

Croatia

Main objectives

Facilitate sustainable repatriation to and from Croatia; promote local integration of Bosnian refugees who are unable or unwilling to return; provide adequate care to refugees pending identification of a durable solution; and develop national asylum system structures, procedures and policies consistent with international standards.

Impact

- Following cross-border mass information campaigns, refugees were able to make an informed decision.
- 3,850 returnees benefited directly from UNHCR's programme for organized return.
- Distribution of available non-food items, limited inputs for house repairs and other self-reliance inputs helped to anchor returnees in their places of origin.
- In 2003 some 40,000 returnees, IDPs and refugees received legal assistance, either directly from UNHCR or through its network of implementing partners.
- Through organized training workshops, border officials gained a better understanding of the role of UNHCR and its mandate, the principle of *non-refoulement*, access to asylum procedures, and cooperation with NGOs.
- After five years of preparation, the Law on Asylum was adopted by the Croatian Parliament with a number of UNHCR's views and concerns having been taken into consideration. However, the implementation of the Law has been postponed until 1 July 2004 and no progress has been made on the establishment of the official Asylum Reception Centre.
- Asylum-seekers were provided with accommodation and psychosocial support in the interim Asylum Home established and supported by UNHCR.



Working environment

The context

In 2003 only limited progress was made in improving the legal environment for returning refugees. The Joint Legal Working Group on Legislation, the forum for discussion of legal issues related to the rights of refugees and returnees, was suspended early in 2003. The coalition Government was in the last year of its election mandate and it had only limited room for political manoeuvre. The only breakthrough was the announcement in February 2003 that the Government would adopt a plan for the provision of accommodation for former holders of tenancy rights who are returning to Croatia. As the tenancy rights had been terminated in the 1990s, the offer of accommodation was a sign of progress. UNHCR supported by other international actors negotiated with the responsible government ministry to widen the scope of the proposed solution to include persons who did not leave Croatia or who had already returned. A revised implementation plan was signed by the Government in November 2003.

As regards the building of the national asylum system, the year was marked by the adoption on 12 June 2003 of the Law on Asylum (which will enter into force on 1 July 2004). The quality of national refugee status determination procedures did not improve significantly and for that reason UNHCR continued under its mandate to conduct a review of asylum applications. The Office invested much effort in the preparation of advice to the Ministry of the Interior, some through participation in the EU Community Assistance through Reconstruction, Development and Stabilisation Project (CARDS), but UNHCR remains concerned about a number of outstanding issues that have not been addressed.

Constraints

In 2003, the Government committed itself to returning all temporarily occupied private property belonging to Croatian Serb refugees by the end of the year, but failed to meet the deadline. At the end of the year, there were still 3,509 occupied private properties and 2,281 claims pending for repossession of property. Other areas where action was still pending were:

- Provision of compensation for damage caused by terrorist acts or by the armed forces and police;

- Validation of documents related to years of service and pensions obtained during the *Republika Srpska Krajina* period;
- Setting up of a comprehensive legal regime for the repossession of private property outside Areas of Special State Concern (ASSC).

The dire economic state of the return areas and the absence of jobs for returnees have in some cases rendered return unsustainable. Some segments of the population continue to move back and forth between Croatia and the country of asylum after having voluntarily returned.

Funding

Throughout 2003, the implementation of UNHCR's work was seriously jeopardized by the impact of the depreciating US dollar on UNHCR's US dollar budgets. The majority of returnees go back to rural areas where homes have been destroyed, looted or damaged, in addition to the widespread destruction of basic infrastructure such as water and electricity supplies. Non-food items provided by UNHCR are therefore of vital importance during the initial reintegration phase. Unfortunately, UNHCR was forced to reduce significantly the provision of certain inputs which could help returnees achieve self-reliance.

Persons of concern				
Main origin/Type of population	Total in country	Of whom assisted by UNHCR	Per cent female	Per cent under 18
IDPs	12,600	-	53	20
Returnees (from Serbia and Montenegro)	7,300	1,350	50	-
Bosnia and Herzegovina (refugees)	3,900	3,900	59	12
Returnees (from Bosnia and Herzegovina)	2,500	2,500	50	-

Income and expenditure (USD) Annual programme budget				
Revised budget	Income from contributions ¹	Other funds available ²	Total funds available	Total expenditure
8,567,176	134,228	8,263,545	8,397,773	8,397,773

¹ Includes income from contributions earmarked at the country level.

² Includes allocations by UNHCR from unearmarked or broadly earmarked contributions, opening balance and adjustments. The above figures do not include costs at headquarters.

Achievements and impact

Protection and solutions

The priority for 2003 operations was to facilitate the integration of returnees, refugees and IDPs by providing legal assistance through a network of qualified implementing partners.

Legal assistance is crucial for the protection of minority rights and the integration of returnees. In 2003, a network of local NGOs provided assistance to some 40,000 returnees. Nearly half of the cases related to legal advice on property rights and legal representation to courts. The delays in the return of property, the looting of houses before repossession and the lack of housing for former tenancy rights holders had a negative impact on the return process. The Government's provision of reconstruction assistance is nevertheless gradually improving. In 2003, the former Government adopted a programme to provide reconstruction assistance for almost 8,000 housing units (4,000 through fully project-managed reconstruction and 4,000 through financial assistance to the owners of less damaged houses).

At the end of 2003, Croatia was still hosting 4,355 refugees from Bosnia and Herzegovina (BiH) and Serbia and Montenegro for whom durable solutions need to be found. A significant number of refugees have expressed their wish to integrate locally in Croatia (80 per cent of urban refugees surveyed in Zagreb). However, the Government declined to offer any programme for the local integration of refugees, leaving them with the sole option of naturalization in accordance with the Law on Movement and Stay of Aliens and the Law on Croatian Citizenship. The 2,000 refugees still in collective centres remain of great concern to the Government and UNHCR. In addition to legal assistance, community-based programmes were of help to the most vulnerable returnees and refugees. These programmes encouraged local communities to take a proactive approach, dealing with difficult social conditions through local resources.

UNHCR incorporated gender-related issues in all training events organized for government partners and NGOs, to help raise awareness of: a) the difficulties of life in exile that can spiral out of control, leading to sexual and gender-based violence, and

b) existing laws designed to tackle some of these problems. UNHCR's partners also incorporated gender-related topics in their own training activities, such as a seminar on reconciliation and women's leadership in the communities affected by war. Refugee women were entitled to free primary and emergency health care (including ante-natal and post-natal obstetric and gynaecological care). Additional health care, when needed, was provided by UNHCR through an implementing partner.

UNHCR participated in the work of the UN Theme Group on HIV/AIDS coordinated by the UNDP Office for Croatia, with the aim of ensuring that populations of concern to UNHCR are incorporated into the national HIV/AIDS programme.

Activities and assistance

Community services: The Community Services Support Programme reached some 15,000 beneficiaries, mostly returnees, but also refugees, as well as the most vulnerable non-refugee members of the local community. Assistance rendered included technical support, distribution of non-food items, and transport to health institutions. Volunteers assessed the needs of newly arrived returnees and other vulnerable community members. Children and youth development and reconciliation projects provided counselling, education and social activities in return areas, and also to refugees living in collective accommodation.

Domestic needs/Household support: Procurement of non-food items was limited to multi-purpose stoves. Of 3,000 stoves planned for, only 2,000 were procured and, due to late procurement, only 1,000 were distributed to returnees in 2003. The implementing partner, the Croatian Red Cross, provided accommodation, food and psychosocial support to 67 people at the interim Šašna Greda Asylum Home.

Health/Nutrition: Recognized refugees and asylum-seekers are entitled to governmental primary and emergency health care only. UNHCR therefore established a health fund to cover secondary health care, which enabled 1,520 patients to receive specialized treatment.

Legal assistance: Approximately 40,000 people, returnees and refugees, were assisted by a network of eight implementing partners covering property rights, pension and social welfare entitlements and status issues. The legal assistance consisted of counselling, home visits and legal representation before the courts.

Operational support (to agencies): Commemorating the 3rd annual World Refugee Day (WRD) in 2003, UNHCR organized a week long exhibition of UNHCR posters at the Centre for Human Rights in Zagreb. During the exhibition UNHCR staff distributed various promotional and information materials to the visitors, highlighting the significance of the WRD and introducing the public to UNHCR's activities in Croatia. In cooperation with the Croatian Red Cross and NGO *Suncokret*, UNHCR Sisak marked the World Refugee Day in the Šašna Greda reception centre.

Shelter/Other infrastructure: Limited shelter and maintenance inputs were provided to selected collective centres accommodating old and disabled refugees. This activity was implemented in cooperation with the Government's Office for Displaced Persons, Refugees and Returnees.

Transport/Logistics: In addition to 1,350 refugees who arrived on UNHCR convoys, 462 returnees

benefited from assistance with transportation and customs clearance for tractors and other property.

Organization and implementation

Management

On 31 December 2003, all three field offices in Croatia (in Knin, Sisak and Osijek) ceased their activities and closed, thus ending 12 years of direct field presence. Three teams of two persons will be maintained to cover outstanding needs in these areas until 30 June 2004. In 2003, UNHCR reduced its staffing component by 25 per cent. As of 1 January 2004, 36 staff members (four international and 32 national) remain.

Working with others

During 2003, UNHCR implemented its protection mandate in partnership with 13 implementing partners: 12 local NGOs and the Government's Office for Displaced Persons and Refugees.

Returnees are welcomed by relatives at the bus station. *UNHCR/C.Black*



UNHCR worked closely with OSCE, which maintained a large presence in Croatia and monitored democratization, the treatment of minorities, and the security situation. Working jointly with OSCE, UNHCR monitored the implementation of the Government's commitments on return, repossession and reconstruction of property. UNHCR's efforts to help the Government to develop asylum structures, procedures and policies in conformity with international standards are being complemented by the European Commission Delegation's CARDS Twinning Project on Asylum that began implementation on 1 March 2003 and will last 16 months. Return-related activities and assistance in the field were closely coordinated with operational partners still active in the country such as USAID, World Lutheran Foundation, ADRA, Swiss Humanitarian Aid and others.

Overall assessment

The initial objectives set for UNHCR's work in 2003 in Croatia remained valid throughout the year. UNHCR programmes were relevant and were effectively implemented, with a positive impact on beneficiaries, especially the most vulnerable. However, due to budgetary constraints and steady exchange rate losses, major reductions and adjustments had to be made in all sectors of UNHCR's programme.

Although only limited progress was achieved in meeting the legal preconditions for the return of refugees, 9,280 refugees were officially recorded as having returned from BiH and Serbia and Montenegro. Furthermore, reports from field-based partner organizations show higher overall return figures, indicating that additional numbers of refugees are choosing to return without reporting or registering with the authorities.

Poor social and economic conditions, particularly in the areas of return, remain a powerful inhibitor of sustainable return. The lack of job opportunities continues to be an obstacle to the return of the younger population. There are too few medium-term projects to create employment and/or self-employment and too few development projects. With donors phasing down humanitarian assistance, and in the absence of a well coordinated and comprehensive approach to the issue of economic development of the ASSC, the prospects for younger returnees remain unattractive.

After five years of preparation, the Law on Asylum was adopted by the Croatian Parliament in June, though it will only enter into force on 1 July 2004. Efficient and fair implementation of the Law remains a priority for UNHCR, which is also actively monitoring the establishment of the State's Asylum Reception Centre.

As planned, UNHCR has initiated countrywide training workshops for border officials, focusing on the role of UNHCR and its mandate, the principle of *non-refoulement*, access to asylum procedures, and cooperation with NGOs. During 2003 four workshops were held throughout Croatia.

Offices

Zagreb

Knin (closed 31/12/2003)

Osijek (closed 31/12/2003)

Sisak (closed 31/12/2003)

Partners

Government agencies

Government Office for Displaced Persons, Refugees and Returnees

NGOs

Association MI

Centre for Disaster Management

Committee for Human Rights Kalrovac

Croatian Law Centre

Handicap

Information and Legal Centre

Merhamet

Osijek Centre for Peace

Serbian Democratic Forum

Suncokret

Zvonimir

Others

Croatian Red Cross

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	2,055,236		17,214	
Community Services	836,147		244,026	
Domestic Needs/Household Support	195,718		117,032	
Health/Nutrition	207,009		75,872	
Income Generation	0		41,624	
Legal Assistance	1,120,932		363,328	
Operational Support (to Agencies)	670,729		189,578	
Shelter/Other Infrastructure	343,033		89,810	
Transport/Logistics	329,111		60,285	
Instalments with Implementing Partners	1,159,037		(1,157,199)	
Sub - total Operational	6,916,952		41,570	
Programme Support	1,428,912		0	
Sub - total Disbursements / Deliveries	8,345,864	(3)	41,570	(5)
Unliquidated Obligations	51,909	(3)	0	(5)
Total	8,397,773	(1) (3)	41,570	
Instalments with Implementing Partners				
Payments Made	4,292,174		2	
Reporting Received	3,133,137		1,157,201	
Balance	1,159,037		(1,157,199)	
Outstanding 1st January	0		1,262,767	
Refunded to UNHCR	0		79,514	
Currency Adjustment	0		(26,054)	
Outstanding 31 December	1,159,037		0	
Unliquidated Obligations				
Outstanding 1st January	0		78,209	(5)
New Obligations	8,397,773	(1)	0	
Disbursements	8,345,864	(3)	41,570	(5)
Cancellations	0		36,639	(5)
Outstanding 31 December	51,909	(3)	0	(5)

Figures which can be cross-referenced to the Accounts:

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