



COUNTRY OPERATIONS PLAN

OVERVIEW

Country: Croatia

Planning Year: 2006

2006 COUNTRY OPERATIONS PLAN FOR CROATIA

Part I: OVERVIEW

1. Protection and socio-economic operational environment

UNHCR's operation plan for Croatia in 2006 will be developed within the *Bureau for Europe Strategic Framework 2005-2010* and it is based on *Priorities 2006*, taking into account specific sub-regional priorities, themes and goals. UNHCR in the region of South-East Europe will continue to focus on finding durable solutions for the different refugee, returnees and IDPs caseloads by the end of 2006 and onwards. As at 30 June 2005, the official number of refugees from Croatia in Serbia and Montenegro (SCG) stood at 102,000 according to the preliminary results of a re-registration exercise carried out in SCG (December 2004 – January 2005) and may decrease further once it is completed. Also in Bosnia and Herzegovina (BiH), the results of a re-registration exercise showed a decrease from 19,000 to 8,000 Croatian refugees. As at June 2005, Croatia hosted 3,341 registered refugees, (3,102 from BiH and 412 from SCG) for whom a durable solution still has to be identified.

As at 30 June 2005, UNHCR registered in total 133,000 returns (including spontaneous ones) from SCG and BiH to Croatia out of whom 26,000 received direct assistance from UNHCR and the Government. Information from the recent polls conducted in refugee communities as well as preliminary indicators of the re-registration exercises in SCG and BiH confirm that repatriation is still a feasible durable solution for a number of Croatian refugees and it is assumed that a voluntary repatriation process will continue throughout 2006. Based on this and on the progress in reconstruction and repossession of private properties and the expected implementation of housing care programmes for former tenancy-occupancy right holders, UNHCR estimates that in 2006 up to 12,000 refugees may return to Croatia from SCG and up to 2,000 from BiH.

Although UNHCR in Croatia continued the process of phasing down its emergency related activities in the so-called post-Dayton context, it remained a credible and critical player in the perception of the Government, International Community, NGO community and most importantly refugees themselves. UNHCR further intensified the cooperation with the OSCE and EC Delegations in Zagreb. In the second half of 2004, the Principals of the European Commission, OSCE and UNHCR from SCG and BiH combined efforts to enhance sustainable returns and close the refugee file in a reasonable timeframe.

The so called "3x3 Initiative" was further developed through a request to the concerned Governments to adopt a joint document that would outline the regional framework for the resolution of the refugee issue. A Regional Ministerial Declaration was adopted on 31 January 2005 in Sarajevo. It calls on the three governments to establish conditions for the refugees to achieve durable solutions by the end of 2006. The Declaration foresees a follow-up mechanism at the Ministerial level, but also at the working level to ensure more direct and concrete link between political commitments and implementation on the ground.

It is expected that in 2006 Croatia's overall political and socio-economic developments will be determined by the pace of the process of the country's *rapprochement* with the institutions of Euro-Atlantic integration, most notably in view of negotiations on Croatia's full membership of the European Union. This process is expected to affect, directly or indirectly, the progress in both segments of UNHCR's operation in Croatia in 2006. The apparent eagerness of the Government to resolve the issue of refugee return by the end of 2006, should be seen in light of its willingness to remove a potential obstacle to the country's integration in the EU. It also aims to resolve outstanding issues with the two other "Dayton countries", SCG and BiH, on a regional level, supported by the UNHCR, OSCE and EC missions in the three countries.

The Regional Ministerial Declaration is not only in accordance with the Government's objective to further foster bilateral relations most notably with SCG, but can also be seen, in a broader context, as a continuation of its more minority-friendly policy, initiated by the cooperation agreement, signed in December 2003, between the Croatian Democratic Union (HDZ) and the Independent Serb Democratic Party (SDSS). The agreement envisaged a commitment from the Government regarding the sustainable return of refugees, the restitution of illegally used Serb property, and compensation for destroyed property outside of areas covered by the existing Reconstruction Act. UNHCR will monitor that these commitments are honoured.

The successful continuation of the process of Croatia's accession to the EU would, in the mid-term, contribute to the improvement of the country's socio-economic situation, as it would make funds accessible from various EU pre-accession programmes. It is to be expected that Croatia will become increasingly attractive to younger returnees from the neighbouring countries. With an improved economic situation and fully functioning asylum system combined with the effect of tighter EU border controls, Croatia could also become the final destination to many asylum-seekers from other regions of the world, who, until now, considered Croatia more as a transit country on their journey to the countries belonging to the European Union.

Nevertheless, if the present difficult socio-economic situation in the return areas remains, it may also continue to affect the pace of return negatively. Unemployment, country-wide officially at some 15%, can be as high as 90% in some return areas, where the already poor pre-war economic infrastructure has collapsed with little prospect for rapid economic revitalization. Therefore, once refugees have become returnees they still need humanitarian assistance that will facilitate their initial legal as well as social reintegration in their communities. Community based projects will help them to reach this subsistence level as a basis for a sustainable return and the preservation of their dignity, as well. In this process, the presence of UNHCR with its expertise continues to be needed.

Although the absolute poverty rate in Croatia by international standards is very low (4% or below¹), it may not adequately reflect country-specific conditions. The poverty rates are higher in rural areas among poorly educated individuals and the elderly and majority

¹ World Bank - *Croatia, Economic Vulnerability and Welfare Study, 2001*

of returnees fit into these categories. Recent 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. The donors' priorities have shifted from emergency relief to economic recovery and development, but the process has not shown substantial results yet. At the same time UNHCR's assistance has been reduced and can only support the most vulnerable among returnees, IDPs and refugees populations who don't receive adequate support from the national welfare system.

2. Operational goals and potential for durable solutions

Guided by the *Bureau for Europe Strategic Framework 2005-2010* and based on *Priorities 2006*, UNHCR Croatia in 2006 will:

- Actively promote and facilitate the voluntary, safe, and dignified repatriation of refugees from/to Croatia with the objective to achieve durable solutions for the displaced population by end 2006.
- 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 national and international partners in the region.
- In coordination with OSCE, EC and UNHCR Offices in the region, support and monitor the implementation of the 3x3 Initiative and the Governments' commitments from the Regional Ministerial Declaration, contributing to building of partnership for the benefit of refugee and IDPs population in the region. The established follow-up mechanism at the Principals' level of OSCE, EC, UNHCR and the Government of Croatia, and also at the working level, should ensure a more direct and concrete link between political commitments and actual implementation.
- Following the Standards and Indicators methodology, work on a development of set of indicators and test them in the field in order to obtain reliable data on the sustainability of the return process.
- Ensure that policies and legislation related to the reconstruction and repossession of property, and provision of housing care to former occupancy-tenancy rights holders are effectively implemented and adequately funded from the State budget. This would enable returnees to fully benefit from the programmes, hence create pre-conditions for increased sustainable return.
- Actively pursue all feasible opportunities for durable solutions, particularly local integration, for a limited number of Bosnian refugees who are unable to return to their country of origin and ensure that the adequate protection is provided during the process.

- Continue to provide legal assistance to returnees through a network of NGOs. In order for this network to be effective, especially in relation to a number of legal problems related to private property restitution and provision of housing care for the returning former occupancy-tenancy rights holders, UNHCR limited field presence will have to provide guidance and support to the legal IPs and NGOs.
- Continue with activities aiming at strengthening the asylum system in Croatia. The project will ensure that all persons in need of international protection have access to the territory of Croatia.
- Closely monitor the practical implementation of the new asylum legislation and procedures in order to address any shortcomings and to ensure that the right to seek asylum is not compromised. UNHCR will continue providing advice and guidance to the GoC Offices responsible for implementation of the Asylum Law.
- Ensure that asylum seekers have access to a fair and efficient asylum procedure and are treated in accordance with international protection standards. The Law on Asylum specifies the right to legal assistance during the RSD procedure, but fails to provide for free legal assistance. Therefore, in 2006, through its implementing partners, UNHCR will continue providing legal counselling to asylum seekers and legal representation before the administrative bodies to ensure the functioning of a fair and effective refugee status determination procedure. UNHCR will continue encouraging the State to assume responsibility for these activities through adequate legislative changes and provision of funds.
- Gender equality and special needs of women, children and elderly will continue to be mainstreamed in all aspects of the programme from assistance criteria to implementing partner staffing. UNHCR will continue to raise awareness of domestic violence and other forms of SGBV that have been noted among the refugee and returnee population, particularly in collective accommodation. UNHCR will continue to expand partnerships with women's NGOs and Government bodies to ensure that positive legislations and various civil initiatives contribute to the eradication of all forms of violence against women.
- Monitor the treatment of children asylum seekers and especially separated children asylum seekers and will ensure that their rights and special needs are properly assessed.
- 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.
- Foster partnership between UNHCR and other agencies, particularly NGOs and UN system agencies as the essential platform for achieving the objectives of the 2006 programme. UNHCR will also encourage and facilitate further cooperation and

partnership between public and civil sector in order to maximize assistance and accelerate achieving durable solutions for populations of concern.

- Encourage Croatian Government to continue as a UNHCR donor and further increase its contribution to UNHCR Annual Programme activities.