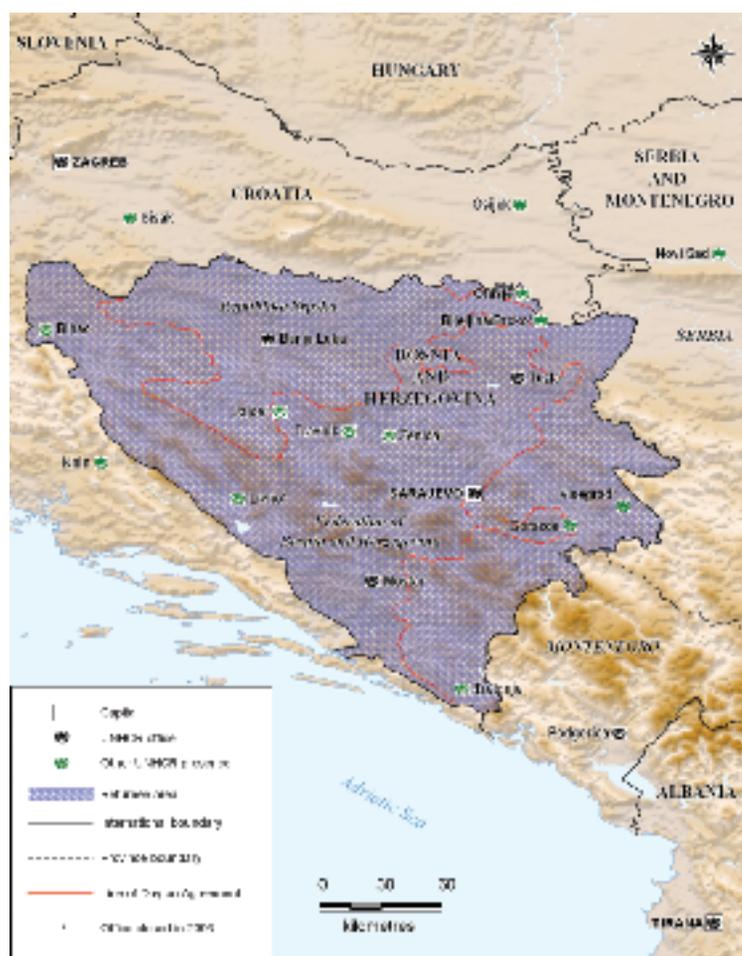


# Bosnia and Herzegovina



## Main objectives

Continue to support voluntary returns within and to Bosnia and Herzegovina (BiH), with a view to completing returns by the end of 2004; continue to monitor closely the implementation of property legislation and the exercise of associated civil rights; provide limited and flexible humanitarian assistance to the most needy returning refugees and IDPs; advocate the continuation of activities by other agencies, to ensure sustainability of returns; continue legal assistance as well as dissemination of information among returnees and displaced persons regarding their civil and legal rights; identify ways to nationalize the existing network of Legal Aid and Information Centres (LAICs); develop an effective asylum system in cooperation with other partners in the European Union structures and the Stability Pact (SP); support the voluntary repatriation of Croatian Serb refugees and other refugee groups to their countries of origin in the region.

## Impact

- The year 2003 saw a significant decrease in the number of recorded returns of Bosnians to their homes, down to 54,315 (from 108,000 the previous year).

Persons of concern				
Main origin/Type of population	Total in country	Of whom assisted by UNHCR	Per cent female	Per cent under 18
IDPs	327,200	-	52	18
Croatia (refugees)	19,500	-	50	19
Returnees (from Serbia and Montenegro)	5,400	5,400	-	-
Serbia and Montenegro (refugees)	3,000	700	51	42
Returnees (from Croatia)	2,400	2,400	-	-
Serbia and Montenegro (asylum-seekers)	500	500	45	50
FYR Macedonia (asylum-seekers)	100	100	46	35

## 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
16,223,766	3,941,285	12,211,588	16,152,873	16,152,873

<sup>1</sup> Includes income from contributions earmarked 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.

- At the end of 2003, a large number of persons still remained displaced in the region, including some 103,500 refugees from BiH still residing in Serbia and Montenegro (99,761) and Croatia (3,740). Some 327,000 IDPs are still registered as displaced within BiH. This figure includes some 1,286 BiH IDPs still living in deteriorating conditions in collective centres. Durable solutions will have to be found for all of them before these centres can eventually be closed.
- Working in collaboration with the Office of the High Representative, OSCE and the Commission for Real Property Claims, UNHCR was active in the Property Law Implementation Plan (PLIP). By the end of 2003, some 201,902 property claims were resolved at the municipal level, representing 92.5 per cent of a total of 218,300 claims filed. The implementation of the property law by the Governments of the two post-Dayton Entities that constitute BiH, the *Republika Srpska* and the Federation (of Bosnia and Herzegovina), is leading to the eviction of temporary occupants, enabling the holders of pre-war property rights to repossess their property.
- The Legal Aid and Information Centres (LAICs), supported by UNHCR, remained a very significant element in the nascent civil society of BiH, providing advice and counselling to returning refugees and IDPs. UNHCR ensured that by the end of 2003 the LAICs had been transformed into a nationally owned, independent NGO. LAIC staff provided legal advice and counselling to more than 50,000 beneficiaries.
- Of the 6,056 refugees from Serbia and Montenegro re-registered by the authorities with UNHCR's assistance in mid-2002 (almost all residing in the Federation of BiH), half lost their status at the end of June 2003 when the temporary protection regime in force for refugees from Serbia and Montenegro came to an end. Currently, only some 3,000 refugees, almost all of them from

Kosovo, continue to reside in BiH, with some 1,000 refugees accommodated in four UNHCR-funded reception centres, while the remainder live in private accommodation.

- UNHCR continued its role as an active member of the Stability Pact Migration, Asylum, Refugee Regional Initiative (MARRI) Country Team. The focus of the team's attention has been the drafting of a National Action Plan, which by year's end had been completed but not yet adopted by Parliament.
- A new and completely revised *Law on the Movement and Stay of Aliens and Asylum* entered into force on 14 October 2003, replacing the primary legislation governing asylum which had been in force since 1999. The new law transfers critical competencies on migration and asylum from the Ministry for Human Rights and Refugees to the newly created Ministry for Security, which is expected to become fully functional by April 2004, when the necessary by-laws will have to be enacted. UNHCR continues to carry out refugee status determination under its mandate on behalf of the BiH Government until such time as local authorities have sufficient expertise to assume these responsibilities.

## Working environment

### The context

UNHCR continued to work closely with the local authorities to identify solutions for the most vulnerable members of the relevant population groups. UNHCR's work adheres to the strategy for the transfer of outstanding General Framework Agreement for Peace responsibilities to the Government, which was jointly developed by the Office of the High Representative (OHR) /UNHCR/Ministry for Human Rights



Returnees to Bukve village who came back to the area after the war. UNHCR/R. Chalasani

and Refugees, and endorsed in January 2003 by the Steering Board of the Peace Implementation Council (PIC). Other significant developments in 2003 with a positive impact on the return situation in BiH included an agreement on the return of refugees signed between BiH and Serbia and Montenegro in October 2003 and amendments to the law on refugees and displaced persons that entered into force in November 2003. BiH citizens who found temporary refuge abroad continued to return to BiH (14,012 in the course of 2003). In addition, there were increasing numbers of newly rejected asylum-seekers from BiH whose asylum claims had been refused in the countries of the European Union. Many of them faced a situation of renewed displacement upon their return/deportation to BiH. An important increase in BiH governmental bodies' responsibilities for return-related issues was signalled by the dissolution of the Reconstruction and Return Task Force (RRTF) previously co-chaired by OHR/UNHCR and the transfer of remaining responsibilities to the State Commission on Refugees and Displaced Persons.

The international community is less in evidence than in recent years, but remains a powerful component of governance, security, civil administration and

development. The NATO Stabilisation Force (SFOR), while downsizing, maintained security and cooperated with UNHCR field offices in providing a safe environment for returnees. The European Police Monitoring Mission (EUPM) continued to assist the local police and the State Border Service. The Office of the High Representative and OSCE were also supportive of the return of displaced persons.

## Constraints

The decrease in the number of returnees in 2003 demonstrated that although much progress has been made in creating a more favourable environment for minority returns, the shortages of housing and employment opportunities remain powerful inhibitors of return and reintegration. Sustainable return is intimately linked to overall economic development. The security situation in the country in 2003 gave rise to concerns, as at least three murder cases involving returnees were reported. At the same time, landmines, still scattered in particular along the boundaries between the two entities, continue to impede the economic recovery of rural areas.

The predicament faced by Croatian-Serb refugees, currently the largest group of refugees residing in BiH, remained of concern to UNHCR. The search for a durable solution is complicated by the uncertain nature of their status: many may have acquired or may be entitled to BiH citizenship, while others are not. Their plight was the subject of a comprehensive UNHCR report published in 2003.

## Funding

Some 15 per cent of the operational budget for BiH approved by ExCom had to be frozen at the beginning of 2003 due to the expected funding shortfall. Sadly, even the ExCom-approved budget represented only a fraction of the resources required to assist returns adequately. Despite efforts to accommodate exchange rate losses (as the dollar lost some 16 per cent of its value against the local currency in BiH), the provision of basic domestic items for vulnerable returnees and Quick Support Fund activities had to be cut back.

## Achievements and impact

### Protection and solutions

UNHCR provided extensive advice to the Ministry for Human Rights and Refugees and the newly created Ministry of Security on the drafting of a new law regulating immigration and asylum matters in BiH, which was eventually adopted on 18 July 2003 and entered into force on 14 October 2003.

In the course of 2003, 54,315 displaced persons returned to their places of origin, including 14,012 Bosnian refugees from abroad. UNHCR, together with OHR and OSCE, was proactive on issues such as non-discriminatory access for returnees to pensions, education, insured health care and basic communal utilities in their places of return. With return trends to and within BiH stable, UNHCR concentrated its efforts on close monitoring of implementation of the property law and enhanced advocacy of returnees' civil rights. UNHCR continued to target selected vulnerable groups with the aim of finding durable solutions for them. In 2003 there were fewer reported security incidents affecting returnees and other groups of concern than in the previous year (277 compared to 430 in 2002). By

the end of 2003, the registered Croatian refugee population in BiH was 19,477. In the course of the year 2003, 1,617 Croatian refugees were repatriated through an UNHCR/IOM assisted voluntary repatriation procedure.

The Temporary Admission (TA) status of persons from Serbia and Montenegro came to an end on 30 June 2003. Prior to the ending of the status, an extensive information campaign was launched, whereby the options open to those affected were explained. At the same time, the TA status of persons from Kosovo was extended until 30 June 2004. At the end of 2003, some 3,000 refugees under Temporary Admission from Kosovo resided in BiH. The number of asylum-seekers in BiH stood at 701. During the course of 2003, 495 asylum-seekers in BiH received refugee status determination decisions. Of this number, 20 were recognized as Mandate refugees, while UNHCR facilitated resettlement for 63 refugees. In 2003, UNHCR embarked on a project in cooperation with the European Commission to ensure that asylum-seekers and refugees benefit from national legislation conforming to international and EU standards.

### Activities and assistance

**Community services:** The Quick Support Funds continued to be instrumental in facilitating sustainable minority returns. Through the provision of immediate support to extremely vulnerable individuals and/or groups in minority return areas, UNHCR supported returns during the crucial early stages. Assistance varied, from the provision of self-help material for minor housing repairs, to support for agricultural projects in rural areas, to communal infrastructure repairs. In 2003, 253 projects were implemented, assisting some 8,500 direct beneficiaries. UNHCR continued to provide operational costs for the Secretariat of the Bosnia and Herzegovina Women's Initiative (BHWI). At the same time, BHWI provided community services (skills training, workshops, secondary health care) to the refugees and asylum-seekers residing in the reception centres.

**Domestic needs/Household support:** During 2003, the most vulnerable categories of returnees were provided with 7,745 beds, 16,728 blankets, 2,945 stoves, 11,788 mattresses, and 59,700 square metres of plastic sheeting. Strict and very careful selection of beneficiaries was applied throughout

the country, and the distribution was organized following door-to-door assessment of vulnerability by UNHCR field units.

**Food:** Food was provided for the beneficiaries in the reception centres and transit centres.

**Health/Nutrition:** Primary health care was provided in the transit and reception centres maintained by the Federation Ministry of Displaced Persons and Refugees and the BiH Ministry for Human Rights and Refugees (MHRR). At the same time, individual secondary/tertiary medical assistance was provided to 46 asylum-seekers/refugees from the reception centres.

**Legal assistance:** With the guidance of UNHCR and the involvement of all Network staff, the Legal Aid and Information Centres (LAICs) Network (the Network) was transformed into a local, independent and sustainable non-governmental organization by the end of 2003. A selected group of lawyers from the Network received refugee law training during the last quarter of 2003 in anticipation of the expansion of the Network to include responsibilities related to UNHCR's core mandate, such as the provision of assistance to individuals from third countries who are seeking asylum. At the end of the year, the Network had 79 legal staff and 24 information/field officers. In 2003, the Network assisted 50,248 new beneficiaries and took 78,541 protection actions through 28 offices and 30 mobile teams.

**Operational support (to agencies):** UNHCR was engaged in a number of public awareness and public information activities during 2003, including participating in the International Community Press Conferences and organizing the special events for World Refugee Day and UN Day.

**Shelter/Other infrastructure:** 22 collective centres with 1,286 residents remained in BiH as at 31 December 2003. In partnership with the Swiss Humanitarian Aid Unit in Sarajevo, UNHCR implemented 111 projects to provide lasting solutions for some 368 residents.

**Transport/Logistics:** UNHCR transported 780 families and their belongings to their reconstructed pre-war homes. These were the most vulnerable returnee families. Over the course of the year, UNHCR also organized "go-and-see visits" for some 695 potential returnees.

## Organisation and implementation

### Management

In the course of 2003, five UNHCR offices were closed and 51 posts discontinued, leaving a year-end total of 122 staff and 10 offices.

### Working with others

UNHCR enjoyed close collaboration with 14 implementing partners: seven international NGOs, four local NGOs and three Ministries. As the lead UN humanitarian agency facilitating returns, UNHCR has been a regular member of the weekly Board of Principals meeting chaired by the High Representative. The main policies of the country are discussed at this meeting, with return and reconstruction issues given prominence.

At the State level, UNHCR's main counterpart and project implementing partner was the Ministry for Human Rights and Refugees. UNHCR provided considerable support and capacity-building to the Ministry in the course of 2003. At the Entity level, UNHCR's implementing partners were the Federation's Ministry of Displaced Persons and Refugees and the Republika Srpska's Ministry for Refugees and Displaced Persons.

UNHCR continues to work closely with the EU within the framework of CARDS, the programme of Community Assistance for Reconstruction, Development, and Stabilisation. UNHCR was a regular member of the UN Country team and participated in such BiH initiatives as the development of the Poverty Reduction Strategy Paper, UNDAF and CCA.

### Overall assessment

In 2003 UNHCR continued its efforts to make local authorities responsible for their decisions by strengthening inter-Entity and State institutions. The process was somewhat hampered by protracted changes to the national laws regulating the work of the State Commission for Refugees and Displaced Persons.

The implementation of UNHCR's programme faced serious difficulties as a result of an overall expected shortfall of funds. However, by constantly assessing the return movement and the status of assistance, UNHCR managed to allocate its limited funds and human resources flexibly, focusing on priority needs. Progress was achieved largely through more accurate targeting of beneficiary groups.

Refugees and asylum-seekers in UNHCR funded reception centres received an adequate level of shelter, food and educational assistance in 2003, although budget cuts negatively affected the level of assistance and the quality of assistance that could be provided.

In 2003, BiH took important steps towards the development of a national asylum system. UNHCR was directly involved in the drafting of the important legislation which came into force in October. The new law transfers critical competencies on migration and asylum from the Ministry of Human Rights and Refugees (MHRR) to the newly created Ministry of Security.

## Offices

### Sarajevo

Banja Luka  
 Bihac  
 Bijeljina (Brcko) (closed 30/09/2003)  
 Gorazde  
 Jajce (closed 30/09/2003)  
 Livno (closed 30/09/2003)  
 Mostar  
 Orasje  
 Travnik  
 Trebinje  
 Tuzla  
 Visegrad (closed 30/09/2003)  
 Zenica (closed 30/09/2003)

## Partners

### Government agencies

Federation Ministry of Displaced Persons and Refugees  
 Ministry for Human Rights and Refugees  
 Ministry for Refugees and Displaced Persons of *Republika Srpska*

### NGOs

American Refugee Committee  
*Bosanski Humanitarni Logisticki Servis*  
 Bosnia and Herzegovina Women's Initiative  
 European Committee for Training and Agriculture  
*Hilfswerk Austria*  
 International Rescue Committee  
*Iustitia*  
*Malteser Hilfsdienst*  
 Mercy Corps Scotland  
*Udruzenje gradjana – JOB 22*

### Others

Swiss Humanitarian Aid Unit  
 UNVs

## Financial Report (USD)

Expenditure breakdown	Current year's projects		Prior years' projects	
	Annual programme budget	notes	Annual and Supplementary programme budgets	notes
Protection, Monitoring and Coordination	4,991,598		17,570	
Community Services	2,101,946		690,106	
Domestic Needs/Household Support	292,514		76,659	
Food	364,460		151,608	
Health/Nutrition	26,175		7,237	
Legal Assistance	1,649,761		385,710	
Operational Support (to Agencies)	882,788		175,434	
Shelter/Other Infrastructure	1,176,336		389,863	
Transport/Logistics	531,533		133,776	
Instalments with Implementing Partners	1,193,690		(1,863,103)	
<b>Sub - total Operational</b>	<b>13,210,801</b>		<b>164,860</b>	
Programme Support	2,765,119		23,220	
<b>Sub - total Disbursements / Deliveries</b>	<b>15,975,920</b>	(3)	<b>188,080</b>	(5)
Unliquidated Obligations	176,953	(3)	0	(5)
<b>Total</b>	<b>16,152,873</b>	(1) (3)	<b>188,080</b>	
<b>Instalments with Implementing Partners</b>				
Payments Made	7,098,284		38,585	
Reporting Received	5,904,594		1,901,689	
<b>Balance</b>	<b>1,193,690</b>		<b>(1,863,103)</b>	
Outstanding 1st January	0		1,944,203	
Refunded to UNHCR	0		129,631	
Currency Adjustment	0		48,531	
<b>Outstanding 31 December</b>	<b>1,193,690</b>		<b>0</b>	
<b>Unliquidated Obligations</b>				
Outstanding 1st January	0		221,391	(5)
New Obligations	16,152,873	(1)	0	
Disbursements	15,975,920	(3)	188,080	(5)
Cancellations	0		33,311	(5)
<b>Outstanding 31 December</b>	<b>176,953</b>	(3)	<b>0</b>	(5)

Figures which can be cross-referenced to the Accounts:

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