



# **COUNTRY OPERATIONS PLAN**

**Executive Committee Summary**

**Country: Croatia**

**Planning Year: 2005**

## **Part I: Executive Committee Summary**

### **(a) Context – Beneficiary Populations and Themes**

The UNHCR operation in Croatia in 2005 pursues two priorities of the ‘Bureau of Europe Strategic Directions 2000-2004’:

- (1) durable solutions to refugee situations and displacement in the post-Dayton context;
- (2) strengthening of asylum and emergency preparedness in Croatia.

#### **Theme 1: Durable Solutions in the Post-Dayton Context**

To date, up to 127,628 Croatian refugees have returned to their homes within Croatia, even if this return may not be sustainable for all of them. Out of that number, 80,902 Croatian Serb refugees returned from Serbia and Montenegro (SCG) and 11,364 from Bosnia and Herzegovina (BiH). In addition to this, some 35,362 persons (no ethnic breakdown available) returned from third countries. Finally, 23,179 Serb IDPs returned from the Croatian Danube region to other parts of Croatia. At present, some 185,000 refugees from Croatia are still displaced in Serbia and Montenegro (SCG) and some 19,000 in Bosnia and Herzegovina (BiH). As of end August 2004, there were still 10,139 internally displaced persons and 3,877 refugees in Croatia (3,422 from BiH, 455 from SCG). As a signatory of the Dayton Peace Accord, Croatia committed itself to promoting return throughout the region. For 2004/05, it remains to be seen how the new political landscape in Croatia following the parliamentary elections of 2003 will influence the implementation of Croatia’s commitments and obligations related to the post-Dayton return process.

It is UNHCR projection that in 2005, up to 22,000 refugees may return to Croatia from SCG and BiH/RS. This projection is based on the progressing reconstruction, the extended deadline for lodging reconstruction applications for those, who missed the previous deadline of 31 December 2001, the anticipated progress in property repossession, and finally, the expected implementation of the new housing care scheme for different types of beneficiaries including the former tenancy right holders.

The difficult socio-economic situation in the return areas may continue to negatively influence the pace of return. Private sector investment runs low, as the creation of new businesses and jobs is hampered by a cumbersome legislation and an education system that does not provide the new generation with the new skills required by a changing market. Unemployment, country wide already at some 15 percent, can be as high as 90% in some return areas, where the already poor pre-war economic structure has collapsed with little prospect for rapid economic revitalization. As the donor priorities have shifted from emergency relief to economic recovery and development, UNHCR’s assistance has been reduced to support the most vulnerable populations among returnees, IDPs and refugees. Nevertheless, the recent limited investments in economic revitalisation and development projects have not yet produced the improvements in the socio-economic environment, which would allow for a sustainable integration of the populations at risk.

Of the 3,422 Bosnian refugees presently registered in Croatia (end of August 2004), 2,318 are Bosnian Croats and 1,104 are Muslims ('Bosniaks'). Most of the refugees do not want or cannot return, and are seeking local integration. While refugees of Croat origin may opt for Croatian Citizenship, the Croatian Government (GOC) does not offer this option to the Bosniaks. UNHCR will need to increase its advocacy role in the promotion and facilitation of local integration for them in order to secure a viable future in Croatia.

Given still considerable number of internally displaced persons and the large number of Croatian refugees abroad in need of durable solutions, policies on return and integration as well as the normalization of inter-ethnic relations should remain at the forefront of the Government's agenda for a number of years.

In 2005, UNHCR, in partnership with other members of International Community (IC), will strive to ensure that:

- The GOC ensures the full implementation of its programme for return, including the allocation of necessary funds from the State budget;
- Policies and legislation related to the reconstruction and repossession of property, and provision of housing care to former tenancy rights holders are fully and effectively implemented;
- Economic development targets also return areas in order to increase the sustainability of return;
- The GOC adopts a local integration policy for refugees from BiH, including Bosniaks, who seek local integration.

In the pursuit of the goals of the Dayton Agreement, UNHCR Croatia will further strengthen the co-operation with the GOC as well as the co-ordination with other UNHCR offices and international partners in the region.

## **Theme 2: Strengthening Asylum in Croatia**

This theme is based on the implementation of the Law on Asylum that entered into force on 1 July 2004. Some of necessary by-laws of the Law on Asylum still need to be adopted. The Law on Foreigners, which deals with some elements of complementary protection, entered into force on 1 January 2004. These two laws and their related by-laws will create the basis for asylum procedure to be implemented in line with the 1951 Convention on the Status of Refugees, EU Aquis and international refugee standards.

In 2003, in Croatia there were 63 asylum applications. Given the combined effects of the Republic of Slovenia joining the EU in May 2004 and the Law on Asylum, which entered into force mid 2004, the number of asylum applications is likely to increase to 500-700 in 2005. However, a large number of those seeking asylum in Croatia may only want stay temporarily, seeking ways to move on and seek asylum within the EU. Tighter controls

of EU borders will factor into the increase in applications in Croatia even though the number of applications has decreased recently in most of the European countries.

To strengthen asylum in Croatia in 2005, UNHCR will continue its co-operation with the Ministry of Interior through technical advice and assistance concerning the harmonisation of the existing legislation and regulations with the Law on Asylum as well as the harmonisation of the Law on Asylum with the EU Aquis. UNHCR will also lobby for Croatia's accession to the 1961 Convention on the Reduction of Statelessness, as the current provisions of the legislation are insufficient. The Office will provide technical advice to the Government for the management of the asylum centre, and will advocate the full access for NGOs, in order to ensure that proper legal services and psycho-social counselling are provided.

In early 2004, the EU/EC CARDS Regional Project on Visa, Asylum and Migration was initiated through the Swedish Migration Board. Under the Regional CARDS project, three partners have been identified for the three modules: UNHCR for asylum, IOM for migration and ICMPD for visa. The Project targets the following countries: Albania, Bosnia and Herzegovina, Croatia, FYROM, and Serbia and Montenegro with an overall budget of 3 million Euros, and should be finalized by November 2005.

The purpose of the Asylum Module is to increase awareness and strengthen capacities of local authorities and other actors responsible in the field of asylum in the countries covered by the Stabilisation and Association Process, as well as on the establishment of modern and professional systems in that area. Continued trainings and an inter-agency network will be established at national, regional and international level.

UNHCR will have a significant role under the asylum module and will participate in all the foreseen thematic seminars and related activities. The Office will also provide training experts with Swedish Migration Board and EU experts.

Regional political co-operation on asylum and migration issues will be enhanced through participation in the Stability Pact for SE Europe MARRI initiative, while UNHCR Offices in the SE Europe region will focus on technical co-operation and sharing of information on reception standards, bilateral readmission agreements, border police training, and public awareness activities.

It is anticipated that the State Asylum Reception Centre will be operational in late 2005. Should any delays occur, all asylum seekers will continue to be accommodated in UNHCR's/Croatian Red Cross (CRC) interim facility for asylum seekers in Sasna Greda. In this case, it is expected that the Ministry of Interior will cover all the costs related to care and maintenance and UNHCR will continue with community services activities through CRC and with the provision of free legal assistance (counselling and representation); in the case that it will not have been ensured through the implementation of the law of Asylum. The Office will strive to develop a network of NGOs and/or lawyers and other experts working for the protection of asylum seekers.

The presence of NGOs and their strong capacity is one of the pillars of UNHCR Croatia **phasing-out strategy**. So far, significant inputs in management and skills training have been provided by UNHCR and other operational partners. Nevertheless, during 2004-2005, UNHCR Croatia will have to continue to build the capacity of civil society players involved in refugee/returnee protection, including skills development for their staff through training, coaching and other forms of learning.

Through public information activities in 2004, UNHCR Croatia will aim to raise awareness amongst the media and the public about refugees and asylum seekers and dispel negative stereotyping against people of UNHCR's concern. The objective is that all involved, the general public, the government, donor community, the media, other agencies and various NGOs are made aware of the progress to date, but remain attentive to the remaining issues still to be addressed

In the pursuit of its main goals, UNHCR Croatia will maintain regular contact with the donor community and development oriented agencies, particularly the World Bank and UNDP. The Office will encourage them to target returnee areas in their plans and projects, so as to maintain the link between repatriation, reintegration, reconstruction and development, ensuring a basis for survival that goes beyond humanitarian programmes. In its effort to actively promote conditions conducive to return, UNHCR Croatia will continue to advocate for implementation of a wide-range of community-based integration projects in order to assist the returning population as well as the authorities to rebuild the war-torn environment of these areas.

The co-operation with academic institutions, primarily with the Faculty of Law Zagreb and the Police Academy, will be intensified, with the aim of gradual introduction of refugee/migration issues in their curricula.

**(b) Main Programme Goals and Principal Objectives**

<b>Theme 1: Durable Solution for Post-Dayton Caseload</b>	
<ul style="list-style-type: none"> <li>• <b>Main Goal:</b></li> <li>• The protection and assistance needs of refugees and returnees are met;</li> <li>• Durable solutions for displaced are included and developed in a process of building tolerance;</li> <li>• Sustainable solutions are ensured for longer term and further displacement is prevented;</li> <li>• Adequate protection is provided to refugees pending identification of a durable solution;</li> </ul>	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• Voluntary and sustainable repatriation to and from Croatia is promoted and facilitated.</li> </ul>	<ul style="list-style-type: none"> <li>• Transport of limited number of most vulnerable refugees and their belongings;</li> <li>• Active participation in cross-border media events and information campaigns with PI counterparts in BiH and Serbia and Montenegro;</li> <li>• Cooperation with GoC institutions in information campaigns for Croatian refugees in the region;</li> </ul>

<ul style="list-style-type: none"> <li>• Returnee rights and benefits are fully protected and timely realized;</li> </ul>	<ul style="list-style-type: none"> <li>• Free Legal/Administrative assistance provided to returnees including court representation;</li> <li>• Follow-up on reconstruction, repossession of property and housing care for former tenancy rights holders;</li> </ul>
<ul style="list-style-type: none"> <li>• Adequate protection is provided to refugees pending identification of a durable solution;</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring of refugee situation and legal assistance;</li> <li>• Monitoring of the GoC refugee re-registration process in accordance with the Convention's cessation clauses and interventions;</li> </ul>
<ul style="list-style-type: none"> <li>• Continuation of efforts aimed at achieving local integration for a limited number of Bosnian refugees who are unable or unwilling to return;</li> </ul>	<ul style="list-style-type: none"> <li>• Assisting the Government in creating and implementing the framework for long-term integration of refugees;</li> </ul>
<ul style="list-style-type: none"> <li>• Attract complementary funding and development assistance for return areas;</li> </ul>	<ul style="list-style-type: none"> <li>• Close co-operation with multilateral and bilateral actors, ranging from the local authorities to NGOs, diplomatic missions and multilateral development actors such as World Bank and UNDP.</li> </ul>

<b>Theme 2: Strengthening Asylum in Croatia</b>	
<p><b>Main Goal:</b></p> <ul style="list-style-type: none"> <li>• Persons in need of international protection have access to the territory;</li> <li>• Asylum seekers have access to fair, efficient asylum procedures and are treated in accordance with international protection standards;</li> <li>• Refugees are afforded high standards of protection, and effective durable solutions are found for them;</li> <li>• Public opinion is receptive to the protection and solution needs of refugees;</li> </ul>	
<b>Principal Objectives</b>	<b>Related Outputs</b>
<ul style="list-style-type: none"> <li>• Asylum seekers are admitted to Croatia and can lodge an asylum application;</li> </ul>	<ul style="list-style-type: none"> <li>• Borders and detention centre regularly visited. Staff of the Ministry of Interior demonstrate knowledge and practice of protection principles;</li> <li>• Continued monitoring of implementation of the Law on Asylum and readmission agreements;</li> </ul>
<ul style="list-style-type: none"> <li>• National legislative framework to implement the Law on Asylum as well as to harmonise the Law with the EU Aquis is further developed;</li> </ul>	<ul style="list-style-type: none"> <li>• Continued harmonisation of domestic laws and by-laws with EU Aquis and the Law on Asylum;</li> <li>• Regional co-operation established and maintained and cross-border activities enhanced</li> </ul>
<ul style="list-style-type: none"> <li>• Fair and efficient refugee status determination and judicial review;</li> </ul>	<ul style="list-style-type: none"> <li>• Continued monitoring of the GoC RSD procedure and judicial review</li> <li>• Continued mandate RSD because of the fear</li> </ul>

	<p>that the national RSD procedure at the beginning will fall short of international standards;</p> <ul style="list-style-type: none"> <li>• Workshops organised on complementary forms of protection and international human rights law;</li> <li>• Information and Documentation Centre further developed and the country of origin information database used by RSD officials broadened</li> </ul>
<ul style="list-style-type: none"> <li>• A Government reception centre provides accommodation and social services to asylum seekers;</li> </ul>	<ul style="list-style-type: none"> <li>• Continued technical advice provided to Government on management of asylum home;</li> <li>• Community services and psycho-social support delivered to asylum seekers by UNHCR partner;</li> </ul>
<ul style="list-style-type: none"> <li>• Public awareness of asylum issues developed;</li> </ul>	<ul style="list-style-type: none"> <li>• Various media events taking place and asylum receives attention in printed and electronic media;</li> <li>• Briefings and field visits for the media;</li> <li>• Inclusion of Refugee Law in the Faculty of Law Zagreb/Police Academy curriculum;</li> <li>• Lectures and briefings to students and civil society organisations;</li> </ul>