

# Bosnia and Herzegovina

## Main objectives

Develop the capacity of the local authorities to protect and assist asylum-seekers and refugees through implementation of the new asylum legislation; support the voluntary repatriation of refugees from Croatia and of other refugee groups to their countries of origin; continue to provide legal assistance and information for returnees, refugees, asylum-seekers and other persons of concern to UNHCR, and create a sustainable national network of legal aid and information centres; continue to support voluntary returns within and to Bosnia and Herzegovina (BiH), and monitor the safety of returnees and respect for their rights; provide limited and flexible humanitarian assistance to the most vulnerable among the returning refugees; and advocate the continuation of activities by other agencies, to ensure sustainability of returns.

## Impact

By early autumn 2004, more than one million former refugees and IDPs had returned (since 1996) to their pre-war homes. Throughout the year, over 20,000 returns were recorded, of which some 18,000 were IDPs who returned from within BiH while over 2,400 refugees repatriated from abroad. UNHCR took part in the virtual completion of the implementation of property laws (PLIP). By the year's end, the PLIP implementation rate had reached 93 per cent countrywide: a level

that was almost inconceivable at the time of PLIP's launch in 1999. UNHCR, in cooperation with IOM, helped some 850 Croatian refugees in BiH to return home. UNHCR supported the development of an effective, countrywide, free legal aid network for returning refugees and IDPs.



### Persons of concern

Population	Total in country	Of whom UNHCR assisted	Per cent female	Per cent under 18
IDPs	309,200	22,800	52	-
Croatia (refugees)	19,200	3,500	50	19
Returned IDPs	17,900	14,200	-	-
Serbia and Montenegro (refugees)	3,000	600	51	31
Various countries (returnees)	1,560	180	-	-
Serbia and Montenegro (returnees)	880	180	-	-
Serbia and Montenegro (asylum-seekers)	400	400	50	50

UNHCR and the EC delegation successfully lobbied for the creation of an asylum unit within the Ministry of Security (MoS) as soon as *the Rules on the Internal Organization of the Ministry of Security of Bosnia and Herzegovina* were published. On 1 July, the MoS assumed responsibility for RSD processes, with UNHCR providing intensive on-the-job training to ministry staff. The *Bylaw on Asylum* in BiH (adopted in April 2004) was the first in a series of bylaws to the *Law on Movement and Stay of Aliens and Asylum* (LMSAA). By the end of 2004, UNHCR and the MoS signed the *Protocol on the Handover of Refugee Status Determination and Other Asylum Related Responsibilities from UNHCR to the Ministry of Security of Bosnia and Herzegovina*.

As a result of UNHCR's advocacy, the Council of Europe Development Bank (CEB) signed an agreement on a soft loan of some eight million Euros to the Government of BiH for reconstruction and return-related projects. The loan will be administered through the State Commission for Refugees and Displaced Persons (SCRDP) of which UNHCR is an observer.

## Working environment

### The context

At the end of 2004, some 309,000 people remained internally displaced in BiH, and these were still about 100,000 refugees outside the country. As part of the transfer of outstanding General Framework Agreement for Peace (GFAP) Annex VII responsibilities to the Government of BiH, UNHCR and the relevant State and Entity Ministries signed *The Protocol on Implementation of the Revision of the Number and Status of Displaced Persons in BiH* in March 2004. Subsequently, both Entities (i.e. the Bosnian Federation and Republika Srpska) began a re-registration of IDPs and the re-registration of over 19,000 refugees from Croatia in Republika Srpska. As mentioned above,

over 2,400 refugees from BiH returned to the country in the course of the year. At the same time, BiH continued to host almost 3,400 refugees from Serbia and Montenegro and asylum-seekers.

The international community still maintains a significant presence in the fields of governance, development and security, although this is being scaled down. The Office of the High Representative (OHR) provides political and economic guidance. International armed forces remain in place, albeit in steadily reducing numbers. In December 2004, the European Force (EUFOR) replaced the NATO-led Stabilization Force (SFOR), while NATO retained its presence in Bosnia and Herzegovina with the establishment of a regional headquarters in Sarajevo. The European Police Monitoring Mission (EUPM) continued to assist the local police and the State Border Service in the area of capacity building and oversight.

### Constraints

Although much progress has been made to improve the environment for minority returns, the shortages of housing and employment opportunities remain among the biggest constraints to return and reintegration. If returns are to be sustainable, the harmonization of legislation must continue at all BiH governmental levels in the fields of education, health, pensions and disability insurance. In this context, UNHCR supports the SCRDP's efforts to enhance the harmonization and streamlining of the policies of the State and its two constituent Entities. Even though the overall security situation in the country by the end of 2004 was no longer of major concern, some 135 security incidents involving returnees were reported. Landmines scattered along the Entity boundaries are still one of the major impediments to the economic recovery of rural areas. Furthermore, the predicament faced by Croatian refugees, currently the largest group of refugees residing in BiH, remains a priority for UNHCR.

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
13,446,379	2,231,132	11,209,975	13,441,107	13,441,107

<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



Bosnia and Herzegovina: Returnees involved in the construction of their village near Brcko. UNHCR/C. Shirley

## Funding

For the third consecutive year, UNHCR's US dollar-based budget lost its purchasing value in BiH due to the depreciating dollar. In 2004, the depreciation against the BAM (Bosnian convertible Mark) amounted to 13 per cent throughout the year. Subsequently, a number of key interventions, notably the provision of basic domestic items to vulnerable returnees and quick support fund activities, which serve to anchor returnees in sustainable situations, had to be implemented at a reduced level. An earmarked extra-budgetary contribution in late 2004 allowed for the procurement and distribution of beds and multipurpose stoves to compensate somewhat for the cancelled distribution of domestic items.

## Achievements and impact

### Protection and solutions

The Ministry of Security began to accept and process newly submitted asylum applications on 1 July

2004. During the remainder of the year, the MoS received 40 asylum applications (88 persons). As of the end of 2004, of the 124 refugees who had been individually recognized as such by UNHCR, 56 were accommodated in the reception centres (RCs). Of the 454 asylum-seekers (88 registered with the MoS, 366 registered with UNHCR) at the year's end, 192 were accommodated in the RCs. UNHCR field teams undertook frequent and regular monitoring and assessment visits to the three UNHCR-funded RCs in order to address the protection and assistance needs of vulnerable and needy individuals.

An important asylum capacity building project was targeted primarily at the Ministry of Security to establish fair and efficient procedures for individual asylum claims, including targeted RSD on-the-job training to officials of the asylum unit at the Ministry. The project also provided legal expertise in the context of drafting national legislation.

Over 20,000 people returned to their places of origin in BiH, including more than 2,400 BiH refugees from abroad. UNHCR monitored and directly influenced legislative developments related to return issues. These interventions were complemented by legal

assistance and information on returnee rights provided through a national NGO. In March 2004, UNHCR's *Position on International Protection Needs of Individuals from Kosovo in Light of Recent Inter-ethnic Confrontations* led the BiH Government to extend the "Temporary Admission" status of people originating from Kosovo until 30 June 2005. At the year's end there were almost 2,900 refugees from Kosovo in BiH, of whom 566 lived in the RCs.

In 2004, UNHCR intensified its work to combat Sexual and Gender Based Violence (SGBV), particularly in UNHCR-funded RCs. Revised house rules were introduced in RCs, with specific references to domestic violence, early marriage and other SGBV issues. RCs are in the process of establishing SGBV councils, which will play a leading role in prevention and response. The High Commissioner's Five Commitments to Refugee Women are fully respected in the implementation of the programmes for refugees and asylum-seekers accommodated in RCs.

## Activities and assistance

**Community services:** The Quick Support Fund facility proved to be a most effective instrument in addressing specific needs and providing assistance to returnees in BiH for 184 community-based small-scale projects. Assistance ranged from the provision of material for minor reconstruction and support for agricultural projects in rural areas to communal infrastructure repairs for some 11,000 direct beneficiaries. A local foundation, the Bosnia and Herzegovina Women's Initiative, provided community services to refugees and asylum-seekers residing in RCs.

**Domestic needs/Household support:** Household items (including beds, blankets, stoves, mattresses and plastic sheeting) were made available to the most vulnerable returnees such as elderly people in need of live-in care, female heads of household, traumatized persons, those residing in various types of collective accommodation, and individuals in need of special medical care or victims of war crimes. A strict and very careful selection of beneficiaries was applied throughout the country.

**Food:** Food was provided for beneficiaries in the three RCs and one transit centre.

**Health/Nutrition:** The transit centre and the RCs offered primary health care through the Federation Ministry of Displaced Persons and Refugees (FMDPR) and the State Ministry for Human Rights and Refugees (MHRR). Twenty-one asylum-seekers and refugees in these RCs received specialist care.

**Legal assistance:** Under the auspices of UNHCR, the newly created legal aid network "Vasa Prava" became fully operational throughout BiH in 2004. With an outreach programme run by 80 staff members in 15 offices and 60 mobile teams, it provided legal services and information to beneficiaries located in even the most remote areas of the country. During 2004, almost 35,000 beneficiary families were assisted through 77,000 legal actions, including more than 14,300 administrative proceedings and 9,000 court hearings. A selected group of lawyers from the network received refugee law training in line with UNHCR's goal to include them in the provision of legal assistance to individuals from third countries seeking asylum in BiH.

**Operational support (to agencies):** UNHCR was engaged in a number of public awareness and public information activities, such as participating in the various press conferences and organizing special events for World Refugee Day and United Nations Day.

**Shelter/Other infrastructure:** Fourteen collective centres with 752 residents were still operational as at 31 December 2004. In partnership with a donor, UNHCR completed 43 shelter projects to provide lasting solutions for some 149 collective residents. Assistance under this sector also included the maintenance costs of three RCs and the transit centre.

**Transport/Logistics:** UNHCR transported 149 vulnerable families to their reconstructed pre-war homes in their places of origin.

## Organization and implementation

### Management

During 2004, six UNHCR offices were closed and 32 posts discontinued, leaving a year-end total of 89 staff and four functioning offices.

## Working with others

UNHCR worked with 14 implementing partners: seven international NGOs, three local NGOs and four government ministries as well as two international operational partners. As the lead UN humanitarian agency to facilitate returns, UNHCR was a regular member of the weekly Board of Principals meeting chaired by the High Representative. Major policies of the country are discussed at these meetings, with return and reconstruction issues given prominence.

At the State level, a priority for UNHCR is to strengthen the role of the SCRDP in harmonizing and streamlining the policies of the State and the Entities within one forum. The Ministry for Human Rights and Refugees and the Ministry for Security were UNHCR's main counterparts and project implementing partners. UNHCR provided considerable support and capacity building to these ministries in the course of 2004. At the Entity level, UNHCR's implementing partners were the Federation Ministry of Displaced Persons and Refugees in the Federation and the Ministry for Refugees and Displaced Persons of Republika Srpska.

UNHCR worked closely with the EU in the framework of the regional and national CARDS programme. UNHCR was a regular and active member of the UN Country Team and participated in BiH initiatives such as the development of the PRSP, UNDAF and CCA.

## Overall assessment

In 2004 UNHCR saw more visible results of its advocacy and efforts to make local authorities increasingly responsible for their decisions and to strengthen joint inter-Entity and State institutions. During the year, changes were made to the national legal system regulating the work of the State Commission for Refugees and Displaced Persons. At the same time, by constantly assessing the return movement and the status of assistance, UNHCR managed to flexibly allocate limited funds and human resources by focusing on priority needs. Progress achieved was largely due to more accurate targeting of beneficiary groups for humanitarian assistance through Quick Support Funds, enhanced advocacy efforts, and extensive dissemination of legal advice

and information via the established Network of Legal Aid Centres *Vasa Prava*.

### Offices

#### Sarajevo

Banja Luka  
 Bihac (closed 30/09/2004)  
 Gorazde (closed 30/09/2004)  
 Mostar  
 Orasje (closed 30/09/2004)  
 Travnik (closed 30/09/2004)  
 Trebinje (closed 30/09/2004)  
 Tuzla  
 Zvornik (closed 30/09/2004)

### Partners

#### Government agencies

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

#### 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  
*Malteser Hilfsdienst*  
 Mercy Corps Scotland  
*Vasa Prava*

#### Others

Swiss Humanitarian Aid Unit  
 UNV

## Financial Report (USD)

Expenditure breakdown	Current year's projects	Prior years' projects
	Annual programme budget	Annual and Supplementary programme budgets
Protection, monitoring and coordination	4,467,126	0
Community services	1,487,146	237,346
Domestic needs / household support	316,293	32,487
Food	166,307	104,578
Health and nutrition	24,945	6,132
Legal assistance	1,564,466	451,945
Operational support (to agencies)	592,396	56,602
Shelter and infrastructure	703,251	262,941
Transport and logistics	340,912	35,200
Instalments with implementing partners	1,277,619	(1,187,230)
<b>Sub-total operational activities</b>	<b>10,940,461</b>	<b>0</b>
Programme support	2,500,646	0
<b>Total disbursements</b>	<b>13,441,107</b>	<b>0</b>
<b>Instalments with implementing partners</b>		
Payments made	5,437,314	
Reporting received	(4,159,695)	
<b>Balance</b>	<b>1,277,619</b>	
<b>Prior years' report</b>		
<b>Instalments with implementing partners</b>		
Outstanding 1 January		1,193,690
Payments made		20,426
Reporting received		(1,187,230)
Refunded to UNHCR		(31,874)
Currency adjustment		4,988
<b>Balance</b>		<b>0</b>
<b>Unliquidated obligations</b>		
Outstanding 1 January		176,953
Disbursements		(101,503)
Cancellations		(75,450)
<b>Outstanding 31 December</b>		<b>0</b>