



COUNTRY OPERATIONS PLAN

Country: Bosnia & Herzegovina

Planning Year: 2004

Bosnia and Herzegovina
Part I: Executive Committee Summary

(a) Context and Beneficiary Population(s)

• **Political Context**

In October of 2002, general elections were held in Bosnia and Herzegovina (BiH). These were the first post-war elections to be organised and conducted by the local authorities without the assistance of the international community. The election results saw a resurgence of the wartime nationalist parties throughout all levels of governments. Such results are believed to reflect more the widespread disillusionment with the outgoing Alliance for Change than an endorsement of the wartime nationalism. Nevertheless, the continued perceived instability caused by 2 standing armies, a very fragile economic situation, an extremely high unemployment rate and continued attention to war crimes issues will play an important role in the general atmosphere of the country and could impact on areas of concern to UNHCR. The World Bank, in 2002, estimated that 20% of the population lives below the poverty line with 30% of the population hovering just above that critical zone. The generalised perceptions of rampant corruption, cronyism and impunity from legal action further exacerbate the frustrations of many ordinary Bosnians.

The Office of the High Representative (OHR) is effectively the most politically powerful office in the country. With powers to impose laws at all levels of government in BiH, the High Representative sets the priorities for progress in BiH. In 2002, the High Representative identified “justice and jobs” as the priority areas for the governments of BiH to focus. In his first year, the High Representative has taken a pro-active position in ensuring that governmental bodies become more transparent and accountable. Decisions issued by the High Representative and imposed on local governments are not always well received, especially by entrenched interests.

BiH has been a focus of international attention since the outbreak of war in 1992. With the signing of the General Framework for Peace in BiH in 1995 (GFAP) - or the Dayton Accords as they are more commonly known- staggering amounts of money were made availability by the international community for return and reconstruction related activities. Since the beginning of 2002, the involvement of the international community in shaping the future of BiH has steadily waned. The large UN Mission in BiH was replaced, at the end of 2002, by a smaller contingent of European Union Police Monitors (EUPM). The NATO-led Stabilisation Force (SFOR) scaled back its presence from 18,000 to 12,000 personnel in the second half of 2002. Importantly, the major international contributors to reconstruction assistance in BiH have dramatically reduced their financial assistance for such activities starting in 2002. The US Government Bureau for Population and Refugee Migration has closed its office. The EC, long a very significant donor to these activities, has also reduced its humanitarian portfolio. With humanitarian assistance funds decreasing and the attention of the international community (including NGOs) drawn elsewhere, those BiH refugees and displaced who wish to exercise their right to return are finding assistance in their efforts very difficult to come by. Ironically, perhaps when the need for reconstruction and reintegration assistance has reached its peak, the availability of international assistance has severely declined.

With the notable exemption of the assassination of Prime Minister of Serbia, Zoran Djindjic, in March 2003, the political situation in the region remains relatively stable. Regional stability coupled with continued strengthening of bilateral relations among neighbouring countries, would indicate that cross border returns to BiH will increase from Croatia as well as Serbia and Montenegro (SCG). The volume of cross border returns from SCG and Croatia to BiH will continue to be linked to improvements in the economic situation in BiH. Refugee returns from BiH to Croatia may also increase due to the high level of property law implementation and related developments in BiH. Increased and accelerated returns of Serb refugees in BiH to Croatia are likely to become a reality primarily when political declarations of the Croatian Government will be supported with functioning return conducive legislation, particularly in the areas of property restitution and integrated return projects. In the course of

2004, more refugees and displaced will take the decision whether to return to their places of origin or locally integrate, where the option exists. The year 2004 should see, for all intents and purposes, the successful completion of UNHCR's responsibilities under Annex VII of the GFAP.

With the anticipated completion of the property repossession process, it is expected that the momentum of returns of the displaced, which accelerated dramatically in 2001 and 2002 and is showing a slower rate in 2003, will continue throughout 2004. This is particularly true for Serb displaced persons (DPs) from Republika Srpska Entity (RS) and Serb refugees in SCG returning to the Federation Entity. Such an optimistic forecast is linked with ongoing efforts to strengthen recently created State institutions now in place in BiH as well as with the steady progress in the implementation of the Annex VII of the GFAP. Despite the encouraging trend of large numbers of minority returns, beneficiaries will be affected by the severely reduced availability of international resources to assist with their reintegration.

Migration issues will remain high on the international community's agenda in BiH in 2004. The fact that the country will continue to serve as one of the main routes for irregular migrants trying to reach Western Europe and for criminal human trafficking was one of the reasons for the creation of a new Ministry for Security. Despite the efforts and measures undertaken in the previous years by UNHCR and other actors, the asylum system of BiH is still at a nascent stage. Considerable support will have to be provided to the Government of BiH to fully assume the responsibility for refugee management and to cope with the phenomenon of transit migration. UNHCR will continue to be extensively involved in the development of a functioning national asylum system to ensure that the national system becomes effective and, eventually, independent of external support.

- **Security Situation**

Although upgraded to category A duty station effective January 1, 2003, Sarajevo is still under Security Phase II, as determined by the UN Security Co-ordinator, New York. This security arrangement also applies to all other duty stations throughout BiH. While the political climate in the country has improved, security concerns in many areas of BiH continue. Some areas are known to harbour hard-line nationalist elements. Tensions and occasional violence have been reported in these areas. Return-related violence increased significantly in 2002 and early 2003. Some events, such as evictions (in the context of the Property Law Implementation Plan) and arrests of persons indicted for war crimes, can induce politicised groups to influence the local peoples' reactions, and, as a result, the UN/international community staff has been and may be targeted. The NATO-led Stabilisation Force (SFOR) has conducted operations aimed to arrest the most wanted of the fugitive warlords, giving rise to tensions in the Eastern part of the Republika Srpska. These tensions serve to illustrate how volatile the situation is in some areas of BiH. Still existing large mined zones, especially along the inter-Entity boundary lines, continue to pose real threats to returnees and hinder reconstruction efforts, particularly in rural areas.

- **Protection issues**

BiH continues to host a number of refugees from SCG, many of whom arrived in 1998 and 1999. While the majority has repatriated by the end of 1999, a re-registration exercise carried out in mid-2002 indicated that some 6,000 remain in BiH. Many originate from Kosovo and had obtained Temporary Admission (TA) status in BiH. It is expected that BiH authorities will review the TA regime again in 2004 and may not extend the TA arrangement beyond the middle of 2004. UNHCR will inform the persons belonging to this group about the available options: (a) repatriate to their areas of origin, (b) where possible, regularise their stay in Bosnia and Herzegovina, (c) file individual asylum applications. As of the end of February 2003, some 1,300 SCG refugees are accommodated in Refugee/Asylum Centres (RACs), administered by the Government of BiH and largely funded by UNHCR. The remainder are living in private accommodation in various parts of the country.

An estimated 21,000 refugees from Croatia continue to find refuge in the BiH, most in the RS Entity, although the actual number is likely to be higher, since a number of Croatian Serbs

reportedly did not register. During 10 years of their presence in BiH, some Croatian Serbs obtained citizenship of the RS Entity. Their BiH citizenship status is unclear. UNHCR will seek clarification of the status of Croatian-Serbs from the Government of BiH in order to elaborate a more focused durable solutions strategy. As is usually the case, the preferred durable solution for this refugee group would be voluntary repatriation to Croatia.

Since the year 2000, substantial numbers of migrants from other parts of the world transited through BiH. While many of them entered BiH legally, they became illegal migrants the moment they crossed into neighbouring countries (Croatia in particular) as they attempted to make their way to Western European countries. Among these groups, a limited number of asylum seekers have approached UNHCR for protection and assistance. UNHCR will continue to promote the implementation of the 1951 Convention by working with national authorities and international actors to develop national asylum capacity and to ensure respect for basic protection principles such as non-refoulement and access to asylum procedures by genuine asylum seekers. As the BiH Government is not in a position as yet to carry out the refugee status determination procedure (RSD), that task continues to be fulfilled by UNHCR. At the same time, UNHCR will step up its training activities in the area of asylum (RSD in particular) that targets government officials. It is foreseen that once asylum procedures are in place, refugee status determination will be carried out jointly during a transition period. After the completion of a gradual handover of RSD to the competent state authorities, UNHCR will carry on monitoring of the authorities' performance.

Under Annex VII of the Dayton Agreements, UNHCR is responsible for ensuring the early, peaceful, orderly and phased return of refugees and displaced persons (DPs) to their homes of origin. One of the persistent problems preventing return, especially to urban areas, is the issue of repossession of socially or private owned property

As a result of concerted efforts by the major international agencies in BiH, UNHCR, the Office of the High Representative (OHR), OSCE, and others involved in the property legislation implementation plan (PLIP), out of 224,631 claims on contested properties, 86% had been resolved by the end of July 2003 allowing claimants the opportunity to repossess their pre-war homes. It is important to highlight that the percentage of resolved claims increased to this level from 41% at the end of 2001. Although it is expected that the repossession process will be largely completed in many municipalities by the end of 2003, the process will continue in 2004, particularly in the larger and most problematic municipalities. Through its reduced field presence, UNHCR will continue to monitor the restitution of property process, the security situation of returnees, and to undertake preventive measures as appropriate in order to ensure the safety and dignity of return and reintegration. UNHCR will also continue to assist in the creation of conditions conducive to sustainable returns, in particular in the prevention of discrimination with regard to access to education, pensions, health, employment, and utilities. Particular emphasis will be placed on assisting on the most vulnerable displaced persons and returnees, including single female headed-household, unaccompanied children, elderly persons without family support, severely traumatised individuals, Roma, and needy collective and transit centres residents. Support will be provided to the local authorities to update the number of persons in need of durable solutions. UNHCR will also continue to report on progress and obstacles in the return process in the context of the implementation of Annex VII of the Dayton Accords.

UNHCR's role (protection, advocacy, assistance, monitoring, co-ordination)

With the anticipated successful completion of the UNHCR mandate under Annex VII of the Dayton Accords, UNHCR BiH will shift its focus from facilitating returns to and within BiH to intensifying its efforts on more traditional protection work. Without abandoning obligations under the Dayton mandate, OCM will increasingly work with the Ministry for Human Rights and Refugees (MHRR) on the development of the legal framework and the Ministry's capacity to deal with asylum-related issues. UNHCR will train the staff of key actors to instil understanding of and respect for basic refugee law principles. Over time, competent national institutions will increasingly be in a position to assume more of the BiH

responsibilities as a signatory to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. More efforts will be extended in promoting voluntary repatriation of those populations for whom return is a safe option.

Under Annex VII of the Dayton Agreements, UNHCR is responsible for co-ordinating the return of refugees and DPs. UNHCR will continue to ensure, through field/protection monitoring, that return takes place in safety and dignity, and protect returnees' rights in support of sustainable reintegration. For this purpose, legal advocacy and advisory services will be continued to ensure that the domestic legal framework addresses the needs of refugees, DPs and returnees. UNHCR works with the relevant local authorities to register and protect displaced persons and to promote the implementation of durable solutions, with special attention paid to vulnerable groups, in particular collective and transit centres residents, severely traumatised individuals, women, children, the elderly and Roma. In 2004, UNHCR will continue its support to the Legal Aid and Information Centres Network (LAICs Network) as a transition process towards the functional, locally managed and BiH wide operational NGO. It is envisaged that the Network will continue to be the main source of free legal aid for BiH returns. Its involvement in assistance to refugees and asylum seekers in the country will be further strengthened. In this regard the LAICs Network will become the first local NGO engaged in individual counselling and legal assistance to asylum seekers.

UNHCR will continue working closely with the Ministry for Human Rights and Refugees (MHRR) on the development of the legal framework and the Ministry's capacity to deal with asylum-related issues. UNHCR will train the staff of key actors to instil understanding of and respect for basic refugee law principles.

In monitoring the situation of populations in the Refugee and Asylum Centres (RACs), Collective Centres (CCs) and Transit Centres (TCs), special attention will be paid to the situation of women and young girls with a view of preventing any occurrence of sexual abuse or exploitation.

Refugees and Asylum seekers in BiH

All refugees and asylum seekers are entitled to their basic human needs. The provision of material assistance to satisfy some of these basic needs differs between refugees/asylum seekers privately accommodated and those in Reception Asylum Centres (RACs). Direct UNHCR material assistance targets refugee/asylum seekers accommodated in RACs. More specifically, those living in RACs are provided with monthly supplies of basic food and hygienic materials, have regular visits by primary health workers. Their children are assisted in transportation to schools on a needs basis and basic educational materials are supplied to them. In general terms, all refugees/asylum seekers in the country, irrespective whether they are privately accommodated or live in RACs, have access to basic health care. At the same time, basic health care, as prescribed in the Instructions on Temporary Admission as well as in the Law on Immigration and Asylum, is undefined. The definition of the primary/basic health care in the Republika Srpska entity differs from that in the Federation of BiH. All refugee and asylum seeker children have a right to primary education in BiH. BiH authorities also allow refugees' access to secondary and university education. While it is not clear whether the Instruction on Temporary Admission grants the right to work, the Law on Immigration and Asylum clearly restricts it to recognised refugees. Nevertheless, it was observed that BiH authorities had been tolerant towards the refugees engaged in casual labour.

UNHCR works closely with the main implementing partner, the state level Ministry for Human Rights and Refugees (MHRR), in the co-ordination of refugee and asylum issues and closely monitors the management of RACs by the Ministry. UNHCR is directly involved in individual protection issues of asylum seekers and refugees.

Croatian refugees hosted in BiH mainly reside in the Republika Srpska (RS) entity. Although their citizenship status in BiH remains unclear, in principle, Croatian refugees enjoy the same rights as displaced persons in the RS as little distinction has been made between them and DPs, either in practice or in law. With the increased implementation rate of property

repossessions, many Croatian refugees were evicted from the illegally occupied property. Some of them were provided with alternative accommodation based on strictly defined criteria.

Increased implementation of the property laws in BiH led to enhanced interest of the Croatian Serb refugees to return. The repatriation trend established since 2002 is expected to continue and even to gain momentum in the course of 2004. However, voluntary repatriation of the Croatian Serb refugees wishing to return remains problematic for a large number of them because of the difficulties they face when attempting to regularise their stay in Croatia. Those difficulties are related to the administrative and security procedures in Croatia as well as to the absence of progress in repossession of their property in that country.

Refugees from Serbia and Montenegro under TA were provided with ID cards allowing them to reside lawfully in BiH. Although it is envisaged by the law, BiH authorities do not issue any ID cards to asylum seekers and recognised refugees. To this group of refugees, UNHCR provides Letters of Concern. Even though such letters have no official legal value, they are found to be effective to avoid arbitrary arrest and deportation.

Returns to and within Bosnia and Herzegovina

Given the anticipated decline in operational resources in 2004, UNHCR's main intervention for returnees will focus on timely assistance during the initial phase of their reintegration. UNHCR will advocate for bilateral, multilateral, NGO and local government support to continue the reintegration assistance beyond the initial phase. In addition to protection monitoring, interventions and negotiations with host communities and local authorities, UNHCR assistance consists of legal reform advocacy, legal assistance, transportation of refugees, delivery of domestic items to the most vulnerable, and the provision of appropriate assistance through the Quick Support Fund (QSF) mechanism. QSF interventions are targeted to enhance the sustainability of returns or to facilitate durable solutions. UNHCR, with its knowledge of the beneficiary needs and information acquired, will continue to advocate for larger projects to be funded by bilateral and other donors.

Collective Centres (CCs) which once housed more than 45,000 people in BiH now provide accommodation for less than 3,000. Finding durable solutions for this remaining residents is most difficult as, among them, many are infirm, never had a pre-war residence or cannot, for a variety of reasons, return to their pre-war homes. In co-operation with the Swiss Government, UNHCR will continue to work on resolving the situation of the remaining residents.

UNHCR also intervenes in enhancing restitution of property and non-discriminatory access for returnees to education, employment, health, pension, utilities and public documents, through the monitoring of legislation implementation and non-discriminatory practices, and improved co-ordination with the competent authorities and the concerned international organisations.

Co-ordination: The main fora in which UNHCR actively participates are the following:

Resident Co-ordinator's Group and various UN System Working Groups

UNHCR is a member of the UN Country Team which consists of UN agencies present in BiH. In 2004, UNHCR's role will remain important in ensuring that issues concerning displaced persons and returnees are taken into consideration in the development activities of the other UN Organisations. Bearing in mind the need to bridge the gap between relief and development and the phasing down of UNHCR assistance to returnee reintegration, UNHCR will intensify its efforts to engage UN development agencies in undertaking longer term development interventions in returnee impacted areas.

UNHCR is a member of working groups on legal issues, property implementation, employment, and education. One of these is the Working Group on Immigration and Asylum which includes UNHCR, EC, CoE, EUPM, UNHCHR, IOM as well as the Ministry for Human Rights and Refugees. Ad hoc meetings are also held among international actors to

discuss, *inter alia*, migration and asylum related issues, in the Inter-Agency Policy Group. UNHCR will continue to participate in the UN Country Team Theme Group on HIV/AIDS.

The Board of Principals (BoP)

Chaired by the High Representative, UNHCR is a member of this policy setting group of the senior-most representatives of the international community in BiH. Other members include the Heads of OSCE, SFOR, EC and EUPM. The BoP, in its weekly meetings, reviews and decides on the course of action on all policy and administration issues affecting the implementation of the Dayton Accords. In 2004, UNHCR, as the lead humanitarian agency, will continue to participate as an active and important member of this forum.

Return and Reconstruction Task Force (RRTF)

Within the context of the Peace Implementation Council (PIC), the RRTF is co-chaired by UNHCR and OHR. The RRTF provides a valuable opportunity for the proper co-ordination among international agencies. It is the senior consultative body of the international community in BiH for the consideration of refugee and displaced person issues and sustainable return. RRTFs are convened at national, regional and local levels.

Although RRTF agencies will remain in BiH after 2003, the nature of their operations will be tailored to reflect their own reductions in field presence and the realignment of institutional priorities. Therefore, the drawdown of the IC's involvement must be linked to creating a local capacity reflecting the spirit of Annex VII of the GFAP. In 2004 notwithstanding the responsible downsizing, UNHCR will continue to play an important role in the mechanism.

Institution Building Task Force (IBTF) and Rule of Law Task Force (RoLTF)

Also within the context of the Peace Implementation Council (PIC), both of these task forces were created in 2002 and serve as the international community's main co-ordination and consultative bodies regarding (a) the creation of self-sustainable and effective institutions in BiH and (b) consideration of matters pertaining to law enforcement, judicial and legal reform as well as human rights. UNHCR participates in IBTF and RoLTF on an issue specific basis.

State Commission for Refugees and Displaced Persons (SCRDP)

Established 1999, the SCRDP is a co-ordination body which discusses and makes policy decisions on return-related issues. It is chaired by the Ministry for Human Rights and Refugees (MHRR) with permanent membership of the Entity Ministries for displaced persons and refugees and UNHCR. The SCRDP may be expanded in 2003 to include OHR and OSCE. The RRTF strategy for 2003 is centred on strengthening the capacity of the SCRDP through the establishment of regional centres and the provision of earmarked contributions to its Return Fund. In 2004, UNHCR will continue to contribute to enhance the capacity of the SCRDP.

Property Law Implementation Plan (PLIP)

In 2004, the follow-up on the authorities' implementation of the property law is expected to be less significant. UNHCR, OHR, and OSCE, both at the central and field levels, will continue to monitor the property implementation process in the municipalities which have not completed PLIP by the end of 2003. It is estimated that at least 9 municipalities will remain under close monitoring in 2004. Under the PLIP, the above organisations will collect and share information and monitor implementation by municipal authorities.

As repossessions of property do take place, however, deterrents to return often persist. These include the deliberate withholding of employment opportunities to minority returnees (employment discrimination), the often-noted 'ethnic bias' in the school system, and denial of access to health care in the area of return, as well as difficult access to pensions and utilities.

• **Overview of each beneficiary population**

Refugees and asylum seekers in BiH:

In December 2003 the refugee population in BiH will still include refugees from Croatia and from Serbia and Montenegro, as well as asylum seekers from within the region and third countries. The total refugee population is estimated at some 25,000 persons, of whom

Croatian refugees are the largest group – some 21,000 persons, almost exclusively of Serb origin. The remaining population comprises refugees from Serbia and Montenegro and almost 500 asylum seekers. UNHCR, in co-operation with the state Ministry for Human Rights and Refugees provides direct assistance to 1,300 refugees from Serbia and Montenegro and asylum seekers accommodated in four Reception Asylum Centres (RACs) in BiH. Demographic information for the refugee population in RACs shows that 57% are Roma, 13% are Kosovo Albanians, 14% Muslims from Sandzak, 8% others from Kosovo (Goranci and Slavic Muslims), 1% Serbs and 7% other asylum seekers. A very small number of refugees from Croatia are living in Collective Centres in Republika Srpska, while the majority of them have found private accommodation.

Returnees to and within BiH

At the end of 2002, there were still some 375,000 IDPs. Another 120,000 refugees from BiH are assumed to remain in Serbia and Montenegro, and some 5,000 in Croatia. The year 2002 witnessed a slightly higher number of so-called minority returns than in 2001, which was already a record year for minority returns: 102,111 persons in total, of whom 51,814 in the Federation, 41,345 in Republika Srpska and 8,952 in Brcko District. This increase was due to a combination of factors, including an improved security environment, greater involvement of authorities in the Federation in supporting return to the RS and continuous efforts in the implementation of property laws throughout the country. There are indications that the return pace will remain stable in 2004. As of December 2002, some 3,000 persons remained in the Collective Centres (2,020 in the Federation and 1,108 in the Republika Srpska), living often in very poor conditions.

• **Policy issues**

Refugees and asylum seekers in BiH:

Pending the establishment of a functioning national asylum system, UNHCR will continue to determine the refugee status of asylum seekers in BiH and to seek durable solutions for this group. In 2004, UNHCR will assist the competent Ministry (MHRR) in the gradual taking over of the refugee-status determination function and identifying durable solutions also for refugees from Serbia and Montenegro still remaining in BiH. Repatriation of refugees will take place, wherever possible, based on a free and well-informed choice. Voluntary repatriation procedures, as well as protection responses will be developed particularly for vulnerable groups, such as women, children, elderly, and traumatised refugees. The situation of Croatian refugees will remain precarious for some time to come, due to their uncertain legal status in BiH and obstacles remaining in their eventual return to Croatia, such as repossession of their property. Further strengthening of the UNHCR-developed LAICs Network as well as the continued involvement of UNHCR in return related information campaigns will contribute to the facilitation of voluntary repatriation. In co-ordination with the neighbouring UNHCR offices (Croatia and Serb/Mont), UNHCR will facilitate cross-border returns of refugees.

Returnees to and within BiH:

UNHCR will continue to promote the sustainable return of refugees and DPs. At the same time, UNHCR will pursue the return or local integration of the most vulnerable among the displaced, who can not return to their pre-war homes, especially those currently in collective and transit centres. UNHCR will also facilitate the re-integration of returnees, including rejected BiH asylum seekers returning from abroad. In 2004, UNHCR will continue limited protection monitoring of returnees, through its field presence in strategic locations, and report on the return process. Legal assistance and advice will continue to be provided by the Legal Aid and Information Centres Network which will be reformed into one viable national structure. It is anticipated the non-UNHCR funding will be found to support the LAIC Network by the middle of 2004 with UNHCR maintaining an advisory and co-ordination support role. Together with other international actors, UNHCR will promote the completion of the implementation of the property laws, and monitor non-discriminatory access for returnees to education, employment, health, utilities and pensions. UNHCR will advocate for the timely provision of housing for the returnees and closures of the Collective Centres and Transit Centres as durable solutions are identified for the residents.

- **Linkages to other countries within a defined “situation”:**

UNHCR BiH will continue to work with UNHCR Croatia and UNHCR Serbia and Montenegro in order to find durable solutions for refugees in the region, in accordance with the agreed benchmarks. In particular, UNHCR will facilitate the return to BiH of refugees in Croatia and Serbia and Montenegro, and the return to Croatia of the remaining refugees in the Republika Srpska, for which the possibility of local integration will also be explored where this would not obstruct the return of minorities to their homes in the RS. UNHCR will also facilitate better exchange of information and harmonisation of approaches with the view of promoting durable solutions. Considering the fact that many BiH citizens sought asylum or temporary protection in the countries of Western Europe, UNHCR will also continue to provide regular protection updates on the country of origin information highlighting the remaining obstacles to sustainable return.

- **Capacity and presence of implementing partners**

Refugees and asylum seekers: There are four implementing partners for the assistance programme for refugees and asylum seekers. The Bosnia and Herzegovina Women Initiative (BHWI) provides community services to refugees, including programmes for vocational training as well as counselling and basic health education/assistance. Its expertise will still be required in 2004. The Ministry for Human Rights and Refugees (MHRR), which was established in July 2000, if confirmed as the Ministry competent over these issues, will continue to be assisted and advised in developing systems and standards for response to refugee related matters. At the same time, MHRR will continue to be responsible for the management and maintenance of RACs. Moreover, co-operation with such an experienced implementing partner as Malteser Hilfdienst involved in the provision and distribution of repatriation grants to refugees upon return to their country of origin will continue in 2004. As part of the continued efforts to build on the national LAICs Network, UNHCR will maintain its advisory and monitoring role instrumental for the provision of relevant and essential legal assistance to refugees and asylum seekers.

Capacity building with respect to national authorities will be enhanced through seminars, regular consultations, distribution of guidelines and data-processing training.

BiH returns: In order to ensure the provision of relevant legal assistance to the returnees UNHCR will continue to rely on the LAICs Network. At the same time, UNHCR’s advisory and monitoring role with regard to the legal services will be maintained. It is planned that 2004 be a milestone year for the LAIC Network where the Network will increasingly be in a position to “stand on its own”. UNHCR will continue its strong advocacy role with governmental actors to ensure that necessary mechanisms are in place for BiH to assume more responsibility for the sustainability of returns. This is particularly important in light of the fact that UNHCR and other major international actors are able to provide only limited assistance to returnees.

- **Presence and role of other UN agencies and International Organisations**

While the Resident Co-ordinator and UN Country Team systems are in place (most Agencies having a physical presence), their relatively small budgets, staffing levels and field coverage are dwarfed by those of the much larger and influential players in BiH. UNHCR plays an active role in the RC system, collaborating on the elaboration of the CCA and UNDAF to be developed in 2003 and supporting the activities of various UN Agency initiatives in BiH. The OSCE and OHR retain a large physical presence and exert a good deal of influence on developments in the country.

(b) Selected Programme Goals and Objectives

Name of Beneficiary Population/Theme: #1 Refugees and Asylum Seekers in Bosnia and Herzegovina
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Main Goal(s):	
<ul style="list-style-type: none"> Continued work towards the development of a functioning national asylum system; Protection of and assistance to refugees and asylum seekers in Bosnia and Herzegovina including care and maintenance, legal assistance and repatriation. 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> All asylum-seekers have access to the territory; 	<ul style="list-style-type: none"> Law enforcement and border officials trained in refugee law and asylum seeker rights;
<ul style="list-style-type: none"> All asylum-seekers have access to a fair, efficient and effective RSD procedure; 	<ul style="list-style-type: none"> Government officials and the judiciary responsible for RSD trained in international protection standards; Joint MHRR/UNHCR RSD assessments carried out during a transitional period; The legal aid network provides counselling on the RSD procedure and rights of refugees and asylum-seekers to all who need it;
<ul style="list-style-type: none"> Refugees and asylum-seekers benefit from national legislation conforming to international standards; 	<ul style="list-style-type: none"> Technical assistance in drafting or revision of national legislation provided by UNHCR;
<ul style="list-style-type: none"> Provision of protection, reception and ,on needs basis, accommodation in collective facilities for asylum seekers and refugees in Bosnia and Herzegovina; 	<ul style="list-style-type: none"> Regular monitoring and follow up of arising protection and program issues; Provision of material assistance; Provision of community/social services;
<ul style="list-style-type: none"> Assistance in voluntary repatriation to countries of origin; 	<ul style="list-style-type: none"> Beneficiaries opting for organised voluntary repatriation are well informed about the return procedure and are aware of the consequences their decision entails; Provision of transportation; Timely distribution of repatriation grants;
<ul style="list-style-type: none"> Identification of durable solutions to refugees. 	<ul style="list-style-type: none"> Refugees make informed decisions on durable solutions.

Name of Beneficiary Population/Theme: #2	
Refugees, Repatriates and Displaced Persons in the process of return in Bosnia and Herzegovina	
Main Goal(s):	
<ul style="list-style-type: none"> Enhance the sustainable return of refugees and displaced persons to their places of origin; Assist vulnerable groups of returning refugees and displaced persons such as those in collective accommodation, women headed households, unaccompanied children, elderly persons, and Roma, to find durable solutions; Facilitate the re-integration of needy returnees. 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> Refugees and Displaced Persons in the process of return and returnees find sustainable conditions upon return; 	<ul style="list-style-type: none"> Returning refugees and displaced persons in the process of return and receive legal assistance and multi-sectoral quick impact assistance;
<ul style="list-style-type: none"> Returning refugees and displaced persons, especially the most vulnerable, find durable solutions including local integration; 	<ul style="list-style-type: none"> Returning refugees and displaced persons receive legal assistance and have access to material; and other assistance from donors;
<ul style="list-style-type: none"> The implementation of the related legislation is facilitating the return and the re-integration of DPs and refugees in their home of origin. 	<ul style="list-style-type: none"> Legislation aimed to facilitate the return has been adequately implemented throughout the country.

