

# Bosnia and Herzegovina

## Main Objectives

Promote minority return and seek the removal of obstacles hindering voluntary return; pursue legal reform and monitor implementation of relevant legislation including the strict implementation of property laws; support the voluntary return to Croatia of Croatian Serb refugees residing in Republika Srpska (RS, see below) but also facilitate the local integration of those wishing to remain in Bosnia and Herzegovina (BiH); support the voluntary repatriation of refugees from the Federal Republic of Yugoslavia (FRY) and continue to provide assistance as well as protection for those who cannot return; continue to hand over relevant activities to other agencies; maintain Legal Aid Centres for use by persons of concern to UNHCR; equip civil servants and local organisations with the sophisticated skills needed to deal with returning refugees and IDPs; encourage the establishment of a fair and effective asylum system.

## Impact

- 92,061 minority persons returned to and within BiH in 2001, 36 per cent more than during the previous year. Of the total 5,383 registered returnees to Croatia from BiH at the end of 2001, 1,607 returned with UNHCR assistance. From Croatia, a total of 3,398 Bosnian Croats registered as returnees to BiH: a 14 per cent increase compared with 2000 figures.
- A Protocol on mutual co-operation in planning and implementing regional returns was signed



in January 2001 by the UNHCR, the Office of the High Representative (OHR), the Ministry for Human Rights and Refugees (MHRR) of BiH and the relevant Ministries at the Entity level. A catalogue of some 50 priority projects (Priority Return 2001/2002) to assist minority return in 2001 was prepared by UNHCR and presented for bilateral funding under the Stability Pact for South-Eastern Europe. In relation to actual returns of minorities, there was too little reconstruction aid available.

- Welcome developments in the Croatian Government's policy resulted in the first cross-border bus service between Banja Luka and Daruvar.

Commencing in September, some 16,847 passengers had used the service by year's end.

- In addition to voluntary repatriation of the Croatian Serbs, UNHCR is continuing to explore local integration and resettlement options. A considerable number of Croatian Serbs are believed to have acquired citizenship under RS legislation, which was held to be unconstitutional by the international community. The identification of these Croatian Serbs remains difficult as many simultaneously acquired BiH passports, along with thousands of other people. No separate records were kept of those acquiring both passports. The repatriation of FRY refugees continued, extremely slowly. UNHCR assisted the MHRR in assuming responsibilities for refugee and asylum matters as well as for the administration of six Reception-Asylum Centres (RACs). At the end of 2001, 1,691 refugees were residing in the six RACs.
- The development of the legal framework for an asylum system in BiH was pursued. In the meantime, UNHCR continued to carry out refugee status determination on behalf of the Government of BiH. At year's end, 146 asylum-seekers were accommodated in the RACs. UNHCR, along with MHRR, OHR, and IOM, is working on the elaboration of the by-laws to the State Law on Immigration and Asylum through its regular participation in the Working Group on Immigration and Asylum.

## Working Environment

### The Context

Bosnia and Herzegovina (BiH) is a sovereign State (created by the Dayton agreement) consisting of two Entities: the Federation of Bosnia and Herzegovina (the Federation) and the Republika Srpska (RS).

2001 marked the sixth year of the General Framework Agreement for Peace (GFAP). Nevertheless, the international presence, though reduced, is still very much in evidence in the fields of security, civil administration and development. On the whole, the political climate has become more conducive to return. A number of "hardline" RS municipalities have become more receptive to questions of return. Local authorities have become increasingly involved in finding solutions to the returnees' problems.

The World Bank, the UN development agencies, and bilateral donors continued to make their substantial contributions to the reconstruction of infrastructure, the privatisation process and job creation. However these aid projects sometimes overlooked problems arising from the existence of a large IDP and returnee population. In this regard, UNHCR had to enhance its advocacy role as the only international humanitarian agency with relevant expertise. By the end of 2001, some 438,253 IDPs and 23,389 Croatian Serb refugees in BiH were still awaiting durable solutions.

Arrivals of irregular migrants continued in 2001, although they have been decreasing following the introduction of a "visa regime" for some nationalities and better passport control at the points of entry by State Border Service. UNHCR gave full support to the (MHRR) in identifying and assisting asylum-seekers.

UNHCR worked regularly with MHRR, the State Border Service (SBS) and the International Police Task Force (IPTF) to

Persons of Concern				
Main Origin/Type of Population	Total In Country	Of whom UNHCR assisted	Per cent Female	Per cent under 18
Bosnia and Herzegovina (IDPs)	438,300	-	-	-
Croatia (Refugees)	23,600	-	-	-
FRY (Refugees)	9,100	1,500	47	50
Returnees (from FRY)	7,800	1,600	-	-
Returnees (from Croatia)	3,400	1,100	-	-
Returnees (from Germany)	1,500	-	-	-
Returnees (from Slovenia)	600	-	-	-

Income and Expenditure (USD) Annual Programme Budget				
Revised Budget	Income from Contributions <sup>1</sup>	Other Funds Available <sup>2</sup>	Total Funds Available	Total Expenditure
27,373,549	11,489,087	14,073,428	25,562,515	25,555,943

<sup>1</sup> Includes income from contributions restricted at the country level.

<sup>2</sup> Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments.

The above figures do not include costs at Headquarters.

provide guidance, ensure referrals and clarify the modalities of the identification of asylum-seekers at various points of entry into BiH. The Stability Pact Migration and Asylum Initiative (MAI) for the region, supported by UNHCR, should be of particular relevance for the development of the national asylum system.

## Constraints

Although much progress has been made in creating an environment conducive to minority return, there remains an acute shortage of housing and employment. There is clearly a widening gap between reconstruction activity and return rates, especially outside bigger urban areas.

Sporadic security incidents as well as demonstrations against the eviction of illegal occupants, harassment of some individual returnees or damage to their property were reported in the course of 2001. But security is no longer the main factor obstructing returns. In rural areas, the presence of landmines impedes economic recovery.

## Funding

The BiH programme did not enjoy the level of funding expected. Over the course of the year, the programme was cut by 22 per cent. As a result, a number of project activities had to be phased out altogether, such as the provision of domestic items and the small-scale community-based projects funded through flexible Quick Support Funds.

## Achievements and Impact

### Protection and Solutions

The implementation by the two Entities of the property law led to the eviction of temporary occupants and allowed pre-war owners to repossess their property, which has removed a major obstacle to return and repossession of property. By year's end, 102,609 property claims had been successfully resolved. An increased focus on eastern Republika Srpska was envisaged for 2002. In mid 2001, the Government of Croatia declared that the refugees originating from Croatia could re-apply for reconstruction of their property, which resulted in 1,242

family claims lodged at the General Consulate of Croatia in RS.

The BiH government's Instruction on the Temporary Admission to BiH of Refugees from FRY, which provides for temporary admission and protection, continued to be applicable throughout 2001. However, the BiH Council of Ministers adopted a Decision on Partial Cessation of Application of this Instruction, which entered into force on 21 November 2001. Following this Decision, new arrivals may enter the regular asylum procedure if they wish to do so. Up to 21 November, an estimated 1,470 new arrivals were registered in BiH. During the remainder of the year, UNHCR received 39 additional asylum-seekers from FRY.

Since the Kosovo crisis in 1999, the majority of Kosovars have repatriated. Currently, UNHCR is assisting some 1,545 refugees in six RACs, through MHRR and various NGOs. In 2001, 240 refugees were referred to resettlement countries for their consideration: 126 refugees to Norway, 73 to USA, 20 to Sweden, nine to Germany, five to Finland, four to Canada, and three to Denmark.

### Activities and Assistance

**Community Services:** 2001 was the fifth year of the implementation of the Bosnian Women's Initiative. Thirteen projects were implemented, covering 3,500 beneficiaries: 26 per cent were in income generation, 53 per cent were related to education and vocational training, 15 were community services projects, while three involved capacity building. A Quick Support Fund (QSF) project was established to meet certain specific needs of families in the process of returning.

**Crop Production:** Under the QSF, a small agricultural seed programme was implemented for families.

**Domestic Need/Household Support:** The following domestic items were distributed: beds (18,216), blankets (44,827), stoves (910), kitchen sets (1,707), mattresses (20 490), plastic sheeting (124,501 square metres). Carry-over into 2002 was as follows: 9,817 beds, 31,799 blankets, 2,165 stoves, 5,655 kitchen sets and 25,112 mattresses. Items to the value of USD 532,091 were procured.



Back home, returnees have opened a bakery. UNHCR / R. Chalasani

**Education:** In small towns, with a larger number of returnee children, rehabilitation of education facilities and provision of school equipment, heating, etc. was specially concentrated on.

**Food:** In 2001, one cooked meal per day was provided in the six RACs. The programme was implemented in co-ordination with the BiH Federation Ministry of Social Affairs.

**Health/Nutrition:** Small health centres were provided in the RACs.

**Income Generation:** By the year's end, 525 micro-projects were undertaken under the QSF, including seed programmes, small shelter repairs, and repair of water supplies, benefiting 19,408 families in the country.

**Legal Assistance:** The Legal Aid and Information Network (LAIC) was an important part of UNHCR's protection activities. It assisted 140,652 beneficiaries in 152,903 cases relating to return. The network currently comprises three international and three local NGOs, employing 91 legal staff, 41 information and field officers and 46 administrative staff. Beneficiaries throughout BiH were assisted by 39 legal aid centres and 17 mobile legal teams.

**Operational Support (to Agencies):** UNHCR engaged in a number of public awareness and public information activities. Participation in the

local media increased (769 presentations on radio and television and in the press).

**Shelter/Other Infrastructure:** There were 62 Collective Centres with 5,389 residents as at 31 December 2001: 30 in the RS and 32 in the Federation. Working in partnership with the Government of Switzerland, UNHCR completed 130 projects, providing lasting solutions for some 508 residents.

#### Transport/Logistics

Bus lines (one a cross-border service) were operational in 2001. The number of bus lines was reduced to nine after April 2001, due to commercialisation of four lines. The remaining bus lines will be privatised as soon as they become commercially viable.

## Organisation and Implementation

### Management

UNHCR has 20 offices in BiH. During the year 32 posts were discontinued, leaving a year-end total of 228 staff (36 international and 192 nationals).

### Working with Others

UNHCR enjoyed close collaboration with a total of 21 implementing partners: 11 international NGOs, seven local NGOs and three Ministries.

UNHCR has been a regular member of the “Principals’ Meeting”, chaired by OHR, where the main policies of the country are discussed, including return and reconstruction issues. The Inter-Agency Planning Group follows up on the details of issues raised. A similar structure has been in place at the local level in which Heads of UNHCR Sub Offices participate. At the State level, UNHCR’s main counterpart and project implementing partner was the Ministry for Human Rights and Refugees. Although several experienced members of staff were recruited, the Ministry was not fully functional in 2001.

## Overall Assessment

2001 was UNHCR’s second year of work with an operational emphasis on protection and advocacy (rather than reconstruction, which was the main focus in the earlier years). It is clear that UNHCR’s role of advocate for IDPs and refugees will become more important in 2002, as direct assistance is further reduced. The year saw a record number of registered minority returns (some 93,000). It is therefore safe to conclude that UNHCR met its main objective for 2001: to promote minority return.

UNHCR co-ordinated with other international agencies in monitoring the implementation of the property law, initiated the preparation of the Reconstruction Protocol, provided guidance to donors implementing reconstruction projects and negotiated returns with authorities.

The objectives set out in the beginning of 2001 were pursued with scarce resources targeted towards those activities that most effectively supported minority return and the protection of refugees and asylum-seekers.

## Offices

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Sarajevo  
 Banja Luka  
 Bihac  
 Brcko  
 Bugonjo  
 Dobo  
 Drvar  
 Gorazde  
 Mostar  
 Orasje  
 Pale-Lukavica  
 Prijedor  
 Stolac  
 Travnik  
 Trebinje  
 Tuzla  
 Visegrad  
 Zenica  
 Zvornik

## Partners

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### Government Agencies

Federation Ministry for Social Affairs  
 Ministry for Human Rights and Refugees  
 Ministry for Refugees RS

### NGOs

Save the Children Federation  
 Project Implementation Unit  
 American Refugees Committee  
 Bosnian Humanitarian Logistics Service  
 Catholic Relief Council  
 European Committee for Training and Agriculture  
 International Council of Voluntary Agencies  
 International Rescue Committee  
 Iustisia  
*Malteser Hilfsdienst*  
 Mercy Corps (Scotland)  
 New Bosnia Fund  
 Tango  
 Helsinki City Assembly  
 Bosnian Committee for Help  
 Terra  
 International Management Group

### Others

Swiss Agency for Development and Co-operation  
 UNVs

## Financial Report (USD)

Expenditure Breakdown	Annual Programme Budget		Annual Programme Budget	
	Current Year's Projects	notes	Prior Years' Projects	notes
Protection, Monitoring and Co-ordination	7,032,780		78,836	
Community Services	3,636,276		1,986,447	
Crop Production	83,362		57,279	
Domestic Needs / Household Support	587,908		114,105	
Education	44,862		10,887	
Food	349,232		332,633	
Health / Nutrition	34,579		12,765	
Income Generation	307,008		562,904	
Legal Assistance	1,857,541		868,071	
Operational Support (to Agencies)	1,772,735		524,586	
Shelter / Other Infrastructure	848,354		871,588	
Transport / Logistics	1,040,723		270,967	
Instalments with Implementing Partners	3,509,783		(4,696,373)	
Transit Account	37,173		13,017	
<b>Sub-total Operational</b>	<b>21,142,316</b>		<b>1,007,712</b>	
Programme Support	4,023,002		73,586	
<b>Sub-total Disbursements / Deliveries</b>	<b>25,165,318</b>	<b>(3)</b>	<b>1,081,298</b>	<b>(5)</b>
Unliquidated Obligations	390,625	<b>(3)</b>	0	
<b>TOTAL</b>	<b>25,555,943</b>	<b>(1) (3)</b>	<b>1,081,298</b>	

### Instalments with Implementing Partners

Payments Made	11,658,596		857,748	
Reporting Received	8,148,813		5,554,121	
<b>Balance</b>	<b>3,509,783</b>		<b>(4,696,373)</b>	
Outstanding 1st January	0		5,302,449	
Refunded to UNHCR	0		221,623	
Currency Adjustment	0		4,207	
<b>Outstanding 31 December</b>	<b>3,509,783</b>		<b>388,660</b>	

### Unliquidated Obligations

Outstanding 1st January	0		1,305,217	<b>(5)</b>
New Obligations	25,555,943	<b>(1)</b>	0	
Disbursements	25,165,318	<b>(3)</b>	1,081,298	<b>(5)</b>
Cancellations	0		223,919	<b>(5)</b>
<b>Outstanding 31 December</b>	<b>390,625</b>	<b>(3)</b>	<b>0</b>	<b>(5)</b>

Figures which cross reference to Accounts:

- (1) Annex to Statement 1
- (3) Schedule 3
- (5) Schedule 5