

Institutional change and regional transition

Advisability of Reintroducing the Building Code document to Canton Sarajevo Spatial and Urban Planning Legislation

mr.sci. Nataša Tabori, dipl.ing.arh.

Institute for Canton Sarajevo Development Planning, Natasa.Pelja@zpr.k.gov.ba

Abstract: In most European countries urban planning is a process controlled by many instruments, among which is a building code document. Sarajevo, as a part of former Austro-Hungarian Monarchy, got its first Building Code in 1880, followed by a second Building Code in 1893. Ever since, the Building Code Document is missing in Sarajevo's spatial regulative, which resulted in unclear building procedures and urban "cacophony". In 1936, there was an attempt to make a unified Building Code for all cities in former Kingdom of Yugoslavia, but it failed in its implementation. Today, in Canton Sarajevo, the procedure of obtaining the urban permit has no clear structure and rules for how to build in a specific urban area. Obtaining the building permit depends on individual aesthetic criteria of municipality clerk who is creating an individual frame of rules. This makes procedures unclear, not transparent and often open for corruption. The result of unclear procedures is urban and architectural "cacophony", which is especially visible in the urban area of Sarajevo valley. Situated in South East Europe, after the fall of Berlin wall in 1990 the city has faced some dramatic changes due to Yugoslav wars and the transition processes, among which is transition from the former socialist political and economic system to the capitalist system which specifically affects spatial planning and development process.

Keywords: Building Order; City Transformation

Introduction

From when exactly do we have written traces of the idea of order in European urban planning and how exactly did this idea transit from the Ancient times until today? Most European cities have ordained urban planning systems and the building code as an urban planning instrument, but what happens in those European cities whose idea of order was somehow lost in transition during the last century and they don't have building code for more than a hundred years? Is it advisable to reintroduce a building code document in former socialist countries in Europe and how it can affect its spatial planning systems?

Building code document is a spatial and land-use planning instrument which is constantly being novelized by a specialized boards and committees responsible for urban planning. It is the reason why in a contemporary urban planning management different models are being developed to optimize all planning processes and to ensure fulfillment of the urban planning goals through urban planning instrument realization.

In this PhD Research, which is still being conducted by the researcher, past review studies are given for the research subject which is "Introducing a building code document" in cities which previously did not have this kind of documentation, specifically to Canton Sarajevo. The main goal of the research is developing a model which will enable systematic management of urban planning process. Starting



hypothesis of the research is that it is advisable to reintroduce the building code document to Canton Sarajevo Spatial and Urban Planning Legislation. The research is referring to Architecture and Urban Planning as the main area, as well as Urban Legislation, as a sub area.

The results of the research have both scholarly and managerial perspectives in Canton Sarajevo spatial planning education and management.

The idea of order in European urban planning

One of the first systematic attempts to create written rules for cities was that of Vitruvius in his book from the first century B.C.-The Ten Books on Architecture (Vitruvius, 1914) known as *De Architectura*. Idea of Order existed in Ancient Greek architecture and city planning, but not in an ordained written form as Vitruvian Books, therefore this absence of such a document will motivate Vitruvius to write it. According to McEwen (McEven, 2003) Pierre Gros, "...the acknowledged leader in current Vitruvius studies" (Gros, 1971), "...concluded that Vitruvius's project was essentially normative one, motivated by the desire for rational systematization" (Gros, 1973). The Ten Books on Architecture will remain the reference for normative form in architecture and town planning until the late 18th century: "The only major work on architecture to survive from classical antiquity ...the treatise known to posterity as *De architectura* in time became the text of architectural theory to which, at least until the 18th century, all other texts referred" (McEven, 2003). The Age of Humanism led by Trisino, Palladio and Alberti will give its interpretation of Vitruvian order in architecture and urban planning, but it will not produce a new normative form (Wittkower, 1988). Absence of new normative form in architecture and urban planning will last until the 17th and mid-19th century when first London, and then Paris, facing the problems of hygiene in the city will take the whole set of actions for ordering their cities in a new form. This waste set of actions taken to transform growing cities in 19th century will be characterized as Haussmanization and cities like Vienna or Barcelona will follow its logic of order in urban planning. Law, order, uniformity – all these are special product of Baroque Capital (Mumford, 1970). Because of the new order we may speak of the width of streets, building heights, façade treatment, boulevards, railway stations and city networks (sewage, water etc.). It will make an introduction of a modern city development as we know it today.

This idea of order based on classical principles will remain in Europe until the appearance of Bauhaus, Cubists and Le Corbusier whose idea of urban order will be diametrically opposite to the comprehension of a city development until then. Burchard quotes Saalman who points out the ambivalence of Congrès Internationaux d'Architecture Moderne (CIAM) led by Le Corbusier towards Haussmann while seeing him, on one hand as a nineteenth century prophet of the new planned order (Burchard, 1974), while on the another hand Haussmann's idea of order, though, would be severely criticized by Charles-Édouard Jeanneret - Le Corbusier and CIAM for not going further with Paris transformation: "It is not that Haussmann and Napoleon III went too far, but they did not go far enough" (Burchard, 1974). Le Corbusier went far enough and proposed first "La Ville Contemporaine" in 1922, and then "La Ville Radieuse" in 1935 (Curtis, 1986), the new urban order of a city for three million people (Mumford, 1970). He drew mechanic-centric plans for monumental skyscraper cities, with multiple streets (Mumford, 1970).

Le Corbusier's Ville Radieuse idea affected many cities: "Le Corbusier's numerous urban projects of the 1930s show how he attempted to modify his abstract typologies to a variety of pre – existing topographies and cities" (Mumford, 1970).

His student Juraj Neidhard spread his ideas of the new order in Sarajevo and other cities in former Yugoslavia, after his experience in Le Corbusier's Atelier in Paris from 1933-1935 (Kapetanović, 1990). Karlić Kapetanović wrote: "While other architects of Sarajevo designed primarily urban residential buildings in the spirit of modern movement, Neidhard – bearing in mind the CIAM conclusions – was building a vision of social standard which was completely adapted to the building and visual trends of modern architecture in symbiosis with the autochthon traditional Bosnian house, with prevalently Oriental concept" (Kapetanović, 1990).

La Ville Radieuse preceded to the postmodern age of our cities and the postmodern idea of order: "This concept of order as an internal organization (or contract), based upon flexible relationships, rather than upon categorical bonds, has no longer any relationship with either the old absolute totalitarian – continual and stable – notion of classical composition or with the modern – more relative, removed and fragmented (but equally determinist) – position. Rather it relates to a more open and paradoxical conception of the idea of order as disposition... A new type of flexible order that shows itself more predisposed to the generation of open dispositions (processes) than to that of closed designs (objects)" (Manuel Gausa, et. al., 2003).

This new idea of order, but foremost, switch in urban scale characterizes works of Rem Koolhaas (Koolhaas & Mau, 1995). Verschaffel, when writing about Reading Rem Koolhaas mentioned that Koolhaas poses vitally important questions: "What is going on? Where does the specific combination of an unlimited growth, demographic explosion, globalization and capitalism lead to? What does it do with the World?" (Verschaffel, 2013).

But before Koolhaas's distinguished criticism: "... the ideas and concepts underlying the western architectural tradition we still use to 'navigate' through these turbulent times are not in themselves wrong or meaningless, but belong to a very specific context and history, and should not be considered essential or eternal, and not valid everywhere. Europe is not the measuring stick for the world" (Verschaffel, 2013), we will go back to the 19th century and European idea of order, which was transposed in a document called Building Order/Building Code / Code Civil / Bauordnung / Regolamento edilizio etc.

Building Code Document History

Paris was the first European capital to establish the building code document, due to specific circumstances in the city's history and precedent laws and subordinate regulations, brought from the end of 18th to the middle of the 19th century.

Landau in his analysis on Paris street fabrication wrote: "Hygiene and health, after the terrible epidemics of cholera in 1832, typhoid fever (there were 7,000 deaths from typhoid fever between 1872 – 1877), and tuberculosis are at the center of the concerns of the technical elite and those responsible for the disease – administration. The issues of water supply and sanitation in the city are among the most urgent to address. The smells – Paris smelled bad – are omnipresent; realistic literature testifies to this. Aeration, ventilation, dust control mobilizes the research and innovation capabilities of engineers and companies. The aspiration to comfort and well - being, carried by the new urban social layers, poses the problems of distribution of energy to individuals: heating, electricity, telephone. The issue of daily migrations, pedestrian traffic, private cars and public transport remains a hunting problem for everyday life and the growth of the economy" (Landau, 1992).

Landau gave very precise description of the processes which lasted for a century and have led to regulation modification and completing in a document named Code Civil in French, or a Building Code

in English. The new regulation form of urban planning was rapidly accepted in other European countries, or more precisely empires, among which was Austro-Hungarian Empire, at the time and its capital Vienna: "... we talk about a big project, a Program, according to Haussmann's definition, which had to be "completed" and "perfected" to transform the old Paris. It seems that Joseph Alexander von Hübner, Austrian Ambassador in the Second Empire period, shared Haussmann's opinion. He knew Haussmann privately, met him often and considered him the inspiration and soul of all those works which he admired in French capital. It is interesting to notice that the ambassador stayed in Paris from 1851 to 1859, and soon after, Vienna will announce the competition for systematization of the Ring, which will provoke Austrian Capital to experiment with its own model of urban reconstruction, different from Paris, but at the same time, analog to the French capital, by the initiatives for the role of public buildings and introducing the infrastructure networks" (Tamborrino, 1998).

Anna Hagen, when writing on Viennese building codes and planning instruments in the 19th century elaborates on four important dates in Vienna's building regulation history in 19th century: 1829, 1859 and 1868 and 1883. Under the circumstances like historic urban circumstances of Paris – cholera epidemic (Hagen, 2015), no sewage and water system, it was obvious that the city had to organize itself in a new way.

Hagen concludes that urban form is a sum of all the elements which form the city in relation to building regulations (Hagen, 2015). She quotes Harald Stühlinger defining two different levels of building standards that influence the city's image. On one hand, there are hard factors, such as building dimensions and street width, and on the other hand, soft factors, such as details of the surface design elements such as paving or façade openings and protrudes (Hagen, 2015).

Vienna, as the capital city of the Austro-Hungarian Empire spread the idea of order in urban planning in all parts of the former monarchy.

Sarajevo, as a part of the Austro-Hungarian Empire got its first building code and regulatory plan, shortly after the Annexation of Bosnia and Herzegovina. Before elaborating on Sarajevo building code regulations, we will analyze in brief Sarajevo urban history background.

Sarajevo Urban History since Ancient Times

Sarajevo was inhabited since Neolith. Today's main Sarajevo roads are situated on Roman *Cardo* and *Decumanus*, with its crossing in the city center, near today's building of the Institute for public Health (Mutapčić, 2018).

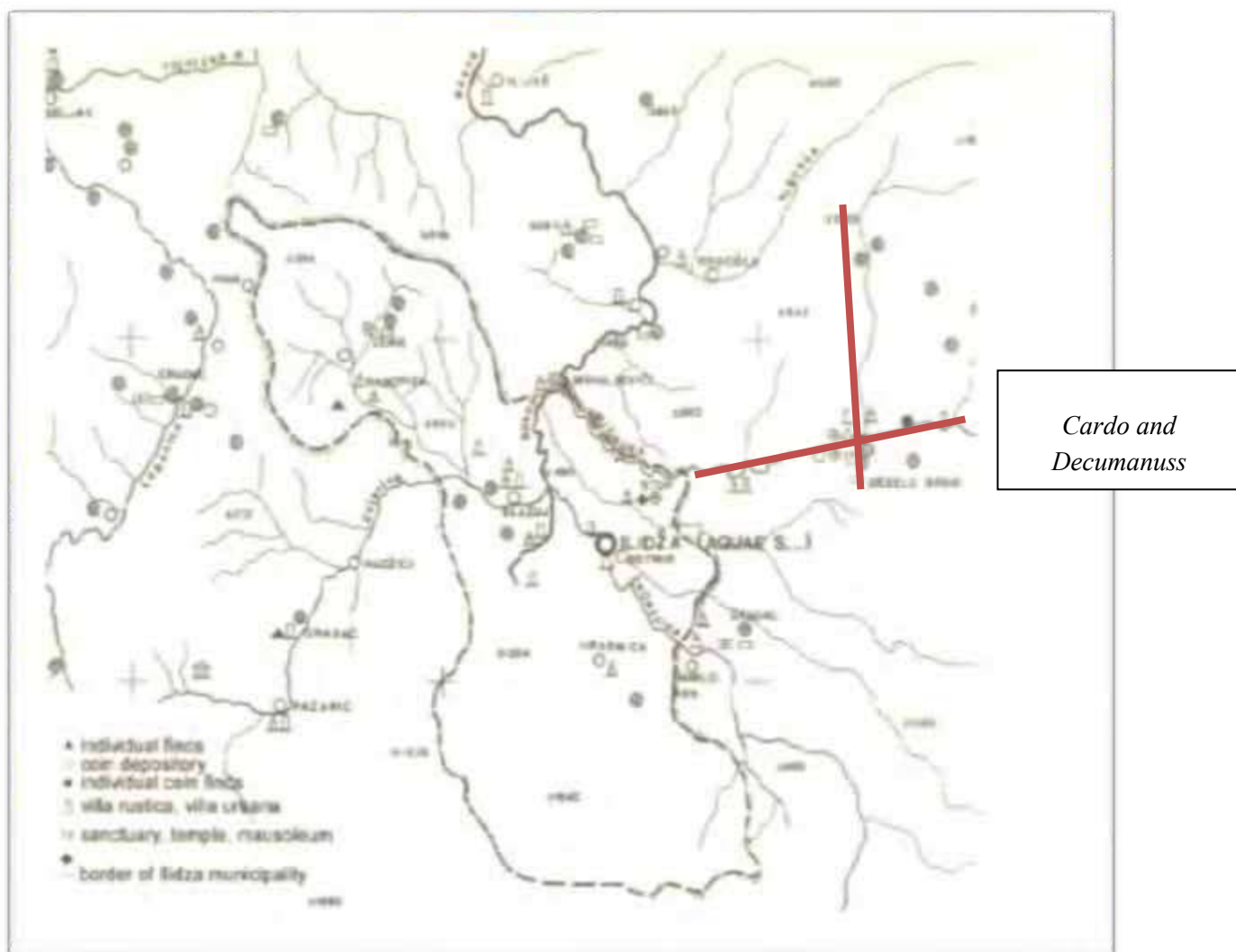


Figure 1 Roman City (SOURCES Bublin M., Sarajevo throughout the history – from Neolithic settlement to metropolis)

The name Vrhbosna (Verboxenie) as the name of the region to which Sarajevo belonged officially appeared only in 1244 (Skarić, 1937). We have very limited knowledge of this period, apart many particularly beautiful tombstones with drawing engravings (Bos. stećci¹) which have been founded in Sarajevo area” (Skarić, 1937).

¹ Stećci – see Figure.2



Figure 2 Stećak
(SOURCES Institute for
Canton Sarajevo
Development Planning)



Figure 3 Sarajevo in the Middle ages (SOURCES Bublin M.,
Sarajevo throughout the history – from Neolithic settlement
to metropolis)

Turkish invasion begun in the 14th century. The city has been built on the both sides of Miljacka River around deputy's castle (Tur. Saray), which has been built on the left river Miljacka's bank. The name Sarajevo is combination of two words in Turkish: castle (Tur. Saray) and field (Tur. Ovasi) meaning the field around the castle (Skarić, 1937). The logic of Ottoman city was to build the city center in the valley and residential areas on the hills. The city center (Tur. Čaršija), was situated in Baščaršija², the name which remained until nowadays. The population of Sarajevo was partly employed in the army and partly were tradesmen, merchants and craftsmen, who had their shops in Baščaršija (Skarić, 1937).



Figure 4 The formation of the City in the Ottoman period (SOURCES Bublin M., Sarajevo
throughout the history – from Neolithic settlement to metropolis)

² Baščaršija - Sarajevo Old City, the city center



Figure 5 Sarajevo in the XVI century (SOURCES Institute for Canton Sarajevo Development Planning)

Sarajevo residential houses (see figure 6), built in neighborhoods (Bos. mahalas) on the hills, were amphitheatrically surrounding Baščaršija in the Ottoman period. The houses had, wherever it was possible, a garden of the same size as a house...The reason, Skarić wrote: "...was the love, which characterizes Sarajevo citizens until nowadays, for nature, greenery and flowers" (Skarić, 1937).

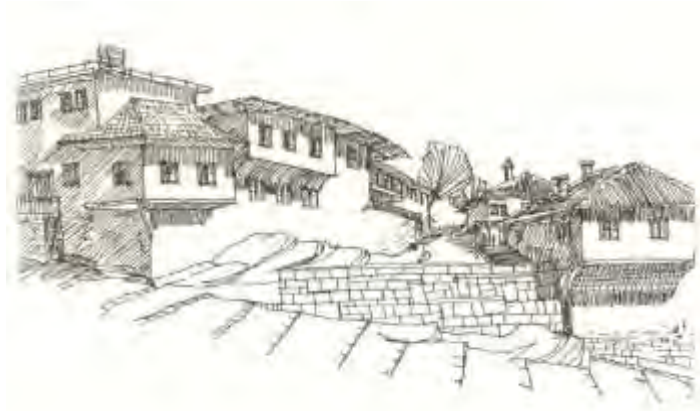


Figure 6 Residential areas in the Ottoman period (SOURCES Bublin M., Sarajevo throughout the history – from Neolithic settlement to metropolis)

On August 19th 1878 Austro-Hungarian troops have occupied Sarajevo, capital of Bosnia and Herzegovina. On February 17, 1908 Bosnia and Herzegovina got its Constitution and on June 15, 1910 the first parliamentary sitting of Bosnia and Herzegovina Parliament took place. The city was developing. It was changing its appearance. It was losing its decidedly oriental character and was increasingly becoming a European city (Kreševljaković, 1969).



Figure 7 Sarajevo in Austro-Hungarian period (SOURCES Bublin M., Sarajevo throughout the history – from Neolithic settlement to metropolis)

During the period of the Kingdom of Serbs, Croats and Slovenes and the Kingdom of Yugoslavia (1918 – 1941), between the two world wars, Belgrade has become the capital of the Monarchy, while Sarajevo lost its role of the capital city.

Bosnia and Herzegovina became part of the Independent State of Croatia (NDH) in 1941. The Sarajevo County has become the seat of the Great District of Vrhbosna. As the state declared to be supported by the Nazi Germany and Fascist Italy NDH regime started to implement race laws (Nurnberg laws and decrees, Law for the Restoration of the Professional Civil Service etc.), which ended up with the massive liquidation of Jews, Gypsies and Serbs. During 1944, allied forces bombarded Sarajevo several times.

Communist party and partisans entered the liberated city as winners on April 6, 1945. It was essential to make legislative base for huge reforms of the society and among first laws were: Agrarian Reform and Colonization Law in 1945 and Workers Self - Management Law.

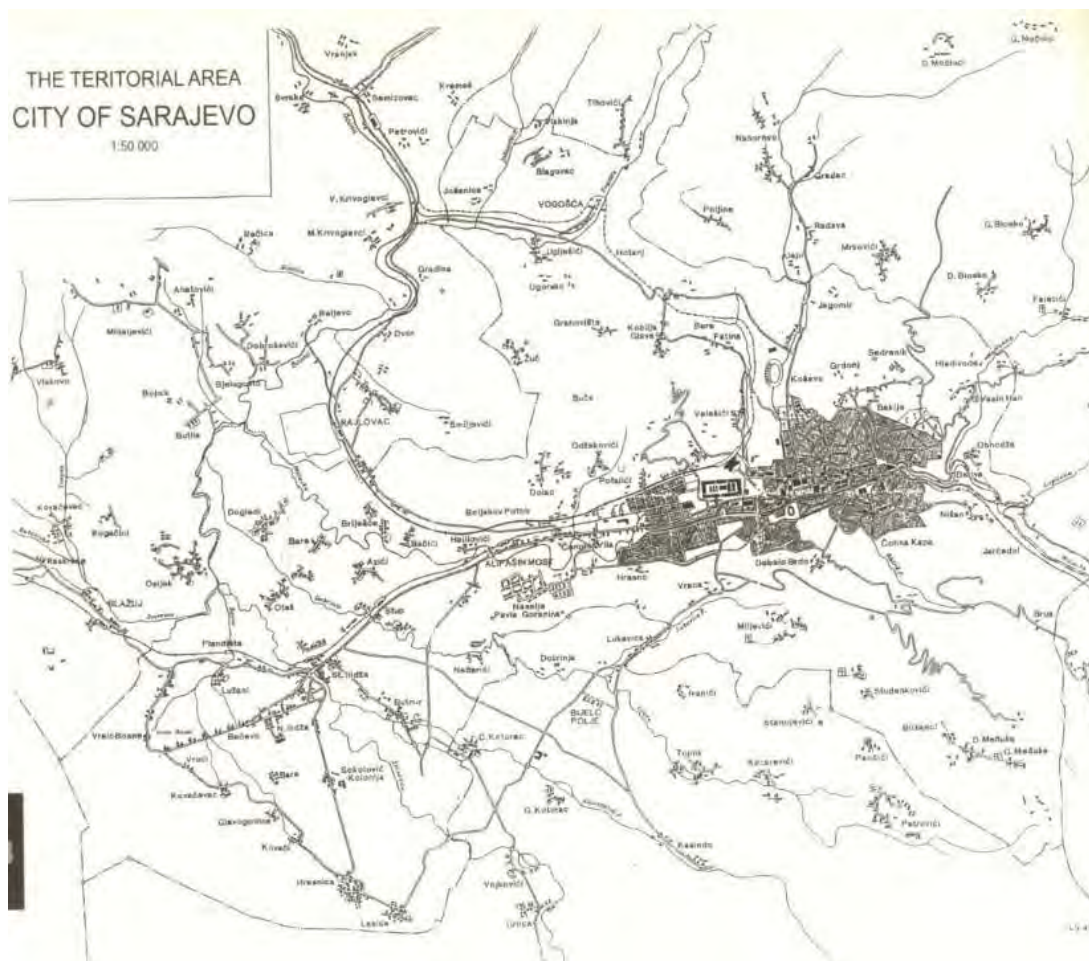


Figure 8 Sarajevo expansion after the WWII (SOURCES Bublin M., Sarajevo throughout the history – from Neolithic settlement to metropolis)

According to the 1991 Census the city had 527,049 inhabitants (Statistics, 1991). Early nineties were very turbulent with the war on the horizon. Nineties have brought changes, once again, in the City Planning organization and planning itself.

Advisability of Reintroducing the Building Code for Canton Sarajevo

As a part of the Austro-Hungarian Monarchy, Sarajevo got, shortly after the occupation, after the great fire in 1879, the first Building Code for the State Capital Sarajevo (Ger. Bauordnung für die Landeshauptstadt Sarajevo) on May 14, 1880. It was published in the Collection of the Acts, Laws, Regulations and Directives for Bosnai and Herzegovina (Ger. Sammlung der für Bosnien und Die Herzegovina, Erlassenen, Gesetze, verordnungen und normalweisungen), 1878 – 1880, I. Volume (Ger. Band). The basis for the first Building order was the “Ottoman Road Law” which dated from Dzemaziuil Evel 7, 1280 (1863).

Shortly after, in 1893 Sarajevo got the new “Building code for the capital city of Sarajevo.” „Regulierung Plan” (Ger. regulatory plan) was the integral part and the graphic basis for the “Building order for the capital city of Sarajevo”, which: “... represented a positive and for the time being very contemporary inheritance.” Creating the regulatory plan for the whole city territory, though, will wait for some other times.

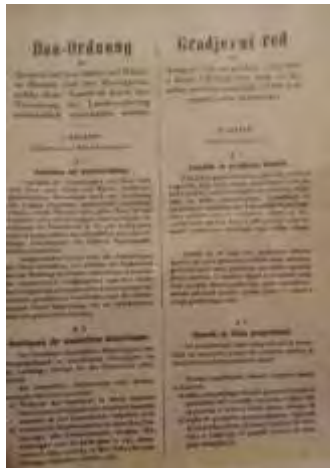


Figure 9 The Building Code 1893 (SOURCES Archive of Bosnia and Herzegovina)



Figure 10 Regulation of river Miljacka basin during the period of Austro – Hungarian Monarchy (SOURCES Institute for Canton Sarajevo Development Planning)

There were few attempts to create the new building code: in 1936 during the period of the Kingdom of Yugoslavia and in 1976 when the City Assembly wanted to create set of rules, although only for housing buildings. It was the Decision on general technical conditions for design and construction of residential buildings and apartments.

The Decision on general technical conditions for design and construction of residential buildings and apartments and the Project of Research and organization of drafting the urban norms on content of neighborhoods were serious attempts to introduce higher standards and building quality in residential architecture and urban planning and a good preparation for its implementation in the City of Sarajevo Land-Use Plan for the period 1986 – 2015 in the eighties, but the whole process was interrupted by the Yugoslav wars.

Yugoslav wars culminated with the siege of Sarajevo, which lasted from April 1992 till November 1995. It was: “the worst conflict Europe has seen since 1945, with more than 250,000 deaths and two

million people displaced.” (Benkova, 2016). This tragedy for the City ended up when the Dayton Peace Agreement (UN, 1995) was formalized on November 21, 1995 in Dayton, Ohio and signed in Paris, almost a month later. The Agreement, signed by the presidents of Republic of Bosnia and Herzegovina, Republic of Croatia and Federal Republic of Yugoslavia: “brought an end to the tragic conflict in the region” (UN, 1995), by subdividing the Republic of Bosnia and Herzegovina into two Entities: the Federation of Bosnia and Herzegovina (FB&H) and Republika Srpska (RS) and a special unit – the District of Brcko (DB). The Entities are divided with the “inter-entity boundary line” (UN, 1995).

Today, Canton Sarajevo is one part of former City of Sarajevo (Bos. Grad Sarajevo), which was consisted of ten municipalities and covered the area of 2,096 km². Another part of the former City of Sarajevo is in Republika Srpska and it is called East Sarajevo (Srpsko Sarajevo on the figure 10). Parts of municipalities Stari Grad, Novo Sarajevo, Novi Grad, Ilidža, Trnovo and the whole municipality of Pale belongs today to the City of East Sarajevo.

Canton Sarajevo covers the area of 1,277 km² or 60, 92 % of the former City of Sarajevo’s territory. Canton Sarajevo has its Constitution (Sarajevo, 2019), upon which it is consisted of nine municipalities. Today’s City of Sarajevo administratively is consisted of four central municipalities (Stari Grad, Centar, Novo Sarajevo and Novi Grad) and it covers 141, 5 km² (see Figure 11).



Figure 11 Outline border – former City of Sarajevo, Grey area – Today Canton Sarajevo, Federation of B&H Entity Darker grey area – today City of Sarajevo, White area – Srpsko Sarajevo (today East Sarajevo), Republika Srpska Entity (SOURCES Bublin M., Sarajevo throughout the history – from Neolithic settlement to metropolis)

In today Bosnia and Herzegovina each entity and all ten cantons in FB&H have their own legislation framework, which makes: "rather un-coordinated system, both vertically and horizontally" (ESPON, 2018).

The milestones of Sarajevo Spatial planning legislation can be seen on the following timeline:



Figure 12 From the building codes in 1880 and 1893, Building Law and building code in 1936, General Urban Plan in 1965, Spatial and Land-Use Plan in 1986 to new Spatial Plan in 2006 and Land-Use plan currently in procedure from 2016 (SOURCES Institute for Canton Sarajevo Development Planning)

The Spatial Planning Tools in Canton Sarajevo are hierarchically organized as in the following table:

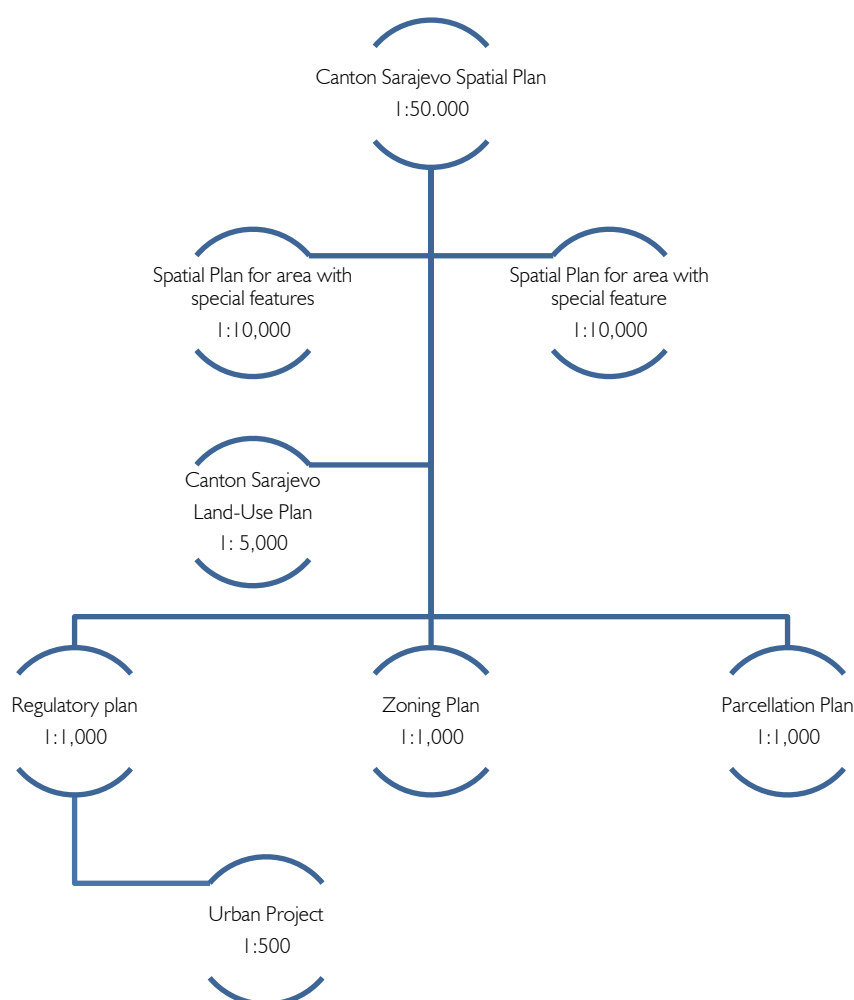


Figure 13 Spatial Planning Tools Hierarchy in Canton Sarajevo (SOURCES Institute for Canton Sarajevo Development Planning)

The elements and the content of textual and graphical parts of the spatial planning documentation are defined by the Decree on uniform methodology for creating the spatial planning documentation. Textual parts of spatial planning documentation are the following:

- Text of a Plan,
- Decision on Plan Implementation and
- Decision on Plan Adoption.

It is important to emphasize that the Decision on Plan Implementation is a legislative form which can be, to certain extent, comparable to a content of a building code, although in a very limiting form. It is written by an urban planner who prepares a plan and it varies from plan to plan in its content.

Graphical parts of a plan vary in accordance with spatial planning documentation level and type of a plan.

According to Canton Sarajevo Spatial Planning Law spatial planning documentation is basis for obtaining planning permission. Planning permission is issued based on urban and technical conditions

interpreted by municipality individual and his or her aesthetic criteria and ability to understand spatial planning documents and valid legislation, which makes the whole process challengeable in the matter of objectivity and rationality. There is no manual, nor additional spatial planning document in a form of an instrument which could easily be understood by authorities and citizens in a complex process of spatial planning documentation implementation and what is more important, which will make the process of obtaining the planning permission transparent, objective and based on equal right for all interested stakeholders.

Moreover, from the early nineties until today there is an "institution" of the "professional opinion", which can be demanded by a municipality in specific cases (when there is no valid detailed spatial planning documentation) for the purpose of obtaining a planning permission. This document may pose in question the objectivity in the legal procedure, since the professional opinion is written by an individual or a group of professionals organized in boards or comities, upon "not formally defined aesthetic, environmental and any other criteria" which is, as commented by Aganović in 1991: "...professional and social alibi for illegal procedures, brought in the municipalities... which is provided by "special", or "professional boards", in every municipality separately, without uniformed impact of the city on these processes, notwithstanding all passed spatial planning documentation of various government levels and responsible institutions" (Aganović, 1991a). Existence of a building code on a city/cantonal level for each city/canton in contemporary urban circumstances of Federation of Bosnia and Herzegovina would certainly give the solution which would contribute to extinguishing of improper forms such as professional opinion etc.

The problem of informal settlements has become official through the process of legalization, which became the only housing policy for informal building areas. Beside social, economic and political aspects of the phenomena, informal settlements may be connected to spatial planning documentation frequent renewal, but as well as to absence of certain rules and regulations for the areas in which informal settlements are erected. The solution for this phenomenon was given in the City of Sarajevo Council report from 1991: "...proper exploitation and channelizing of enormous potentials of private investments and initiatives, should be given through uniform and rigorous criteria at the City level" (Aganović, 1991b).

The last time the building code was mentioned and commented among City's spatial planners and professionals was at the Symposium „Sarajevo – Town and Region in Time and Space in the Year 2000th“, which took place in Sarajevo on April 23 and 24, 1981 and was organized by the Academy of Sciences and Arts of Bosnia and Herzegovina, University of Sarajevo and Town Council of Sarajevo: „Fortunately Austro-Hungary hasn't interfered in old parts of the city, apart for exceptional cases, the rigorous „Building Code for the city of Sarajevo“ was implemented, bureaucratically narrow-minded, but at least respected, which prevented more serious violations of the public interests“ (Academy of Sciences and Arts of Bosnia and Herzegovina, University of Sarajevo, Town Council of Sarajevo, 1982).

The severe criticism of the building code document was moderated with the recognition of this document's main objective - protection of the public interest.

After the urban development peak that Sarajevo has reached in the eighties, urban decay has started. It was precisely described in the report by the former Head of the Institute for the City Planning Development Midhat Aganović released by the City Assembly in 1991. We will not go into all fields

of this brilliant and primarily realistic work has embraced, but for the purpose of this research we will mention, as Aganović has written, the necessity to introduce urban standards: "Mentioned deformities in the City's spatial development are caused by: ...- the absence of urban norms, the absence of scientific work and the professional interest for this problem" (Aganović, 1991c).

Aganović continues: "Standards, norms and other regulations on preparation and equipment of residential areas, which are being implemented in the City are highly beyond our realistic economic possibilities. The City doesn't have any urban standards. Our residential areas and apartments in those areas, which have been built in the recent years, are not any different from the neighborhoods built in the European countries, whose gross domestic product (GDP) is even ten times bigger than our GDP" (Aganović, 1991d). The author, rightly, made the connection between the standards and the economy, but what is more important, he made the comparison between the standards in Sarajevo and the standards in the European countries, which is one of the main premises of this research.

Aganović was precise about the root of the problem: "Every municipality, upon its own standards, or with no standards at all alienates those values, without which urban life can hardly be performed" (Aganović, 1991). The author was considering public space, parks and plants, when speaking of urban quality life (Aganović, 1991e).

He was: "Amazed that in our society and the City hasn't matured yet awareness of the necessity to create and to enact uniform standards and norms in the field of spatial, urban planning and housing that would be the expression of our objective possibilities and needs-appropriated to the reached and planned level of the overall development. That is why we can't be surprised that enormous financial means have been invested to pretentious solutions which have accompanied our planner's efforts and aspirations to accomplish, in the recent 20 years, urban and communal standards of highly developed societies, whose GDP is beyond 20.000\$" (Aganović, 1991f).

In the end Aganović concludes that: "To ensure function of all integral parts of the City's complex and unique organism, the City should take the responsibility to: ... - create the development documentation, surveys, expertise, analysis, norms, standards and other enactments related to the City's life and development" (Aganović, 1991g).

Midhat Aganović, as one of the city's key figures in the field of spatial and urban planning during the communist period, was concerned with Sarajevo's future development in the beginning of the nineties. The situation will be aggravated with the war destruction and the post war reconstruction of the wounded urban tissue and the society, but the main problems of the urban development will, unfortunately remain until today.

In 1999 Federal Ministry of Spatial Planning and environmental protection with IMG (International Management Group) have published the Manual of standard building specifications for architectural design, norms, standards and other sign and execution of works of construction, reconstruction, sanitation and adaptation.

After overviewing the content of the Manual, published in 1999, and analyzing the manual itself we may conclude that its purpose was to summarize and to make data base of all valid norms in building and planning praxis in Bosnia and Herzegovina, in both Entities, yet it was not written in a form of a

building code. Its (Manual's) segments, though, are comparable to certain segments of building codes in European countries.

The Manual which was mentioned above was the only attempt in the postwar years, in Sarajevo, to make, at least, as a brochure, the comprehensive overview of all the standards which building code may contain.

Spatial planning tools in Canton Sarajevo, currently, do not recognize building code as a mandatory document. So-called Decisions of Implementation which are mandatory elements of every spatial planning document textual part are not unified in its form, for all spatial planning documentation, nor are classified according to canton municipalities. They (the decisions of implementation) are written by the planners and can't create systematic elaboration of all the factors of an urban form.

Creating of an urban form is the main purpose of a building code. Stühlinger is defining two different levels of building standards that influence the city's image, or city's form: hard factors, such as building dimensions and street width, and soft factors, such as details of the surface design elements such as paving or façade openings and protrudes (Hagen, 2015), by which we may conclude that this basic distinction can be used for creating a building code document. All city elements contribute to its urban image: "Very often the unjustifiably neglected details (park benches, fountains, squares, street illumination, sculptures etc.) can contribute significantly to a nicer and more humane way of living and the overall beauty of city landscape" (Bublin, 2008a).

Some of the authors of articles and books about spatial planning and urbanization process in Sarajevo, in the post war years, have recognized the need to: "...institutionalize the legislative and managerial environment for the preparation and realization of development programs and plans" (Bublin, 2008b). They do not speak about the building code specifically, yet it may be interpreted as a clue in that direction: "in contemporary developed societies, cities are institutionalized, which means the existence of certain public institutions with transparent work. Those cities have codified their laws, city regulations and standards, which is a basis for city functioning and development" (Bublin, 2008c).

Building code is as an instrument of controlled spatial and urban development, because. "...cities, as the most complex social systems, may function and develop only if properly managed, since the practice of spontaneous development no longer works out (Bublin, 2008d). There is a relationship between a building code, as a public policy instrument and the land-use planning: "There are number of public policy instruments that can affect land use. Most important among them are land-use regulations imposed through the land-use planning process and environmental and building code regulations" (OECD, 2017).

The importance of a building code is sublimated in the following sentence: „At present, public policy uses primarily two mechanisms to intentionally influence land use; it allocates public investments across space and it restricts how individuals and businesses are permitted to use land. Its main instruments are the spatial and land-use planning process and environmental and building code regulations“ (Bublin, 2008e).



Figure 14 View from one of Sarajevo informal settlements towards residential blocs built in the eighties (SOURCES Johann Jessen, Ute Margarete Meyer and Jochem Schneider, 2008. *Urbanity and the Planning Culture in Europe* - Barcelona, Amsterdam, Almere, Manchester, Copenhagen, Leipzig, Sarajevo, Zurich. Stuttgart: Wustenrot Stiftung (Publ.).)

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