

# CROATIA

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## INITIAL OBJECTIVES

- Promote and facilitate the voluntary return of refugees and internally displaced persons (IDPs) to their former homes in Croatia and support the reintegration of vulnerable returnees in their communities.
- Help Bosnian refugees to repatriate voluntarily to their homes.
- Provide essential humanitarian aid for the most vulnerable refugees and IDPs.
- Safeguard the rights of refugees, returnees and minorities through monitoring and interventions with the authorities.

## MAJOR DEVELOPMENTS, ACHIEVEMENTS AND CONSTRAINTS

### *Returnees and IDPs*

By the end of June 2001, a total of 124,389 refugees had returned from the Federal Republic of Yugoslavia (FRY) and Bosnia and Herzegovina (BiH) to Croatia since 1995. More specifically, in the first half of 2001, 6,197 Croatian Serbs returned to Croatia, of which 40 per cent returned spontaneously. This figure is slightly lower than for the same period last year. A larger number is expected to return in the coming months as repatriation to Croatia peaks traditionally during summer and early autumn. UNHCR provided transport to 1,196 refugees returning from FRY and BiH. Assistance to return also included help with custom clearance, transportation of tractors and additional household belongings as well as facilitation of the issuance of personal documents. A total of 267 tractors and trailers were returned to Croatia in the first half of 2001. Despite some positive developments, such as general improvement of physical security, many issues affecting return have not yet been solved and have caused some returnees to leave Croatia for asylum

countries once again. UNHCR has continued to promote repatriation within the region. Preparations for a six-month regional mass information campaign were completed in June in Belgrade, Croatia and BiH. In this context, TV programmes have been produced, promoting repatriation to Croatia and BiH. A total of 79 go-and-see visits to Croatia (1,673 persons) were facilitated by UNHCR during the first six months of the year.

The total number of IDPs had decreased to 30,110 by the end of June. Some 32 per cent of them are still accommodated in collective centres. Some 3,500 displaced Croatian Serbs, currently living in the Croatian Danube region, do not enjoy IDP status as they are not entitled to health insurance or monthly allowances, they are in a more vulnerable situation than other displaced persons. UNHCR has been mainly involved in advocacy and the pursuit of durable solutions for this group. While some of the Serb IDPs have retained their destroyed property, most have lost their tenancy rights or their houses occupied, thus, making the search for solutions in the current legal framework more complicated. While sixteen Croatian Serb IDPs officially returned to their places of origin and have returnee status, there are indications that more may have returned spontaneously. A survey is currently being carried out to determine the number of spontaneous returns.

With regard to property issues (repossession, reconstruction and tenancy rights), UNHCR, together with other relevant actors, has been negotiating with the Government. Some positive developments have been recorded but they have not yet yielded concrete results. The Government announced in March, that issues relating to repossession of property would be resolved before the end of 2002 and that reconstruction of housing would be completed by 2003. Several recommendations were adopted by the members of the Stability Pact to increase support to vulnerable persons

living in war-affected areas and to support economic revitalisation. Separate legal and economic revitalisation working groups, comprising various ministries, donors and international agencies including UNHCR, were established in June to ensure follow-up.

The slow process of the repossession of property remains an obstacle in the absence of an adequate legal framework and enforcement mechanism. Suggestions regarding improvements to the existing legal framework have been made, in the light of the very limited progress made; the issue remains on the agenda of the Legal Working Group. At the same time, in order to help the Government ascertain the scope of the problem, UNHCR supported a review of 20,000 properties allocated under the now annulled Law on Temporary Take-over of Specified Properties. The review was completed by mid-June. The results show that 46 per cent of the houses were either already reposessed, vacant or were sold by the owner. Some eight per cent of the properties were found to be illegally occupied or occupied by persons who were no longer entitled to temporary use of the property. As a result, the Ministry of Reconstruction began, in late June, to issue injunctions to occupants to leave the properties within ten days. Finally, the review found that from 42 per cent of properties, the temporary users could not be evicted under the current legislation, unless temporary accommodation was provided. UNHCR has drawn the attention of the Government to the fact that this condition is discriminatory as it effectively protects the occupants from eviction and puts on hold the right of a private owner to his/her property. On the issue of regaining former tenancy rights, only a few ad hoc solutions were found, but these did not address the underlying issue of compensation for lost rights.

Regarding reconstruction, UNHCR and other actors have been able to simplify the reconstruction application process so that

forms can now be submitted from abroad. These have been distributed to refugee populations in FRY and BiH and the deadline for submitting applications is 31 December 2001. Out of a total of 980 houses targeted for assistance, 438 had been repaired by the end of June with priority given to returnee families with very young, sick or disabled family members. Returnee families with less vulnerable members, or with neighbours willing to help were provided with building materials. More vulnerable returnees have their house repaired through contractors. Some 66 per cent of the beneficiaries returned in 2000 and 2001, 74 per cent of them spontaneously. In addition, preparatory work was completed for the reconstruction of 14 houses of returnees, who are currently being accommodated in a collective centre in Sisak. Two of the houses are already being reconstructed in Knin. For others, the approvals and permits have to be obtained from the Ministry of Reconstruction, before rehabilitation by local contractor can begin. The main constraints are that few families, due to their vulnerability, are able to do their own repairs with the materials provided, and that most of these houses belong to higher damage categories, which implies lengthy procedures with the Ministry of Reconstruction and a higher cost.

The legal assistance programme has been supporting returnee reintegration and the search for durable solutions for refugees and displaced persons. The number of persons seeking legal assistance has risen with the cumulative increase of returns and growing awareness of the availability of such services. More than 12,500 persons received legal assistance in the first six months of the year, with 90 per cent involved in some legal procedure and the rest requiring legal advice. Approximately 80 per cent of beneficiaries in western Slavonia, Banovina Kordun and the Lika Dalmatia hinterland were Croatian Serb returnees. In eastern Slavonia, half of the beneficiaries were IDPs while on the coast, the vast majority were refugees. Almost half of the cases presented by Croatian Serb returnees related to property issues: 20 per cent were linked to establishing property

rights and repossession, 19 per cent to reconstruction and five per cent to tenancy rights. Problems concerning entitlements for benefits accounted for 24 per cent, the majority being pension related, while 23 per cent related to status issues.

A community-based social support programme has been implemented to complement the social welfare system which does not have capacity to meet demands and leave a high number of vulnerable people without support. A network of mobile teams and volunteers has assessed the needs of returnees and has been providing various services and in-house help, including distribution of food and non-food items, small shelter repairs, delivery of water and firewood and assistance in obtaining health care. They have also been referring those in need of other assistance to relevant NGOs, international organisations or government institutions. Some 15,400 persons have been benefiting from these services, including 740 extremely vulnerable individuals, mainly elderly and disabled, who are being visited on average once a week. Some 13,400 blankets, 5,600 mattresses, 4,500 beds, 1,000 stoves, 8,000 hygienic parcels have been distributed as well as 2,000 agricultural tool kits and 4,800 seeds parcels. Some 280 rolls of plastic sheeting has been issued for temporary repairs. Activities targeting children and adolescents in collective centres, such as computer training and support for schools and pre-schools have been implemented to improve the children's social environment and their future prospects. Similar activities have been taking place in returnee communities

to mitigate isolation and help reconciliation among different ethnic groups. Parents have also been encouraged to participate in the activities. Some 200 children have been benefiting from this activity.

Some 428 families have received in-kind grants, which are partially reimbursable in services to vulnerable persons in the community. In addition, 1,342 received non-reimbursable self-reliance inputs such as seeds, fertilisers and chickens. Among those, 93 per cent were Serb returnees, except in eastern Slavonia where 67 per cent were Croatian returnees. A total of 124 families have benefited from the redistribution of offspring from the 2000 livestock programme. The main implementation constraint have been the restrictions on importing livestock, despite of the local supply being insufficient to meet the demand, more expensive and of a lower quality. Beneficiaries have been encouraged either to opt for another grant or to accept delays. With the lifting of the ban, procurement of livestock will resume.

Under the Peace Building Project, nine seminars have been organised targeting professionals and others dealing with return issues. A total of 352 persons representing 57 organisations have participated in these seminars and workshops. The project aims at reducing prejudice, promoting ethnic reconciliation, preventing conflict and supporting the social integration of returnees. Six capacity-building workshops have been organised for local NGOs, covering such subjects as co-ordination of volunteers, communication skills, teamwork, project planning and evaluation.

#### **Progress as measured against selected indicators**

INDICATORS	PROGRESS
Returnees and IDPs enjoy all their legal rights and entitlements. Return to country of asylum after repatriation is limited.	There was no significant progress on legal and procedural issues with regard to property. Returnees have enjoyed fair legal representation in courts.
15,000 returnees and persons of concern receive legal assistance. Number of cases solved.	Over 12,500 persons received legal assistance. Approximately 50 per cent of cases assisted were solved.
1,676 housing units are repaired and 36 reconstructed.	The target was reduced to 950 due to budget reductions. 438 units were repaired and two are in the process.

## **Refugees**

UNHCR has been focusing on finding durable solutions for the 19,927 Bosnian refugees presently registered in Croatia. In addition to the existing and regularly updated database of the Office for Displaced Persons and Refugees, UNHCR with the assistance of its partners, will soon complete the ongoing assessment of refugees in the collective centres and in private accommodation. This will provide a better profile of the refugees and their intentions, allowing the Office to draw up a better and more concrete plan of action. In 2001, so far, nearly 300 Bosnians have returned to BiH. The marked increase in return to urban areas in BiH is mainly due to the implementation of the property law. Return to rural areas is still slow due to the limited availability of reconstruction assistance and other socio-economic obstacles. There are still 17,573 individuals (including Bosnian Croat settlers) awaiting return to BiH. Several go-and-see visits to BiH from Croatia were organised. During the first six months of the year, 40 persons (three groups) were assisted to visit Republika Srpska. Resettlement has been sought as a durable solution for some Bosnian Muslims coming mostly from eastern Republika Srpska. For many, voluntary repatriation and local integration are not feasible in the foreseeable future. The vast majority are victims of ethnic cleansing. During the first six months of the year, 502 individual

applications were submitted for resettlement and 376 persons departed for third countries. A total of 1,150 persons are awaiting decision on their application.

UNHCR has been encouraging and advising the Government on asylum matters, particularly on improving procedures for refugee status determination (RSD). However, the draft Law on Asylum, prepared with UNHCR's assistance as been pending in the Governmental Committee for Legislation since June 2000. Although the Government has expressed its wish to improve the situation, the absence of adequate legislation and procedures has resulted in limited progress. Many asylum-seekers are still not adequately informed of the right to seek asylum and are treated as illegal migrants. Of those who have had access to the asylum process this year, all have been rejected, often because of deficiencies in the procedures. UNHCR, therefore, has become more involved in the assessment of claims. The Office is implementing a project, which will assist the Croatian authorities in institution- and capacity-building in the area of asylum. Additionally, UNHCR is planning to undertake an assessment of the current legal framework, and to formulate a national action plan for the development of the asylum system under the umbrella of the Stability Pact Initiative on Asylum and Migration. UNHCR continues to host asylum-seekers in the open Rakitje reception centre.

### **Progress as measured against selected indicators**

INDICATORS	PROGRESS
Noticeable increase in number of refugees finding a durable solution and more particularly repatriating voluntarily to BiH and FRY	Only 706 refugees officially repatriated to BiH and FRY but many did not de-register themselves. Others are presumed to have spontaneously repatriated
Government establishes institutions and procedures to conduct refugee status determination (RSD)	No progress has been made on the draft Law on Asylum. A new Unit for dealing with asylum was created; however, only one staff has been appointed so far. Procedures that meet international standards are yet to be put in place.

### **REVISED OBJECTIVES AND PRIORITIES FOR JULY-DECEMBER**

In the context of prioritisation, a number of UNHCR posts reduced, which necessitated some restructuring and redefining of staff

roles, in order to ensure adequate monitoring. Simultaneously, UNHCR began on handing-over to NGOs some activities that no longer require its direct involvement, such as the onward journey to places of origin. Income generation and shelter assistance have also

been reduced. Instead, UNHCR will intensify its advocacy efforts with donors and the Government to support wider assistance programmes, particularly under the Stability Pact framework.

UNHCR will increase its role in the promotion and facilitation of local integration of refugees who would voluntarily choose this option. Individual refugee assessments, which are currently

being conducted, will provide a solid information base from which policies and programmes will be designed. UNHCR will also play a greater role in the asylum system and eligibility procedures to ensure effective protection for asylum-seekers. Emphasis will be placed on the immediate training of appointed officials in the Ministry of Interior, as well as the identification of partners to support capacity-building.

#### **FINANCIAL DATA (USD)**

	<b>Initial Budget</b>	<b>Revised Budget</b>	<b>Total Funds Available<sup>1</sup></b>	<b>Total Funds Obligated</b>
<b>APB</b>	13,119,013	11,335,320	7,145,462	7,139,950

<sup>1</sup>Includes income from unrestricted contributions, income from contributions restricted to the regional, sub-regional and/or country level, opening balance and adjustments..