



Monitoring of sustainable return in B&H / "Monitoring održivog povratka u BiH"

INTRODUCTION

In a course of implementation of the Project "Monitoring of sustainable return in B&H" we aimed to review and to analyse the situation related to areas such are: reconstruction, work and employment, education, health system, system of social protection and retirement insurance, electrification, infrastructure, security and de-mining as well as damage compensation; foreseen by the Revised Strategy for Implementation of Annex VII of the Dayton Peace Agreement.

The Ministry for Human Rights and Refugees B&H created this document where our organization, being the part of the civic society, gave its full contribution.

It is beyond doubt that dominating area in the course of project implementation was the reconstruction of war damaged structures, both of individual and collective types of dwelling.

1. Reconstruction; At present there are 45 000 families, or to say 150 000 persons, who registered their requests for assistance in reconstruction for a purpose of return with the data base of the Ministry for Human Rights and Refugees (MHRR) (24 000 requests or 53% out of this number is related to the needs for reconstruction in Federation B&H, approximately 19000 or 43% is related to the area of Republic Serbska and approximately 2000 or 3% is related to the area of Brčko District).

Monitoring teams kept record of the war damaged structures and came to information that there is a need to construct 6172 structures more than registered with the data base of the Ministry of Human Rights and Refugees B&H.

<u>Recommendation:</u> to provide reconstruction of the war damaged structures for all those who wish to return (the individual, collective and other types of dwelling).

Recent trend of allocating funds for reconstruction from domestic institutions at all levels were insufficient. Complex implementation of the laws leads to slowed down construction so that financial means, allocated for that purpose in 2008, could not be spent before the beginning 2009.

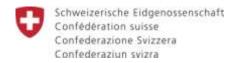
The Monitoring teams kept record on the collective dwelling structures which, due to the war actions were completely demolished, demolished partly and partially inhabited. Monitors recorded 223 partly or completely demolished buildings (which make 2114 collective dwelling units - apartments) with 2043 families or 6246 persons waiting for their reconstruction.

There is imbalance between the real needs and possibilities for financing of different modalities of collective dwelling aimed at creating permanent solutions for displaced persons and other socially handicapped categories of population.

We registered **45 collective centres**, accommodating **1379** families. The list of the registered collective centres is attached to this Report.

2. Work and Employment; According to the UNHCR, out of total number of returnees (1 073 000)only one (1) percent is gainfully employed, and this comes as a result of discriminatory attitude toward the returnees. Our initiative addressed at the Bureaus of employment suggesting that preference at employment should be given to the returnees, especially when it comes to the posts at the offices of public administration and self-government, did not meet understanding; hence the percent of employed returnees remained the same.

Projekat implementira: Savez udruženja-udruga izbjeglica, raseljenih lica i povratnika u BiH



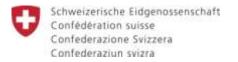


We stress as the positive example a practice of the Federal Institute for Employment which provided significant financial means for start-up of small businesses; during Year 2008 350 applicants had received the funds. The Union of Associations of Refugees, Displaced Persons and Returnees (the Union of Associations, in a further text) on its own initiative organized for monitors to distribute, as a voluntary work, requested application and requests forms for a/m funds on the field.

3.<u>Education</u>; The generally negative feeling and attitudes in society, and especially among the returnees due to their inability to influence and improve the situation, remains to be the challenge and demands for engagement of all segments of society involved with education. The attempts of the civil sector, via competent ministries, to harmonise educational programmes, to cancel "two schools under the same roof", to remove religious symbols and school names were partly accomplished, depending on the location.

The Recommendation noted necessity to implement the stipulations of the Revised Strategy for Implementation of Annexe VII, Dayton Peace Agreement which determined this area of action on the principles of non-discrimination and protection of human rights.

- **4.Health**; The general intent to ensure for universal health insurance coverage by using the legislation on the health insurance unfortunately was not yet implemented in practice. Officially there is signed Agreement between the Funds of FB&H, RS and Brcko District on providing medical care to all returnees and ensuring their equality with domicile population, however that Agreement is not in implementation due to the objective reasons. Namely, problem lies in the fact that great number of returnees is not registered at the place of return thus they cannot exercise their right to medical care. The Agreement on medical care was disrespected on several occasions. There was a meeting organized at the Ministry of Civil Affairs B&H which is competent for this topic. We pointed out to the system's deficiency as well as on the complex manner the state is organized which lead to complete discrimination of returnees when it comes to enjoying the right to the medical care.
- 5. <u>Social protection and retirement insurance</u>; the system of the retirement & disability insurance is determined by the entity's legislation, being burdened by the same problems as it is the case with the health insurance. The returnees are hardly giving up on the benefits and allowances they were receiving from the other entity, thus loosing the entitlements at the entity of return.
- **6.Electrification**: At present, in Bosnia and Herzegovina, there are 2600 housing units located in 65 municipalities which are not connected to the power-supply grid and where returnees are living "in the dark" from two to six years, somewhere even for ten years by now. Following the Public call of the Ministry for Human Rights and Refugees B&H which (with assistance of the Union of Associations of Refugees, Displaced Persons and Returnees B&H in distributing it) was distributed to the municipalities which applied for the projects of electrification, during the next three years there will be works on electrification of the places of return. However this means that there will be some among those places of return that will be supplied with the electricity three years from now.
- **7.** <u>Safety and De-mining:</u> In order to get actively involved into process as associates, we put ourselves to disposal of Mercy Corps working on de-mining projects. The scope of our activities was in supplying them with information and data on municipalities where there were casualties among the minority returnees who got injured by mines and explosive devices. This is ongoing cooperation. The Law on Anti-mine Action of B&H and the B&H Strategy on Anti-mine Action 2009-2019 are in a process of adoption.
- **8.**<u>Infrastructure</u>; While visiting municipalities of return in B&H, Monitors of the Union of Associations established the system of work in determining the status of road and water-supplying grid, both on the local and the regional level. Analyses of related questionnaire resulted in knowledge on unsatisfactory condition of the regional roads but also that very little was invested into construction of local roads, which remain to be macadam and impassable roads. On the request of the Ministry for Human Rights and Refugees and the Commission for Refugees and Displaced Persons of B&H, the Union of Associations worked on defining the number of returnees not being supplied with the electricity, road and water-supplying network. The Union of Associations obtained information from the local associations, monitors, and local community offices and submitted them to the competent authorities.

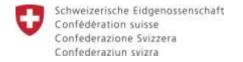




9.Damage Compensation; Beside the right on free return and repossession of property, Annex VII of DPA guaranteed the right to all refugees and displaced persons on compensation for the property which cannot be repossessed. It is still early to talk on establishing the Fund for compensation for the damages caused by war actions, even though this Fund was foreseen by Dayton Peace Agreement. The state Bosnia and Herzegovina, due to its financial difficulties and allocations for other purposes, is not able to establish a/m Fund. In our communications with the Ministry for Human Rights and Refugees B&H we have been informed on the possibility of allocating funds for this purpose, but the form, the manner and office competent for distributing financial means were not defined as yet.

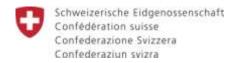
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Project Title	« Monitoring of sustainable return in Bosnia and Herzegovina »			
Project duration	01.02.2008 – 31.12.2010. (three years)			
Financed by	The Government of Switzerland			
	(Swiss Agency for Development and Cooperation; SDC)			
Project Carrier	Union of Associations of Refugees, Displaced Persons and returnees, B&H (SIRL BIH). Partners in implementation of the project are 93 organizations – members of SIRL, organized within five (5) regional centres (Banja Luka, Zvornik, Tuzla, Mostar and Goražde).			
	Programme Report for a period 01. 07.2008 – 31.12.2008			
Cooperation with the Ministry of Human Rights and Refugees	During reporting period 10 meetings were held with representatives of the Ministry for Human Rights and Refugees B&H. Activities were carried out in continuity and in a organized manner, and they were related to the following: Defining the real need for reconstruction of war-damaged dwelling structures on a field Initiating allocation of financial means, so called FUNDS FOR INTERVENTION for a purpose of providing employment opportunities for returnees Organizing meetings at 10 sub-groups working on a preparation of the Revised Strategy for Implementation of Annex VII of the Dayton Peace Agreement Exchange of opinions on a work of the Municipal Commissions for selection of beneficiaries of the programmes of assistance in reconstruction of war-damaged dwelling units (57 municipalities where the Ministry for Human Rights and Refugees B&H implemented projects during Year 2008) Appointment of representatives of the local non-governmental organizations to the a/m Municipal Commissions Implementation of the Memorandum between the Ministry for Human Rights and Refugees B&H and the Union of Associations and stronger position of civic society at both levels – the state level and the level of local communities Follow up and implementation of the Memorandum between the Union of Associations and 61 municipalities in B&H Consultations regarding implementation of the Instructions on the procedures and a manner of selection of beneficiaries of aid programmes and the projects of reconstruction of dwelling units, presented in written form as well as in verbal communication with the Minister and Minister Assistants Lobbying against closure of the Ministry for Human Rights and Refugees B&H, that was proposed during parliamentary proceeding by Mr. Milorad Živković, the member of the Parliament The Union of Associations addressed 140 e-mails and 42 letters to the members of the parliament explaining the importance of the Ministry and its existence Organizing Jubilee of 15 years of work of the association, where the Minis			





Cooperation with the Commission for Refugees and Displaced Persons B&H

Authorized representative of the Union of Associations regularly attended the meetings of the Commission for Refugees and Displaced Persons B&H. Four sessions of the Commission for Refugees and displaced Persons B&H were held during past period. For every session there was prepared working material that was presented by the SIRL/member of the Commission in the role of observer, and who also distributed the material to the members of the Commission for Refugees and Displaced Persons B&H.

On the bases of information, initiatives and proposals from the field submitted by monitors, local associations and representatives of the civic society, we submitted written and verbal proposals to the members of the Commission (Mr. S.Halilović, Mr. D.Kovač, Mr. D.Čordaš, Mr. M.Jovanović, Mr. O.Branković, Mr. M.Dragičević, Mr. E.Mušić and Mr. N.Herceg).

Activities were carried out in the following fields:

- -reconstruction (individual dwelling units, collective dwelling)
- -infrastructure
- -employment of returnees
- -reconstruction of schools

The assistance to the socially handicapped by using the funds for intervention.

We submitted our opinion in written with regard to the allocation and defining criterion for allocation of the financial means of the Ministerial Council for Year 2008, earmarked for reconstruction of dwelling structures.

So far we never noticed that financial means allocated for return were distributed on the bases of national key, but they were allocated according to the needs of the returnees.

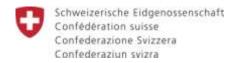
The Project Team intervened with the Commission for Refuges B&H which proposed the allocation by the national key. We also addressed the Ministry for Human Rights and Refuges B&H with a warning, saying it could not be permitted to abuse the Budget in such a way. We intervened with the NGO Council asking for their support in preventing that tax payer's money is used for buying votes (the local elections were held in Year 2008).

We pointed out to the corruption in the municipal commissions for reconstruction of dwelling structures (this was confirmed by Mr. Davor čordaš who said that half of the people paid for their donation, meaning that some of the MEMBERS OF THE MUNICIPAL COMMISSIONS ASKED FOR MONEY so to include beneficiaries on the priority lists and have their houses repaired.

We requested for principled implementation of the Instruction so that the local NGOs which were dealing with the problem of return would have a chance to participate, instead having participating ad hoc established NGOs, registered by the local authorities in order to formally implement the Instruction.

Cooperation with the local, cantonal and entity authorities

- In 86 municipalities, the Union of Associations appointed the representatives of the local associations as members of the Municipal Commissions for selection of beneficiaries of aid programmes and the projects of reconstruction.
- Bearing on mind that the Ministry for Human Rights and Refugees B&H implemented the projects in 57 municipalities we offered our members of the local non-governmental organizations. We have received positive response from 31 municipalities.
- 10 municipalities appointed our representatives even if those municipalities at the moment are not implementing projects of reconstruction;
- 17 municipalities responded negatively.
- The characteristic of the cooperation with the local authorities is a positive attitude toward the civic society (in the Municipality Ključ there is established Coordinating Body of Non-government Organizations which participated in creating the Municipal Budget 2009; Municipality Jajce is opening the office for cooperation with NGOs etc.)
- Previous cooperation between the Union of Associations and the local authorities resulted in signing Memorandum of Understanding with 61 municipalities. The subject of Memorandum is to





arrange mutual relationship in implementation of the program of sustainable return to municipalities.

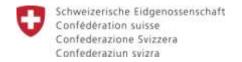
- Letters were sent to 121 local communities where the Union of Associations would like to extend cooperation with the local communities; realization of this request is expected at the end of February.
- Out of 10 existing Cantons in Federation B&H, we are formally participating in the work of the Commission of the Ministry for Work, Social Policy, Displaced Persons and Refugees of Canton Sarajevo for the area of East Bosnia. The Commission for selection of beneficiaries of the project "Return to East Bosnia, municipalities: Višegrad, Rudo, Čajniče, Sokolac, Han Pijesak, Rogatica, Pale, Novo Goražde, Prača held six meetings (04.07., 08.07., 14.07., 15.07., 21.07. and 20.08.2008), the Table with information is attached to this report.
- We repeated our request for co-financing for the project "Monitoring of sustainable return in B&H" and addressed competent ministries in entities, Brčko District and municipalities of the Canton Sarajevo, in attempt to ensure co-financing for Year 2009.

On the entity level, the Association of Refugees, Displaced Persons and Returnees B&H conducted the following activities:

We presented the Project "Monitoring of sustainable return in B&H" to the Federal Ministry for Refugees. After completed procedure, the project was supported with purchase of vehicle.

Cooperation with local, cantonal and entity's authorities

- There was a meeting with representatives of the Federal Ministry for Agriculture, Water and Forestry. The future cooperation between the Union of Associations and the Ministry for Agriculture, Water and Forestry was agreed on that occasion and it will be related to the info campaign for the returnees, applications for incentive measure in agriculture, use of stimulus for getting bank loans (re-programming interest rates in the banks) and other measures. In a coming period all those mentioned measures (submitting application, incentives in agriculture) will be implemented in cooperation with the Union of Associations which will have promotive role and inform the citizens employed in agriculture on how they could become potential beneficiaries of the incentive measures.
- At the meeting with the representatives of the Ministry for Agriculture, Water and Forestry and Brčko District we spoke about the implementation of the programme and expenditures of the financial means and the criterion for allocation of the financial means titled «incentives for agriculture» defined in the Budget 2008 of the Federation B&H. On that occasion it was stressed that, for the Year 2008, the Federation B&H provided amount of 52 650 000 KM along with the approximately 15 000 000 from the Cantonal Budgets, while Republic Serbska allocated 80 000 000 KM for that purpose.
- Meeting at the Ministry of Agriculture, Water and Forestry of Republic Serbska: meeting was held with Assistant Minister Mr. Zoran Kovačević. Measures of the Government of RS related to the socially underdeveloped areas and rural development were presented at the meeting. At the moment in the sector of agriculture there is ongoing effort on registering 30.000 farms (one of preconditions for getting incentive is to have farm registered). The document on cooperation of both (entity) competent ministries and Brčko District within the Strategy for Development of Agriculture and Rural Development was signed. Mr. Kovačević supported the work of the Union of Associations and requested us to get actively involved with the campaign that will inform the citizenry and the local community. The Association will follow up on the work of the competent ministry's sectors and then inform the citizens on the field on different form of incentives.
- The <u>Memorandum on Cooperation between the Union of Associations and the Federal Institute for Agriculture</u> was signed in the premises of a/m Institute. This Memorandum is related to creating attractive ambiance in rural areas of Bosnia and Herzegovina for the households





which are having appropriate conditions to make living on agriculture, through equipping the agricultural sector to become the profitable economy.

Meeting at the Federal Institute for Retirement and Disability Insurance:

At the meeting we spoke with the Assistant Director Mr. Sulejman Garib. The aim of the meeting was to follow up on implementation of the legislation in the area of retirement and disability insurance in the Federation B&H. We spoke about draft Strategy for Reform of the Retirement System in the Federation B&H which foresees introduction of three pillars of insurance. Mr. Garib stressed that, unless we introduce new forms of retirement and disability insurance system, due to the fact that we have approximately 10.000 new retirees (in total 330.000) the existing type of insurance will not last much longer. The present reform aims at creating retirement system that will best fit our social and economic system and be the best solution that will provide for more perspective future for the new retirees.

Activities of local associations of the Union of Associations B&H Contacts with other associations in aim of extending the membership list of the Union of Associations.

Result: The Union of Association's membership list was enriched with 22 associations as follows: Association of women «Kruna» B.Krupa, Association of citizens who assist to community «Sunce» Bugojno, Association «GIRE» Sokolac, Association of citizens Han Pijesak, Association for sustainable return to the Municipality Čajniče, Association of women «FEMINA» Fojnica, RO Association of Refugees and Dispalced Persons Glamoč and Youth Education Centre Ribnik, as well as the network of 14 associations – non-governmental organization from the Municipality Ključ.

Activities of local associations of the Union of Associations R&H Contacts and cooperation with the members of the Union of Associations in order to appoint representative to the Municipal Commission for selection of beneficiaries for reconstruction of dwelling structures, submitting notes of appointments to the municipalities, contacts with local authorities

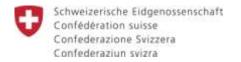
Result: newly appointed members of the Union of Associations were submitted with Memo informing them on their obligation to inform the Headquarters of the Association in detail on every meeting of the Municipal Commission. The information is to contain work report, content of the meeting and all the attachments (lists of beneficiaries etc.).

Constant contacts brought the following results; The members of the Union of Associations were proposed to 86 municipalities, out of which, according to the last check, the appointments were accepted in 41 municipalities (31 one out of those are from the list of the State Commission). We have received 17 negative responses related to appointment from the municipalities. The reasons for rejection were: Commissions were already formed, not knowing the role of the NGO which meant direct violation of the implementation of the Instruction. Remaining municipalities are mainly in the phase of forming commissions or they do not have a need for one, since the process of reconstruction have been completed in their respective areas. The municipalities who did not sent back information on appointment of suggested person will be further contacted in a coming period.

- On the occasion of marking 15 years of successful work, the Union of Associations of Refugees, Displaced Persons and Returnees Bosnia and Herzegovina held serial of events in Banja Luka, Tuzla, Brčko, Foča, and Mostar while central event was organized in Sarajevo. The representatives of the local authorities, international organizations, members of the Union of Associations and others were all invited to this event. We presented short films titled: "15 past years"; "The years of return"; "Organization of hope", "Where the return in B&H goes to?"
- Project Team had significant role in presenting the situation with the process of sustainable return by using data base MONITORING.

The general conclusions were as follows:

1. To include the countries-signatories of the Dayton Peace Agreement into providing means for reconstruction and return and implementation of all obligations that spring from this Agreement, since it is final hour for state signatories Serbia and Republic Croatia to stop ignoring obligations they accepted, especially in implementation of the Annex VII which is international





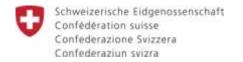
document and has installed all European standards in protection of the right of refugees.

- 2. To form, attached to the Ministry for Human Rights and Refugees B&H, the special department for economical empowerment of returnees and joint fund for allocating financial means, filled in not only by the competent ministries but also by using financial means coming from process of privatization, industry etc.;
- 3. to organize urgent meeting with the representatives of the state ministries and entity's competent ministries, due to the need to have unified action of all those involved into the process of return and in order of getting joint idea on how to best and fastest complete the process;
- 4. With regard to the whole area of B&H, there is a need for bigger and more balanced allocation of the financial means for the process of return, and for defining a dead line until this process will be completed. There is a need to decrease the amount of financial means allocated for reconstruction of dwelling structures and to increase fund allocated to support sustainable return and economic safety:
- 5. to make the process of return more attractive, more interesting to the international representatives but also to domestic institutions through greater number of development projects and activities;
- **6. Economic support to returnees in creating jobs**, especially in the cities were evaluated as insufficient the rule of law in the segments of education, health, employments and others.
- 7. To accelerate the changes on the existing legislation with regard to improved conditions for exercising the right of returnees on employment, education, health care and social safety. To give better incentives to development of agriculture for small and medium enterprises, to allow for purchase of the past working experience for all persons who, due to the aggravating circumstances were ceased with the work and to suggest to the local authorities to create high quality programmes for employment of the highly educated young people in the aim of their return and full integration.
- 8. To prevent partial reconstruction of the dwelling units and to warn donors that such practice will not bring permanent solution for a dwelling problem of returnees, but it makes already existing problems even more complex; To stop financial investments into reconstruction of dwelling structures in the places where there is no return, in order to avoid reconstructing weekend houses.
- 9. Urgent solving of the issue of the collective centres, electrification for 2750 returnee households, taking care for 145 000 "homeless persons" or 43 000 families who are waiting for reconstruction of their pre-war homes;
- 10. To highlight the problem or to solve the issue of legalization of the newly constructed dwelling structures for refugees into integrated environments, especially refugees from Croatia who are not in position to reposes their property;
- 11. Special remark is related to violation of the Instructions on a manner of selecting beneficiaries of the aid programmes and reconstruction of dwelling units, as well as on the work of the Municipal Commissions for selection of the beneficiaries of assistance. With that regard we demand for appointment of the suggested members of the Union of Associations of returnees to be accepted instead having persons who even do not live on respective areas being involved in the work. It was concluded that this problem could be solved only on systematic manner in cooperation with the Ministry for Human rights and Refugees B&H.
- 12. All mentioned conclusion lead to realizing a need that the Union of Associations should get involved in the work on re-defining Annex VII of the Dayton Peace Agreement and commence with the implementation of the Project "Ordinary citizen may affect the change of the Constitution B&H".

<u>Directorate for Economic Planning</u> (DEP) decided to conduct SWOT workshops on subjects of social inclusion, competition, macro economy, employment and sustainable development in which the Union of Associations was active participant.

Cooperation with the Directorate

Numerous relevant state and entity's institutions were involved in the work of SWOT workshops as well as organizations of the civic society and NGO sector, in order to achieve the best possible result. The Union of Associations of Refugees, Displaced Persons and Returnees, as the representative factor in the NGO

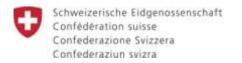




for Economic Planning

sector had decided to take over an important role in work on the Strategy, primarily over the workshops related to «Sustainable development - agriculture and rural development», «Improvements on the retirement policy», and «Employment and Social Policy», bearing on mind that those issues are the primary aims of this project.

- <u>DEP Round tables on draft Strategy for Retirement Insurance</u>: The Round table was attended by the representatives of the state and institutions of the Federation B&H as well as the representatives of the civic society and NGO sector. There was discussion on a possible ways in which we could adequately reform the retirement system, adopt and implement the system of social retirements, harmonization of retirements, legal possibilities to solve the status of redundant labour force, improvements on the living conditions of the persons above 65 years of age and poverty reduction. The aim of the Round table was, on the bases of presented statistic data, to discuss and define weaknesses, strenghts, threats possibilities of B&H when it comes to the issue of retirement insurance, and then to make evaluation of the retirement sector. Special accent was placed on solving the issues related to the social policy (reform of the retirement system introducing the state pensions which should be a part of the legislation within the reform of the existing types of social insurance).
- DEP Round table on draft Strategy for Employment and Social Policy: the Round table was attended by the representatives of the state and entity's institution and the representatives of the civic society and NGO sector. We discussed possibility for a better promotion of active participation in employment and prevention of the social exclusion, on a way to invest effort and implement the existing laws and develop adequate administrative structures. The aim of the Round table was, on the bases of presented indicators, to discuss and define weaknesses, strengths, threats and possibilities of B&H when it comes to issue of employment and social policy, and to define long-term goals for development of B&H.
- <u>DEP -Round table on draft Strategy for sustainable development</u>: We talked about the current situation in the country related to the issue of transport infrastructure, ecology, and management over natural resources, environmental infrastructure, agriculture and the rural development. On the base of presented indicators and by using the analyses of situation, we discussed and defined weaknesses, strengths, threats and possibilities of B&H in this areas, based on which we will evaluate the situation with this areas and define long-term development goals of B&H on its way toward the EU integration.
 - The Union of Associations of Refugees, Displaced Persons and Returnees B&H lobbied actively for establishment of the Fund for development of under-developed areas and the Agency for Rural Development and Employment. Contribution of the Union of Associations is reflected in the fact that, within the Ministry for Foreign Trade and Economic Relations there was newly formed Sector for Rural Development which presents transferring body in charge for implementation of the Strategy for Rural Development and Agriculture in B&H, having previously ensured financial means for implementation of the Strategy. The Ministry of Foreign Trade and Economic Relations B&H had signed the contract on development of rural areas and employment with the entities.
 - The Union of Associations had suggested, on the bases of the Revised Strategy B&H for Implementation of Annex VII of the Dayton Peace Agreement that the Ministerial Council should apply to the Fund ERB and HABITAT for a construction of collective dwelling structures (condominiums). Long-term campaign for reconstruction of the central part of Mostar resulted in signing the Contract for construction of 21 dwelling structures to the value of 11.500.000 KM. This was the FIRST VICTORY OF THE CIVIC SOCIETY in solving problems of the most deprived categories of population.
- Cooperation with other institutions and organizations
- When it comes to area of safety and de-mining, the <u>Union of Associations gave its full support to implementation of the project of Mercy Corps «Economic and social re-integration of surviving mine <u>casualties in B&H»</u>. Within a/m project and in a role of associate we placed ourselves to disposal of the Mercy Corps which is active in de-mining activities, in a sense of providing them with information and data on the municipalities where there were minority returns with mine casualties. Project beneficiaries attended the International Fair of Agriculture in Gradačac. The project, amongst the other, aimed at promoting possibilities of disabled persons and offer them support in attempt to access markets as well as in faster integration to all social aspects. Visit to the Fair and promotion of products of the projects beneficiaries were opened from 20. 08 to 24.08.2008.</u>





- Meeting with the representatives of the Agency for Work and Employment This Agency will timely
 inform the Union of Associations on dates for having the Fairs of Employment Opportunities in B&H.
 The Association will use its 93 members to animate returnee and refugee population to attend the
 Fair.
- Meeting at the Union of Associations of Trade Unions B&H Meeting was held with the President of the Association of Trade Unions B&H, Mr. Biber Edhemom. The subject of conversation was problem of poverty in B&H and the possibilities for systematic solving of this problem. We are familiar with the activities launched by the Association of Trade Unions B&H over the international trade union, aimed at returning workers to their pre-war working posts in institutions and working organizations where possible. These activities were directed toward domestic institutions but with very modest results due to the various political influences. In conversation, the project "Creating sustainable model of support to poverty reduction in B&H, was presented to which the Trade Union President gave his full support.
- Meeting at the Trade Union RS The meeting was held with the Vice President of the Association of Trade Union Mr. Duško Jandrić and Expert Associate Mrs. Božana Radošević. We spoke on the problem of poverty in B&H and possibilities for systematic solving of the problem. We were informed on all activities launched by the Association of Trade Unions RS aimed at improving the situation of employed persons and solving problems of those unemployed. Some of those activities were: STOP to Gray Economy, Program for ensuring 25.000.000 KM payments of social contributions for company under bankruptcy after which workers could exercise their right to retire or the right to get registered with the Employment Bureau, changes on legislation on paying in for work record up to three year of work experience. After presentation of Mr. Jandrića, Dijana Softić informed attendees on the activities conducted by the Association of Refuges, Displaced Persons and Refugees B&H regarding the project on the bases of which the Trade Union RS will give its full support to the project aims, since those are concrete measures for poverty reduction in B&H.
- The Association addressed the request for co-financing of the project "Monitoring of sustainable return in B&H "to the following institutions:
- Federal Ministry for Displaced Persons and Refugees;
- Government of Brčko District, Department for Refugees and Displaced Persons
- Government of Canton Sarajevo
- Municipalities in the Canton Sarajevo (Centre, Stari Grad, Novo Sarajevo, Novi Grad, Ilijaš, Vogošća, Hadžići, Trnovo)

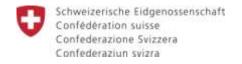
PRESENTATION OF THE PROJECT

Cooperation with other institutions and organizations

The Union of Associations, in a role of the member of NGO Council, gave presentation of the Project "Monitoring of Sustainable Return in B&H"on a meeting of the NGO Council held on 27.11.2008. Besides attending representatives of organization of civic society and international organizations, on the initiative of the Association this presentation was also attended by the representatives of the Ministry for Human Rights and Refugees B&H Mr. Mario Nenadić, Assistant Minister.

Presentations were very detailed with detailed analyses of the problem which is jointly dealt by the representatives of a/m competent Ministry and the Union of Associations. Project of monitoring was presented as **successful example of positive practice and the partnership between the government and non-government sector**, as it was recommended by the European Union. Attending members of the NGO Council gave their full support and compliments to the Project for Monitoring.

The Union of Associations of Refugees, Displaced Persons and Returnees B&H took part in the consultative process within the organizations of the civic society on a subject of NGOs priorities in a framework of the assistance of EU to B&H for the Year 2009, following Multi-annual Indicative





Planning Document EU 2008-2010 (MIPD):

The Association presented itself as the coalition of organizations of the civic society.

Namely, the EU pre-accession assistance is related to fulfilling conditions from three areas. The priorities were defined within these areas (on the bases of MIPD-a /planning document 2008-2010):

In the framework of political demands:

Participation
of the Union
of
Associations
in the
consultative
process
related to
programming
of IPA Funds

- 1. <u>Strengthening of the administrative capacities of the State</u> (public administration reform; support to the Constitution reform process; reform of the Judiciary system; implementation of the anti-corruption policy; police reform; support to minority groups and vulnerable groups; de-mining and assistance to mine casualties; support to the process of return through economic and social re-integration of the returnees)
- 2. Support to the civic society in B&H and strengthening of dialogue
- strengthening of media and civic society

In the framework of the economic demands:

- 1. <u>Economic development</u> (establishment and strengthening of the regulatory institutions/ capacities; -development of trade policy; -economic development of region)
- 2. Employment and Education
 - Passing the State Action Plan for Employment;
 - Passing the Strategy for development of small and medium enterprises;
 - Reform of education (standards, financing, institutional strengthening of the Universities);

3. Sociial policy

strategy/reform of the health sector

In the framework of fulfilling the requests /aquis EU in the following areas:

Domestic market

- Legal framework and institutions;
- Unified financial market;

Agriculture and rural development

- Strategy and legal framework in accordance with the EU standards;
- Food quality;

Environment

- Strategy, Agency, improved financing;

Energy, Transport

sector reform, strategy;

Justice, freedom, safety

borders, asylum/ policy on migration, measures against money laundering,

Organized crime.

THE PRIORITY we mentioned, which we deem is not stressed enough and which we elaborated in detail is the following:

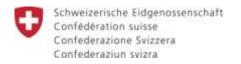
The completion of the process of return, construction of homes for 145 000 homeless persons, closure of the collective centres, electrification of returnee settlements and employment, economic sustainability of returnees on a state level.

Crossborder cooperation

Representative of the Union of Associations attended the Regional Conference titled "Solving the problems of the returnees and the way to the European Union" held in Belgrade on 27.10.2008.

Proposed conclusions:

1. Refugees and displaced persons are victims of war conflict on the area of ex Yugoslavia and it is the matter of elementary justice, which should be an important motive in work of the democratic stated based on the rule of law, to join forces on the regional level and, with the help of EU make





their return and stay possible.

- 2. Programmes and actions of the regional governments which will show true will and effort in alleviating the problems of the refugees and displaced persons, and to solve problems justly and by doing so permanently. All those are the key preconditions for a lasting peace and stability on the region.
- 3. The Governments of B&H, Croatia and the state community of Serbia and Monte Negro had signed the Sarajevo declaration on 31.01.2005 and by doing so they took over responsibility to solve remaining problems of the refugees and displaced persons until the end of 2006. The conclusion of the participants of this Conference, unfortunately, is that two years after expiry of the dead line, the process initiated by the Sarajevo declaration did not give expected results.
- 4. In a serial of dynamic and dramatic political events in the region (Slovenia joined the Europe, the independence of Monte Negro, recognition and non-recognition of Kosovo, economic problems, crime and corruption) the problems of refugees were systematically pushed away from the list of priorities. Consequently, the agreements that were based on the Sarajevo Declaration were not only partly fulfilled, but they were also forgotten, and in the conscience of the politicians they were suppressed as irrelevant.
- 5. As two especially difficult issues, both for interested refugees and the Governments, we stressed:
 a) the issue of previous tenancy right holders in Republic Croatia which was not solved on a comprehensive manner, b) the issue of local integration of refugees who decided to stay permanently in Serbia.

Questionnaire

In cooperation with the Ministry for Human Rights and Refugees B&H, we engaged their data base programmers on creating the programme for data input into the data base of the Association.

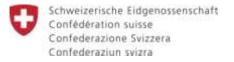
Data were collected on the bases of single questionnaire by providing answers to the following questions:

QUESTIONAIRRE

Questionnaire anda the data base

BASIC DATA ON THE HEAD OF THE HOUSEHOLD

1. Name (father's name) and family name						
2. Date, place and municipality of birth						
3. Nationality (place a mark)	Bosniak		Croat		Serb	Others
4. Status:	a) actual registered returnee a1) actual non-registered returnee		b) displa	aced persons	c) internally displaced persons	
5. Occupation and education						
6. To which category do you belong (place mark):	a) single parent	b) unemploye d	c) retired	d) disabled	e) civilian victim of war	f) family of fallen soldier



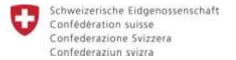


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	7. income and the bases (place mark)	a) personal income	b) person	al pension c) family pension		d) disability pension	e) Other income
	8. In which Entity do you make your income?	Federation		Republic Serbska		Brčko District	abroad
	9. No. household members?						
	10. No. Of children in family, detail age:	a) preschool		b) attending elementary school		c) high school	d) No. Of children not attending educe.
	11. are there children with special needs in a family	YES / NO		Where are they accommodated?		a) with family	b) at inst. For children with spec. needs
	12. Are you registered with the Centre for social work?	r	Do you receive any penefits?		If YES, which type:	a) Financial assistance b) Accommodation in social institutions c) Right on care d) other	
	13. Do you enjoy health care?		f YES, on what bases:	a) Bureau		b) employment	
	14. In which entity do you exercise right on any type of benefits	a) Federation		b) Republic Serbska		c) Brčko District	

Questionnaire and data base

DATA ON INDIVIDUAL STRUCTURE (FOR RECONSTRUCTION)

	1		
Municipality/place/addr ess of current residence			
municipality/place/addr ess of return			
Type of current accommodation	a) in collective centre	b) in alternative accommodation	c) other (do write)
Footprint of the house			
Is your house currently supplied with electricity?		YES / NO	
Connected to sewage?	a) city grid	b) septic whole	c) did not exist
House was connected to water supply , type:	a) city grid	b) water tank	c) did not exist
Access to house:	a) macadam b) asphalt	c) path d) accessible	e) not accessible f) accessible only by

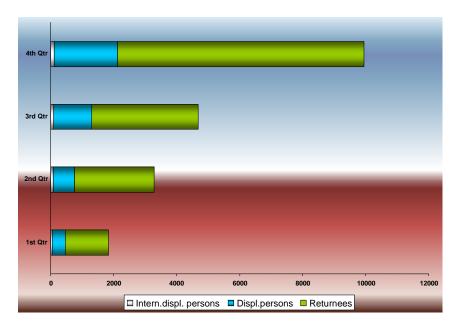




		terrain vehicles
What is your intended occupation?		
RECCOMMENDATION:		

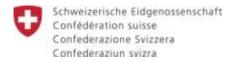
During implementation of the project « Monitoring of sustainable return in B&H» dynamic of data collection went on in a following manner:

Questionnaire data base

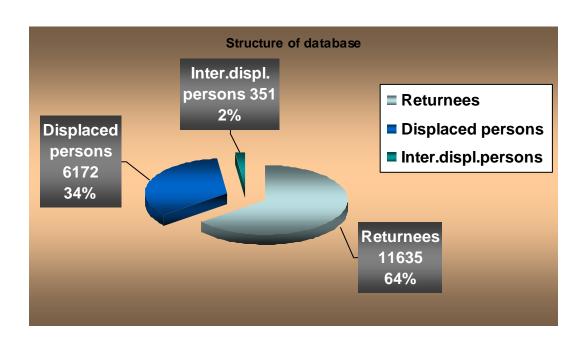


Hence, over 18 000 heads of the households/families were contacted, out of that number there are $\underline{11\ 635}$ registered returnee families; 6172 families with the status of displaced persons and $\underline{351}$ internally displaced.

According to that, current structure of data base of the Association is presented below:







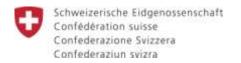
Representatives of the local non-governmental (31) were education during implementation of the Project "Monitoring of sustainable return in B&H". The essential remarks were related to:

- Inability of seeing the objective situation on a field regarding 10 planned areas (mentioned in the previous part of the Report)
- Cooperation with the representatives of the local communities especially when it comes to selection of beneficiaries for reconstruction of dwelling structures.
- Implementation of the Instructions on procedures and manner of selecting beneficiaries of aid programmes and reconstruction of structures by the Ministry for Human Rights and Refugees B&H
- -Extending Questionnaire in aim of determining correct number of returnees in local communities. We put special accent on determination of the realistic situation of return. Namely, in the Questionnaire which is the bases of research there is the issue of status and offered answers:
 - 1. actual registered returnee
 - 2. actual non-registered returnee,
 - 3. displaced person, and
 - 4. Internally displaced person.

Answer to this question is the key, in order to determine the actual number of returnees but also to define the reasons due to which returnee could be the person that :

- lives in the place of pre-war residence, in reconstructed dwelling units, registered with the local authorities:
- lives in place/municipality of pre-war residence, in a temporary structure, waiting for reconstruction of his dwelling unit and is registered in the municipality as a returnee;
- actual non-registered returnee who lives in his reconstructed unit, lives on his work but is registered in other municipality or entity where he exercises some benefits which he will lose of course if he gets registered at the municipality of residence;
- has pre-war dwelling units reconstructed, but due to the insufficient living conditions in his
 pre-war place of residence (unemployment, to great distance to school for minors, lucking

Notes, remarks and proposals





in livestock etc.) he opted to rent an accommodation in the city where is easier to find a job and has possibilities for survival and education. He occasionally visits the place of pre-war residence.

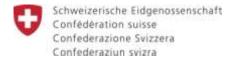
The Ministry for Human Rights and Refugees B&H let us know that this information would be priceless since they could not be obtained in any other way but to conduct research on the field; the facts we stated were given reluctantly during filling in the questionnaire by the returnees. Data base in possession of the Ministry for Human Rights and Refugees B&H contains information on refugees, displaced persons – potential returnees which originates from municipalities. That information does not reflect the real situation on the field.

The problem we constantly had to face when dealing with the process of return was reflected in the insufficient allocation of the financial means for the return.

Likewise, while conducting the pool on the beneficiaries on the field (potential returnees), **the monitors noted following observations:**

- Information on a number of potential returnees available at municipalities is false in majority. There is intent to show the greatest possible number of persons willing to return, currently out of B&H however, to attract more financial means for the needs of the municipality.
- Work of the representatives of the Union of Associations in the municipal commissions brought results. Namely, thanks to their excellent knowledge of the real situation on the field, certain number of so called double beneficiaries was eliminated, which in documentation present the situation different then what it really is (persons who sold or are selling their reconstructed units, but on the bases of documentation they are having the right on donation etc.)
- Potential returnees are giving false information saying they would return and request for donation, while at the walls of their pre-war units there is a sign "FOR SALE "with the telephone numbers. Those are mainly people who did find permanent solutions in other places and they do not mean to return.
- Displaced persons who are disinterested in return for whatever reason will reluctantly give personal information, and there are cases when the property of those unwilling to return is transferred to other family members who will, then, gain the right on donation. Such information is hard to get from mentioned persons.
- Example of Municipality Novo Goražde; in Year 2008 on the area of Municipality N.Goražde there were built/reconstructed 56 dwelling units by the Federal Ministry for Displaced Persons and Refuges, the Ministry for Refugees and Displaced Persons RS and Caritas. According to the Municipal report, the number of family members living in reconstructed structures is approximately 80, but situation on the field indicates presence of only few families. Failure of return is reflected in the fact that reconstructed units are actually houses belonging to internally displaced Serbs who, by now, already made other housing units on the other areas of B&H where they live without intention to return, and Bosniak families mainly made living in Sarajevo and other cities and have no intention of returning to the places of pre-war residence. The evidence to the a/m mentioned are the villages Borak brdo with Serb population as the pre-war majority and Kostenik, Village with predominantly Bosniak population where not a single family spent a winter, because those are all double beneficiaries.
- So called "ethnic cleansing" in a process of return is ongoing. There are cases where
 returnees of Serb nationality returning to the Federation B&H because their housing unit
 was reconstructed there, get donation for construction of dwelling unit in other entity
 (Republic Serbska) would not they return and continue living over there.
- The other example is village Batovo in Municipality Čajniče where 65 dwelling units were reconstructed with only ten families living with the family members being senior citizens, and according to yet unconfirmed information the houses of double occupants are in the phase of reconstruction.

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- The problem with the monitors who, at the same time are members of Municipal Commissions for selection of beneficiaries of aid programmes and reconstruction of dwelling units is reflected in the fact that, even if they are members of a/m Commission they are not allowed with access to data base on the returnees/displace persons in Municipality. Monitors/members of the Municipal Commissions often address Headquarters of the Union with a plea for solving the problems they are facing in their work.
- Influence of the political parties on the work of the Municipal Commissions for selection of beneficiaries of aid programmes is notable. Namely, among the members of the Commissions there are representatives of the parties whose influence is much stronger then of the NGOs. For example, one of the leading parties had formed the Regional Centre for return to Southeast Bosnia, and as there is no coordination among the donors there is overlapping, without calling for responsibility of those who are skilfully abusing the situation.
- There is since of resentment among the beneficiaries (displaced persons/returnees), justified by being listed and then cheated for hundred times, as they say.
- If registered in the place of return, the returnee population could be found in the register of the Employment Bureaus. Income they make is usually pension, allowances for the families of fallen soldiers and of course income generated by their own work in the agriculture.
- On the area of the Municipality Doboj, thanks to donors there were approximately 80% of the houses reconstructed by now and majority of the returnee population is of Bosniak nationality with Croats being in minority. Current, ongoing project is named ZP08 with 179 applicants, out of which 98 applicants had all needed documentation requested in the Public call. Donation allocated within project ZP08 for the reconstruction of dwelling units in the Municipality Doboj is to the amount of 650.000,00 KM, out of which 250.000,00 KM was allocated for reconstruction of Croats returnees and 400.000,00 KM for return of Bosniaks. The preliminary list will be published soon because the Ministry for Human Rights and Refugees B&H requested for check up, and after that work will continue in accordance with the Rule Book for work of the Municipal Commission.

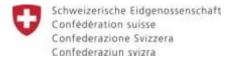
• PROPOSALS OF THE MONITORS:

- Non-transparent expenditure of the Budget means by the local authorities (often used for buying votes etc)...
- Abuse by the potential beneficiaries of reconstruction of dwelling units (false documents, false statements on number of family members etc.)
- Giving donations to the persons living abroad that are only formally satisfying criterion, compared with the real returnees who, from the formal reasons could not get donation.
- To request the state and entity's ministries for refugees and the Commissions for refugees and displaced persons in B&H not to allocate financial means according to the party's interests, not to use the means for buying the social peace.
- To increase financial allocations for sustainability of return (employment both in urban and rural parts).

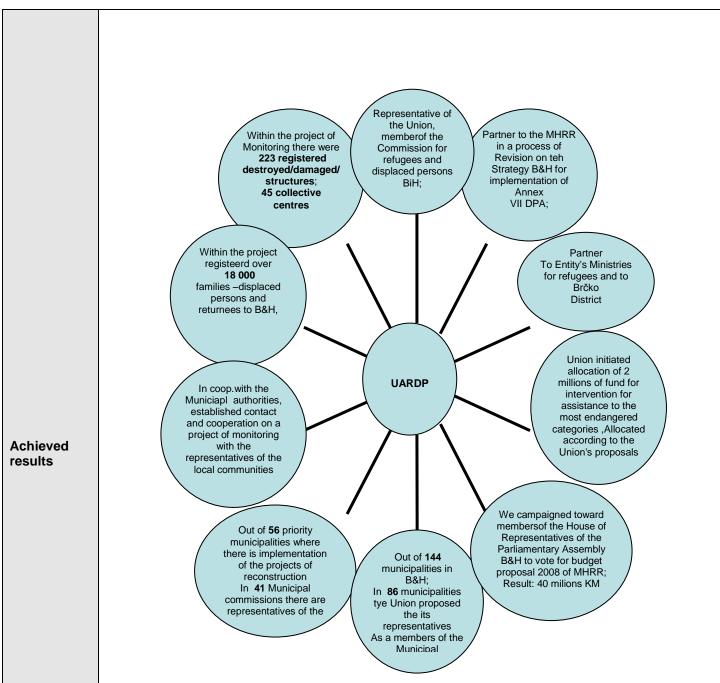
Neglecting the sustainability of return in the cities is causing that people are leaving, and especially the young people.

Notes, remarks and proposals

Notes, remarks and proposals



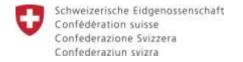




Results achieved during implementation of the Project "Monitoring of sustainable return in B&H":

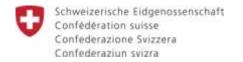
Currently there are 45 000 families or 150 000 persons who registered their request for assistance in reconstruction for a purpose of return at the data base of the Ministry for Human Rights and Refugees B&H (out of that number 24 000 requests or 53% is related to reconstruction in FBiH, or 19000 or 43% on the area of RS and approximately 2000 or 3% on the area of Brčko District).

Out of, in total, 45 000 requests for reconstruction of structures, in 2008 reconstruction was planned for 1000 houses out of the means allocated for return at all levels (in total 147 million KM).
 Due to the complex administrative procedure that lasts for approximately 300 days, the expenditure of a/m financial means will be realized during Year 2009.





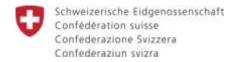
	During the period from 01.02.2008. to 01.02.2009. meaning during the period of implementation of the Project "Monitoring of sustainable return in B&H", the following structures were registered:					
	223 destroyed/damaged structures (dwelling units in collective type of dwelling) with a 2043 families or 6246 persons waiting for reconstruction;					
	45 Collective Centres with 1379 families living in;					
	6-10 years after return, there are 2 550 returnee families living without electricity, which some of them will get in two to three years.					
	 The study on general evaluation of the mine threat in B&H resulted with information that there a 1631 identified communities in danger of mines and/or un-exploded explosive devices; 					
	 With assistance and cooperation of the representatives of local communities, and on the bases of field visits we made evaluation on situation on the field in 36 communities (515 local communities); 					
	- Radio «Free Europe» (3 times participated in a radio show) - Voice of America (1 participation)					
	- RTRS (topic cover)- "the Seal"; the News Dnevnik,cover "Return"					
	- Radio «Hercegbosna» (4 times participated in a radio show)					
	- Print media (Voice of Serbska)					
	 Radio Tuzla, (3 shows) TV Tuzla (3 times participated in a show, statements for topic cover "Return" and the News), 					
	- NTV Hayat (4 TV reports, enclosures for News at 7) Zvornik, Rudo, Odžak i Doboj,					
Media	- TV Liberty, participation in show					
	- TV Vogošća 3 times participated in the News					
	- Oslobođenje,					
	- Dnevni list,					
	- Dnevni avaz,					
	- TV KISS,					
	- TV PINK BH,					
	- TV FBiH,					
	- Radio FBiH,					
	- Radio Stari grad					
	- BHT1,					
	- FENA,					
	- TV SA					
	- TV KISS,					
	- Nezavisne novine, - Radio Kalman					
	- Radio Kalman - Radio Donji Vakuf					
	- Radio Donji vakui - TV Alfa					
	- TV Mostar					
	 Within the Project "Monitoring of sustainable return in B&H" we recorded a topic cover titled "House on the end of road"broadcasted on 20 January 2009 on BHT1 at 20:30 hours. Film was re-runned on the next day (21 January 2009). 					





Lessons learned and reccommendations

- Poor system of informing the vulnerable categories of population refugees, displaced persons and returnees in B&H demands for dissemination of information related to exercising basic human rights in the place of return especially in domain of health, social protection, education, retirement/disability insurance. It often happens that such persons become "victims.
- Information gathered on the field are often different to those stored at the data base of competent ministries. Information from the field greatly contributes to determining real situation on the field with regard to return, (especially regarding the real number of returnees, partially reconstructed houses etc).
- During field visits and while visiting collective centres we noticed the reasons why the beneficiaries cannot and would not return to the places of pre-war residence. Those were mainly elderly in a constant need for health and social protection, whose pre-war housing units are located in the rural areas.
- Faced with many unsolved problems in the area of sustainable return in B&H through the segments installed in (10 areas) the Revised Strategy for Implementation of Annex VII, Project Team exhausted all the possibilities, human resources, experience, knowledge and lobbying to achieve concrete results.
- By this Project we planned the work of **10 monitors** and we also relied on the work of volunteers from **91 local associations, members of the Union.**
- We encouraged, contacted and cooperated with the representatives of the local authorities with regard to:
- Establishment of the Municipal Commissions for Selection of Beneficiaries of aid programmes and projects of reconstruction
- Information on existing local communities and their representatives
- Field visits and remarks on the real needs of the local communities populated by the most endangered categories of population
- Participation in the work of mentioned municipal commissions in 41 local communities.
- Organization of meetings in local communities in order to inform them on the assistance from domestic institutions and foreign donors.
 - Project Team lobbied for the means for co-financing the projects in order to successfully carry out the activities. Following the tender published by the Ministry for Human Rights and Refugees B&H we applied with the request for co-financing the activities in the area of RESEARCH EVALUATION OF RESULTS OF RETURN IN B&H. The aim of the project was to research, unify and analyse data on the real situation with the process of return, and to give clear recommendation on a manners of overcoming identified problems and obstacles to the exercising the rights of refugees, displaced persons and returnees. As one of results of research we expect making and distribution of the Report, presenting good and bed practice in a process of return. This Report will be distributed to domestic and international institutions in order to define further activities in a process of return.
 - There is a need to include local communities in the research of such demanding project.
 - Data base created in implementation of this Project was accessible to:
 - Ministry for Human Rights and Refugees B&H
 - Commission for Refugees and Displaced Persons in B&H
 - Fund for Return





- Implementing organizations working on the project of sustainable return funded by the foreign donors in B&H
- Media (recording the serial on topic of return FTV, RTRS, NTV Hayat, Oslobođenje, SAN, Dnevni avaz and others).
 - SPECIFIC GOALS were achieved in promotion and support given to rising awareness of the representatives of the government and non-government sector.
 - There was established link on the bases of joint interest for solving the problems of sustainable return
 - Encouragement and facilitation of the process of vertical, horizontal, sectoral and subsectoral (civic) networking of non-government organization.
 - The Memorandum signed by the Ministry for Human Rights and Refugees B&H and the Union was implemented in practice. The results and effects of its implementation were monitored and evaluated.