

AGREEMENT ON RETURN OF REFUGEES

Article 1.

This Agreement regulates the conditions and procedures for the return of the refugees from the Republic of Bosnia and Herzegovina, temporarily staying in the Republic Croatia, according to the international law regulations.

Article 2.

This Agreement is implemented on refugees who fled R. BiH to R. of Croatia and obtained the refugee status.

Article 3.

Both parties agreed that the return of the refugees from R. BiH is voluntary and they guarantee that the return will be carried out in safety and dignity.

Both parties will protect the refugees, disregarding their race, skin-colour, sex, language, religious, political or other conviction, national or social background, in accordance with international principles of protection of human rights and freedoms.

Both parties agreed that the return of refugees will be carried out in an organized and consequent way, through competent bodies of both parties to this Agreement.

Article 4.

The return of refugees on the territory of Federation will be carried out according to the Plan of temporary territorial placement of the displaced persons - refugees and displaced persons as well as Program of return adopted by the Government of the Federation of Bosnia and Herzegovina.

The Agreement will be implemented after the Plan and Program (as per above) are submitted to the Government of the R. of Croatia.

Article 5.

The Coordination Council will be founded with the purpose of coordination and cooperation regarding all actions of monitoring of this Agreement. Each party to this Agreement will appoint three members of this Council.

The Coordination Council will be especially engaged in providing information to refugees from R.BiH, regarding the conditions and possibilities for return, as well as keeping the records on announcement of return, registering specific problems occurring during the implementation of this Agreement and proposing the ways for them to be solved.

Both parties to this Agreement will mutually cooperate with the UNHCR, IOM and other international organizations.

The R. of Croatia will take over the costs of the transportation regarding the return of refugees to the R.BiH. (para 1. Art. 1).

Article 6.

The provisions of this Agreement will not be applied in the cases of persons who are under criminal investigation, who are effectively sentenced or who are serving their sentence for the criminal acts as regulated by criminal laws of the R. of Croatia.

Article 7.

The parties to this Agreement agreed to start immediately with the informative campaign (activities) among refugees from R.BiH with the purpose of them being properly informed about the situation in the R.BiH in general, which could facilitate their decisions regarding the return.

Article 8.

The R. of Croatia will, within its abilities, offer material and financial assistance for the realization of conditions for return of refugees to R.BiH.

ROC will support the activities of R.BiH regarding it's requests for obtaining of international financial assistance. with the aim of realization of return of refugees.

4/7

Article 9.

with or without refugee's agreement?
↑

ROC agreed to offer to the R.BiH relevant statistics on refugees from R.BiH. The statistics relevant only for the implementation of this Agreement will refer to:

- personal data of person to be taken over and possibly her/his relative (name, surname, possible previous name, nicknames of alias, other names, date and place of birth, gender, previous and present citizenship)
- previous and present residence in and out of ROC and R.BiH, as well as the route of movement
- other data available upon the request of one of the parties to this Agreement, needed for investigation of the return conditions in the sense of this Agreement

The use of these data must be regulated according to the provisions of the Protocol on Implementation of the Agreement on return of refugees.

Article 10.

This Agreement does not influence the implementation of the Convention on the Refugee Status from 28 July 1951 with the amendments from the Protocol on refugee status from 31 January 1967, as well as the obligations the both parties from this Agreement regarding the other international agreements.

Article 11.

In case of any specific problems which might occur during the implementation of this Agreement, the Coordination Council (as per Article 5. of this Agreement) will propose the adoption of a special protocol.

Article 12.

This Agreement comes into force with the day of receipt of last information regarding the fulfilment of conditions foreseen by the national legislatures of both parties to this Agreement.

In Zagreb, 24 March 1995, in both languages.

For ROC Government: PM Valentic
(signed)

For R.BiH Government: PM Silajdzic
(signed)