

Bosnia and Herzegovina
FEDERATION OF BOSNIA AND HERZEGOVINA
FEDERATION MINISTRY OF SOCIAL AFFAIRS,
DISPLACED PERSONS AND REFUGEES

I N S T R U C T I O N
ON KEEPING MAIN AND BASIC RECORDS OF
DISPLACED-EXPELLED PERSONS AND REPATRIATES
FOR THE TERRITORY OF THE FEDERATION
OF BOSNIA AND HERZEGOVINA

Sarajevo, July 2000

Based on Article 28 Paragraph 3 of the Law on Displaced-Expelled Persons and Repatriates in the Federation of Bosnia and Herzegovina (FBH Official Gazette, number 19/2000), Federation Minister for Social Affairs, Displaced Persons and Refugees is passing the

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I GENERAL PROVISIONS

1. This Instruction prescribes in more details the method of keeping basic and main records of displaced-expelled persons and repatriates and persons referred to in Article 6 of the Law on Displaced-Expelled Persons and Repatriates in the Federation of Bosnia and Herzegovina (FBH Official Gazette, number 19/2000; hereinafter: persons referred to in Article 6 of the Law).

2. The Federation Ministry of Social Affairs, Displaced Persons and Refugees (hereinafter: the Federation Ministry) shall keep main records on displaced-expelled persons and repatriates and persons referred to in Article 6 of the Law (hereinafter: the main records) based on basic records of displaced-expelled persons and repatriates and person referred to in Article 6 of the Law (hereinafter: basic records) of the competent Cantonal administrative body.

3. The competent Cantonal administrative body shall keep basic records for the territory of that Canton in accordance with Cantonal regulations and in co-operation with the competent municipal office in charge of displaced-expelled persons and refugees (hereinafter: the competent municipal office).

4. Records referred to in Items 2 and 3 of this Instruction shall be kept by means of standardised database for basic and main records of displaced-expelled persons, repatriates and persons referred to in Article 6 of the Law for the Federation of Bosnia and Herzegovina.

All data entered into the records referred to in Items 2 and 3 shall be kept in hard copies.

II BASIC RECORDS

5. Basic records shall include data about displaced-expelled persons, repatriates and persons referred to in Article 6 of the Law according to:

a) re-registration form of displaced-expelled persons, repatriates and persons referred to in Article 6 of the Law - *form no. 1*, which contains: data about the head of the household, data about the pre-war permanent residence of the family, data about the

current address of the family, other personal data about social status and needs of the family, and personal data about other household members now living together.

b) decision on recognition and cessation of the status of a displaced-expelled person, repatriate and a person referred to in Article 6 of the Law – *form no. 2*, which contains: the title of the competent authority, legal basis for passing the decision, first and last name of the person whose status is recognised or ceased, his/her permanent residence address, recognised/ceased enumerated rights, more detailed explanation of the legal basis for recognition/cessation of his/her status and legal remedy.

c) registration/de-registration form of displaced-expelled persons, repatriates and persons referred to in Article 6 of the Law – *form no. 3*, which contains: his/her registration/de-registration address, first and last name, JMBG, unique code, reason for registration/de-registration, indication of the attachment needed when registering/de-registering, signature of an authorised person.

Besides data based on the prescribed forms referred to in Paragraph 1 of this Item, basic records also contain:

- data about the number of cards issued to displaced-expelled persons – *the form 2A*

- data contained in the *Application for Voluntary Return of Displaced-Expelled Persons and Repatriates for the Territory of the Federation of Bosnia and Herzegovina* and other data contained in the database for voluntary return applications (RADS database).

6. In addition to data referred to in Item 5 of this Instruction, Cantonal regulations may prescribe other data that should be included in basic records.

Data referred to in Paragraph 1 of this Item shall be entered into a special Cantonal computer programme, the content of which shall be determined by the Cantonal regulation.

7. Basic records shall be kept in accordance with Item 4 of this Instruction.

8. The competent Cantonal authority is responsible for data contained in basic records, for their transfer and integration, as well as for information exchange with the competent Federation Ministry and UNHCR.

9. The competent Cantonal administrative body shall deliver statistical reports on displaced-expelled persons, repatriates and persons referred to in Article 6 of the Law, to the Federation Ministry, UNHCR and other international organisations, upon their request.

UNHCR shall have full and unhindered access to database and records.

III MAIN RECORDS

10. Main records shall contain electronically integrated data from basic Cantonal records.

11. In co-operation with UNHCR and competent authorities of the Republika Srpska, the competent Federation Ministry shall establish a database for integrating data

referred to in basic records under Item 5 of this Instruction within 30 days as of the day of entering into force of this Instruction.

12. The Federation Ministry is responsible for development, installation, protection of the database referred to in Item 4 of this Instruction, integration and transfer of data to Cantons, Republika Srpska and UNHCR, as well as for training of persons who will keep basic and main records.

13. If necessary, the Federation Ministry shall provide statistical reports on displaced-expelled persons, repatriates and persons referred to in Article 6 of the Law, to UNHCR, other international organisations and other interested parties for the purpose of the implementation of programmes related to displaced-expelled persons and repatriates and persons referred to in Article 6 of the Law.

IV INFORMATION FLOW

14. Data contained in main and basic records shall be exchanged between the competent Cantonal administrative body and the Federation Ministry every fifteen days at the minimum.

15. The Federation Ministry shall deliver data to UNHCR after each integration of data contained in basic records.

Delivery of data referred to in Paragraph 1 of this Item shall be carried out by ZIP-drive-a (diskette) and electronically once such a connection is established.

16. Information contained in the database established according to this Instruction shall be used for the needs of competent authorities in the Federation of Bosnia and Herzegovina, competent authorities of Bosnia and Herzegovina and competent international organisations.

17. With a view to implementing the database referred to in Item 4 of this Instruction, the Federation Ministry shall pass the *Technical guidelines on how to use the database for establishing main and basic records* in accordance with this Instruction and the *Guidelines for the officials of administrative bodies on practical application of the Instruction on Keeping Main and Basic Records on Displaced-Expelled Persons, Repatriates and Persons Referred to in Article 6 for the Territory of BH Federation*.

V FUNDING

18. For the realisation and implementation of this Instruction, the funds shall be provided from the Federation budget, Cantonal budget and from the resources of other international organisations.

19. With the view to implementing this Instruction, the Federation Ministry and UNHCR shall make a special agreement.

VI TRANSITIONAL AND FINAL PROVISIONS

20. The competent authorities are obliged to put all the structures in place the latest within 90 days as of the day of entering into force of this Instruction.

21. The forms prescribed by this Instruction are the integral part of the Instruction.

21. This Instruction shall enter into force on the day of its publication in the Official Gazette of the Federation of Bosnia and Herzegovina.

Number _____
April 2000
S a r a j e v o

Minister
Sulejman Garib