can be found on the reportage link below
<https://www.youtube.com/watch?v=NgBqYjZtkO4&feature=youtu.be>



Censor: Informative reportage

The reportage highlights, among others, the benefits of signing lease agreements which are numerous, ranging from protected rights of both concluding parties, shrinked gray economy, provided budget funds, collected fees for maintenance of joint building premises, to gained ownership structure. In addition to the reportage CENSOR produced short video spot on rights and obligations of residents and tenants available on the following link:

https://www.youtube.com/watch?v=N4_lu2HmRh8&feature=youtu.be



Censor: Informative short video spot

On the CENSOR website one can also find a copy of the lease agreement:

http://censorba.org/wp-content/uploads/2018/11/Ugovor-o-zakupu-stana_gender-1.pdf

UGOVOR O ZAKUPU STANA
Izrazi koji se koriste u ovom Ugovoru, a koji imaju rodno značenje, bez obzira jesu li korišteni u muškom rodu, obuhvaćaju na jednak način muški i ženski rod.

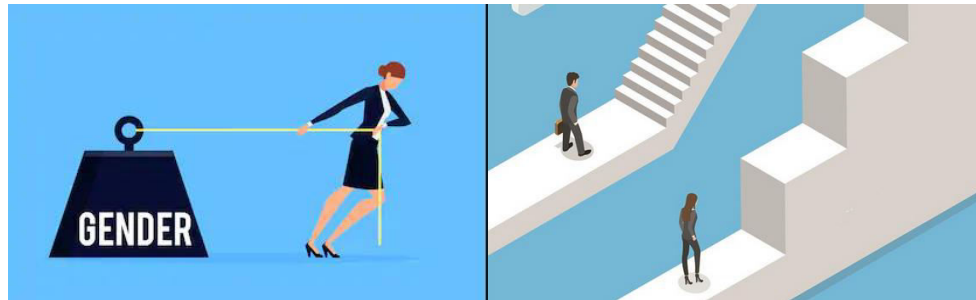
Zaključen dana 08.05.2019 godine u 1421 između ADŽ ADIĆA broj 25
(ime i prezime) iz HRZB ulica OSKARICA
JMB 260197018502X (u daljem tekstu: Zakupodavac)
i MAJE MAJIC (ime i prezime) iz ORASJA ulica BRANILACA
JMB 050216917302X (u daljem tekstu: Zakupac), a kako slijedi:

Član I

A Copy of Lease Agreement

8. Gender mainstreaming and housing

The reason why CENSOR integrated gender perspective into its actions is based on the fact that housing issue and equal access to rights is regulated by laws, resolutions and other acts, but numerous studies show that the reality is different, especially when it comes to properties where women are less owners than men.



Gender and Housing - Policies and Trends

In order to shed light on the issue of gender equality in the field of housing, CENSOR has promoted the gender related policy and the gaps in gender and housing in the guide that highlights the following:

- International and domestic legislative framework - gender and housing
- Gender perspective in the field of housing
- Gender dimensions of the conducted Survey on living and housing conditions of young people
- Concluding remarks

aiming to rise awareness about the circumstances that put women at a disadvantage compared to men in the following cases:

- in case of divorce
- unfavourable status of unmarried women living with their parents
- an age that is often precarious and disturbing for women depending solely on their children or surviving on state social support
- a traditional context in which women's contributions are not recognized as productive
- Lack of laws, policies and programs that are sensitive to women
- Lack of gender sensitive housing policies
- Inadequate access to credit that discriminates against women.

Numerous UN resolutions calling and / or require states the following:

- Compliance with international and regional obligations and obligations regarding recognized women's rights to land, property, inheritance, adequate housing, including security of tenancy and an adequate standard of living
- Implementation of legal and administrative reform,
- Train, educate and inform women in all matters relating to their human rights thus raising women's awareness

It is evident that there is still a need to strengthen institutional mechanisms to support the implementation of adopted laws in which both men and women will enjoy equal, statutory rights in the public and private spheres.

CENSOR comes to conclusion that civil society organizations (CSOs) are certainly one of the key actors in this regard, and they should focus their actions on the following:

- Conducting research and analysis that will cover both urban and rural areas
- Realization of informative-educational actions in order to increase the knowledge of both sexes about their rights regarding housing, housing issues and property ownership.
- Initiating and effectively implementing advocacy activities and campaigns that will bring both sexes to a more equal position

CSOs can put additional pressure in creating policies, strategies and support programs, fair development based on guaranteed basic human rights and freedoms.

For more detailed insight, check out link below:

http://holicob.ba/wp-content/uploads/2018/11/GENDER-I-STANOVANJE_Politike-i-trendovi.pdf



Document: Gender and Housing - Policies and Trends

The position of women as real estate owners in Bosnia and Herzegovina

In Bosnia and Herzegovina, males and females are equal according to the legislation, in all spheres of life. This is prescribed by the Law on Gender Equality in Bosnia and Herzegovina. All positive legal regulations in Bosnia and Herzegovina, on direct and indirectly further elaborate the issue of gender equality.

According to the data from the 2013 census, the share of women in the population in BiH is 51.08%, and men 48.92%, while in the land register, of the total number of owners, 37.8% are women and 62.2% man.

Still according to the official statistics for 2017, women are registered as owners or co-owners of real estate, 29.6% in Republika Srpska and 38.4% in the Federation Bosnia and Herzegovina. Unequal position of women as real estate owners, automatically indicates a weaker economic position of women compared to men, is evident from official statistics. The report on the state of the real estate market in the Federation of BiH for 2018 Federal Geodetic Administration from March 2019 states that in the territory of the Federation of BiH in total 74% of men participated in real estate transactions in 2018 as buyers, and only 24% women.

The gap is getting bigger when it comes to houses and land compared to apartments. The data are particularly alarming in rural areas compared to urban areas, which is to be expected given that customs based on traditional perceptions and patterns of behaviour dominate there.

Within the review of the situation prepared by CENSOR the focus is given to:

- Marital property

- Legal inheritance
- Legal business and marital property
- How to facilitate and help women in the situations we mentioned?
- How to prevent or reduce the number of situation in which women rights are jeopardised?

Information and education is seen as the main tool for overcoming the problems addressed.

For more detailed insight, check out link below:

<http://holicob.ba/wp-content/uploads/2019/09/POLO%C5%BDAJ-%C5%BDENA-KAO-VLASNICA-NEKRETNINA-NA-PODRU%C4%8CJU-BOSNE-I-HERCEGOVINE-2019..pdf>

Initiation of the cooperation with the Agency for Gender Equality of Bosnia and Herzegovina and Gender centre of Federation of Bosnia and Herzegovina

Both documents as relevant to the Gender Action Plan of Bosnia and Herzegovina for 2018-2022., were presented to Agency for Gender Equality of Bosnia and Herzegovina and Gender centre of Federation of Bosnia and Herzegovina. The reference is given to the priority area within the strategic goal III.2: Cooperation with civil society organizations, social partners, academia, measure III.2.2: Improving regular formal and informal cooperation with other civil society organizations, including media organizations, social partners, research and academic institutions, professional organizations and specific stakeholders to raise awareness of gender equality.

Review of the set of other relevant support informational documents provided by CENSOR in cooperation with legal advisors and law specialist in the related issues are presented below.

Family home (sharing the positive practice from Croatia)

CENSOR informs about the institute of tenancy law in the former SFRY, and later in Bosnia and Herzegovina, and in the countries that emerged from the dissolution of the former SFRY.

Tenancy law is defined in legal theory as the right to permanent and undisturbed use of the apartment to meet personal and family housing needs and the right to participate in the management of residential buildings.

The institute of occupancy law - although it is becoming rarer, it is still interesting to us from the aspect of determining the holder of the occupancy right after divorce.

However, the problem remained - where to continue living after divorce?

Article 30, paragraph 3 of the Family Law of the Federation of Bosnia and Herzegovina (Official Gazette of FBiH No. 35/05 and 31/14) stipulates that spouses agree on the place of residence, but do not treat the special issue of the family home and protection of the right to housing in case divorce.

An example of positive practice is the Family Law of the Republic of Croatia (OG 103/15) and its Article 46, paragraphs 2 and 3. See the link below for details.

http://holicob.ba/wp-content/uploads/2019/07/Porodicni_dom-1.pdf

In the event of an amendment to the Family Law in the Federation of Bosnia and Herzegovina and the introduction of the institute - family home - the legislator would primarily protect the mother and child. This would enable women who suffer mental or physical abuse to file for divorce.

How can a spouse register as a co-owner of real estate that constitutes marital property?

The short video is aimed to provide very practical advices on the registration of a spouse as a co-owner of real estate. Video link available at: <https://www.youtube.com/watch?v=c7EN0F9zrmw> and the document of Inheritance status of a surviving (extra) marital female partner at the link:

http://holicob.ba/wp-content/uploads/2019/10/Darija_nadzivjelabracnapartnerica.pdf

Although the Family Law equates extramarital union in property law with marital, this status occurs as a basis for direct, not just indirect discrimination.

The problem of proving the existence of an extramarital union could also be a problem, and the registration of an extramarital union could help solve this issue.

The legal position of marital and extramarital partners in terms of mutual inheritance in the FBiH and BD BiH has been strengthened by the introduction of inheritance agreements. It is possible to combine it with a marriage contract.

The position of women as real estate owners in Bosnia and Herzegovina

CENSOR points out few directions in which positive steps can be made. They summarize those as listed below:

- If the real estate is acquired through a legal transaction, a contract, it is necessary to change the legislation, which would be applied, for example, by notaries. In doing so, every seller / buyer, donor / gift recipient, recipient of support / provider of support would be required to provide an excerpt from the birth register, in which the marital status should be entered.
- If the same is married, the consent of the spouse should be that the real estate is sold, donated and the like as separate property or as marital property. In practice, the notary asks all parties to the marital status, without checking it in valid birth certificates.
- Thus, the notary should / must warn the legal heirs, even testamentary ones, that the wife has the right to request the separation of her co-ownership share from the property, which she acquired through her work during the marriage. This "work" does not mean formal employment, but also caring for children, household and the like.
- Another way to make the woman economically independent is premarital / marital contract

For more detailed insight in this regard, check out link and instructive video below:

http://holicob.ba/wp-content/uploads/2018/12/zene_i_vlasnistvo.pdf

Ownership position of women on real estate that constitutes (extra) marital property and role notaries in strengthening their position

The review prepared point out that the notary can actively contribute to a greater degree of protection of a woman's position in these relations, both in the process of notaries processing of those legal transactions whose subject is the acquisition or transfer of real estate ownership, and in making notaries wills, (pre) marriage contracts and contracts on inheritance.

For more detailed insight, check out link below:

<http://holicob.ba/wp-content/uploads/2019/09/ULOGA-NOTARA-U-JA%C4%8CANJU-POLO%C5%BDAJA-%C5%BDENA-NA-NEKRETNINAMA-KOJE-%C4%8CINE-VANBRA%C4%8CNU-STE%C4%8CEVINU-2019..pdf>