

Bosnia and Herzegovina

in short



Main Objectives

- Build on recent positive developments regarding the return of minorities, and encourage further minority returns by advocating respect for civil rights, including strict implementation of property laws.
- Target already limited humanitarian assistance for the most needy returning refugees and IDPs while pursuing the gradual handover of relevant activities to other agencies.
- Ensure that returnees are aware of their rights (through support for Legal Aid Centres operating throughout the country) and help consolidate the local integration of those who make an informed choice to remain in their current place of residence.
- Train government and NGO employees to equip local organisations with the necessary management skills to deal with the nexus of issues involving returning refugees and IDPs.
- Support the voluntary repatriation of Croatian Serb refugees to their homes and facilitate local integration for those who cannot return.
- Encourage and assist in the establishment of an effective asylum system. Meanwhile, continue to protect asylum-seekers from outside the region.

PLANNING FIGURES¹

Population	Jan. 2001	Dec. 2001
Returning IDPs ²	335,000	390,000
Returnees from abroad ³	366,000	381,000
Refugees from Croatia ⁴	38,000	28,000
Refugees from FRY ⁵	15,000	14,000
Total	754,000	813,000

¹ Figures include all IDPs and returnees since 1996. The majority still have access to UNHCR's assistance, particularly legal aid, inter-Entity and cross-border bus services and interventions on legal matters with local authorities (The two Entities are the Federation of Bosnia and Herzegovina and the Republika Srpska).

² Up to 55,000 IDPs could return to areas of origin where the majority of the residents are from a different ethnic group (i.e. minority returns).

³ Up to 15,000 Bosnian refugees are expected to return home from abroad.

⁴ Repatriation of Croatian Serb refugees is expected to continue at the same rate as in 2000 (10,000 persons).

⁵ These refugees were unable to repatriate to their homes in 2000. Recent political changes in the sub-region may improve their chances of return in 2001.

TOTAL REQUIREMENTS • USD 34,137,115

WORKING ENVIRONMENT

Recent Developments

The complex political scene in Bosnia and Herzegovina was dominated by the electoral campaign leading up to general elections on 11 November. Manoeuvring among the major political parties involved Federation President Izetbegovic's announcement of his intention to step down, rifts within the Bosnian Croat leadership following the dismissal of a moderate university rector in West Mostar, and a constitutional crisis in Republika Srpska sparked by the dismissal of Prime Minister Dodik's Government following a vote of no-confidence in Parliament. Simultaneously, the Office of the High Representative (OHR) and the Organisation for Security and

Co-operation in Europe (OSCE) announced in July that they had decided to invoke their power to remove 15 government officials found to be responsible for obstructing the return process.

Five years after the signature of the Dayton Peace Agreement, progress is being made on several fronts. After years of calls by international agencies for increased support for the return of refugees and displaced persons, a number of legal and administrative reforms have finally created a framework which has made this possible. UNHCR has witnessed a marked increase in the number of 'minority returns' (people returning to their pre-war homes in areas dominated by another ethnic group) to Foca, Zepa and Rogatica in eastern Republika Srpska, the Posavina corridor (Modrica/Orasje), Banja Luka and Prijedor in western Republika Srpska. More than 23,000 people (or 80 per cent of those returning) were registered as minority returnees in 2000 – a trend likely to continue in 2001. Humanitarian agencies and local authorities will face a major challenge in providing adequate assistance for reconstruction, job creation and social services in these communities, many which have received little or no international attention to date. Unfortunately, funds for humanitarian assistance are declining and many aid agencies (including UNHCR and NGOs) are gradually scaling down their programmes.

Another breakthrough concerns voluntary repatriation of Croatian refugees to their homes. To boost this process, the first cross-border humanitarian bus service between the two countries began operating in September. The service runs once a week between Banja Luka in eastern Bosnia and Herzegovina and Daruvar in south-western Croatia. The journey is free for potential returnees, who can make go-and-see visits to their former places of residence and collect information before making a decision to return. At the time of writing, more than 8,700 Croat refugees had returned in 2000, compared to 1,078 in the previous year.

Despite the signature in June of a Protocol on Simplified Return Procedures, repatriation from abroad has declined (the Protocol allows refugees to return even if they do not hold valid travel documents). By July, only 8,900 returnees had been registered – a sharp decrease on the total for the previous 12 months of 31,650 returnees. UNHCR expects that only very few refugees will return from abroad in the coming year. However, it is difficult to predict the impact of a recent change of Government in the Federal Republic of Yugoslavia on the future of some 200,000 refugees from Bosnia and Herzegovina living there. Many Bosnian refugees in other European countries have serious health problems. Their return can only be envisaged after proper arrangements have been made for their continued care in Bosnia and Herzegovina.

Constraints

The shortage of housing and employment is still the most difficult constraint to smooth return and reintegration. UNHCR estimates that 23,000 houses will need to be rebuilt in 2000, but only 4,700 are planned, of which 3,000 are currently being reconstructed. Progress will be even slower with the onset of winter as the weather commonly disrupts building works and repairs. There is concern that minority returns will dwindle as a result of the housing crisis; a growing number of returnees are served by woefully limited funds for reconstruction.

Sporadic security incidents are still reported, including demonstrations against the eviction of illegal occupants, harassment of returnees, damage to their property and attacks on representatives of local housing authorities. But security itself is no longer the main factor delaying minority return. On the other hand, the landmines that are scattered throughout the country, and particularly along Entity borders, are a major impediment to the economic recovery of rural areas.

Bosnia and Herzegovina's waiver of visa requirements for Turkish and Iranian nationals has prompted an increasing number of migrants to try to transit the country on their way to Western Europe. Officials of the recently established State Border Service will need extensive training to ensure that genuine refugees among them are not forcibly returned to dangerous situations and that they are given access to international protection and refugee status determination procedures.

STRATEGY

Returnees from abroad and IDPs

Much progress has been made in creating a favourable environment for minority returns. The adoption by the two Entity Governments of property laws in October 1999 now allows for property restitution to displaced owners through eviction procedures. Agreement in 2000 on a plan for the implementation of property legislation tended to depoliticise the issue by focusing on legal and administrative practicalities. However, lack of alternative accommodation is sometimes used to defer evictions and this is an urgent and indeed potentially explosive issue on which significant progress must be made. More than 8,000 properties have been restituted, including some in the municipalities of Foca, Maglaj, Pale and Stolac, to which minority return was unthinkable even a year ago. However, the changing profile of returnees (many are now younger and have school-age children) will necessitate additional efforts by the international community to ensure adequate social services, particularly education, in areas of return.

UNHCR will continue to monitor the reintegration of returnees throughout the country, to ensure that their basic

rights are respected. The Office will use the Return and Reconstruction Task Force (RRTF) to identify groups requiring solutions and negotiate with relevant local authorities to arrange for their return. The re-registration of IDPs – a requirement by the two Entity Governments for the renewal of their status – will be completed in 2000. This exercise is expected to confirm the number of persons who are still considered to be internally displaced under the new State law as well as their plans for the future.

UNHCR will support more than 50 Legal Aid Centres that have recently been strengthened through the training of lawyers, and the introduction of new tools and standardised practises. The Centres will continue to provide returnees with free legal advice, particularly on issues related to their rights (and obligations) in the communities where they have settled. UNHCR expects the Centres to become reliable partners to which the Office can delegate some of its functions relating to the protection of refugees. It will therefore continue to train local lawyers.

UNHCR will encourage inter-Entity trade, communications and co-operation. There will be less need for go-and-see visits, so the agency will only fund bus services considered crucial for the return of minorities. Displaced persons in the Republika Srpska who wish to return to the Federation will be helped to organise transportation to their final destinations.

A number of legal issues affecting returnees remain unsolved. For example, the administration of pension funds and disability insurance is still seriously flawed. The process is hampered by the co-existence of parallel systems in the Federation, lack of harmonisation of administrative procedures between the Federation and Republika Srpska, and unfulfilled commitments. OSCE and UNHCR will continue to advocate the implementation of an agreement that includes the merger of the two pension funds in the Federation. Pension reform is a prerequisite for the release of further credit by international financial institutions whose support is vital for the economy. UNHCR will remain actively involved in the legal reform process by advising the authorities on issues pertaining to UNHCR's mandate. The Office will also conduct surveys to monitor implementation of new laws and continue to urge (together with the Council of Europe and OHR) the Federation authorities to adopt the citizenship law.

UNHCR will assist returning IDPs by providing immediate assistance (stoves, kitchen sets, beds, mattresses and blankets) during their reintegration phase. A Quick Support Fund will respond to the immediate needs of minority returnees, which could include temporary roofing and the provision of tents and plastic sheeting. The Office expects that the number of residents in collective centres will be further reduced in 2001 with the continuation of a special project that seeks to provide long-term solutions for them. Only the most vulnerable individuals

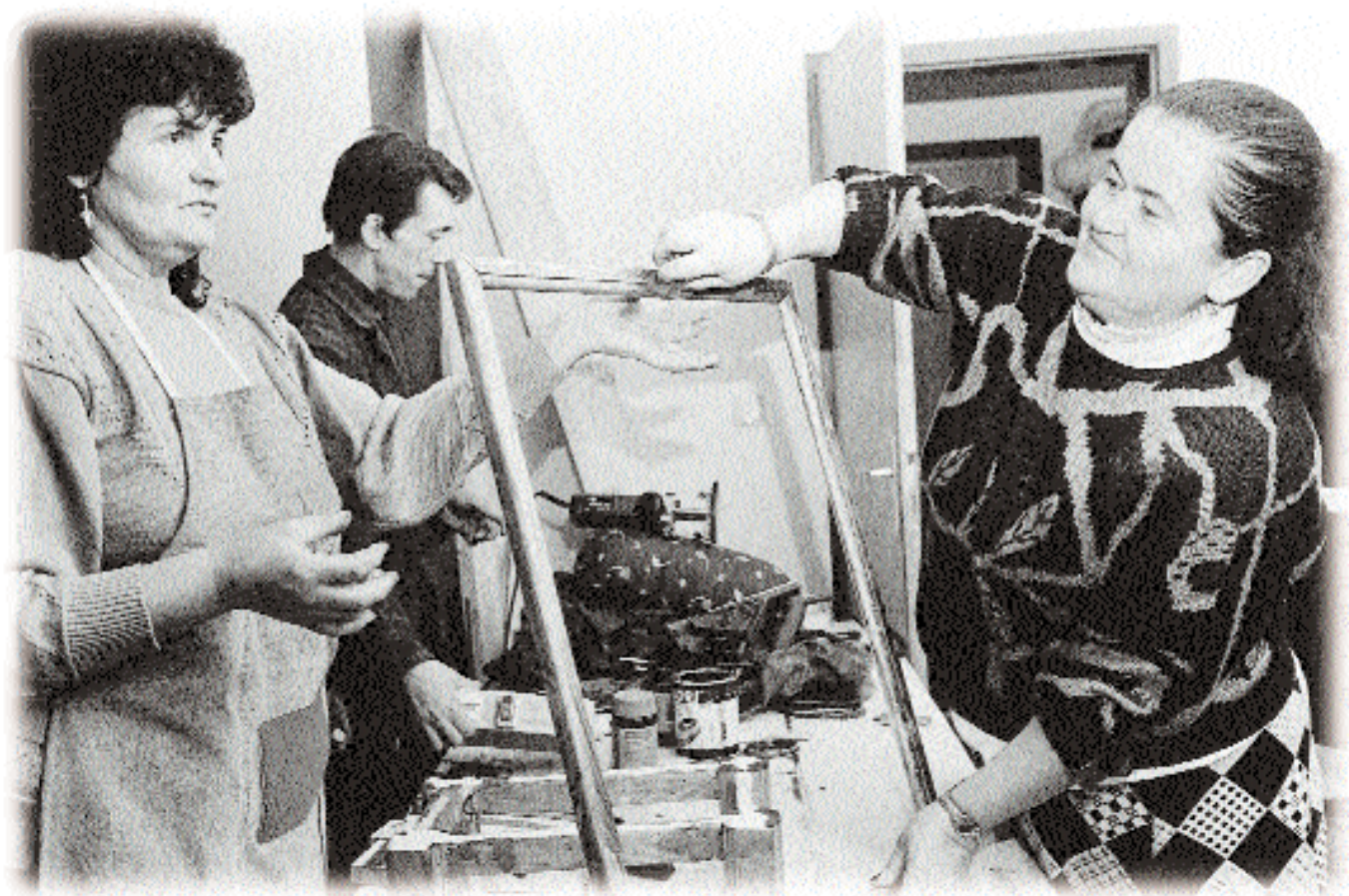
will receive assistance for health care, accommodation and social services. UNHCR's limited resources can unfortunately meet only a fraction of the total needs.

In the crucial area of job creation, UNHCR will continue to support the Bosnian Women's Initiative (BWI) – which aims to link job creation to co-existence by employing members of different ethnic groups – and identify a suitable local agency to take over its administration. An example of BWI's projects is a school in Banja Luka which will continue to train returnee women on the management of small businesses. Another project involves the sale of herbs and vegetables to local food processing companies in Trnovo. A fast-food business in Drvar will continue to provide employment for displaced Croats and Serb returnees. New projects for returnee women and their families will be launched in other areas as part of a 'Job for Co-existence' initiative. The initiative will draw on technical support provided jointly by UNHCR and UNDP within the framework of the BWI. In general, UNHCR's country programme will always give priority to the special needs of the female returnee population by offering them free legal aid and other forms of counselling.

UNHCR hopes that the emergence of a more positive climate for the return of minorities will not be compromised by a lack of resources for these returnees. If shelter, schools, jobs and medical facilities in their home areas are inadequate, they may be driven to return to their previous place of residence. During the first three winter months of 2001, monthly food rations will be distributed to the most vulnerable returning IDPs (some 15,000) in order to prevent a 'U-turn' situation, which could have a very negative impact on the momentum of return. Significant needs still exist, so in view of the gradual reduction in funding and withdrawal of aid agencies, UNHCR will continue to sensitise the authorities and the international community to the urgent need for increased direct aid from donor countries.

Croatian Serb Refugees

An increasing number of Croatian refugees are expected to repatriate voluntarily to their homes in 2001 and UNHCR will continue to play an active role, working through the Return Facilitation Group to identify those who wish to return and help them deal with the administrative formalities. The current re-registration of displaced persons and refugees will yield accurate data on the remaining refugees from Croatia, and provide a better picture of their choices for the future. Those who wish to repatriate to Croatia are requested to indicate their preferred place of return (former address, host family or temporary accommodation provided by the Croatian Government). UNHCR will forward the information to the Croatian authorities for clearance. All returnees will receive a cash grant to cover their basic needs for a period of six months. UNHCR's implementing partners or IOM will provide transportation.



Returnees whose property is damaged will be encouraged to lodge a request for reconstruction assistance with the Croatian authorities, and those who find their property occupied will be assisted to submit a request for repossession.

Those who choose to remain in Bosnia and Herzegovina will continue to receive limited community-based assistance through the Quick Support Fund. They will also be able to consult the Legal Aid Centres to obtain advice on their longer term options in the country. It is hoped that long-term solutions will have been found for this refugee group by the end of 2001.

Refugees from the Federal Republic of Yugoslavia

Bosnia and Herzegovina still hosts an estimated 15,000 refugees who arrived from the Federal Republic of Yugoslavia (FRY) during the Kosovo crisis. Of these, about 1,875 persons (mostly Roma or Sandzak Muslims) are accommodated in five reception centres in Rakovica, Bosanski Petrovac, Breza, Kakanj and Salakovac. Some 1,100 originate from Kosovo, 645 from Serbia and 130 from Montenegro. Vulnerable refugees who wish to return to FRY will be helped to meet their transportation costs. Pending lasting solutions, UNHCR will continue to protect these refugees and provide them with food (hot meals), heating and social services. Refugee women in the reception centres will be offered counselling, vocational skills training and literacy classes. Special activities and psychosocial support will be organised for refugee children, adolescents and vulnerable groups living in the centres.

The great majority of the refugees from FRY are living with relatives or in other private accommodation in and around Sarajevo. They receive no direct assistance from UNHCR although the Office monitors their situation and provides them with legal advice whenever necessary. Under the national Immigration and Asylum Law, refugees have access to free primary education and health care. For specialist medical treatment, UNHCR will look into the possibility of including refugees and asylum-seekers in the national medical insurance system. These refugees are less likely to return unless an amnesty law is adopted by the Yugoslav Government.

UNHCR's chief concern is to ensure that all refugees from FRY live under acceptable conditions and have access to basic humanitarian assistance (through UNHCR, the Government or international aid agencies) until such time as they are either resettled in third countries or make an informed decision to return to their home country.

Building a National Protection Regime

The legal framework for an asylum system in Bosnia and Herzegovina is now considerably more advanced than the State's capacity to put it into practice. For example, a new law on immigration and asylum was adopted at the end of 1999, but it has yet to be implemented. As a result, asylum-seekers from outside the region continue to depend on UNHCR for international protection and determination of their legal status. In addition to working with OHR and PHARE to develop the

necessary by-laws, regulations and procedures to make the system operational, the Office will emphasise training to develop and strengthen the country's asylum institutions. Workshops will be organised for government employees on international refugee law, procedural requirements, guidelines for refugee status determination, interviewing techniques and follow-up.

ORGANISATION AND IMPLEMENTATION

Management

In 2001, UNHCR's operation in Bosnia and Herzegovina will comprise 36 international and 218 national staff. Eight Junior Professional Officers and 34 United Nations Volunteers will also lend additional support to the Chief of Mission, who is based in Sarajevo. In order to maintain an effective monitoring role and deliver adequate protection and assistance, UNHCR's field presence (14 offices in the Federation and nine in the Republika Srpska) will be maintained at its present level.

OFFICES

Sarajevo	Banja Luka
Bihac	Brcko
Bugojno	Doboj
Drvar	Gorazde
Jajce	Konjic
Livno	Mostar
Nevesinje	Orasje
Pale	Prijedor
Stolac	Travnik
Trebinje	Tuzla
Visegrad	Zenica
Zvornik	

Co-ordination

UNHCR's role as the lead humanitarian agency in Bosnia and Herzegovina was established under Annex 7 of the Dayton Peace Agreement. The Office will continue to work closely with four government agencies, ten international and seven national NGOs to implement its country programme in 2001. However, as the country emerges from the post-conflict phase and enters the development phase, the presence of humanitarian agencies is diminishing. OHR, UNHCR, SFOR, OSCE and the UN Mission in Bosnia and Herzegovina (UNMIBH) hold a weekly principals' meeting, chaired by the High Representative, to review and act upon all issues affecting implementation of the Dayton Agreement. The Inter-Agency Planning Group is another important forum in which UNHCR will continue to participate. The recently established plan for the implementation of property laws (grouping UNHCR, OHR, UNMIBH and OSCE) and its focal points in field locations will be an important vehicle for follow-up on the functioning of these laws. The

RRTFs (co-chaired by UNHCR and OHR) will continue to address issues relevant to the return of refugees at the local and regional levels. The Commission for Refugees and Displaced Persons (comprising UNHCR, the State Ministry and the two Entity Ministries) will provide another forum where all aspects of return can be discussed. UNHCR will also participate in the Resident Co-ordinator Group meetings.

PARTNERS

Government Agencies

Federation Ministry for Social Affairs, Displaced Persons and Refugees
 Ministry for Human Rights and Refugees
 Ministry for Refugees and Displaced Persons of Republika Srpska
 Project Implementation Unit

NGOs

American Refugee Committee
 Bosnian Committee for Help
 Bosnian Humanitarian Logistic Service
 Catholic Relief Service
 Danish Refugee Council
 European Committee for Training and Agriculture
 Helsinki Citizen's Assembly
 International Council of Voluntary Agencies
 International Rescue Committee

Iustitia

Malteser Hilfsdienst

Mercy Corps Scotland
 New Bosnia Fund

Save the Children (USA)

Swiss Disaster Relief

Tango

Terra

Other

International Management Group

United Nations Volunteers

BUDGET (USD)

Activities and Services	Annual Programme
Protection, Monitoring and Co-ordination	8,630,116
Community Services	4,863,244
Domestic Needs/Household Support	1,692,275
Education	259,853
Food	1,049,312
Health/Nutrition	173,236
Income Generation	940,422
Legal Assistance	4,049,293
Operational Support (to Agencies)	3,455,095
Shelter/Other Infrastructure	1,829,606
Transport/Logistics	2,173,364
Total Operations	29,115,816
Programme Support	5,021,299
Total	34,137,115