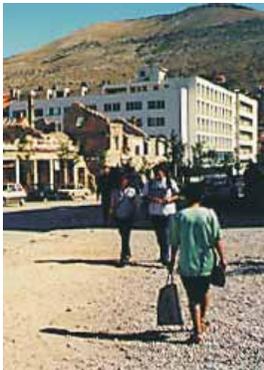




BOSNIA AND HERZEGOVINA
Ministry for Human Rights and Refugees

COMPARATIVE ANALYSIS

*on Access to Rights of
Refugees and Displaced Persons*



Sarajevo, December 2005

BOSNIA AND HERZEGOVINA
Ministry for Human Rights and Refugees

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*Refugees and Displaced Persons***

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The present booklet has been prepared by the Department for Refugees from BiH and Displaced Person in BiH of Ministry for Human Rights and Refugees.

Analyses and findings in the booklet are the reflection of many year monitoring in the area of return of displaced persons and refugees, particularly relevant statistics united by competent local and international organisations and institutions.

We owe great gratitude for overall contribution on systematic collection of presented indicators to line State and Entity level Ministries, as well as services in Brčko District BiH.

Through regular, and it could be said everyday cooperation with the Federation Ministry for Displaced Persons and Refugees, the RS Ministry for Refugees and Displaced Persons, Brčko District Department for Displaced Persons, Refugees and Housing Issues, we have established Central Database, which contains the largest number of available indicators on results in the plan of return, repossession of property and occupancy rights, applications for return, applications for reconstruction with a view of return in BiH, state of destroyed housing stock, reconstruction needs, while through joint activity coordinated by Ministry for Human Rights and Refugees (re)registration of displaced persons in BiH has been carried out, so the booklet expresses the latest indicators from this activity.

Also, it is exceptionally important to express pleasure and gratitude for cooperative relation of all municipalities at the territory of BiH in the process of data verification in the Central Database, whereby they have given their full contribution on harmonisation of official statistics with the actual situation in the field.

In this first group of our steady partners, within systematic efforts on solving problems of refugees and displaced persons, we express gratitude to the Representation of UNHCR in BiH, which secured that certain segments of this comparative analysis be realised through its generous expert, financial and material aid.

We use this opportunity to thank our partners from Entity, Brčko District and UNHCR structures.

The present booklet in its essence gives survey of broad spectre of guaranteed rights; however, it particularly deals with rights for which full or partial access was secured so far through systematic measures.

In preparation and analysis of the situation in the field of security, health, education, social protection, demining and other fields related directly or indirectly on return and reintegration of displaced persons and returnees, great assistance was offered by the following ministries and services, namely: BiH Ministry of Security, Federation Ministry of Health, the RS Ministry of Health and Social Protection, Brčko District Health Department, Federation Ministry of Education and Science, the RS Ministry of Education and Culture, Brčko District Education Department, Federation Ministry of Labour and Social Policy, the RS Ministry of Labour and Veterans, Brčko District Department for Expert and Administrative Affairs – Employment Bureau, etc. We would like to use this opportunity to express them our gratitude.

Although ownership for realisation of Annex VII of the General Framework Agreement for Peace in BiH was taken over from the international community institutions at beginning 2004, in our work we still rely on and gladly consult UNHCR, OSCE, OHR, EC, UNDP and other organisations and institutions. International experience these partners have in the field of protection of refugees and displaced persons, as well as in the field of protection of human rights generally, is invaluable. We would like to use this opportunity to express our gratitude to all international organisation and institutions for the assistance offered during work on this demanding project.

Ministry for Human Rights and Refugees has always been proud of cooperation with civil sector and numerous governmental and non-governmental organisations and associations dealing with issues of return and human rights protection. We herewith express our gratitude for assistance and cooperation provided, as well as pointing to, recognition and systematisation of problems, which finally helped in preparation of a clear document such is the present booklet.

We would like to use this opportunity to express our gratitude to our regional partners, namely line institutions in the Republic of Croatia and Serbia and Montenegro on cooperation in the sense of conclusions of the Regional Ministerial Conference on solving displaced and refugees-related issues held in Sarajevo on 31 January 2005. We will mention the Ministry of Maritime Affairs, Tourism, Transport and Development of the Republic of Croatia, Ministry for Human and Minority Rights of Serbia and Montenegro, Commesariat for Refugees of Serbia, Commesariat for Displaced Persons of Montenegro, etc.. Results of joint work which refer to BiH are also presented in the booklet.

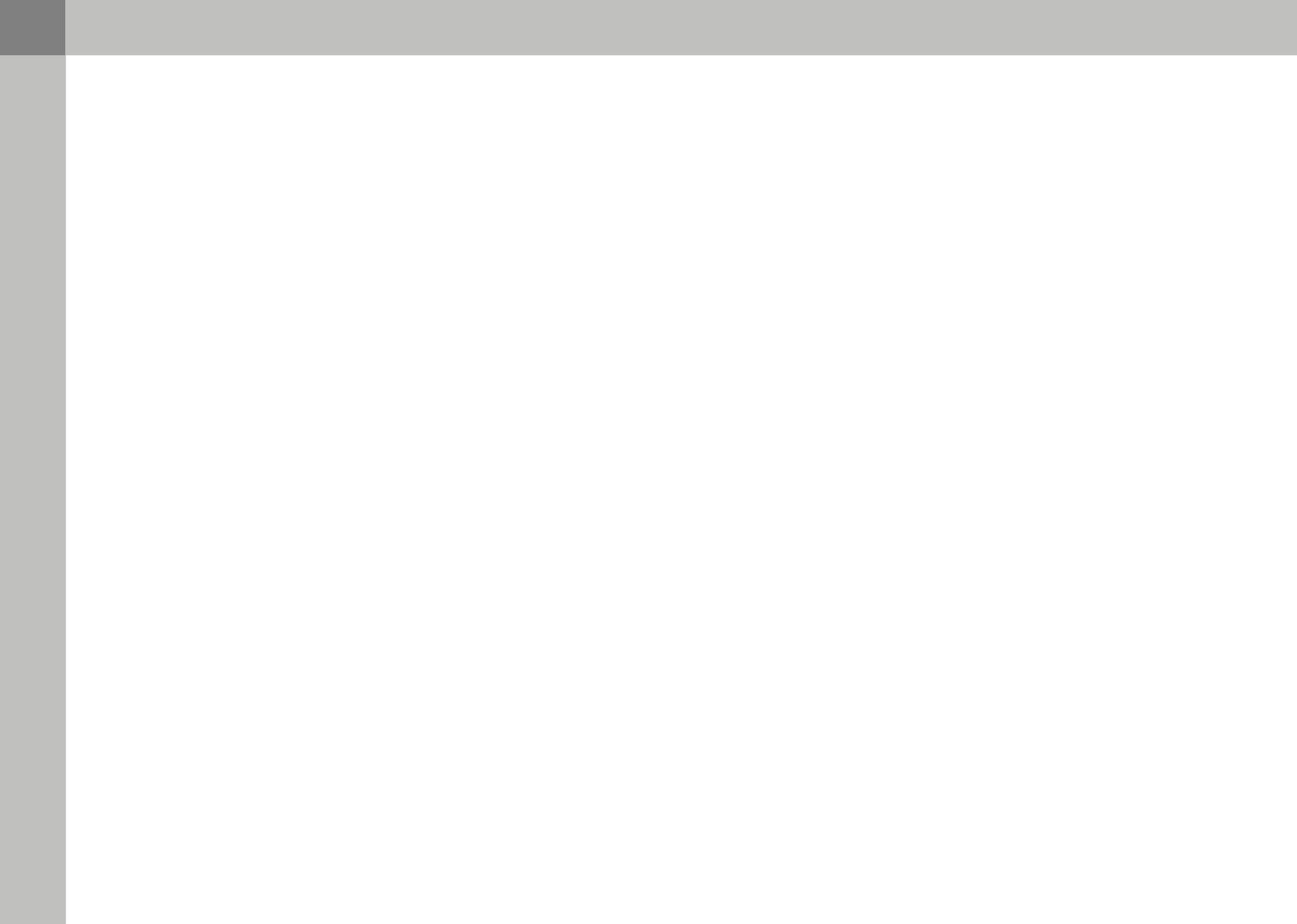
At the end we express our gratitude to the MARRI Regional Centre on overall activities implemented in Bosnia and Herzegovina, which enabled realisation of this important project through engagement of local experts and technical assistance on preparation of comparative analysis of access to rights for refugees and displaced persons, printing of the booklet, etc...

Funds for realisation of this project have been provided by the Danish Refugee Council via the MARRI Regional Centre, for which we extend our special gratitude.

We believe there are numerous useful service information which could help interested users, that is those for whom the booklet is intended (refugees, displaced persons and returnees) to exercise any of their rights in BiH in as simplest and practical way.

In preparation of the booklet we have been realistic and followed actual situation; however, we would be grateful for any constructive critics, so that feedback energy could be directed to finishing touches of certain segments from the material, all this in the function of advancement of the situation in the field of access to rights for displaced persons, refugees from BiH and returnees.

Editors



Preface

On the tenth anniversary of signing the Dayton Peace Agreement we have prepared this state review related to implementation of the Annex VII (Agreement on Return of Refugees and Displaced Persons) of the General Framework Agreement for Peace in Bosnia and Herzegovina.

Considering return of refugees and displaced persons, Bosnia and Herzegovina has certainly achieved significant results; the best in terms of regional frameworks, and quite good and above average in terms of long and similar refugee crises taking the historical view.

Regardless of achieved results and success, we are halfway there, since there are a number of persons waiting to return and to access to all rights, which are part of returning process. Our interest and our dedication is to build up a system in a way to enable return and access to rights in BiH for each person, therefore we cannot talk about completing implementation of the Annex VII as long as there are groups or individuals interested in returning or accessing to another right guaranteed in BiH.

This publication depicts all activities we are undertaking in the Ministry for Human Rights and Refugees. Currently, we are working on plan of returning and reintegrating returnees together with our partners from different local and international organisations and institutions.

Practically, this publication is a complete report on work, with detailed state analyses in the field of return of refugees and displaced persons, implementation of bilateral agreements on return, re-registration of displaced persons, application for reconstruction aimed at returning, destruction of housing fund and post-war reconstruction, access to rights of refugees, displaced persons and returnees from BiH, remaining issues, as well as other possibilities and needs.

The methodology of parallel situation monitoring in accordance with census from 1991 and other sources and data, with balance after signing the Dayton Peace Agreement and as of today, provides us a well laid out and clear picture of demographic and other changes which occurred as consequence of war conflict in the region, as the Dayton Peace Agreement called developments in the region in the period from 1991 to 1995.

The period after signing the General Framework Agreement for Peace in Bosnia and Herzegovina was characterised by mass refugees' acceptance from the Republic of Croatia and Serbia and Montenegro in Bosnia and Herzegovina. This issue was also dealt with in the publication and mostly to the extent regarding return of refugees and displaced persons who are BiH citizens.

Ten years of return and repatriation, reintegration and post-war reconstruction in BiH are marked with parallel activities related to raising funds and concrete assistance in the above mentioned activities, but also with efforts to establish a system which enables observance of principles of justice and rightness in accessing rights within the process of return.

This was a period during which, for the first time after signing the General Framework Agreement for Peace in BiH, we have transferred duties that were responsibility of institutions of International Community to local authorities through a clear state strategic document.

When reading the documents, we can draw a conclusion about something, which is also substantial for the future of BiH. All those who read documents will realise that within realisation of current implementation process of Annex VII we are dedicated both to permanent reforms and contribution to European integration of BiH.

On one side, the centralisation of policy and its co-ordination within or through the Ministry for Human Right and Refugees, and on the other side, decentralised implementation of projects and permanent transfer of competencies in implementation of procedures related to return and reintegration from the state to the municipal level, co-operation with civil society and regional co-operation, are clearly recognisable directions we follow working on issue of return.

In this publication we have also dealt with certain segments important for return, although these are not a direct responsibility of the Ministry for Human Rights and Refugees, but of other ministries and authorities at the level of BiH, entities, and even cantons and municipalities.

Security, health care, education, employment, social welfare, mine clearance and other issues important for return and reintegration have been dealt with by summing up indicators from different competent sources.

I believe there are many useful service and practical information that can be found in the publication.

It is my pleasure to present this publication and I believe that it will draw the attention and the interest of relevant local and international institutions, of the civil society and individuals.

Minister for Human Rights and Refugees

Mirsad Kebo



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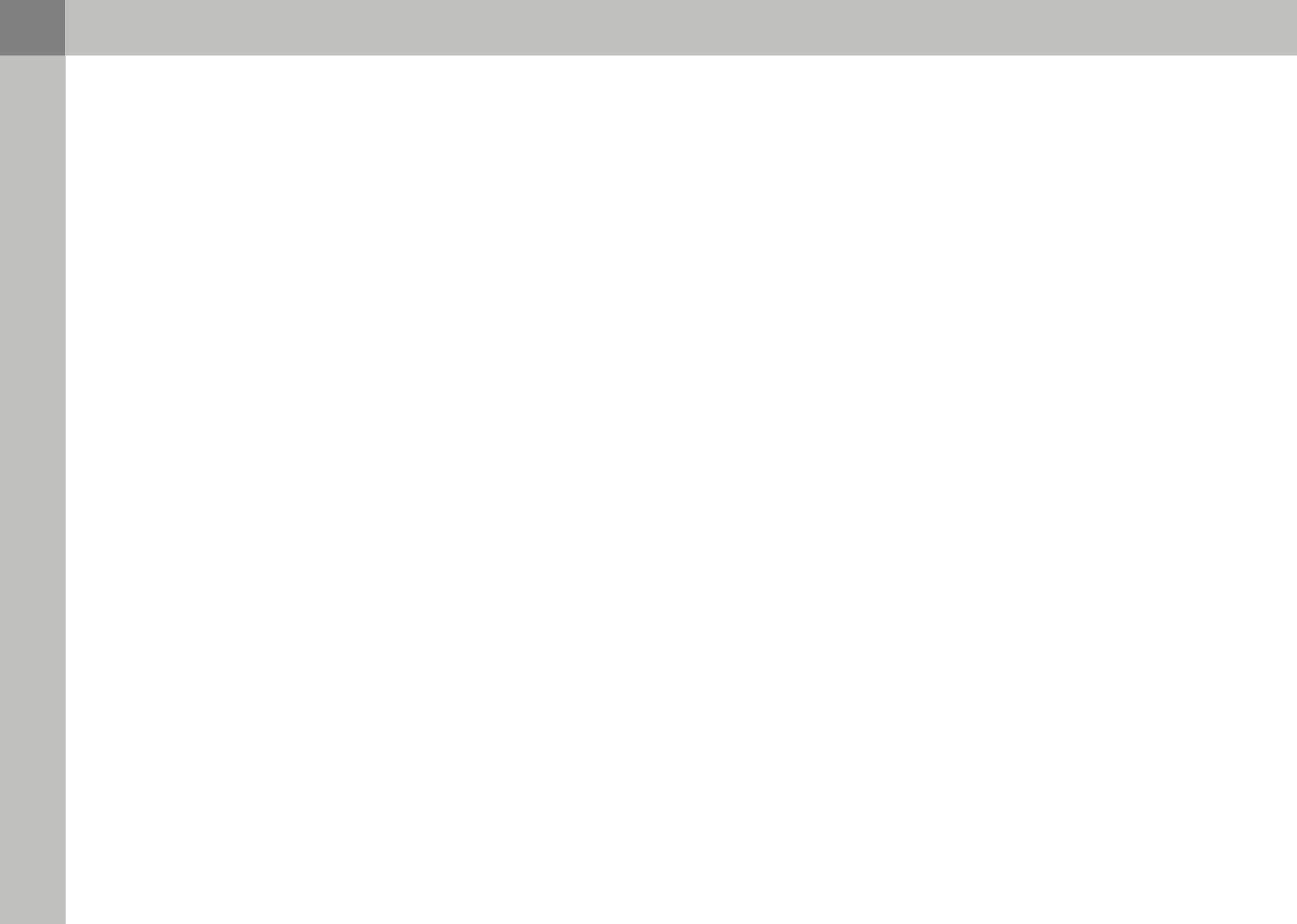
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Summary

Bosnia and Herzegovina is a country of Southeastern Europe which covers around 50,000 sq. km.

Its coastline extends for a distance of 20 km on the Adriatic Sea, while its land borders extend for a distance of almost one thousand five hundred metres, namely it is bordered by the neighboring Republic of Croatia with a distance of over 900 kilometres, and by Serbia and Montenegro with a distance of over 500 kilometres.

As per 1991 census, the population of Bosnia and Herzegovina consisted of almost 4.3 million people, in a bit less than 1.3 million households, so the average household size was some 3.4 persons.

The average density of 1991 population in Bosnia and Herzegovina was 86 per square kilometer, while almost 40% inhabitants resided in urban zones.

There were over 1.9 million of Bosniaks, almost 1.4 million Serbs, some 760 thousand of Croats, almost 250 thousand of Yugoslavs and some 100 thousand others registered according to 1991 census.

Tragic conflict in the Region, as the General Framework Agreement for Peace in Bosnia and Herzegovina signed at the end 1995 in Dayton defined war destruction in the period from 1992 to 1995, resulted in huge direct and indirect demographic losses and changes in BiH.

Some 250 thousand people were killed, while 17 thousand are officially recorded as missing.

As the consequence of the war the mortality rate was increased on one hand, and natural population growth in BiH decrease on the other hand.

Apart from this, from 1992 to 1995 some 2.2 million persons fled out of their prewar homes in Bosnia and Herzegovina, which is more than a half of prewar domicile population.

Out of this number, some 1.2 million persons sought refugee protection in over 100 countries all over the world, while at the same time around million persons were displaced within Bosnia and Herzegovina.

Voluntary migrations of BH citizens who continued to emigrate from Bosnia and Herzegovina even after the establishment of peace were increased as a war conflict consequence too.

Return in/to BiH started immediately after the end of conflicts. Total of over million returns in/to BiH have been registered, out of which almost half so-called minority returns.

The largest number of returns was realised in the first three years after the establishment of peace, with more than a half of total returns in/to BiH so far. It was a period of "easier" returns, since refugees and displaced persons returned to their homes on family reconnections principle. Similarly, considerable number of returns was registered in the years after introduction of the Property Law Implementation Plan and is closely related to property repossession by prewar owners and occupancy rights holders.

Now, ten years after the establishment of peace, almost half refugee and displaced BH citizens are still outside their prewar homes.

Estimates of Ministry for Human Rights and Refugees speak of almost half million persons temporarily residing abroad, who left BiH from 1992 to 1995 and are recorded as refugees from BiH. Out of this number, some 80% integrated into host countries, while around 100 thousand refugees from BiH still need durable solutions, in the first place through return to BiH.

Despite the fact that radical demographic changes have been taking place in Bosnia and Herzegovina since the beginning of conflict in 1992, no official census in BiH has been conducted after 1991.

Indicators on number, composition and disposition of population rely on research which based on the most current estimates suggest slightly more than 4 million of BH population.

Housing stock of Bosnia and Herzegovina in 1991 consisted of around 1.2 million privately and public-owned housing units, distributed into around 7 thousand settlements. The average housing unit area was around 60 square metres per a household, or around 17 per inhabitant.

Besides demographic destructions the war also radically changed the situation in the housing sector in Bosnia and Herzegovina, with partial or total destruction of almost half million of pre-war housing units.

Out of this number, around 80% of housing units were either destroyed or heavily damaged, which makes around one-third of pre-war housing stock in BiH.

Reconstruction followed the return process, so since the Dayton Peace Agreement to date some 260 thousand of housing units have been reconstructed, out of which over 170 thousand with donor resources.

In years immediately after the war participation of international community financing reconstruction in Bosnia and Herzegovina was almost hundred percent, after which domestic sources have gradually started to join this process through setting aside of very significant budgetary resources at all levels of authorities in BiH.

By transfer of ownership for the return process from foreign to domestic institutions one could expect drastic reduction of financial support to return by the international community.

Reconstruction costs of the entire remaining destroyed and damage housing stock as per expressed damage grade in the field could be assessed at around BAM 2.5 billion.

Through the Strategy for Implementation of Annex VII of the Dayton Peace Agreement Bosnia and Herzegovina opted for priority reconstruction of a part of housing stock for the needs of return of refugees and displaced persons, as well as providing its sustainability from the point of housing needs according to minimum housing conditions standards.

Therefore, based on indicators on interest for return expressed through wish and intention for return and indicators on number of remaining, unreconstructed, damaged and destroyed housing units in the field, identified are priority areas for implementation of reconstruction and return-related projects in the forthcoming period.

Even now, after many years since they left their homes, a huge number of people are waiting for reconstruction and return.

Actual indicators on number of submitted request for registration of potential assistance beneficiaries based on public invitation announced in middle 2004 by Ministry for Human Rights and Refugees testify on almost 38 thousand families, namely around 130 thousand individuals who need reconstruction assistance with a view of voluntarily return in/to BiH.

These indicators are extremely significant from the point of the process dynamism, since in only three months after data processing based on which official Report¹ by Ministry for Human Rights and Refugees was prepared and published in September this year (the full text of the Report is an integral part of the present document), three thousand of new requests for assistance in reconstruction and return for around 10 thousand persons have been recorded. Therefore, it is extremely important to emphasise that registration is permanent and dynamic process opened for an indeterminate time.

Only for reconstruction needs with a view of return of persons recorded so far by Ministry for Human Rights and Refugees, based on average rehabilitation costs per a housing unit, it is necessary to secure almost BAM 700 million for this purpose.

Ministry for Human Rights and Refugees is determined to implement in full through coordinated activities the Agreement on Return of Refugees and Displaced Persons², in cooperation with other relevant actors in BiH, and is at standpoint that the process cannot be concluded until the last refugee, displaced person and returnee is provided with rights guaranteed by the said Agreement.

Progress in BH society is slowed down in many fields. This particularly refers to economic and social development. As a consequence, potential returnees often face discouraging realities of life in BiH, as high poverty rate, disturbing unemployment rate and related lack of employment possibilities, non harmonised educational system, often problematic access to pensions, medical services, necessary social welfare, etc.

1 The entire Report is presented in this document

2 Annex VII of the General Framework Agreement for Peace in Bosnia and Herzegovina

However, what is particularly encouraging is that, despite all present problems and many years stay out of their prewar residence, interest for return in/to BiH is not declining; on the contrary, it is evidently increasing.

It is only successful return that could attract new returnees, which in turn would contribute to stabilisation not only of the BH society but a wider region too.

Therefore efforts of all responsible authorities must be directed to continuous support to access to rights for safe and dignified return in/to BiH and full reintegration of returnees.

COUNTRY PROFILE

BiH Population

BiH Population in 1991

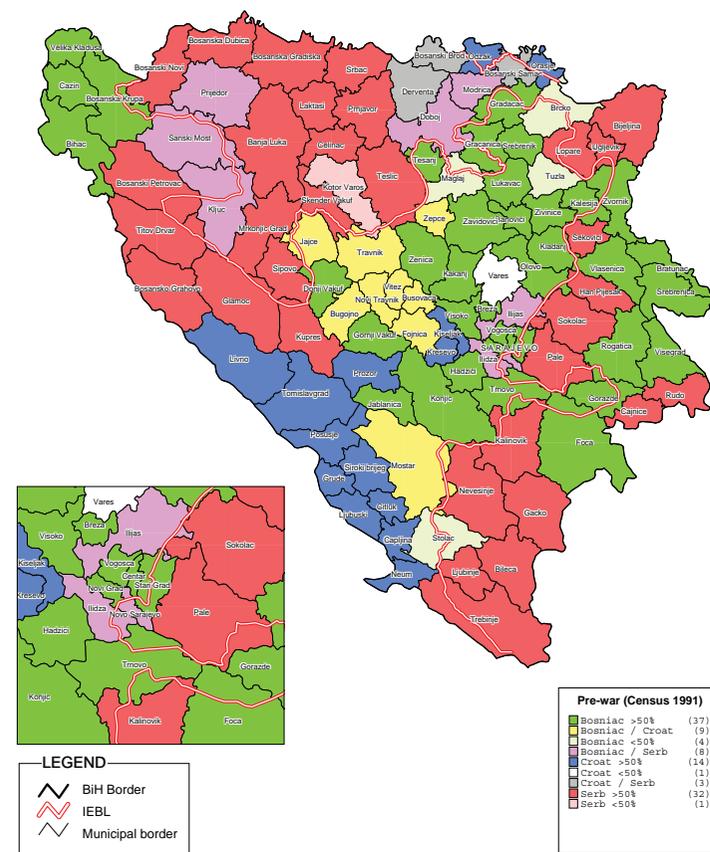
According to census carried out in 1991, the population in BiH counted some 4.3 million inhabitants with an average of 86.6 inhabitants per square meter.

Almost 40% of total population i.e. 1.7 million inhabitants lived in urban areas. Sarajevo, Banja Luka, Zenica, Tuzla, Mostar, Prijedor and Bijeljina were populated with more than 100,000 inhabitants each having at the same time the highest population density.

National Structure of 1991 Population

Besides the Bosniak, Croat and Serb population the 1991 Census registered 242,682 Yugoslavs who represented 5.54% in the national structure. There were 104,439 inhabitants of other nationalities i.e. 2.39%.

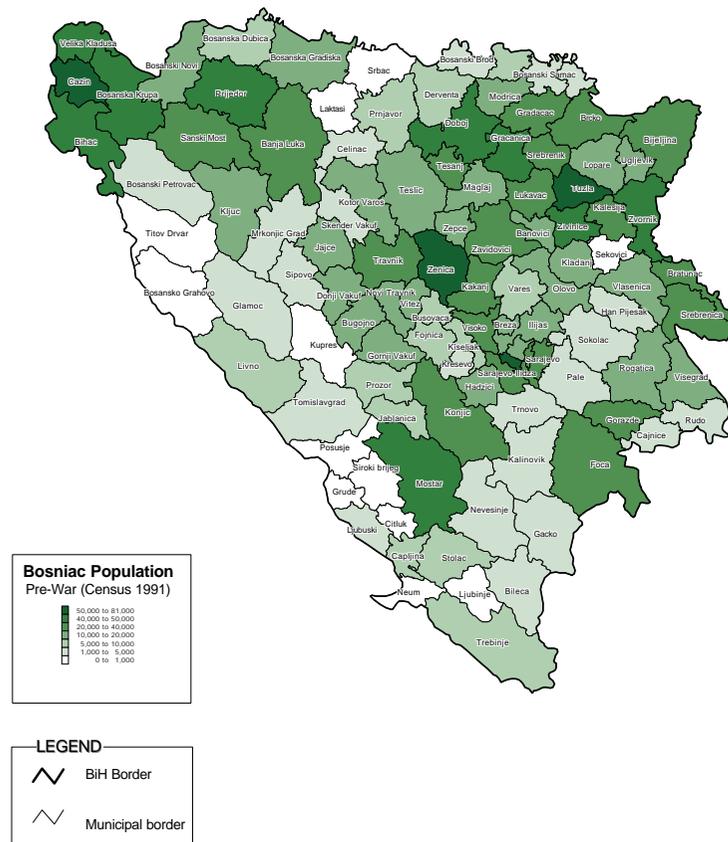
POPULATION STRUCTURE IN BiH - Census 1991



Bosniak Population in 1991

Number and Percentage of Bosniaks according to 1991 Census	1.902.956	43,48%
Largest number of Bosniaks as per 1991 Census in municipalities > 20.000		
Zenica, Novi Grad Sarajevo, Tuzla, Cazin, Prijedor, Velika Kladuša, Bihać, Mostar, Živinice, Gračanica, Centar Sarajevo, Stari Grad Sarajevo, Brčko, Lukavac, Zvornik, Tešanj, Visoko, Gradačac, Novo Sarajevo, Zavidovići, Travnik, Srebrenik, Kakanj, Bijeljina, Kalesija, Doboj, Banja Luka, Ilidža, Sanski Most, Srebrenica, Bosanska Krupa, Konjic, Goražde, Bratunac		
Present number of municipalities as per percentage of Bosniaks in 1991 Population Structure	>90%	6
	80%-90%	6
	70%-80%	12
	60%-70%	12
	50%-60%	15
	40%-50%	15
	30%-40%	15
	20%-30%	13
	10%-20%	13
1%-10%	18	
<1%	17	

BOSNIAC POPULATION IN BiH: Census 1991



The boundaries displayed on this map do not imply official recognition by the United Nations

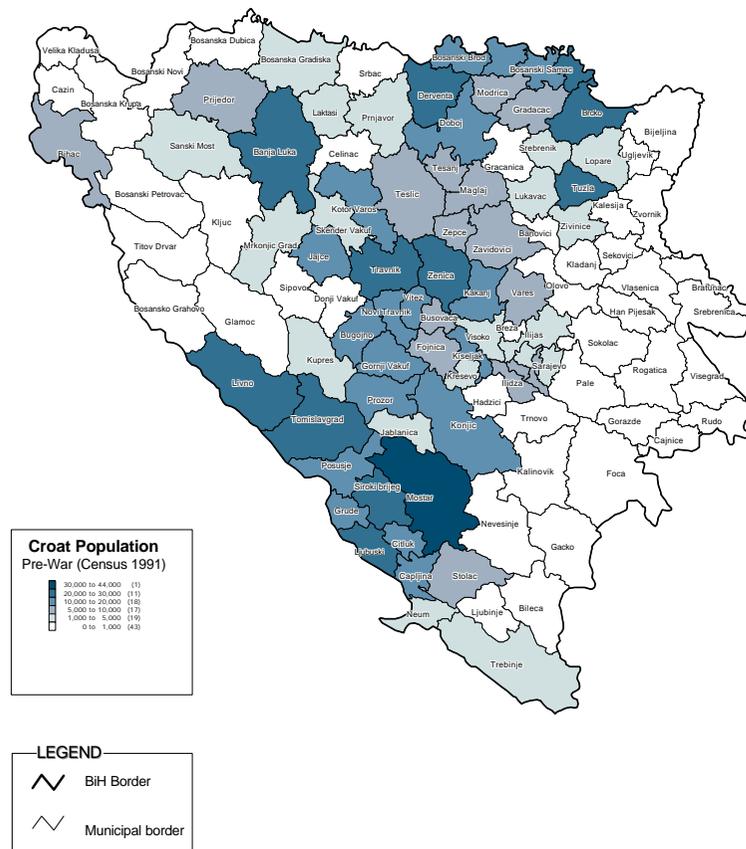
UNHCR Representation in BiH
GIS Unit

Date: 01.11.2003

Croat Population in 1991

Number and Percentage of Croats according to 1991 Census	760.852	17,38%
Largest number of Croats as per 1991 Census in municipalities > 20.000		
Mostar, Livno, Banja Luka, Široki Brijeg, Ljubuški, Tomislavgrad, Travnik, Zenica, Brčko, Derвента, Tuzla		
Present number of municipalities as per percentage of Croats in 1991 Population Structure	>90%	8
	80%-90%	3
	70%-80%	2
	60%-70%	1
	50%-60%	5
	40%-50%	9
	30%-40%	8
	20%-30%	8
	10%-20%	9
1%-10%	38	
<1%	51	

CROAT POPULATION IN BiH: Census 1991



The boundaries displayed on this map do not imply official recognition by the United Nations

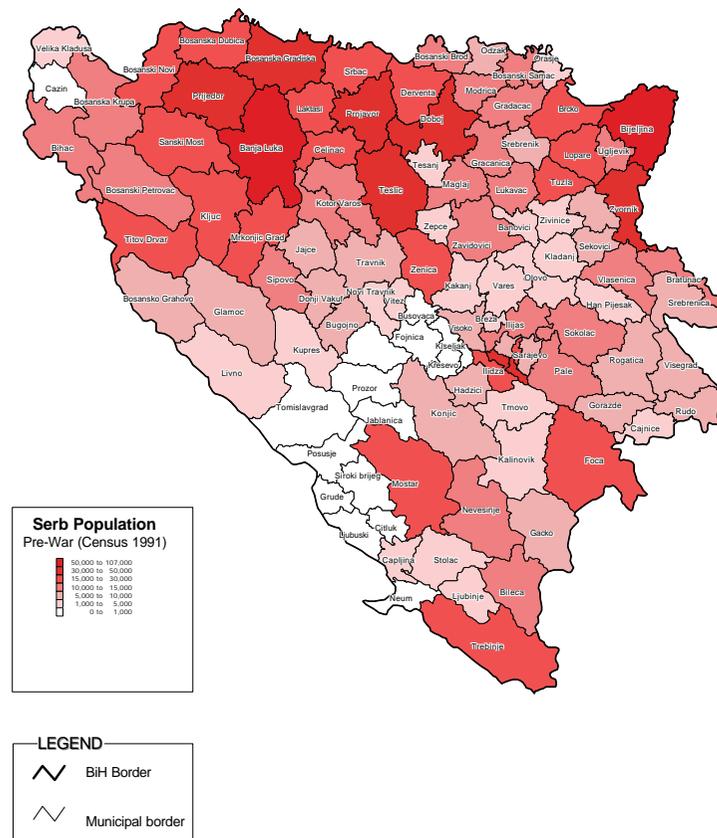
UNHCR Representation in BiH GIS Unit

Date: 01.11.2003

Serb Population in 1991

Number and Percentage of Serbs according to 1991 Census	1.366.104	31,21%
Largest number of Croats as per 1991 Census in municipalities > 20.000		
Banja Luka, Bijeljina, Prijedor, Doboј, Novi Grad Sarajevo, Gradiška, Prnjavor, Teslić, Novo Sarajevo, Zvornik, Bosanski Novi, Laktaši, Mostar, Zenica, Derвента, Sanski Most, Bosanska Dubica, Mrkonjić Grad, Trebinje		
Present number of municipalities as per percentage of Serbs in 1991 Population Structure	>90%	12
	80%-90%	8
	70%-80%	10
	60%-70%	9
	50%-60%	10
	40%-50%	11
	30%-40%	12
	20%-30%	15
	10%-20%	22
1%-10%	21	
<1%	12	

SERB POPULATION IN BiH: Census 1991



Projection of Population Distribution Based on 1991 Census⁴ – per Present BiH Municipalities

BiH Federation												
<i>F BiH MUNICIPALITY</i>	<i>Bosniaks</i>	<i>%</i>	<i>Croats</i>	<i>%</i>	<i>Serbs</i>	<i>%</i>	<i>Others</i>	<i>%</i>	<i>Yugoslavs</i>	<i>%</i>	<i>TOTAL</i>	<i>%</i>
Banovići	19.162	72,06	550	2,07	4.514	16,98	436	1,64	1.928	7,25	26.590	0,61
Bihać	46.740	64,51	5.582	7,7	14.391	19,86	1.371	1,89	4.370	6,03	72.454	1,66
Bosanska Krupa	26.362	68,29	129	0,33	11.053	28,63	377	0,98	683	1,77	38.604	0,88
Bosanski Petrovac	3.288	21,57	46	0,3	11.322	74,26	224	1,47	366	2,4	15.246	0,35
Bosansko Grahovo	12	0,14	226	2,72	7.888	94,91	50	0,6	135	1,62	8.311	0,19
Breza	13.079	75,53	851	4,91	2.122	12,25	264	1,52	1.001	5,78	17.317	0,4
Bugojno	19.697	42,01	16.031	34,19	8.673	18,5	927	1,98	1.561	3,33	46.889	1,07
Busovača	8.451	44,76	9.093	48,16	623	3,3	202	1,07	510	2,7	18.879	0,43
Bužim	16.680	98,47	5	0,03	91	0,54	141	0,83	23	0,14	16.940	0,39
Cazin	61.693	97,29	139	0,22	778	1,23	369	0,58	430	0,68	63.409	1,45
Čapljina	7.672	27,52	14.969	53,69	3.753	13,46	441	1,58	1.047	3,76	27.882	0,64
Čelić	9.294	73,18	1.208	9,51	1.918	15,1	156	1,23	124	0,98	12.700	0,29
Čitluk	111	0,74	14.823	98,28	19	0,13	113	0,75	17	0,11	15.083	0,34
Doboj-Istok	9.291	96,32	13	0,13	185	1,92	80	0,83	77	0,8	9.646	0,22
Doboj-Jug	3.045	93,43	97	2,98	19	0,58	39	1,2	59	1,81	3.259	0,07
Dobretići	3	0,06	4.720	98,54	6	0,13	42	0,88	19	0,4	4.790	0,11
Donji Vakuf	13.509	55,43	682	2,8	9.364	38,42	227	0,93	590	2,42	24.372	0,56
Drvar	29	0,19	31	0,2	14.846	96,76	67	0,44	370	2,41	15.343	0,35
Foča-Ustikolina	3.531	69,84	0	0	1.455	28,78	57	1,13	13	0,26	5.056	0,12
Fojnica	8.024	49,24	6.623	40,64	157	0,96	1.085	6,66	407	2,5	16.296	0,37

4 SOURCE OF DATA: Federal Institute for Statistics

BiH Federation												
<i>F BiH MUNICIPALITY</i>	<i>Bosniaks</i>	<i>%</i>	<i>Croats</i>	<i>%</i>	<i>Serbs</i>	<i>%</i>	<i>Others</i>	<i>%</i>	<i>Yugoslavs</i>	<i>%</i>	<i>TOTAL</i>	<i>%</i>
Glamoč	2.257	17,92	184	1,46	9.951	79,02	83	0,66	118	0,94	12.593	0,29
Goražde	22.676	68,5	76	0,23	9.071	27,4	518	1,56	764	2,31	33.105	0,76
Gornji Vakuf-Uskoplje	14.063	55,85	10.706	42,52	110	0,44	144	0,57	158	0,63	25.181	0,58
Gračanica	42.518	89,09	77	0,16	2.817	5,9	991	2,08	1.324	2,77	47.727	1,09
Gradačac	33.838	81	2.369	5,67	3.544	8,48	728	1,74	1.297	3,1	41.776	0,95
Grude	4	0,02	16.210	99,1	9	0,06	130	0,79	5	0,03	16.358	0,37
Jablanica	9.099	71,7	2.291	18,05	504	3,97	216	1,7	581	4,58	12.691	0,29
Jajce	17.615	39,94	15.811	35,85	7.582	17,19	638	1,45	2.462	5,58	44.108	1,01
Kakanj	30.528	54,56	16.556	29,59	4.929	8,81	1.383	2,47	2.554	4,56	55.950	1,28
Kalesija	29.334	85,42	31	0,09	4.042	11,77	675	1,97	259	0,75	34.341	0,78
Kiseljak	9.778	40,47	12.550	51,94	740	3,06	496	2,05	600	2,48	24.164	0,55
Kladanj	11.820	74,07	35	0,22	3.645	22,84	180	1,13	277	1,74	15.957	0,36
Ključ	17.636	61,64	324	1,13	9.862	34,47	249	0,87	539	1,88	28.610	0,65
Konjic	24.164	54,58	11.530	26,04	6.647	15,01	573	1,29	1.361	3,07	44.275	1,01
Kreševo	1.531	22,75	4.714	70,03	34	0,51	201	2,99	251	3,73	6.731	0,15
Kupres	802	9,09	3.812	43,19	4.081	46,24	64	0,73	67	0,76	8.826	0,2
Livno	5.793	14,27	29.324	72,23	3.913	9,64	445	1,1	1.125	2,77	40.600	0,93
Lukavac	38.080	67,22	2.159	3,81	11.761	20,76	1.237	2,18	3.416	6,03	56.653	1,29
Ljubuški	1.592	5,62	26.127	92,19	65	0,23	329	1,16	227	0,8	28.340	0,65
Maglaj	18.872	54,95	3.667	10,68	9.788	28,5	586	1,71	1.431	4,17	34.344	0,78
Mostar	38.628	2,1619	32.592	1,41	18.844	1,03	2.452	0,1	9.411	0,31	101.927	2,33
Neum	190	4,39	3.792	87,68	207	4,79	46	1,06	90	2,08	4.325	0,1

BiH Federation												
<i>F BiH MUNICIPALITY</i>	<i>Bosniaks</i>	<i>%</i>	<i>Croats</i>	<i>%</i>	<i>Serbs</i>	<i>%</i>	<i>Others</i>	<i>%</i>	<i>Yugoslavs</i>	<i>%</i>	<i>TOTAL</i>	<i>%</i>
Novi Travnik	11.625	37,85	12.162	39,6	4.097	13,34	697	2,27	2.132	6,94	30.713	0,7
Odžak	6.216	21,6	15.976	55,52	4.796	16,67	674	2,34	1.113	3,87	28.775	0,66
Olovo	12.220	73,35	642	3,85	3.372	20,24	140	0,84	285	1,71	16.659	0,38
Orašje	1.879	7,78	19.818	82,06	1.599	6,62	262	1,08	593	2,46	24.151	0,55
Pale-Prača	1.428	69,86	4	0,2	596	29,16	11	0,54	5	0,24	2.044	0,05
Posušje	6	0,04	16.963	99	9	0,05	130	0,76	26	0,15	17.134	0,39
Prozor	7.225	36,56	12.259	62,04	45	0,23	131	0,66	100	0,51	19.760	0,45
Ravno	21	1,19	800	45,17	917	51,78	13	0,73	20	1,13	1.771	0,04
Sanski Most	27.841	50,49	2.840	5,15	22.100	40,08	1.195	2,17	1.170	2,12	55.146	1,26
Sapna	10.145	75,15	15	0,11	3.198	23,69	98	0,73	44	0,33	13.500	0,31
Sarajevo-Centar	39.761	50,15	5.428	6,85	16.631	20,98	4.436	5,59	13.030	16,43	79.286	1,81
Sarajevo-Hadžici	15.392	63,6	746	3,08	6.362	26,29	859	3,55	841	3,48	24.200	0,55
Sarajevo-Ilidža	27.923	46,21	6.835	11,31	19.367	32,05	1.391	2,3	4.914	8,13	60.430	1,38
Sarajevo-Ilijaš	10.162	41,09	1.736	7,02	11.299	45,68	369	1,49	1.167	4,72	24.733	0,57
Sarajevo-Noví Grad	68.990	50,89	8.868	6,54	37.194	27,43	5.121	3,78	15.405	11,36	135.578	3,1
Sarajevo-Novo Sarajevo	33.707	37,02	8.760	9,62	29.249	32,12	4.320	4,74	15.015	16,49	91.051	2,08
Sarajevo-Stari Grad	39.347	79,28	1.122	2,26	4.117	8,3	1.678	3,38	3.368	6,79	49.632	1,13
Sarajevo-Trnovo	2.703	78,9	2	0,06	663	19,35	29	0,85	29	0,85	3.426	0,08
Sarajevo-Vogošća	12.499	50,71	1.071	4,35	8.813	35,76	534	2,17	1.730	7,02	24.647	0,56
Srebrenik	30.528	74,65	2.752	6,73	5.308	12,98	1.105	2,7	1.203	2,94	40.896	0,93
Stolac	7.386	48,68	5.542	36,53	1.806	11,9	157	1,03	280	1,85	15.171	0,35
Šamac-Domaljevac	7	0,11	6.131	93,57	290	4,43	63	0,96	61	0,93	6.552	0,15

BiH Federation												
<i>F BiH MUNICIPALITY</i>	<i>Bosniaks</i>	<i>%</i>	<i>Croats</i>	<i>%</i>	<i>Serbs</i>	<i>%</i>	<i>Others</i>	<i>%</i>	<i>Yugoslavs</i>	<i>%</i>	<i>TOTAL</i>	<i>%</i>
Široki Brijeg	9	0,03	26.864	98,91	148	0,54	119	0,44	20	0,07	27.160	0,62
Teočak	7.338	91,73	5	0,06	235	2,94	397	4,96	25	0,31	8.000	0,18
Tešanj	34.663	84,45	3.506	8,54	1.547	3,77	414	1,01	918	2,24	41.048	0,94
Tomislavgrad	3.148	10,49	25.976	86,56	576	1,92	202	0,67	107	0,36	30.009	0,69
Travnik	31.813	45,39	25.945	37,02	7.300	10,42	1.296	1,85	3.736	5,33	70.090	1,6
Tuzla	62.669	47,72	20.396	15,53	20.002	15,23	6.261	4,77	21.990	16,75	131.318	3
Usora	413	4,64	8.019	90,16	95	1,07	155	1,74	212	2,38	8.894	0,2
Vareš	6.714	30,24	9.016	40,61	3.644	16,41	758	3,41	2.071	9,33	22.203	0,51
Velika Kladuša	48.305	91,3	740	1,4	2.266	4,28	604	1,14	993	1,88	52.908	1,21
Visoko	34.373	74,46	1.872	4,06	7.471	16,19	980	2,12	1.464	3,17	46.160	1,05
Vitez	11.514	41,33	12.675	45,5	1.501	5,39	792	2,84	1.377	4,94	27.859	0,64
Zavidovići	33.623	64,19	3.429	6,55	11.626	22,2	1.012	1,93	2.689	5,13	52.379	1,2
Zenica	80.359	54,74	22.510	15,33	23.705	16,15	4.561	3,11	15.664	10,67	146.799	3,35
Žepče	11.676	35,54	17.916	54,53	2.398	7,3	258	0,79	608	1,85	32.856	0,75
Živinice	44.017	80,35	3.976	7,26	3.525	6,43	1.135	2,07	2.130	3,89	54.783	1,25
TOTAL F BIH	1.423.593	52,34%	594.362	21,85%	478.122	17,58%	62.059	2,28%	161.938	5,95%	2.720.074	62,14%

Republika Srpska												
RS MUNICIPALITY	Bosniaks	%	Croats	%	Serbs	%	Others	%	Yugoslavs	%	TOTAL	%
Banja Luka	28.558	14,59%	29.026	14,83%	106.826	54,59%	7.626	3,90%	23.656	12,09%	195.692	4,47%
Berkovići	715	20,37%	646	18,40%	2.111	60,14%	11	0,31%	27	0,77%	3.510	0,08%
Bijeljina	30.229	31,17%	492	0,51%	57.389	59,17%	4.452	4,59%	4.426	4,56%	96.988	2,22%
Bileća	1.947	14,66%	39	0,29%	10.628	80,01%	448	3,37%	222	1,67%	13.284	0,30%
Bos. Kostajnica	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p
Bosanski Brod	4.087	12,10%	13.986	41,40%	11.105	32,88%	955	2,83%	3.646	10,79%	33.779	0,77%
Bratunac	21.535	64,06%	40	0,12%	11.475	34,13%	346	1,03%	223	0,66%	33.619	0,77%
Čajniče	4.024	44,93%	5	0,06%	4.709	52,58%	141	1,57%	77	0,86%	8.956	0,20%
Čelinac	1.446	7,73%	76	0,41%	16.554	88,46%	260	1,39%	377	2,01%	18.713	0,43%
Derventa	7.086	12,54%	21.952	38,86%	22.938	40,61%	1.165	2,06%	3.348	5,93%	56.489	1,29%
Doboj	28.692	33,18%	10.333	11,95%	39.591	45,78%	2.331	2,70%	5.532	6,40%	86.479	1,98%
Donji Žabar	14	0,33%	1.490	35,34%	2.636	62,52%	43	1,02%	33	0,78%	4.216	0,10%
Foča	17.284	48,70%	94	0,26%	16.869	47,53%	794	2,24%	450	1,27%	35.491	0,81%
Gacko	3.858	35,76%	29	0,27%	6.661	61,74%	156	1,45%	84	0,78%	10.788	0,25%
Gradiška	15.851	26,43%	3.417	5,70%	35.753	59,61%	1.642	2,74%	3.311	5,52%	59.974	1,37%
Han Pijesak	2.543	41,72%	7	0,11%	3.424	56,18%	53	0,87%	68	1,12%	6.095	0,14%
Istočni Drvar	1	1,64%	0	0,00%	60	98,36%	0	0,00%	0	0,00%	61	0,00%
Istočni Mostar	299	54,17%	155	28,08%	95	17,21%	2	0,36%	1	0,18%	552	0,01%
Istočni Stari Grad	63	5,67%	4	0,36%	1.033	92,90%	6	0,54%	6	0,54%	1.112	0,03%
Jezero	695	35,51%	120	6,13%	1.082	55,29%	24	1,23%	36	1,84%	1.957	0,04%
Kalinovik	1.342	31,46%	17	0,40%	2.803	65,71%	61	1,43%	43	1,01%	4.266	0,10%
Kasindo	1.837	23,08%	99	1,24%	5.688	71,48%	67	0,84%	267	3,36%	7.958	0,18%

Republika Srpska												
RS MUNICIPALITY	Bosniaks	%	Croats	%	Serbs	%	Others	%	Yugoslavs	%	TOTAL	%
Kneževo	1.068	6,91%	223	1,44%	13.903	89,95%	103	0,67%	160	1,04%	15.457	0,35%
Kotor Varoš	11.090	30,09%	10.695	29,02%	14.056	38,14%	267	0,72%	745	2,02%	36.853	0,84%
Kozarska Dubica	6.440	20,38%	488	1,54%	21.728	68,75%	1.099	3,48%	1.851	5,86%	31.606	0,72%
Krupa na Uni	62	2,23%	5	0,18%	2.697	97,15%	10	0,36%	2	0,07%	2.776	0,06%
Kupres	0	0,00%	1	0,13%	783	98,86%	8	1,01%	0	0,00%	792	0,02%
Laktaši	408	1,37%	2.565	8,60%	24.176	81,04%	1.153	3,86%	1.530	5,13%	29.832	0,68%
Lopare	2.696	13,74%	54	0,28%	16.112	82,13%	300	1,53%	455	2,32%	19.617	0,45%
Lukavica	635	12,51%	59	1,16%	4.047	79,73%	76	1,50%	259	5,10%	5.076	0,12%
Ljubinje	332	7,96%	39	0,93%	3.748	89,84%	34	0,81%	19	0,46%	4.172	0,10%
Milići	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p	n/p
Modriča	10.375	29,13%	9.805	27,53%	12.534	35,20%	1.048	2,94%	1.851	5,20%	35.613	0,81%
Mrkonjić Grad	2.342	8,89%	2.019	7,67%	21.056	79,95%	329	1,25%	591	2,24%	26.337	0,60%
Nevesinje	2.785	20,09%	193	1,39%	10.673	76,99%	88	0,63%	123	0,89%	13.862	0,32%
Novi Grad	14.040	33,70%	403	0,97%	25.101	60,24%	564	1,35%	1.557	3,74%	41.665	0,95%
Osmaci	3.803	50,92%	4	0,05%	3.617	48,43%	28	0,37%	16	0,21%	7.468	0,17%
Oštra Luka	295	5,72%	1.482	28,72%	3.263	63,22%	44	0,85%	77	1,49%	5.161	0,12%
Pale	2.958	20,53%	125	0,87%	10.763	74,70%	171	1,19%	391	2,71%	14.408	0,33%
Pelagićevo	18	0,12%	6.244	42,17%	7.677	51,85%	727	4,91%	139	0,94%	14.805	0,34%
Petrovac	0	0,00%	2	0,53%	372	99,20%	1	0,27%	0	0,00%	375	0,01%
Petrovo	81	0,71%	55	0,48%	10.741	94,16%	324	2,84%	206	1,81%	11.407	0,26%
Prijedor	49.351	43,85%	6.316	5,61%	47.581	42,28%	2.836	2,52%	6.459	5,74%	112.543	2,57%
Prnjavor	7.143	15,18%	1.721	3,66%	33.508	71,21%	2.926	6,22%	1.757	3,73%	47.055	1,08%

Republika Srpska												
RS MUNICIPALITY	Bosniaks	%	Croats	%	Serbs	%	Others	%	Yugoslavs	%	TOTAL	%
Ribnik	60	0,68%	6	0,07%	8.644	98,44%	31	0,35%	40	0,46%	8.781	0,20%
Rogatica	13.187	60,27%	19	0,09%	8.316	38,01%	173	0,79%	186	0,85%	21.881	0,50%
Rudo	3.130	27,05%	5	0,04%	8.150	70,43%	180	1,56%	106	0,92%	11.571	0,26%
Sokolac	4.493	30,19%	19	0,13%	10.195	68,50%	93	0,62%	83	0,56%	14.883	0,34%
Srbac	940	4,30%	140	0,64%	19.382	88,75%	567	2,60%	811	3,71%	21.840	0,50%
Srebrenica	27.572	75,20%	38	0,10%	8.315	22,68%	361	0,98%	380	1,04%	36.666	0,84%
Šamac	2.223	8,85%	7.456	29,69%	13.307	52,98%	464	1,85%	1.665	6,63%	25.115	0,57%
Šekovići	326	3,39%	10	0,10%	9.030	93,78%	134	1,39%	129	1,34%	9.629	0,22%
Šipovo	2.965	19,03%	31	0,20%	12.333	79,16%	95	0,61%	155	0,99%	15.579	0,36%
Teslić	12.802	21,86%	9.525	16,26%	31.690	54,10%	1.100	1,88%	3.455	5,90%	58.572	1,34%
Trebinje	5.550	18,99%	446	1,53%	20.432	69,91%	1.175	4,02%	1.622	5,55%	29.225	0,67%
Trnovo	2.087	58,54%	14	0,39%	1.396	39,16%	25	0,70%	43	1,21%	3.565	0,08%
Ugljevik	2.903	16,30%	52	0,29%	14.446	81,13%	137	0,77%	269	1,51%	17.807	0,41%
Ustiprača	3.620	81,02%	4	0,09%	772	17,28%	47	1,05%	25	0,56%	4.468	0,10%
Višegrad	13.471	63,55%	32	0,15%	6.743	31,81%	634	2,99%	319	1,50%	21.199	0,48%
Vlasenica	18.528	54,96%	39	0,12%	14.327	42,50%	477	1,41%	340	1,01%	33.711	0,77%
Vukosavlje	8	0,27%	1.513	51,59%	1.186	40,44%	145	4,94%	81	2,76%	2.933	0,07%
Zvornik	37.957	55,99%	107	0,16%	27.665	40,81%	862	1,27%	1.204	1,78%	67.795	1,55%
TOTAL RS	440.746	28,08%	144.238	9,19%	869.854	55,43%	39.481	2,52%	75.013	4,78%	1.569.332	35,85%

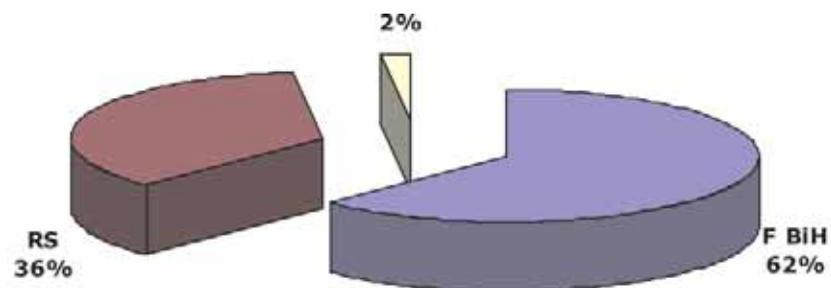
Brčko District BiH

<i>Bosniaks</i>	<i>%</i>	<i>Croats</i>	<i>%</i>	<i>Serbs</i>	<i>%</i>	<i>Others</i>	<i>%</i>	<i>Yugoslavs</i>	<i>%</i>	<i>TOTAL</i>	<i>%</i>
38.617	44,07%	22.252	25,39%	18.128	20,69%	2.899	3,31%	5.731	6,54%	87.627	2,00%

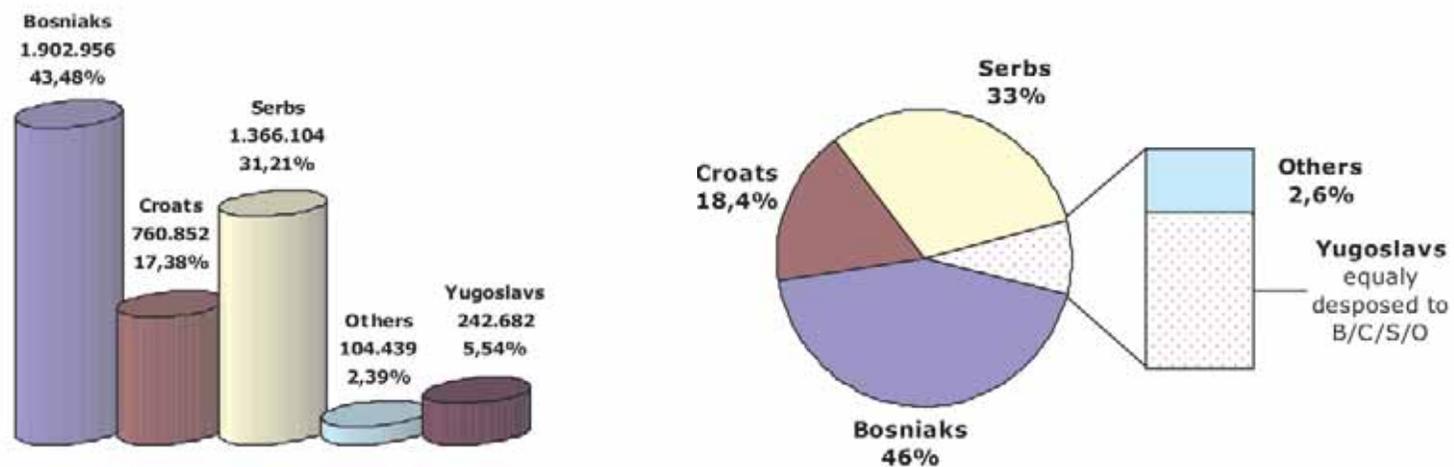
Distribution of 1991 Population – per Present Administrative Units in BiH

ENTITY	<i>BiH FEDERATION</i>	<i>REPUBLIKA SRPSKA</i>	<i>BRCKO DISTRICT BiH</i>	<i>BOSNIA AND HERZEGOVINA</i>
Bosniaks	1.423.593	440.746	38.617	1.902.956
%	52,34%	28,08%	44,07%	43,48%
Croats	594.362	144.238	22.252	760.852
%	21,85%	9,19%	25,39%	17,38%
Serbs	478.122	869.854	18.128	1.366.104
%	17,58%	55,43%	20,69%	31,21%
Others	62.059	39.481	2.899	104.439
%	2,28%	2,52%	3,31%	2,39%
Yugoslavs	161.938	75.013	5.731	242.682
%	5,95%	4,78%	6,54%	5,54%
TOTAL	2.720.074	1.569.332	87.627	4.377.033
%	62,14%	35,85%	2,00%	100,00%

Percentage of 1991 Population - per Present Administrative Units in BiH



National Structure of 1991 Population



Consequences of 1992 – 1995 Conflict to Demographic Picture of Country

Tragic conflict in the region, as BH Constitution defined the war devastations from 1992 to 1995, had caused huge direct consequences to the demographic picture of the country: about 250.000 persons got killed and about 17.000 were reported missing.

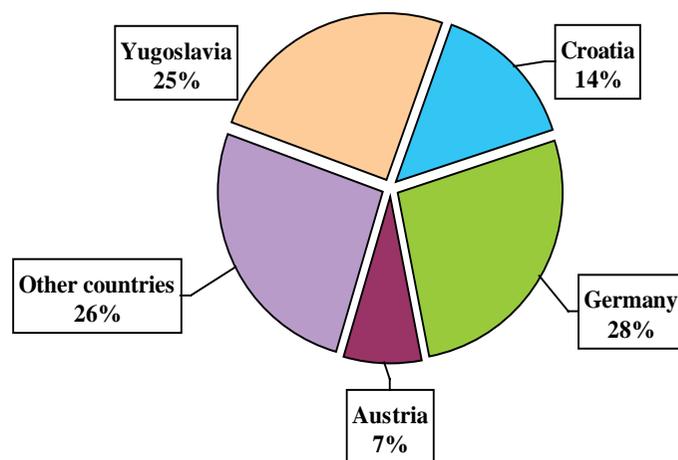
Besides, since the beginning of the war until the General Framework Agreement for Peace (DPA) was signed some 2,2 million people had fled from their pre-war homes in Bosnia and Herzegovina, which makes more than 50% of the pre-war domicile population. Out of that number 1,2 million people asked for refugee protection in more than 100 countries all over the world, while at the same time more than million persons were displaced within the country.



Refugees from BiH in Period from 1992 to 1995

Countries of West Europe were the most often temporary reception destinations of refugees from BiH while at the same time an outstanding number of BH refugees had been received in traditional resettlement countries: USA, Canada, Australia and New Zealand.

Major Host Countries of BH Refugees



Countries of the region: Yugoslavia (Serbia and Montenegro) and Croatia hosted almost 40% of the total number of BH refugees while Germany and Austria provided for majority of BH refugees out of the region.

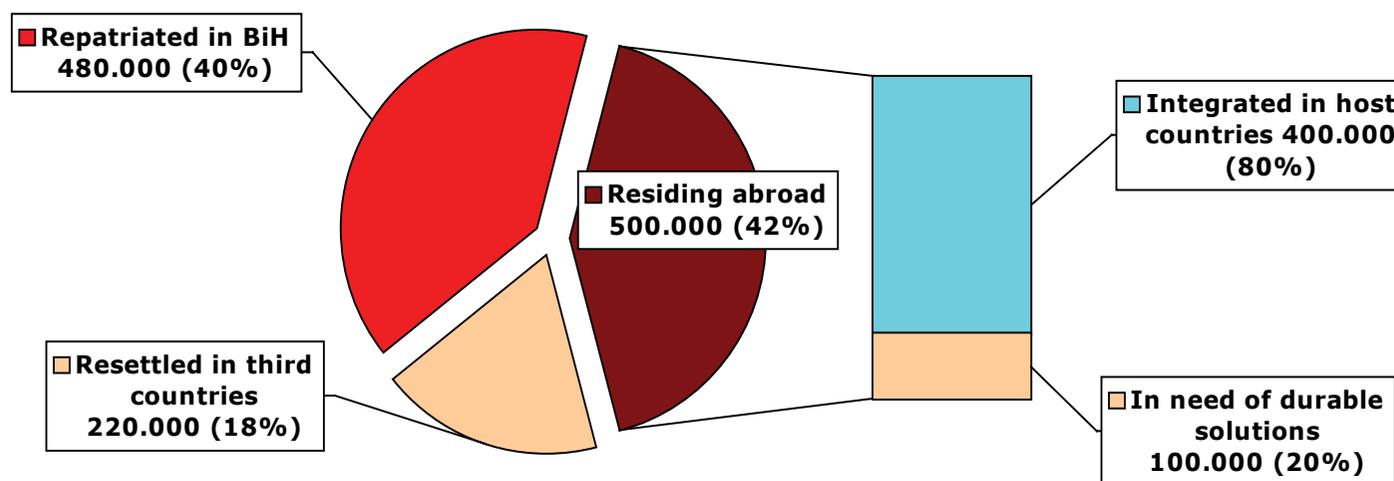
These four countries accepted almost 80% of all BH refugees.

Integration of Refugees from BiH in Recipient Countries

Today, ten years after the Dayton Peace Agreement was signed, almost half a million persons who had left Bosnia and Herzegovina in the period from 1992 to 1995 and who were recorded as refugees from BiH, are still residing in some 40 countries all over the world.

Quite a small number of them are still in need for durable solutions, which means that they have not been granted the citizenship, permanent residence, asylum, working permission or other legal permission to stay in host countries.

Numerical Indicators on Migrations of Refugees from BiH



Review of BH Refugees – per Recipient Countries				
Recipient Country of Refugees from BiH 1992 - 1995	Recorded Number of BH Refugees 1992 - 1995	Changed Country of Reception	Repatriation to BiH 1996 – 2005	Current Number of BH Refugees in Host Country
Australia	15.000		800	14.200
Austria	86.500	5.500	10.100	70.900
Belgium	5.500		500	5.000
Czech Republic	5.000	1.000	1.000	3.000
Denmark	17.000		1.600	15.400
France	6.000	100	900	5.000
Greece	4.000	400	600	3.000
The Netherlands	22.000	2.000	4.000	16.000
Croatia	170.000	52.000	56.000	62.000
Italy	12.100	2.000	2.000	8.100
Canada	20.000	1.000	600	18.400
Hungary	7.000	1.000	2.500	3.500
FYR Macedonia	9.000	4.800	3.750	450
Norway	12.000	1.300	2.500	8.200
Germany	320.000	52.000	246.000	22.000
USA	20.000	1.000	1.500	17.500
Slovenia	43.100	23.200	15.000	4.900
Serbia and Montenegro	297.000	50.000	110.000	137.000
Spain and Portugal	4.500	1.000	1.000	2.500
Sweden	58.700		1.900	56.800
Switzerland	24.500	2.600	11.000	10.900
Turkey	23.500	17.800	4.650	1.050
Great Britain and Ireland	4.100	100	1.000	3.000
Other Countries	13.500	1.200	1100	11.200
TOTAL	1.200.000	220.000	480.000	500.000

Persons Displaced within Bosnia and Herzegovina

Displaced Persons in Bosnia and Herzegovina are the persons who have been expelled from their habitual residences as the consequence of the conflict, or left their habitual residences owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership to a social group or political opinion, and who took up temporary residence elsewhere in BiH.



1992 – 1995 Displacement Directions

Directions of displacement in BiH during the conflict were mainly characterised by movements of the population towards the territories at that time controlled by the military formations according to their ethnic belonging in the following pattern: Bosniaks, Croats and Serbs were concentrated at the territories controlled by the BiH Army, Croat Defense Council and Republika Srpska Army respectively.

In addition, a huge proportion of population had been displaced due to physical destructions and devastations of the housing units in which they resided before the war, movement into "more safe" objects, temporary occupation of abandoned real properties as well as meeting the economic needs for the sustainability of families at the war time.



Displaced Persons in 1995

Signing of the Peace Agreement by the end of 1995 around a million persons met displaced in BiH, out of which nearly one third within their domicile municipalities mainly across administratively defined border lines and the consequent division of the unique pre-war territorial units.



Housing Stock of Bosnia and Herzegovina

Housing Stock of Bosnia and Herzegovina in 1991

Housing stock of Bosnia and Herzegovina in 1991 consisted of more than a million housing units in 6.823 settlements. The average housing unit area was 60.45 square metres per a household or 6.68 m² per an inhabitant.



Number and Disposition of Housing Units – per 1991 Census

1991 Municipality	Entity	Total Number of Housing Units (Privately and Socially owned)								
		Bosniaks	%	Croats	%	Serbs	%	Others	%	TOTAL
Banovići	F BiH	4.485	69,9	203	3,2	1.232	19,2	500	7,8	6.420
Banja Luka	RS	8.202	16,3	8.136	16,1	27.519	54,6	6.550	13,0	50.407
Bihać	F BiH	10.471	62,1	1.620	9,6	3.562	21,1	1.199	7,1	16.852
Bijeljina	RS	7.646	29,5	140	0,5	16.063	62,0	2.075	8,0	25.924
Bileća	RS	463	14,6	16	0,5	2.545	80,0	158	5,0	3.182
Bosanska Dubica	RS	1.627	18,6	148	1,7	6.340	72,3	652	7,4	8.767
Bosanska Gradiška	RS	4.030	25,0	934	5,8	10.027	62,1	1.143	7,1	16.134
Bosanska Krupa	F BiH	8.238	68,1	42	0,3	3.611	29,8	213	1,8	12.104
Bosanski Brod	RS	1.183	12,7	3.776	40,6	3.379	36,3	964	10,4	9.302
Bosanski Novi	RS	3.266	30,4	115	1,1	6.928	64,5	428	4,0	10.737
Bosanski Petrovac	F BiH	849	19,5	11	0,3	3.386	77,7	111	2,5	4.357
Bosanski Šamac	RS	679	7,9	3.557	41,4	3.859	44,9	493	5,7	8.588
Bosansko Grahovo	F BiH	4	0,2	41	1,8	2.134	96,1	41	1,8	2.220
Bratunac	RS	4.283	58,3	9	0,1	2.937	40,0	112	1,5	7.341
Brčko	District	9.701	43,9	5.066	22,9	5.284	23,9	2.072	9,4	22.123
Breza	F BiH	3.481	73,8	299	6,3	645	13,7	290	6,2	4.715
Bugojno	F BiH	4.112	40,7	3.463	34,3	2.083	20,6	445	4,4	10.103
Busovača	F BiH	1.837	43,0	2.121	49,7	172	4,0	138	3,2	4.268
Cazin	F BiH	12.072	96,8	34	0,3	218	1,7	151	1,2	12.475
Čajniče	RS	1.050	45,1	2	0,1	1.222	52,5	55	2,4	2.329

Number and Disposition of Housing Units – per 1991 Census

1991 Municipality	Entity	Total Number of Housing Units (Privately and Socially owned)								
		Bosniaks	%	Croats	%	Serbs	%	Others	%	TOTAL
Čapljina	F BiH	1.795	27,8	3.417	52,9	989	15,3	263	4,1	6.464
Čelinac	RS	329	7,5	18	0,4	3.944	89,5	114	2,6	4.405
Čitluk	F BiH	33	1,1	3.067	98,5	5	0,2	8	0,3	3.113
Derventa	RS	2.011	13,3	5.883	38,9	6.287	41,6	923	6,1	15.104
Doboj	RS	10.145	37,2	3.585	13,2	11.651	42,8	1.870	6,9	27.251
Donji Vakuf	F BiH	3.007	54,5	161	2,9	2.193	39,7	159	2,9	5.520
Foča	RS	5.229	50,4	22	0,2	4.800	46,3	323	3,1	10.374
Fojnica	F BiH	1.854	52,2	1.537	43,2	47	1,3	116	3,3	3.554
Gacko	RS	900	35,3	11	0,4	1.585	62,2	54	2,1	2.550
Glamoč	F BiH	519	15,3	45	1,3	2.781	82,1	42	1,2	3.387
Goražde	F BiH	6.503	67,8	32	0,3	2.754	28,7	306	3,2	9.595
Gornji Vakuf	F BiH	2.864	56,1	2.149	42,1	28	0,5	61	1,2	5.102
Gračanica	F BiH	10.181	68,6	32	0,2	3.900	26,3	734	4,9	14.847
Gradačac	F BiH	7.998	58,4	2.066	15,1	3.004	21,9	629	4,6	13.697
Grude	F BiH	1	0,0	3.590	99,4	3	0,1	16	0,4	3.610
Han-Pijesak	RS	642	35,5	2	0,1	1.129	62,5	33	1,8	1.806
Jablanica	F BiH	1.958	71,1	499	18,1	136	4,9	160	5,8	2.753
Jajce	F BiH	4.121	40,5	3.147	31,0	2.248	22,1	648	6,4	10.164
Kakanj	F BiH	6.886	53,4	3.818	29,6	1.366	10,6	815	6,3	12.885
Kalesija	F BiH	7.264	77,9	4	0,0	1.890	20,3	168	1,8	9.326

Number and Disposition of Housing Units – per 1991 Census

1991 Municipality	Entity	Total Number of Housing Units (Privately and Socially owned)								
		Bosniaks	%	Croats	%	Serbs	%	Others	%	TOTAL
Kalinovik	RS	496	36,3	5	0,4	834	61,1	30	2,2	1.365
Kiseljak	F BiH	2.220	38,7	3.069	53,5	217	3,8	229	4,0	5.735
Kladanj	F BiH	2.664	69,7	12	0,3	1.052	27,5	96	2,5	3.824
Ključ	F BiH	3.841	41,4	103	1,1	5.175	55,8	152	1,6	9.271
Konjic	F BiH	5.316	53,3	2.614	26,2	1.703	17,1	348	3,5	9.981
Kotor-Varoš	RS	2.376	30,3	2.036	26,0	3.226	41,2	192	2,5	7.830
Kreševo	F BiH	365	21,2	1.254	72,7	8	0,5	98	5,7	1.725
Kupres	RS	173	8,1	776	36,1	1.179	54,9	20	0,9	2.148
Laktaši	RS	95	1,2	676	8,5	6.549	82,2	647	8,1	7.967
Livno	F BiH	1.313	15,4	5.907	69,3	1.037	12,2	268	3,1	8.525
Lopare	RS	2.838	34,2	308	3,7	4.928	59,3	231	2,8	8.305
Lukavac	F BiH	10.084	65,5	655	4,3	3.597	23,4	1.049	6,8	15.385
Ljubinje	RS	76	7,6	8	0,8	902	90,3	13	1,3	999
Ljubuški	F BiH	392	6,5	5.523	91,7	11	0,2	97	1,6	6.023
Maglaj	F BiH	4.693	45,1	1.758	16,9	3.532	33,9	422	4,1	10.405
Modriča	RS	2.720	30,0	2.337	25,7	3.499	38,6	520	5,7	9.076
Mostar	F BiH	10.366	35,0	9.957	33,6	6.218	21,0	3.100	10,5	29.641
Mrkonjić-Grad	RS	844	11,8	458	6,4	5.693	79,4	171	2,4	7.166
Neum	F BiH	44	4,6	820	86,1	65	6,8	23	2,4	952
Nevesinje	RS	761	21,0	53	1,5	2.764	76,3	43	1,2	3.621

Number and Disposition of Housing Units – per 1991 Census

1991 Municipality	Entity	Total Number of Housing Units (Privately and Socially owned)								
		Bosniaks	%	Croats	%	Serbs	%	Others	%	TOTAL
Novi Travnik	F BiH	2.527	35,3	2.766	38,7	1.214	17,0	643	9,0	7.150
Odžak	F BiH	1.639	22,3	3.801	51,7	1.520	20,7	397	5,4	7.357
Olovo	F BiH	2.963	71,7	174	4,2	913	22,1	81	2,0	4.131
Orašje	F BiH	593	8,4	5.102	72,1	1.205	17,0	180	2,5	7.080
Posušje	F BiH	2	0,1	3.151	99,3	3	0,1	16	0,5	3.172
Prijedor	RS	11.590	40,7	1.792	6,3	13.180	46,3	1.883	6,6	28.445
Prnjavor	RS	1.787	14,6	428	3,5	8.739	71,5	1.266	10,4	12.220
Prozor	F BiH	1.501	40,1	2.195	58,7	11	0,3	35	0,9	3.742
Rogatica	RS	3.370	58,1	4	0,1	2.355	40,6	71	1,2	5.800
Rudo	RS	919	29,4	1	0,0	2.126	68,1	78	2,5	3.124
Sanski Most	F BiH	6.087	41,8	1.085	7,4	6.875	47,2	525	3,6	14.572
Sarajevo-Centar	F BiH	10.691	46,8	2.096	9,2	5.547	24,3	4.525	19,8	22.859
Sarajevo-Hadžići	F BiH	3.648	62,0	226	3,8	1.737	29,5	269	4,6	5.880
Sarajevo-Ilidža	F BiH	6.459	40,3	1.782	11,1	6.478	40,4	1.312	8,2	16.031
Sarajevo-Ilijaš	F BiH	2.519	39,4	491	7,7	3.080	48,2	301	4,7	6.391
Sarajevo-Novigrad	F BiH	17.134	47,5	2.993	8,3	11.062	30,7	4.866	13,5	36.055
Sarajevo-Novo Sarajevo	F BiH	9.281	34,0	3.254	11,9	9.888	36,2	4.855	17,8	27.278
Sarajevo-Pale	F BiH	1.127	25,8	34	0,8	3.075	70,4	129	3,0	4.365
Sarajevo-Stari Grad	F BiH	10.179	76,3	411	3,1	1.594	12,0	1.149	8,6	13.333
Sarajevo-Trnovo	F BiH	1.229	66,3	5	0,3	598	32,3	21	1,1	1.853

Number and Disposition of Housing Units – per 1991 Census

1991 Municipality	Entity	Total Number of Housing Units (Privately and Socially owned)								
		Bosniaks	%	Croats	%	Serbs	%	Others	%	TOTAL
Sarajevo-Vogošća	F BiH	2.835	46,8	319	5,3	2.412	39,8	492	8,1	6.058
Skender-Vakuf	RS	266	6,5	862	21,2	2.875	70,6	71	1,7	4.074
Sokolac	RS	1.113	28,1	4	0,1	2.812	70,9	37	0,9	3.966
Srbac	RS	253	4,2	31	0,5	5.355	89,3	357	6,0	5.996
Srebrenica	RS	5.417	70,1	13	0,2	2.156	27,9	142	1,8	7.728
Srebrenik	F BiH	7.487	74,0	696	6,9	1.412	14,0	521	5,2	10.116
Stolac	F BiH	1.842	42,6	1.349	31,2	1.044	24,1	89	2,1	4.324
Šekovići	RS	75	3,1	2	0,1	2.269	94,5	55	2,3	2.401
Šipovo	RS	666	17,4	4	0,1	3.113	81,3	48	1,3	3.831
Široki Brijeg	F BiH	2	0,0	5.503	99,0	48	0,9	7	0,1	5.560
Teslić	RS	3.116	21,8	2.116	14,8	8.052	56,3	1.007	7,0	14.291
Tešanj	F BiH	7.890	71,8	1.995	18,2	794	7,2	309	2,8	10.988
Titov Drvar	F BiH	10	0,2	10	0,2	4.923	97,5	105	2,1	5.048
Tomislavgrad	F BiH	670	11,4	5.022	85,4	144	2,4	43	0,7	5.879
Travnik	F BiH	7.187	44,6	5.913	36,7	1.947	12,1	1.058	6,6	16.105
Trebinje	RS	1.387	17,4	463	5,8	5.550	69,5	583	7,3	7.983
Tuzla	F BiH	17.057	47,7	6.013	16,8	6.176	17,3	6.476	18,1	35.722
Ugljevik	RS	2.405	36,9	12	0,2	3.930	60,3	174	2,7	6.521
Vareš	F BiH	1.647	28,5	2.488	43,0	1.046	18,1	606	10,5	5.787
Velika Kladuša	F BiH	9.573	89,3	184	1,7	673	6,3	287	2,7	10.717

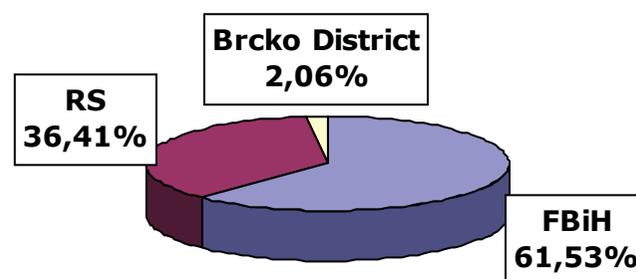
Number and Disposition of Housing Units – per 1991 Census										
1991 Municipality	Entity	Total Number of Housing Units (Privately and Socially owned)								
		Bosniaks	%	Croats	%	Serbs	%	Others	%	TOTAL
Visoko	F BiH	8.475	73,0	459	4,0	2.120	18,3	548	4,7	11.602
Višegrad	RS	3.446	62,0	5	0,1	1.990	35,8	115	2,1	5.556
Vitez	F BiH	2.564	40,6	2.963	46,9	394	6,2	393	6,2	6.314
Vlasenica	RS	3.949	49,6	14	0,2	3.834	48,1	172	2,2	7.969
Zavidovići	F BiH	7.644	58,1	1.771	13,5	3.022	23,0	726	5,5	13.163
Zenica	F BiH	18.801	52,5	6.239	17,4	6.477	18,1	4.270	11,9	35.787
Zvornik	RS	10.384	55,7	20	0,1	7.798	41,8	441	2,4	18.643
Žepče	F BiH	2.306	46,3	1.948	39,1	583	11,7	148	3,0	4.985
Živinice	F BiH	10.039	78,4	1.107	8,6	907	7,1	746	5,8	12.799

SOURCE: Agency for Statistics of the Republic of Bosnia and Herzegovina

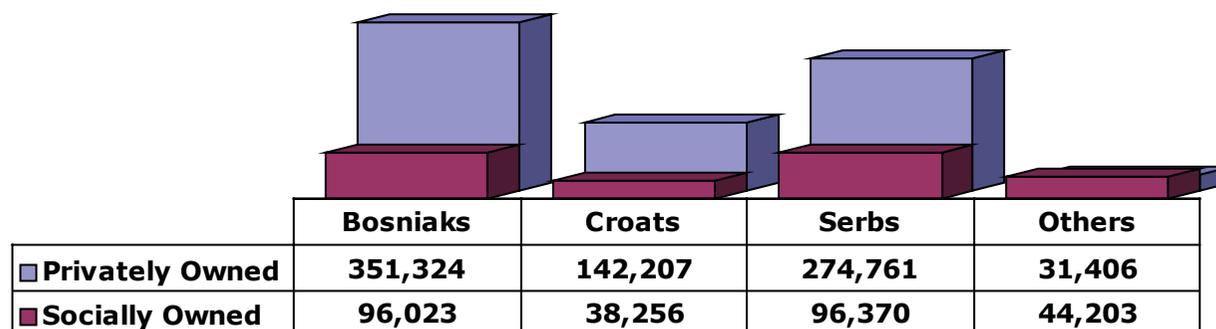
NOTE: Housing units per 1991 Census in the municipalities that are with their major part situated at the territories of the present administrative-territorial units in BiH

Number and Distribution of Housing Units – per 1991 Census										
ENTITY	Total Number and Percentage of Housing Units- per Entities and Nationality									
	<i>Bosniaks</i>	<i>%</i>	<i>Croats</i>	<i>%</i>	<i>Serbs</i>	<i>%</i>	<i>Others</i>	<i>%</i>	<i>TOTAL</i>	<i>%</i>
F BiH	325.439	49,20	136.615	20,70	149.924	22,70	49.223	7,40	661.201	61,53%
RS	112.207	28,70	38.782	9,90	215.923	55,20	24.314	6,20	391.226	36,41%
Brčko District	9.701	43,90	5.066	22,90	5.284	23,90	2.072	9,40	22.123	2,06%
TOTAL BIH	447.347	41,63%	180.463	16,79%	371.131	34,54%	75.609	7,04%	1.074.550	100%

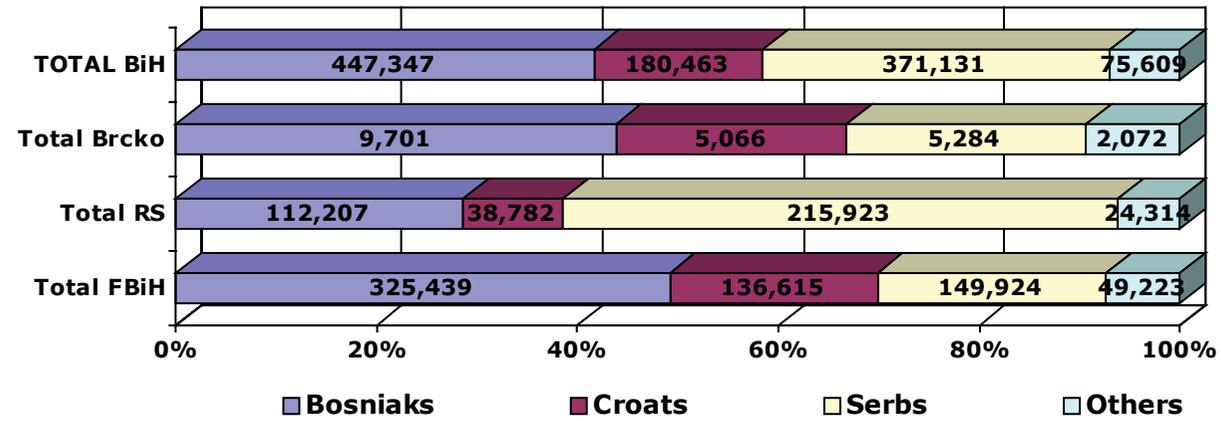
Percentage of Housing Units in 1991 – per Entities



Structure of 1991 BH Housing Stock Ownership



National Structure of 1991 BH Housing Units' Owners and Occupancy Rights Holders



Consequences of 1992-1995 Conflict to Housing Situation in BiH

In addition to demographic destructions the war also radically changed the housing sector situation in Bosnia and Herzegovina.

In the period from 1992 to 1995 some 452.000 housing units were partially or completely destroyed which makes almost a half of the pre-war housing stock. Out of this number, around 80% of housing units were either destroyed or heavily damaged. In addition, internally displaced persons in BiH temporary settled in the majority of habitable, abandoned housing units. Following this model more than 200,000 units were subject to the changed occupation with almost equal ratio of social and private ones.



Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH

<i>Municipality</i>	<i>Entity</i>	Situation as	<i>Number of Destroyed and Damaged Housing Units 1992 - 1995</i>				
		<i>in 1991</i>	<i>up to 20%</i>	<i>20 - 70%</i>	<i>above 70%</i>	<i>Total</i>	<i>%</i>
Banja Luka	RS	61.799	58	494	100	652	<i>1,06%</i>
Banovići	F BiH	7.490	664	419	505	1.588	<i>21,20%</i>
Berkovići	RS	1.005	24	275	9	308	<i>30,65%</i>
Bihać	F BiH	20.901	1.321	3.956	370	5.647	<i>27,02%</i>
Bijeljina	RS	29.796	532	1.011	141	1.684	<i>5,65%</i>
Bileća	RS	3.900	-	110	116	226	<i>5,79%</i>
Bosanska Kostajnica	RS	2.050	119	202	18	339	<i>16,54%</i>
Bosanska Krupa	F BiH	10.063	725	2.692	699	4.116	<i>40,90%</i>
Bosanski Brod	RS	10.566	458	5.996	1.157	7.611	<i>72,03%</i>
Bosanski Petrovac	F BiH	5.435	119	2.353	313	2.785	<i>51,24%</i>
Bosansko Grahovo	F BiH	3.054	322	1.163	189	1.674	<i>54,81%</i>
Bratunac	RS	8.333	151	3.138	691	3.980	<i>47,76%</i>
Brčko District	BD	24.920	1.163	12.109	2.094	15.366	<i>3,40%</i>
Breza	F BiH	5.452	74	607	308	989	<i>18,14%</i>
Bugojno	F BiH	11.877	41	1.315	543	1.899	<i>15,99%</i>
Busovača	F BiH	5.889	308	885	178	1.371	<i>23,28%</i>
Bužim	F BiH	2.991	34	257	26	317	<i>10,60%</i>
Cazin	F BiH	13.656	721	2.763	86	3.570	<i>26,14%</i>
Čajniče	RS	3.086	14	619	252	885	<i>28,68%</i>

Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH

<i>Municipality</i>	<i>Entity</i>	Situation as	<i>Number of Destroyed and Damaged Housing Units 1992 - 1995</i>				
		<i>in 1991</i>	<i>up to 20%</i>	<i>20 - 70%</i>	<i>above 70%</i>	<i>Total</i>	<i>%</i>
Čapljina	F BiH	7.840	179	715	250	1.144	14,59%
Čelić	F BiH	3.361	100	1.360	309	1.769	52,63%
Čelinac	RS	5.615	5	203	41	249	4,43%
Čitluk	F BiH	3.572	0	0	0	0	0,00%
Derвента	RS	17.014	505	10.892	3.068	14.465	85,02%
Doboj	RS	30.033	899	8.227	1.152	10.278	34,22%
Doboj-Istok	F BiH	2.310	794	161	54	1.009	43,68%
Doboj-Jug	F BiH	945	390	217	26	633	66,98%
Dobretići	F BiH	930	0	75	740	815	87,63%
Domaljevac-Šamac	F BiH	1.856	335	222	305	862	46,44%
Donji Vakuf	F BiH	6.054	985	1.845	1.105	3.935	65,00%
Donji Žabar	RS	927	128	445	90	663	71,52%
Drvar	F BiH	5.671	784	882	395	2.061	36,34%
Foča	RS	11.888	331	2.955	1.263	4.549	38,27%
Foča-Ustikolina	F BiH	1.815	0	188	1.181	1.369	75,43%
Fojnica	F BiH	4.152	421	1.001	352	1.773	42,70%
Gacko	RS	3.797	48	393	284	725	19,09%
Glamoč	F BiH	4.148	114	1.553	327	1.994	48,07%
Goražde	F BiH	10.773	1.000	2.200	2.000	5.200	48,27%
Gornji Vakuf-Uskoplje	F BiH	5.711	274	838	366	1.478	25,88%

Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH

<i>Municipality</i>	<i>Entity</i>	Situation as	<i>Number of Destroyed and Damaged Housing Units 1992 - 1995</i>				
		<i>in 1991</i>	<i>up to 20%</i>	<i>20 - 70%</i>	<i>above 70%</i>	<i>Total</i>	<i>%</i>
Gračanica	F BiH	14.471	1.316	4.622	207	6.145	42,46%
Gradačac	F BiH	12.183	1.036	4.617	900	6.553	53,79%
Gradiška	RS	18.473	408	2.590	288	3.286	17,79%
Grude	F BiH	3.922	0	0	0	0	0,00%
Han-Pijesak	RS	2.130	148	466	167	781	36,67%
Ilidža	RS	3.381	153	1.569	12	1.734	51,29%
Istočni Drvar	RS	39	-	7	8	15	38,46%
Istočni Kupres	RS	309	64	48	197	309	100,00%
Istočni Mostar	RS	147	-	23	6	29	19,73%
Istočni Stari grad	RS	567	21	120	22	163	28,75%
Jablanica	F BiH	3.317	35	412	253	700	21,10%
Jajce	F BiH	11.901	755	2.550	1.410	4.715	39,62%
Jezero	RS	647	2	353	28	383	59,20%
Kakanj	F BiH	15.445	462	0	1.504	1.966	12,73%
Kalesija	F BiH	8.475	754	3.057	1.004	4.815	56,81%
Kalinovik	RS	1.812	40	795	485	1.320	72,85%
Kiseljak	F BiH	6.965	9	237	365	611	8,77%
Kladanj	F BiH	4.588	577	2.453	91	3.121	68,03%
Ključ	F BiH	7.550	86	2.545	326	2.957	39,17%
Kneževo	RS	4.130	127	452	7	586	14,19%

Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH

<i>Municipality</i>	<i>Entity</i>	Situation as	<i>Number of Destroyed and Damaged Housing Units 1992 - 1995</i>				
		<i>in 1991</i>	<i>up to 20%</i>	<i>20 - 70%</i>	<i>above 70%</i>	<i>Total</i>	<i>%</i>
Konjic	F BiH	13.833	707	2.898	553	4.158	30,06%
Kotor-Varoš	RS	9.388	65	3.794	602	4.461	47,52%
Kozarska Dubica	RS	10.167	278	1.073	139	1.490	14,66%
Kreševo	F BiH	1.998	7	168	120	295	14,76%
Krupa na Uni	RS	910	6	494	152	652	71,65%
Kupres	F BiH	2.570	0	357	447	804	31,28%
Laktaši	RS	11.011	8	232	142	382	3,47%
Livno	F BiH	9.703	176	378	654	1.208	12,45%
Ljubinje	RS	1.317	13	72	34	119	9,04%
Ljubuški	F BiH	6.856	0	0	0	0	0,00%
Lopare	RS	6.219	272	1.003	193	1.468	23,61%
Lukavac	F BiH	18.237	212	2.905	1.558	4.675	25,63%
Lukavica	RS	1.762	-	342	1	343	19,47%
Maglaj	F BiH	10.707	2.227	2.741	1.520	6.488	60,60%
Milići	RS	3.481	2	693	499	1.194	34,30%
Modriča	RS	11.023	179	3.177	282	3.638	33,00%
Mostar	F BiH	34.831	3551	14120	6677	24348	69,90%
Mrkonjić-Grad	RS	8.513	348	2.199	523	3.070	36,06%
Neum	F BiH	1.867	291	132	75	498	26,67%
Nevesinje	RS	5.065	20	555	48	623	12,30%

Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH

<i>Municipality</i>	<i>Entity</i>	Situation as	<i>Number of Destroyed and Damaged Housing Units 1992 - 1995</i>				
		<i>in 1991</i>	<i>up to 20%</i>	<i>20 - 70%</i>	<i>above 70%</i>	<i>Total</i>	<i>%</i>
Novi Grad	RS	10.753	346	1.310	291	1.947	<i>18,11%</i>
Novi Travnik	F BiH	7.964	1.147	1.011	269	2.427	<i>30,47%</i>
Odžak	F BiH	8.413	7	6.403	1.317	7.727	<i>91,85%</i>
Olovo	F BiH	4.731	1.030	1.180	884	3.094	<i>65,40%</i>
Orašje	F BiH	7.094	190	384	259	833	<i>11,74%</i>
Osmaci	RS	1.839	91	746	283	1.120	<i>60,90%</i>
Oštra Luka	RS	1.440	31	464	93	588	<i>40,83%</i>
Pale	RS	7.583	1	521	55	577	<i>7,61%</i>
Pale-Prača	F BiH	943	57	146	377	580	<i>61,51%</i>
Pelagićevo	RS	2.617	112	1.544	166	1.822	<i>69,62%</i>
Petrovac	RS	150	-	87	42	129	<i>86,00%</i>
Petrovo	RS	3.805	244	685	41	970	<i>25,49%</i>
Posušje	F BiH	3.569	0	0	0	0	<i>0,00%</i>
Prijedor	RS	33.003	22	9.211	2.803	12.036	<i>36,47%</i>
Prnjavor	RS	13.620	128	329	2	459	<i>3,37%</i>
Prozor	F BiH	4.551	135	519	902	1.556	<i>34,19%</i>
Ravno	F BiH	992	70	463	54	587	<i>59,17%</i>
Ribnik	RS	3.678	45	1.165	623	1.833	<i>49,84%</i>
Rogatica	RS	7.612	109	1.991	1.382	3.482	<i>45,74%</i>
Rudo	RS	4.021	-	274	286	560	<i>13,93%</i>

Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH

<i>Municipality</i>	<i>Entity</i>	Situation as	<i>Number of Destroyed and Damaged Housing Units 1992 - 1995</i>				
		<i>in 1991</i>	<i>up to 20%</i>	<i>20 - 70%</i>	<i>above 70%</i>	<i>Total</i>	<i>%</i>
Šamac	RS	7.144	121	1.526	144	1.791	25,07%
Sanski Most	F BiH	15.372	82	3.747	440	4.269	27,77%
Sapna	F BiH	3.280	312	1.471	552	2.335	71,19%
Sarajevo-Centar	F BiH	27.112	6.169	4.739	921	11.829	43,63%
Sarajevo-Hadžići	F BiH	8.456	1.075	2.125	603	3.803	44,97%
Sarajevo-Ilidža	F BiH	19.303	2.388	5.909	2.340	10.637	55,11%
Sarajevo-Ilijaš	F BiH	8.486	900	1.236	1.669	3.805	44,84%
Sarajevo-Novigrad	F BiH	41.628	22.667	11.438	2.679	36.784	88,36%
Sarajevo-Novo Sarajevo	F BiH	30.281	13.148	6.816	3.209	23.173	76,53%
Sarajevo-Stari grad	F BiH	17.146	4.994	10.562	531	16.087	93,82%
Sarajevo-Trnovo	F BiH	2.011	409	151	967	1.527	75,93%
Sarajevo-Vogošća	F BiH	8.286	1.609	3.322	1.212	6.143	74,14%
Skelani	RS	4.060	6	2.144	993	3.143	77,41%
Sokolac	RS	5.719	17	437	234	688	12,03%
Srbac	RS	6.748	328	447	11	786	11,65%
Srebrenica	RS	4.934	75	3.194	586	3.855	78,13%
Srebrenik	F BiH	13.208	83	899	123	1.105	8,37%
Stolac	F BiH	4.091	905	2.206	403	3.514	85,90%
Šekovici	RS	3.125	84	216	6	306	9,79%
Šipovo	RS	4.851	196	2.120	617	2.933	60,46%

Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH

<i>Municipality</i>	<i>Entity</i>	Situation as	<i>Number of Destroyed and Damaged Housing Units 1992 - 1995</i>				
		<i>in 1991</i>	<i>up to 20%</i>	<i>20 - 70%</i>	<i>above 70%</i>	<i>Total</i>	<i>%</i>
Široki Brijeg	F BiH	6.413	0	0	0	0	0,00%
Teočak	F BiH	1.922	794	949	143	1.886	98,13%
Tešanj	F BiH	10.834	1.143	1.022	273	2.438	22,50%
Teslić	RS	16.332	629	3.537	301	4.467	27,35%
Tomislavgrad	F BiH	6.489	94	22	15	131	2,02%
Travnik	F BiH	19.558	2.465	6.040	2.790	11.295	57,75%
Trebinje	RS	9.920	1.100	1.294	96	2.490	25,10%
Trnovo	RS	1.868	41	1.033	198	1.272	68,09%
Tuzla	F BiH	42.831	190	2.133	1.173	3.496	8,16%
Ugljevik	RS	5.169	65	629	36	730	14,12%
Usora	F BiH	2.198	258	355	215	828	37,67%
Ustiprača	RS	1.944	6	1.229	387	1.622	83,44%
Vareš	F BiH	7.194	134	836	1.125	2.095	29,12%
Velika Kladuša	F BiH	11.951	354	1.414	112	1.880	15,73%
Višegrad	RS	7.275	-	1.696	561	2.257	31,02%
Visoko	F BiH	13.723	1.258	1.649	504	3.411	24,86%
Vitez	F BiH	8.087	665	1.692	520	2.877	35,58%
Vlasenica	RS	5.718	232	3.450	216	3.898	68,17%
Vukosavlje	RS	605	210	163	199	572	94,55%
Zavidovići	F BiH	16.643	853	2.475	571	3.899	23,43%

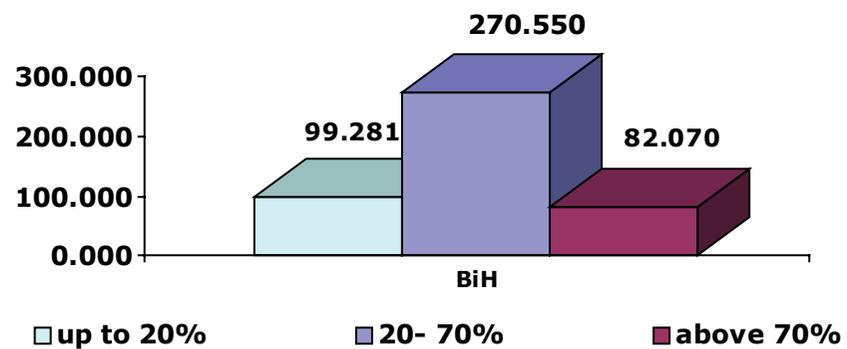
Projection of Housing Stock Situation by End of 1995 – per Present Municipalities in BiH							
Municipality	Entity	Situation as	Number of Destroyed and Damaged Housing Units 1992 - 1995				
		in 1991	up to 20%	20 - 70%	above 70%	Total	%
Zvornik	RS	18.338	295	5.294	1.079	6.668	36,36%
Zenica	F BiH	45.677	89	77	197	363	0,79%
Žepče	F BiH	6.057	185	499	146	830	13,70%
Živinice	F BiH	14.834	393	939	242	1.574	10,61%

SOURCE: IMG (International Management Group), 1995 Census

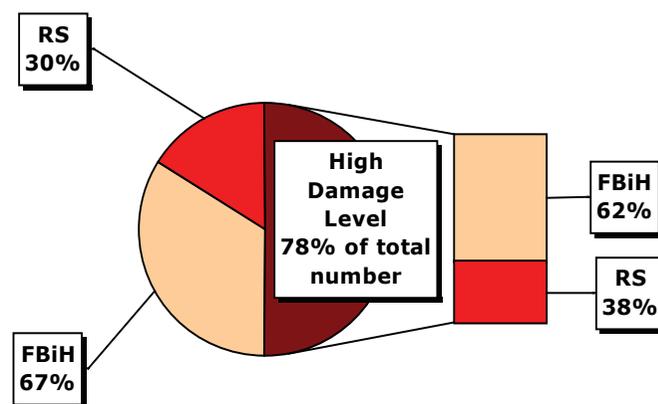
NOTE: The higher number of housing units in 1991 as per IMG assessment in comparison to the situation that was registered in 1991 official Census appeared as a result of recording the actual situation at the spot.

Housing Stock Situation in 1995 – per Entities in BiH								
Entity	F BiH	%	RS	%	Brčko District	%	BiH	
No of HUs in 1991	786.693	60,71%	484.171	37,37%	24.920	1,92%	1.295.784	% devastated
up to 20%	88.158	88,80%	9.960	10,03%	1.163	1,17%	99.281	21,97%
20 - 70%	156.688	57,91%	101.753	37,61%	12.109	4,48%	270.550	59,87%
above 70%	56.028	68,27%	23.948	29,18%	2.094	2,55%	82.070	18,16%
Total	300.874	38,25%	135.661	28,02%	15.366	3,40%	451.901	34,87%
%	66,58%		30,02%		3,40%		100,00%	

Level of Housing Units' Damage in 1995



Percentage of Housing Units' Damage in 1995



10 YEARS LATER

Changed Demographic Picture of Bosnia and Herzegovina

Since 1991 no official census has been conducted in Bosnia and Herzegovina

Due to operational needs for indicators on actual number of population, after the war large and very often serious research and demographic assessments have been conducted. However, turbulent times which caused radical changes in number, composition and disposition of BH population are reasons that previous assessments differ even up to million inhabitants, depending on time research was conducted and the source of research.

Ten-year demographic changes from 1991 to 2001

Ten-year demographic changes⁵ from 31 March 1991 to 31 March 2001 cite the following scientific⁶ assessments based on monitoring of demographic movements.

Demographic changes by entities

Population	BiH	BiH Federation	Republika Srpska
As of 31.3.1991.	4.377.033	2.783.711	1.593.322
As of 31.3.2001.	3.364.825	2.298.501	1.066.324

⁵ Human Development Report 2001, published in 2002

Appendix 2: Population of Bosnia and Herzegovina in the period 1991–2001

⁶ Research of Prof. dr. Ilijas Bošnjović was partly published by the International Forum Bosnia in a French book *La guerre aux civils – Bosnie – Herzégovine 1992 – 1996* L'Harmattan, Paris 1997, whereas it was published in "Oslobođenje" and other dailies in BiH. Professor Ilijas Bošnjović's project, *BiH Population 1878-2001* during publishing of the Human Development Report was under research.

Demographic changes by ethnic group⁷

Population	Total	Bosniaks	Croats	Serbs	Others
As of 31.3.1991.	4.377.033	2.012.718	805.892	1.444.384	111.039
As of 31.3.2001.	3.364.825	1.626.843	519.478	1.142.948	75.556
Composition					
1991	100	46,0	18,4	33,1	2,4
2001	100	48,3	15,4	34,0	2,3

Demographic balance in BiH as of 31 March 2001⁸

Potential number of population as of 31 March 2001 if there were no war: 4,539,457

Loss of population growth:	157.472	3,5
Killed, missing and higher war mortality rate:	269.810	5,9
Persons abroad:	749.700	16,5
Persons in country:	3.362.474	74,1
	4.539.457	100

Summarised, as per this source, in 2001 Bosnia and Herzegovina had 4,251,425 inhabitants, out of which 3,364,825 in the country, that is around 80% and around 20%, namely 886,600 inhabitants abroad.

Therefore, ten-year demographic balance recorded the loss of 288,032 inhabitants in relation to potential number of population if there were no war.

⁷ Human Development Report 2001, published in 2002
Appendix 2: Population of Bosnia and Herzegovina in the period 1991–2001

⁸ Ibid

Projection of BiH Population in 2005

Regarding number and composition of population of Bosnia and Herzegovina in 2005, the most current is the assessment which cites number of 4,025,476 million inhabitants, as per ethnic belonging 48% Bosniaks, 14.3% Croats, 37% Serbs and 0.6% others.⁹

Considering the expressed demographic changes on the basis of statistics and research presented in this document, Ministry for Human Rights and Refugees estimates that at the moment less than 3.5 million of BH inhabitants, that is 87.5% reside in Bosnia and Herzegovina, while the remaining number of around half million citizens of Bosnia and Herzegovina stay abroad.

9 *The World Fact Book on Bosnia and Herzegovina, 1 November 2005*

BOSNA I HERCEGOVINA
Ministarstvo za ljudska prava i izbjeglice



BOSNIA AND HERZEGOVINA
Ministry for Human Rights and Refugees

10 godina poslije:
Skoro 190.000 osoba još
uvijek je raseljeno u BiH

10 years after:
Almost 190.000 persons
is still displaced in BiH



Sarajevo, 2005

More than 180,000 Persons are still Displaced in BiH

Ministry for Human Rights and Refugees Report on (re)-registration of Displaced Persons in BiH, December 2005

Overview

The first, comprehensive, official registration of displaced persons in BiH was made by the end of 2000, when 556.214 displaced persons were registered (183.355 families).

Although many displaced persons have found permanent solutions after being registered, in the first place through return but other ways as well, the systematic de-registration of such persons have not been performed.

After it was found necessary to determine the real number of displaced persons in BiH, as one of the most important assumptions for successful continuation of activities in terms of implementation of the Annex VII of the Dayton Peace Agreement, early last year the Ministry for Human Rights and Refugees, the Ministry for Refugees and Displaced Persons of Republika Srpska, the Federal Ministry for Displaced Persons and Refugees and Government of District Brčko of BiH, in co-operation with the UNHCR have signed joint "Protocol on Implementation of the Process of Revision of Numerical Situation and Status of Displaced Persons in BiH".

The Protocol was signed based on the Law on Refugees from BiH and Displaced Persons in BiH ("Official Gazette of BiH" No. 23/99, 21/03 and 33/03), the Law on Displaced Persons, Refugees and Returnees in Republika Srpska ("Official Gazette of RS" No. 33/99 and 65/01), the Law on Displaced Persons and Refugees-Returnees in the Federation of BiH ("Official Gazette of F BiH" No. 19/00, 56/01 and 18/03) and the Protocol on establishing and terms of using the Central Database on displaced persons in BiH, in accordance with goals from the Strategy of BiH for implementation of the Annex VII of the Dayton Peace Agreement.

Signatories of the Protocol agreed that all activities related to implementation of revision of numerical situation and status of displaced persons in BiH should be carried out in three phases, through which all changes of information contained in the Central Database on displaced persons will be recorded, the process of re-registration of the remaining

displaced persons will be implemented, status issues will be solved and their needs in finding permanent solution will be met.

In the first phase, the number of displaced persons were corrected to approximately 470,000 in a systematic way and based on administrative measures only. Afterwards, the indicators from the database on displaced persons were compared with information collected on reconstruction and property repossession, land allocation and some other indicators, so the estimation was made that there are approximately only 295,000 displaced persons in BiH who have a need for status of displaced person.

Then the process of re-registration in the whole BiH was carried out through collection of applications for displaced person status revision in BiH, and it was completed successfully within the deadline as of 31.3.2005.

According to the Preliminary Report indicators published right after expiration of time planned for collecting requests, there have been 59.825 requests submitted for re-registration of 186.451 displaced persons in BiH, out of which 32.926 requests (95.995 persons) were submitted in BiH Federation, 26.135 requests (88.859 persons) in RS, and 764 requests (1.597 persons) in Brčko District.

The preliminary indicators showed that the number of displaced persons, who submitted their re-registration requests, had decreased to only one third of those registered in inventory from 2000.

When comparing data on re-registered displaced persons and data on returns recorded in the same period, one reaches an encouraging conclusion that majority of persons who did not approach re-registration, have solved their status by returning to their prewar addresses.

It was also apparent that certain number of persons decided to integrate in places of their displacement, while a number of displaced persons also found their permanent solutions by leaving BiH.

Activities performed on re-registration of displaced persons shall help processes of prevention of having double beneficiaries, identification of actual remaining needs and direct help to real priorities, contributing in such way to permanent solution of problem of displacement, not only in BiH, but in the region as well.

All activities that were carried shall enable Ministry for human rights and refugees to coordinate return policy and, together with competent local and international institutions, create plans and priorities for the forthcoming period with aim to successfully implement Strategy of Bosnia and Herzegovina for the Implementation of Annex 7 of the Dayton Peace Agreement.

It is obvious that some of the aims set should be modified and adjusted on basis of accurate indexes gained in the process of re-registration.

This Report was made by processing re-registration data collected in both Entities and BiH Brčko District, and it covers collected data based on grounds of submitted family requests for revision of displaced person's status.

At present, there is a process of revision of displaced person's status, for which the actors in coordinated activities had prepared necessary legal framework, in order to secure harmonized and synchronized decisions in the procedure of establishing and cessation of displaced person's status on the territory of entire Bosnia and Herzegovina.

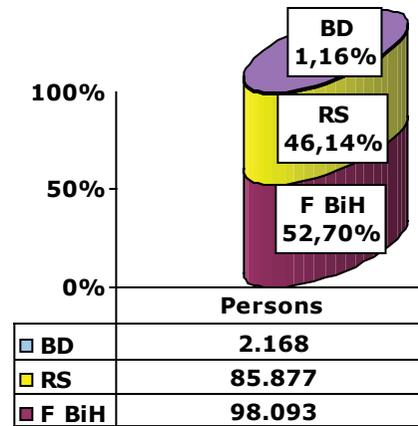
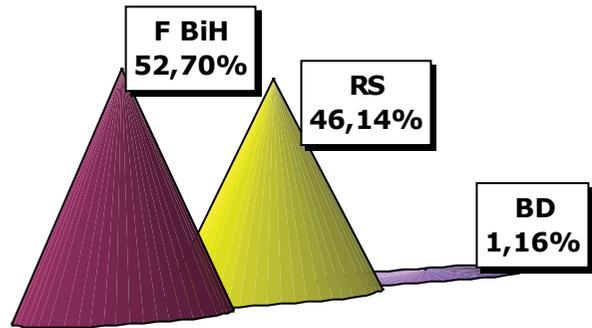
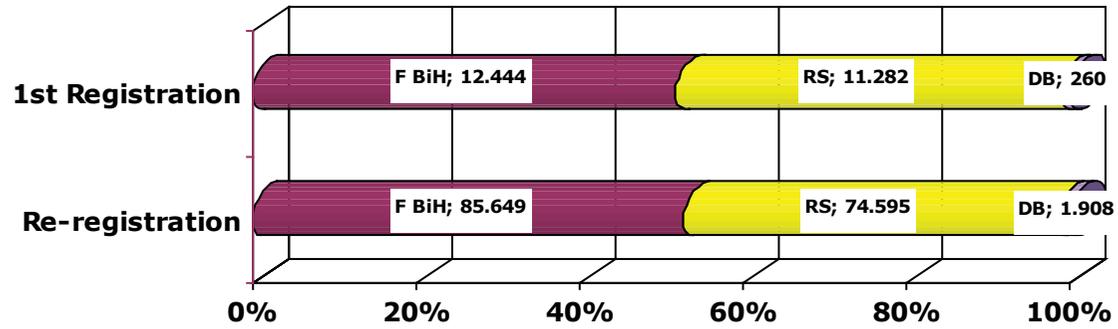
Registered Applications for Re-registration of Displaced Persons – per Places of Temporary Residence

Today, 10 years after signing Peace Agreement in Dayton, based on number of registered family requests for revision of their status, almost 190.000 displaced persons in BiH still need permanent solutions.

Out of total of 59.892 submitted requests for re-registration or 186.138 persons displaced in Bosnia and Herzegovina, 33.148 requests were submitted by 98.093 persons who temporarily reside on territory of BiH Federation, which makes 52,70% of the total number, 25.979 requests were submitted by 85.877 person in the area of RS, which makes 46,14%, while only 765 family requests, or 1,28% of total number were submitted by 2.168 displaced persons living in territory of BiH Brčko District.

Out of this number, 87% concerns 52.131 requests for revision of status for 162.152 persons who were registered as being displaced, while remaining 13% concerns 7.761 requests for determination of status for 23.986 displaced persons, submitted for the first time, which points out the fact that a vast number of persons were displaced after 2000.

Number and Percentage of Re-registered Displaced Persons in BiH



**Review of Recorded Applications for Re-registration of Displaced Persons
– per Entities of Current Residence**

Entity of Current Residence		Re-registration	%	1st Registration	%	Total
	Families	29.225	88,17%	3.923	11,83%	33.148
	Persons	85.649	87,31%	12.444	12,69%	98.093
	F BiH	52,88%		51,88%		52,70%
	Families	22.248	85,64%	3.731	14,36%	25.979
	Persons	74.595	86,65%	11.282	13,35%	85.877
	RS	46,05%		47,04%		46,14%
	Families	658	86,01%	107	13,99%	765
	Persons	1.908	88,01%	260	11,99%	2.168
	Brčko District	1,18%		1,08%		1,16%
Total BiH	Families	52.131	87%	7.761	13%	59.892
	Persons	162.152		23.986		186.138

Detailed review of recorded applications submitted in the DPs Re-registration exercise, per places of 1991 residence, entities, cantons/regions and municipalities of current/temporary residence is presented in the tables to follow:

Displaced Persons Re-registered in BiH Federation

Number of Persons (Re)-registered in F BiH – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
F BIH MUNICIPALITY/ F BIH CANTON	Families	Persons	Families	Persons	Families	Persons	Families	Persons
1. Bihać	255	824	125	378			380	1.202
2. Bosanska Krupa	406	1.405	131	436	1	2	538	1.843
3. Bosanski Petrovac	9	22	305	816			314	838
4. Bužim	21	115	11	33			32	148
5. Cazin	28	119	20	62			48	181
6. Ključ	254	710	97	268			351	978
7. Sanski Most	65	197	1.079	3.358	1	3	1.145	3.558
8. Velika Kladuša	340	1.338	22	74			362	1.412
01- UNA-SANA	1.378	4.730	1.790	5.425	2	5	3.170	10.160
%	12,2%	13,1%	8,2%	8,8%	1,9%	1,7%	9,6%	10,4%
9. Domaljevac-Šamac	1	1	27	97			28	98
10. Odžak	48	152	12	35	1	3	61	190
11. Orašje	2	8	29	78			31	86
02- POSAVINA	51	161	68	210	1	3	120	374
%	0,4%	0,4%	0,3%	0,3%	1,0%	1,0%	0,4%	0,4%
3. Banovići	175	496	507	1.321	1	2	683	1.819
4. Čelić	20	50	154	437	26	81	200	568
5. Doboј-Istok	2	9	134	409			136	418
6. Gračanica	4	13	553	1.657	4	12	561	1.682

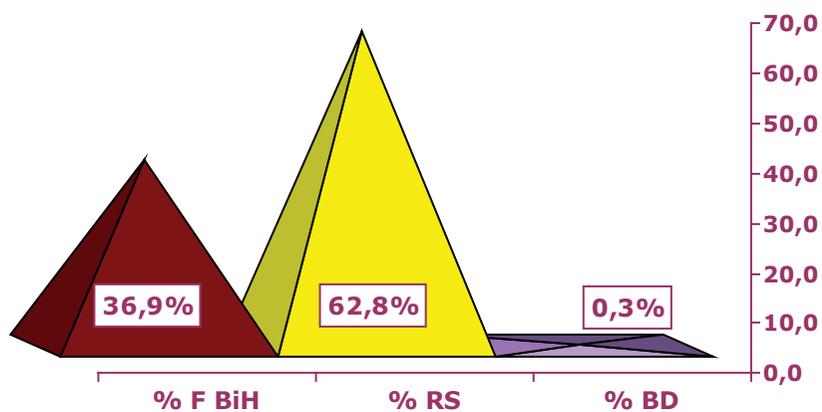
Number of Persons (Re)-registered in F BiH – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
F BIH MUNICIPALITY/ F BIH CANTON	Families	Persons	Families	Persons	Families	Persons	Families	Persons
7. Gradačac	60	166	455	1.381	13	40	528	1.587
8. Kalesija	7	14	526	1.691			533	1.705
9. Kladanj	20	69	274	856			294	925
10.Lukavac	214	517	716	2.110	2	4	932	2.631
11.Sapna	4	18	143	401			147	419
12.Srebrenik	3	9	1.242	3.623	8	21	1.253	3.653
13.Teočak	7	30	77	206			84	236
14.Tuzla	26	68	2.287	6.877	25	70	2.338	7.015
15.Živinice	5	16	1.456	4.077			1.461	4.093
03- TUZLA	547	1.475	8.524	25.046	79	230	9.150	26.751
%	4,8%	4,1%	39,3%	40,7%	75,2%	78,0%	27,6%	27,3%
16.Breza	10	32	69	183	2	2	81	217
17.Doboj-Jug	7	20	76	213			83	233
18.Kakanj	59	184	159	447	1	4	219	635
19.Maglaj	349	998	44	145			393	1.143
20.Olovo	165	512	118	337			283	849
21.Tešanj	17	50	403	1.230			420	1.280
22.Usora	48	137	8	24			56	161
23.Vareš	205	570	18	47			223	617
24.Visoko	55	166	380	1.102			435	1.268
25.Zavidovići	293	975	233	641	1	1	527	1.617

Number of Persons (Re)-registered in F BiH – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
F BIH MUNICIPALITY/ F BIH CANTON	Families	Persons	Families	Persons	Families	Persons	Families	Persons
26.Zenica	230	648	627	1.661	1	3	858	2.312
27.Žepče	126	357	85	286			211	643
04- ZENICA-DOBOJ	1.564	4.649	2.220	6.316	5	10	3.789	10.975
%	13,8%	12,8%	10,2%	10,3%	4,8%	3,4%	11,4%	11,2%
28.Foča-Ustikolina	72	79	59	59			131	138
29.Goražde	282	1.072	543	1.977			825	3.049
30.Pale	46	139	19	49			65	188
31.Pale-Prača	1	2					1	2
05- BOSNIA-PODRINJE	401	1.292	621	2.085			1.022	3.377
%	3,5%	3,6%	2,9%	3,4%	0,0%	0,0%	3,1%	3,4%
32.Bugojno	270	937	95	321			365	1.258
33.Busovača	153	474	1	1			154	475
34.Dobretići	34	116					34	116
35.Donji Vakuf	357	1.409	36	121			393	1.530
36.Fojnica	71	182	33	85			104	267
37.Gornji Vakuf-Uskoplje	157	562	1	3			158	565
38.Jajce	505	1.763	50	173			555	1.936
39.Kiseljak	172	534					172	534
40.Kreševo	42	138					42	138
41.Novi Travnik	358	1.338	7	30			365	1.368
42.Travnik	381	1.267	205	662			586	1.929

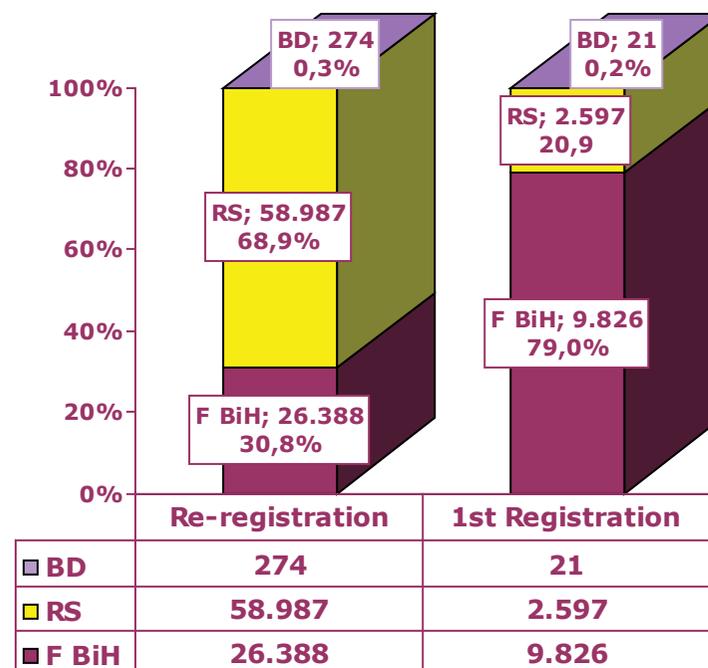
Number of Persons (Re)-registered in F BiH – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
F BIH MUNICIPALITY/ F BIH CANTON	Families	Persons	Families	Persons	Families	Persons	Families	Persons
43.Vitez	175	571					175	571
06- CENTRAL BOSNIA	2.675	9.291	428	1.396			3.103	10.687
%	23,6%	25,7%	2,0%	2,3%	0,0%	0,0%	9,4%	10,9%
44.Čapljina	859	2.946	14	42	1	6	874	2.994
45.Čitluk	2	4					2	4
46.Jablanica	200	703	29	72			229	775
47.Konjic	282	979	93	298	1	1	376	1.278
48.Mostar	981	3.125	204	647	1	4	1.186	3.776
49.Prozor	81	229	1	4			82	233
50.Stolac	94	270	2	5			96	275
07- HERZEGOVINA-NERETVA	2.499	8.256	343	1.068	3	11	2.845	9.335
%	22,0%	22,8%	1,6%	1,7%	2,9%	3,7%	8,6%	9,5%
51.Grude	43	144	2	5			45	149
52.Ljubuški	37	158	2	5			39	163
53.Posušje	1	1					1	1
54.Široki brijeg	14	45					14	45
08- WEST HERZEGOVINA	95	348	4	10	0	0	99	358
%	0,8%	1,0%	0,0%	0,0%	0,0%	0,0%	0,3%	0,4%
55.Sarajevo-Centar	155	418	451	1.184	3	5	609	1.607
56.Sarajevo-Hadžići	110	330	308	863	1	3	419	1.196
57.Sarajevo-Ilidža	268	763	1.789	4.794	2	5	2.059	5.562

Number of Persons (Re)-registered in F BiH – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
F BIH MUNICIPALITY/ F BIH CANTON	Families	Persons	Families	Persons	Families	Persons	Families	Persons
58.Sarajevo-Ilijaš	221	618	1.131	3.181			1.352	3.799
59.Sarajevo-Noví Grad	241	598	1.760	4.065	5	15	2.006	4.678
60.Sarajevo-Novo Sarajevo	255	678	814	2.085	2	5	1.071	2.768
61.Sarajevo-Stari Grad	119	279	268	558	2	3	389	840
62.Sarajevo-Trnovo			2	2			2	2
63.Sarajevo-Vogošća	133	402	1.034	2.811			1.167	3.213
09- SARAJEVO	1.502	4.086	7.557	19.543	15	36	9.074	23.665
%	13,2%	11,3%	34,8%	31,7%	14,3%	12,2%	27,4%	24,1%
64.Bosansko Grahovo	33	98	1	1			34	99
65.Drvar	306	892	10	24			316	916
66.Glamoč	94	327	124	385			218	712
67.Kupres	62	164	1	4			63	168
68.Livno	63	208	11	58			74	266
69.Tomislavgrad	66	237	5	13			71	250
10- CANTON 10	624	1.926	152	485	0	0	776	2.411
%	5,5%	5,3%	0,7%	0,8%	0,0%	0,0%	2,3%	2,5%

Number and Percentage of Re-registered Displaced Persons in F BiH - per Places of Residence in 1991



	Place of Residence in 1991
■ % F BiH	36,9
■ % RS	62,8
■ % BD	0,3



	Re-registration	1st Registration
■ BD	274	21
■ RS	58.987	2.597
■ F BiH	26.388	9.826

Number of Displaced Persons Re-registered in F BiH – per Cantons of Displacement and Places of 1991 Residence					
Place of residence in 1991	F BIH	RS	BD	TOTAL	
CANTON	Persons	Persons	Persons	Families	Persons
01-UNA-SANA	4.730	5.425	5	3.170	10.160
	13,10%	8,80%	1,70%	9,60%	10,40%
02-POSAVINA	161	210	3	120	374
	0,40%	0,30%	1,00%	0,40%	0,40%
03-TUZLA	1.475	25.046	230	9.150	26.751
	4,10%	40,70%	78,00%	27,60%	27,30%
04-ZENICA-DOBOJ	4.649	6.316	10	3.789	10.975
	12,80%	10,30%	3,40%	11,40%	11,20%
05-BOSNIA-PODRINJE	1.292	2.085		1.022	3.377
	3,60%	3,40%	0,00%	3,10%	3,40%
06-CENTRAL BOSNIA	9.291	1.396		3.103	10.687
	25,70%	2,30%	0,00%	9,40%	10,90%
07-HERZEGOVINA-NERETVA	8.256	1.068	11	2.845	9.335
	22,80%	1,70%	3,70%	8,60%	9,50%
08-WEST HERZEGOVINA	348	10	0	99	358
	1,00%	0,00%	0,00%	0,30%	0,40%
09- SARAJEVO	4.086	19.543	36	9.074	23.665
	11,30%	31,70%	12,20%	27,40%	24,10%
10-CANTON 10	1.926	485	0	776	2.411
	5,30%	0,80%	0,00%	2,30%	2,50%
TOTAL F BIH	36.214	61.584	295	33.148	98.093
%	36,90%	62,80%	0,30%	100%	

As apparent from presented tables and graphs, the greatest number of re-registered displaced persons resides on cantons of Tuzla and Sarajevo, which means that more than half of re-registered persons returned on the area of these two cantons.

At the same time, in municipalities situated in canton no. 10 and Posavina canton was in total registered less than 1% of resettled persons in Federation of Bosnia and Herzegovina.

Out of total of re-registered persons in the area of BiH Federation, municipality Tuzla had registered over 7% of such persons, and directly followed by municipalities: Ilidža and Novi Grad -Sarajevo, Živinice, Ilijaš, city of Mostar, Srebrenik, Sanski Most, Vogošća and Goražde, each having over 3.000 of displaced persons evidenced.

It is indicative that almost half of all re-registered persons in BiH Federation are concentrated in only 10 municipalities.

It is also evident that majority of resettled persons who were re-registered on territory of BiH Federation, stems from 10 municipalities in Republic of Srpska.

With regard to displacement directions, it is evident that majority of persons re-registered in BiH Federation stems from area of Podrinje, thus having around 40% of re-registered displaced persons with prewar places of residence in following municipalities: Srebrenica (10.153), Zvornik (7.423) and Bratunac (6.431), Foča (3.971), Vlasenica (3.897), Višegrad (2.959) and Rogatica (2.930). Right after it come municipalities of Doboј (2.285), Prijedor (1.748) and Sokolac (1.748).

Therefore, from concentrated areas of only 10 mentioned municipalities, stem almost half of all persons displaced on territory of BiH Federation.

These indicators shall have extraordinary importance for further planning of the return process, because it is obvious that attention should be focused on these issues.

Furthermore, when observing resettlement within BiH Federation, it can be claimed that more than half of total of re-registered internally displaced persons are concentrated in Jajce, Konjic, Bosanska Krupa, Travnik, Donji Vakuf,

Velika Kladuša, Kakanj, Novi Travnik, Vareš, Goražde, Maglaj, Prozor and Zavidovići, each having over 1.000 internally displaced persons. Still, municipality Jajce seems to be outstanding with this regard by having almost 3.000 of registered persons.

As a conclusion, we can find a link between implementation of property laws and return of property to their prewar owners/tenant owners as well as devastation of tenement, and internal displacement in these municipalities.

Accommodation of Re-registered Displaced Persons in F BiH

Among displaced persons in F BiH whose heads of households have indicated a type of accommodation in the re-registration form, the largest number is alternatively accommodated in private properties of other persons, thereupon followed by those who are beneficiaries of the collective types of accommodation.

when it comes to other types of accommodation, the majority of families have indicated they were tenants (9.067), that they were staying with relatives and friends (6.780), thereupon in improvised shelters, partially repaired and under conditional temporary facilities, but there are a lot of those who reported they were disposing of private properties in the places of their displacement.

Types of Accommodation of Displaced Persons Re-registered in F BiH			
Type of Accommodation	Families	Persons	%
Not indicated	15.324	44.681	45,50%
Collective	3.109	8.565	8,70%
Social property/apartment	2.644	8.199	8,40%
Individual	1.217	3.908	4,00%
Private property	7.488	22.028	22,50%
Other	3.366	10.712	10,90%
Total	33.148	98.093	100%

Displaced Persons Re-registered in RS

Number of Persons (Re)-registered in RS – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
RS MUNICIPALITY/OMI	Families	Persons	Families	Persons	Families	Persons	Families	Persons
1. Banja Luka	3.807	13.002	9	27			3.816	13.029
2. Čelinac	46	154					46	154
3. Kneževo	37	117					37	117
4. Kotor Varoš	144	449	25	80			169	529
5. Laktaši	355	1.122	1	3			356	1.125
6. Mrkonjić Grad	459	1.499	40	128			499	1.627
7. Ribnik	138	490					138	490
8. Šipovo	166	542	3	11			169	553
01-BANJA LUKA	5.152	17.375	78	249			5.230	17.624
%	20,8%	21,2%	6,6%	6,4%			20,1%	20,5%
9. Bijeljina	2.235	7.296	6	18	1	4	2.242	7.318
10. Lopare	82	272	32	98			114	370
11. Ugljevik	202	649	3	9			205	658
02-BIJELJINA	2.519	8.217	41	125	1	4	2.561	8.346
%	10,2%	10,0%	3,5%	3,2%	50,0%	44,4%	9,9%	9,7%
12. Bosanski Brod	197	598	56	197			253	795
13. Derventa	493	1.684	24	82			517	1.766
14. Prnjavor	282	942	1	3			283	945
03-DERVENTA	972	3.224	81	282			1.053	3.506

Number of Persons (Re)-registered in RS – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
RS MUNICIPALITY/OMI	Families	Persons	Families	Persons	Families	Persons	Families	Persons
%	3,9%	3,9%	6,9%	7,2%			4,1%	4,1%
15. Doboј	1.541	5.395	14	47			1.555	5.442
16. Petrovo	76	238					76	238
17. Teslić	485	1.608	83	259			568	1.867
04-DOBOJ	2.102	7.241	97	306			2.199	7.547
%	8,5%	8,8%	8,3%	7,8%			8,5%	8,8%
18. Modriča	1.362	4.318	12	45			1.374	4.363
19. Pelagićevo	40	139	1	3			41	142
20. Šamac	346	1.104	13	49	1	5	360	1.158
21. Vukosavlje	181	606					181	606
05-MODRIČA	1.929	6.167	26	97	1	5	1.956	6.269
%	7,8%	7,5%	2,2%	2,5%	50,0%	55,6%	7,5%	7,3%
22. Bosanska Kostajnica	5	12					5	12
23. Kozarska Dubica	144	462					144	462
24. Novi Grad	148	486	12	36			160	522
25. Prijedor	2.170	7.069	27	89			2.197	7.158
06-PRIJEDOR	2.467	8.029	39	125			2.506	8.154
%	9,9%	9,8%	3,3%	3,2%			9,6%	9,5%
26. Osmaci	72	249	6	20			78	269
27. Zvornik	1.791	5.901	56	201			1.847	6.102
07-ZVORNIK	1.863	6.150	62	221			1.925	6.371

Number of Persons (Re)-registered in RS – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
RS MUNICIPALITY/OMI	Families	Persons	Families	Persons	Families	Persons	Families	Persons
%	7,5%	7,5%	5,3%	5,7%			7,4%	7,4%
28. Čajniče	116	392	43	137			159	529
29. Foča	371	1.176	95	296			466	1.472
30. Kalinovik	37	141	9	25			46	166
08-FOČA	524	1.709	147	458			671	2.167
%	2,1%	2,1%	12,5%	11,7%			2,6%	2,5%
31. Han Pijesak	51	180	2	6			53	186
32. Istočni Stari Grad	17	56					17	56
33. Kasindo	137	424	8	36			145	460
34. Lukavica	276	937	9	31			285	968
35. Pale	510	1.640	4	17			514	1.657
36. Sokolac	219	716	4	14			223	730
37. Trnovo	52	175	25	80			77	255
09-ISTOČNO SARAJEVO	1.262	4.128	52	184			1.314	4.312
%	5,1%	5,0%	4,4%	4,7%			5,1%	5,0%
38. Bratunac	591	1.969	159	530			750	2.499
39. Srebrenica	236	813	155	552			391	1.365
10-SREBRENICA	827	2.782	314	1.082			1.141	3.864
%	3,3%	3,4%	26,8%	27,8%			4,4%	4,5%
40. Berkovići	56	182	3	6			59	188
41. Bileća	286	942	3	10			289	952

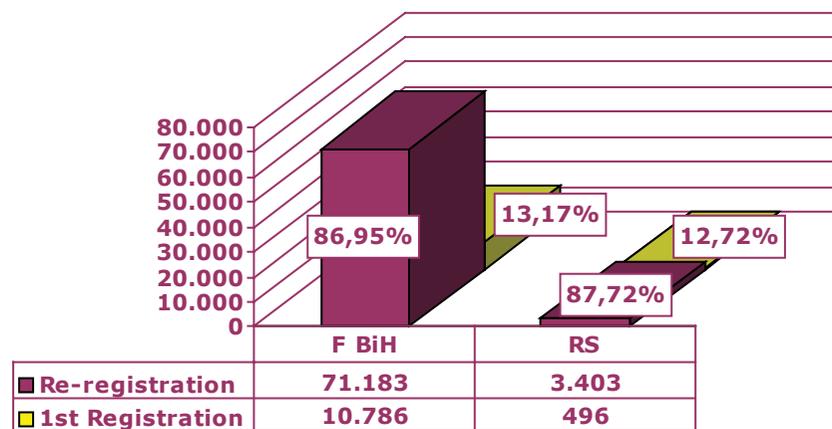
Number of Persons (Re)-registered in RS – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
RS MUNICIPALITY/OMI	Families	Persons	Families	Persons	Families	Persons	Families	Persons
42. Gacko	429	1.406	1	2			430	1.408
43. Ljubinje	64	228	10	34			74	262
44. Nevesinje	786	2.660					786	2.660
45. Trebinje	692	2.227	29	98			721	2.325
11-TREBINJE	2.313	7.645	46	150			2.359	7.795
%	9,3%	9,3%	3,9%	3,8%			9,1%	9,1%
46. Rogatica	293	962	82	277			375	1.239
47. Rudo	50	167	38	125			88	292
48. Ustiprača	124	387	2	7			126	394
49. Višegrad	956	3.154	2	3			958	3.157
12-VIŠEGRAD	1.423	4.670	124	412			1.547	5.082
%	5,7%	5,7%	10,6%	10,6%			6,0%	5,9%
50. Milići	107	314	33	104			140	418
51. Šekovići	14	45	5	17			19	62
52. Vlasenica	626	1.980	26	77			652	2.057
13-VLASENICA	747	2.339	64	198			811	2.537
%	3,0%	2,9%	5,5%	5,1%			3,1%	3,0%
53. Gradiška	631	2.051	2	10			633	2.061
54. Srbac	73	242					73	242
14-GRADIŠKA	704	2.293	2	10			706	2.303
%	2,8%	2,8%	0,2%	0,3%			2,7%	2,7%

Number of Persons (Re)-registered in RS – per Places of Displacement and 1991 Residence								
Place of residence in 1991	F BIH		RS		BD		TOTAL	
RS MUNICIPALITY/OMI	Families	Persons	Families	Persons	Families	Persons	Families	Persons
TOTAL REPUBLIKA SRPSKA	24.804	81.969	1.173	3.899	2	9	25.979	85.877
%	95,45%	4,54%	0,01%	100,0%				

Number of Persons (Re)-registered in RS – per Regions of Displacement and 1991 Residence					
Place of residence in 1991	F BIH	RS	BD	TOTAL	
OMI	Persons	Persons	Persons	Families	Persons
01-Banja Luka	17.375	249		5.230	17.624
%	21,2%	6,4%		20,1%	20,5%
02-Bijeljina	8.217	125	4	2.561	8.346
%	10,0%	3,2%	44,4%	9,9%	9,7%
03-Derventa	3.224	282		1.053	3.506
%	3,9%	7,2%		4,1%	4,1%
04-Doboj	7.241	306		2.199	7.547
%	8,8%	7,8%		8,5%	8,8%
05-Modriča	6.167	97	5	1.956	6.269
%	7,5%	2,5%	55,6%	7,5%	7,3%
06-Prijedor	8.029	125		2.506	8.154
%	9,8%	3,2%		9,6%	9,5%
07-Zvornik	6.150	221		1.925	6.371
%	7,5%	5,7%		7,4%	7,4%
08-Foča	1.709	458		671	2.167

%	2,1%	11,7%		2,6%	2,5%
09-Istočno Sarajevo	4.128	184		1.314	4.312
%	5,0%	4,7%		5,1%	5,0%
10-Srebrenica	2.782	1.082		1.141	3.864
%	3,4%	27,8%		4,4%	4,5%
11-Trebinje	7.645	150		2.359	7.795
%	9,3%	3,8%		9,1%	9,1%
12-Višegrad	4.670	412		1.547	5.082
%	5,7%	10,6%		6,0%	5,9%
13-Vlasenica	2.339	198		811	2.537
%	2,9%	5,1%		3,1%	3,0%
14-Gradiška	2.293	10		706	2.303
%	2,8%	0,3%		2,7%	2,7%
TOTAL REPUBLIKA SRPSKA	81.969	3.899	9	25.979	85.877
%	95,45%	4,54%	0,01%	100,0%	

Number and Percentage of Re-registered Displaced Persons in RS - per Places of 1991 Residence



Situation concerning intentness of displaced persons on RS territories is similar to model described for BiH Federation.

Almost third of all displaced persons re-registered in RS reside on areas which geographically gravitate toward city of Banja Luka, Bijeljina and Prijedor municipalities, where, at the same time, was re-registered the greatest number of displaced persons. The number of these persons is as follows: Banja Luka (13.029), Bijeljina (7.318), Prijedor (7.158), which is directly followed by: Zvornik, Doboj, Modriča and Višegrad, where was re-registered over 3.000 displaced persons each. On the territory of these seven municipalities temporarily reside more than a half of all displaced persons who were re-registered in RS.

The least number of re-registered displaced persons mainly reside on territories of smaller municipalities: Bosanska Kostajnica, Šekovići, Kneževo, Pelagićevo, Čelinac, Kalinovik, Han Pijesak and Berkovići, where altogether resides less than 1.000 of displaced persons.

It is also important to point out that the proportion of 86,9% of re-registered persons when compared to 13,1% of persons registered for the first time as displaced persons in RS is almost identical to the proportion 87,3%:12,7% in BiH Federation, with slightly bigger number of persons registered in RS for the first time.

With regard to place of pre-war residence, it is evident that, unlike BiH Federation which has considerable number of displaced persons within its territories, persons displaced in RS almost entirely (over 95%) stem from BiH Federation.

It is really important to stress that our database registered illogically huge number of "unknown" pre-war municipalities of residence in BiH Federation. There are 17,7% for even 3.517 families with total of 11.729 members whose residence prior to their resettlement is unknown, as well as the status of their prewar possessions. Further data analysis established that all these persons were initially registered as displaced. Since only around 50 of carriers of these households, which is in total 180 persons, was not born in BiH, it can be reasonably presumed that these persons are not refugees but really displaced persons, which definitely could not seek permanent solutions of their status through return, which would be elaborated in extension of this analysis and this Report.

Routes of displacement indicate patterned concentration of displaced persons stemming from certain territories. Thus, for example, over 40% of persons displaced in RS stems from only 10 municipalities in BiH Federation. Those are: Mostar (4.404), Sanski Most (4.209), Zavidovići (3.738), Maglaj (3.201), Ključ (2.845), Bihać (2.496), Zenica (2.431),

Donji Vakuf (2.345), Lukavac (2.277) and Glamoč (2.022).

All the statistical data for both entities indicate the need for an additional thorough analysis, on basis of which would resulted in recommendations for more efficient permanent solutions which would lead to realization of goals set in Annex 7 of Dayton Peace Agreement.

Accommodation of (Re)-registered Displaced Persons in RS

Alternatively accommodated Displaced Persons in RS		
Type of alternative Accommodation	Families	Persons
Not indicated	19.115	62.998
Collective	842	2.744
Government Apartments	1.355	4.500
Individual	2.899	9.862
Adapted flats/repared facilities	671	2.189
Unclaimed Apartments	1.097	3.584
TOTAL	25.979	85.877

Other Types of Accommodation of Displaced Persons in RS		
Other types of accommodation	Families	Persons
Not indicated	6.947	23.127
Relatives and friends	3.357	11.004
Tenants	8.474	28.018
Other	7.201	23.728
TOTAL	25.979	85.877

In comparison to F BiH, the RS organized the accommodation of displaced persons in a different manner. Officially, there are no collective centers in RS, however a category indicated as "collective", implies the collective types of accommodation facilities.

A considerable number of displaced persons are accommodated in individual housing units rented for the accommodation of displaced persons on behalf of the RS government. In addition, the very re-registration form that was used in RS did not contain the option for the indication of a private property of other person occupation, meaning that such an accommodation has been cancelled with the property laws implementation that had been verified by the international (PLIP) agencies.

Within other types of accommodation, the largest number of displaced persons in RS has indicated that they were staying with relatives and friends or that they were tenants.



Re-registration Exercise in Brčko District of BiH

2000 Census of displaced persons in Brčko District had been conducted by responsible Entity ministries in cooperation with UNHCR for those parts of the pre-war municipality of Brčko belonging to F BiH or RS accordingly.

The Government of Brčko District as a signatory party to the 2004 *Protocol on Implementation of the Process of Revision of Numerical Situation and Status of Displaced Persons in BiH*, actively participated in the Re-registration exercise by its Office responsible for refugees and displaced persons.

The same application form that was used in the Entities had been used in Brčko District as well, however the software for entering data collected in the re-registration exercise has only recently been installed. That is the reason why certain indicators were not available for the purpose of this Report, particularly those related to a social structure of re-registered displaced persons in BiH.

Nevertheless, most relevant data were processed and presented in the former part of the Report. In addition, we are able to present the information on accommodation, routes of displacement and national structure of re-registered displaced persons at the territory of Brčko District.

Accommodation of Displaced Persons in Brčko District

Types of Accommodation of Displaced Persons in Brčko District		
Type of Accommodation	Families	Persons
Alternative accommodation	362	1.070
%	47,32%	49,35%
Other types of accommodation	403	1.098
%	52,68%	50,65%
TOTAL	765	2.168

The number of alternatively accommodated re-registered displaced persons in Brčko District is almost the same to the number of those who occupy other types of accommodation.

The majority are occupants of flats constructed for the purpose of alternative accommodation of displaced persons in Brčko District, than social/unclaimed apartments and private properties of other persons.

However, within recorded types of accommodation, it is obvious there is significant number of families, which do not meet legal criteria for allocation of an alternative or paid accommodation. It is likely that most of them have been individually integrated in the place of their displacement.

The stated presumptions should in no way be linked to future DP's status determination but could be used as an indicator with the aim to find durable solutions.

Directions of Displacement in Brčko District

Almost half of re-registered families (above 47%) are internally displaced in Brčko District while remaining number of persons are mainly originating from the territory of F BiH. Most of them had their pre-war residence in municipalities of Jajce (360 families, 978 persons) and Lukavac (51 families, 110 persons), followed by municipalities of Sarajevo Canton, Travnik, Vareš and Bihać.

Only 9 displaced families with total of 19 family members are originating from RS, basically from 5 municipalities in Podrinje area.

Status of DPs' Pre-war Housing Units – per Entities of Displacement									
Current status of housing units	F BiH	%	RS	%	BD	%	Total	%	Persons
Not indicated	478	1%	269	1%	4	1%	751	1,3%	2.298
Sold	201	1%	541	2%	2	0%	744	1,2%	2.336
Exchanged	102	0%	139	1%	2	0%	243	0,4%	749
Rented to another person	82	0%	35	0%		0%	117	0,2%	365
Tenant's Contract cancelled	169	1%	810	3%	6	1%	985	1,6%	3.198
1991 Family members are living there	781	2%	247	1%	11	1%	1.039	1,7%	3.377
Occupied by relatives and friends	65	0%	46	0%		0%	111	0,2%	328
Others moved in	867	3%	571	2%	14	2%	1.452	2,4%	4.239
Occupancy right cancelled	92	0%	302	1%	8	1%	402	0,7%	1.330
Destroyed-under conditional	27.792	83%	20.679	80%	669	87%	49.140	82,0%	152.609
Repaired/reconstructed	1.262	4%	277	1%	11	1%	1.550	2,6%	4.833
Repossessed – got keys	773	2%	827	3%	21	3%	1.621	2,7%	5.013
I do not know/other	484	1%	1.236	5%	17	2%	1.737	2,9%	5.463
TOTAL	33.148	55%	25.979	43%	765	1%	59.892	100%	186.138

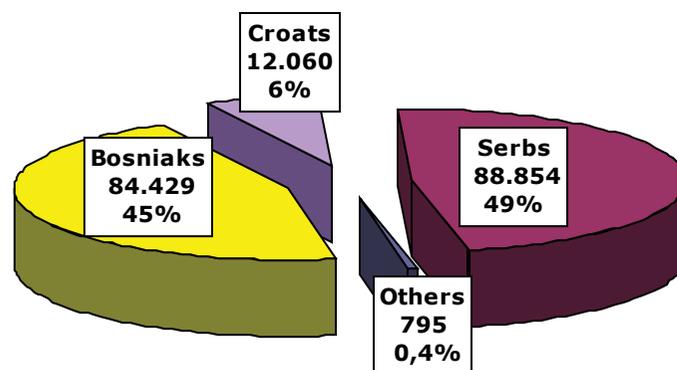
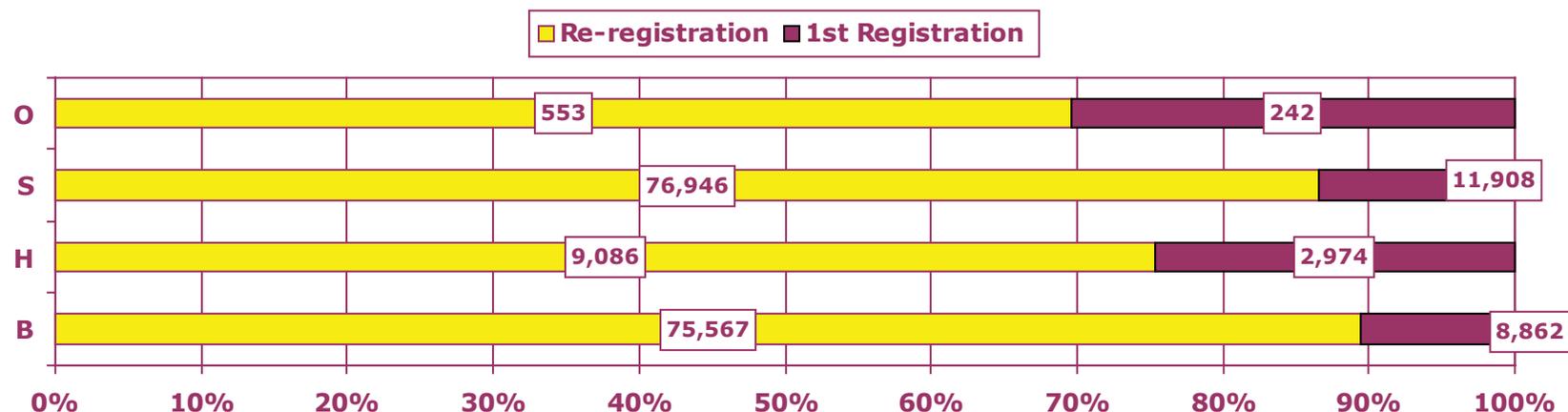
Indicators on the current status of a pre-war housing unit are important with a view of finding durable solutions for displaced persons.

It is necessary to reconstruct almost 50,000 housing units for the return of 150,000 displaced persons whose pre-war housing units are destroyed either/or damaged meaning that as per average costs of a housing unit rehabilitation being 18,000 KM, only for these purposes almost a billion KM needs to be set aside.

In the situation when the international community is drastically reducing it's participation in reconstruction financing upon the full transfer of responsibilities for the return process, it would be extremely hard task for local authorities to secure resources for return related reconstruction needs.

National Structure of Re-registered Displaced Persons in BiH

Nationality	B		C		S		O		Total	
	Number	Families	Persons	Families	Persons	Families	Persons	Families	Persons	Families
Re-registration	25.748	75.046	2.790	8.911	550	1.233	137	459	29.225	85.649
%	90,6%	89,8%	76,7%	75,5%	61,9%	60,6%	70,6%	69,0%	88,2%	87,3%
1st Registration	2.682	8.538	846	2.899	338	801	57	206	3.923	12.444
%	9,4%	10,2%	23,3%	24,5%	38,1%	39,4%	29,4%	31,0%	11,8%	12,7%
F BiH Total	28.430	83.584	3.636	11.810	888	2.034	194	665	33.148	98.093
%	85,8%	85,2%	11,0%	12,0%	2,7%	2,1%	0,6%	0,7%	55,3%	52,7%
Re-registration	23	57	52	162	22.143	74.292	30	84	22.248	74.595
%	30,7%	24,2%	81,3%	84,8%	85,8%	87,1%	75,0%	70,0%	85,6%	86,9%
1st Registration	52	179	12	29	3.657	11.038	10	36	3.731	11.282
%	69,3%	75,8%	18,8%	15,2%	14,2%	12,9%	25,0%	30,0%	14,4%	13,1%
RS Total	75	236	64	191	25.800	85.330	40	120	25.979	85.877
%	0,3%	0,3%	0,2%	0,2%	99,3%	99,4%	0,2%	0,1%	43,4%	46,1%
Re-registration	157	464	5	13	492	1.421	4	10	658	1.908
%	72,4%	76,2%	20,0%	22,0%	94,8%	95,4%	100,0%	100,0%	86,0%	88,0%
1st Registration	60	145	20	46	27	69			107	260
%	27,6%	23,8%	80,0%	78,0%	5,2%	4,6%	0,0%	0,0%	14,0%	12,0%
BD Total	217	609	25	59	519	1.490	4	10	765	2.168
%	28,4%	28,1%	3,3%	2,7%	67,8%	68,7%	0,5%	0,5%	1,3%	1,2%
Re-registration	25.928	75.567	2.847	9.086	23.185	76.946	171	553	52.131	162.152
%	90,3%	89,5%	76,4%	75,3%	85,2%	86,6%	71,8%	69,6%	87,0%	87,1%
1st Registration	2.794	8.862	878	2.974	4.022	11.908	67	242	7.761	23.986
%	9,7%	10,5%	23,6%	24,7%	14,8%	13,4%	28,2%	30,4%	13,0%	12,9%
BIH Total	28.722	84.429	3.725	12.060	27.207	88.854	238	795	59.892	186.138
%	48,0%	45,4%	6,2%	6,5%	45,4%	47,7%	0,4%	0,4%	100,0%	100,0%



Significantly lower percentage of the present Croat and Serb displaced population could be noted in comparison to the national structure as per 1991 Census, while the percentage of Bosniaks is near to a pre-war one when 1,902,956 Bosniaks constituted 46% of the BiH population, 760,852 Croats 18,4%, 1,366,104 Serbs 33% and 104,939 others 2,6% respectively, with a remark that a proportion of Yugoslavs in the national structure of population has been distributed on the basis of the percentage of present constitutive peoples and others, accordingly.

Gender and Age Structure of Displaced Persons in BiH

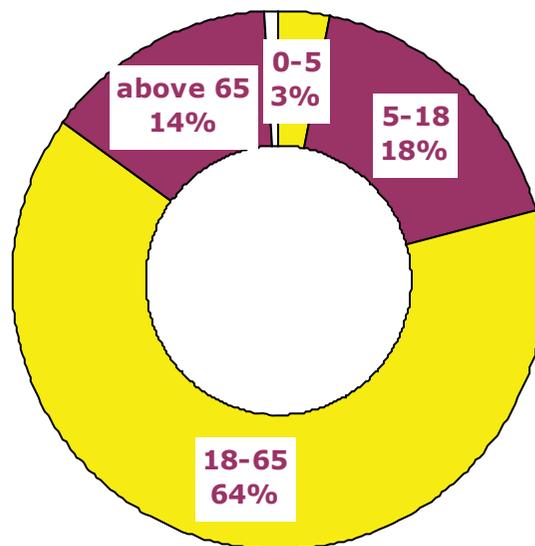
Gender and age structure of displaced persons in BiH – per Entities of current residence								
Gender	M	F	M	F	M	F	TOTAL	%
Age	F BiH		RS		BiH			
0-5	1.661	1.618	1.273	1.206	2.934	2.824	5.758	3%
5-18	9.919	9.518	6.737	6.615	16.656	16.133	32.789	18%
18-65	28.641	32.598	28.780	27.800	57.421	60.398	117.819	64%
above 65	5.093	7.947	5.595	7.496	10.688	15.443	26.131	14%
n/a	436	662	134	243	570	905	1.475	1%
Total	45.750	52.343	42.519	43.360	88.269	95.703	183.972	100%
%	47%	53%	50%	51%	48%	52%	100%	

As per gender structure it is apparent that a few numbers of re-registered displaced persons are female. This is primarily related to F BiH where the difference reaches almost 6%.

It is very important to make emphasize on a considerable percentage of almost 32% female headed households recorded in the DPs re-registration exercise in BiH. There are 33.148 persons belonging to such households in F BiH, while in RS a number is almost two times lower (18,861).

With a view of the age structure, percentages of more than 21% minors and some 14% persons older than 65 years within the displaced population indicate an additional vulnerability of a huge number of displaced persons and the need for a particularly sensitive approach aiming appropriate solutions not only in the places of displacement but upon the return and reintegration, too.

On the other hand the majority of displaced persons are of age when capable to work, which brings an additional dimension to the indicators on employment structure, as follows.



Education, Qualification and Occupation of Re-registered Displaced Persons in BiH

Education and qualification of re-registered displaced persons - per Entities of current residence				
Education	F BiH	RS	BiH	%
0-none	8.762	3.919	12.681	21,45%
1-NKV, PKV, NSS	10.015	6.396	16.411	27,76%
2-KV	3.950	4.905	8.855	14,98%
3-VKV	1.194	2.120	3.314	5,60%
4-SSS	7.102	6.543	13.645	23,08%
5-VŠS	612	1.039	1.651	2,79%
6-VSS	490	632	1.122	1,90%
7-MR	13	18	31	0,05%
8-DR	11	7	18	0,03%
9-other	999	400	1.399	2,37%
Total	33.148	25.979	59.127	100%

Occupation of re-registered displaced persons - per Entities of current residence							
Occupation	F BiH	Employed	RS	Employed	BiH	Unemployed	
doctor	26	16	28	21	54	17	31,5%
veterinarian	2	2	3	2	5	1	20,0%
teacher	235	156	323	240	558	162	29,0%
engineer	211	110	314	161	525	254	48,4%
lawyer	71	31	147	91	218	96	44,0%
economist	182	72	266	122	448	254	56,7%
laborer	12.899	2.634	9.232	2.923	22.131	16.574	74,9%
clerk	1.082	448	1.091	540	2.173	1.185	54,5%
trader	413	82	435	112	848	654	77,1%
farmer	1.158	4	617	3	1.775	1.768	99,6%
home	6.974	35	1.486	9	8.460	8.416	99,5%
pupil	91	0	2	0	93	93	100,0%
student	69	3	25	0	94	91	96,8%
pensioner	8.258	4	8.804	0	17.062	17.058	100,0%
other	1.477	93	3.206	458	4.683	4.132	88,2%
TOTAL	33.148	3.690	25.979	4.682	59.127	50.755	85,8%

Employment of re-registered displaced persons - per Entities of current residence						
Head of household work status	F BiH	%	RS	%	BIH	%
none/- not working	16.308	49,2%	7.603	29,3%	23.911	40,4%
permanent full-time	3.692	11,1%	4.682	18,0%	8.374	14,2%
permanent part-time	103	0,3%	120	0,5%	223	0,4%
temporary full-time	605	1,8%	671	2,6%	1.276	2,2%
temporary part-time	204	0,6%	119	0,5%	323	0,5%
self-employed	108	0,3%	98	0,4%	206	0,3%
looking for employment	1.981	6,0%	3.399	13,1%	5.380	9,1%
studying	102	0,3%	23	0,1%	125	0,2%
retired	9.432	28,5%	9.262	35,7%	18.694	31,6%
other	613	1,8%	2	0,0%	615	1,0%
TOTAL	33.148	56,1%	25.979	43,9%	59.127	100,0%

As apparent from the previous table only some 17% re-registered DPs' heads of households are employed while just 14,2% with permanent full time.

The largest number if of those who are not working or who are looking for employment, thereupon followed by retired persons.

The situation with a view of DPs work status is significantly better in RS with some 30% of those who are not working, while almost half of total re-registered DPs in F BiH belong to this category.

Further, the unemployment rate among DPs in the working age is far above an average one in BiH, with a situation considerably different in the two Entities as shown in the following table.

Work status of DPs heads of households belonging to age group from 18 to 65 years							
Description	Entity	F BiH	%	RS	%	BiH	%
none/- not working		12.910	53,9%	6.123	33,6%	19.033	45,1%
permanent full-time		3.649	15,2%	4.643	25,4%	8.292	19,6%
permanent part-time		102	0,4%	119	0,7%	221	0,5%
temporary full-time		601	2,5%	665	3,6%	1.266	3,0%
temporary part-time		204	0,9%	115	0,6%	319	0,8%
self-employed		105	0,4%	95	0,5%	200	0,5%
looking for employment		1.968	8,2%	3.378	18,5%	5.346	12,7%
studying		77	0,3%	22	0,1%	99	0,2%
retired		3.969	16,6%	3.084	16,9%	7.053	16,7%
other		383	1,6%	1	0,0%	384	0,9%
TOTAL		23.968	56,8%	18.245	43,2%	42.213	100,0%

The indicators on work status direct to a logical question that could be asked: What are the means of displaced families' support?

The following table presents manner of DPs support, showing that half of them are being supported by a combination of offered financial sources, while at the same time more than 20% of them indicated in the forms that they have no means for living.

Means for Support of Re-registered Displaced Persons in BiH							
Description	Entity	F BiH	%	RS	%	BIH	%
none		9.713	26,7%	4.089	13,7%	13.802	20,9%
employment		4.654	12,8%	7.149	24,0%	11.803	17,8%
self-employed		612	1,7%	1.012	3,4%	1.624	2,5%
pension		10.923	30,0%	10.241	34,4%	21.164	32,0%
invalidity/MWI		2.886	7,9%	3.190	10,7%	6.076	9,2%
social welfare		1.148	3,2%	399	1,3%	1.547	2,3%
family of fallen soldier		3.991	11,0%	1.918	6,4%	5.909	8,9%
humanitarian support		317	0,9%	119	0,4%	436	0,7%
other		2.177	6,0%	1.637	5,5%	3.814	5,8%
TOTAL		36.421	55,0%	29.754	45,0%	66.175	100,0%

Structure of Re-registered Displaced Families

Structure of re-registered displaced families – per family members and current Entities					
Number of family members	F BiH	RS	BD	BiH	%
1	7.553	3.799	195	11.547	19,28%
2	7.315	5.381	183	12.879	21,50%
3	6.032	5.050	138	11.220	18,73%
4	6.835	6.369	133	13.337	22,27%
5	3.319	3.025	75	6.419	10,72%
6	1.335	1.490	22	2.847	4,75%
7	475	543	9	1.027	1,71%
8	148	177	4	329	0,55%
9	62	77	4	143	0,24%
10	38	43	1	82	0,14%
11	19	19	1	39	0,07%
12	8	3		11	0,02%
13	9	2		11	0,02%
14		1		1	n/a
AVERAGE PER FAMILY	2,96	3,31	2,83	3,11	100,00%

As average, there are most displaced families with four members, but there are many families with two members and single persons as well.

This indicator is important with a view of efficiency when it comes to provision of basic preconditions to return through reconstruction. As per previously calculated almost a billion KM as total need for these purposes, it is necessary to set aside 6,000 KM as an average per a displaced person whose return could be secured by rehabilitation of their pre-war homes.

Special Needs of Re-registered Displaced Persons in BiH

Unfortunately, in re-registration exercise it is recorded that approximately 27,000 displaced persons are belonging to extremely vulnerable individuals and groups, such as: persons with physical and mental disabilities (8.845 and 377 blind persons among them), persons with chronic illness (10.926), single headed families (2.725), elderly without support (2.467) etc.

These cases require an especially sensitive approach in finding durable solutions either by provision of accommodation in specific institutions or through implementation of far more complex assistance programmes than housing reconstruction projects are.

Recorded Interest in Return of Re-registered Displaced Persons in BiH

The applicants were requested to indicate their intention with regard to return answering the questions if they had submitted voluntary repatriation form and if they were willing to return.

The following table contains the review of submitted answers.

Recorded Interest in Return of Re-registered Displaced Persons in BiH						
Question	Have you submitted the application for return?			Do you wish to return?		
Answer	YES	NO	Not indicated	YES	NO	I am not sure
F BiH	25.759	5.609	1.780	28.348	2.521	2.279
%	77,7%	16,9%	5,4%	85,5%	7,6%	6,9%
RS	16.228	7.855	1.896	9.532	10.588	5.859
%	62,5%	30,2%	7,3%	36,7%	40,8%	22,6%
BiH	41.987	13.464	3.676	37.880	13.109	8.138
%	71,0%	22,8%	6,2%	64,1%	22,2%	13,8%

The table clearly presents that the interest in return has been declared by more than 64% displaced families in BiH, as well as the far higher recorded interest in return among persons displaced in F BiH than in RS.

It is important to underline that in comparison to the same indicators from 2000 Census when only 46,4% applicants declared their wish to return – interest in return between remaining DPs in BiH is considerably higher. By that time 33% families have answered they do not want to return while 20,6% were not sure.

The growing rate of families willing to return is particularly evident among persons displaced in RS because in the year of 2000 only 15,5% of them answered they were willing to return, there were 58,3% of those who did not want to return and 26,2% were not sure.

The percentage of persons displaced in F BiH who want to return is also higher to that in 2000 when 74,8% displaced families answered they wanted to return, 8,5% were not willing, while even 16,7% were not certain when it comes to decision either to return or not.

Detailed Review of Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence												
F BiH Municipality	of 1991 Residence						of Re-Registration/Displacement					
Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons	Families
Banovići	426	6	904	9	1.345	425	1.693	2	28	96	1.819	683
Bihać	797	5	2.528	15	3.345	996	1.184	4	4	10	1.202	380
Bosanska Krupa	1.421	4	1.936	13	3.374	1.007	1.751	1	80	11	1.843	538
Bosanski Petrovac	11	4	1.499	1	1.515	443	826	3	3	6	838	314
Bosansko Grahovo	6	45	1.020	1	1.072	328		59	40		99	34
Breza	24	16	322	3	365	110	212			5	217	81
Bugojno	146	460	1.188	4	1.798	555	1.123	122	9	4	1.258	365
Busovača	147	237	86	7	477	149	93	365	7	10	475	154
Bužim	56				56	10	148				148	32
Cazin	115		32		147	40	179		2		181	48
Čapljina	643	25	897	12	1.577	490	242	2.471	281		2.994	874
Čelić	21	2	153		176	65	540	4	24		568	200
Čitluk		1			1	1		4			4	2
Doboj-Istok			6		6	2	418				418	136
Doboj-Jug	22	10			32	11	229	4			233	83
Dobretići		146		1	147	42		116			116	34
Domaljevac-Šamac		1	29		30	11	13	85			98	28
Donji Vakuf	1.304	56	2.343	3	3.706	1.064	1.522		5	3	1.530	393
Drvar		15	1.962	13	1.990	628		493	403	20	916	316
Foča-Ustikolina	365	2	553		920	347	137		1		138	131
Fojnica	32	207	6		245	90	195	70	2		267	104

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence													
F BiH Municipality	of 1991 Residence						of Re-Registration/Displacement						
	Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons	Families
Glamoč	198	19	2.064			2.281	673	84	572	56		712	218
Goražde	1.129	2	1.814	3		2.948	865	3.046			3	3.049	825
Gornji Vakuf-Uskoplje	274	340	17			631	177	237	328			565	158
Gračanica	2		536			538	162	1.681		1		1.682	561
Gradačac	140	13	331			484	154	1.553	13	17	4	1.587	528
Grude		1				1	1		149			149	45
Jablanica	417	133	85			635	178	756	15		4	775	229
Jajce	2.061	747	1.303	61		4.172	1.233	950	867	72	47	1.936	555
Kakanj	74	1.200	992	5		2.271	661	616	15	3	1	635	219
Kalesija	30		729			759	222	1.705				1.705	533
Kiseljak	312	139	44	7		502	157	127	406	1		534	172
Kladanj	51	3	1.474			1.528	478	923			2	925	294
Ključ	641	14	2.860	28		3.543	1.115	907	3	34	34	978	351
Konjic	598	1.075	1.362			3.035	937	1.264	12	2		1.278	376
Kreševo	72	28				100	29	17	119	2		138	42
Kupres	86	99	891			1.076	341	12	137	19		168	63
Livno	22	36	443			501	153	14	242	10		266	74
Lukavac	437	5	2.491	6		2.939	960	2.519		105	7	2.631	932
Ljubuški	57			1		58	16	3	160			163	39
Maglaj	635	173	3.470	3		4.281	1.311	720	141	282		1.143	393
Mostar	1.422	837	4.434	25		6.718	2.023	2.556	1.137	69	14	3.776	1.186
Neum	3	1	35			39	13						
Novi Travnik	32	1.195	385			1.612	455	96	1.269	3		1.368	365

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence												
F BiH Municipality	of 1991 Residence						of Re-Registration/Displacement					
Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons	Families
Odžak	25	144	561		730	239	36	154			190	61
Olovo	571	20	934	2	1.527	483	843	4		2	849	283
Orašje	6	6	54		66	24	63	22	1		86	31
Pale	193		26		219	73	162		26		188	65
Pale-Prača			289		289	88	2				2	1
Posušje			2		2	1				1	1	1
Prozor	951	73	5		1.029	305	101	132			233	82
Ravno			376		376	119						
Sanski Most	154	45	4.175	8	4.382	1.316	3.539	4	15		3.558	1.145
Sapna	24	5	594		623	180	413	6			419	147
Sarajevo			13		13	5						
Sarajevo-Centar	253	32	818	17	1.120	371	1.545	21	18	23	1.607	609
Sarajevo-Hadžići	189	7	823	6	1.025	309	1.185			11	1.196	419
Sarajevo-Ilidža	571	145	1.435	27	2.178	712	5.412	45	28	77	5.562	2.059
Sarajevo-Ilijaš	757	32	2.049		2.838	889	3.762	14	9	14	3.799	1.352
Sarajevo-Novigrad	319	43	1.569	24	1.955	635	4.584	37	47	10	4.678	2.006
Sarajevo-Novo Sarajevo	391	128	1.826	37	2.382	789	2.650	31	47	40	2.768	1.071
Sarajevo-Stari Grad	246	5	357	4	612	197	829	5	3	3	840	389
Sarajevo-Trnovo	99		272	4	375	132	2				2	2
Sarajevo-Vogošća	276	30	1.080	2	1.388	435	3.193	16	4		3.213	1.167
Srebrenik	19	5	585		609	199	3.625	4		24	3.653	1.253

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence												
F BiH Municipality	of 1991 Residence						of Re-Registration/Displacement					
	Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons
Stolac	404	117	450	8	979	316	90	166	11	8	275	96
Široki brijeg			2		2	1		45			45	14
Teočak	32		47		79	20	229			7	236	84
Tešanj	11	32	200		243	76	1.242	25	9	4	1.280	420
Tomislavgrad	3	4	34		41	14	13	232		5	250	71
Travnik	437	1.020	2.080	38	3.575	1.059	1.396	477	5	51	1.929	586
Tuzla	29	3	1.519	2	1.553	484	6.972	4	1	38	7.015	2.338
Usora		136	8		144	49	10	148	3		161	56
Vareš	435	685	1.161	13	2.294	737	494	107	7	9	617	223
Velika Kladuša	1.199	7	281	21	1.508	389	1.273	7	111	21	1.412	362
Visoko	49	109	1.004	10	1.172	373	1.235	13	3	17	1.268	435
Vitez	139	141	135		415	139	68	490	8	5	571	175
Zavidovići	922	71	3.756	13	4.762	1.453	1.560	10	45	2	1.617	527
Zenica	8	607	2.469	3	3.087	932	2.276	19	16	1	2.312	858
Žepče	262	65	518	2	847	282	407	184	52		643	211
Živinice	1	5	480		486	148	4.082			11	4.093	1.461
N/A	51	17	11.365	6	11.439	3.430						
TOTAL F BiH	23.255	11.041	84.576	468	119.340	36.531	83.584	11.810	2.034	665	98.093	33.148

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence

RS Municipality	of 1991 Residence					of Re-Registration/Displacement							
	Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons	Families
Banja Luka		772	45		7	824	288	36	39	12.941	13	13.029	3.816
Berkovići		39	12	6		57	19			188		188	59
Bijeljina		1.391	1	3	85	1.480	498	10	9	7.285	14	7.318	2.242
Bileća		94				94	40		3	943	6	952	289
Bosanska Kostajnica		28				28	12			12		12	5
Bosanski Brod		134	13	191	4	342	109	2	5	788		795	253
Bratunac		6.411	3	480	22	6.916	2.336	5	2	2.492		2.499	750
Čajniče		1.262		172	2	1.436	486			527	2	529	159
Čelinac		131				131	41	2		152		154	46
Derventa		392	28	87	6	513	195		4	1.760	2	1.766	517
Doboj		2.224	31	48	22	2.325	790		8	5.425	9	5.442	1.555
Foča		3.955	1	246	20	4.222	1.676	4	1	1.467		1.472	466
Gacko		592	3			595	209	4		1.404		1.408	430
Gradiška		334	2	5	2	343	117		8	2.053		2.061	633
Han Pijesak		507		10		517	200			186		186	53
Istočni Drvar				3		3	1						
Istočni Mostar		6				6	2						
Istočni Stari Grad				15		15	3			56		56	17
Jezero		30				30	10						

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence												
RS Municipality of 1991 Residence					of Re-Registration/Displacement							
Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons	Families
Kalinovik	461	1	36	1	499	214			166		166	46
Kasindo	143	7	33		183	59			460		460	145
Kneževo	327	115	6		448	139			117		117	37
Kotor Varoš	1.194	5	74		1.273	365			529		529	169
Kozarska Dubica	264				264	88	3		454	5	462	144
Krupa na Uni	3		3		6	2						
Laktaši	15	7			22	7		2	1.123		1.125	356
Lopare	480		23		503	184			370		370	114
Lukavica	19		15		34	10	40	3	922	3	968	285
Ljubinje	78		30		108	32			259	3	262	74
Milići	554		49		603	209			418		418	140
Modriča	604	23	19	4	650	231	19	6	4.330	8	4.363	1.374
Mrkonjić Grad	371	398	139	13	921	283	19	4	1.604		1.627	499
Nevesinje	340	20	2		362	114		20	2.634	6	2.660	786
Novi Grad	761		40	10	811	252		2	516	4	522	160
Osmaci	470				470	147	3		266		269	78
Oštra Luka	22		17		39	13						
Pale	402			3	405	158	1		1.656		1.657	514
Pelagićevo					0				142		142	41
Petrovac	7				7	2						

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence													
RS Municipality	of 1991 Residence						of Re-Registration/Displacement						
	Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons	Families
Petrovo		9				9	3			236	2	238	76
Prijedor		1.830	27	24	7	1.888	670	51	16	7.071	20	7.158	2.197
Prnjavor		702	3		3	708	243		3	942		945	283
Ribnik		20		4		24	8		4	486		490	138
Rogatica		2.923	3	263	7	3.196	1.242	1	5	1.233		1.239	375
Rudo		530		115	4	649	270	1		291		292	88
Sokolac		1.744		10	4	1.758	603			730		730	223
Srbac		17				17	5			242		242	73
Srebrenica		10.117	5	639	36	10.797	3.904	6		1.359		1.365	391
Šamac		69	79			148	48		14	1.140	4	1.158	360
Šekovići		58		44		102	27			62		62	19
Šipovo		487	1	15		503	160			551	2	553	169
Teslić		1.155	111	269	4	1.539	491		2	1.864	1	1.867	568
Trebinje		108	2	99	7	216	70		5	2.317	3	2.325	721
Trnovo		319		127		446	148			255		255	77
Ugljevik		408			5	413	141			658		658	205
Ustiprača		627		18		645	196			394		394	126
Višegrad		2.953	1	17	2	2.973	1.184	5	3	3.144	5	3.157	958
Vlasenica		3.879	2	73	19	3.973	1.377	4	2	2.048	3	2.057	652
Vukosavlje		130	1	2		133	43	14	4	588		606	181

Displaced Persons Re-registered in BiH – per Municipalities of Displacement and 1991 Residence												
RS Municipality	of 1991 Residence						of Re-Registration/Displacement					
Nationality	B	C	S	O	Persons	Families	B	C	S	O	Persons	Families
Zvornik	7.403	2	177	22	7.604	2.433	6	17	6.074	5	6.102	1.847
N/A			290		290	87						
TOTAL RS	60.305	952	3.938	321	65.516	22.894	236	191	85.330	120	85.877	25.979
Brčko - District	869	67	340	6		467	609	59	1.490	10		765
TOTAL BIH	84.429	12.060	88.854	795	186.138	59.892	84.429	12.060	88.854	795	186.138	59.892

More than 7.000 Persons are still Living in Collective Types of Accommodation in BiH

Ministry for Human Rights and Refugees Report and Analysis on Residents of Collective Forms of Accommodation, November 2005

Overview

This Report has been made on the basis of the lists of residents of collective forms of accommodation within the territory of the Federation of BiH, submitted by the responsible cantonal ministries via the Federation Ministry of Displaced Persons and Refugees, and the lists of residents of collective forms of alternative accommodation within the RS, submitted by the Republika Srpska Ministry of Refugees and Displaced Persons.

Generally, all the lists submitted as described above are unlike in terms of data range, content and quality of information they provide, and vary from fully operational to completely useless data – which is reflected in this Report to the largest extent. However, in data processing, some amendments and adjustments were made for the purposes of this analysis, as a basis for a systemic and methodological approach to the selection of priority beneficiaries of the “Project of Sustainable Return for Residents of Collective Centres and Alternative Accommodations in Bosnia and Herzegovina”. Please note that alternative accommodation in the Brčko District is not organized in collective forms of accommodation but individual ones.

The Database content

Having consolidated the lists, the administrative and professional service within the Ministry for Human Rights and Refugees developed a database with all the pieces of information about the residents as originally registered in the standard form: a resident’s family name (father’s name) and first name, his or her personal citizen identification number, number of family members, canton, municipality of residence, name of accommodation, type of accommodation, pre-war municipality of residence and address, status and description of property, remarks.

Localities of collective accommodation/current temporary residence

The lists include the total of 2,540 families (7,311 persons), of whom 61,1 % or 1,677 families (4,467 persons) are accommodated in collective forms of accommodation within the Federation of BiH, while 38,9% or 863 families (2,844 persons) in the Republika Srpska.

Number and percentage of residents of collective forms of accommodation in BiH - per Entity of accommodation/current temporary residence

Place of accommodation	F BiH	RS	Total
Families	1.677	863	2.540
Persons	4.467	2.844	7.311
% (Families/housing units)	61,1%	38,9%	100%

Residents of collective accommodation in the territory of F BiH

Collective accommodation in F BiH is organized at 51 different locations within 24 municipalities in all the cantons in the Federation, except Posavina and Herzeg-Bosnia Cantons.

As it arises clear from the Tables below which show the number and percentage of collective forms of accommodation in the cantons, the majority of families/persons accommodated in collective centers are in the Tuzla Canton (56,26%), then in Zenica-Doboj Canton (13,63%), Goražde Canton (11,84%), etc.

**Number and percentage of residents of collective forms of accommodation in F BiH
- per cantons of accommodation/current temporary residence**

Canton	Families	Persons	% of total number
03-Tuzla	945	2.513	56,26%
04-Zenica-Doboj	212	609	13,63%
05-Bosnia-Podrinje (Goražde)	182	529	11,84%
07-Hercegovina-Neretva	179	430	9,63%
09-Sarajevo Canton	99	252	5,64%
08-West-Herzegovina	22	64	1,43%
06-Central Bosnian	32	54	1,21%
01-Una-Sana	6	16	0,36%
TOTAL F BiH	1.677	4.467	100,00%

Residents of collective accommodation in the RS

Collective accommodation in the RS is organized at 55 locations within 19 municipalities.

567 persons, who make 20% of the total number of the persons accommodated in collective centers in the RS, are accommodated within Dobož municipality, 320 persons or 11% within Bratunac municipality, 258 persons i.e. 9% in Prijedor etc.

The highest concentration of families accommodated in collective centers in the RS is in the Pensioners' Home in Dobož (148 families), „Kravice“ camp in Bratunac (72 families), „Podromanija“ camp at Sokolac (45 families), etc.

Structure of residents of collective centers – per number of family members

The largest numbers of collective centers' residents are two-member families, then three-member families, and immediately thereafter singles.

Generally, it is obvious that the smaller number of members of a household, the smaller number of families accommodated in the collective centers in BiH, as presented in the following Table.

Structure of residents of collective centers – per number of family members

Number of members	F BiH		RS		Total	
	Families	Persons	Families	Persons	Families	Persons
1	503	503	34	34	537	537
2	373	746	282	564	655	1.310
3	304	912	251	753	555	1.665
4	289	1.156	123	492	412	1.648
5	136	680	83	415	219	1095
6	49	294	57	342	106	636
7	13	91	23	161	36	252
8	5	40	7	56	12	96
9	5	45	3	27	8	72
TOTAL	1.677	4.467	863	2.844	2.540	7.311
average per family	2,7		3,3		2,9	

Ethnic structure of residents of collective accommodation in BiH

Entity	B		C		S		Total	
	families	persons	families	persons	families	persons	families	persons
F BiH	1.560	4.203	113	257	4	7	1.677	4.467
RS					863	2.844	863	2.844
% (family/housing unit)	61,4%		4,4%		34,1%		2.540	7.311

As it is clear from the above Table, the highest percentage of collectively accommodated persons in BiH are Bosniaks; the number of Serbs is nearly half of that; the number of Croats accommodated in the collective centers is less than 5%.

As for their Entity distribution, it is obvious that 100% of the residents of collective accommodation in the RS are Serbs, and in the F BiH are Bosniaks and Croats.

Status of pre-war property

The forms submitted by the responsible authorities contain sections in which they were to enter the status of property and description. However, due to various interpretations by the persons who drew up the lists of CA residents, the sections were filed in different ways or even remained empty in most cases. For the purposes of this analysis, several typical types of status and description were clustered in several categories (provided that they could be identified according to the data entered). For all other cases, the status entered in the data base is 'N/A' (not applicable; not known).

The analysis of the data establishes **the property situation per status and description:**

Property situation of residents of collective accommodation in BiH – per status				
Property status	Place of temp. residence	F BiH	RS	TOTAL
Owner	Family/housing unit	452		452
	Person	1.268		1.268
Repossessed	Family/housing unit	99	363	462
	Person	245	1.217	1.462
Occupancy right holder	Family/housing unit	11	2	13
	Person	32	4	36
CRPC	Family/housing unit		21	21
	Person		74	74
Not repossessed	Family/housing unit	15		15
	Person	32		32
Family ownership	Family/housing unit	29	1	30
	Person	88	2	90
Co-owner	Family/housing unit	43	1	44
	Person	121	4	125
Disputable	Family/housing unit	5	24	29
	Person	11	74	85
Without property	Family/housing unit	90	7	97
	Person	245	26	271
n/a	Family/housing unit	933	444	1.377
	Person	2.425	1.443	4.413
TOTAL	Family/housing unit	1.677	863	2.540
	Person	4.467	2.844	7.856

Property situation of residents of collective accommodation in BiH – per description				
Description	Place of temporary residence	F BiH	RS	TOTAL
Destroyed	Family/housing unit	1.352	713	2.065
	Person	3.593	2.422	6.015
Damaged	Family/housing unit	33	1	34
	Person	85	3	88
Inhabitable	Family/housing unit	3	1	4
	Person	6	3	9
Reconstructed	Family/housing unit	35		35
	Person	85		85
Beneficiary of donation	Family/housing unit	28	1	29
	Person	103	3	106
Habitable	Family/housing unit	5	6	11
	Person	13	16	29
Reconstruction underway	Family/housing unit	21	2	23
	Person	60	5	65
Exchanged	Family/housing unit	1		1
	Person	1		1
Dislocation	Family/housing unit	5		5
	Person	19		19
n/a	Family/housing unit	194	139	333
	Person	502	392	894
TOTAL	Family/housing unit	1.677	863	2.540
	Person	4.467	2.844	7.311

It arises clear from the above Tables that a significant number of beneficiaries of collective accommodation in BiH do not meet one or more legally set requirements for reconstruction assistance for the purpose of return. If we take into consideration that the lists do not contain information on a voluntary decision/wish to return, since a voluntary decision

is the first and foremost requirement for the inclusion of potential and thereby priority beneficiaries of the reconstruction program in the list – it is certain that the number of families accommodated in collective forms of accommodation, for whom durable solutions may be found through returns to their pre-war homes, will be significantly smaller than the presented numbers.

Special needs of beneficiaries of collective accommodation

Unfortunately, a considerable number of residents of collective accommodation in F BiH and RS belong to specially vulnerable categories of population such as: mentally disordered persons, disabled persons, psychiatric sick persons, persons incapable of independent life, social cases etc. whose return cannot be ensured through reconstruction of their pre-war homes (if they had one at all).

In these cases it will be necessary to have a very sensible approach to durable solutions either through accommodation in the special-purpose institutions or the implementation of programs of assistance which are by far too more complex than the projects for reconstruction of housing units.

More than 180,000 Housing Units in BiH are still Unrepaired

Comparative Indicators on BiH Housing Stock Situation in 2005 – per Entities									
Description/Entity	F BiH	%	RS	%	Brčko	%	TOTAL BiH	%	
Reconstructed Housing Units (1996 -2005)	210.901	80,99%	41.779	16,04%	7.708	2,96%	260.388		
Reconstruction Rate (Total of reconstructed housing units in relation to total damaged and destroyed)	66,70%		39,18%		46,39%		57,94%		
Number of remaining damaged and destroyed housing units (per damage level)	I (5%-20%)	14.362	79,95%	3.215	17,90%	386	2,15%	17.963	9,59%
	II (25%-40%)	12.496	50,09%	8.969	35,96%	3.480	13,95%	24.945	13,32%
	III (45%-65%)	16.129	54,94%	10.650	36,28%	2.576	8,78%	29.355	15,67%
	IV (75%-100%)	43.104	52,43%	37.319	45,39%	1.796	2,18%	82.219	43,90%
	n/p	13.605	41,49%	19.186	58,51%	0	0,00%	32.791	17,51%
	TOTAL	99.696	53,24%	79.339	42,37%	8.238	4,40%	187.273	
Housing stock damage rate (Total of remaining unrepaired housing units in relation to total damaged and destroyed)	33,30%		60,82%		53,61%		42,06%		

Detailed Review of Housing Stock Situation – per Municipalities

Federation of BiH	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					n/a	TOTAL
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)			
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	
Banovići	493	0	0	0	393	0	393	
Bihać	6.680	1.099	717	2.135	479	0	4.430	
Bosanska Krupa	3.917	0	0	0	2.608	0	2.608	
Bosanski Petrovac	2.973	20	21	104	2.004	0	2.149	
Bosansko Grahovo	1.037	10	25	106	1.056	0	1.197	
Breza	753	102	5	6	133	0	246	
Bužim	115	609	92	35	0	0	736	
Bugojno	2.129	132	154	129	759	0	1.174	
Busovača	591	148	54	100	225	0	527	
Cazin	465	275	131	115	91	0	612	
Čapljina	1.714	63	51	282	417	0	813	
Čelić	1.186	266	246	186	146	0	844	
Čitluk	0	0	0	9	4	0	13	
Doboj Jug	313	257	61	27	23	0	368	
Doboj-Istok	918	60	15	15	10	0	100	
Dobretići	183	0	0	0	632	0	632	
Domaljevac-Šamac	564	97	16	114	111	0	338	
Donji Vakuf	1.053	404	255	385	348	0	1.392	

Federation of BiH	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Drvar	1.690	167	167	930	463	0	1.727
Foča-Ustikolina	700	0	0	0	1.115	0	1.115
Fojnica	268	9	36	76	237	0	358
Glamoč	771	0	0	259	200	0	459
Goražde	1.278	0	0	0	827	0	827
Gornji Vakuf-Uskoplje	2.386	96	77	261	469	0	903
Gračanica	492	3.111	995	92	205	0	4.403
Gradačac	1.872	0	0	130	520	0	650
Grude	195	20	0	0	4	0	24
Jablanica	222	0	0	0	200	0	200
Jajce	2.530	174	331	1.470	505	0	2.480
Kakanj	556	0	0	50	1.650	0	1.700
Kalesija	3.595	0	70	180	1.100	0	1.350
Kiseljak	772	31	49	86	307	0	473
Kladanj	185	0	1.984	0	955	0	2.939
Ključ	3.711	0	211	303	2.113	0	2.627
Konjic	1.268	1.247	n/a	n/a	n/a	1.633	2.880
Kreševo	293	17	18	18	24	0	77
Kupres	939	0	0	197	460	0	657

Federation of BiH	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Livno	614	0	43	33	518	0	594
Lukavac	1.787	66	260	0	2.703	0	3.029
Ljubuški	30	0	22	19	64	0	105
Maglaj	2.246	0	1.392	0	2.281	0	3.673
Mostar – TOTAL	10.299	472	592	1.317	2.075	0	4.456
Neum	443	25	0	0	30	0	55
Novi Travnik	723	0	0	107	795	0	902
Odžak	6.000	0	416	510	801	0	1.727
Olovo	1.858	0	0	143	627	0	770
Orašje	712	0	0	66	131	0	197
Pale, F BiH	220	32	41	12	123	0	208
Posušje	0	0	0	0	0	0	0
Prozor	867	49	70	120	500	0	739
Ravno	520	0	0	0	440	0	440
Sanski Most	6.515	0	12	0	2.276	0	2.288
Sapna	1.161	0	0	434	740	0	1.174
Sarajevo-Centar	1.584	5	43	115	175	0	338
Sarajevo-Hadžići	1.457	0	0	277	249	0	526
Sarajevo-Ilidža	2.060	n/a	n/a	n/a	n/a	8.577	8.577

Federation of BiH	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Sarajevo-Ilijaš	1.926	n/a	n/a	n/a	n/a	1.196	1.196
Sarajevo-Noví Grad	2.818	95	209	795	398	0	1.497
Sarajevo-Novo Sarajevo	2.560	0	118	1.045	241	0	1.404
Sarajevo-Stari Grad	2.936	80	73	81	211	0	445
Sarajevo-Vogošća	3.417	1.746	420	380	126	0	2.672
Srebrenik	54	320	125	57	304	0	806
Stolac	1.050	565	331	379	206	0	1.481
Široki Brijeg	1.028	2	0	3	17	0	22
Tešanj	937	0	54	0	110	0	164
Teočak	1.680	0	40	5	189	0	234
Tomislavgrad	197	12	2	1	30	0	45
Travnik	4.182	461	656	1.510	1.084	0	3.711
Trnovo	707	0	0	0	820	0	820
Tuzla	1.354	0	0	118	1.132	0	1.250
Usora	253	0	426	0	149	0	575
Vareš	733	0	0	0	0	1.999	1.999
Velika Kladuša	380	1.040	795	158	201	0	2.194
Visoko	440	349	185	184	1.585	0	2.303
Vitez	1.896	60	258	353	322	0	993

Federation of BiH	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Zavidovići	1.051	289	0	38	148	0	475
Zenica	339	205	132	69	285	0	691
Žepče	13	n/a	n/a	n/a	n/a	200	200
Živinice	227	75	0	0	225	0	300
TOTAL FBIH	210.901	14.362	12.496	16.129	43.104	13.605	99.696

Republika Srpska	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
1	2	3	4	5	6	7	8
Banja Luka	1.737	0	2.049	0	316	0	2.365
Berkovići	77	19	64	56	92	0	231
Bijeljina	380	50	130	80	85	0	345
Bileća	2	65	35	0	40	0	140
Bosanska Kostajnica	65	19	70	100	85	0	274
Bosanski Brod	6.075	400	450	1.050	2.100	0	4.000
Bratunac	1.504	0	0	300	2.476	0	2.776
Čajniče	74	0	0	0	862	0	862
Čelinac	66	19	30	41	93	0	183
Derventa	806	n/a	n/a	n/a	n/a	13.658	13.658
Doboj	n/a	n/a	n/a	n/a	n/a	1.164	1.164
Donji Žabar	391	34	52	46	42	0	174
Foča	630	0	0	0	2.092	0	2.092
Gacko	79	0	41	40	400	0	481
Gradiška	568	0	0	384	164	0	548
Han Pijesak	223	0	0	0	300	0	300
Istočni Drvar	6	0	0	0	9	0	9
Istočni Mostar	30	0	8	0	41	0	49
Istočni Stari Grad	12	1	0	24	1	0	26

Republika Srpska	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
1	2	3	4	5	6	7	8
Jezero	577	0	15	66	6	0	87
Kalinovik	0	n/a	n/a	n/a	n/a	1.320	1.320
Kasindo	65	n/a	n/a	n/a	n/a	1.669	1.669
Kneževo	34	0	0	0	131	0	131
Kotor Varoš	1.548	0	0	761	2.618	0	3.379
Kozarska Dubica	278	28	42	140	825	0	1.035
Krupa na Uni	157	0	0	69	36	0	105
Kupres	210	0	0	0	99	0	99
Laktaši	18	0	0	105	27	0	132
Lopare	651	60	90	160	179	0	489
Lukavica	205	136	71	36	6	0	249
Ljubinje	4	73	0	31	9	0	113
Milići	558	10	60	25	1.597	0	1.692
Modriča	1.508	432	316	217	1.165	0	2.130
Mrkonjić Grad	1.729	0	262	432	616	0	1.310
Nevesinje	300	0	82	42	248	0	372
Novi Grad	1.019	55	177	227	720	0	1.179
Osmaci	782	120	130	53	45	0	348
Oštra Luka	233	41	86	104	181	0	412

Republika Srpska	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Pale	93	0	0	0	40	0	40
Pelagićevo	589	100	0	453	680	0	1.233
Petrovac	110	0	0	0	33	0	33
Petrovo	98	62	105	50	50	0	267
Prijedor	5.500	50	100	150	300	0	600
Prnjavor	147	0	0	91	0	0	91
Ribnik	1.534	0	28	80	191	0	299
Rogatica	562	0	0	0	2.866	0	2.866
Rudo	38	n/a	n/a	n/a	n/a	522	522
Sokolac	432	550	0	0	0	0	550
Srbac	29	n/a	n/a	n/a	n/a	203	203
Srebrenica	1.229	0	1.933	0	4.177	0	6.110
Šamac	580	307	395	452	123	0	1.277
Šekovići	173	65	27	20	21	0	133
Šipovo	1.215	0	0	344	1.374	0	1.718
Teslić	1.100	80	230	2.607	450	0	3.367
Trebinje	15	170	113	44	70	0	397
Trnovo	740	200	130	128	94	0	552
Ugljevik	80	n/a	n/a	n/a	n/a	650	650

Republika Srpska	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/a	TOTAL
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
Ustiprača	353	28	48	76	1.482	0	1.634
Višegrad	543	0	0	0	1.714	0	1.714
Vlasenica	371	0	1.497	0	2.000	0	3.497
Vukosavlje	1.098	41	103	109	387	0	640
Zvornik	2.569	0	0	1.457	3.561	0	5.018
TOTAL RS	41.779	3.215	8.969	10.650	37.319	19.186	79.339

Brčko District BiH	Number of repaired housing units	Number of remaining damaged and destroyed housing units (per categories and damage level)					
		I - category damage level (5%-20%)	II - category damage level (25%-40%)	III - category damage level (45%-65%)	IV- category damage level (75%-100%)	n/p	TOTAL
Total	7.708	386	3,480	2.576	1.796	0	8.238



BOSNA I HERCEGOVINA
Ministarstvo za ljudska prava i izbjeglice



BOSNIA AND HERZEGOVINA
Ministry for Human Rights and Refugees

10 godina poslije:
Više od 120.000 osoba
još uvijek čeka na obnovu
i povratak u svoje domove

10 years after:
More than 120.000 persons are
still waiting for reconstruction
and return to their homes



Sarajevo, 2005

More than 120,000 Persons are still Waiting for Reconstruction and Return to their Homes

Ministry for Human Rights and Refugees

Report on Registered Potential Beneficiaries of Assistance for Reconstruction and Return in BiH, September 2005

Last year in June, the Ministry for Human Rights and Refugees of Bosnia and Herzegovina, publicly invited all refugees from BiH, displaced persons in BiH and returnees in BiH who meet the general criteria for the housing units reconstruction aid projects aiming the return to submit their applications for the registration of potential beneficiaries for the assistance in reconstruction and return.

The public call is launched in order to determine reconstruction and return needs, to identify priority areas of return and for the planning of activities on substantial completion of the return process in BiH through the provision of a uniform and harmonized realization of the GFAP Annex VII goals at the entire BiH territory.

In cooperation with the BH Ministry of Foreign Affairs, Federation Ministry of Displaced Persons and Refugees, the RS Ministry for Refugees and Displaced Persons and Brčko District Government, the Ministry for Human Rights and Refugees provided for the distribution of the invitation in the countries hosting BH refugees, for displaying the invitation at the boards of all municipalities and sufficient number of application forms.

The invitation and application forms have been distributed and collected directly, via Regional Centers of the MHRR in Sarajevo, Banja Luka, Mostar and Tuzla, and have been publicized at the web-site: www.mhrr.gov.ba

Respecting the importance of these activities for refugees from BiH, displaced persons in BiH and returnees, we approached the associations of returnees and other civil society representatives in BiH, as well as media, asking them to take an active role in the process thus giving their contribution in informing as much potential beneficiaries as possible on the ways of their registration.

The whole activity is conducted in accordance to the Strategy of Bosnia and Herzegovina for Annex VII DPA adopted by the Council of Ministers and the Peace Implementation Council (PIC). It is also in line with the conclusions of the Commission for Refugees and Displaced Persons that recognized the need of the Ministry for Human Rights and Refugees to have the reliable base and indicators for the analysis of the situation with regards to interest in return and reconstruction needs, particularly for those persons who are meeting criteria established by the Law.

The result of these activities is intended to serve as the basis for the identification of municipal priorities, planning the return-related reconstruction process and the substantial completion of the Annex VII DPA.

The Ministry for Human Rights and Refugees shall proceed with performing this activity in collaboration with relevant local and international partners for the benefit of all those who are still in need of durable solutions, primarily through the return to the places of their pre-war residence in BiH.

Methodology

„The Invitation to refugees from BiH, displaced persons in BiH and returnees to register potential beneficiaries’ applications for assistance in reconstruction and return”, is publicized on June 25th, 2004 within a month duration dead line.

The reports from the field and the number of applications collected during this preliminary planned one month activity proved a huge interest of potential beneficiaries to register their applications. In line with the conclusion that the registration needs to be a permanent and continuous process, the Ministry for Human Rights and Refugees repeated the same invitation on 26 July 2005 – announcing that the deadline for the submission of applications remains opened for an indeterminate time.

All applications collected so far have been processed in the Department for Refugees and DPs and data have been recorded in the Central Database on potential beneficiaries of the return-related reconstruction assistance.

Methodologically it means that this report has not been drafted according to a sample, but the reviews and statistics are based on the entire caseload of collected individual applications. In terms of drawing certain conclusions on reconstruction

needs and interest in return this makes a solid ground for very reliable evaluation and planning.

The application of the methodology so far undoubtedly resulted in a positive outcome. These results were used in the identification of priority areas for "30 Municipalities" and "SUTRA 2" projects which have been realized within the Commission for Refugees and Displaced Persons and monitored by the MHRR.

Experts of the Department for Refugees and Displaced Persons carefully developed the content of the *Application/Declaration Form* in line with the applicable legal provisions in order to provide for a systematic collection of the highest number of useful information on reconstruction needs and interest in return.

It is particularly important to stress that the data entered into application forms have not been additionally cross-checked (the applicants were not obliged to have their forms cleared and stamped by the competent authorities). Thus the information collected from the applicants was recorded in the database as stated and presented by the potential beneficiaries.

Some applications were incomplete and that is reflected in the report to the highest extent. However, certain modifications were made during data processing in the following cases: If the municipality of return has not been indicated in the application, the municipality of current residence was entered while it could be assumed that applicants had been either internally displaced persons and/or returnees/persons in the process of return. If there were missing municipalities of current residence such applications were amended in the same manner when sent from BiH.

At the same time, although missing information on a nationality could be assumed for a large number of applicants – these data were not entered if the potential beneficiaries had not indicated one of four offered options. Such cases were marked "not available (n/a)".

This methodological approach would meet its purpose and satisfy set aims while the data collected in the application process would be additionally checked during the implementation of the procedures for beneficiaries' selection.

Acronyms and Abbreviations used in the Report

F BiH	Federation of Bosnia and Herzegovina
RS	Republika Srpska
BD	Brčko District of Bosnia and Herzegovina
P	Returnees and Internally Displaced Persons Municipality of Current Residence = Municipality of Return
R	Displaced Persons Municipality of Current Residence ≠ Municipality of Return
I	Refugees from BiH Current Place of Residence = Abroad
n/a	Not available Not applicable
B	Bosniaks
C	Croats
S	Serbs
O	Others

Text of the Public Call

Pursuant to the Law on Refugees from BiH and Displaced Persons in BiH (BiH OG 23/99, 21/03 and 33/03), the Ministry of Refugees and Displaced Persons of Bosnia and Herzegovina announces:

PUBLIC INVITATION
to refugees from BiH, displaced persons within BiH and returnees
to register potential beneficiaries' applications for assistance in reconstruction and return

In order to determine needs and identify priority areas of return and plan activities for substantial completion of the process of return in BiH by ensuring uniform and harmonized implementation of GFAP Annex VII goals throughout BiH, the Ministry of Refugees and Displaced Persons of Bosnia and Herzegovina invites all refugees from BiH, displaced persons in BiH and returnees, who meet the general criteria for selection of potential beneficiaries of projects aimed at return and reconstruction of housing in BiH, to file applications for registration of potential beneficiaries of assistance in reconstruction and return.

GENERAL CRITERIA FOR SELECTION OF POTENTIAL BENEFICIARIES OF PROJECTS AIMED AT RETURN AND RECONSTRUCTION OF HOUSING:

1. The applicant is a refugee from BiH, a displaced person within BiH or a returnee;
2. The applicant has declared his intention to return;
3. The status of owner or occupancy right holder over the housing unit that is the subject of reconstruction has been established;
4. On 30 April 1991 the applicant resided in the housing unit that is the subject of request for registration of application for assistance in reconstruction and return.
5. The housing unit that is the subject of reconstruction is considered to be inhabitable in pursuance of the minimum standard rules for living conditions;

6. Since 1991 the applicant and members of his household have not had any other housing unit that is considered habitable in pursuance of the minimum standard rules for living conditions;
7. The applicant has not received any assistance in reconstruction sufficient to meet the minimum standard rules for living conditions.

II. DURATION OF THE PUBLIC INVITATION

The public invitation is opened for one month from the date of publication.

III. MANNER OF SUBMITTING APPLICATIONS

Applications for registration are filed EXCLUSIVELY on the *Application Form*.

MHRR will provide enough forms to be available in all municipalities in BiH, MHRR regional centers, Embassies and consulates of Bosnia and Herzegovina in countries having received refugees from BiH and through the website of MHRR.

Applications are to be sent BY POST to the Ministry of Human Rights and Refugees, Sarajevo, Trg BiH 1, or BY HAND in respective MHRR regional centers.

Sarajevo, 25 June 2004

MINISTER FOR HUMAN RIGHTS AND REFUGEES

Mirsad Kebo, signed

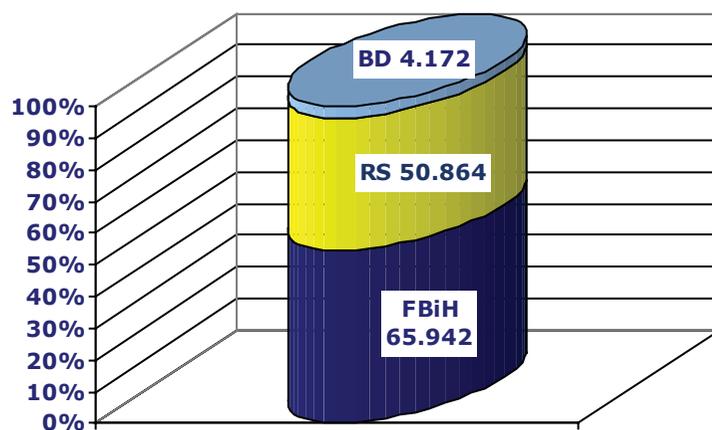
Recorded Applications – per Entities of Return

Now, almost 10 years after the peace agreement was signed in Dayton, according to the recorded requests for the registration, more than 120.000 persons are still waiting the reconstruction assistance and the return to their pre-war homes in BiH.

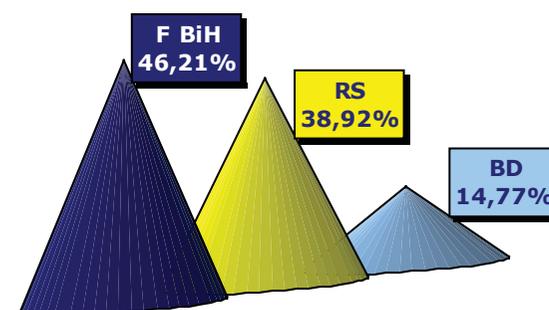
The highest percentage of recorded applications (some 55%) is related to the requests for the reconstruction of more than 19.000 damaged and/or destroyed housing units for return of 66.000 persons to F BiH, while some 42% applications are related to requests for reconstruction of some 14.500 properties ensuring the pre conditions for the return of some 50.000 persons to RS.

Aiming the return of some 4.000 persons to their housing units from 1991 in Brčko District 1.350 family requests for registration is recorded.

**Number of registred potential beneficiaries
-per Entity of Return**



**Percentage of registred potential beneficiaries
-per Entity of Return**



Potential Beneficiaries – per categories

As it could be noted from the content of the Application/Declaration Form, applicants were supposed to indicate their belonging to one of the three following categories:

Refugee Displaced Person Returnee

However, the majority of the applications missed this indication and in addition the interpretations of the applicants were very often obviously improper. That is why the category in the database is entered for all applicants and the members of their families as follows:

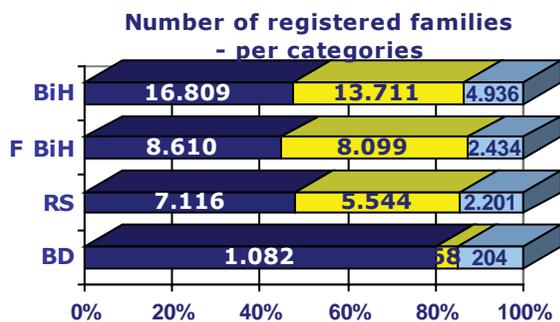
Refugee from BiH – for all persons whose current place of residence is outside BiH.

Displaced Person in BiH – for all persons whose current municipality of residence is different from the municipality of return.

Returnee in BiH – for all persons whose municipality of current residence is the same as the municipality of pre-war residence. Thus, internally displaced persons are registered as returnees i.e. the persons who might have never left the territory of their pre-war municipality but due to the damaged housing units are not capable of returning to their pre-war residence addresses.

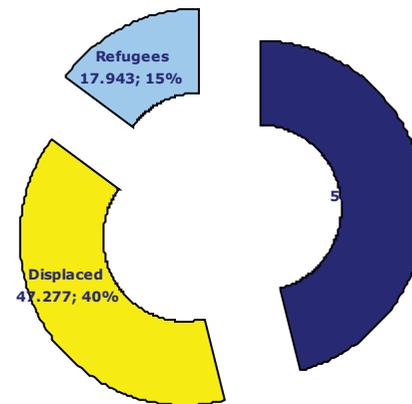
n/a – for all persons whose place of residence and/or place of return could not be determined from their application in the previously described manner.

It is necessary to make an emphasis that the „category“ as defined above is being used exclusively as a technical expression and is by no means related to the legally defined status.



	BD	RS	F BiH	BiH
I	204	2.201	2.434	4.936
R	68	5.544	8.099	13.711
P	1.082	7.116	8.610	16.809

Category turnout in total number of applicants (persons)



Review of Registered Potential Beneficiaries – per Entities of Return and Categories

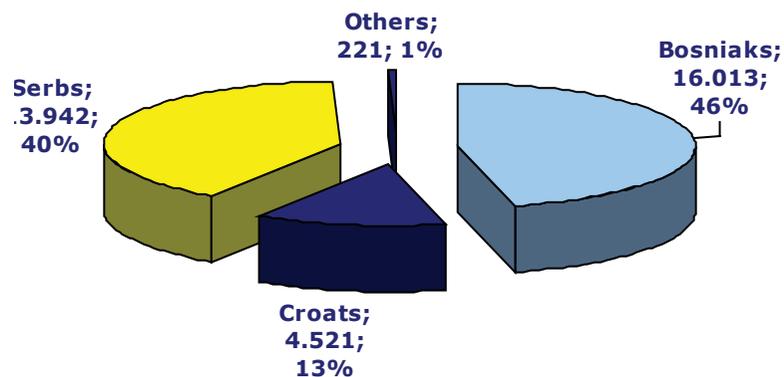
Review of registered potential beneficiaries – per entity of return and category					
Entity of Return	Category	Families	%	Persons	%
	Returnees	8.61	44,95%	29.056	44,06%
	Displaced	8.099	42,28%	28.257	42,85%
	Refugees	2.434	12,71%	8.598	13,04%
	Not available	13	0,07%	31	0,05%
Federation of BiH		19.156	53,95%	65.942	54,28%
	Returnees	7.116	47,89%	23.775	46,75%
	Displaced	5.544	37,30%	18.782	36,93%
	Refugees	2.201	14,80%	8.304	16,32%
	Not available	2	0,01%	3	0,01%
Republika Srpska		14.863	41,86%	50.864	41,87%
	Returnees	1.082	79,91%	3.292	78,91%
	Displaced	68	5,02%	238	5,70%
	Refugees	204	15,07%	642	15,39%
Brčko District BiH		1.354	3,81%	4.172	3,43%
	Returnees	1	0,73%	3	0,60%
	Displaced	97	70,80%	399	79,64%
	Refugees	39	28,47%	99	19,76%
Not available		137	0,39%	501	0,41%
	Returnees	16.809	47,34%	56.131	46,21%
	Displaced	13.711	38,61%	47.277	38,92%
	Refugees	4.936	13,89%	17.943	14,77%
	Not available	54	0,15%	133	0,11%
TOTAL BiH		35.51	100,00%	121.479	100,00%

National Structure of Potential Beneficiaries

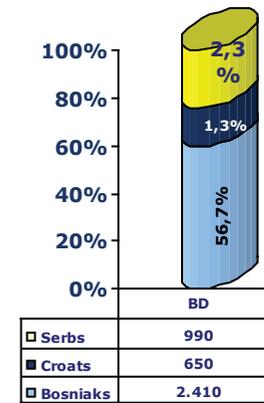
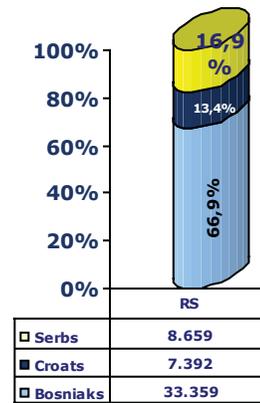
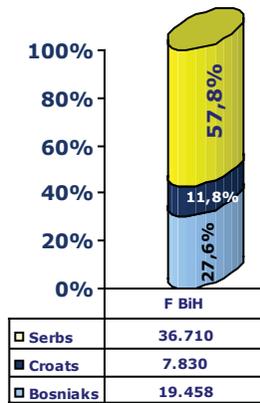
The national structure of the recorded applicants who submitted their claims for the registration of potential beneficiaries is close to the national structure in BiH according to 1991 Census when 1.902.956 Bosniaks represented 46%, 760.852 Croats 18,4%, 1.366.104 Serbs 33% and 104.439 others represented 2,5% of the total BiH population with an exception of Yugoslavs.

The percentage of 45,1% registered families of Bosniaks is slightly lower than the pre-war percentage, 12,7% registered families of Croats in the national structure of potential beneficiaries is for some 6% lower, while 39,3% registered families of Serbs is for almost the same percentage (some 6%) - higher.

Number of families and national structure of potential beneficiaries in BiH



National structure of registered potential beneficiaries – per Entities of Return



**Review of Recorded Applications/Potential Beneficiaries
– per National Structure and Entity of Return**

Entity of Return	B	%	C	%	S	%	O	%	n/a	%	Total
Families	5.283	27,6%	2.253	11,8%	11.065	57,8%	129	0,7%	426	2,2%	19.156
Persons	19.458		7.838		36.710		543		1.393		65.942
F BiH	33,0%		49,8%		79,4%		58,4%		52,4%		53,9%
Families	9.937	66,9%	1.987	13,4%	2.514	16,9%	86	0,6%	339	2,3%	14.863
Persons	33.359		7.392		8.659		358		1.096		50.864
RS	62,1%		44,0%		18,0%		38,9%		41,7%		41,9%
Families	768	56,7%	222	16,4%	326	24,1%	5	0,4%	33	2,4%	1.354
Persons	2.410		650		990		14		108		4.172
BD	4,8%		4,9%		2,3%		2,3%		4,1%		3,8%
Families	25	18,2%	59	43,1%	37	27,0%	1	0,7%	15	10,9%	137
Persons	76		246		148		1		30		501
n/a	0,2%		1,3%		0,3%		0,5%		1,8%		0,4%
Total BiH	16.013	45,1%	4.521	12,7%	13.942	39,3%	221	0,6%	813	2,3%	35.510
	55.303		16.126		46.507		916		2.627		121.479

Current Place of Residence of Recorded Applicants for Registration/Potential Beneficiaries

Abroad

17.946 persons (4.937 families), i.e. some 15% of the total number of registered potential beneficiaries are currently residing abroad.

Approximately two thirds of claims for registration out of recorded applications received from abroad have been sent by our citizens who are currently residing in the countries of the region: SICG and Croatia while the highest number of remaining BH refugees who applied live in Germany, Austria and Slovenia although the number of registered potential

beneficiaries who have chosen overseas countries as their temporary destination: Australia, USA and Canada is not small either. There are 261 families registered (1.057 persons) who applied from all remaining host countries of BH refugees.

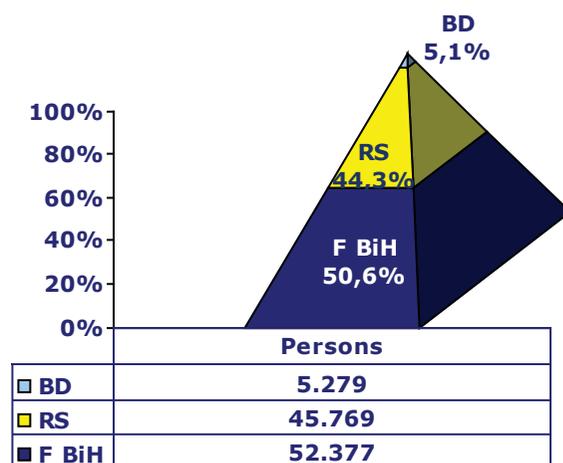
Review of potential beneficiaries – per countries of current residence		
Country of potential beneficiaries' current residence	Families	Persons
Serbia and Montenegro	1.990	6.979
Croatia	1.704	6.433
Germany	337	1.273
Austria	178	673
Slovenia	175	654
Australia	114	384
USA	107	360
Canada	71	241
Sweden	65	215
Switzerland	60	252
The Netherlands	36	117
Denmark	21	76
Norway	19	67
France	16	63
Italy	13	43
Other Countries	31	116
Total number of applications from abroad	4.937	17.946

Bosnia and Herzegovina

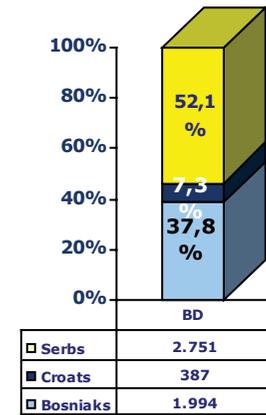
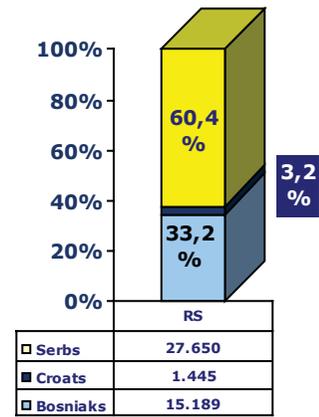
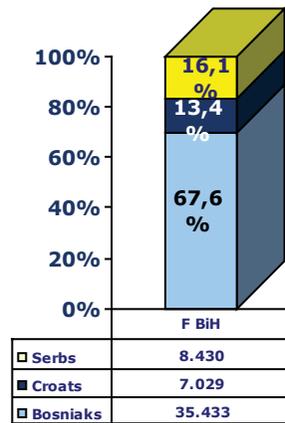
As indicated in the former review of registered applicants by categories, obviously the largest number of potential beneficiaries (30.529 families) currently reside in Bosnia and Herzegovina i.e. 103.425 persons or some 86% of the total number.

Out of this number, in BiH Federation currently reside 15.426 families of potential beneficiaries, 13.422 in Republic of Srpska and 1.661 in Brčko District respectively.

Percentage of Recorded Potential Beneficiaries – per Entity of Current Residence in BiH



National Structure of Recorded Potential Beneficiaries - per Entity of Current Residence in BiH



**Review of Potential Beneficiaries
- per National Structure and Place of Current Residence in BiH**

Entity of residence	B	%	C	%	S	%	O	%	n/a	%	Total
Families	10.028	67,6%	2.026	13,4%	2.944	16,1%	112	0,9%	316	1,9%	15.426
Persons	35.433		7.029		8.430		465		1.020		52.377
F BiH	67,3%		79,3%		21,7%		54,1%		45,2%		50,6%
Families	4.563	33,2%	485	3,2%	7.975	60,4%	85	0,8%	334	2,4%	13.442
Persons	15.189		1.445		27.650		378		1.107		45.769
RS	28,9%		16,3%		71,2%		44,0%		49,0%		44,3%
Families	639	37,8%	145	7,3%	830	52,1%	6	0,3%	41	2,5%	1.661
Persons	1.994		387		2.751		17		130		5.279
BD	3,8%		4,4%		7,1%		2,0%		5,8%		5,1%
BiH	15.230	50,9%	2.656	8,6%	11.749	37,5%	203	0,8%	691	2,2%	30.529
	52.616		8.861		38.831		860		2.257		103.425

Review of Potential Beneficiaries – per Municipalities of Current Residence in BiH

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Banovići	Families	146		4	1	1	152
	Persons	488		12	7	3	510
Bihać	Families	281	5	111	2	7	406
	Persons	1.021	10	279	6	22	1.338
Bosanska Krupa	Families	90	1	19	2		112
	Persons	332	1	58	10		401
Bosanski Petrovac	Families	61		126		7	194
	Persons	234		371		21	626
Bosansko Grahovo	Families	1	15	150	1	5	172
	Persons	7	42	413	5	14	481
Breza	Families	21		3			24
	Persons	65		5			70
Bugojno	Families	346	93	13		10	462
	Persons	1.336	293	37		25	1.691
Busovača	Families	62	80	4		2	148
	Persons	257	254	23		4	538
Bužim	Families	1					1
	Persons	6					6
Cazin	Families	40		1			41
	Persons	168		2			170
Čapljina	Families	36	28	23		4	91
	Persons	126	103	65		15	309

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Čelić	Families	95	1	14		4	114
	Persons	324	2	40		19	385
Čitluk	Families		16			1	17
	Persons		76			6	82
Doboj-Istok	Families	24		11	1	2	38
	Persons	93		36	6	4	139
Doboj-Jug	Families	52	2				54
	Persons	186	5				191
Dobretići	Families		6				6
	Persons		26				26
Domaljevac-Šamac	Families		29	1		1	31
	Persons		90	2		4	96
Donji Vakuf	Families	211	3	13	1	19	247
	Persons	910	15	39	3	76	1.043
Drvar	Families		33	602	1	18	654
	Persons		104	1.843	2	45	1.994
Foča-Ustikolina	Families	88		20		4	112
	Persons	310		85		18	413
Fojnica	Families	16	12	2		1	31
	Persons	67	19	2		1	89
Glamoč	Families	31	10	148		4	193
	Persons	107	47	375		6	535

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Goražde	Families	502	2	90		17	611
	Persons	1.831	7	283		60	2.181
Gornji Vakuf-Uskoplje	Families	19	15	1		1	36
	Persons	67	58	1		4	130
Gračanica	Families	62	1	1		1	65
	Persons	224	1	3		3	231
Gradačac	Families	179	1	3		3	186
	Persons	656	2	10		8	676
Grude	Families		20	1			21
	Persons		59	3			62
Jablanica	Families	90	18			3	111
	Persons	339	68			15	422
Jajce	Families	167	243	32	5	9	456
	Persons	704	994	86	20	27	1.831
Kakanj	Families	182	27	9	33	2	253
	Persons	556	79	15	202	4	856
Kalesija	Families	142		25		2	169
	Persons	526		62		7	595
Kiseljak	Families	68	155	4	1		228
	Persons	219	476	13	7		715
Kladanj	Families	94		19		2	115
	Persons	369		58		4	431

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Ključ	Families	143	1	40	1	7	192
	Persons	519	2	114	5	15	655
Konjic	Families	136	20	49	2	4	211
	Persons	492	39	124	3	8	666
Kreševo	Families	13	27	2			42
	Persons	35	84	2			121
Kupres	Families	4	36	59		1	100
	Persons	7	126	177		3	313
Livno	Families	1	10	54		1	66
	Persons	1	50	159		5	215
Lukavac	Families	476	1	290		2	769
	Persons	1.568	1	752		8	2.329
Ljubuški	Families	3	3	1			7
	Persons	3	15	2			20
Maglaj	Families	263	42	171		11	487
	Persons	798	146	495		31	1.470
Mostar	Families	427	105	101	4	18	655
	Persons	1.656	466	340	14	72	2.548
Novi Travnik	Families	20	174	3		5	202
	Persons	78	625	13		17	733
Odžak	Families	37	13	7	2	2	61
	Persons	126	37	18	5	3	189

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Olovo	Families	198	2	18	2	1	221
	Persons	654	2	53	4	4	717
Orašje	Families	5	102	5		1	113
	Persons	18	385	19		4	426
Pale-Prača	Families	13		6		1	20
	Persons	50		19		3	72
Posušje	Families		1				1
	Persons		9				9
Prozor	Families	88	8			2	98
	Persons	330	34			7	371
Ravno	Families			1		1	2
	Persons			1		5	6
Sanski Most	Families	107	6	57		5	175
	Persons	376	21	191		17	605
Sapna	Families	37	1	33			71
	Persons	121	6	107			234
Sarajevo	Families	16	2	1		1	20
	Persons	51	2	4		2	59
Sarajevo-Centar	Families	180	6	22	6	7	221
	Persons	506	18	64	16	24	628
Sarajevo-Hadžići	Families	54	1	9		1	65
	Persons	203	1	20		4	228

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Sarajevo-Ilidža	Families	321	17	37	2	5	382
	Persons	1.012	58	107	4	13	1.194
Sarajevo-Ilijaš	Families	114	1	25	1	2	143
	Persons	418	2	73	3	5	501
Sarajevo-Noví Grad	Families	490	10	43	4	13	560
	Persons	1.533	23	133	11	39	1.739
Sarajevo-Novo Sarajevo	Families	228	12	51	1	16	308
	Persons	734	27	121	1	46	929
Sarajevo-Stari Grad	Families	111	1	12	1	2	127
	Persons	301	1	34	3	5	344
Sarajevo-Vogošća	Families	130		17	1	5	153
	Persons	391		54	2	16	463
Srebrenik	Families	110	1	63		3	177
	Persons	407	4	159		10	580
Stolac	Families	69	75	27	1	1	173
	Persons	256	304	95	2	5	662
Široki brijeg	Families			1			1
	Persons			2			2
Teočak	Families	48		7		2	57
	Persons	166		20		2	188
Tešanj	Families	252	17	29		6	304
	Persons	883	49	72		22	1.026

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Tomislavgrad	Families	1	31			2	34
	Persons	4	131			10	145
Travnik	Families	231	169	9	11	6	426
	Persons	907	598	22	27	18	1.572
Trnovo, F BiH	Families	83					83
	Persons	251					251
Tuzla	Families	706	10	111	8	19	854
	Persons	2.497	23	295	35	76	2.926
Usora	Families	2	31	2			35
	Persons	10	79	6			95
Vareš	Families	100	46	14	2	5	167
	Persons	341	108	32	8	18	507
Velika Kladuša	Families	395	5	11	5	2	418
	Persons	1.664	18	36	18	6	1.742
Visoko	Families	205	2	3		2	212
	Persons	646	13	3		7	669
Vitez	Families	45	124	6	5		180
	Persons	144	414	17	19		594
Zavidovići	Families	163	2	32	3	1	201
	Persons	677	2	93	12	4	788
Zenica	Families	355	36	13	2	5	411
	Persons	1.171	104	33	5	16	1.329

Review of Potential Beneficiaries – per Municipalities of Current Residence in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Žepče	Families	222	57	50		7	336
	Persons	852	167	123		18	1.160
Živinice	Families	313		1		11	325
	Persons	1.037		4		37	1.078
n/a	Families	6	2	1			9
	Persons	11	4	1			16
Total – currently residing in F BiH	Families	10.028	2.026	2.944	112	316	15.426
	Persons	35.433	7.029	8.430	465	1.020	52.377

Review of Potential Beneficiaries – per Municipalities of Current Residence in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Banja Luka	Families	25	30	594	2	13	664
	Persons	68	73	2.027	7	43	2.218
Berkovići	Families	10		31		1	42
	Persons	44		125		3	172
Bijeljina	Families	613		484	47	28	1.172
	Persons	2.287		1.656	214	102	4.259
Bileća	Families	1		93		1	95
	Persons	1		358		4	363
Bosanska Kostajnica	Families	168	3	10			181
	Persons	522	6	37			565
Bosanski Brod	Families	64	61	757	1	17	900
	Persons	171	221	2.457	2	50	2.901
Bratunac	Families	56	21	164	3	6	250
	Persons	193	91	620	15	21	940
Čajniče	Families	17		117		4	138
	Persons	61		425		15	501
Čelinac	Families	61		6		2	69
	Persons	212		18		3	233
Derventa	Families	55	40	252		18	365
	Persons	159	135	806		46	1.146
Doboj	Families	612	56	1.467	2	29	2.166
	Persons	1.983	170	4.949	15	90	7.207

Review of Potential Beneficiaries – per Municipalities of Current Residence in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Donji Žabar	Families			16		2	18
	Persons			54		5	59
Foča	Families	6		129		5	140
	Persons	19		460		12	491
Gacko	Families	4	1	146		14	165
	Persons	9	5	580		61	655
Gradiška	Families	261	21	42	6	39	369
	Persons	872	58	145	20	142	1.237
Han Pijesak	Families	7	2	66		1	76
	Persons	13	5	239		4	261
Istočni Drvar	Families			5	1		6
	Persons			19	3		22
Istočni Mostar	Families			6			6
	Persons			17			17
Istočni Stari Grad	Families			3			3
	Persons			15			15
Jezero	Families	19		34		1	54
	Persons	74		146		2	222
Kalinovik	Families	2		7			9
	Persons	4		25			29
Kasindo	Families	9	1	46		1	57
	Persons	34	4	147		3	188

Review of Potential Beneficiaries – per Municipalities of Current Residence in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Kneževo	Families		1	4		1	6
	Persons		4	21		5	30
Kotor Varoš	Families	172	46	102	1	9	330
	Persons	657	144	402	6	27	1.236
Kozarska Dubica	Families	91		23		1	115
	Persons	243		73		2	318
Krupa na Uni	Families	2		93		1	96
	Persons	9		350		2	361
Laktaši	Families	2	14	32	1	1	50
	Persons	3	22	104	2	5	136
Lopare	Families	94		50			144
	Persons	304		188			492
Lukavica	Families			85		3	88
	Persons			279		6	285
Ljubinje	Families	1		32			33
	Persons	5		115			120
Milići	Families	59		56		2	117
	Persons	194		210		6	410
Modriča	Families	1	5	73		1	80
	Persons	2	13	236		6	257
Mrkonjić Grad	Families	41	2	90	1	3	137
	Persons	122	8	320	2	8	460

Review of Potential Beneficiaries – per Municipalities of Current Residence in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Nevesinje	Families	4	1	170		3	178
	Persons	19	5	667		14	705
Novi Grad	Families	464	5	90	2	11	572
	Persons	1.662	16	312	17	44	2.051
Osmaci	Families	6		14		2	22
	Persons	21		38		8	67
Oštra Luka	Families		1	18			19
	Persons		1	68			69
Pale	Families	57		121		6	184
	Persons	171		454		16	641
Pelagićevo	Families		4	4			8
	Persons		18	12			30
Petrovac	Families			2			2
	Persons			7			7
Petrovo	Families			54		2	56
	Persons			177		5	182
Prijedor	Families	457	35	225	5	9	731
	Persons	1.517	84	767	24	36	2.428
Prnjavor	Families	27	4	174	2	3	210
	Persons	65	12	542	3	5	627
Ribnik	Families			195			195
	Persons			621			621

Review of Potential Beneficiaries – per Municipalities of Current Residence in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Rogatica	Families	55		114		1	170
	Persons	134		369		3	506
Rudo	Families	17		17		2	36
	Persons	57		60		5	122
Sokolac	Families	14		81			95
	Persons	47		295			342
Srbac	Families			6			6
	Persons			9			9
Srebrenica	Families	25	28	51	3	6	113
	Persons	96	109	190	20	27	442
Šamac	Families	124	73	133	3	12	345
	Persons	298	167	410	8	26	909
Srebrenica	Families	25	28	51	3	6	113
	Persons	96	109	190	20	27	442
Šamac	Families	124	73	133	3	12	345
	Persons	298	167	410	8	26	909
Šekovići	Families			5			5
	Persons			22			22
Šipovo	Families	2		20			22
	Persons	7		86			93
Teslić	Families	52	18	72		2	144
	Persons	190	46	308		9	553

Review of Potential Beneficiaries – per Municipalities of Current Residence in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Trebinje	Families	1	2	390		7	400
	Persons	1	6	1.417		28	1.452
Trnovo	Families	3		11			14
	Persons	9		38			47
Ugljevik	Families	98		75		3	176
	Persons	351		230		7	588
Ustiprača	Families	37		51	2	4	94
	Persons	104		186	14	11	315
Višegrad	Families	122		155		9	286
	Persons	314		555		29	898
Vlasenica	Families	31		184	1	8	224
	Persons	100		673	3	29	805
Vukosavlje	Families		1	2			3
	Persons		2	3			5
Zvornik	Families	514	9	426	2	40	991
	Persons	1.761	20	1.511	3	132	3.427
Total – currently residing in RS	Families	4.563	485	7.975	85	334	13.442
	Persons	15.189	1.445	27.650	378	1.107	45.769

Review of Potential Beneficiaries Currently Residing in Brčko District BiH

Brčko District BiH	Number	B	C	S	O	n/a	Total
Total – currently residing in BD	Families	639	145	830	6	41	1.661
	Persons	1.994	387	2.751	17	130	5.279

Review of Potential Beneficiaries – per Municipalities of return in BiH

Review of Potential Beneficiaries – per Municipalities of return in F BiH

Federation of BiH	Number	B	C	S	O	n/a	Total
Banovići	Families	11		65	1	1	78
	Persons	44		210	7	5	266
Bihać	Families	242	9	293	2	11	557
	Persons	874	22	908	6	27	1.837
Bosanska Krupa	Families	79	2	131	1	3	216
	Persons	286	6	487	3	15	797
Bosanski Petrovac	Families	8		354	1	8	371
	Persons	26		1.140	10	24	1.200
Bosansko Grahovo	Families		27	695	1	13	736
	Persons		75	2.367	5	35	2.482
Breza	Families	2	2	25	1		30
	Persons	6	8	80	2		96
Bugojno	Families	51	174	87		11	323
	Persons	182	610	320		32	1.144

Review of Potential Beneficiaries – per Municipalities of return in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Busovača	Families	79	82	17		2	180
	Persons	315	274	60		4	653
Bužim	Families			1			1
	Persons			5			5
Cazin	Families	36		5			41
	Persons	151		19			170
Čapljina	Families	95	10	251	3	15	374
	Persons	335	31	902	6	49	1.323
Čelić	Families	16	3	49		1	69
	Persons	64	7	138		6	215
Čitluk	Families	1	1				2
	Persons	4	3				7
Doboj-Istok	Families	9		2	1		12
	Persons	43		3	6		52
Doboj-Jug	Families	21	2		1		24
	Persons	82	6		6		94
Dobretići	Families		79				79
	Persons		364				364
Domaljevac-Šamac	Families	1	42	17		2	62
	Persons	5	153	55		7	220
Donji Vakuf	Families	219	14	62	1	20	316
	Persons	942	54	215	3	82	1.296

Review of Potential Beneficiaries – per Municipalities of return in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Drvar	Families	2	5	819	2	18	846
	Persons	6	13	2.538	5	52	2.614
Foča-Ustikolina	Families	141		55		8	204
	Persons	490		192		29	711
Fojnica	Families	4	32			1	37
	Persons	18	83			1	102
Glamoč	Families	67	1	426	2	9	505
	Persons	222	8	1.301	8	20	1.559
Goražde	Families	221	2	437	1	18	679
	Persons	841	7	1.534	4	54	2.440
Gornji Vakuf-Uskoplje	Families	18	20	2		2	42
	Persons	59	90	2		6	157
Gračanica	Families	2		75		1	78
	Persons	5		272		6	283
Gradačac	Families	21	5	9		1	36
	Persons	85	23	32		6	146
Jablanica	Families	47	36	6		6	95
	Persons	187	163	22		32	404
Jajce	Families	328	191	210	10	20	759
	Persons	1.334	754	750	37	61	2.936
Kakanj	Families	18	33	61	32	3	147
	Persons	78	97	183	201	10	569

Review of Potential Beneficiaries – per Municipalities of return in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Kalesija	Families	17		148		14	179
	Persons	55		495		49	599
Kiseljak	Families	101	111	3	1		216
	Persons	346	351	17	7		721
Kladanj	Families	35		108		5	148
	Persons	135		332		16	483
Ključ	Families	117	1	193	1	8	320
	Persons	408	2	597	5	23	1.035
Konjic	Families	84	51	153	2	5	295
	Persons	310	167	488	3	14	982
Kreševo	Families	26	8				34
	Persons	89	25				114
Kupres	Families	25	37	152		5	219
	Persons	82	123	501		14	720
Livno	Families	1	2	284		1	288
	Persons	2	4	949		6	961
Lukavac	Families	163	1	813		9	986
	Persons	481	1	2.549		27	3.058
Ljubuški	Families	5				1	6
	Persons	21				9	30
Maglaj	Families	259	62	972		24	1.317
	Persons	778	229	3.205		73	4.285

Review of Potential Beneficiaries – per Municipalities of return in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Mostar	Families	248	72	679	4	33	1.036
	Persons	1.014	288	2.595	14	127	4.038
Neum	Families			7		1	8
	Persons			18		1	19
Novi Travnik	Families	10	167	12		4	193
	Persons	37	634	43		14	728
Odžak	Families	33	25	83	2	3	146
	Persons	107	79	234	5	6	431
Olovo	Families	164	3	251	2		420
	Persons	552	5	881	4		1.442
Orašje	Families	3	109	38		5	155
	Persons	7	417	130		18	572
Pale-Prača	Families	42		44		3	89
	Persons	127		172		8	307
Prozor	Families	286	9			2	297
	Persons	1.116	40			7	1.163
Ravno	Families		7	133		3	143
	Persons		7	451		14	472
Sanski Most	Families	27	11	201		5	244
	Persons	89	38	684		19	830
Sapna	Families	5	1	113		4	123
	Persons	18	6	363		13	400

Review of Potential Beneficiaries – per Municipalities of return in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Sarajevo	Families	2		1			3
	Persons	16		3			19
Sarajevo-Centar	Families	23	4	65	3	1	96
	Persons	72	9	220	7	3	311
Sarajevo-Hadžići	Families	10	6	44		1	61
	Persons	33	17	155		3	208
Sarajevo-Ilidža	Families	126	37	144	2	11	320
	Persons	412	104	452	3	35	1.006
Sarajevo-Ilijaš	Families	63	4	215	1	6	289
	Persons	224	7	774	3	16	1.024
Sarajevo-Noví Grad	Families	97	10	135	5	9	256
	Persons	350	24	463	19	34	890
Sarajevo-Novo Sarajevo	Families	54	24	237	5	13	333
	Persons	183	62	726	12	29	1.012
Sarajevo-Stari Grad	Families	31	1	26	1	2	61
	Persons	90	2	71	4	8	175
Sarajevo-Vogošća	Families	29	7	43	1	3	83
	Persons	98	21	132	2	11	264
Srebrenik	Families	9	1	122		2	134
	Persons	36	4	319		8	367
Stolac	Families	104	14	89	1	5	213
	Persons	399	51	309	2	17	778

Review of Potential Beneficiaries – per Municipalities of return in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Široki brijeg	Families		1	11			12
	Persons		1	43			44
Teočak	Families	44		30	8	2	84
	Persons	145		97	40	2	284
Tešanj	Families	20	24	61		1	106
	Persons	73	68	194		5	340
Tomislavgrad	Families		19			2	21
	Persons		78			10	88
Travnik	Families	125	263	109	9	11	517
	Persons	447	951	433	24	35	1.890
Trnovo, F BiH	Families	107		33			140
	Persons	325		105			430
Tuzla	Families	121	8	264	5	9	407
	Persons	427	27	885	19	35	1.393
Usora	Families		45	3			48
	Persons		151	10			161
Vareš	Families	106	118	185	5	9	423
	Persons	362	325	562	22	25	1.296
Velika Kladuša	Families	394	6	42	5	4	451
	Persons	1.663	21	126	18	18	1.846
Visoko	Families	15	10	105		1	131
	Persons	42	30	348		2	422

Review of Potential Beneficiaries – per Municipalities of return in F BiH							
Federation of BiH	Number	B	C	S	O	n/a	Total
Vitez	Families	53	61	21	2	2	139
	Persons	185	198	64	8	8	463
Zavidovići	Families	144	14	313	3	5	479
	Persons	613	45	997	12	8	1.675
Zenica	Families	8	86	135	1	6	236
	Persons	29	275	510	1	23	838
Žepče	Families	178	35	73		11	297
	Persons	675	84	209		36	1.004
Živinice	Families	19		12			31
	Persons	71		43			114
n/a	Families	7	6	5		1	19
	Persons	15	16	16		1	48
TOTAL F BIH	Families	5.283	2.253	11.065	129	426	19.156
	Persons	19.458	7.838	36.710	543	1.393	65.942

Review of Potential Beneficiaries – per Municipalities of return in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Banja Luka	Families	38	43	20	1	4	106
	Persons	116	94	71	4	12	297
Berkovići	Families	34	71	7			112
	Persons	129	311	26			466
Bijeljina	Families	681		10	43	11	745
	Persons	2.522		35	191	47	2.795
Bileća	Families	5		4			9
	Persons	11		18			29
Bosanska Kostajnica	Families	180	5	9			194
	Persons	572	9	33			614
Bosanski Brod	Families	160	561	776	2	21	1.520
	Persons	463	2.249	2.531	4	61	5.308
Bratunac	Families	465	6	73	1	9	554
	Persons	1.582	22	268	5	28	1.905
Čajniče	Families	323		65		19	407
	Persons	1.085		244		71	1.400
Čelinac	Families	73		3		2	78
	Persons	261		10		3	274
Derventa	Families	134	309	83		22	548
	Persons	406	1.173	272		58	1.909
Doboj	Families	961	374	75	6	21	1.437
	Persons	3.211	1.430	225	26	64	4.956

Review of Potential Beneficiaries – per Municipalities of return in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Donji Žabar	Families			1			1
	Persons			5			5
Foča	Families	161	2	54		3	220
	Persons	511	8	209		7	735
Gacko	Families	92	1	3			96
	Persons	267	5	11			283
Gradiška	Families	303	23	3	6	47	382
	Persons	1.019	67	9	20	170	1.285
Han Pijesak	Families	87		4		2	93
	Persons	259		16		8	283
Istočni Drvar	Families		1	8	1		10
	Persons		4	34	3		41
Istočni Mostar	Families	2					2
	Persons	9					9
Jezero	Families	39	1	38		1	79
	Persons	152	2	150		2	306
Kalinovik	Families	33		3		2	38
	Persons	77		12		7	96
Kasindo	Families	16	1	9			26
	Persons	55	4	32			91
Kneževo	Families	7	6	3		2	18
	Persons	26	34	12		6	78

Review of Potential Beneficiaries – per Municipalities of return in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Kotor Varoš	Families	310	63	65	1	9	448
	Persons	1.266	205	254	6	24	1.755
Kozarska Dubica	Families	110		11		1	122
	Persons	314		43		2	359
Krupa na Uni	Families	2		106		1	109
	Persons	8		392		2	402
Laktaši	Families	9	20	1	1		31
	Persons	25	41	2	2		70
Lopare	Families	172		75		2	249
	Persons	555		283		9	847
Lukavica	Families	2		16			18
	Persons	8		53			61
Ljubinje	Families	8		3		1	12
	Persons	33		7		6	46
Milići	Families	277		59		8	344
	Persons	986		220		31	1.237
Modriča	Families	41	10	1			52
	Persons	144	32	2			178
Mrkonjić Grad	Families	102	3	94	1	5	205
	Persons	343	14	331	2	13	703
Nevesinje	Families	51	12	7		1	71
	Persons	185	64	18		2	269

Review of Potential Beneficiaries – per Municipalities of return in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Novi Grad	Families	505	3	71	5	6	590
	Persons	1.832	16	238	27	22	2.135
Osmaci	Families	16		2		1	19
	Persons	62		7		3	72
Oštra Luka	Families	1		16			17
	Persons	4		67			71
Pale	Families	99		10		4	113
	Persons	287		47		11	345
Pelagićevo	Families		11	3			14
	Persons		37	9			46
Petrovac	Families			2			2
	Persons			4			4
Petrovo	Families			3		1	4
	Persons			6		2	8
Priedor	Families	592	45	22	5	12	676
	Persons	2.005	106	84	24	46	2.265
Prnjavor	Families	70	11	18	2	3	104
	Persons	220	32	45	3	4	304
Ribnik	Families	5		205		1	211
	Persons	20		681		4	705
Rogatica	Families	355		26	1	5	387
	Persons	1.029		71	2	14	1.116

Review of Potential Beneficiaries – per Municipalities of return in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Rudo	Families	144		3		5	152
	Persons	444		7		11	462
Sokolac	Families	146		4		2	152
	Persons	454		14		9	477
Srebrenica	Families	580	28	47	2	18	675
	Persons	1.932	129	173	12	70	2.316
Šamac	Families	151	177	47	3	13	391
	Persons	369	472	140	8	32	1.021
Šekovići	Families	2		2			4
	Persons	10		12			22
Šipovo	Families	60		60		1	121
	Persons	223		225		2	450
Teslić	Families	257	182	19		5	463
	Persons	907	795	82		13	1.797
Trebinje	Families	9		37			46
	Persons	25		133			158
Trnovo	Families	31		25			56
	Persons	101		81			182
Ugljevik	Families	135				3	138
	Persons	502				7	509
Ustiprača	Families	133		58	2	8	201
	Persons	413		181	14	25	633

Review of Potential Beneficiaries – per Municipalities of return in RS							
Republika Srpska	Number	B	C	S	O	n/a	Total
Višegrad	Families	426		14		9	449
	Persons	1.213		56		28	1.297
Vlasenica	Families	175		25	1	4	205
	Persons	604		94	3	18	719
Vukosavlje	Families	3	3				6
	Persons	15	5				20
Zvornik	Families	1.164	11	106	2	44	1.327
	Persons	4.088	23	374	2	142	4.629
n/a	Families		4				4
	Persons		9				9
TOTAL RS	Families	9.937	1.987	2.514	86	339	14.863
	Persons	33.359	7.392	8.659	358	1.096	50.864

Review of Potential Beneficiaries returning to Brčko District							
Brčko District	Number	B	C	S	O	n/a	Total
Brčko	Families	222	326	5	33	1.354	768
	Persons	650	990	14	108	4.172	2.410

ACCESS TO RIGHTS AND RETURN, REPOSSESSION AND RECONSTRUCTION

Significance of the right to return and property repossession

On significance of return of all refugees and displaced persons after establishing peace in BiH speaks the fact that creators of the General Framework Agreement for Peace in Bosnia and Herzegovina, in its most important annex, the Constitution of Bosnia and Herzegovina, Article II ("Human Rights and Fundamental Freedoms"), immediately after Enumeration of Rights from International Conventions, after item "Non-Discrimination" have also inserted item "Refugees and Displaced Persons". This item of the Constitution of Bosnia and Herzegovina reads: "All refugees and displaced persons have the right freely to return to their homes of origin. They have the right, in accordance with Annex VII of the General Framework Agreement, to have restored to them property of which they were deprived in the course of hostilities since 1991 and to be compensated for any such property that cannot be restored to them. Any commitments or statements relating to such property made under duress are null and void".

This constitutional right of refugees and displaced persons is additionally developed in a separate Article I, item 1 of the Annex VII of the General Framework Agreement for Peace in Bosnia and Herzegovina.

Mentioned rights of refugees and displaced persons are particularly emphasized in Article I, item 2 of the Annex VII of the General Framework Agreement for Peace in Bosnia and Herzegovina.

Safety of returnees

"The Parties shall ensure that refugees and displaced persons are permitted to return in safety, without risk of harassment, intimidation, persecution, or discrimination, particularly on account of their ethnic origin, religious belief, or political opinion".

Choice of destination

Article I, item 4 reads: "Choice of destination shall be up to the individual or family, and the principle of the unity of the family shall be preserved. The Parties shall not interfere with the returnees' choice of destination, nor shall they compel them to remain in or move to situations of serious danger or insecurity, or to areas lacking in the basic infrastructure necessary to resume a normal life. The Parties shall facilitate the flow of information necessary for refugees and displaced persons to make informed judgments about local conditions for return".

Amnesty

One of very important decisions Bosnia and Herzegovina passed after the war (first the Federation of BiH, then the Republic of Srpska) is decision on general amnesty, which is in accordance with Article VI that reads: "Any returning refugee or displaced person charged with a crime, other than a serious violation of international humanitarian law as defined in the Statute of the International Tribunal for the Former Yugoslavia since 1 January 1991 or a common crime unrelated to the conflict, shall upon return enjoy an amnesty. In no case shall charges for crimes be imposed for political or other inappropriate reasons or to circumvent the application of the amnesty".

UNHCR (United Nations High Commissioner for Refugees)

"The Parties call upon the United Nations High Commissioner for Refugees ("UNHCR") to develop in close consultation with asylum countries and the Parties a repatriation plan that will allow for an early, peaceful, orderly and phased return of refugees and displaced persons, which may include priorities for certain areas and certain categories of returnees. The Parties agree to implement such a plan and to conform their international agreements and internal laws to it". (Article I, item 5).

"The Parties shall provide all possible assistance to refugees and displaced persons and work to facilitate their voluntary return in a peaceful, orderly and phased manner, in accordance with the UNHCR repatriation plan" (Article II, item 1).

"The Parties note with satisfaction the leading humanitarian role of UNHCR, which has been entrusted by the Secretary-General of the United Nations with the role of coordinating among all agencies assisting with the repatriation and relief of refugees and displaced persons". (Article III, item 1).

Role of UNHCR in planned and organised return, as well as its leading role, has been emphasized in another two spots in the text in Annex VII.

Anyway general mandate of UNHCR, in accordance with the Convention Relating to the Status of Refugees and the Protocol Relating to the Status of Refugees, is to provide protection and assistance to refugees in finding durable solutions for their problems.

UNHCR promotes international instruments on refugees and monitors implementation of the international conventions by the Governments. UNHCR monitors and implements the said and other determined obligations through the valid Statute, adopted by the United Nations General Assembly at the end 1950, and which practically represents the Constitution of UNHCR.

Commission for Displaced Persons and Refugees

By reaching the agreement on Chapter II of the Annex VII of the General Framework Agreement for Peace in Bosnia and Herzegovina, the Parties established and determined conditions for work and functioning of the separate Independent Commission for Displaced Persons and Refugees.

The Commission has been established with the mandate to receive and decide any claims for real property in Bosnia and Herzegovina, where the property has not voluntarily been sold or otherwise transferred since 1 April 1992, and where the claimant does not now enjoy possession of that property. Claims may be for return of the property or for just compensation in lieu of return.

It has also been determined that the Commission may award a monetary grant or a compensation bond for the future purchase of real property.

This segment of arrangement of the right to return, namely compensation, is encircled by a special Article dealing with the Refugees and Displaced Persons Property Fund, which should have been established in the Central Bank of Bosnia and Herzegovina to be administered by the Commission. The Fund should have been replenished through the purchase, sale, lease and mortgage of real property which is the subject of claims before the Commission.

1951 Convention Relating to the Status of Refugees and 1967 Protocol Relating to the Status of Refugees

Apart from the foregoing review which represents solutions provided in Annex IV and Annex VII, Annex I of the General Framework Agreement for Peace in Bosnia and Herzegovina ("Additional Human Rights Agreements To Be Applied In Bosnia And Herzegovina") in item 3 cites the 1951 Convention Relating to the Status of Refugees and 1967 Protocol Relating to the Status of Refugees. The mentioned Convention presents the basis of international legal protection of refugees.

The Convention was written immediately after the end of the World War Two, and therefore it was directed towards persons who became refugees as a result of war events in Europe before 1 January 1951.

When in the following years, namely till the end of 1950s and the beginning of 1960s refugee crisis continued in different areas, the need was felt to broaden time and geographic scope of the Convention Relating to the Status of Refugees. For the previous reason and aim, additional Protocol Relating to the Status of Refugees was adopted in 1967.

The Convention and the Protocol provided international legal definition of refugees, as well as conditions for cessation of and exclusion from the status of refugees. These international documents regulate frameworks for legal status of refugees in the country of asylum, as well as their rights and obligations. Finally, these documents determined obligations of the Parties and regulated obligation of cooperation with UNHCR in carrying out of its duties in implementation of the Convention.

Apart from problems with reception of refugees in BiH (a separate chapter of the booklet is devoted to this issue), as well as problems regarding difficult creation of conditions for return of refugees from BiH who found temporary protection outside our country, Bosnia and Herzegovina during war conflicts, particularly after signing of the General Framework Agreement for Peace in Bosnia and Herzegovina, faced a particular problem – a large number of displaced persons.

It is about persons who were forced to leave their homes, but who have not left BiH, that is they have not crossed its internationally recognised border. According to estimates, approximately 1.2 million of persons left their homes; however, they have not left Bosnia and Herzegovina, but became displaced persons in BiH.

Due to its character, this category is less addressed in international regulations and is more related to internal legislation of countries faced with such a problem.

Relevant regulations of Bosnia and Herzegovina

As enough has been said in general part of Chapter I on constitutional basis for arrangements of rights to return in Bosnia and Herzegovina, in this part we will focus on short presentation of legal form which closely regulates the right

to return in BiH, as well as on presentation of institution responsible for realisation of this right. Just as reminder, the Constitution of Bosnia and Herzegovina (Article III, paragraph 1), defines exclusive responsibilities of the Institutions of Bosnia and Herzegovina in the following areas:

- a. Foreign policy,
- b. Foreign trade policy,
- c. Customs policy,
- d. Monetary policy as provided in Article VII,
- e. Finances of the institutions and for the international obligations of Bosnia and Herzegovina.,
- f. Immigration, refugee, and asylum policy and regulation,
- g. International and inter-Entity criminal law enforcement, including relations with Interpol,
- h. Establishment and operation of common and international communications facilities,
- i. Regulation of inter-Entity transportation,
- j. Air traffic control.

Thus, regulation of immigration, refugees and asylum issues are under exclusive responsibility of the institutions of Bosnia and Herzegovina.

Law on Ministries and Other Bodies of Administration of Bosnia and Herzegovina, the Ministry for Human Rights and Refugees shall be, among others, responsible for:

- Monitoring and implementation of international conventions and other documents on human rights and fundamental freedoms;
- Promoting and protection of individual and collective human rights and freedoms,
- Implementing Annex VII to the GFAP and in particular overseeing and monitoring the implementation of this Annex;

- Formulating and implementing the BiH policy in the field of return of refugees and displaced persons in BiH, reconstruction projects and ensuring other conditions for sustainable return;
- Within the State Commission for Refugees and Displaced Persons co-ordinating, directing and assessing the activities of the Entities and other institutions in BiH responsible for issues related to the implementation of the policy in this field;
- Any other activities required by law, and/or pertaining to implementation of Annex VI and Annex VII of the GFAP.

In the framework of its responsibilities, working on implementation of guaranteed rights contained in Annex IV and Annex VII of the General Framework Agreement for Peace in BiH, Ministry for Human Rights and Refugees at beginning 2003 prepared the State "Strategy of Bosnia and Herzegovina for the Implementation of Annex VII of the Dayton Peace Agreement".

Strategy of Bosnia and Herzegovina for the Implementation of Annex VII of the Dayton Peace Agreement is the first joint framework document at BiH level, which plans necessary actions and reforms, with a view of final realisation of one of the most important annexes to Dayton Peace Agreement (Annex VII).

A particular importance to the Strategy gives the fact that it has been adopted by respective State and Entity institutions, as well as by international community in BiH.

The Council of Ministers of BiH at its first session, held on 3 February 2003, considered and adopted the Strategy, while the Presidency of BiH adopted the Strategy at its session held on 10 February 2003.

The Strategy was supported at the Peace Implementation Council Political Directors' meeting, held in Brussels on 31 January 2003. In this way International Community has given full support to this document.

The Strategy therefore represents the first framework joint document at BiH level in this field since the signing of the General Framework Agreement for Peace. This document has pointed to basic aims and directions of strategic activity, necessary to be undertaken, so that in the following four-year period it could be stated that Annex VII to the DPA is completely realised.

The basic strategic aims in the Strategy are the following:

1. Completion of process of return of refugees from BiH and displaced persons in BiH;
2. Completion of process of reconstruction of housing units for the needs of returnees;
3. Realisation of property and occupancy rights repossession;
4. Securing of conditions for sustainable return and process of reintegration into BiH.

Period till the end of 2006 has been determined as necessary time for realisation of these aims, while planned reforms and directions of strategic actions refer to:

1. Legal reforms and harmonisation of regulations;
2. Structural and organisational reforms;
3. Preparing and putting into function unique database;
4. Creation of conditions for sustainable return.

As already stated in the general part, the right to return is only one of guaranteed rights of refugees and displaced persons contained in Annexes IV and VII of the Dayton Peace Agreement. In the previous period in BiH this right had priority over other rights stemming from regulations of Annexes IV and VII.

Right to return is closely regulated by Entity and State regulations.

Thus, Article 9 of the Law on Refugees from BiH and Displaced Persons in BiH ("Official Gazette of BiH", Nos: 23/99, 21/03 and 33/03) regulates the issue of return of refugees and displaced persons in the following way:

"Refugees from BiH and displaced persons shall have the right freely to return to their former habitual residence".

Furthermore, Article 10 the Law on Refugees from BiH and Displaced Persons in BiH, the right to return is additionally promoted and defined in the following way:

"The return of refugees from BH and displaced persons to their former habitual residence shall be done in a safe, organised and phased manner, with respect for their freedom of movement and full protection of their personal safety

and their property”.

Solutions regarding the return of refugees and displaced persons accepted in Entity laws in this field have completely been harmonised and are compatible with the State-level solutions.

Apart from this, Article 20 of the Law on Displaced Persons, Returnees and Refugees in Republika Srpska (“Official Gazette RS”, Nos: 33/99 and 42/05) stipulates vertical hierarchical cooperation of the Entity and State-level executive authorities in the field of return, as well as inter-entity cooperation, namely:

“Within its responsibilities, Ministry for Refugees and Displaced Persons shall in cooperation with Ministry for Human Rights and Refugees of BiH:

1. Monitor and analyse issues regarding return and repatriation in the RS,
2. Coordinate realisation of plans of return and repatriation in RS, prepared by Entity and District Brčko Governments, as well as by governmental and non-governmental organisations, in coordination with the Commission for Refugees and Displaced Persons of Bosnia and Herzegovina,
3. Participate actively in creation of inter-entity cooperation as regards the return of refugees from BiH and displaced persons, ...

In the Federation of Bosnia and Herzegovina, the issue of return has been regulated by a separate Article 21 of the Law on Displaced Persons and Returnees in the Federation of Bosnia and Herzegovina and Refugees from Bosnia and Herzegovina (“Official Gazette of the Federation of BiH”, No: 15/05) in the following way:

“Persons from Articles 4, 5 and 6 of the present Law (displaced persons, returnees and refugees from BiH) shall have the right freely to return to their habitual residences or other places chosen by them for residence, without risk of harassment, intimidation, persecution, or discrimination on account of gender, ethnic origin, religious belief, or political opinion”.

District Brčko organs do not have their own legal regulations for the field of return of refugees and displaced persons. Thus, based on automatism principle, in accordance with the Statute of the District Brčko of BiH, as well as determination of the Assembly and the Government of the District Brčko of BiH, relevant State regulations shall apply for all issues not

regulated by the District Brčko of BiH regulations, such is the field of return.

It wasn't accidentally that Bosnia and Herzegovina decided the return be the first strategic aim proclaimed through the "Strategy of Bosnia and Herzegovina for the Implementation of Annex VII of the Dayton Peace Agreement".

During the war conflicts in Bosnia and Herzegovina and immediately after them, some 2.2 million persons were moved from their homes, which represented more than 55% of the pre-war population of BiH, whereby forcible movements of population in Bosnia and Herzegovina has been characterised as the largest demographic catastrophe in Europe after the World War Two.

Therefore, the issue of return of people to their homes has been recognised as the primary humanitarian, demographic, political, economic, social and every other aim. This process started in years immediately after the war, when the largest results in return were recorded, but it was mainly about return in/to areas whose population belonged to same ethnicity as returnees.

Only during the following years, return followed in/to areas where returnees represented numeric minority in relation to domicile population which has not moved anywhere, and it is in this type of return one should analyse all complexity of these problems and all lacking presumptions for full reintegration of BH society.

Return of Refugees and Displaced Persons

No systematic registration of returns was made within the administration of Bosnia and Herzegovina, just as during the conflict in Bosnia and Herzegovina no systematic records were made in relation to movement of population as well.

After recognizing the need to monitor the fulfillment of the objections of the Annex VII through numeric indicators, the Presidency of the UNHCR in Bosnia and Herzegovina, based on report of its representative offices on site, reports of competent ministries for refugees and displaced persons at all levels of Bosnia and Herzegovina, records of municipal authorities, records on enforced returns, reports by OHR and information collected from associations of refugees and displaced persons and other nongovernmental organizations – has established from the very beginning the system of recording of the number of returns, which was published in statistics on return on monthly basis.

Therefore, the Ministry for Human Rights and Refugees, considering the mandate and the role of the UNHCR in Bosnia and Herzegovina, as well as the methodology of collecting and processing the data in Bosnia and Herzegovina in terms of accuracy, quality and comprehensiveness of available information as reliable, accepted the *Statistics of the Presidency of the UNHCR in Bosnia and Herzegovina* as official records on return.

So, previously described statistics were used in this analysis below as a relevant data source on registered return.

Return to Bosnia and Herzegovina from 1996 to 31.10.2005

Return to Bosnia and Herzegovina started as soon as conflicts ended. The most of returns was registered in the years right after the Peace Agreement was signed, so only during the first three years return of 570.925 persons have been registered, which makes more than a half, i.e. around 56% of the total number of returns to Bosnia and Herzegovina since the Dayton Peace Agreement up to the present.

After that the return began to decrease, especially with almost half of registered returns in 1999 in relation to 1998, and in 2001 it began to increase again and reached the top in 2002, during which, just as during the first three years, over 100.000 returns were registered.

The reasons for increase of number of returns in this period are related, in the first place, to accelerated and effective implementation of the property law, which resulted in return of housing units to the pre-war owners and holders of occupancy rights, then to significant funds that were invested into reconstruction of the housing fund for the needs of return, as well as, and this is extremely important, to increased general security of return, but also to improvement of cooperation between competent institutions in Bosnia and Herzegovina, and other significant partners in this area.

After 2002, the return continued to decrease and the current situation, at the first sight only, indicates close end of the process.

However, it is out of question that even today, ten years after the Peace Agreement was signed, there is still large number of refugees and displaced persons waiting to have elementary preconditions for permanent solution provided through return.

The presented facts are evident from the further analysis, which in the second chapter, among others, deals with the intention and interest shown for return.

The opinion of the Ministry for Human Rights and Refugees is that as long as the last refugee from Bosnia and Herzegovina and displaced person in Bosnia and Herzegovina, that wishes to return to the pre-war place of residence, has the access to this right, the process of return cannot be completed. For such standpoint and determination aimed at not only ensuring the return, but also its sustainability, which is of the same importance, there is political consensus of all relevant participants in Bosnia and Herzegovina and the international community.

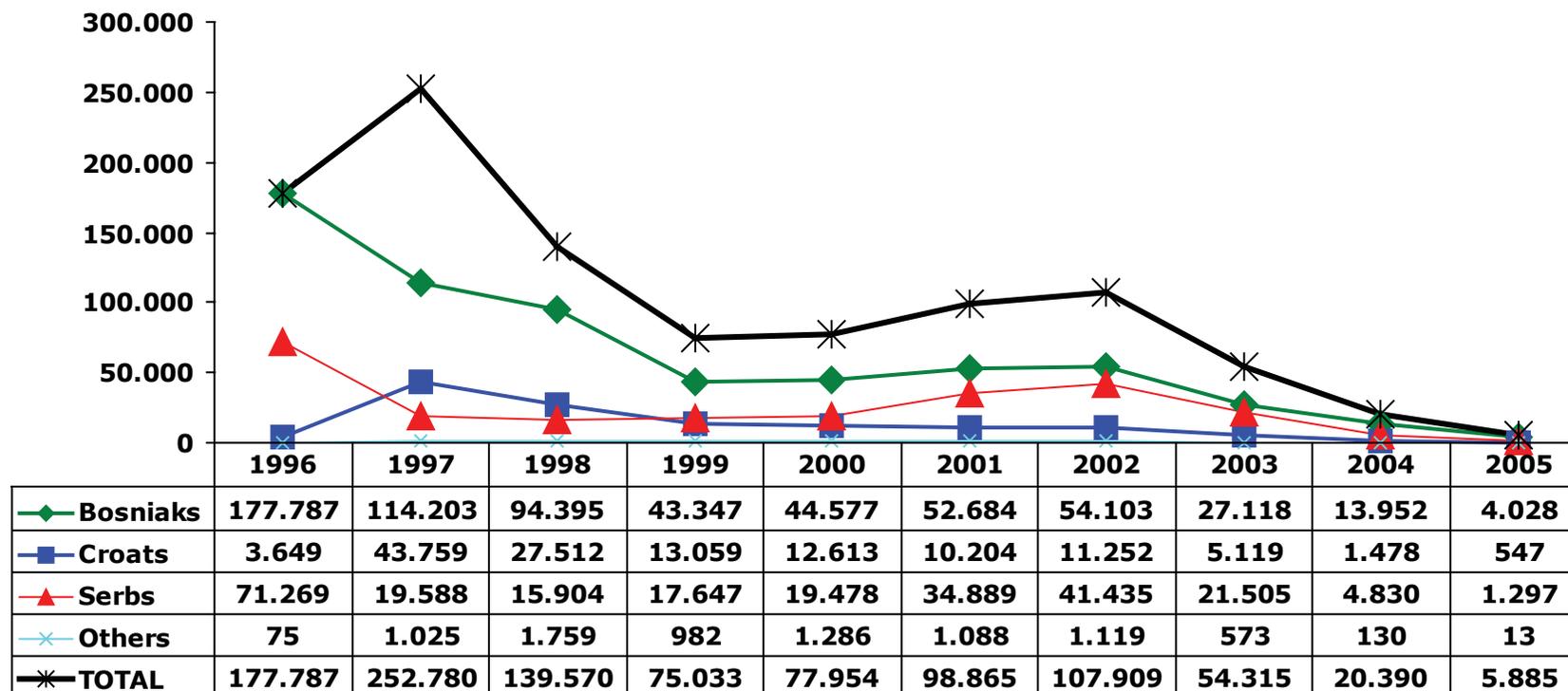
However, we should conclude that yet in the last year the millionth return in/to Bosnia and Herzegovina was recorded.

Therefore this is an exceptional opportunity, by summing up this short analysis of return to Bosnia and Herzegovina, to make a very affirmative reference to results that Bosnia and Herzegovina has achieved on this plan, which represent without doubt, if we compare the rate of realized return to Bosnia and Herzegovina of around 50% with situations after crises in other areas, a significant success.

Total Return in/to BiH from 01.01.1996 to 31.10.2005									
Return 1996-2005		F BiH	%	RS	%	Brčko	%	TOTAL BiH	%
Bosniaks	Refugees	256.876	91,74%	22.973	8,20%	149	0,05%	279.998	63,35%
	Displaced	205.152	59,26%	126.048	36,41%	14.996	4,33%	346.196	60,81%
	Total	462.028	75,61%	149.021	24,39%	15.145	2,48%	626.194	61,92%
Croats	Refugees	74.995	88,58%	7.858	9,28%	1.806	2,13%	84.659	19,15%
	Displaced	39.778	89,32%	2.815	6,32%	1.940	4,36%	44.533	7,82%
	Total	114.773	88,84%	10.673	8,26%	3.746	2,90%	129.192	12,78%
Serbs	Refugees	51.053	70,84%	21.009	29,15%	9	0,01%	72.071	16,31%
	Displaced	99.849	56,81%	73.440	41,78%	2.482	1,41%	175.771	30,88%
	Total	150.902	60,89%	94.449	38,11%	2.491	1,01%	247.842	24,51%
Others	Refugees	4.439	84,28%	828	15,72%			5.267	1,19%
	Displaced	2.095	75,28%	688	24,72%			2.783	0,49%
	Total	6.534	81,17%	1.516	18,83%			8.050	0,80%
TOTAL	Refugees	387.363	52,76%	52.668	20,60%	1.964	9,19%	441.995	43,71%
	Displaced	346.874	47,24%	202.991	79,40%	19.418	90,81%	569.283	56,29%
	Total	734.237	72,60%	255.659	25,28%	21.382	2,11%	1.011.278	100,00%

SOURCE: UNHCR Representation in BiH, Statistics

Return in/to BiH – per National Structure and Years



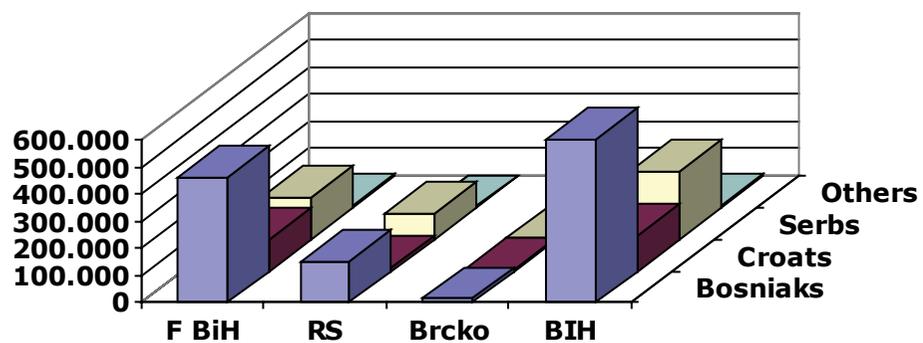
Detailed Review of Returns in/to BiH – per Years, Entities and National Structure

year	Structure	Federation of BiH			Republika Srpska			Brčko			Bosnia and Herzegovina		
		Refugees	Displaced	Total	Refugees	Displaced	Total	Refugees	Displaced	Total	Refugees	Displaced	Total
1996	Bosniaks	76.385	101.266	177.651		136	136				76.385	101.402	177.787
	Croats	3.144	447	3.591		58	58				3.144	505	3.649
	Serbs	552	1.179	1.731	7.925	61.613	69.538				8.477	62.792	71.269
	Others	33	21	54		21	21				33	42	75
	TOTAL	80.114	102.913	183.027	7.925	61.828	69.753				88.039	164.741	252.780
1997	Bosniaks	74.552	38.821	113.373	204	626	830				74.756	39.447	114.203
	Croats	33.495	10.163	43.658	73	28	101				33.568	10.191	43.759
	Serbs	2.849	3.971	6.820	8.287	4.481	12.768				11.136	8.452	19.588
	Others	754	205	959	66		66				820	205	1.025
	TOTAL	111.650	53.160	164.810	8.630	5.135	13.765				120.280	58.295	178.575
1998	Bosniaks	77.310	9.041	86.351	1.279	6.765	8.044				78.589	15.806	94.395
	Croats	22.930	4.040	26.970	257	285	542				23.187	4.325	27.512
	Serbs	4.307	6.059	10.366	2.458	3.080	5.538				6.765	9.139	15.904
	Others	1.453	300	1.753	6		6				1.459	300	1.759
	TOTAL	106.000	19.440	125.440	4.000	10.130	14.130				110.000	29.570	139.570
1999	Bosniaks	17.359	14.320	31.679	1.081	10.587	11.668				18.440	24.907	43.347
	Croats	5.960	5.747	11.707	339	1.013	1.352				6.299	6.760	13.059
	Serbs	4.370	9.649	14.019	1.962	1.666	3.628				6.332	11.315	17.647
	Others	491	219	710	88	184	272				579	403	982
	TOTAL	28.180	29.935	58.115	3.470	13.450	16.920				31.650	43.385	75.035

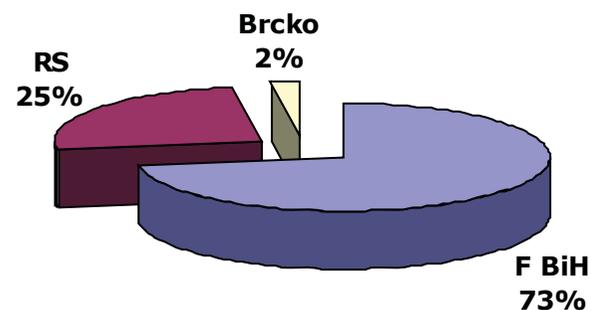
year	Structure	Federation of BiH			Republika Srpska			Brčko			Bosnia and Herzegovina		
		Refugees	Displaced	Total	Refugees	Displaced	Total	Refugees	Displaced	Total	Refugees	Displaced	Total
2000	Bosniaks	4.815	9.638	14.453	2.818	22.461	25.279		4.845	4.845	7.633	36.944	44.577
	Croats	3.498	6.660	10.158	1.336	456	1.792		663	663	4.834	7.779	12.613
	Serbs	5.164	13.811	18.975	139	362	501		2	2	5.303	14.175	19.478
	Others	569	172	741	268	277	545		0	0	837	449	1.286
	TOTAL	14.046	30.281	44.327	4.561	23.556	28.117		5.510	5.510	18.607	59.347	77.954
2001	Bosniaks	1.966	9.058	11.024	2.676	34.952	37.628		4.032	4.032	4.642	48.042	52.684
	Croats	2.285	4.890	7.175	1.959	471	2.430		599	599	4.244	5.960	10.204
	Serbs	9.108	24.794	33.902	47	611	658		329	329	9.155	25.734	34.889
	Others	542	343	885	110	93	203		0	0	652	436	1.088
	TOTAL	13.901	39.085	52.986	4.792	36.127	40.919		4.960	4.960	18.693	80.172	98.865
2002	Bosniaks	3.341	6.791	10.132	9.119	29.511	38.630	132	5.209	5.341	12.592	41.511	54.103
	Croats	2.080	4.632	6.712	2.107	351	2.458	1.746	336	2.082	5.933	5.319	11.252
	Serbs	18.079	21.108	39.187	134	585	719	7	1.522	1.529	18.220	23.215	41.435
	Others	290	624	914	99	106	205			0	389	730	1.119
	TOTAL	23.790	33.155	56.945	11.459	30.553	42.012	1.885	7.067	8.952	37.134	70.775	107.909
2003	Bosniaks	897	9.356	10.253	4.343	11.803	16.146	17	702	17	5.257	21.861	27.118
	Croats	1183	1858	3.041	1609	123	1.732	60	286	60	2.852	2.267	5.119
	Serbs	5.430	14.963	20.393	50	440	490	2	620	2	5.482	16.023	21.505
	Others	230	145	375	191	7	198			0	421	152	573
	TOTAL	7.740	26.322	34.062	6.193	12.373	18.566	79	1.608	79	14.012	40.303	54.315
2004	Bosniaks	187	5.669	5.856	789	7.099	7.888		208	208	976	12.976	13.952
	Croats	310	955	1.265	140	17	157		56	56	450	1.028	1.478
	Serbs	936	3.277	4.213	6	602	608		9	9	942	3.888	4.830
	Others	74	56	130			0			0	74	56	130
	TOTAL	1.507	9.957	11.464	935	7.718	8.653		273	273	2.442	17.948	20.390

year	Structure	Federation of BiH			Republika Srpska			Brčko			Bosnia and Herzegovina		
		Refugees	Displaced	Total	Refugees	Displaced	Total	Refugees	Displaced	Total	Refugees	Displaced	Total
2005	Bosniaks	64	1.192	1.256	664	2.108	2.772				728	3.300	4.028
	Croats	110	386	496	38	13	51				148	399	547
	Serbs	258	1.038	1.296	1		1				259	1.038	1.297
	Others	3	10	13			0				3	10	13
	TOTAL	435	2.626	3.061	703	2.121	2.824				1.138	4.747	5.885

**National Structure of Returnees
– per Entity of Return**



**Percentage of Returns
– per Entities**



Minority Returns in/to BiH from 1996 to 31. October 2005

Principally, a notice should be given that the "minority" returns is a purely technical term referring to persons who have returned to their pre-conflict municipalities, currently dominated by (an)other constituent people(s) of BiH.

In the overview of the number and rate of "minority" returns by entities in Bosnia and Herzegovina, the number of registered "minority" returns is entered from the Statistics of the UNHCR Representation in Bosnia and Herzegovina, and the rate of „minority" returns is calculated as the relation between the number of registered "minority" returns of certain nationality at the territory of a particular municipality and the number of population of the same nationality according to the population based on census from 1991 in that municipality.

In cases when the rate of "minority" returns was more than 100%, i.e. when the number of registered "minority" returns was higher than the number of population of the same nationality in that municipality based on the census from 1991 – n/a is entered.

Municipalities, in which no "minority" return was recorded, are not included in the overview of number and rate of "minority" returns.

Also, there is a mismatch between analytical indicators in the table below and synthetic indicators from the UNHCR's Statistics in several cases:

- In the section related to the Municipalities of Sarajevo Canton there is the difference of 18.955 „minority" returns recorded at the Cantonal level, but it could not be determined at the territory of which municipality these were realized;
- 2.582 „minority" returns were recorded in the section related to Brčko District, which the UNHCR keeps in the Tuzla Canton of the Federation of Bosnia and Herzegovina, and 2.600 in the section which the UNHCR keeps in the Republika Srpska as a separation zone;
- For the Brčko District of Bosnia and Herzegovina, there is only synthetic overview of "minority" returns.

Review of Number and Rate of „Minority“ Returns at the Territory of BiH Federation								
Municipality of F BiH	Bosniaks	%	Croats	%	Serbs	%	Total	%
Banovići			146	26,55%	655	14,51%	801	15,82%
Bihać			109	1,95%	1.103	7,66%	1.212	6,07%
Bosanska Krupa			8	6,20%	2.365	21,40%	2.373	21,22%
Bosanski Petrovac			67	n/p	5.331	47,09%	5.398	47,48%
Bosansko Grahovo					3.830	48,55%	3.830	48,55%
Breza			144	16,92%	89	4,19%	233	7,84%
Bugojno			9.632	60,08%	3.292	37,96%	12.924	52,32%
Busovača	2.075	24,55%	454	4,99%	49	7,87%	2.578	14,19%
Bužim					1	1,10%	1	1,10%
Cazin			3	2,16%	1	0,13%	4	0,44%
Čapljina	2.180	28,42%			1.301	34,67%	3.481	30,47%
Čelić			109	9,02%	363	18,93%	472	15,10%
Čitluk	16	14,41%				0,00%	16	12,31%
Doboj-Istok					4	2,16%	4	2,16%
Doboj-Jug			13	13,40%	11	57,89%	24	20,69%
Donji Vakuf			196	28,74%	372	3,97%	568	5,65%
Drvar	40	n/p			6.759	45,53%	6.799	45,71%
Foča-Ustikolina					293	20,14%	293	20,14%
Fojnica			2.698	40,74%	51	32,48%	2.749	40,55%
Glamoč	867	38,41%			2.257	22,68%	3.124	25,59%
Goražde			7	9,21%	2.460	27,12%	2.467	26,97%

Review of Number and Rate of „Minority“ Returns at the Territory of BiH Federation								
Municipality of F BiH	Bosniaks	%	Croats	%	Serbs	%	Total	%
Gornji Vakuf-Uskoplje	324	2,30%	833	7,78%	26	23,64%	1.183	4,76%
Gračanica			3	3,90%	406	14,41%	409	14,13%
Gradačac			778	32,84%	345	9,73%	1.123	18,99%
Grude					1	11,11%	1	11,11%
Jablanica			167	7,29%	111	22,02%	278	9,95%
Jajce	8.734	49,58%			745	9,83%	9.479	37,62%
Kakanj			2.055	12,41%	269	5,46%	2.324	10,82%
Kalesija			25	80,65%	876	21,67%	901	22,12%
Kiseljak	4.494	45,96%	335	2,67%	143	19,32%	4.972	21,55%
Kladanj					204	5,60%	204	5,60%
Ključ			33	10,19%	445	4,51%	478	4,69%
Konjic			2.590	22,46%	1.216	18,29%	3.806	20,94%
Kreševo	735	48,01%	259	5,49%	2	5,88%	996	15,86%
Kupres	122	15,21%			697	17,08%	819	16,77%
Livno	897	15,48%			386	9,86%	1.283	13,22%
Lukavac			60	2,78%	3.105	26,40%	3.165	22,74%
Ljubuški	753	47,30%			5	7,69%	758	45,75%
Maglaj			164	4,47%	1.326	13,55%	1.490	11,07%
Mostar	6.788	17,57%	2.869	8,80%	7.757	41,16%	17.414	19,34%
Neum	106	55,79%			44	21,26%	150	37,78%
Novi Travnik	1.205	10,37%	585	4,81%	641	15,65%	2.431	8,72%
Odžak	6.851	n/p			603	12,57%	7.454	67,69%

Review of Number and Rate of „Minority“ Returns at the Territory of BiH Federation								
Municipality of F BiH	Bosniaks	%	Croats	%	Serbs	%	Total	%
Olovo			5	0,78%	231	6,85%	236	5,88%
Orašje	202	10,75%			218	13,63%	420	12,08%
Pale-Prača					82	13,76%	82	13,76%
Prozor	1.797	24,87%			28	62,22%	1.825	25,10%
Ravno	18	85,71%			147	16,03%	165	17,59%
Sanski Most			907	31,94%	4.858	21,98%	5.765	23,12%
Sapna			3	20,00%	720	22,51%	723	22,50%
Sarajevo-Centar			1.744	32,13%	8.509	51,16%	10.253	16,59%
Sarajevo-Hadžići			599	80,29%	3.276	51,49%	3.875	17,22%
Sarajevo-Ilidža			2.538	37,13%	10.735	55,43%	13.273	24,52%
Sarajevo-Ilijaš			671	38,65%	4.538	40,16%	5.209	22,46%
Sarajevo-Noví Grad			4.744	53,50%	25.170	67,67%	29.914	26,00%
Sarajevo-Novo Sarajevo			3.189	36,40%	16.129	55,14%	19.318	26,94%
Sarajevo-Stari Grad			314	27,99%	1.391	33,79%	1.705	3,82%
Trnovo			25	n/p	213	32,13%	238	7,07%
Sarajevo-Vogošća			777	72,55%	6.076	68,94%	6.853	30,62%
Srebrenik			12	0,44%	364	6,86%	376	0,97%
Stolac	2.318	31,38%			822	45,51%	3.140	34,16%
Šamac-Domaljevac	104	n/p			118	40,69%	222	74,75%
Široki Brijeg					11	7,43%	11	7,01%
Teočak			3	60,00%	5	2,13%	8	0,11%
Tešanj			26	0,74%	419	27,08%	445	1,12%

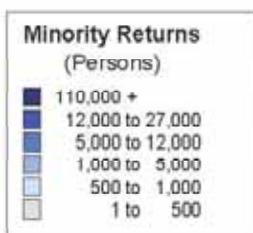
Review of Number and Rate of „Minority“ Returns at the Territory of BiH Federation								
Municipality of F BiH	Bosniaks	%	Croats	%	Serbs	%	Total	%
Tomislavgrad	204	6,48%			1	0,17%	205	5,50%
Travnik	42	0,13%	4.733	18,24%	416	5,70%	5.191	7,98%
Tuzla			1.741	8,54%	3.678	18,39%	5.419	5,26%
Usora	10	2,42%			5	5,26%	15	2,95%
Vareš	33	0,49%	3.863	42,85%	222	6,09%	4.118	21,26%
Velika Kladuša			23	3,11%	356	15,71%	379	0,74%
Visoko			169	9,03%	363	4,86%	532	1,22%
Vitez	3.613	31,38%	555	4,38%	455	30,31%	4.623	18,00%
Zavidovići			1.039	30,30%	1.303	11,21%	2.342	4,81%
Zenica			3.665	16,28%	3.494	14,74%	7.159	5,66%
Žepče	1.131	9,69%	444	2,48%	301	12,55%	1.876	5,86%
Živinice			20	0,50%	488	13,84%	508	0,99%

Review of Number and Rate of „Minority“ Returns at the Territory of Republika Srpska						
RS Municipality	Bosniaks	%	Croats	%	Total	%
Banja Luka	9.530	33,37%	2.508	8,64%	12.038	7,32%
Berkovići	385	53,85%			385	11,09%
Bijeljina	13.010	43,04%	4	0,81%	13.014	14,77%
Bileća	71	3,65%			71	0,56%
Bosanska Kostajnica	337	0,00%	7	0,00%	344	16,83%
Bosanski Brod	1.216	29,75%	765	5,47%	1.981	10,96%
Bratunac	3.195	14,84%			3.195	14,81%
Čajniče	472	11,73%			472	11,72%
Čelinac	237	16,39%	10	13,16%	247	16,23%
Derвента	1.771	24,99%	491	2,24%	2.262	7,79%
Doboj	24.135	84,12%	628	6,08%	24.763	63,45%
Donji Žabar			183	12,28%	183	12,17%
Foča	3.128	18,10%			3.128	18,00%
Gacko	268	6,95%			268	6,89%
Gradiška	5.245	33,09%	331	9,69%	5.576	28,94%
Han Pijesak	697	27,41%			697	27,33%
Jezero	224	32,23%	4	3,33%	228	27,98%
Kalinovik	48	3,58%			48	3,53%
Kasindo	240	13,06%	22	22,22%	262	13,53%
Kneževo	464	43,45%	7	3,14%	471	36,48%
Kotor Varoš	3.691	33,28%	335	3,13%	4.026	18,48%

Review of Number and Rate of „Minority“ Returns at the Territory of Republika Srpska						
RS Municipality	Bosniaks	%	Croats	%	Total	%
Kozarska Dubica	1.468	22,80%	19	3,89%	1.487	21,46%
Laktaši	65	15,93%	173	6,74%	238	8,01%
Lopare	1.262	46,81%			1.262	45,89%
Ljubinje	89	26,81%			89	23,99%
Milići	1.781	0,00%		0,00%	1.781	22,71%
Modriča	5.004	48,23%	577	5,88%	5.581	27,66%
Mrkonjić Grad	795	33,95%	222	11,00%	1.017	23,32%
Nevesinje	502	18,03%	5	2,59%	507	17,02%
Novi Grad	4.421	31,49%			4.421	30,61%
Osmaci	2.213	58,19%			2.213	58,13%
Oštra Luka			82	5,53%	82	4,61%
Pale	480	16,23%	1	0,80%	481	15,60%
Pelagićevo	4	22,22%	1.174	18,80%	1.178	18,81%
Petrovo	8	0,00%			8	n/p
Prijedor	13.759	27,88%	442	7,00%	14.201	25,51%
Prnjavor	3.805	53,27%	537	31,20%	4.342	48,98%
Ribnik			19	n/p	19	28,79%
Rogatica	1.639	12,43%			1.639	12,41%
Rudo	345	11,02%			345	11,00%
Sokolac	1.297	28,87%	1	5,26%	1.298	28,77%
Srbac	501	53,30%	25	17,86%	526	48,70%
Srebrenica	3.364	12,20%			3.364	12,18%

Review of Number and Rate of „Minority“ Returns at the Territory of Republika Srpska						
RS Municipality	Bosniaks	%	Croats	%	Total	%
Šamac	709	31,89%	908	12,18%	1.617	16,71%
Šekovići	148	45,40%			148	44,05%
Šipovo	1.098	37,03%	8	25,81%	1.106	36,92%
Teslić	8.156	63,71%	780	8,19%	8.936	40,02%
Trebinje	919	16,56%	33	7,40%	952	15,88%
Trnovo	792	37,95%			792	37,70%
Ugljevik	1.793	61,76%	5	9,62%	1.798	60,85%
Ustiprača	2.177	60,14%			2.177	60,07%
Višegrad	1.271	9,44%			1.271	9,41%
Vlasenica	1.321	7,13%			1.321	7,11%
Vukosavlje	1.989	77,09%	367	24,26%	2.356	57,56%
Zvornik	14.882	39,21%			14.882	39,10%

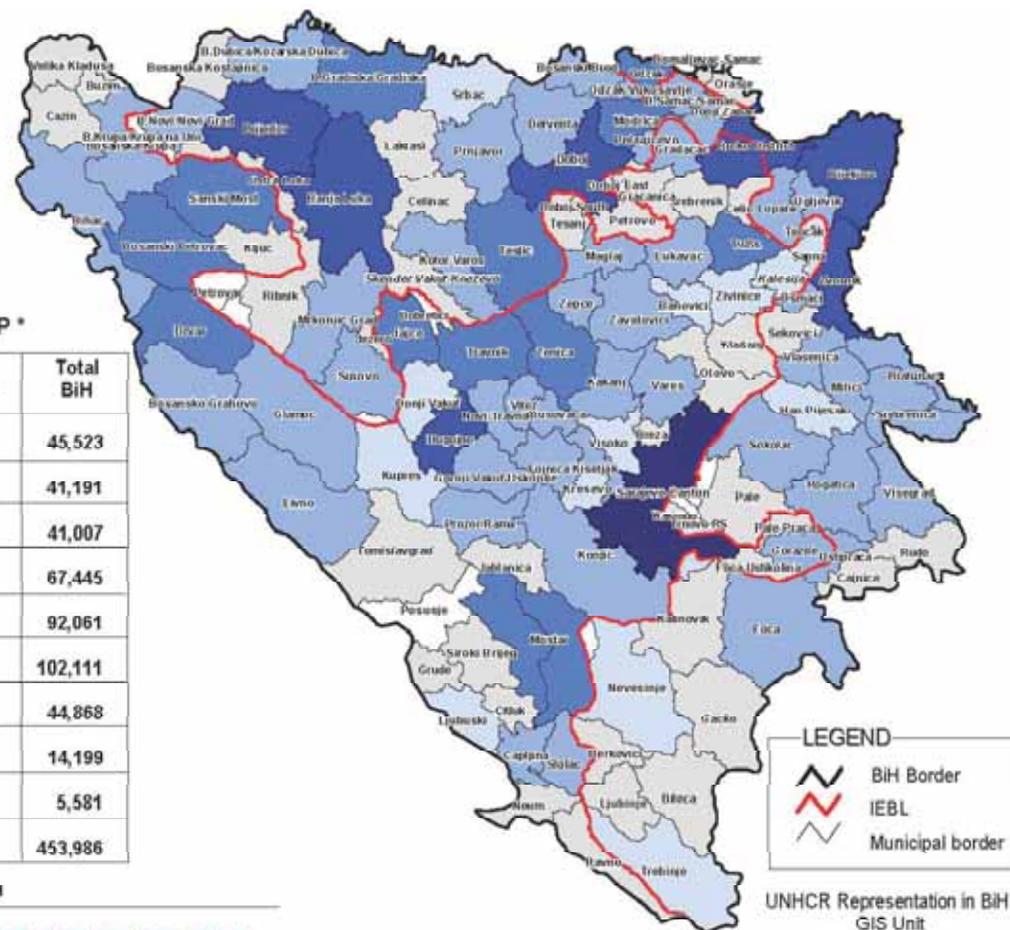
TOTAL MINORITY RETURNS IN/TO BiH FROM 1996 TO 30 NOVEMBER 2005



Total minority returns since GFAP *

Year	Federation of BiH	Republika Srpska	Brcko District	Total BiH
1996 - 1997	44,398	1,125		45,523
1998	32,605	8,586		41,191
1999	27,987	13,020		41,007
2000	34,377	27,558	5,510	67,445
2001	46,848	40,253	4,960	92,061
2002	51,814	41,345	8,952	102,111
2003	25,130	18,051	1,687	44,868
2004	5,881	8,045	273	14,199
2005	2,694	2,887		5,581
Total :	271,734	160,870	21,382	453,986

* GFAP - General Framework Agreement for Peace in BiH



UNHCR Representation in BiH
GIS Unit
30 November 2005



The boundaries displayed on this map do not imply official recognition by the United Nations

Repossession of Property and Occupancy Rights

The General Framework Agreement for Peace in Bosnia and Herzegovina clearly and unambiguously regulates obligations of all sides, the task with no alternative that the pre-war owners are ensured to repossess their own property.

The repossession of property and occupancy rights is one of the basic preconditions for realization of return of displaced persons and refugees. It is logical that this segment is clearly defined by the Annex VII of The General Frame Agreement, which is obligation of BH, accepted on the international level.

“All refugees and displaced persons have right for free return to their homes. Their rights are: to repossess the property that was taken away during the war conflicts from 1991, and to get compensation for all the property that can not be returned. Fast return of refugees and displaced persons is an important aim in solving conflict in Bosnia and Herzegovina”.

As a part of BiH Strategy for implementation of the Annex VII of DPA, The Ministry for Human Rights and Refugees sets up the second aim, relating the quoted obligation from the Annex VII of DPA. This obligation was accepted at all the authority levels of BiH, it was adopted by the Council for Implementation of Peace. It is supported by international institutions and organizations, which is very important, and by the civil sector of BiH.

These principles were additionally confirmed by the State Law on Refugees from BiH and displaced persons within BiH, as well as within the entity laws.

It was clear that for the authorities of Bosnia and Herzegovina this segment of the General Peace Agreement in BiH will be among the most difficult task to solve. This presumption proved to be correct, since preparation for start of inter-entity return of refugees lasted almost full three years. In that period, conditions were created for removal of political, safety, legal, administrative and other obstacles preventing the start of return process, and the process of repossession of property and occupancy rights.

After that, the implementation of the property laws followed, lasting for six years. This implementation was ongoing together with: political and other obstructions, incidents, different pressures, evictions, frequent changes of regulations and relating to this constant insecurity. The High Representative for Bosnia and Herzegovina punished individual municipalities and municipal authority representatives for obstructions; some municipalities of Bosnia and Herzegovina were declared as "black spots", and other difficulties which directly or indirectly influenced dynamics of implementation.

Today, Bosnia and Herzegovina is in the finalization phase relating to implementation of repossession of properties, so it is appropriate to show some of the completed phases of the process of implementation of the property laws, and the role and responsibilities of the Bosnia and Herzegovina authorities, as well as of IO institutions whose mandate was to insure undisturbed implementation of this important aim in Bosnia and Herzegovina.

Since the essential implementation of the property laws belongs to responsibility of the entity authorities, in 1996. The responsible entity ministries adopted the necessary law regulations from this field.

When The Law on the abandoned property came into force, this marked the beginning of the process, which helped accommodating huge number of displaced persons after the war conflicts ended. At the same time a big number of temporary users started to hope that the temporarily allocated flats were the long-term solution for their accommodation problem.

In that process the displaced persons received accommodation on temporary use, based on the existing criteria and procedures.

The constitutional base in adopting regulations on use of the abandoned property, was defined in Article 13. of Annex VII of General Framework Agreement for peace in BiH:

"After informing the Commission that works in cooperation to UNHCR and other international NGOs working on reconstruction, the parties are allowed to accommodate refugees and displaced persons into the abandoned property, whose ownership issue will be finally raised by the Commission, together with the preparatory regulations of renting, requested by the Commission".

Unfortunately, after signing of the General Peace Accord in Bosnia and Herzegovina, although the appropriate Laws on

Disposal of the Abandoned Properties were adopted, many properties were destroyed or demolished.

After signing of DPA primary task of the responsible ministries was to find accommodation for an enormous number of displaced persons, so at that time, it was too early to talk about substantial implementation of the Annex VII - that means about return, about repossession of property and occupancy rights.

The representatives of the International Community in BiH, who, at that time coordinated certain activities on return of refugees and displaced persons, understood this. They made a conclusion that the Laws on Disposal of the Abandoned Properties present a serious obstacle, especially in relation to the development of inter-entity process of return, of the property return, and of occupancy rights issue.

Therefore the High Representative for BiH, using his authorities coming from Annex X of the General Framework Agreement for the peace in Bosnia and Herzegovina, issued a package of regulations during 1988 to change the former and established system of possessing the abandoned property and right for apartment use in both entities in BiH.

This intervention did not happen instantly and simultaneously, but did have the same objectives in both entities.

The Law on suspension of the former Law related to the abandoned property was issued in Federation of BiH in April 1998, while this Law was accepted in Republika Srpska beginning of December 1998. Adopting of these Laws was the first concrete sign of commitment and readiness of the governments of both entities to be engaged Actively in realizing the processes of return of refugees and displaced persons, as well as in return of their private property, and socially owned flats for which they had occupancy rights.

Laws for suspension of the former Laws on abandoned property, being adopted with a significant participation of international community, have started to be implemented a bit later, but the important fact to emphasize is that the Laws had provisions to expedite the process of property and occupancy rights repossession.

These provisions were related to the following: shorter legal procedure, 30 days term for decision, preclusive term to apply for apartment return (later being extended for several times), claim does not postpone the implementation, protective mechanisms for temporary users etc.

However, in spite of adopted changes providing acceleration of process of people's return and return of property, it did not happen in an appropriate manner and in accordance with a planned dynamic.

An example of the initial skepticism for the serious intentions and possibilities to respect the dynamic of the implementation of the property Laws can be illustrated by the index of implementation of the property claims, being mentioned in the «General report of the Government of Republika Srpska on the essential completion of the implementation of the property Laws in Republika Srpska» (October 2005), indicating that Republika Srpska is to resolve the issues on property return in the coming 50-100 years.

The beginning of implementation of the property regulations was very hard, followed by big pressure and demands for, as much as possible, legalization of the present situation, assuming the return, as less as possible, of the temporary occupied apartment units.

Surely these kinds of prognoses did not contribute to the legal security within the process, so that the High Representative for BiH introduced a series of Amendments to the existing Laws during 1999, frequently issuing sub Law implementing Acts. An example of it is the fact that the Basic Law of the kind in Republika Srpska, having originally forty three Articles, has been subjected to the change and amendment even in thirty-one Article.

What is the essential change, in relation to the former entity Laws, is the fact that the High Representative has regulated that all the persons who had left their property or flat during the period from 30/04/1991 to 19/12/1998 were to be considered as refugees or displaced persons, having a right for return of their property and flats regardless the circumstances under which they had left.

In addition to that, the High Representative has regulated that all the contracts and Court decisions, related to the occupancy rights, made in the period from 01/04/1992 to 19/12/1998, were to be considered invalid.

Finally, the year 2000 was marked as the last year in which the claim for return was allowed, having also the ultimate term for application additionally extended, so that the claim could be presented, 60 days upon the ultimate term, to the Commission for the Property Claims of displaced people and refugees (CRPC), which will be a subject of this document hereinafter.

Side by side with changes and amendments of the existing legal regulations, a High Representative is replacing the appointed officials, aiming to remove any kind of disturbance to the accelerated and certain realization of property regulations, thus facilitating the process of return of refugees and displaced persons as a whole.

At the same time, the measures have been made to strengthening of relevant Ministries and Services, as well as to taking other measures in order to enable official institutions to smoothly perform the process of implementation of the property Laws.

Some of the measures being done: Providing of relevant material and financial support, holding seminars, trainings, empowering of the human resources and services having a task to complete this process, introducing of chronology in resolving the claims, implementation of the clear public campaign, etc.

In the year 2000 International Community in BiH is establishing a so called PLIP Cell for monitoring and application of the relevant regulations, consisting of the representatives from four leading organizations of the International Community in BiH: OHR, OSCE, UNHCR and CRPC. The representatives of the PLIP Cell have started to publish the monthly statistic data on the levels of BiH, Entities and Brčko District BiH, analysing and comparing those data.

It is worth mentioning, at this point, that the percentage of implementing the Property Law in BiH at the end of 2000 was just 21% (F BiH -29%, RS-13%, and Brčko District-14%).

The achieved results have been valued as unsatisfying, so that the High Representative, already at the end of 2001 made new changes and amendments of the existing legal regulations.

This time it was about more radical and totally different circumstances, since The High Representative has, for the first time, enforced changes and amendments of regulations on temporary basis, until they were accepted by the authorized bodies, with no possibility of any change in the parliamentary procedure.

Therefore it became visible, even at the beginning of 2002, that the new changes and amendments of the Property Laws, issued by the High Representative, would have positive effects, although it became clear for a while that it would be very painful and hard to implement certain provisions.

In the same year OSCE is undertaking the leading role from OHR in the process of implementation of the Property Laws. Following its initiative, and having a support of other members of PLIP Cell, it is introducing a New Strategic Direction on implementation of the Property Laws, decisively opposing the selective implementation of the Property Laws, and sending a clear message that all the cases of the kind would be considered as the violation and obstruction of the full implementation of Annex VI. and VII. of the General Framework Agreement for the peace in Bosnia and Herzegovina.

At the beginning of 2003 Ministry for Human Rights and Refugees issued a "Strategy of Bosnia and Herzegovina for carrying out the Annex VII of Dayton Peace Agreement", confirming one more time the commitment of Bosnia and Herzegovina to bring to an end the process of return of property and socially owned flats.

This commitment was articulated as a strategic objective, being also fully correlated with tasks given by the Council of Europe, that Bosnia and Herzegovina was to fulfill, as the precondition for start of negotiations for signing the Agreement on Stabilization and Joining.

During the year 2003 the dynamic of implementation of the Property Laws was at 3% per month, so that at the end of the year the percentage of implementation for BiH WAS 92,48 % (F BiH - 92,18%, RS – 92,55% and Brčko District BiH – 96,69. This percentage does not include negative decisions, having as such a character of resolved case, placing this percentage into the Framework of realistic implementation. The same year, the members of PLIP Cell issued the first certificates – acknowledgments on basic completion of the process of the Property Laws.

During the year 2004 a significant number of so called "difficult cases" was completed, where the Courts gave verdicts into effect, thus resolving the issue of a valid transfer of the right for ownership, and after that the process continued with relevant authorities. Such cases were specific for Republika Srpska, related mainly to the exchange of property between Republika Srpska – Republic of Croatia.

The essential confirmation for the completion of implementation of the Property Laws was given to the most of Municipalities in Bosnia Herzegovina during the year 2004. Municipality Doboje, in Republika Srpska, was the last Municipality to be given a certificate, and it happened on 30/09/2005.

In the area of Federation of BiH the Municipalities Tuzla, Novi Travnik and Maglaj are still waiting for these certificates, and then the formal and essential completion of the process of implementation of Property Laws in Bosnia and Herzegovina will be announced.

What is considered as substantially completed property law implementation is defined in detail by PLIP Municipal Guidelines passed on 28 May 2003 as entirely presented hereunder.



PLIP Municipal Guidelines for Substantial Completion of Property Law Implementation

Property Law Implementation is considered substantially completed in any municipality in which:

1. All pending claims made for property under the property laws, including requests for enforcement of CRPC decisions, have been resolved, in the sense that a decision has been issued and all subsequent steps required by law have been taken.
2. All repossession information received from other municipalities has been acted on in accordance with the property laws and the *Instruction on Exchange of Information Related to the Sealing and Repossession of Property*.
3. All *ad acta* cases regarding claimed property in that municipality, including those for uncontested properties, have been reported to other municipalities and to PLIP Focal Points in accordance with the *Instruction on Exchange of Information Related to the Sealing and Repossession of Property*.
4. All reconstruction beneficiary information received from the Housing Verification and Monitoring Unit (HVM) has been acted on in accordance with the property laws and the *PLIP Legal Guidelines*.

5. A report has been made of
 - (a) the number of unclaimed real properties and apartments in the municipality;
 - (b) the number, location, current status and capacity of alternative accommodation resources
 - (c) the number of temporary users who remain entitled to alternative accommodation and the specific resources used to provide it to them, and
 - (d) the number and procedural posture of appeals against administrative determinations under the property laws pending before any competent administrative or judicial body, as well as lawsuits filed in accordance with legal provisions regulating preliminary issues.

6. Sufficient administrative capacity has been specifically dedicated, on an ongoing basis and in accordance with law, to fully process
 - (a) any future municipal claims made for private property;
 - (b) any future requests for enforcement of CRPC decisions on private or socially-owned property;
 - (c) any claims originally made to CRPC that may be received from CRPC in accordance with legal provisions regulating the transfer of CRPC's capacities to domestic bodies;
 - (d) any final orders received from competent administrative or judicial appeals bodies; preparations for such processing should be based on a realistic assessment of the numbers of cases described under points (1) to (4), above, that are likely to arise in that municipality.

7. Sufficient administrative capacity has been specifically dedicated, on an ongoing basis and in accordance with law, to conduct regular, systematic checks of the continuing legal entitlement of alternative accommodation beneficiaries. Decisions are to be issued, in accordance with the property laws, related regulations, and any contractual arrangements between the competent authority and interested parties, terminating the right to alternative accommodation (AA) of any AA beneficiary who:

- (a) vacated abandoned property without moving into AA offered to them;
- (b) explicitly refused AA offered to them;
- (c) vacated an allocated AA unit voluntarily;
- (d) did not seek further installments of lump sum or rental AA provided to them;
- (e) lost their right to AA during a revision process;
- (f) lost their right to AA based on information received from HVM or other municipalities;
- (g) were placed on a waiting list for AA and did not turn up when notified it was available; or
- (h) is found in any other way to fail to meet the criteria for AA in accordance with law.

The provisions of the laws on administrative procedure regarding providing adequate notice to the subject of such a decision should be respected wherever necessary.

8. All case-files and documentation regarding property claimants should be archived in a manner compatible with applicable data protection standards.



Commission for Refugees and Displaced Persons Property Claims

Commission for Refugees and Displaced Persons Property Claims (CRPC) has been defined in a chapter II of the Annex VII of the General Framework Agreement for Peace in Bosnia and Herzegovina.

Commission mandate, defined by Article 11 of Annex VII of the General Framework Agreement for Peace in Bosnia and Herzegovina states:

“Commission will be receiving and deciding on each claim for real estate in Bosnia and Herzegovina, should the property had not been sold voluntarily, or had not been transferred in any other manner until 01/04/1992, and when the claimant is not in possession of that property at the time. Claims can assume the return of property or fair compensation instead”.

Commission has realized this mandate through its regional offices in Sarajevo, Banja Luka, Mostar, Brčko, and Zagreb.

Commission mandate ended on 31/12/2003, but the task has not been thoroughly completed, especially when it came to so called “difficult cases”.

In addition to that Commission has not even considered and resolved all the submitted claims for the repeated consideration and revision of CRPC decisions. The latter was a kind of exchange for the absence of a traditional, second level, administrative procedure related to the state legislation.

Therefore the continuation of work on the realization of the remaining issues concerning the right for revision of CRPC decisions, defined by the "Agreement between Bosnia and Herzegovina, Federation of Bosnia and Herzegovina and Republika Srpska on authority transfer and continuation of financing and work of Commission for Refugees and Displaced Persons Property Claims in accordance with Article 16. of Annex VII of the General Framework Agreement for Peace in Bosnia and Herzegovina", signed on 25/05/2004.

During the preparation of the Agreement all the specifics of the Constitutional structure of BiH emerged, as well as the complexities in transferring the authorities from the International Institutions to the Government of Bosnia and Herzegovina.

The Agreement has enabled the establishing of the Commission for Refugees and Displaced Persons Property Claims, as well as defining the procedure for selecting the commissioners and members of the Departments to support the work of Commission.

What is worth mentioning is the fact that the procedure of the second level consideration of the claims for the revision of CRPC decisions, according to the provisions of the Agreement, will be done in accordance with the internal regulations of the Commission which are not contrary to the current Laws in Bosnia and Herzegovina.

At the end, after this short reflection on the stages of an enormously difficult process of return of property and rights for socially owned flats in BiH, one needs to notice that a huge moral, political, legal and just task has been realized, because the property of all the refugees and displaced persons in Bosnia and Herzegovina has been returned. Bosnia and Herzegovina has been dealing with this task for 10 years, earning a valuable political credit by its completion, both in domestic and international relations.

What remains to be done is the assistance to the returnees in BiH, whose property has been returned, but being destroyed and devastated, in reconstruction and creating the conditions for the sustainable return and reintegration in the places of residence.

Detailed Review of Property Laws Implementation in BiH

F BiH MUNICIPALITIES/ CANTONS	Socially Owned Property				Private Property				Total				Implement- ation Ratio*
	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
BihaC	1.606	1.287	319	1.287	909	736	166	736	2.515	2.023	485	2.023	80,44%
Bosanska Krupa	474	455	19	455	816	815	1	815	1.290	1.270	20	1.270	98,45%
Bosanski Petrovac	411	386	25	386	978	976	2	976	1.389	1.362	27	1.362	98,06%
Buzim	9	2	7	2	2	2	0	2	11	4	7	4	36,36%
Cazin	108	98	10	98	50	48	2	48	158	146	12	146	92,41%
Kljuc	776	739	37	739	791	759	32	759	1.567	1.498	69	1.498	95,60%
Sanski Most	859	752	105	752	2.769	2.740	20	2.740	3.628	3.492	125	3.492	96,25%
Velika Kladusa	458	349	109	349	65	61	3	61	523	410	112	410	78,39%
Total UNA-SANA:	4.701	4.068	631	4.068	6.380	6.137	226	6.137	11.081	10.205	857	10.205	92,09%
Domaljevac - Samac	9	9	0	9	4	3	1	3	13	12	1	12	92,31%
Odzak	233	225	5	225	284	284	0	284	517	509	5	509	98,45%
Orasje	148	143	5	143	169	169	0	169	317	312	5	312	98,42%
Total POSAVINA:	390	377	10	377	457	456	1	456	847	833	11	833	98,35%
Banovici	1.025	1.014	11	1.014	154	154	0	154	1.179	1.168	11	1.168	99,07%
Celic	40	34	6	34	186	186	0	186	226	220	6	220	97,35%
Doboj - East	0	0	0	0	10	10	0	10	10	10	0	10	100,00%
Gracanica	246	219	27	219	461	461	0	461	707	680	27	680	96,18%
Gradacac	267	245	14	245	378	378	0	378	645	623	14	623	96,59%

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	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
Kalesija	96	95	1	95	409	408	1	408	505	503	2	503	99,60%
Kladanj	174	141	29	141	183	183	0	183	357	324	29	324	90,76%
Lukavac	804	796	8	796	694	690	4	690	1.498	1.486	12	1.486	99,20%
Sapna	22	20	2	20	49	49	0	49	71	69	2	69	97,18%
Srebrenik	74	62	12	62	982	982	0	982	1.056	1.044	12	1.044	98,86%
Teocak	7	6	1	6	11	11	0	11	18	17	1	17	94,44%
Tuzla	4.424	4.005	362	3.989	1.777	1.532	245	1.532	6.201	5.537	607	5.521	89,03%
Zivinice	414	371	43	371	421	421	0	421	835	792	43	792	94,85%
Total TUZLA:	7.593	7.008	516	6.992	5.715	5.465	250	5.465	13.308	12.473	766	12.457	93,61%
Breza	193	187	6	187	204	204	0	204	397	391	6	391	98,49%
Doboj - South	0	0	0	0	15	15	0	15	15	15	0	15	100,00%
Kakanj	601	595	3	594	764	750	14	750	1.365	1.345	17	1.344	98,46%
Maglaj	605	574	28	568	365	365	0	365	970	939	28	933	96,19%
Olovo	212	207	4	207	238	238	0	238	450	445	4	445	98,89%
Tesanj	155	133	22	133	423	418	5	418	578	551	27	551	95,33%
Usora	3	3	0	3	10	10	0	10	13	13	0	13	100,00%
Vares	971	969	2	969	53	53	0	53	1.024	1.022	2	1.022	99,80%
Visoko	278	258	19	258	1.076	1.072	0	1.072	1.354	1.330	19	1.330	98,23%
Zavidovici	861	801	58	800	570	570	0	570	1.431	1.371	58	1.370	95,74%
Zenica	5.051	4.831	220	4.831	1.121	1.085	3	1.085	6.172	5.916	223	5.916	95,85%

F BiH MUNICIPALITIES/ CANTONS	Socially Owned Property				Private Property				Total				Implement- ation Ratio*
	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
Zepce	247	236	11	232	816	816	0	816	1.063	1.052	11	1.048	98,59%
Total ZENICA- DOBOJ:	9.177	8.794	373	8.782	5.655	5.596	22	5.596	14.832	14.390	395	14.378	96,94%
Foca - Ustikolina	52	50	2	50	93	93	0	93	145	143	2	143	98,62%
Gorazde	1.324	1.262	62	1.262	448	440	8	440	1.772	1.702	70	1.702	96,05%
Pale - Praca	2	0	2	0	0	0	0	0	2	0	2	0	100,00%
Total BOSNIA- PODRINJE:	1.378	1.312	66	1.312	541	533	8	533	1.919	1.845	74	1.845	96,14%
Bugojno	1.354	1.307	42	1.307	2.325	2.325	0	2.325	3.679	3.632	42	3.632	98,72%
Busovaca	115	112	3	112	693	693	0	693	808	805	3	805	99,63%
Donji Vakuf	353	330	21	328	793	719	74	719	1.146	1.049	95	1.047	91,36%
Fojnica	234	218	16	218	322	322	0	322	556	540	16	540	97,12%
Gornji Vakuf - Uskoplje	170	153	17	153	175	171	4	171	345	324	21	324	93,91%
Jajce	1.501	1.421	80	1.421	572	563	9	563	2.073	1.984	89	1.984	95,71%
Kiseljak	112	82	30	82	1.476	1.476	0	1.476	1.588	1.558	30	1.558	98,11%
Kresevo	18	18	0	18	130	130	0	130	148	148	0	148	100,00%
Novi Travnik	2.068	1.897	171	1.897	324	323	1	323	2.392	2.220	172	2.220	92,81%
Travnik	1.280	1.203	76	1.203	1.889	1.886	0	1.886	3.169	3.089	76	3.089	97,48%
Vitez	575	545	29	545	804	799	5	799	1.379	1.344	34	1.344	97,46%
Total CENTRAL BOSNIA:	7.780	7.286	485	7.284	9.503	9.407	93	9.407	17.283	16.693	578	16.691	96,57%
Capljina	698	655	46	655	882	867	15	866	1.580	1.522	61	1.521	96,27%

F BiH MUNICIPALITIES/ CANTONS	Socially Owned Property				Private Property				Total				Implement- ation Ratio*
	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
Citluk	2	2	0	2	15	13	2	13	17	15	2	15	88,24%
Jablanica	178	153	25	153	108	103	5	103	286	256	30	256	89,51%
Konjic	882	825	57	825	1.059	1.059	0	1.059	1.941	1.884	57	1.884	97,06%
Mostar	7.143	6.644	497	6.638	2.613	2.536	59	2.534	9.756	9.180	556	9.172	94,01%
Neum	28	27	1	27	154	152	1	151	182	179	2	178	97,80%
Prozor / Rama	232	216	16	216	172	172	0	172	404	388	16	388	96,04%
Stolac	393	367	26	367	468	468	0	468	861	835	26	835	96,98%
Total HERZEGOVINA- NERETVA:	9.556	8.889	668	8.883	5.471	5.370	82	5.366	15.027	14.259	750	14.249	94,82%
Grude	1	1	0	1	0	0	0	0	1	1	0	1	100,00%
Ljubuski	63	57	3	57	215	214	1	214	278	271	4	271	97,48%
Posusje	5	1	2	1	0	0	0	0	5	1	2	1	20,00%
Siroki Brijeg	0	0	0	0	3	3	0	3	3	3	0	3	100,00%
Total WEST HERZEGOVINA:	69	59	5	59	218	217	1	217	287	276	6	276	96,17%
Centar	4.893	3.883	988	3.883	716	563	121	563	5.609	4.446	1.109	4.446	79,27%
Hadzici	601	519	82	519	1.397	1.294	98	1.294	1.998	1.813	180	1.813	90,74%
Ilidza	2.685	2.381	302	2.381	2.008	1.789	208	1.789	4.693	4.170	510	4.170	88,86%
Ilijas	552	447	105	447	1.609	1.449	160	1.449	2.161	1.896	265	1.896	87,74%
Novi Grad	9.553	8.651	889	8.651	1.491	1.462	29	1.462	11.044	10.113	918	10.113	91,57%
Novo Sarajevo	7.641	6.428	1.181	6.428	1.273	1.109	64	1.109	8.914	7.537	1.245	7.537	84,55%

F BiH MUNICIPALITIES/ CANTONS	Socially Owned Property				Private Property				Total				Implement- ation Ratio*
	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
Stari Grad	184	138	46	138	182	159	23	159	366	297	69	297	81,15%
Vogosca	1.431	1.321	109	1.321	1.248	1.248	0	1.248	2.679	2.569	109	2.569	95,89%
Total SARAJEVO:	27.540	23.768	3.702	23.768	9.924	9.073	703	9.073	37.464	32.841	4.405	32.841	87,66%
Bosansko Grahovo	46	45	1	45	54	54	0	54	100	99	1	99	99,00%
Drvar	660	625	35	625	1.180	1.180	0	1.180	1.840	1.805	35	1.805	98,10%
Glamoc	244	236	8	236	247	239	8	239	491	475	16	475	96,74%
Kupres	279	272	7	272	280	280	0	280	559	552	7	552	98,75%
Livno	330	305	23	305	253	249	1	249	583	554	24	554	95,03%
Tomislavgrad	59	56	1	56	99	99	0	99	158	155	1	155	98,10%
Total CANTON 10:	1.618	1.539	75	1.539	2.113	2.101	9	2.101	3.731	3.640	84	3.640	97,56%
Total FEDERATION :	69.802	63.100	6.531	63.064	45.977	44.355	1.395	44.351	115.779	107.455	7.926	107.415	92,78%
%				90,35%				96,46%		92,81%	6,85%	92,78%	

RS MUNICIPALITIES	Socially Owned Property				Private Property				Total				Implement- ation Ratio*
	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
Banja Luka	7.859	6.652	1.077	6.628	7.875	6.799	646	6.789	15.734	13.451	1.723	13.417	85,27%
B.Dubica / Kozarska Dubica	201	163	36	163	997	962	21	962	1.198	1.125	57	1.125	93,91%
B.Gradiska / Gradiska	380	349	27	349	3.452	3.385	29	3.384	3.832	3.734	56	3.733	97,42%
B.Novi / Novi Grad	471	364	99	363	1.109	1.080	21	1.080	1.580	1.444	120	1.443	91,33%
B.Samac / Samac	412	392	17	392	1.216	1.200	15	1.200	1.628	1.592	32	1.592	97,79%
Berkovici	1	1	0	1	2	2	0	2	3	3	0	3	100,00%
Bijeljina	622	541	76	537	7.626	7.558	30	7.558	8.248	8.099	106	8.095	98,15%
Bileca	134	126	8	126	305	302	3	302	439	428	11	428	97,49%
Bosanska Kostajnica	28	18	10	15	343	343	0	343	371	361	10	358	96,50%
Bosanski Brod	1.070	986	84	986	690	589	94	589	1.760	1.575	178	1.575	89,49%
Bratunac	153	138	13	138	1.524	1.504	17	1.504	1.677	1.642	30	1.642	97,91%
Cajnice	94	87	7	87	255	255	0	255	349	342	7	342	97,99%
Celinac	61	52	9	52	267	254	4	254	328	306	13	306	93,29%
Derventa	1.090	955	130	955	2.242	2.141	95	2.141	3.332	3.096	225	3.096	92,92%
Doboj	2.702	2.602	85	2.602	4.063	3.972	79	3.972	6.765	6.574	164	6.574	97,18%
Foca	1.035	931	105	931	830	654	176	654	1.865	1.585	281	1.585	84,99%
Gacko	271	245	24	245	321	311	3	311	592	556	27	556	93,92%
Han Pijesak	59	48	11	48	43	43	0	43	102	91	11	91	89,22%
Kalinovik	64	54	10	54	32	32	0	32	96	86	10	86	89,58%
Kotor Varos	256	232	24	232	1.199	1.139	54	1.139	1.455	1.371	78	1.371	94,23%

RS MUNICIPALITIES	Socially Owned Property				Private Property				Total				Implement- ation Ratio*
	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
Laktasi	31	29	2	29	657	590	21	590	688	619	23	619	89,97%
Ljubinje	12	12	0	12	40	40	0	40	52	52	0	52	100,00%
Lopare	83	76	7	76	599	599	0	599	682	675	7	675	98,97%
Milici	59	51	8	51	203	203	0	203	262	254	8	254	96,95%
Modrica	524	508	14	508	2.625	2.622	3	2.622	3.149	3.130	17	3.130	99,40%
Mrkonjic Grad and Ribnik	187	166	20	166	485	475	7	475	672	641	27	641	95,39%
Nevesinje	51	42	9	42	610	608	0	608	661	650	9	650	98,34%
Odzak / Vukosavlje	0	0	0	0	524	524	0	524	524	524	0	524	100,00%
Osmaci	3	3	0	3	352	351	1	351	355	354	1	354	99,72%
Pale	223	187	36	187	1.885	1.808	77	1.808	2.108	1.995	113	1.995	94,64%
Pelagicevo	7	7	0	7	166	166	0	166	173	173	0	173	100,00%
Petrovo	35	28	7	28	83	83	0	83	118	111	7	111	94,07%
Prijedor	1.722	1.528	167	1.525	4.572	4.467	88	4.467	6.294	5.995	255	5.992	95,20%
Prnjavor	176	155	21	155	1.608	1.569	19	1.566	1.784	1.724	40	1.721	96,47%
Rogatica	395	385	8	385	1.301	1.301	0	1.301	1.696	1.686	8	1.686	99,41%
Rudo	169	156	13	156	350	350	0	350	519	506	13	506	97,50%
Sekovici	51	49	2	49	102	102	0	102	153	151	2	151	98,69%
Sipovo	67	52	12	52	177	176	1	175	244	228	13	227	93,03%
Skender Vakuf / Knezevo	77	56	21	56	167	167	0	167	244	223	21	223	91,39%
Sokolac	83	68	15	68	375	325	50	325	458	393	65	393	85,81%

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	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	No.of Claims	No.of Positive Decisions	No.of Negative Decisions	Closed Cases	
Srbac	58	50	8	50	148	143	5	143	206	193	13	193	93,69%
Srebrenica	534	496	38	496	1.197	1.192	5	1.192	1.731	1.688	43	1.688	97,52%
Kasindo and Lukavica	258	247	11	247	729	712	11	712	987	959	22	959	97,16%
Ustipraca	12	10	2	10	384	384	0	384	396	394	2	394	99,49%
Donji Zabar	0	0	0	0	6	6	0	6	6	6	0	6	100,00%
Teslic	719	647	46	647	1.775	1.765	2	1.765	2.494	2.412	48	2.412	96,71%
Trebinje	757	730	27	730	1.119	1.072	47	1.072	1.876	1.802	74	1.802	96,06%
Trnovo RS	84	79	5	79	279	279	0	279	363	358	5	358	98,62%
Ugljevik	133	123	10	123	325	325	0	325	458	448	10	448	97,82%
Visegrad	474	418	56	418	1.082	1.075	5	1.075	1.556	1.493	61	1.493	95,95%
Vlasenica	349	325	20	325	1.500	1.489	11	1.489	1.849	1.814	31	1.814	98,11%
Zvornik	1.015	923	90	923	3.889	3.561	327	3.561	4.904	4.484	417	4.484	91,44%
Total RS :	25.311	22.542	2.527	22.507	63.705	61.054	1.967	61.039	89.016	83.596	4.494	83.546	93,86%
%				88,92%				95,82%		93,91%	5,05%	93,86%	

Bosnia and Herzegovina	Socially Owned Property				Private Property				Total				Implementation Ratio*
	No. of Claims	No. of Positive Decisions	No. of Negative Decisions	No. of Closed Cases	No. of Claims	No. of Positive Decisions	No. of Negative Decisions	No. of Closed Cases	No. of Claims	No. of Positive Decisions	No. of Negative Decisions	No. of Closed Cases	
Total FEDERATION :	69.802	63.100	6.531	63.064	45.977	44.355	1.395	44.351	115.779	107.455	7.926	107.415	92,78%
%				90,35%				96,46%		92,81%	6,85%	92,78%	
Total REPUBLIKA SRPSKA :	25.311	22.542	2.527	22.507	63.705	61.054	1.967	61.039	89.016	83.596	4.494	83.546	93,86%
%				88,92%				95,82%		93,91%	5,05%	93,86%	
BRCKO DISTRICT :	2.036	1.941	95	1.939	4.953	4.817	123	4.778	6.989	6.758	218	6.717	96,11%
%				95,24%				96,47%		96,69%	3,12%	96,11%	
GRAND TOTAL :	97.149	87.583	9.153	87.510	114.635	110.226	3.485	110.168	211.784	197.809	12.638	197.678	93,34%
%				90,08%				96,10%		93,40%	5,97%	93,34%	

* Implementation Ratio = Total number of Closed Cases / Total number of claims expressed in percentage form

SOURCE: PLIP Statistics, UNHCR Representation in BiH

Reconstruction of housing units for needs of return

As a war consequence, approximately 445.000 houses were partially or completely destroyed in Bosnia and Herzegovina, which is more than a third (37%) of the pre-war housing fund.

Unfortunately, destruction continued even after armed conflict ended, so after the Peace Agreement was signed, around 14.000 housing units was devastated.

Statistics generated on basis of data verification in the central base by those municipalities in Bosnia and Herzegovina indicate that the level of reconstruction of the housing fund reached almost 60% with some 260.000 reconstructed units up to the present, out of which more than two thirds were reconstructed from donations.

The highest level of reconstruction of the housing fund is in the Federation of Bosnia and Herzegovina (66,70%), then in Brčko District of Bosnia and Herzegovina (46,30%), and the lowest level is in the Republika Srpska with around 40%.

Current reconstruction in progress includes around 2.000 housing units, which according to assessments on the basis of average reconstruction costs for one damaged housing unit required around KM 35 million.

The reason for high average reconstruction costs per housing unit is that the remaining, unreconstructed housing fund is of high damage degree or completely devastated.

The percentage of housing units which are still not reconstructed is presented as the number of housing units remained to be reconstructed in relation to the number of the damaged and destroyed ones, and amounts to approx. 42% at the level of Bosnia and Herzegovina, of which almost a half, i.e. 44% was destroyed (damage degree is over 75%); around 16% of housing units has damage degree between 45% and 65%, around 13% has damage degree from 25% to 40%, while around 10% of housing units are easier damaged (damage degree is up to 20%). For the remaining part of damaged and destroyed housing units, presented in total number, damage degree is not available.

Reconstruction costs for the whole remaining destroyed and damaged housing fund, according to presented damage degree, can be estimated to around KM 2,5 billion per average cost for making a housing unit fit for living in accordance with standards for minimum housing conditions.

ACCESS TO RIGHTS AND DISPLACED PERSONS

Legal framework

Pursuant to the Article II paragraph 2 of the Constitution of Bosnia and Herzegovina, rights and freedoms shall be guaranteed to all persons at the territory of BiH as set forth in the European Convention for protection of human rights and fundamental freedoms and its protocols.

In this chapter, we would like to concentrate on guaranteed rights of displaced persons in BiH, refugees from BiH and returnees, so at the very beginning we would like to remind of legal definitions of these terms.

The Law on Refugees from BiH and Displaced Persons in BiH („Official Gazette of BiH“, No. 23/99, 21/03 and 33/03) defines the terms: refugee from BiH, displaced person in BiH and repatriate:

Refugee from BiH is a citizen of BiH who is located out of BiH, and who was expelled from his residence in BiH due to conflicts and fled abroad, after April 30th 1991 (Article 3).

Displaced Person is a citizen of Bosnia and Herzegovina who is located in BiH, and who was, as a result of conflict or a well-founded fear of being persecuted because of his/her race, religion, nationality, belonging to certain social group or his/her political beliefs, persecuted from his/her place of residence after April 30th 1991, while there do not exist conditions for safe and dignified return to his/her former place of residence, nor has s/he voluntarily decided to settle in a new place of living (Article 4).

Returnee is a refugee from BiH or a displaced person who has expressed his/her wish to a competent authority to return to former place of residence and who is in the process of such returning, both as a refugee from BiH and a displaced person who has returned to his/her former place of residence (Article 8).

Every person at the territory of BiH, including refugees from BiH, displaced persons and returnees, has:

- The right to life;
- The right not to be subjected to torture or to inhuman or degrading treatment or punishment;
- The right to liberty and safety;
- The right to a fair hearing in civil and criminal matters, and other rights relating to criminal proceedings;
- The right to private and family life, home, and correspondence.
- Freedom of thought, conscience, and religion;
- Freedom of expression;
- Freedom of peaceful assembly and freedom of association with others;
- The right to marry and to found a family;
- The right to property;
- The right to education;
- The right to education;

The rights of displaced persons are especially defined by the State Law on Refugees from BiH and Displaced Persons in BiH ("Official Gazette of BiH", No. 23/99, 21/03 and 33/03), which ensures the right to return to displaced persons, right to choose another place of residence, as well as the right to return the private property or apartment.

Besides this, pursuant to the Article 17 of this Law, displaced persons have, during the status, also other rights that they exercise according to regulations of entities, cantons and municipalities, and which especially refer to economic, social, health care and freedom of religious expression and political activity (we have provided a detailed overview on these special rights in the brochure).

During the status the returnees have right to: assistance in necessary reconstruction of their houses and apartments, use loans for business start-up in order to generate income for themselves and their families, adequate assistance in cash, necessary food supplies, necessary clothing, basic health protection, primary education and social welfare unless they are employed.

Manner of exercising these rights is to be governed by regulations of Bosnia and Herzegovina and both entities.

For that purpose the Federation of Bosnia and Herzegovina has defined in its "Law on Displaced-Expelled Persons and

Returnees in the Federation of Bosnia and Herzegovina and Refugees from Bosnia and Herzegovina" the following right which have the displaced persons during the status: assistance in necessary reconstruction of their homes and apartments, loan utilization for business start-up in order to generate income for themselves and their families, temporary accommodation, necessary food supplies, social reintegration and psychological support, health care, education of children and youth, having other necessary living essentials.

Republika Srpska has defined the rights of displaced persons and refugees in the Article 14 of the "Law on Displaced Persons, Returnees and Refugees in Republika Srpska" in the following manner:

"All displaced persons and returnees have right to adequate living standard, right to elementary temporary accommodation, health care, social protection, education and professional education, freedom of religious expression and political acting.

Besides the rights stated in the previous paragraph, displaced persons and returnees during the status have right to: assistance in necessary reconstruction of their houses and apartments, use loans for business start-up in order to generate income for themselves and their families, adequate assistance in cash, basic health care, primary education, social welfare in case they are employed"...

These rights, as prescribed in state and entity laws, are not questionable as long as that person has status of displaced person, and the practice has shown that there are no serious objections by displaced persons on the manner of exercising the right used during the term of the status.

Yet, the problem occurs during the process of returning and returnee status from the aspect of possibility to make the return of refugees and displaced persons sustainable.

So the whole range of proclaimed rights can be summed up in one common guideline, in one word, and this is "sustainability" of return.

Creating conditions for sustainable return and reintegration of returnees is also the strategic goal proclaimed in the "Strategy of Bosnia and Herzegovina for Implementation of the Annex VII" of the Dayton Peace Agreement, which we discussed earlier. Unfortunately, very limited results are recorded in this field. Undefined policy and regulations in the field of health care, education, social welfare, employment and other issues regarding sustainability of return at the state level present a huge obstacle to final process of returning and reintegrating in Bosnia and Herzegovina.

This field in Bosnia and Herzegovina is mostly under responsibility of relevant institutions in the entities.

The fact that the Law on Ministries and Other Bodies of Administration of BiH „Official Gazette of BiH“, No. 5/03, 42/03, 26/04 and 42/04 made some significant changes in terms of expanding authorities of individual ministries, the Ministry of Civil Affairs in the first place, is very encouraging.

The quoted regulations entitled the Ministry of Civil Affairs also to take over the role of coordinator for certain issues that were not treated so far at the BiH level, and these are the issues of health care, education, social welfare, pensions, etc.

In this way the Ministry for Human Rights and Refugees, as coordinator for implementation of the Annex VII of the Dayton Peace Agreement and the Ministry of Civil Affairs, which is responsible for coordination of activities in field of health care, education, social welfare, pensions, labor and employment, science, etc., take over the fundamental responsibility for settlement of issues important for return and reintegration of returnees in BiH.

According to the *Law on Ministries and Other Bodies of Administration of BiH* („Official Gazette of BiH“, No. 5/03, 42/03, 26/04 and 42/04):

The Ministry for Human Rights and Refugees is responsible, among others, for the following:

- Implementation of the Annex VII of the General Framework Agreement for Peace in BiH, as well as monitoring of implementation of the Annex,
- The Ministry is also competent for activities which are the competence of BiH and which refer to determination of fundamental principles of activity coordination, adjustment of policy and plans of governmental authorities of BiH and international community in the field of: housing policy, reconstruction and development and project of sustainable return and its records,
- Coordinating, directing and monitoring within the Commission for Refugees and Displaced Persons, activities of entities and other institutions in BiH responsible for implementation of policy in this field.

Ministry of Civil Affairs is responsible, among others, for the following:

- For carrying out activities and tasks which are the competence of BiH and which refer to determination of fundamental principles of coordination of activities, adjustment of plans of entity bodies and defining strategy at the international level in the field of health care and social welfare, pensions, science and education, labor and employment, culture and sport, geodetic, geological and metrological affairs.

Generally speaking, the situation in the field of sustainability of return is not satisfactory and therefore it is priority to which the Ministry for Human Rights and Refugees will, within its competence, pay special attention. Still, it will be insisted that all institutions in BiH and entities, according to constitution, make improvements regarding employment of policemen returnees, administrative employees, employees in health care and teachers, in order to have easier reintegration and sustainability.

Special attention will be paid below in this document to some individual aspects of sustainability of returnees, for which we believe that they should be specially treated.

Right to health care

We can state that poor improvements were made in the field of health care, as an element of sustainability of return, and international and local regulations are still being violated in this segment.

As an example, we can use the fact that inter-entity Agreement on Health Care, which is only a temporary solution for providing health care services to displaced persons in BiH, is not being applied adequately. A systematic measure, which is still pending, is to enact an umbrella Law on Health Care, which, according to valid legal regulations, should be prepared by the Ministry of Civil Affairs of BiH.

Till umbrella regulations in the field of health care are made, so it is expected from the competent entity bodies and District Brčko BiH to apply existing entity and other regulations consistently, as well as international agreement which regulate issue of the health care of returnees.

There are some complex connections between the health and human rights, and these are in the first place:

- Violation or lack of respect for human rights which can have some serious consequences on human health;
- Health policy and programs can improve or violate human rights in the way they were designed or implemented;
- Vulnerability and influence of bad health can be reduced by taking some steps towards respect, protection and fulfillment of human rights;
- Normative content of each right is completely articulated in instruments of human rights.
- In relation to the right to health and freedom from being discriminated, normative content is emphasized separately in the following issues. Example of language used in instruments of human rights in terms of determining content of some other key rights relevant for the health, such as: equality, solidarity and reciprocity.

The right to the highest available health standard (which refers to the „right to health“) appeared for the first time in the WHO Constitution (1956) and than again in 1978 in Alma Ata in the Declaration of World Health adopted by the Assembly of the World Health Organization in 1998. It was widely accepted in international and regional instruments of human rights.

At the state level there is no draft law for health protection, nor the relevant ministry. As we have already mentioned, the Ministry of Civil Affairs of BiH (Department for Health Care), is responsible for coordination of activities, adjustment of plans of entity bodies and defining strategy at the international level for the field of health care in BiH.

According to Constitution of BiH, organization and management of the health care system in BiH are decentralized up to the level of entities and District Brčko.

Federation of BiH

- **Valid regulations for exercising the right to health care and procedures in exercising the right from the health care, regarding refugees from BiH, displaced persons in BiH, returnees.**

The competent Ministry for this field is the Federal Ministry of Health Care. In accordance with constitutional authorizations, system laws were made in the field of the health care: Law on Health Care („Official Gazette of Federation of BiH, No. 29/97) and the Law on Health Insurance („Official Gazette of Federation of BiH, No. 30/97 and 7/02). These laws regulate the field of the health care and health insurance in the BiH. According to administrative laws at the cantonal level, cantonal ministries of health care, and there are 10, are responsible for the health care at the cantonal level, while according to the Law on Administration in Federation of BiH („Official Gazette of Federation of BiH“, No. 28/97), the Federal Ministry of Health Care is responsible for monitoring of implementation of federal policy and federal laws, as well as other federal regulations from this field. Considering the decentralized model of the health care anticipated in the Constitution of the Federation of BiH, we can say that the Federal Ministry of Health Care has the role of coordinator only, i.e. that the policy is determined at the F BiH level, and that the Health Care is organized within the Canton. The relationship between federal and cantonal inspection authorities is based only on cooperation considering issues of mutual interest and providing professional assistance.

Refugees from BiH, displaced persons in BiH and returnees exercise the right to health care, as all citizens of the Federation of BiH according to the Law on Health Care („Official Gazette of Federation of BiH“, No. 29/97) and the Law on Health Insurance („Official Gazette of Federation of BiH“, No. 30/97 and 7/02).

The right to health care from the compulsory health insurance can be exercised by a person with determined status of insured person, as well as family members of the insured person (Articles 20, 21 and 22). The status of insured person is determined by the Cantonal Health Insurance Institute based on payment of contributions for health insurance by the person obliged to calculate and pay the contributions. Article 86 of the Law on Health Insurance stipulates all persons obliged to pay contributions. The right to the health care covered by the compulsory health insurance understands insurance of the health standard under equal conditions for insured persons by meeting their needs for primary, specialist-consulting and hospital health care with appropriate medical rehabilitation.

Insured persons exercise their rights from the compulsory health insurance based on submitted application, i.e. decision of the Cantonal Health Institute. The extent of rights of compulsory health insurance (Article 32) for each calendar year is to be determined by the Federal Parliament.

More common way in exercising rights from the compulsory health insurance is regulated by the Rulebook on manner of exercising rights from the compulsory health insurance („Official Gazette of Federation of BiH“, No. 32/02), made by the Minister of Health.

Persons insured with compulsory health insurance (Article 19-29 of the Law on Health Insurance) are all citizens from the point of their profession, status and other circumstances. This includes, in the first place, employed persons, owners, family members, retired persons, children and students with regular education, persons with recognized status of war, peace and civil invalid, beneficiaries of social welfare who are not insured on any other basis, persons registered in the Employment Bureau under certain circumstances, villagers who deal with agriculture at the territory of F BiH as the main and the only activity, or they have leased agricultural land etc. Practically, the law leaves very few citizens out of the health insurance system. Article 19 of this law lists insured persons.

Also, this law determines obligation of citizens, who are not included in the compulsory health insurance on any other basis, to provide insurance personally and thereby to insure themselves and their family members (Article 27 of the Law on Health Insurance).

In the Article 18 of the Law on Refugees from BiH and Displaced Persons in BiH („Official Gazette of BiH“, No. 23/99, 21/03 and 33/03) it is stated that returnees during the status, among other rights, also have the right to fundamental health care. These persons exercise the rights to the health care based on evidence on their status issued by the competent municipal authority. Medical institutions that carried out examinations collect the fee for its services through an account with the competent authority for refugees and displaced persons. Since the law did not define term „elementary health care“, as well as that the „term“ is unknown to the health legislation, these persons have wider range of health care services at disposal, which conditions rather high costs of medical treatment that the competent authorities are not in position to pay to medical institutions which provide them, which is another reason why it is so difficult to exercise the right to the health care.

- **Coverage of the principle of equality, justice and solidarity in the health care and problems that target categories face with (refugees from BiH, displaced persons in BiH, returnees)**

As it was mentioned earlier, the regulations that regulate health care and health insurance proclaim equality, justice and solidarity in the health care system for all citizens, but due to poor implementation of the regulations in practice, these principles are insufficiently realized.

The problems that refugees and displaced persons face with in terms of health care are identical with those that other threatened categories of population face with and they arise from impossibility to exercise the right of the health insurance holder in accordance with the law.

According to the data obtained from *Poverty Assessment*¹⁰, the basic problem that the citizens of the Federation of BiH face with, and which refers to target category of citizens (refugees from BiH and displaced persons in BiH), arise from problems that the whole health care system faces with, and these are related to: insufficient coverage with health insurance, inequality in the package of health care rights, poor functional connection between entity and cantonal systems.

In spite of wide range of possibilities to enter into health care system, according to the data of the Federal Health Insurance and Reinsurance Institute for 2003, 17.3% of population was not covered by the health insurance. The

¹⁰ World Bank, 2003 Poverty Assessment

reason for such high percentage of uninsured persons, compared to the whole population, is the fact that persons who are obliged to pay contributions do not pay them for health insurance. The coverage with health insurance significantly varies by cantons, and the highest one is in Zenica-Doboj Canton, and the lowest one in the Canton 10.

Physical barriers for having access to the health care are also one of reasons which make exercising health care even more difficult in rural and mixed (rural-urban) environments. According to the data of *Poverty Assessment*¹¹ out of total number of examinees, who have stated the distance as the reason for not using health care protection, 93% lives in rural areas.

Further on, a significant problem in exercising health care is *existence of economic barriers* in access to health care services. In both entities there are significant economic barriers in access to health care services. In the F BiH, costs of health care were mentioned as the second the most important reason for non-requiring health care services, and not having health insurance is mentioned as the fourth reason¹². Difficult economic and social situation is a break for return, and especially for sustainable return. *Impossibility to employ and exercise right to pension* is another problem that makes exercising the right to health care difficult for this category of population.

Fragmentation and non-transferability (between entities, cantons or municipalities) of health insurance is caused by difficult exercising of the right to the health care. For example, in some areas the closest health institution can be under another health jurisdiction, and since the insurance is not transferable, some patients are forced to pay too high costs for health care services or transport in order to reach the medical institution which is under jurisdiction of their area, and which will accept their insurance.

- **Functional connection between entity and cantonal systems, in terms of ensuring free movement of people across cantonal, entity boards, District Brčko**

Weakness of functional connection between entity and cantonal systems is stated as one of problems in exercising rights to health care.

11 World Bank, 2003 Poverty Assessment

12 World Bank, 2003 Poverty Assessment

In order to overcome problems and to regulate the manner and procedure of exercising the health care of insured persons outside the cantonal territory, i.e. entity to which the insured person belongs to, the following was agreed and signed: Agreement on manner and procedure of using health care outside the area of Cantonal Health Insurance Institute to which the insured person belongs to („Official Gazette of Federation of BiH“; No. 41/01) and Agreement on manner and procedure in using health care of insured persons at the territory of BiH, outside entities, i.e. District Brčko to which the insured persons belong to („Official Gazette of BiH“, No. 30/01 dated 18.12.2001), and its application started as of 01.01.2002.

The signatories of the Agreement are: Health Insurance Fund of Republika Srpska, Government of District Brčko – Department for Health Care, public security and other services of citizens and Health Insurance and Reinsurance Institute of the Federation of BiH, according to authorization of Cantonal Health Insurance Institutes. The signatories of the Agreement jointly appointed the Commission for making Instructions for the purpose of easier implementation of the same, so the Agreement is mostly applied in the area of the whole BiH with certain problems.

This agreement regulates insurance for using health care services in case when a person insured with Health Insurance Institute in one canton, entity, i.e. District Brčko has need to use health care in the area of another canton, i.e. in the area of another entity, i.e. District Brčko.

However, in practice we witness that this Agreement is not being observed and applied, so therefore it is especially difficult to exercise health care for pensioners – returnees, since the pension – invalid funds do not pay contributions in accordance with guidelines of this Agreement. According to the Article 13, every party of the Agreement can terminate the same by giving a statement on termination to all contractual parties three months prior to expiry of the calendar year for the following year, which none of signatories has done so far. In the following period it is necessary to make a critical overview of guidelines of the Agreement, and obligatory regulate certain behaviors by the law, as well as to prescribe some sanctions in case of breach of the same.

- **Unique amounts for participation for certain services, unique positive list of medications at the level of entities and District Brčko BiH**

In the Health Insurance, patients participate in costs of health care services through participation.

In the practice, the participation, i.e. personal participation of insured person for using certain forms of health care, is determined according to the Article 90 of the *Law on Health Insurance* („Official Gazette of F BiH”, No. 30/97 dated 25.12.1997), which is still in force, and based on the fact that it is enacted by the legislative cantonal authority upon proposal of the Cantonal Health Insurance Institute, until, according to the Article 13 of the Law on Amendments to the Law on Health Insurance („Official Gazette of F BiH”, No. 7/02), the basic package for health care rights is adopted and maximum amount of direct participation of insurers in costs for using certain type of health care is determined by the Parliament of the F BiH.

From the above mentioned reasons, the amount of personal share of insured persons for providing certain health care services is not aligned at the territory of the Federation of BiH, i.e. there are differences from canton to canton.

Positive list of medication (medications available to insured persons by charging funds of Cantonal Health Insurance Institutes) are also not aligned by cantons and they depend on available funds of Cantonal Health Insurance Institutes.

- **Providing funds for health care for the category of population which is not included in health insurance by the entity government and District Brčko**

The government of the Federation of BiH did not separate funds for health care of this target group so far (refugees from BiH, displaced persons in BiH, returnees).

- **Plans and programs for the next period which would contribute to improvement of situation in this field**

Considering overcoming problems that led to inequality in access to health care, the Federal Ministry of Health has incorporated number of priority measures into Development Strategy of BiH – PRSP, adopted by the Council of Ministers and entity governments. Measures defined in the Strategy are also incorporated into the program of the Federal Ministry of Health Care for the following period.

Considering exercising rights to health care, it is necessary to realize the following measures:

- Ensure universal coverage of the population with health insurance, especially of threatened category of the population;
- Adoption of the main package of health care rights;
- Ensure uninterrupted implementation of the Agreement on manner and procedure for using health care services outside the area of Cantonal Health Insurance Institute to which the insured person belongs to and Agreement on manner and procedure for using health care for those insured in the area of BiH outside entities, i.e. District Brčko , to which insured persons belong to;
- Rationalization of the health care institutions network;
- Reform of primary health care by strengthening family medicine.

It should be emphasized that the most important achievement in the field of health insurance in the F BiH is foundation of Solidarity Fund of F BiH with the Health Insurance and Reinsurance Institute of the F BiH.

Currently, top priority forms of health care are being financed from this fund in certain specialist activities, as well as priority vertical programs of health care which are of interest for the F BiH. The intention is to use these funds also for financing the basic package of health care rights equally in all cantons in the second stage of the federal solidarity, after determining the basic package of health care rights.

Since 2003, the Project of Technical Assistance for social insurance is being implemented with assistance of the World Bank with aim to improve situation in the field of health insurance through a number of sub-project assignments. The activities within this project are directed towards enlargement of population coverage with health insurance, towards coverage of groups which are free of health care contribution, increase of transferability of rights to health insurance, decrease of fragmentation, defining main service package content and assistance in determining their current assets, development of options for increase of risk association, development of options for voluntarily and extended health insurance, improvement of reporting, collection, implementation and control of contributions for social insurance, rationalization in providing services, development and pilot testing of new mechanisms for payment of health services.

The *Project of strengthening health care sector in BiH* is being prepared and it is directed towards strengthening primary health care and extension of family medicine in the whole territory of F BiH with the final aim to achieve better availability to health care services and services of equal quality for all citizens of the F BiH.

In order to overcome the above mentioned problems in exercising rights to the health care, it is necessary to apply all positive regulations in the first place, as well as to determine unique criteria at the level of the F BiH for exercising those rights, and not to exercise them at the cantonal level.

Republika Srpska

- Valid regulations for exercising rights to health care

The competent Ministry for this field is the Ministry of Health and Social Care of RS. The right to health care in Republika Srpska is exercised based on the Law on Health Care („Official Gazette of RS“, No. 18/99, 51/01, 70/01 and 51/03), the Law on Health Care („Official Gazette of RS“, No. 18/99, 23/99, 58/01 and 62/02), and other regulations made based on the above mentioned laws which closely regulate rights and obligations from the compulsory health insurance and health care. The rights from the compulsory health insurance are exercised only by those persons for whom the Health Care Fund determined status of insured person, i.e. persons for whom contributions are paid by the insurer according to the Law.

- Procedures in exercising rights to health care, regarding refugees from BiH, displaced persons in BiH, returnees, current problems and possible solutions for their overcoming

Considering the procedure itself in exercising health care rights, if those persons are regularly registered and if contributions are paid for them, they can exercise the right just as local population.

According to the Article 10 paragraph 1 item 12 of the Law on Health Insurance, insured person (insurer) is a refugee and displaced person if he/she is not insured on any other basis. The problems in concrete case occur because large number of those persons is not registered for insurance, contributions are not paid for them so they have problems in exercising health care rights.

The current problems could be solved successfully, if the competent authorities would register and pay contributions for such persons on regular basis for this category of the population.

- **Coverage of the principle of equality, justice and solidarity in the health care**

Based on valid regulations which regulate this field, principles of equality, justice and solidarity are covered in the health care through three components:

- Equality in health among different social groups of population,
- Equality in availability of health care institutions and services in geographical and communication terms,
- Equality in financing health care according to the needs.

- **Connection between entity and cantonal systems in terms of insurance and free movement of people across administrative borders, as well as achievement of higher level of equality and justice in providing health care services**

The right to the health care outside entity borders and District Brčko is exercised in accordance with the Agreement on manner and procedure of using health care by insured persons at the territory of BiH outside entities, i.e. District Brčko, which regulates this issue. In this case there is a problem since signatories of the Agreement do not observe the regulations, i.e. they do not behave according to obligations they took over.

- **Unique participation for individual services, as well as unique positive list of medications at the entity level and District Brčko**

Personal participation in health care costs (participation) is unique for all insured persons of the Fund, including that certain categories are exempt from this participation.

The Health Insurance Fund of RS determined positive list of medications which is valid for Republika Srpska.

- **Coverage of the population with the compulsory health care insurance**

The compulsory health care insurance does not include the whole population, and necessary funds need to be provided for this need.

Brčko District BiH

- Valid regulations for exercising health care rights

The competent authority for this field is the Government of Brčko District Department for health care and other services.

Health insurance and health care of refugees from BiH, displaced persons in BiH and returnees to Brčko District BiH are implemented according to the Law on Health Insurance („Official Gazette“, No. 1/02), the Law on Health Care of Brčko District BiH („Official Gazette“, No. 2/01), as well as the Law on Social Care of Brčko District BiH.

- Exercising rights from the health care related to refugees from BiH, displaced persons in BiH and returnees

The category of returnees, i.e. now former displaced persons and refugees in Brčko District BiH, exercised the right to health care and health insurance equally as other categories of insured persons anticipated by the Law. By returning to their pre-war places of residence and returnees have health insurance in accordance with the Article 18 of the Law on Health Insurance of Brčko District BiH.

For those persons who could not exercise the right based on above mentioned law, the health insurance and the right to the health care were provided by the Law on Social Care of Brčko District BiH, and in order to grant the right to use health care, for which the funds were provided from the budget of the Government of Brčko District BiH.

Right to education

The right to education is incorporated in the Constitution of BiH, and it is emphasized that «rights and freedoms anticipated by the European Convention for Protection of Human Rights and Fundamental Freedoms and in its protocols are directly applied in BiH. These documents have priority over all other laws. All persons at the territory of BiH exercise human rights and freedoms which includes the right to education»

At the state level there is no relevant ministry for the education. The Ministry of Civil Affairs of BiH is competent for coordination of activities, adjustment of plans of entity bodies and defining strategy at the international level for the field of education in BiH.

According to the Constitution of BiH, the organization and management of education system are decentralized in BiH to the entity level and Brčko District.

In the Federation of BiH, the competent ministry is the Ministry of Education and Science, which determines policy at the level of F BiH for this field and coordinates the work of 10 cantonal ministries of education.

In the Republika Srpska, the competent ministry is the Ministry of Education and Culture of RS, which is responsible for policy, planning and executing.

In the Brčko District, the Government of Brčko District is competent – Department for Education.

- **Based on what valid principles is the right to education being exercised?**

- a) Constitution of BiH, constitutions of entities, constitutions of cantons, Statute of Brčko District BiH;
- b) Draft Law on Primary and Secondary Education in BiH;
- c) Entity, cantonal laws of Brčko District BiH in the field of education.

- **Legal regulation of four levels of education (pre-school, primary, secondary and university), at the level of entities or cantons, regulations of Pre-school education**

a) Bosnia and Herzegovina

After adoption of the Strategy for Pre-school Education at the state level, final activities regarding making Pre-draft of Framework Law on Pre-school Education are in progress.

b) Federation of Bosnia and Herzegovina

1. *Una-Sana Canton* – Law on Pre-school education (3/97)
2. *Posavina Canton* - Law on Pre-school education (5/98)
3. *Tuzla Canton* – Law on Pre-school education (8/98)
4. *Zenica-Doboj Canton* – Law on Pre-school education (5/97)
5. *Bosnian Podrinje Canton* – Law on Pre-school education (8/99)
6. *Central Bosnia Canton* – Law on Pre-school education (11/01)
7. *Herzegovina-Neretva Canton* – Law on Pre-school education (5/00)
8. *West Herzegovina Canton* – Law on Pre-school education (7/98)
9. *Sarajevo Canton* – Law on Pre-school education (4/98, 9/00 and 18/02)
10. *Canton 10* – Law on Pre-school education (5/99)

c) Republika Srpska

Law on Children's Protection (15/96)

d) Brčko District of Bosnia and Herzegovina

The work of pre-school institutions is based on entity law, Law on Children's Protection of RS (15/96). Implementation of this law enables using any entity law from this field till the law of Brčko District BiH is enacted.

Primary education

a) Bosnia and Herzegovina

Framework Law on Primary and Secondary Education in Bosnia and Herzegovina («Official Gazette of BiH», No. 18/03)

b) Federation of Bosnia and Herzegovina

1. *Una-Sana Canton* – Law on Primary and General Secondary Education (5/04)
2. *Posavina Canton* – Law on Primary Education (consolidated text -3/04 and 4/04)
3. *Tuzla Canton* – Law on Primary (6/04)
4. *Zenica-Doboj Canton* – Law on Elementary School (5/04)
5. *Bosnian Podrinje Canton* – Law on Primary Education (5/04)
6. *Central Bosnia Canton* – Law on Amendments to the Law on Primary Education – Decision of the High Representative for BiH, dated 07.07.2004 (11/04)
7. *Herzegovina-Neretva Canton* - Law on Amendments to the Law on Primary Education (4/04 and 5/04)
8. *West Herzegovina Canton* – Law on Amendments to the Law on Primary Education – Decision of the High Representative for BiH, dated 07.07.2004 (6/04 and 8/04)
9. *Sarajevo Canton* – Law on Primary Education (10/04)
10. *Canton 10* – Law on Primary Education – Decision of the High Representative for BiH, dated 07.07.2004 (7/04)

c) Republika Srpska

Law on Elementary School (38/04)

d) Brčko District of Bosnia and Herzegovina

The Law on Primary and Secondary Education of Brčko District of Bosnia and Herzegovina – Order of the Supervisor for Brčko, dated 05.07.2001 (9/01, 28/03 and 29/04)

Secondary education

a) Bosnia and Herzegovina

Draft Law on Primary and Secondary Education in Bosnia and Herzegovina („Official Gazette of BiH, No. 18/03), with note that intensive activities related to preparation for releasing into parliamentary procedures of the Proposal of Draft Law on Secondary Vocational Education are in progress.

b) Federation of Bosnia and Herzegovina

1. *Una-Sana Canton – Law on Primary and General Secondary Education (5/04)*
2. *Posavina Canton – Law on Secondary Education (consolidated text -3/04 and 4/04)*
3. *Tuzla Canton – Law on Secondary Education (6/04)*
4. *Zenica-Doboj Canton – Law on Secondary School (5/04)*
5. *Bosnian Podrinje Canton – Law on Secondary School (5/04)*
6. *Central Bosnia Canton – Law on Amendments to the Law on Secondary School – Decision of the High Representative for BiH, dated 07.07.2004 (11/04)*
7. *Herzegovina-Neretva Canton- Law on Amendments to the Law on Secondary Education (4/04 and 5/04)*

8. *West Herzegovina Canton* – Law on Amendments to the Law on Secondary Education – Decision of the High Representative for BiH, dated 07.07.2004 (6/04)
9. *Sarajevo Canton* - Law on Secondary Education (10/04)
10. *Canton 10* – Law on Secondary Education - Decision of the High Representative for BiH, dated 07.07.2004 (7/04)

c) Republika Srpska

Law on Secondary School (38/04)

d) Brčko District of Bosnia and Herzegovina

Law on Primary and Secondary Education of Brčko District of Bosnia and Herzegovina – Order of the Supervisor for Brčko, dated 05.07.2001 (9/01, 28/03 and 29/04)

University education

a) Bosnia and Herzegovina

There is no Law on University Education at the state level.

b) Federation of Bosnia and Herzegovina¹³

1. *Una-Sana Canton* – Law on University (8/98)
2. *Posavina Canton* – Law on University Education (6/00)
3. *Tuzla Canton* – Law on University Education (from 1999)
4. *Zenica-Doboj Canton* - Law on University Education (15/99/
5. *Bosnian Podrinje Canton*
6. *Central Bosnia Canton*
7. *Herzegovina-Neretva Canton* – regulations of the Law on University Education of West Herzegovina Canton are being applied (6/04) and Law on University (SR BiH 39/90)
8. *West Herzegovina Canton* – Law on University Education (6/04)
9. *Sarajevo Canton* – Law on University Education (17/99)
10. *Canton 10* – Law on University Education (11/00)

c) Republika Srpska

Law on University („Official Gazette of RS“, No. 12/93, 14/94, 99/04 and 92/05)

¹³ Note: In the Federation of BiH, besides fundamental cantonal laws for certain levels of education, each canton enacted and applies a large number of appropriate bylaws in the field of education

d) Brčko District of Bosnia and Herzegovina

Law on University Education is not enacted, so the Faculty of Economy in Brčko, as an institution for university education, is not under competence of the Department for University Education, but it belongs to the University Istočno Sarajevo.

- **The problems that the target categories face with (refugees from BiH, displaced persons in BiH, returnees) in realization of the education, as well as procedures in exercising their rights to education**

Current problems and possible solutions for their overcoming:

By signing the *Temporary Agreement on meeting needs and rights of children-returnees (signed in March 2002)* and by enacting the *Draft Law (in 2003)*, competent educational authorities made a significant step towards full exercising of rights to education of students-refugees and returnees:

- Equal access to education, without discrimination, is ensured for all children, among other things, though obligation of local authorities to provide undisturbed freedom of movement in terms of respecting the right to chose place of residence, as well as though the principle of emancipation of educational certificates, no matter in which area these were acquired in BiH (Article 13 of the Law on Education) and these ensure undisturbed education without conditions in certain program, i.e. provide teaching and taking additional courses for another educational program;
- Children-returnees from abroad have possibility to continue with education based on international certificate on acquired education, with prior ranking/validating in accordance with valid regulations;
- Legal solutions on emancipation and usage of language and letters of constitutive people in the process of education are also in the function of eliminating discrimination of this category of students;
- Obligation to harmonize national composition of school boards according to the structure of students/parents/staff/local community, as it looks like at that moment, and according to the census from 1991.

All principles determined by the Draft Law and elaborated in laws at lower levels have purpose to exercise and protect the rights to education of all children, as well as of children-refugees and returnees:

- Draft Law explicitly prescribes that the schools are obliged to provide all possible assistance during enrolment, attending of classes and continuation of education, as well as to provide conditions for exercising this right, especially for children-refugees, displaced, returnees;
- The principle of equality of educational certificates at the territory of the whole BiH also has purpose to protect children-returnees and refugees;
- In order to keep national and cultural identity of children - citizens of BiH abroad – they provide support for organizing supplemental classes «from national group» of subjects;
- Activities undertaken within implementation of the Temporary Agreement on meeting special needs and rights of children-returnees have purpose to protect children and to provide support to their sustainable return. Educational authorities are obliged through this Agreement to implement necessary activities through which set objectives will be completely achieved:

OBJECTIVE 1. – to enable children-returnees to study so called „national group of subjects“according to the curriculum they chose (other subjects are studied according to the local curriculum),

OBJECTIVE 2. – increase employment of teachers-returnees,

OBJECTIVE 3. – monitor and collect data on children-returnees,

OBJECTIVE 4. – harmonize national composition within school boards,

OBJECTIVE 5. – ensure adequate student books; remove inappropriate names and symbols etc.

OBJECTIVE 6. – instructions for implementation of the Agreement

Educational authorities provide to displaced children in collective accommodation assistance in accordance with possibilities (student books, hot meal free of charge); many non-governmental organizations are active in this field.

Positive reflexes and results of implementation of the Framework Agreement and Temporary Agreement in practice

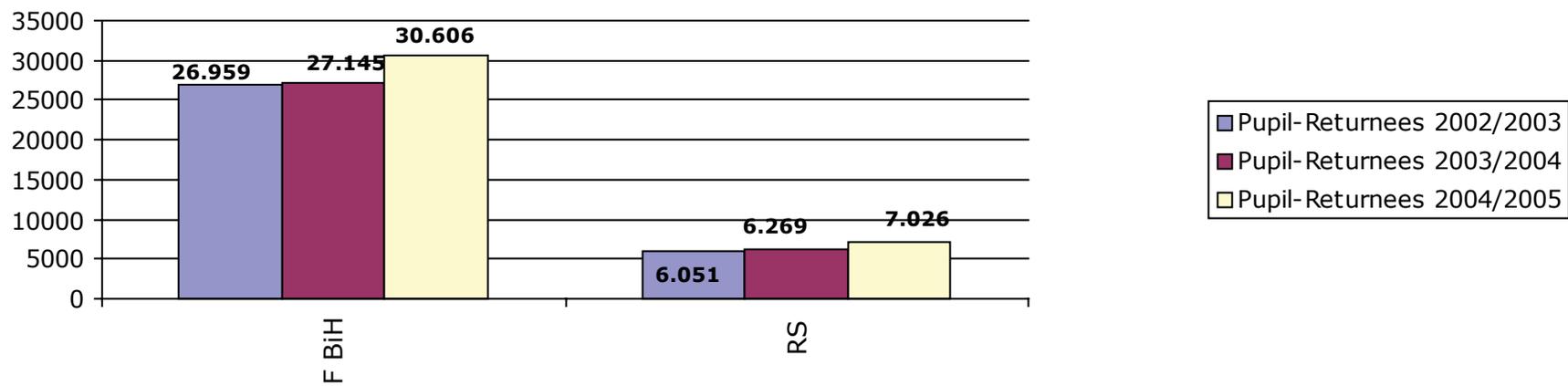
- Increased number of students-returnees in pre-war places of residence;
- Increased number of employed teachers-returnees and local teachers from minority people;
- In more than 25 schools in BiH classes are organized in so called «national groups of subjects» according to the curriculum that students/parents have chosen;
- The audit of student books was performed and inappropriate content was removed from those;
- Guidelines for writing student books for history and geography were made;
- „Prototypes“ for Rulebook on establishment and work of school boards were made (according to the regulations of the Law on Education) and the Rulebook on criteria for school names, symbols and organization of school manifestations (based on those also in RS, BD BiH and several cantons in F BiH – 3-6 have already enacted their own bylaws);
- The Council of Ministers BiH has established a Commission for drafting curriculum for supplementary classes for children abroad, which, according to the latest information, finished the curriculum.

Review of Statistical Data on implementation of Temporary Agreement on Children - Returnees																		
	CANTON 1			CANTON 2			CANTON 3			CANTON 4			CANTON 5			CANTON 6		
	2002/ 2003.	2003/ 2004.	2004/ 2005.															
Total number of pupil	42266	41179	47987	5691	4082	5648	83351	84077	81231	66087	50069	63530	4487	4269	4227	42065	40207	42864
Total number of pupil returnees	1412	1924	6456	27	30	12	3567	3617	4218	3441	3542	2924	245	361	270	7657	7552	8620
Percentage of pupil returnees	3.34	4.67	13.45	0.47	0.73	0.21	4.28	4.3	5.19	5.21	7.07	4.60	5.46	8.46	6.39	18.2	18.78	20.11
Increased number of pupil returnees	-	512	4532	-	3	-18	-	50	601	-	101	-618	-	116	-91	-	-105	1068
Percentage of increased number of pupil returnees		36.26	236		11.11	-60		1.4	16.62		2.94			47.35	-25.21		-1.37	14.14
Total number of teachers	2192	1758	3395	331	198	321	4499	4261	4567	4819	2808	3741	256	247	255	1924	1977	2234
Total number of teachers returnees	79	84	386	0	13	10	115	115	247	58	58	85	8	6	5	285	304	318
Percentage of teachers returnees	3.6	4.78	11.37	0	6.57	3.11	2.56	2.7	5.41	1.2	2.07	2.27	3.12	2.43	1.96	14.81	15.38	14.23

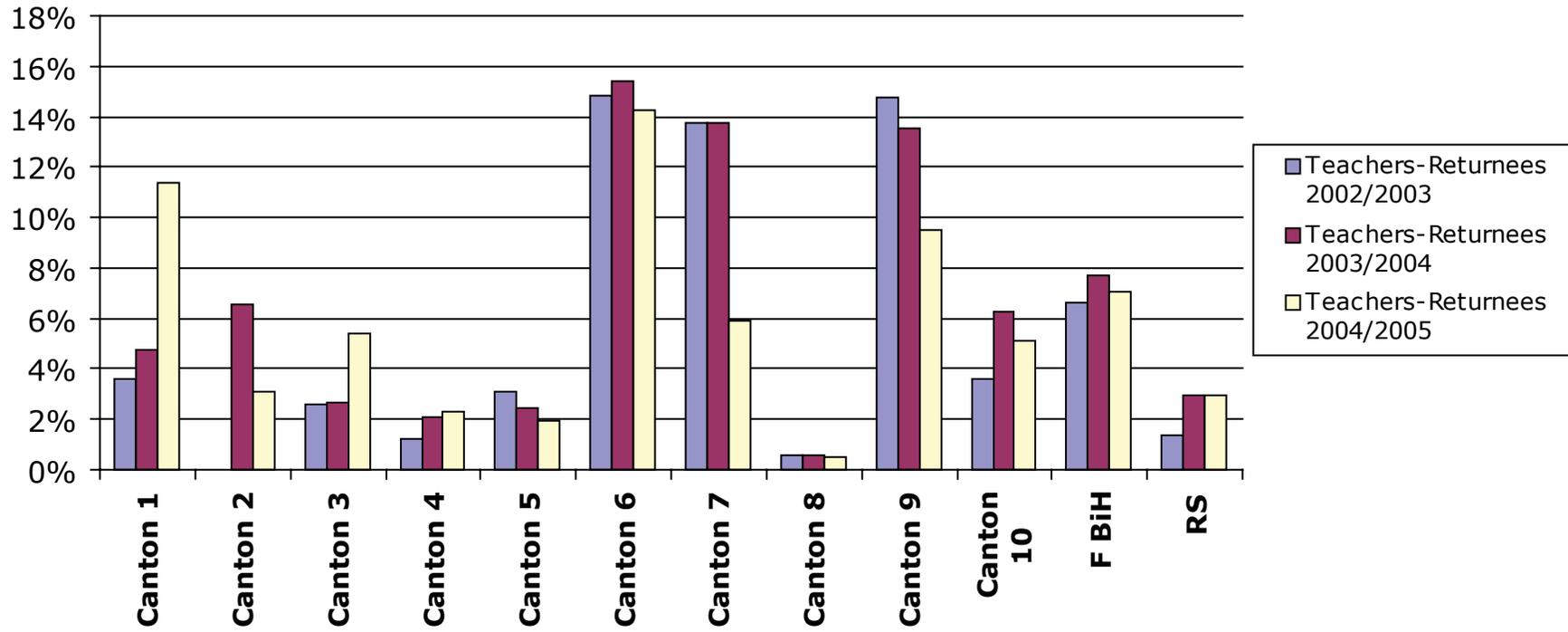
Increased number of teachers returnees	-	5	302	-	13	-3	-	0	132	-	0	27	-	-2	-1	-	19	14
Percentage of increased number of teachers returnees		6.33	359.5			-23.08		0	115		0	46.55		-25	-16.67		6.67	+4.61
	CANTON 7			CANTON 8			CANTON 9			CANTON 10			RS			F BiH		
	2002/2003.	2003/2004.	2004/2005.	2002/2003.	2003/2004.	2004/2005.	2002/2003.	2003/2004.	2004/2005.	2002/2003.	2003/2004.	2004/2005.	2002/2003.	2003/2004.	2004/2005.	2002/2003.	2003/2004.	2004/2005.
Total number of pupil	33359	33359	33064	13812	14178	14105	54105	54349	54279	9187	9364	9316	153898	174563	170482	354410	335133	356251
Total number of pupil returnees	2411	2411	2175	52	55	50	7357	6894	5051	790	759	830	6051	6269	7026	26959	27145	30606
Percentage of pupil returnees	7.23	7.23	6.58	0.38	0.39	0.35	13.6	12.68	9.31	8.6	8.11	8.91	3.93	3.59	4.12	7.61	8.1	8.59
Increased number of pupil returnees	-	0	-236	-	3	-5	-	-463	-1843	-	-31	71	-	218	757		186	3461
Percentage of increased number of pupil returnees		0	-9.79		5.77	-9.10		-6.29	-26.73		-3.92	9.35		3.6	12.08		0.69	17.75

Total number of teachers	2675	2675	2317	840	849	842	3285	3351	3062	699	736	645	13061	10954	11216	21520	18860	21379
Total number of teachers returnees	367	367	137	5	5	4	486	454	290	25	46	33	181	324	288	1428	1452	1515
Percentage of teachers returnees	13.72	13.72	5.91	0.6	0.59	0.48	14.79	13.55	9.47	3.58	6.25	5.12	1.39	2.96	2.56	6.64	7.7	7.07
Increased number of teachers returnees	-	0	-230	-	0	-1	-	-32	-164	-	21	-13	-	143	-36		24	63
Percentage of increased number of teachers returnees		0	-62.67		0	-20		-6.58	-36.12		84	-28.26		79.01	-11.11		1.68	4.34

Returnee Pupil 2002/2003, 2003/2004, 2004/2005



Teachers-Returnees 2002/2003, 2003/2004, 2004/2005



Outstanding issues/challenges and problems still present in practice

It is not ensured that the national group of subjects can be studied systematically and continuously in fields where the number of students is below pedagogical standards; the practice of student transport to one-national schools outside the area of their enrolment is not completely eliminated; consistent application of legal regulations within school boards is still not ensured; there are still collective and transit centers in which the school population is accommodated and which is difficult to include into regular education process; the procedures regarding validating international educational certificates are still complex and disharmonized;

An example of still present discrimination of students in practice (even of students-refugees and returnees) is the existence of large number of so called «*two schools under one roof*» (out of 52 schools in F BiH – so far – two schools were united administratively - legally: in Žepče and Vareš and High School in Mostar; extraordinary examples of disobeying the decision of the High Representative – in HNC, CBC and ZDC; it is expected that after harmonization of legal regulations all presumptions necessary to unite all schools till beginning of school year 2005/2006 will be created)

Regulations related to validation of certificates acquired abroad

Most of cantons in the Federation of BiH made their own regulations related to the issue of equivalence and validation of international school certificates (certificates acquired outside BiH).

The Federal Ministry of Education and Science implements activities related to validation of international certificates for children-returnees and foreign nationals who continue with education or get employed in the area of Sarajevo Canton, Zenica-Doboj Canton and Bosnian-Podrinje Canton. The procedure of validation is conducted based on regulations of the Law on validation and equivalence of international school certificates – consolidated text („Official Gazette of FR BiH“, No. 7/88; „Official Gazette of R BiH“, No. 22/93).

Right to work

In the European Social Charter Article 1. section II "the right to work" it is stated:

"With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake:

1. to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;
2. to protect effectively the right of the worker to earn his living in an occupation freely entered upon;
3. to establish or maintain free employment services for all workers;
4. to provide or promote appropriate vocational guidance, training and rehabilitation."

In BiH, there is no draft law at the state level for the field of work and employment, nor the relevant ministry. The Ministry of Civil Affairs is responsible for coordination of activities, adjustment of plans of entity bodies and defining strategy at international level for the field of works and employment.

According to the Constitution of BiH, organization and management of the health care system in BiH are decentralized to the level of entities and Brčko District of BiH.

Federation of BiH

- Valid regulations for exercising right to employment

The competent ministry for this field is the Federal Ministry of Labor and Social Policy with 10 cantonal ministries. The Federal Ministry of Labor and Social Policy determine policy at the level of F BiH and coordinates work of cantonal ministries.

The Law on Mediation in Employment and Social Security is in force in the Federation of Bosnia and Herzegovina („Official Gazette of Federation of BiH“, No. 41/01 and 22/05). This law regulates rights and obligations of F BiH in determination and implementation of overall measures which support and improve conditions for employment, basic principles in mediation for employment, material and social security of unemployed during temporary unemployment, establishment, organization and work of the Federal Employment Bureau of the Canton, financing overall employment activity and other issues, observing competence of cantons and their differences.

- Legal regulation of employment at the entity or cantonal level

Mediation in employment at the territory of the Federation is performed by the Employment Service according to above mentioned law and regulations of cantons.

- Problems that target categories face with (refugees from BiH, displaced persons in BiH, returnees) in employment realization

Target categories in employment realization face the problems as all other unemployed persons. These are in the first place lack of vacancies in the Federation of BiH, devastated economy, and large number of educated staff who are registered in records of employment services.

- **Procedures in implementation of rights to employment, related to refugees from BiH, displaced persons in BiH and returnees**

The procedures in implementation of rights to employment are the same for all persons regardless of their pre-war place of residence. The Law stipulates that an unemployed person exercises the rights during unemployment in the employment service according to the place of residence, and unemployed person who has left the place of residence due to war conflict exercises the right to employment according to the place of residence.

- **Current problems and possible solutions for overcoming**

According to the information of OSCE, most of returnees in the Federation of BiH did not exercise the right to health care, so according to the opinion of the Ministry the regulations of the Law on Health Insurance should be amended in order to overcome the problem.

- **Coverage of the principle of equality and justice in employment**

According to the Law on Mediation in Employment and Social Security of unemployed persons, no person can be put into more unfavorable position due to: race, skin color, religion, political or other opinion, national or social origin, assets, birth or any other circumstance, membership or non-membership in a political party, membership or non-membership in the union, physical or mental difficulties.

Financing employment is performed from contributions for unemployment paid by employers and employees in the Federation of BiH (total 2,5%), through employment programs which are determined by the Federal Employment Bureau and Cantonal Employment Service according to needs at the labor market.

In order to fulfill above mentioned programs they announce invitations to public tender in order to support employment in public media and thereby ensure availability to financial funds to all legal entities and private individuals who meet requirements from the tender.

- **Functional connection of entity and cantonal systems in terms of ensuring free movement across cantonal, entity borders and Brčko District, as well as achievement of higher equality and justice in employment at the territory of BiH**

The Federal Employment Bureau monitors, adjusts and coordinates work of employment services in implementation of determined policy and measures in the field of employment and social security of unemployed persons.

Employment services are obliged to cooperate with each other, to coordinate the work and exchange the information on which official records are being made. Employment services are obliged to submit to the Federal Employment Bureau reports in manner and within dead lines anticipated in the documents of the Federal Employment Bureau. The Federal Employment Bureau is competent to join and maintain all records in the field of labor and employment which are of interest for the Federation, as well as to propose measures and funds necessary for development and functioning of the unique information system. Single labor market is still not established at the whole territory of the F BiH.

- **Employment Bureaus, labor market, mediation in finding job**

Cantonal employment services periodically perform market assessment according to instruction of the Federal Employment Bureau in order to obtain information on trends in the labor market and mediate in employment with purpose of connecting unemployed person looking for a job, as well as employed person looking for another job, with employer who needs an employee.

- **Formal registration of unemployed person for the purpose of having aid or health insurance, registration for employment**

According to the Law on Mediation in Employment and Social Security of unemployed persons, unemployed persons are registered in the employment services for the purpose of employment and exercising of rights to financial compensation during unemployment period, right to the health care and pension and disability insurance in certain cases.

- **Programs and plans for the forthcoming period that would contribute to improvement of the situation in this field**

The Federal Employment Bureau and cantonal employment services determine work program for each calendar year in which they improve the situation in this field. The Government of the Federation of BiH gives its consent to the work program of the Federal Employment Bureau.

Republika Srpska

The competent ministry for this field is the **Ministry of Labor and War Invalids Welfare of RS.**

All unemployed persons in RS exercise equal rights to employment according to the *Law on Employment and the Law on Employment of Foreign Citizens and persons without citizenship.*

Unemployed persons from the target category (refugees from BiH, displaced persons in BiH, returnees), as well as other unemployed persons exercise the same rights to employment according to above mentioned laws and other valid regulations of RS, which are complied with standards contained in conventions.

The *Law on Employment* which was enacted by the end of 2000, i.e. in the Article 3 prescribes that there should be no discrimination in application of the Law on Employment and other regulations and acts of the Bureau (Public Employment Service) and other organizations which perform certain employment activities.

According to the *Law on Employment*, all citizens are equal in terms of having access to professional training, access to employment in certain professions, as well as in terms of conditions and circumstances of employment.

Through employment programs in which the Bureau participated in co-financing for returnees, 51 programs were approved, whereby conditions were created to employ 520 persons.

The elementary function of the Bureau is mediation in employment and monitoring at the labor market, so in that view, the Bureau improves work and modernizes its organization in order to respond to all requirements of the labor market.

Normative and institutional frameworks for employment at the territory of BiH are not an obstacle for free movement of labor force outside entity and cantonal borders, and the cause is a complex economic situation, slow recovery of economy and not completed process of ownership transition.

Creation of the Labor Program of the Bureau for 2006, which is being prepared and which will be adopted by the Government of Republika Srpska, is part of economic policy of RS.

Brčko District BiH

In BiH Brčko District, *The Government of BiH Brčko District* – Sector for professional and administrative works, and its Sub-sector - Service for employment – is responsible for recruitment of employees.

This field is regulated through following legislation: The BiH Brčko District Law on Employment and Rights of the Unemployed as well as The Law on employment of foreigners in BiH Brčko District.

When it comes to acquiring the right to work, the baseline set is the fact of having considerably bigger number of free labor force in comparison to needs expressed by the employers.

When considering employment of target groups (BiH refugees, persons displaced in Bosnia and Herzegovina, returnees) and attitude taken by the employers towards them, one cannot speak about discrimination on any grounds. However, this population as well as all the other unemployed are stricken by the problem of insufficient demand made by employers for free labor force.

BiH Brčko District Employment Bureau, as a public service responsible for implementation and applying The Law on Labor in BiH Brčko District is in the constitution phase, which means that legal provisions still cannot be applied when it comes to support of employer programs who recruit persons unemployed according to the Institute's records.

When implementing The BiH Brčko District Law on Employment and Rights while being Unemployed, the principles of equality and justice represent the basis on which is set The Bureau's policy in acquiring rights of the unemployed.

A good collaboration was established between Entity Bureaus, Institute for BiH Brčko District, Cantonal bureaus and BiH Civil Service Agency. "There is an objective need for 'clearing' registers of the unemployed persons, in the sense of separation those who are actively looking for job, from the persons who were found registered for the purpose of acquiring certain rights, such is the right to health care, right to child's allowance, etc.

The problem with accuracy of information on number of unemployed is most directly connected with grey market, which is characteristic for BiH Brčko District, thus imposing the need for issuance of certain systematic measures on BiH level, in order to put this phenomenon under control.

Right to social protection

Displaced persons in Bosnia and Herzegovina have the right to social care regulated by equal legal terms as for the other citizens in accordance with the Constitution of Bosnia and Herzegovina, which has set the field of social care under competence of entities, i.e. cantons and Brčko District of Bosnia and Herzegovina.

Federation of BiH

The Ministry of Labor and Social Policy of the Federation of Bosnia and Herzegovina and the Ministry of Social Policy of the Canton are responsible for the social care in the Federation of Bosnia and Herzegovina.

This field is regulated based on the *Law on Elementary Social Care, Protection of Civil Victims and Protection of Families with Children* ("Official Gazette of Federation of Bosnia and Herzegovina", No. 39/99, 54/04), which as fundamental rights includes the following:

- Elementary social care of citizens and their families, elementary rights from the field of social care and beneficiaries of the right to social care,
- Establishment and work of institutions for social care,
- Elementary rights of civil war victims,
- Elementary protection of families with children,
- Financing and other issues important for exercising elementary right to social care

Displaced persons as beneficiaries of the right to social care can meet their needs based on the Article 12 of this Law as "persons who need appropriate form of social care due to special circumstances".

Cantonal regulations on social care were enacted in the most of cantons in the Federation of Bosnia and Herzegovina, in which the scope and volume of social care are mostly regulated, as prescribed in the Federal Law.

Republika Srpska

The competent ministry for this field in Republika Srpska is the Ministry of Health and Social Care of Republika Srpska.

Social care is regulated by the *Law on Social Care ("Official Gazette of Republika Srpska", No. 5/93, 15/96, 110/03)*.

The main forms of the social care in Republika Srpska are almost identical with those in the Federation of Bosnia and Herzegovina, whereby the municipalities determine the amount and level of care in accordance with their possibilities, except for child's allowance which is directly paid from the budget of Republika Srpska.

Brčko District BiH

Brčko District applies above mentioned entity regulations according to criteria of the local competence, as well as the Law on Refugees from Bosnia and Herzegovina and Displaced Persons in Bosnia and Herzegovina, who have possibility to enjoy the right to social care.

Present problems and possible solutions for their overcoming

The main obstacles in exercising the above mentioned rights prescribed by the law for the refugees in the field of the social care are the following:

- Functional operating of the social care system in both entities is not balanced and it continuously favors certain groups and special categories (e.g. veterans, invalids, etc.), putting them into privileged position in relation to displaced persons;
- Lack of financing of social care by the state is left to entities, which together with inefficient coordination means that there is no harmonization between entities in terms of categories of beneficiaries and the volume and level of fees for persons who need social care.

- Limited funds for social care or poor financing by entities leave the responsibility to cantons in the Federation of Bosnia and Herzegovina and municipalities in Republika Srpska, which additionally marginalizes displaced households.
- Entity and cantonal ministries often do not achieve or are not capable to achieve proclaimed objectives of the social care and legal responsibility to perform social care

On the other hand, there is relatively small number of displaced persons who have income sufficient to meet even minimum social needs, while at the same time, there is the largest number of those living in poverty.

The existing laws which regulate the social care issue in Bosnia and Herzegovina are created on entity, cantonal and municipal levels, and this social care is insufficient as such for all citizens of Bosnia and Herzegovina, and the returnees have especially troubled access to the right to social care.

So for example, after changing the place of residence, i.e. after returning to the previous place of residence, a displaced person has to report departure in the place he/she was registered till that moment, whereby he/she loses the right to social care, and then he/she has to register in the new place of residence, but in order to have the access to the right to social care in the place of return, he/she has to be registered at the "new" address from 6 to 12 months, depending on the entity or canton – in order to regain the right to access to social care.

Displaced persons and returnees are exposed to specific circumstances such as: daily, weekly or monthly "seasonal labor migrations", changing of number of family members and large number of so called female and aged households, income instability and poor access to social care mechanism in relation to other population.

Due to above mentioned and other factors, there is higher possibility for displaced persons and returnees to find themselves in the position of social need in relation to other population.

According to the data of panel inquiry¹⁴ "Living in Bosnia and Herzegovina" (ŽuBiH), most families of displaced persons are at the poverty limit with some smaller oscillations, which in terms of income means "disturbance" at the bottom of society.

Even the minimum of social care is not guaranteed by local and international regulations.

In the field of social care, human rights are being regularly violated, since certain types of social care are not available to all categories of citizens at all.

Even 10 years after the war, the group of displaced persons in Bosnia and Herzegovina lives at the margin of the society more than other threatened groups, since it is exposed to social isolation.

At the same time, almost all key recommendations and presumptions of optimum social care in Bosnia and Herzegovina, such as determination to social cohesion, solidarity, equality and isolation, are not met, which automatically brings to neglect and lack of care for all vulnerable groups, displaced persons and returnees as well.

The rights from the social care understand an active, even intervening role of the state and they are constituted on the philosophy of what contains "good society" and how can the society contribute it in the best possible way.

¹⁴ A sample of the panel inquiry "ŽuBiH" is a sub-sample of the Inquiry on measuring the living standard (LSMS) which in 2001 implemented the World Bank in cooperation with statistics institution. Around half of households inquired in the LSMS were chosen and transferred for the panel inquiry. The same households were inquired in September 2002 and September 2003 and for the fourth time in November 2004. The inquiry was implemented by the Republic Statistics Institute of Republika Srpska, Federal Statistics Institute and Statistics Agency of Bosnia and Herzegovina in cooperation with Birks Sinclair (BSAL), Independent Bureau for Humanitary Issues (IBHI) and Institute for Social and Economic Research in Essex (ISER)

Security

By considering security issues as elements of feasible return, many of the competent institutions and organizations have reached conclusion that the security is becoming less and less reason for negative influence on issuing positive decisions on return and reintegration of returnees. For the last two years, a process of accelerated implementation of property laws was carried out, and almost all property and occupancy rights holders were repossessed by the pre-war owners and carriers of the right to occupy the apartment. This gave a huge stimulus to creation of positive atmosphere among people, quite speeded up freedom of movement and opening of each part of BiH to free access and movement to pre-war population.

However, in sense of overall situation on security segment, it is necessary to work on institutional upgrading of this sector, which would benefit from recently signed Agreement on Police Reforms in Bosnia and Herzegovina.

By signing General Framework Agreement for Peace in BiH on 14th December 1995, the authorities had a serious task which, *iner alia*, considered return of refugees and displaced persons to their pre-war residences. At the time of political parties being at office, entity institutions, as well as representatives of international community, did not have a clear strategy on bases of which would be initiated settlement of return issues, and thus security as an important element of this process.

To remind, due to the war, 50% of BiH population had left their country (detailed information of which was previously presented) and this fact by itself tells enough on obligations which Bosnia and Herzegovina should fulfill in order to secure all refugees and displaced persons the return of their property, reconstruction of demolished residencies as well as the access to their other rights.

Therefore, after signing General Framework Agreement for Peace in BiH, with engagement of representatives from international community, there has been secured the freedom of movement for all citizens of Bosnia and Herzegovina. After fulfilling all of the preconditions mentioned, the first returns of displaced persons were recorded within BiH, while returns of "minority peoples" were sporadic. As the time went by, the number of returns of "minority peoples" gradually devolved to reach the point in 2000 where the number of total of returns was dominated by so-called "minority returns".

Besides the requests for securing minimum residence conditions for accommodation, the most important question set by returnees as precondition for their decision to return was the question of security. Without this condition, the return of refugees and displaced persons would not be feasible. It is understandable that the process went slowly, because it took considerable time to remove the fear from potential consequences of return, regain at least the minimum of mutual trust, reestablish lost connections, and especially to realize that the question of security is not and cannot be the obstacle to their return. Some of the newer researches done through surveys bring us to conclusion that security issues in places of return today are not obstacles to their return. The results of the survey on this issue are apparent from the graph under, presented in July 2005.

The return home¹⁵

	Do you feel safe in this place?					
	Targeted sample			Control sample		
	Nationality			Nationality		
	Bosniak	Croatian	Serb	Bosniak	Croatian	Serb
Very unsafe	1.5%	3.0%	1.1%	1.1%	1.0%	1.7%
Pretty unsafe	2.0%	5.7%	1.7%	2.7%	1.0%	3.3%
Not safe, nor unsafe	3.7%	9.8%	5.4%	5.1%	6.1%	9.2%
Pretty safe	15.9%	18.2%	27.6%	15.6%	27.6%	20.0%
Very safe	76.9%	63.3%	64.1%	75.5%	64.3%	65.8%
Without response	0.1%					
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
TOTAL	1.222	264	463	748	98	120

15 *The SIDA's evaluation on integrated approach to the region in Bosnia and Herzegovina.*

It is necessary to recall that the return of refugees and displaced persons of all the previous years from signing General Framework Agreement for Peace in BiH, was followed by obstructions reflected in individual and group disturbance of public peace and order, harming and destroying private homes and apartments, as well as making bigger and smaller material damages to cars, agricultural machinery and other private property of the returnees. According to the reports of competent institutions and services, occurrences of group, and we are free to say, organized disturbances of public peace and order were, especially characteristic for the year of 2001, details of which we wrote in our previous bulletins.

Today, 10 years after signing General Framework Agreement for Peace in BiH, we are glad to say that (with exception of occasional excesses), there was no rough, group and organized disturbances of public peace and order which would cause bigger public disturbance for the last couple of years and that security of returnees was not jeopardized.

Information on state of security in Bosnia and Herzegovina for the first six months in 2005, prepared by BiH Ministry of Security and adopted by both Houses of BiH Parliamentary Assembly, speaks in favor of this claim, because there is no registered cases of jeopardizing safety of returnees, as registered during previous years.

The information mentioned covers all security aspects, meaning all indicators of movements in society which directly influence general security state. It does not have individually covered security data which separately deal with security of returnee population, but for sure, if they were, BiH Ministry of Security, as competent institution with available security information, would cover them and present them in the reporting period.

Demining

When considering mine clearance as an important precondition for return and reintegration in BiH, the results are more than evident.

All the analysis and evolutions on mine fields state that there is around 670.000 mines and around 650.000 unexploded ordnances planted on approximately 10.000 fields, while the total of suspected area covers around 2.145 sq.m, and thus make 4,2 % of BiH territories.

Regardless the considerable results accomplished on mine clearance, the alarming indicators mentioned above do not give us the right to be satisfied by all the things done and accurate situation, when considering this issue.

Mine clearance is by all means an important precondition for return, especially if keeping in mind that the current interest concerns the return to villages and places where agriculture and cattle breeding represent basis for securing existence of returnees.

Ministry for Human Rights and Refugees, within its coordinating role of implementation of Annex VII of Dayton Peace Agreement, coordinates this field with Ministry for Civil Affairs in a way that this Ministry is being forwarded plans and projects for return, which are subsequently harmonized with demining plans through Demining Committee and bilateral donators.

When considering this problem, Bosnia and Herzegovina is a country with the biggest and the most complex mining problem in Europe and belongs to group of the most endangered countries in the world. This statement was also confirmed by an evaluation done stating that BiH is the sixth country in the world by being "polluted" by mines and mine-explosive devices.

This condition is complicated by nature of mining in BiH, whose main characteristics are: lack of records on mine polluted fields, unreliable data on mine polluted locations, shape and arrangement of mines, individual set up of mines both for small number in considerably large area, which results in huge area in doubted, etc.

Mines limit access to natural and other resources which are necessary for development of the country, especially for feasible return of citizens.

In the previous period, a considerable progress was accomplished in building of antimine actions in Bosnia and Herzegovina. This progress is reflected in building onto Standards for mine and UXOs clearance, as well as adopting of new Demining Strategy in Bosnia and Herzegovina till 2009.



Setting up the system and review on operations of humanitarian mine clearance

Process of mine clearance had started in 1996 on the level of The UN Mine Clearance Center. Considering the fact that this field at the time did not have a legislative arrangement, in 1998 was issued *The Law on mine clearance* done on BiH level, which was followed by set up of Committee for mine clearance, whose working body is Mine Clearance Center.

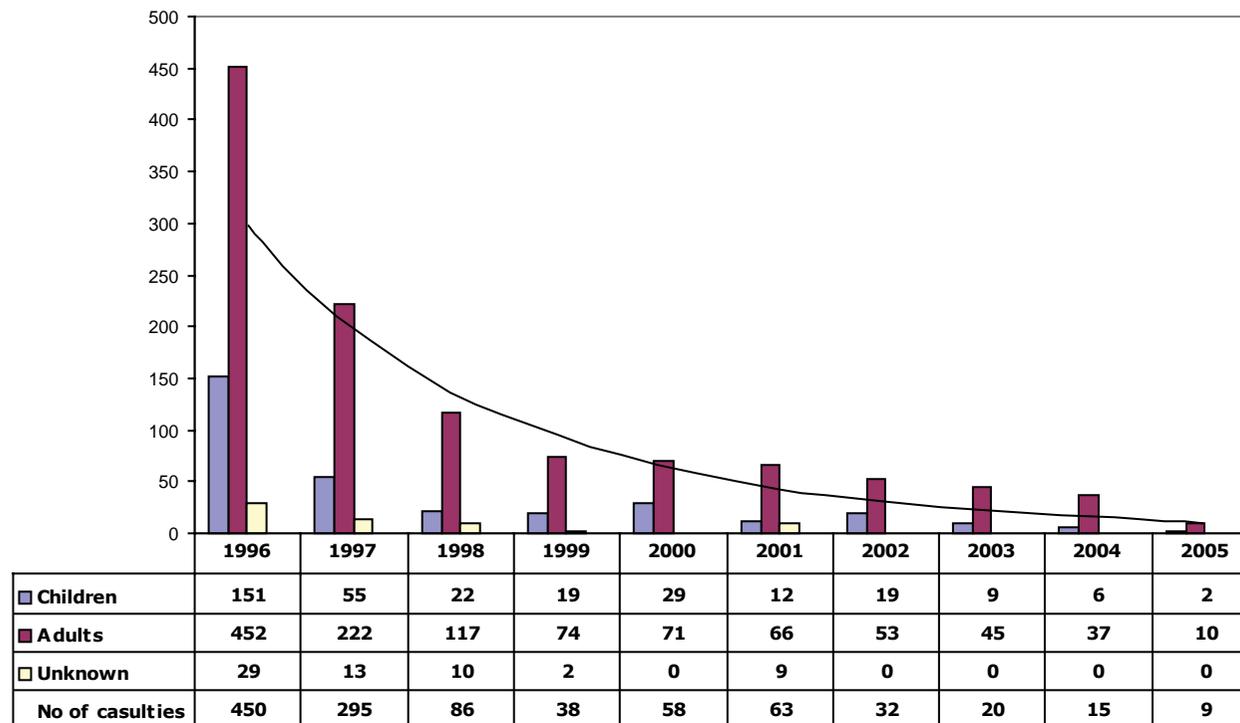
By setting up these institutions, there have been accomplished a considerable progress in operative sense, because the antimine operations were approached on coordinated way on entire Bosnia and Herzegovina. It is clear that the danger

from unexploded ordinances on areas of return is one of the most important obstacles our returnees have faced, so it is quite clear that the answer to this question was so highly prioritized when deciding on return.

Therefore, by issuing the above mentioned Law on mine clearance, responsibility in this sphere was taken over by local authority structures, with financial help secured by international community. Following the evaluations set, available resources and priority needs, BHMIC had made a long-term Demining Strategy till 2010. Besides it, due to the great number of mine victims, a responsible step of "warning to mines" was approached, in form of organizing seminars for media representatives who function on BiH territories aiming at connecting BHMIC and media as well as raising awareness on mine risks. By doing this permanent informing and warning of the public on mines danger, it is possible to influence the other social subjects, which are responsible for giving their contribution to the process of solving mine clearance issues.

Mine Victims

According to the data available from The International Committee of Red Cross (ICRC), the number of persons who are victims of mines and unexploded ordnances for the period from 1996 until September 2005 is 1.534, out of which 436 persons were killed, while the others had heavier or slight wounds.



Statistics on mine victims of BiH Mine Action Center could not strictly separate the number of victims or the number of incidents which concern solely to returnees or domicile population.

In the first 9 months of 2005, Bosnia and Herzegovina had 12 victims, out of which 7 died, while heavy physical wounds had 5 persons. At the same time two calamities happened on mines clearance fields when one deminer died, while the other suffered serious physical injuries.

General evaluation of mining situations

On the basis of data available in Mine Action Center in Bosnia and Herzegovina, in the period from 1996 until 2005, within humanitarian demining was cleared 59.388.880 sq.m of BiH territories.

The results obtained mainly concern urgent clearance carried out till 2002 with aim to eliminate risk at smaller areas polluted by mines, after which appeared a turnover in approaching this aspect from urgent to planned humanitarian mine clearance. In order to depict this problem on a better way and decrease the risk at the territories of entire Bosnia and Herzegovina, Mine Action Center in BiH started a process of systematic survey of entire territory. The survey represents a procedure of analytical research on basis of which is made is estimation of suspicious and risky territories caught during the war in BiH.

Systematic survey, as an analytical and researching procedure, has for its goal general review on risky and suspicious areas polluted during war.

The results of the survey represent the part of general evaluation of anti-mine actions and in BiH are carried from the level of micro-sites up to the evaluation for the entire country.

For the following year of 2006, it is planned to make a survey on 2000 sq.m of suspicious territory.

Humanitarian demining according to the use of the land - Demining on the use of land (sq.m)					
Year	Repatriation	Infrastructure	Housing	Agriculture	Electric power supplies
2001	1,735,178	153,625	1,310,980	481,043	428,750
2002	2,995,324	873,481	878,844	521,851	246,534
2003	1,770,261	1,407,323	626,001	1,558,934	249,345
2004	2,305,910	920,879	308,384	1,586,356	206,350
2005	1,619,705	630,361	87,616	1,586,350	184,585
TOTAL	10,426,378	3,985,669	3,211,825	5,734,534	1,315,564

SOURCE: BHMACH

We would like to emphasize that the demining priorities in Bosnia and Herzegovina are determined on the following criteria:

- General evaluation of mining situation;
- Strategic anti-mine actions for the current year;
- Permanent planning and marking of the territory;
- Categorizations according to Standard operative procedures for humanitarian demining (I part of General survey);
- Results of general survey done by mine Action Center;

It is important to point out that areas of repatriation of refugees and displaced persons are also treated as the first level priorities, which means not just clearance of ruined and demolished residential units, but also land surrounding the residential units, and sites on which the reconstruction of infrastructure is performed. Based on these basic criteria, there have been made lists of priority tasks for the operations of humanitarian demining. A priority list was also made for the year of 2006 which would be proposed to entity governments and to the Government of Brčko District for the purpose of its adoption.

Other elements of sustainable return

In order to create conditions for sustainable return and reintegration of returnees, The Ministry for Human Rights and Refugees had also taken some of the specific activities focused on this goal, out of which we would like to emphasize the following:

Memorandum on understanding on electro Enterprises on reconnection of housing facilities of returnees to electro-distribution network in Bosnia and Herzegovina

In January 2005, Ministry for Human Right and Refugees had signed Memorandum on Understanding on reconnection of housing facilities of returnees on electro-distribution network in Bosnia and Herzegovina, together with following cosignatories: RS Ministry of Economy, Energetic and Development, Federal Ministry of Energy, Mining and Industry, Public Enterprise Elektroprivreda BiH, Public Enterprise Elektroprivreda HZHB, Public Enterprise Elektroprivreda RS, while witnesses are Office for High representative for BiH – OHR, Organization for Security and Cooperation in Europe – OSCE, United Nations High Commissioner for Refugees – UNHCR.

By signing the memorandum, it was agreed with three electrical industry enterprises in BiH to enable the returnees equal and non-discriminatory access to electro-distribution network at the whole BiH territory, procedures and technical conditions of reconnection have been harmonized and simplified. Returnees are exempted from payment of single fees (taxes) and costs for working labor for connections up to 50 meters away.

Signing of this Memorandum had arisen as a result of the new approach in the work of Ministry for Human Rights and Refugees and its coordinating role with all signatories during six months of the previous year.

By collecting and analyzing data on implementation of the Memorandum in the field, during the current year, significant progress has been stated, but certain problems have been identified due to which was arranged another meeting with all signatories of the Memorandum. On this occasion was agreed to continue with activities of promotion of Memorandum, as well as to start with its promotion, re-signing and publishing in the following two months, aiming at its refreshing

and bringing closer to as many returnees and public. Ministry for Human Rights and Refugees will remain being carrier of this activity.

(Micro)-loans aiming at employment and self-employment of returnees

In order to secure conditions for sustainable return on refugees from BiH and displaced persons to their pre-war places of residence in Bosnia and Herzegovina, and in connection with the need for comprehensive, clear information available to all refugees from BiH and displaced persons in BiH on possibilities, conditions and criteria for receiving loans aiming at securing employment in private and public sector, as well as possibilities of self-employment in pre-war places of residence, Ministry for Human Rights and Refugees, Foundation for sustainable Development of the BiH Federation (Odraž), Fund for Development and Employment in Republic of Srpska, Sarajevo Regional Development Agency, Association of micro financial organizations in BiH, Employment Bureau of Republika Srpska, Federal Employment Bureau Sarajevo, concluded on 18th October 2004 in Sarajevo the Protocol on Mutual Cooperation.

Main aims of signing of the Protocol are: establishment of mutual cooperation between all the signatories, and at the same time preparation of Publication on possibilities for receiving loans aiming at employment and self-employment of refugees from BiH and displaced persons in BiH (distribution of the Publication will be carried through Regional Centers – municipalities)

Other projects in the field of sustainability of return

- MHRR has led coordinating activity with all relevant institutions and organizations on finding favorable solutions for realization of assistance in the field of agricultural seeding and planting in 2004, which enables returnees existential security and make their return sustainable. Regional Centers have had significant activities in this Project.
- On initiative and coordinating role of MHRR, project of planting berrylike fruits (raspberries, blackberries, strawberries) has been launched in the following municipalities: Srebrenica, Bratunac, Zvornik, Goražde, or the territory from Konjević Polje to Zvornik. A cold storage plant has been built in Srebrenica, and in the mentioned municipalities 73 hectares of land have been planted for the needs of this cold storage plant, including 35 hectares

of previously planted area. Underway are activities and negotiations which would result in planting of at least 50 hectares, including new locations.

- Underway are activities on finding donors for Pilot-Project on Employment of Returnees in the public sector in 15 BiH municipalities. If funds secured, the project could be realized during the following year.
- In accordance with the criteria of USAID CRSP Program worth around 3 million EURO, Regional Centers of Ministry for Human Rights and Refugees have submitted a list of priority needs for infrastructure projects. USAID has given priority to rehabilitation of electro network, especially settlements where the minority returns have been realized. The Project includes 13 municipalities with 52 settlements, and its implementation is planned for the following year.
- Underway are activities on equipping two local ambulances with necessary medical equipment, one in Križevici, Zvornik Municipality, and other in Klašnik, Višegrad Municipality.
- Coordination of different other projects which are implemented with help of different bilateral partners.

These are only some of the examples where Ministry for Human Rights and Refugees appears as coordinator in realization of certain projects, with final aim to facilitate access to some of the rights guaranteed to displaced persons and returnees.

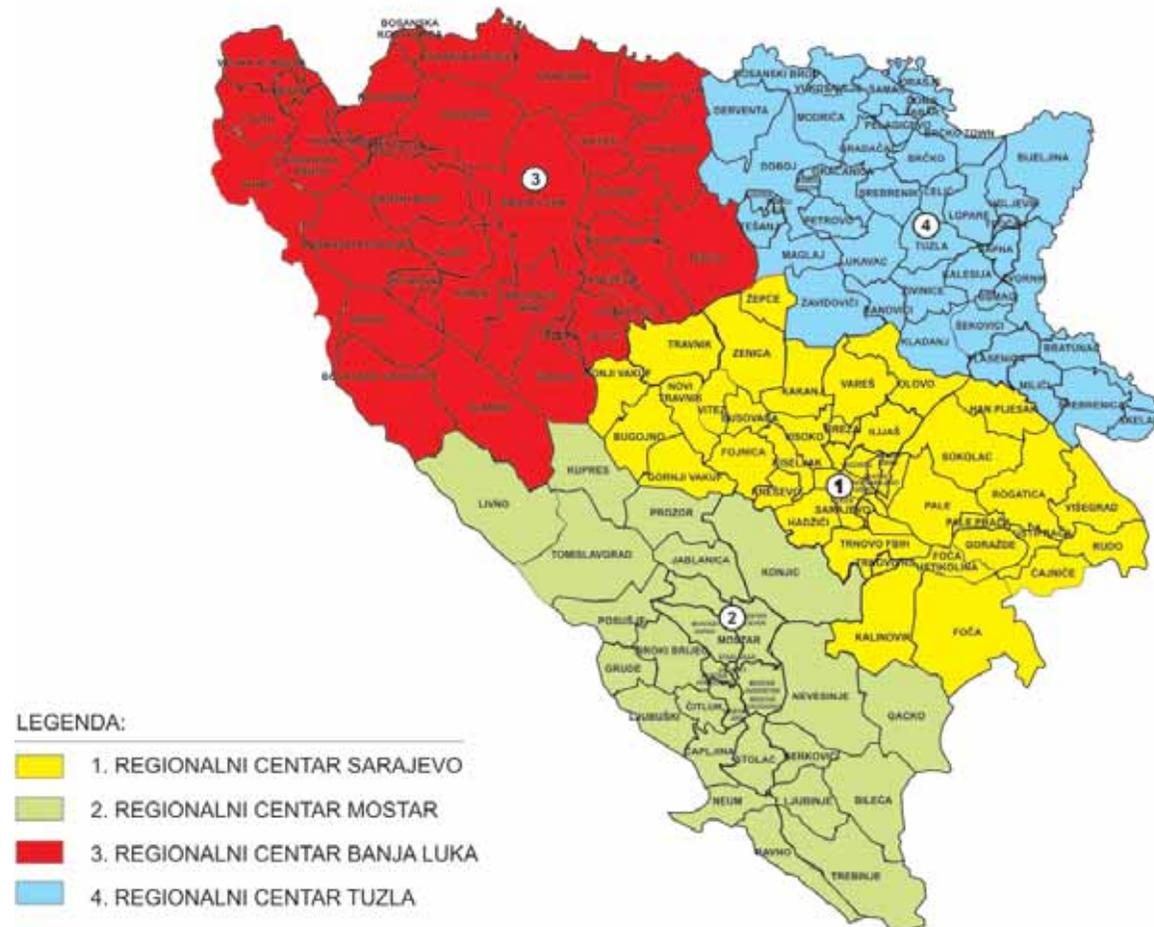
If known that major part of this project is under competence of entities and that a number of local and international, governmental and non-governmental organizations and institutions, it becomes clear how big capacities are necessary in order to coordinate and manage entire process.

In context of entire sustainability of return and reintegration of returnees, special attention should be given to: rehabilitation of social, health and cultural infrastructures, as well as reconstruction of mosques, churches and other places of worship, which remain the priority of Ministry for Human Rights and Refugees.

Restrictions stem from constitutional regulations, since MHRR does not have possibility of direct implementation of return and reconstruction projects in BiH, particularly infrastructure projects.

Therefore, the role of Ministry for Human Rights and Refugees is, as mentioned, reduced to coordination of activities with number of other organizations and institutions.

POKRIVENOST PODRUČJA REGIONALNIM CENTRIMA MINISTARSTVA ZA LJUDSKA PRAVA I IZBJEGLICE BIH



ACCESS TO RIGHTS AND REFUGEES WITH RECOGNIZED STATUS

Introduction

In accordance with Article III paragraph 1 (f) of The Constitution of Bosnia and Herzegovina, within competence of BiH institutions lays policy on solving issues on immigration, refugees and asylum.

According to the *Law on Ministries and other Administrative Bodies in Bosnia and Herzegovina, as well as valid amendments and annexes of The Law* ("BiH Official Gazette" number 5/03, 42/03, 26/04, 42/04), the competence of these issues is divided between BiH Ministry of Security and Ministry for Human Rights and Refugees.

The procedure of considering asylum claims and issuance of final decision on submitted requests for recognizing status lays in competence of BiH Ministry of Security.

BiH Ministry for Human Rights and Refugees is competent for issues regarding rights and matters of refugees in Bosnia and Herzegovina after determining their status.

Therefore, after issuance of valid decision on recognized refugee status in Bosnia and Herzegovina, BiH Ministry for Human Rights and Refugees takes care of the rights and access to rights for these refugees in BiH.

Rights and obligations of refugees in BiH are determined by Article 81 of *The Law on Movement and Stay of Aliens and Asylum* ("BiH Official Gazette", number 29/03), which enables recognized refugees to work, to be educated, to have health and social care under the same conditions as BiH citizens.

BiH Federation does not have a separate regulation regarding field of BiH refugees, in the sense of status matters or general guaranties for access to rights. Individual rights of refugees with recognized status are acquired according to valid BiH regulations and special ones concerning fields of health care system, educational system, social insurance etc.

Republika Srpska regulated issues considering refugees residing in Republic of Srpska by *its Law on Displaced Persons, Returnees and Refugees in Republika Srpska* («RS Official Gazette», number 42/05)

According to this Law, persons who were granted refugee status in BiH up until 14th October 2003, as the date of entry into force of The Law on Movement and Stay of Aliens and Asylum by competent governmental body, and live on RS

territories are refugees in RS and enjoy full protection and rights set by this Law as well as the rights prescribed by other BiH laws, in case they are favorable for this category.

In accordance with the Article 26 of the above mentioned Law, refugees from RS shall enjoy without discrimination the same rights and freedoms prescribed by the international and domestic legislation. The same counts for displaced persons and returnees. They also have right to freedom of movement and freedom to choice of their residence.

According to the Article 27 of The Law, refugees from RS have right to adequate life standards, right to basic temporary accommodation, right to health and social insurance, education and expert training, freedom of religious beliefs and political activities. Besides of the mentioned, refugees in RS during their status have right to:

- Adequate help in money,
- Necessary food,
- Necessary clothes,
- Basic health insurance,
- Basic education and
- Social help, if unemployed

Refugees in RS shall not be secured temporary accommodation if they have at disposal sufficient financial means, including incomes sufficient for needs of their accommodation.

Basic Rights of Refugees with Recognized Status in BiH

BiH Constitution guarantees to all persons on BiH territories rights and freedoms, prescribed by European Convention on Protection of Human Rights and Basic Freedoms and its Protocols.

All persons from BiH territory, including recognized refugees shall enjoy:

- The right to life,
- The right not to be subjected to torture or to inhuman or degrading treatment or punishment
- The right not to be held in slavery or servitude or to perform forced or compulsory labor.
- The rights to liberty and security of person,
- The right to a fair hearing in civil and criminal matters, and other rights relating to criminal proceedings,
- The right to private and family life, home, and correspondence,
- Freedom of thought, conscience, and religion,
- Freedom of expression,
- Freedom of peaceful assembly and freedom of association with others,
- The right to marry and to found a family,
- The right to property,
- The right to education and
- The right to liberty of movement and residence.

Besides the rights guaranteed by the Constitution, Bosnia and Herzegovina as signatory to *1951 Convention relating to the status of refugees* and its *1967 Protocol* is obliged to secure rights stated in Articles 3 to 34 of the Convention.

Special Guaranteed Rights for Refugees with Recognized Status in BiH

The Convention especially guarantees the following rights to refugees:

- Right to religion,
- Right to rights granted apart from The Convention,
- Right to exemption from reciprocity,
- Right to exemption from exceptional measures,
- Right to provisional measures,
- Right to temporary measures during wars or other heavy or exceptional circumstances,
- Right to holding personal status,
- Right to movable and immovable property,
- Right to intellectual and industrial property,
- Right of association,
- Right to approach the Cortes,
- Right to wage-earning employment,
- Right to self-employment,
- Right to liberal professions,
- Right to rationing,
- Right to housing,
- Right to public education,
- Right to public relief,
- Right to labor legislation and social security,
- Right to administrative assistance,

- Right to freedom of movement,
- Right to possessing identity documents,
- Right to travel documents,
- Right to freeing from fiscal charges,
- Right to transfer of assets,
- Right to residence of refugees who illegally entered territories of the country of refuge,
- Right to *non-refoulement* (except for the reasons of state security and public peace and order),
- Right to prohibition of expulsion or return to borders where his/her life or freedom would be endangered,
- Right to naturalization.

BiH Ministry for Human Rights and Refugees, as body competent for taking care of rights and issues of BiH refugees, in collaboration with UNHCR, had stated activities on issuance of The Bylaw on rights and issues of refugees in Bosnia and Herzegovina, in accordance with The Law on Movement and Stay of Aliens and Asylum and Article 34 of BiH Bylaw on asylum ("BiH Official Gazette", No. 26/04).

The aim of this activity was to make a better arrangement and elaborate means of acquiring rights and obligations of persons with recognized refugee status in Bosnia and Herzegovina.

This Bylaw especially prescribes basic principles, competent authorities, conditions and means of acquiring rights and obligations for persons with refuge status in Bosnia and Herzegovina.

While working on this Bylaw, and governed by interest to provide as good as possible protection of refugees in Bosnia and Herzegovina, the Bylaw secures the following *basic principles*:

- 1. Non-discrimination**, also guaranteed by Article 14 of European Treaty on Human Rights, which secures enjoying rights and freedoms without any discrimination on any grounds such as gender, race, color, language, religion, political or different opinion, national or social origin, membership to a particular national minority, property, birth or any other status

- 2. The best child's interest and family unity** are guaranteed by Article 3 of UN Convention on rights of child (1989), which points out primary activities concerning children, regardless if they are carried by public or private social welfare institutions, courts, administrative bodies or legislative bodies. By Article 9 of The Convention, Member States shall secure that no child is separated from his/her parents, unless judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. In accordance with Article 22 Of the Convention, a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian matters. States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the Convention.
- 3. Data protection** is basic principle guaranteed to BiH refugees in accordance with Article 77 of The Law on Movement and Stay of Aliens and Asylum, which states that all issues concerning asylum are closed for the public and every peace of information connected to this procedure is considered confidential. In accordance with this law, no information on a refugee shall be disclosed to his/her country of origin without his/her previous written consent. In all cases is obligatory to ask for the consent of a refugee prior disclosing any of information from his/her file, by which under any circumstances his/her safety would not be jeopardized. Processing data on a refugee is done in accordance with valid The BiH Law on Personal Data Protection ("The BiH Official Gazette", number 32/01).

Besides the right to work, to education and health and social care, refugees in Bosnia and Herzegovina are given right to personal status acquired in their country of origin, unless it is not opposed with corresponding BiH Laws.

Right to education

Refugees in Bosnia and Herzegovina are given right to elementary, secondary, higher and university education under equal conditions as BiH citizens.

In Bosnia and Herzegovina, both Entities and BiH Brčko District are competent for elementary, secondary and university education. On BiH level, based on The BiH Law on Changes and Amendments of The Law on Ministries and other Administrative Bodies ("BiH Official Gazette", number 7/03 dating from 7th March 2003), The Ministry for Civil Affairs is responsible for carrying out activities and tasks under competence of Bosnia and Herzegovina, which refer to determining basic principle of coordinating activities, harmonizing plans of entity administration bodies and defining strategy on international plans in field of health and social care, pension, science and education, labor and employment, culture and sport, geodetic, geological and meteorological affairs.

Up to today, Framework Law on Primary and Secondary Education in Bosnia and Herzegovina ("BiH Official Gazette", number 18/03) was issued on BiH level while Framework Law on Higher Education in BiH is in process of drafting.

Framework Law on Primary and Secondary Education in Bosnia and Herzegovina regulates principle of preschool, primary and secondary education and education of the adults, as well as establishing and functioning of institutions responsible for providing services in education in Bosnia and Herzegovina and additional classes for children who are BiH citizens living abroad.

Authorities competent for organizing educational system in BiH Brčko District, Republic of Srpska, BiH Federation and Cantons, Institutions which, according to valid laws in BiH, are registered for providing service in field of preschool, primary and secondary education, as well as the education of the adults, other institutions expert in field of education, are obliged to apply and respect principles and norms set by this Law and secure education under same condition for all students.

In Federation of BiH, according to the F BiH Constitution, Federal Ministry of Education, Science, Culture and Sports bears coordinating role in this field. BiH Federation Cantons are responsible for setting education policy, including issuance of regulations on education and securing education, as well as field of primary, secondary and higher education and settled on cantonal regulations.

In Republika Srpska, this field is settled by The Primary School Law ("RS Official Gazette", number 38/04), The Secondary School Law ("RS Official Gazette", number 38/04), and University Law ("RS Official Gazette", number 12/93,14/94, 99/04, 92/05), while RS Ministry for education and culture is responsible for carrying it.

Refugees residing in BiH are given opportunity to access institutions for primary, secondary, higher and university education under conditions equal to citizens of Bosnia and Herzegovina.

A refugee child is entering primary and/or secondary school in accordance with entity and BiH Brčko District regulations.

Documentation necessary for entering primary and secondary school is the following: birth certificate, which, if couldn't be obtained, can be replaced by a refugee card, medical certificate and certificate on accomplished primary, or, if the education continued, some of previously finished grades. If the refugee child for reasons justified cannot obtain proves on previously finished primary and/or secondary education, and/or certificate on previously finished grades of primary and/or secondary education, according to the legal act could be replaced by a certification issued by MHHR.

Refugees residing in BiH are enabled to educate in institutions of higher and university education as well as continuation of education in the institutions mentioned.

In order to continue education, students of primary, secondary school and students have right to submit a request on validation and equivalency of school diplomas in BiH Federation and Republika Srpska which they obtained abroad. The validation enables continuation of education in institutions of secondary education and enables entering universities to persons who would like to continue their education.

Bosnia and Herzegovina had ratified Lisbon Convention on Recognition of Qualifications Concerning Higher Education in January 2004, and on September 2003 had ratified The Bologna Declaration.

The process of diploma validation in Republika Srpska is carried out on basis of Article 133 till 135 of The Primary School Law, Articles 126 till 131 The Secondary School Law and Articles 133, 114 and 115 of The University Law.

In RS, the process of diploma validation and equivalency of foreign diplomas is under competence of RS Ministry

for education and culture. By validation process, a foreign diploma is being made equal to adequate local education document in general, when concerning rights that belong to its owner for continuing his/her education and their rights to employment. The validation process is carried in accordance with regulations of The Law on Administrative Procedure.

In BiH Federation, the process of diploma validation and equation of diplomas obtained abroad are carried on basis of The Law Recognition of Qualifications Concerning Higher Education, which was taken from Socialist Federal Republic of Yugoslavia.

In order to validate or recognize document qualifications, besides the request for validation of document, one has to submit 3 copies of stamped translation of education certificate acquired abroad.

In order to approach validation of diploma in entities, it is necessary to pay certain fees in accordance with entity taxation laws.

Therefore, according to the valid legal regulations in BiH, foreign citizens are enabled the right to acquire education in accordance with Conventions and Agreements signed with other countries and international organizations.

However, one of the issues regarding solving the problem of education of refugees in Bosnia and Herzegovina is reflected in the fact that they have difficulties in acquiring certificates on already finished grades of primary or secondary education. By respecting basic principle of refugee's data protection, such documents are hard to acquire in line of duty from their country of origin. This problem was tried to be solved by issuance of legal document.

Bosnia and Herzegovina does not have overall law which regulates issue of university education, even though BiH Ministry for Civil Affairs took over the activities on issuing it.

This problem is additionally complicated in BiH Federation, because cantonal level also has laws which regulate this field.

Right to work

The right to work is guaranteed to refugees in Bosnia and Herzegovina under equal conditions as the citizens of BiH, and they exercise the access to right to work and other rights stemming from labour relations in accordance with valid regulations in the fields of work in Entities and District Broke of BiH.

Entities and District Broke of BiH are responsible for issues of labour-legal relations and employment in Bosnia and Herzegovina.

In the Federation of BiH Federal Ministry of Labour and Social Policy is responsible for this field, and this field is regulated in the Law on Labour ("Official Gazette of the F BiH", Nos. 43/99, 32/00, 29/03) and the Law on Mediation in Employment and Social Security of Unemployed Persons ("Official Gazette of the F BiH", Nos. 41/01, 22/05).

In Republika Srpska ministry responsible for this field is the Ministry of Labour and Veterans, in accordance with the Law on Labour ("Official Gazette of RS", Nos. 38/00, 38/03) and Law on Employment ("Official Gazette of RS", No. 54/05).

According to the decision contained in the draft bylaw, a refugee who has completed education in BiH has to report to the Employment Bureau at the place of his/her residence. Such person is to register at the Employment Bureau in a legally foreseen deadline and to submit requested documentation for the registration (work booklet and diploma on completed education).

A refugee who reports for the first time to the Employment Bureau in BiH is obliged to do so within 90 days from the day of issuing a refugee card, as it is prescribed by the bylaw. During registration he/she is obliged to submit work booklet and validated school certificate. Work booklet is issued in the municipality of residence and after issuance the refugee turns to the Employment Bureau for the further registration procedure. During reporting to the Employment Bureau and issuing of work booklet, the refugee card is used as identification document, as replacement for ID.

Refugees are obliged to report to the Employment Bureau on regular basis, every 60 days. According to the Law, an unemployed person is a person capable of work who has no employment and who looks for a job actively – reports to employment service on regular basis, submits applications to employers or puts in advertisements, responds to advertisements and applies for

vacancies and complies with the program for professional orientation of training and retraining.

If a refugee does not report to the employment service twice in a row and does not inform the employment service on justified reasons for not reporting, the service will cease to keep that person registered as unemployed in its records.

A refugee who has employment in BiH has the same rights as BiH citizens in the field of labour relations according to valid regulations of the Entities and District Broke of BiH.

Since the unemployment rate in BiH is high, it will be difficult to secure access to this right for refugees, as well as for BiH citizens.

"According to official data, unemployment rate in BiH is almost 41% - unemployment rate in F BiH is 43%, and in RS 40%.

According to the World Bank research, one can wait for a job more than 3 years, while older generations from 35 to 55 look for a job more than 5 years."¹⁶ (PRSP)

Right to health care

The right to the health care is guaranteed for refugees in BiH under equal conditions as for BiH citizens, so they exercise the access to the right to health care according to valid regulations from the field of health care in the Entities and Brčko District BiH.

In BiH health insurance is organised within Entity and District Broke of BiH. Refugees, as well as citizens of BiH, have right to primary, secondary and tertiary health insurance.

The Federal Ministry of Health Care is responsible for this filed in **the Federation of BiH**, and compulsory health insurance is implemented by the Health Insurance and Reinsurance Institute of F BiH. This field is regulated based on the *Law on Health Care* ("Official Gazette of F BiH", No. 29/97) and the *Law on Health Insurance* ("Official Gazette of F BiH", No. 30/97, 7/02). In providing Health Care in F BiH, cantons have the most important competence. The Cantonal Insurance Bureaus determine the status of insured person.

The competent Ministry for this field **in Republika Srpska** is Ministry of Health and Social Protection, while the compulsory insurance is implemented by the RS Health Insurance Fund, according to the *Law on Health Insurance* ("Official Gazette of RS", Nos. 18/99, 51/01, 70/01, 51/03) and the *Law on Health Care* ("Official Gazette of RS", Nos. 18/99, 58/01, 62/02). Status of insured person is determined by the organizational units of Health Insurance Fund.

So far, the system of health care of refugees in BiH operated with difficulties in the practice, except that in RS the system of health care and treatment of refugees from the Republic of Croatia was regulated in a better way.

The UNHCR had a key role in ensuring treatment for wide group of refugees in BiH, and especially of persons in temporary accommodation in the territory of the Federation of BiH.

The bylaws anticipate that a refugee in BiH has the right to health care exercised based on unemployment, upon reporting to the Employment Bureau, as an insured person from labor-legal relations, or as a person in the state of social need.

The compulsory health insurance provides to insured persons health care according to the laws on health insurance. Also, the health care will be provided for family members of insured persons.

According to the draft bylaw the immediate family members of a refugee in BiH are spouse, under-age children and other supported members of immediate family who lived in the same household.

A child-refugee, to whom a guardian was assigned, exercises the right to health insurance as insured person – of guardian (insurer).

Refugees who did not exercise the right to health care based on unemployment, employment or social care have possibility for voluntary insurance for themselves and members of their immediate family.

Bylaws anticipate that for this type of health care access to health care for refugees is ensured through insurance scheme or through special arrangement with medical institutions until refugees meet conditions for acquiring the status of insured person based on unemployment, work or social care by providing funds from the budget of Entities and District Brčko or the Ministry for Human Rights and Refugees.

The issue of access to health care is the right which will be the most difficult to ensure for refugees living at the territory of BiH. The reasons are a very difficult situation in the health sector and the fact that most of BiH citizens have the obligation to pay a part of participation to the medical institution. This Ministry has no funds provided in the budget from which, based on the scheme of voluntary insurance, it could provide health care to refugees. It is most difficult to provide an access to this right because most refugees settled in BiH are unemployed and are in the state of social need. It is difficult to ensure that employment services and centers for social work accept the obligation to bear costs of treatment of this category of BiH citizens. There is no law at the state level that would solve the issue of health care at the whole territory of BiH in unique manner.

Right to social welfare

Refugees in BiH have the right to social care under equal conditions as the BiH citizens, so they exercise an access to the right to social care in accordance with valid regulations from the field of social care in Entities and District Brčko of BiH.

Social care in BiH is organized within Entities and District Brčko of BiH.

The Federal Ministry of Labor and Social Policy is responsible for this field in **the Federation of BiH**, and this field is regulated according to the *Law on Basis of Social Protection, Protection of Civil Victims of War and Protection of Families with Children* ("Official Gazette of Fib", Nos. 39/99, 54/04).

The Ministry of Health and Social Protection is responsible for implementation of the social care program in **Republika Srpska** according to the *Law on Social Care* ("Official Gazette of RS", Nos. 5/93, 15/96, 110/03).

Bylaws on refugees in BiH who belong to category of persons unfit for work and materially unsecured persons will provide a possibility for exercising the right to social care. They can exercise this right in accordance with valid legal regulations in the Entities and District Brčko of BiH, whereby the Ministry for Human Rights and Refugees of BiH issues a certificate based on statement of a refugee that he/she is not capable of work and materially unsecured. This certificate serves as an evidence and kind of recommendation for Centers for Social Work in order to include refugees in one of the programs for social care.

The Poverty Reduction Strategy Papers (PRSP) reads: "The system of social protection in both entities of BiH is in grave

difficulty, as it is faced with an enormous increase of demand for various types of social assistance, which are still growing. The functioning of the system was made more difficult by inadequate laws, which prescribed a far broader scope of social protection than the budget capacities allow. This problem is additionally complicated by the fragmentation of authority between the levels of government (especially in the F BiH), where the entity prescribes the level of social protection, and the lower levels of government are under obligation to secure funds for its realization. An additional difficulty is the lack of updated and comprehensive databases on social protection beneficiaries.

Currently, social protection is characterized by:

- Income vulnerability of the majority of the population and constant worsening of the social problems, i.e. increase of the number of people who require social assistance (refugees, civilian victims of war, returnees, veterans etc.);
- Lack of realization of legally stipulated social rights, as well as weak links between the institutions in charge of social protection on the municipal and entity level in the RS;
- Financing of the social and child protection on the cantonal level in the Fib is hampered by serious difficulties, due to the insufficient funds in the cantonal budgets. The capacities of Federal government to assist the cantons are limited in this segment, as the authority for the implementation of social and child protection, i.e. allocation of funds is, in line with the Constitution of Fib and the Law on Distribution of Public Revenues in Fib, under exclusive authority of the cantons and, municipalities;
- Insufficient level of definition of social protection financing and a high level of indebtedness within the social protection system;
- Weak material and staff capacities in social protection institutions;
- Unequal position in different regions or cantons and the lack of solidarity;
- Problems resulting from the privatisation process;
- Lack of programs for poverty reduction, underage criminal behaviour, struggle against substance abuse, alcoholism etc.;
- Lack of records and monitoring, which would enable timely detection of the needs of population and timely provision of protection.

Right to citizenship

Besides other rights enumerated in Article 81 of the *Law on Movement and Stay of Aliens*, refugees in BiH have possibility to acquire citizenship through facilitated naturalisation.

Manners and conditions of acquisition of citizenship in BiH are regulated by the Law on Citizenship of Bosnia and Herzegovina ("Official Gazette of BiH", Nos. 4/97, 13/99, 6/03 and 14/03).

The Law on Citizenship of Bosnia and Herzegovina entered into force on 1 January 1998.

The Law contained certain norms which are not practical, hard to implement and contradictory to the Entity provisions, which regulate issues of BiH citizens and foreign citizens, registration and erasing from the records.

A special problem is non-harmonisation of the cited Law with the 1951 Convention on Status of Refugees, which is an integral part of Annex I of the General Framework Agreement for Peace in Bosnia and Herzegovina ("Additional Human Rights Agreements to Be Applied in Bosnia And Herzegovina").

Article 34 paragraph 1 of the 1951 Convention Relating to the Status of Refugees reads: "The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings".

There are no adequate provisions in the Law on Citizenship of BiH, which would enable, under terms from Convention, acquiring of the BiH citizenship of refugees with recognized status in BiH, and therefore there are tendencies to make acquiring of the BiH citizenship easier for this category through certain amendments of the Law.

Article 38 paragraph 3 of the *Law on Citizenship of Bosnia and Herzegovina* reads: "All persons, who were citizens of the former SFRY and between 6 April 1992 and 1 January 1998 took up permanent residence in the territory of an Entity and who maintain this residence two years after 1 January 1998, shall upon application receive the citizenship of that Entity and of Bosnia and Herzegovina"

On the other hand, *Law on Residence and Stay of Citizens of Bosnia and Herzegovina* ("Official Gazette of BiH", No.

23/01), states that only citizens of Bosnia and Herzegovina are entitled to residence and stay, while aliens in accordance with the *Law on Immigration and Asylum of Bosnia and Herzegovina* ("Official Gazette of BiH", No. 23/99) and the *Law on Movement and Stay of Aliens and Asylum* ("Official Gazette of BiH", No. 29/03) are entitled only to stay.

From the above mentioned it is clear that certain number of persons who have met requirements for acquisition of citizenship of Bosnia and Herzegovina and one of the Entities do not have the right to permanent residence, so they cannot provide appropriate evidences for acquiring of the citizenship by entering into force of regulations on status of foreigners in Bosnia and Herzegovina.

If we take into account that some of these persons are not even citizens of the state they lived in till 6 April 1992, it is clear that their position is even more difficult and complex.

It is very important to harmonise the citizenship legislation, both on the State and Entity level, with the European and international regulations and standards, especially in respect of forthcoming European integration.

In the first place, this means clarification of term "temporary residence" in sense of the European Convention on Citizenship, in this case related to the refugees in Bosnia and Herzegovina.

Therefore Ministry for Human Rights and Refugees has, in consultation with the UNHCR, supported facilitated naturalisation of persons listed in the European Convention on Citizenship, including refugees. This is also why the Ministry is involved in the work of the Working Group tasked to prepare amendments to the relevant law regarding the acquisition of the citizenship of BiH for refugees in BiH.

Regional aspects and reasons of coming to BiH of refugees from the Republic of Croatia and the Federal Republic of Yugoslavia

In the period from the beginning of war conflicts in the Region, as the General Framework Agreement for Peace in Bosnia and Herzegovina calls the events in Bosnia and Herzegovina in the period from 1992 to 1995, estimates say that between 35,000 and 40,000 refugees from the Republic of Croatia were accepted to Bosnia and Herzegovina, mostly in the Republic of Srpska.

It is mostly Serbs from Eastern Slavonia and Krajina who mostly came after military actions "Storm" and "Flash" of the Croatian military forces in Eastern Slavonia and Krajina, resulting in the movement of several hundred thousands of refugees towards then Federal Republic of Yugoslavia and Bosnia and Herzegovina (the Republic of Srpska).

Re-registration of the refugees from Republic of Croatia has been carried out at the end of 2000 through the special tripartite protocol signed on 13 July 2000 between the Ministry for Human Rights and Refugees, RS Ministry for Refugees and Displaced Persons and UNHCR.

Official data available after the re-registration reports that there were 7,894 refugee families with 24,463 persons in Republika Srpska and 142 families with 419 members in the Brčko District, which in total were 8,036 families with 24,882 members.

The largest number of registered persons were located within municipalities of Banja Luka, Gradiška, Prijedor, Novi Grad and Bosanska Dubica, where 68% percent of the total number of refugees was located in the area of five municipalities.

Regarding their last place of residence in Republic of Croatia, the greatest number of refugees came from the areas of Sisak-Moslavina County (5,737 or 23 %), the city of Zagreb (4,508 or 18 %), Brod-Posavina County (2,729 or 11 %), Primorsko-Goranska County (2,396 or 10 %) and Pozega-Slavonia County (1,865 persons or 7 %).

Re-registration results also notified the lack of interest of these persons for return to the Republic of Croatia among these persons, and almost 5,700 families or 71% of them declared that they have no intention to return.

At that time, total 908 families or only 11% declared the intention to return to the Republic of Croatia. As reasons for lack of interest, refugees stated the insecurity and fear of persecution (55%), problems with accommodation after the return (23%), employment (15%), education (5%), and 2% stated other reasons.

Property status also had significant influence on the decision to return to their previous places of residence in the Republic of Croatia, where 61% of families were not able to return due to impossibility to use their property (31% of property was occupied by other persons, and 30% was destroyed or unfit for living).

Total 865 refugee families from the Republic of Croatia, or 11%, have exchanged their property mostly with the Croatian refugees from BiH who fled to Croatia.

UNHCR estimates during 2003 reported on some 21,500 persons refugees from the Republic of Croatia, while the latest official data estimates that some 19,000 persons are still in BiH.

Considering that the Ministry of Security has closed the process of re-registration of refugees from the Republic of Croatia to BiH, next phase has started, which is determination of their refugee status in BiH.

According to the first results some 2,200 families with some 8,000 persons from the Republic of Croatia re-registered for the refugee status in BiH.

Apart from the great number of refugees from the Republic of Croatia, Bosnia and Herzegovina also accepted in a short period some 64,000 refugees from then FR Yugoslavia, mostly during 1999 in BiH at the territory of the Federation of BiH. Some estimates state that the total number of those who settled in BiH on this basis is up to 73,000.

Certain number of those persons left Bosnia and Herzegovina went to third countries, through different programmes and activities, while a large number of those persons returned to the FRY after the war conflict ended and the political situation stabilised.

Significant number of these persons is settled in BiH, with a status of temporary residence that according to latest regulation was prolonged until June 2006.

In terms of status, temporary residence is not a classical refugee status, but it is given as a sort of protection in cases of massive moves of peoples during a short period of time. Regarding access to rights, UNCHR emphasizes great similarity of belonging rights in BiH for personal with status for refugees and persons with temporary residence.

Persons from the FRY were placed in the collective forms of accommodation, but also individually. During the greatest inflow of refugees from FRY to BiH, five collective centres have been established, accepting even from 1,500 to 2,000 persons daily.

About 11,500 persons were placed individually with their families, friends or in some other way.

Organised (mostly collective) accommodation was ensured by the UNHCR, because BiH at that time already had great difficulties with the implementation of the Annex VII of the BiH General Framework Agreement for Peace in BiH, focusing its already restrained resources on return of refugees and displaced persons to BiH, as well as on the process of property return, occupancy rights and other obligations arising from the Dayton Peace Agreement.

Acceptance of the refugees from FRY was regulated with the "Instruction on the Temporary Acceptance of Refugees from FRY in Bosnia and Herzegovina" ("Official Gazette of BiH", No. 7/99). This act prescribes that a person needs only a proof that he/she is a citizen of FRY or that he/she is a stateless person coming from the FRY to acquire the status, and that in the Application for temporary acceptance one of stated reasons, which is in accordance with the international law, is basis for regulating refugee status (fear of war, political situation, war conflict, general insecurity, etc...). Recognition of the status was done by summary procedure, without checking statements from the application or any formal evidence which proves the statements from the application.

The process of acceptance and registration of refugees from FRY in accordance with the above-mentioned Instructions is summarized by the *Decision on Temporary Cessation of the Instruction on Temporary Acceptance of Refugees from FRY in BiH* ("Official Gazette of BiH", No. 28/01).

In the meantime, on 20 March 2002 precisely, the *Decision on Cessation of Instruction on Temporary Acceptance of Refugees from the Federal Republic of Yugoslavia to Bosnia and Herzegovina* and the *Decision on the Decision on Partial Cessation of the Instruction of Temporary Acceptance of Refugees from FRY to Bosnia and Herzegovina* entered into force („Official Gazette of BiH“, No. 5/02 from 12 March 2002).

At the same date *Instruction on Status of Persons from FRY Temporary Accepted in BiH* entered into force („Official Gazette of BiH“, No. 5/02 from 12 March 2002). This Instruction regulates the status and rights of persons from FRY with recognised temporary acceptance based on *Instruction on Temporary Acceptance of Refugees from FRY in BiH* („Official Gazette of BiH“, No 7/99).

Status of persons from Serbia and Montenegro with the last place of residence in Kosovo was extended till 30 June 2006 by the special Decision of the Council of Ministers of BiH, named the *Decision on Extension of Status of Temporary Acceptance in BiH of Persons from Serbia and Montenegro with the Last Place of Residence in Kosovo* („Official Gazette of BiH, No. 65/05 from 20 September 2005). The Decision was made and entered into force on 4 July 2005.

ACCESS TO RIGHTS AND COOPERATION WITH RECIPIENT COUNTRIES

Generally on Access to Rights of Refugees from Bosnia and Herzegovina

Regarding the access to rights of refugees from BiH in the host countries, it is worth mentioning that the spectrum of rights accomplished by the refugees from BiH was rather diverse, and, in any case, depended on the state legislation in the host country.

These rights were in the range from "temporary tolerance" to recognition of the full refugee status with all the relevant rights resulting from that status.

With a regard to the legislation in Bosnia and Herzegovina concerning the regulation of rights for refugees from BiH it is obvious that BiH was not in charge and is not competent to organize the position and status of our refugees in the host countries.

It is not familiar even to the international Law that one country is arranging the rights of refugees, who have practically escaped from that system and looked for protection from that system on the territory of other country.

Regardless to all that, and respecting the significance of the return of refugees to BiH for its future, with attention that this interest should be demonstrated in practice, the competent institutions in BiH have regulated and made guarantees for specific rights for the refugees from BiH, for the time they enjoy their status and stay in the host country.

Besides the above mentioned rights to return, reconstruction of the apartment buildings for the sake of return, return of property and rights for socially owned flats, refugees from BiH are accomplishing the rights defined in Article 16 of the Law for refugees from BiH, and displaced persons in BiH as follows:

"Refugees from BiH, during their stay in host countries have:

- right to the objective and comprehensive information on the condition in BiH, F BiH and RS, and specifically about the condition in their previous places of residence in order to be able to make a voluntary decision to return to BiH,
- right to utilize the complimentary education organized by the competent services from F BiH and RS in the host countries through the Ministries of Foreign Affairs and Ministries for Human rights and Refugees in BiH,
- rights to use consular and other services of BiH in the host countries in order to regulate their rights, especially rights for return to BiH.

After the enforcement of the Decision on return to BiH the refugees from BiH have a right to use benefits in personal transport and transport of goods from host country to the transit centers in BiH, or to the places of the former residence in the way and under the conditions regulated by this law, and sub Law acts based on this Law”.

Based on the rights defined by the state legislation of the host countries and by the legislation of Bosnia and Herzegovina, regulating the issue of the rights for return and other rights of refugees from BiH, by 30/09/2005 inclusive 441.956 of BiH refugee returns have been registered in Bosnia and Herzegovina, and they all had some kind of temporary protection in host countries.

Bilateral Agreements on Return

We have mentioned as well a data, that more than one million of refugees originating from Bosnia and Herzegovina, were accepted in about 100 countries all over the world, in all continents.

After ending of the war conflicts, some countries requested from the responsible authorities of Bosnia and Herzegovina, to solve the question of refugees return based on the Agreement of bilateral relations.

Bosnia and Herzegovina answered positively to such requests, being guided by the International Law, as well as by the local provisions, according to which each displaced person has right to return to his home, and the country of origin is obliged to accept him.

These types of agreements were especially justified in the cases of the countries which accepted big number of our citizens.

In the further text, we will present the signed agreements, as well as the achieved results relating to the return plan, and implementation of these agreements.

Development and Results of Implementing Bilateral Agreements on Return

Until today Bosnia and Herzegovina has signed bilateral agreements on repatriation with the following countries:

1. Federal Republic of Germany,

"The Agreement on return and repatriation of persons between the Government of Bosnia and Herzegovina and the Government of Federal Republic of Germany" (Agreement on Repatriation), was signed on November 20th 1996, and the part of the Agreement is the Protocol for its implementation. The Agreement was ratified by the Parliamentary Assembly of Bosnia and Herzegovina and it has been published in the "The Official Gazette of R Bosnia and Herzegovina", No. 6/96.

2. Swiss Confederation,

"The Agreement between the Council of Ministers of Bosnia and Herzegovina and the Confederal Council of Switzerland about repatriation of the citizens of Bosnia and Herzegovina and citizens of Switzerland" (The Agreement on repatriation), was signed on 01/12/2000, and the part of the Agreement is the Protocol for its implementation.

3. Republic of Croatia,

"The Agreement between Council of Ministers of Bosnia and Herzegovina and Government of Croatia relating to return of displaced persons from Bosnia and Herzegovina and Croatia, was signed on 11th 12.2001. Protocol relating to implementation of the Agreement with R Croatia has not been signed yet.

4. Serbia and Montenegro

"The Agreement between the Council of Ministers of Bosnia and Herzegovina and the Council of Ministers of Serbia and Montenegro relating to return of displaced persons from Bosnia and Herzegovina and Serbia and Montenegro" was

signed on 6th 10. 2003. "Protocol on implementation of the Agreement between the Council of Ministers of Bosnia and Herzegovina and the Council of Ministers of Serbia and Montenegro relating to return of displaced persons from Bosnia and Herzegovina and Serbia and Montenegro" was signed at the same time.

By the decision of Presidency of Bosnia and Herzegovina on ratification of the Agreement ("The Official Gazette of Bosnia and Herzegovina – International contracts, No: 7/04), ("The Official Gazette of SMG" - International contracts, No:6/2006), dated on 11.10.2004, from 04.10.2004, the quoted Agreement was ratified by the Bosnia and Herzegovina, while Serbia and Montenegro made it by the decree of the President of Serbia and Montenegro, by adopting the Law on Ratification of the Agreement. ("The Official Gazette of SMG"-International contracts, No:6/2006), from the 11.10. 2004.

The Agreements on Repatriation define obligations of the states which signed them, to repatriate their citizens, under the condition that the prescribed procedures should define citizenship status, and relating to it the way and location for submission of requests, proofs, deadlines, exceptions from return, announcement of reception and taking over of persons.

While defining obligations, which became a constituent part of all of the signed Agreements, the BiH Entities have actively participated in the work of the Expert Groups, who worked on harmonization of the Agreement regulations, in accordance to their competence.

Besides the above mentioned bilateral Agreements on return that have already been signed, Bosnia and Herzegovina conducted negotiations with the aim to reach bilateral agreements with other countries, but the agreements were not reached. This is related primarily to R Slovenia and to R Turkey.

It is necessary to remind that the Ministry for Human Rights and Refugees signed the Agreement on Creditors` Fund of Organization of Islamic Confederation (OIC), which is not an agreement on return, but its function has aim to support return of displaced persons and refugees to Bosnia and Herzegovina.

As a result of signing an Agreement with OIC, the Office of the Creditors` fund was opened in Sarajevo, with the aim of urgent return of refugees and displaced persons to BiH."At the First Session of the Managing Board Fund, the Ministry for Human Rights and Refugees offered five projects. All of them were accepted and realised at the later stage.

Bosnia and Herzegovina – FR Germany

In a period from 1992. to 1995. FR Germany accepted about 320.000 refugees from Bosnia and Herzegovina, out of which 60% from the area of F BH, and about 40% from the area of RS. Refugees stayed, and some of them still stay in all Federal Provinces of FR Germany. However, the biggest number of refugees were accepted by the Province Nordrhein - Westfalen (75.000), Bayern (62.000), Baden - Württemberg (52.000), Hessen (35.000), Berlin (29.000), Niedersachsen (23.000), Hamburg (12.500) etc.

Massive admission of BH citizens within SR Germany requested, from humanitarian aspect, an urgent and intensive activity of German authorities, since arrival of great number of people happened in a very short period of time, and it happened unexpectedly.

All of this was happening during 1992, when the Authorities of FR Germany started with the organized provision of care for BH citizens, in accordance with the basic principles of humanitarian right and by respecting regulations of the Convention on legal status of refugees (Geneva 28.July 1951.).

Status of refugees from Bosnia and Herzegovina in FR Germany

Status of BH refugees was different in different provinces, but generally speaking "duldung" status ("waiting") guaranteed temporary residence with postponement of banishment, that has been prolonged each 3 - 6 months. "Duldung" was established in order to arrange return in stages, so the people who were not planned for repatriation in the early stages, got for "duldung" the further staying.

Another type of residence was "Aufenthaltsbefugnis" which meant a permitted residence, then "Aufenthaltserlaubnis" that is a residence permit, then "a little asylum", an asylum etc. Material status was very homogenized in the provinces. Aid was mainly provided in cash: 450 - 500 DM. monthly by an adult and around 200 - 300 DM. per a child. Refugees did not have to pay for an accommodation, since this cost was covered by German Authorities.

Signing of the Agreement

Starting from the initiative of the authorities of FR Germany, at the beginning of 1996, the talks have started relating to signing of the bilateral Agreement, which would settle the issue of return of BiH refugees from FR Germany to Bosnia

and Herzegovina. After several meetings between the representatives of Government of FR Germany and the acting Government of Bosnia and Herzegovina during 1996, and especially after holding a Permanent Conference of Ministers and Senators of the Internal Affairs of FR Germany, in September the same year, it was clear that Federal Provinces of FR Germany, whose one of the conclusions was the Decision on start of the coercive return of foreigners from FR Germany, have decided to additionally intensify the commenced process of return.

Since such an decision was reached by the ministers and by the senators for the internal affairs of FR Germany, the interest of Bosnia and Herzegovina increased to sign an bilateral agreement which will arrange one phase and organized return, as well as procedures, phases and dynamics of return, taking over, admission and accommodation of returnees etc.

After several meetings between the Delegation of R Bosnia and Herzegovina and the Delegation FR Germany, the consent was made relating to text of the Agreement. At one of the meetings, BH side was informed, that according to the Decision of the Permanent Conference of Ministers and Senators of the Internal Affairs of FR Germany, it is possible that compulsory returns will be done into "the appropriate" parts of Bosnia and Herzegovina.

"The Agreement between Government of Bosnia and Herzegovina and Government of Federal Republic of Germany about return and repatriation" (The Agreement on Reception of Persons), was signed on 20th11.1996. The integral part of the Agreement is the Protocol for its implementation. The Agreement was ratified by Parliamentary Assembly of Bosnia and Herzegovina, which was published in "The Official Gazette of Bosnia and Herzegovina" No. 6/96.

Consequences of signing the agreement

As a direct consequence of Signing the Agreement with Germany there are expedite returns of BH refugees from FR Germany into Bosnia and Herzegovina, but as well the departures from FR Germany into the third countries. It is resettling into the other, mainly immigration countries, mainly to USA and Canada.

According to the coordinated statistics of the Joint Expert Board, which followed implementation of the Bilateral Agreement, about 52.000 of our citizens were resettled from FR Germany into the emigration countries, until the end of the year 2000.

Our evaluation is that the total of 246.000 refugees have returned to Bosnia and Herzegovina from FR Germany, out of that number about 176.600 persons have returned on voluntary basis.

Voluntary returns were mainly realized as a part of the program of German Government through REAG (Program for Reintegration and Emigration for Claimants of Asylum in Germany) and GARP (Government Program of Assistance to Repatriation) which was implemented in cooperation with International Organization for Migrations (IOM) whose target was to support voluntary return. Both programs were completed in 2001.

An overview of voluntary returns as an integral part of REAG/GARP as per years and entities¹⁷

YEAR	F BIH	%	RS	%	TOTAL
1996	1.011	100	0	0	1.011
1997	57.270	100	0	0	57.270
1998	86.886	97,66	2.076	2,33	88.962
1999	20.556	93,03	1.539	6,97	22.095
2000					6.097
2001					668
2002					500
TOTAL	165.723		3.615		176.603

NOTES:

- Data from 2000. till today were not shown by entities, since some of IOM-offices in BH were closed, so aid coming out of these two programs - cash payments were done only in Sarajevo and Banja Luka.
- From 2003. the REAG and GARP Program of Aid was stopped, in support of voluntary return from FR Germany.

¹⁷ Source of information: "Worldwide refugee information"

a) *Voluntary Returns – Non-registered*

If we compare data on general scale of return, to the data on a number of registered returns (whether voluntary or compulsory), we can find that the return of 61.900 refugees from FR Germany was not registered. There is a presumption that these returns happened predominantly after signing of DPA, that means prior to signing of the Agreement on Reception of Persons between FR Germany and Bosnia and Herzegovina. To that end we can talk about individual, spontaneous, non-registered returns.

“Voluntary” returns were, in a high scale, a consequence of indisputable compulsory returns, if the considered persons did not leave FR Germany within the time deadline, so this type of repatriation could be characterized as compulsory and voluntary.

b) *Compulsory Returns - deportation*

The Permanent Conference of Ministers of Internal Affairs of German Federal Provinces made the above mentioned decision on compulsory return of BH refugees, whose status of “waiting” was not prolonged, and who did not return to Bosnia and Herzegovina within the time deadlines, after which this decision was consistently applied.

Deportations were realized exclusively to FBH territory, by the border-crossing at Sarajevo airport.

It is especially important to emphasize that, after returning from Germany, the big number of persons were returned to the new areas, namely to another entity but not to their prewar residence. In that way status of a refugee was just changed into the status of a displaced person.

As a consequence of that fact situation was not encouraging, as it seemed to be at the very beginning, if one looks at the above mentioned facts and watch the number of the realized returns.

Overview of the deported persons as per years¹⁸

Till the end of 2000	2001	2002	2003	2004	till 25.09.2005	TOTAL
5.064	675	722	465	697	1.210	8.833

The Joint Board of Experts between Germany and Bosnia and Herzegovina compared data on a number of a compulsory returns and concluded that the indicators in the table should be completed by adding a number of about 600 non-registered compulsory returns. So, since signing of the Agreement till 25.09.2005, the total number of the returns is evaluated on 9.500 persons.

The overview of the deported persons per years shows that a process of deporting was stable, while the actual statistics shows that deportations are intensified during 2005.

Current Situation

Based on a data of the Ministry of Internal Affairs of the Federal German Provinces and of the synchronized statistics of the Joint Board of Experts, there is an assumption that currently there are about 20.000 refugees in Germany, who are originally coming from Bosnia and Herzegovina.

It is necessary to have in mind that, at an estimate, about 3000 refugees ,who are currently having their residence in Germany, are permanently traumatized, which means that it is necessary to find a solution for 9.500 persons, which includes members of their families.

At the Conference of Ministers of Internal Affairs of FR Germany which was held on 23rd and 24th November 2000. in Bonn, the ministers and senators consented that traumatized persons from Bosnia and Herzegovina and the members

¹⁸ *Source of information to 2001: Federal Ministry of Internal Affairs, from 2002. The State Borders Service of Bosnia and Herzegovina*

of their close family (spouse and under-age children, or the parents of the traumatized children) could get a residence permit in FR Germany, which would be extended every two years, if these persons arrived to Germany before 15th 12.1995. and if they were covered by the long-term psycho-therapy treatment latest to 01st 01.2000, and that they got residence permit so far ("duldung") because of being traumatized.

At the same time, persons older then 65, who do not have family in BiH, but who have a trustee having a permanent residence in FR Germany, who is ready to take care of them, not needing social aid, got extension of the residence permit up to two years. Later, the decision was made that the persons who had got job in FR Germany, as well as the members of their families whom they supported, could get approval to stay.

The other categories which are not covered by these conclusions are still obliged, at start on voluntary bases, to leave FR Germany.

Bosnia and Herzegovina – Swiss Confederation

In a period of time starting from 1992. to 1995, Swiss Confederation received 25.000 refugees from Bosnia and Herzegovina.

Social status of BH refugees in the Swiss Confederation was quite good. Costs for payment of an accommodation and health insurance as well as food allowance were covered from 440-520 SFR, for each individual, including children. The amount varied depending on regulations in each of 26 Cantons of Swiss Confederation, plus Principality Lichtenstein.

Return from Swiss Confederation to Bosnia and Herzegovina

a) Voluntary Returns

From signing of the General Peace Agreement in Bosnia and Herzegovina till 25.10.2005, 12.000 refugees returned from Switzerland to Bosnia and Herzegovina. These returns were mainly assisted and organized. Until today there have been 11.300 of registered returns. It is necessary to emphasize that the Government of Swiss Confederation gave significant financial support to stimulate voluntary return.

b) Compulsory Returns

Citizens of Bosnia and Herzegovina whose temporary approved protection, which was valid for a period from 1992 till 14.12.1995, expired, were obliged to leave Switzerland, as well as all others whose requests for asylum was negatively solved.

“The Agreement between The Council of Ministers of Bosnia and Herzegovina and The Federal Council of Switzerland on repatriation of citizens of Bosnia and Herzegovina (The Agreement on repatriation), was signed on 01.12.2000, and the integral part of the Agreement is the protocol on its implementation.

By this Agreement, the parties who signed it, made a commitment to accept their citizens upon the request of other party, by offering possibility only to confirm the citizenship, and relating to this a place and way for submission of a request, proofs, deadlines, announcements for reception, taking over of persons etc.

The Working Group of Experts was constituted. Their task was to follow the Agreement and its Protocol. The Joint Group of Experts held meetings on 28th –29th.05.2001. That meeting covered: considering measures on how to improve implementation of the Agreement, exchange of statistics as well as problems of repatriation in the case of bi-national marriages.

In all this, the Joint Working Group of Experts stuck to the provisions of the Convention dated on 28. July 1951. which was related to the status of refugees, as well as the Protocol from the 31st January 1967. which was related to the legal status of refugees.

The contracting parties recognized necessity to consider special situation of Bosnia and Herzegovina in an appropriate way, in relation to implementation of the Agreement, concerning the citizens of Bosnia and Herzegovina who got temporary protection from 1992 to 14. 12.1995 whose date expired on 01st 05.1967.

The Working Group of Experts was given a mandate to coordinate repatriation of the BiH citizens and to elaborate proposals for their return and reintegration.

Implementation of the Agreement

In the period of time since signing of the Agreement till 25th 09.2005, the total of 1.075 persons were deported from Switzerland to Bosnia and Herzegovina, although at that period of time BH side received only 13 requests for repatriation in accordance to the valid bilateral agreement.

Compulsory return from Switzerland to Bosnia and Herzegovina per years¹⁹

Till the end of 2000.	2001	2002	2003	2004	till 25.09.2005.	TOTAL
89	129	115	512	149	81	1.075

Current situation

According to the data coordinated at the first meeting of the Joint Working Group of Experts, currently 50.000 of BH citizens live in Switzerland. This number covers persons who came to Switzerland before 1992. on different bases, refugees who were received in Switzerland, in a period from 1992-1995. as a consequence of war in Bosnia and Herzegovina and those who arrived after signing of DPA.

30.000 persons got Permanent residence permit or so called "C" visa, about 14.000 persons got "B" visa, which meaning that their residence permit was annually re-extended until the final solution was found. The remaining 6.000 persons, who arrived to Switzerland after signing of DPA, and who submitted request for asylum, have still been waiting for their status to be solved.

¹⁹ Source of data: The State Boarder Service of Bosnia and Herzegovina

Bosnia and Herzegovina – Republic of Croatia

In the period from 1992 to 1995 Republic of Croatia accepted about 170.000 refugees from Bosnia and Herzegovina. Many of the refugees from Bosnia and Herzegovina were in a transit through Croatia, in trying to go to one of the rich countries of the West Europe or, to another country, as a final destination.

Big number of refugees went to other countries, which was organized by UNHCR, IOM, IRC and other international organizations, or they moved on individual bases.

Eg. Around 25.000 persons passed through the refugee center Gašinci in R Croatia and went to other countries in 1993.-1995.

Return from R Croatia to Bosnia and Herzegovina

Return from R Croatia started immediately after the General Peace Agreement for Bosnia and Herzegovina was signed.

The estimate of the Ministry for Human Rights and Refugees is that about 60.000 BiH refugees returned from R Croatia to BiH, to their pre-war residences, until 25th 10. 2004.

At the same time, trend of exodus to the third countries continued, so about 52.000 BH refugees migrated to the third countries, till the above mentioned date.

The question of return of BH refugees from R Croatia is actual even today. That`s why the Government of Croatia concluded to financially support voluntary return of Croats from R Croatia into Bosnia and Herzegovina.

This project has been realized for the forth year and by its capacity (20 mil. kunas a year) classifies Republic Croatia into the group of the biggest bilateral donors in BiH.

Signing and implementation of The Agreement

“The Agreement between The Council of Ministers of Bosnia and Herzegovina and The Government of Republic of Croatia on return of refugees from Bosnia and Herzegovina and Republic of Croatia”, was signed on 11th 12.2001. The Protocol on implementation of the Agreement with Croatia has not been signed yet.

It is not easy to implement The Agreement, since the interim and the final provisions of the Agreement do not comprise clause of the provisional application, so if the Agreement is not ratified it can not be implemented.

Under such circumstances, the countries, which signed it, realize their bilateral interests in this field by The Inter-State Council for Cooperation, as well as directly on the operational levels, where there is a very good cooperation.

Until today there were 9 sessions of The Interstate-Council for cooperation between BiH and R Croatia, in which the dominating question was the question relating to return of refugees and displaced persons.

Bosnia and Herzegovina – Serbia and Montenegro

In the period from 1992. till 1995. Serbia and Montenegro accepted around 297.000 refugees from Bosnia and Herzegovina. Many of the BH refugees were in a transit, staying in Serbia and Montenegro, which meant that they stayed for few days and immediately left the country for long-term solution, in some of the European countries, or in the distant over-ocean countries, the traditional immigration destinations.

In the last years, there are three recognizable tendencies relating to finding final solutions for refugees who stayed in Serbia and Montenegro:

1. Voluntary repatriation

Ministry for human rights and refugees believes that the best solution for refugees is voluntary repatriation to Bosnia and Herzegovina so their special efforts are aimed to this direction, working in cooperation with responsible institutions from Serbia and Montenegro.

2. Local integration

During the census in 1996, over 60% of refugees from Bosnia and Herzegovina who stayed in Serbia and Montenegro, expressed their wish to be locally integrated in SMG. According to the analyses done by UNHCR which relates to the indicators on the interest of BH refugees in local integration, it was concluded that Serbia and Montenegro will not be able to integrate so huge population without enormous help coming from the International Community. This is based on three facts: that the legal framework is neither fully developed nor clear, that there is no significant possibility for employment and there is no clear solution for the issue of accommodating refugees within the local community.

3. Emigration to other countries

Emigration to the other countries was a long-term solution for a number of persons, since they saw their future neither in BiH nor in local integration in Serbia and Montenegro. Although some of the emigration programs are still active for immigration to the traditional countries of immigration such as USA, Canada and Australia, this possibility is limited to a small number of refugees.

Return from Serbia and Montenegro to Bosnia and Herzegovina

Total of 110.000 refugees returned from Montenegro to BiH until 25th 10.2005.

Considering return from Serbia and Montenegro, till today there were registered both: individual and organised returns.

These returns were mainly organized into the area of BiH Federation, but there were no registered organised repatriation of BH refugees into the area of R Srpska. The requests were not submitted either, still many spontaneous returns were realised.

Until today, when talking about voluntary repatriation to BH Federation, repatriation happened mainly into the urban areas: Sarajevo, Mostar, Tuzla.

At the same time, more than 70.000 refugees from BiH migrated into the third countries.

Signing and implementation of the Agreement

"The Agreement between the Council of Ministers of Bosnia and Herzegovina and Council of Ministers of Serbia and Montenegro about return of refugees from Bosnia and Herzegovina and Serbia and Montenegro", was signed on 06th10.2003. At the same time " The Protocol" was signed on implementation of the Agreement between the Council of Ministers of Bosnia and Herzegovina and the Council of Ministers of Serbia and Montenegro on return of refugees from Bosnia and Herzegovina and Serbia and Montenegro".

The Agreement was ratified by both parties which signed it. It created formal bases for its implementation.

The Working group was established, working on realisation of the Agreement provisions. At the bilateral meetings of the countries which signed the agreement, the general consent was reached to support financially a return process to the concrete destinations in Bosnia and Herzegovina.

Till today bilateral cooperation between BH and SMG was done through the sessions of the Interstate Council for cooperation, which, till today has held 4 sessions, at which the issue of return was regularly elaborated, as well as movement within the region.

Cooperation, relating to issue of two-directions return between Bosnia and Herzegovina and Serbia and Montenegro, is realised through the regular Ministry meetings, but also, at the meetings of experts who work on concrete repatriation.

General problems relating to realization of the Agreement on repatriation

The Ministry for Human Rights and Refugees, which is directly responsible for implementation of the return process, is facing huge difficulties, because of the non-selective and non-agreed return, and because of expediting dynamics of return. The preconditions were not met for return to certain areas in BiH, because of the political climate or non-readiness to return to certain areas, or because of objective reasons (devastated accommodations and infrastructure, lack of possibilities for employment, lack of health-care or lack of conditions for education, mined zones etc.).

The BH party considers that basic problems in realization of the Agreement till today, were: in non-defined and non-clear responsibilities relating to certain issues which are important for return to BiH, as well as to its Entities, and in some procedural difficulties.

There is a weak cooperation between the different authority levels in Bosnia and Herzegovina, relating to answering questions on accommodation issues, conditions of property issues and other questions which are important for the implementation of the agreement.

Additional problems are due to the slow administration in realising process of re-integration (ID issues, health care and medical treatment, pensioners and disabled persons insurance, education of children etc.)

In implementing obligations of the Agreement, situation becomes more complex, since the reception transit-centers are closed, and neither alternative accommodations are offered nor any other accommodation (the only transit-center which is still in function is TC Stup which will be closed on 31.12.2005).

Lack of finances necessary for direct implementation of the Agreement (transport of returnees, of their luggage etc) is one of the problems for these institutions.

Problems related to repatriation and admission of the sensitive categories of refugees from Bosnia and Herzegovina

Bosnia and Herzegovina confronts the problem of return and admission of the sensitive groups, with special needs. These persons had left the country because of war after 1992.

There are more than 400 persons belonging to this category, according to the collected data and evaluation of Ministry for Human Rights and Refugees. Many of them submitted request to return to BiH.

In the last period of time such requests are frequently coming from R Hungary, R Croatia, FR Germany, Serbia and Montenegro.

Ministry for Human Rights and Refugees was not able to solve this issue independently, because of its constitutional competences and limitations, but solution had to be found including inter-field and responsible entity institutions.

The above mentioned issue relating to return of sensitive groups, covers the group refugees who have psycho-problems. This problem is higher when relating to countries that did not sign bilateral agreements on return.

Emphasizing importance of this problem, the Ministry informed Council of Ministers on the above mentioned several times, after what many meetings with institutions of both entities followed, with the aim to find systematic and inter-field solutions for return of this sensitive category.

Representatives of Ministries for health and social protections were present at the meetings, as well as our ministries, the responsible entity ministries for displaced persons.

Parallel to the meetings, with the aim to create conditions for return of this group, there were many inquires on possibility of return and locating these persons into the specialized hospitals in BiH

Verifications were done by Offices for Pensioners and Disabled Persons Insurance in both entities to confirm pre-war pension recipients, and Ministry of Internal Affairs confirmed their identities with the same aim. Besides, the information are collected on relatives who are willing to take care of these persons or to offer them other kind of assistance.

Currently, an acceptable modus for these persons is treatment based on combination of health and social protection. While passing through the chronic phase of illness the patient is having a home-care, but patients with acute illnesses have hospital treatment, so if their condition is better they return to the home-care or into the social institution.

The aim of finding solution for this sensitive category of the BH returnees is to place them into the appropriate hospitals or the centers for social protection, so there was a request to get information on current capacities situation.

Problem of return of the sensitive groups of refugees was discussed at the sessions of the State Commission for Refugees and Displaced Persons. The invited representatives of: the responsible entity institutions, of Public Fund for Health Insurance of R Srpska, of Ministry of Labor and Social Policy of F BiH as well as an representative of The Institute for Insurance and Re-insurance in F BiH, took part in these sessions

On this occasion we want to emphasize that UNHCR representatives actively participated on realization of return of this category of refugees, what was particularly seen in their taking part in creating conditions, for return of the group of 40 refugees from Debrecin - R Hungary. This was successfully realized in March 2002.

Because of the above mentioned, we can give a list of some of the reasons for difficult repatriation of mentally weak patients from the admission country into the BIH:

- There is no the top Law on Health and Social Protection on the level of BiH, which would define responsibilities in actions, as well as responsibilities of the authorized institutions relating to this complex inter-resource question;
- System of health insurance which regulates providing care for these persons in mental hospitals works on different bases compared to the pre-war system;
- Social and health institutions providing care for this category have limited capacity, not sufficient number of qualified staff, and are technically not well equipped;
- Hospitals for mentally infirm patients that existed before the war, either do not exist any more, or they work with reduced capacity but some of them are completely devastated ;

- Accommodating of these sensitive groups into any of these institutions is limited by financial costs;
- Based on the done inquires with the relatives in both entities about possibility to accept such persons to their families, it is found out that they are neither willing, nor able to accept and take care of their relatives;
- There is no financial base for providing return, taking over, nor accommodating this category of returnees into the special institutions.

When solving this problem on the BH level, the Ministry for Human Rights and Refugees cooperates with the Ministry of civil Affairs; which is according to the Law on Ministries and other bodies of BiH administration, ("The Official Gazette of BiH, No 5/03.) responsible to establish basic principles for coordination of activities, to synchronize entity authority plans, to define strategy at the international plan, besides others, in the field of health and social protection.

Cooperation with Neighbor Countries in the Region

From 1992 to 1995, the countries from the region, FR Yugoslavia and Republic Croatia accepted total half a million of refugees, and this issue was especially dealt with in the introduction of this brochure.

The assessment of the Ministry for Human Rights and Refugees is that 170.000 refugees from Bosnia and Herzegovina returned, so far, to pre-war places of residence from the countries in the region to Bosnia and Herzegovina, of which 110.000 are from Serbia and Montenegro and 60.000 from Republic Croatia.

Preliminary results of the implemented process of refugees registration in Serbia and Montenegro state the number of 47.050 refugees from Bosnia and Herzegovina, which is considerably lower in relation to the assessments we had earlier at disposal.

According to the last data available, in **Republic Croatia** there is still around 53.000 of refugees from Bosnia and Herzegovina. Around 50.000 of them solved their status in Republic Croatia, while approx. 2.790 persons have status of refugees, i.e. they need permanent solution. A certain number of remaining refugees from Bosnia and Herzegovina in Republic Croatia is interested in returning to Bosnia and Herzegovina and they expect assistance from the state in the realization of their return.

At the same time, Bosnia and Herzegovina accepted significant number of refugees from the region, to which we have dedicated a special chapter.

From the mentioned assessments and data, it is more than obvious that besides bilateral understanding of the displacement issue in the region, it is also necessary to have comprehensive, systematic manner of approach.

After recognizing this need, Bosnia and Herzegovina, Republic Croatia and Serbia and Montenegro approached the solving of the issue of refugees and displaced population in the region through political consensus, indicating their determination to ensure the process of return or local integration in resolving the issue of refugees and displaced population by signing the Declaration at the Regional Minister Conference on Solving Refugees-Displaced Persons Issues on January 31st 2005 in Sarajevo.

Regional Ministerial Conference on Solving Issues of Refugees and Displaced Persons

Sarajevo, January 2005

DECLARATION

We, the ministers responsible for refugees and internally displaced persons in Bosnia and Herzegovina, Croatia, and Serbia and Montenegro, met today in Sarajevo to identify our individual and joint activities that should be undertaken in the forthcoming period with the assistance of the international community in order to ensure a just and durable solution to refugee and IDP situation in our countries;

Considering that a just solution to this important issue must primarily be in the interest of safety, dignity and well-being of individuals and peoples, and should also contribute to peace and stability in Southeastern Europe, as well as to the efforts our countries are making to join the EU;

Aware of the fact that getting over the legacy of the war falls within the full normalization of relations between our countries;

Confirming our commitment to implement international conventions on refugee protection, notably the 1951 Refugee Convention and its 1967 Protocol, along with the 1995 General Framework Agreement for Peace in Bosnia-Herzegovina and especially its Annex VII as well as the existing bilateral agreements;

Taking into consideration the Programme for returns of and care for refugees and internally displaced person - Republic of Croatia, 1998; the Agreement on Cooperation between the future Government of the Republic of Croatia and the Independent Democratic Serb Party delegates to the Parliament of Croatia, 2003, the Strategy of Bosnia and Herzegovina for the implementation of Annex 7 to the Dayton Peace Agreement (BiH, 2002), the National Strategy on solving the issues of Refugees and Internally Displaced Persons (Serbia, 2002) and the National Strategy for Durable Solutions of

Refugees and Internally Displaced Persons (Montenegro, 2005-2007);

Taking into consideration the progress made over the years in returns between our countries, and aware that outstanding challenges in refugee returns require our cooperation; and fully aware that all refugees have the right to return in safety and dignity;

Reaffirming that all refugees have an undeniable right to opt for their permanent residence, and fully resolved to undertake all the necessary national and administrative actions to allow the implementation of their decisions and to ensure a just solution to refugee situations in our countries,

We have agreed as follows:

1. Pursuant to our country programmes, we are committed to solving the remaining population displacement by the end of 2006, to facilitating returns or local integration of refugees and internally displaced persons in our countries, depending on their individual decisions, without any discrimination, and providing assistance and support to refugees and internally displaced persons in cooperation with UNHCR, the EU and OSCE;
2. Access to all rights and entitlements, including the right to accommodation, shall be ensured in a fair and transparent manner, while all social, legal, procedural or any other requirement for the implementation of the above-said shall be met in the spirit of the present Declaration.
3. Without prejudice to the precedence of the right to return, refugees who have chosen not to return will be assisted by their new host countries to locally integrate in accordance with their national legislation.
4. UNHCR, as well as the EU and OSCE are invited to assist our governments in the return process and local integration and to raise financial and other support and assistance from the international community;
5. Upon return or local integration, all refugees shall enjoy the same rights and shall have the same responsibilities as all other citizens, without any discrimination;
6. The above mentioned principles and goals shall serve as a basis for the development of individual action plans ("Road Map") in our countries, including a comprehensive list of all the tasks that must be undertaken and each country shall bear the individual responsibility for the implementation. Those individual plans of activities shall be unified in a joint implementation matrix;

7. Each country shall prepare its own action plan within the next three months. During the same timeframe UNHCR is invited to assist in creating the necessary databases.
8. We commit ourselves to appointing the representatives of the responsible ministries and other relevant bodies, and we invite UNHCR, as well as the European Union and OSCE to appoint their representatives to the Task Force. The Task Force shall meet at least four times a year to:
 - unite individual action plans in a joint implementation matrix;
 - review the data base referred to in paragraph 7 herein;
 - review the remaining challenges from (i) repatriation programmes and access to the rights, (ii) economic development in the areas of returns and integration, (iii) exchange of data on durable solutions, and (iv) possible issues of local integration, including, *inter alia*, issues related to social protection of vulnerable groups, such as the elderly, patients and single mothers;
 - monitor the implementation of the joint implementation matrix;
 - prepare ministerial meetings which will take place at least once a year.

This Declaration is done in three original copies in the official languages of Bosnia and Herzegovina, the Republic of Croatia, and Serbia and Montenegro.

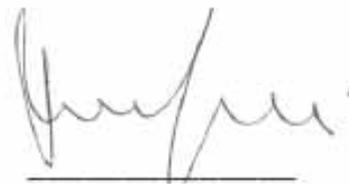
Done at Sarajevo, on January 31, 2005



Mirsad Kebo,
Minister for Human Rights
and Refugees of
Bosnia and Herzegovina



Božidar Kalmeta, Minister
of Maritime Affairs,
Tourism,
Transport and
Development of
Republic of Croatia



Rasim Ljajić,
Minister for Human and
Minority Rights of
Serbia and Montenegro



Work of joint Work Group for implementation of conclusion from the Regional Minister Conference

After the Regional Minister Conference on Solving Refugees-Displaced Persons Issues took place and the Sarajevo Declaration was adopted, Bosnia and Herzegovina took over the role of technical coordinator for activities on realization of conclusions.

In order to realize this responsible task, proposals through which three ministers appointed their representatives in the joint Work Group were unified.

The Work Group had four meetings at which they agreed and harmonised basic principles of work, as well as the methodology and the content of the documents necessary to be prepared.

Within the above-mentioned work of the Work Group, it was arranged that every country would prepare two types of annexes, which will become constituents of the joint implementation matrix.

The first part of the material, whose draft became an obligation for the countries participants, is to define clear and based on simple methodology harmonized reports on the situation and problem of displacement in each of the countries, as well as official statistics at disposal of countries participants, but also of the UNHCR.

It was agreed that the first joint part would contain also professional standpoints and opinion of the UNHCR on possibilities to exchange the data between Bosnia and Herzegovina, Republic Croatia and Serbia and Montenegro, in relation to the valid international regulations relevant for the mentioned issue.

This part of the document, with purpose of technical coordinator of the process, has been prepared by the representatives of Bosnia and Herzegovina and during one of the first meetings this issue was definitely harmonized at the work level.

After this part was made, more precisely parallel with producing the first part of the joint document, activities related to preparation of special road maps were undertaken, which were supposed to be made by each country participant.

It is about defining concrete obligations that each of countries will carry out in order to make the process of return in several directions and other forms of solving refugees-displaced persons issue in the Region easier.

First drafts of the document that came from participants indicated rather different concepts of individual countries, both in political and administrative and technical terms.

After first meetings, the Work Group rather agreed in terms of approach to the draft for the road map, so they also started with individual consideration of each of three maps.

After detailed reading, all participants in the Work Group had possibility to react on each proposed solution submitted by Bosnia and Herzegovina, Republic Croatia and Serbia and Montenegro, which was done in the form of written comments and objections submitted to the representative in the Work Group.

After receiving objections, these were grouped and reconsidered at the Work Group meeting.

The objective of the consideration was to give a possibility to each of parties, to whose road map comments and objections referred to, to make corrections and thereby to include them into part of realized ones.

Bosnia and Herzegovina was the first one to "defend" its road map and with a lot of support managed to gain confidence and consent of all participants in the work, both from countries participants and representatives of international community organizations (UNHCR, OSCE, EK).

After that, Serbia and Montenegro also finished work on the road map, while for the road map of the Republic Croatia certain participants, i.e. members of the Work Group, required some improvements related to definition of several issues included into Road Map.

It is expected that the Work Group solves these issues as well, i.e. to reach the maximum level of the document harmonization, which would be a signal to approach the organization of the new minister meeting with subject of implementation of the Sarajevo Declaration.

During the work of the Work Group, the complexity of such form of multilateral agreements was emphasized, because each country is led by unilateral solutions, transferred into form of law, strategy and other documents, and at the same time it is necessary to bring closer solutions in the way to provide at least equal standard at each of territories of those three countries that decided to take this significant step in solving refugees-displaced persons issue.

Minister consultation are expected soon regarding the document draft in order to approach the organization of the new conference at which the document would be officially promoted.

Draft Joint Plan of Activities for Solving Issues of Refugees and Displaced Persons

Statistics and Exchange of Data – Current Situation

BOSNIA AND HERZEGOVINA

Status as of 01 August 2005

Number of refugees and asylum seekers per country of origin and place of residence

Country of origin	TOTAL BiH	Temporary residence	Asylum seekers	Refugees
CROATIA*	7.533	-		7.533
SCG (Kosovo)	3.410	3.057	128	225
TOTAL region	10.943	3.057	128	7.758

* Re-registration process of refugees on the territory of RS began on 1 November 2004 and statistics on the number of refugees in relation to the number of filed family claims for re-registration are taken for assessment, as of 01 August 2005. Deadline for submission of re-registration claims in RS which expired on 30 June 2005, according to the instruction which is to come into force, shall be extended for 3 months upon its entering into force and will comprise re-registration claims of all refugees currently residing at the territory of the whole BiH.

Ministry for Human Rights and Refugees estimates that the total number of refugees from R Croatia in BiH counts for some 19,000 persons.

REPUBLIC OF CROATIA

Status as of 30 July 2005

Number of refugees registered in Croatia – according to land of origin

Country of origin	Total number of refugees in RC	In organized accommodation	Privately accommodated
Bosnia and Herzegovina	2,922	1,406	1,516
SMN	42	-	42
<i>Serbia</i>	40		
<i>Montenegro</i>	2		
TOTAL	2,964	1,406	1,558

* The last re-registration of refugees in Croatia took place in 1997, when was established a system for regular monitoring of every change of status and other circumstances regarding accommodation of registered refugees. These changes are monitored through the central data base of the Directorate for Displaced Persons and Refugees – Ministry of the Sea, Tourism, Transportation and Development (hereinafter: MSTTD-ODPR).

* Beside registered refugees in Croatia there is a large number of persons who have been locally integrated. They had lost their refugee status in 1997 as they acquired Croatian citizenship – approx. 120,000 persons from Bosnia and Herzegovina, and 35,000 persons from Serbia and Montenegro. These persons have been integrated locally either with the support of the Croatian Government or by their own means.

Other persons of interest – applications for the return to the Republic of Croatia

County of accommodation	Applications for return to the Republic of Croatia	Applications for return to Bosnia and Herzegovina
Croatia	-	8,000
Bosnia and Herzegovina	2,791	
SMN <i>Serbia</i> <i>Montenegro</i>	9,409	
TOTAL	12,200	8,000

- *Applications for return to the Republic of Croatia:* Since 1998 to date a total of 33,668 refugees temporary resided in Serbia and Montenegro and Bosnia and Herzegovina have submitted applications for return to the Republic of Croatia – out of that number 12,500 refugees returned to Croatia in the meantime, and 12,000 applications for the return from SMN and B-H remain to be solved.

Refugees in SMN had submitted applications for return to the Refugee Commission and NGOs, which were then forwarded to MSTTD-ODPR via UNHCR. Applications in B-H were collected by the UNHCR via its network of NGOs.

The majority of the remaining refugees with submitted return applications received approval from the Ministry to return a long ago. Majority of returnees to Croatia returned solely on the basis of Croatian documents, not in organized convoys aided by the UNHCR and without previously submitted applications for return. Applications for organized return were usually submitted either by persons who did not have Croatian documents or by socially vulnerable groups of refugees or returnees who had large quantities of movable property which required transportation (wheel tractors, etc.).

Since the beginning of return process in 1995 a total of 117,448 ethnic Serb returnees, mainly returnees from SCG, have been registered in Croatia.

Based on the pending requests for return, reconstruction and housing submitted to Croatian authorities by refugees still residing abroad, the number of potential returnees is estimated at cc. 20,000 – 25,000 persons. There are some 12,200 individual applications for return to Croatia submitted by refugees still residing in S-MN and B-H. Furthermore, it should be mentioned there are some 8,000 claims for reconstruction submitted mostly by refugees residing in S-CG and B-M and still to be decided, as well as 7,600 family applications for housing submitted by former tenancy right holders, out of which less than 45% families are still residing abroad.

- *Applications for return to Bosnia and Herzegovina:* Applications for return to B-H were submitted by persons accommodated in Croatia during 2001 until the second half of 2002. A total of 8,002 individual applications for the return to B-H were filed then (3,150 families). Out of that number there are 5,571 personal applications (2,215 families) for return to the Republic of Srpska, and 2,431 (936 families) for return to the Federation of B-H. MSTTD-ODPR forwarded those requests to the B-H Ministry for Human Rights and Refugees. We would like to note that the number of refugees from B-H accommodated in Croatia has decreased considerably since then and a new survey should be conducted among the remaining refugees to find out about their intentions.

Beside applications for the return, some number of persons from B-H accommodated in Croatia applied for assistance in construction material provided by Croatian Government to returnees to B-H – a total of 3,956 families with 13,846 members have submitted applications since 2001. A total of 1,334 families with 4,964 members have already received this assistance in the meantime and 2,400 families remain to be solved.

It is obvious from the above stated facts that MSTTD has at its disposal incomplete data on the refugees from Croatia temporarily accommodated in SMN and B-H, who have submitted applications for the return to Croatia. However, the applications were submitted many years ago, and they have not returned to Croatia after that. Concerning those persons we need renewed information on their intentions in order to determine the possibilities for their return. For that reason the significantly required is the exchange of data with the Serbian and Montenegrin Commissions for Refugees and B-H Ministry for Human Rights and Refugees.

As far as applications for the return to B-H submitted in Croatia are concerned, we shall find out about the intentions of the remaining refugees in regard to return and pass precise data on this subject to the B-H Ministry for Human Rights and Refugees.

REPUBLIC OF SERBIA

Data according to preliminary results of re-registration 2004/2005 as of 18 July 2005

Number of refugees according to the country of origin (residence before 1991)*							
BiH		Croatia		Others		Total	
Number	%	Number	%	Number	%	Number	%
40,948	28.89	100,528	70.94	229	0.16	141,705	100

*Note:

Last re-registration of refugees was carried out in the period November 2004 – January 2005. Approximately 142.000 persons participated in re-registration. Complete data will be known after appeal procedure that is underway. Criteria for establishment of refugee status is prescribed by Memorandum of Understanding signed between Government of Serbia and UNHCR. This document prescribes following criteria for withdrawal of status: 1. repatriation in country of origin, 2. naturalization in country of asylum, 3. repossession of property in country of origin, 4. status of displaced person in BiH, 5. movement to a third country. Upon completion of the process, final report on re-registration of refugees is to be made.

Besides these preliminary results of re-registration, it is estimated that there are about 350.000 de facto refugees in Republic of Serbia and Road Map will include the issue of access to rights for all de facto, as well as those with formal status of refugees and those who do not have that status anymore.

REPUBLIC OF MONTENEGRO

In addition to 620,154 inhabitants of Montenegro (source MONSTAST) there are 8,474 refugees and 18,047 displaced persons which makes total of 26,521 persons, representing 4,28% when compared to local population. Out of 26,521 persons 8,474 or 31.95% are persons originating from former SFRJ Republics, while a number of displaced persons from Kosovo counts for 18,047 or 68.1%.

The largest number i.e. 5,269 persons or 62.2% originate from BiH as the country of their birth, thereupon followed by 1,817 or 21.4% persons born in Croatia. 1,083 displaced persons are born in Montenegro and among them 496 persons or 5,9 % are born upon their displacement. Relatively small number of persons are born in Serbia i.e. 227 or 2.7%, 49 persons are born in remaining parts of former SFRJ and just 29 persons are born abroad. There are 3,965 displaced persons' households registered in Montenegro. An average displaced household counts for 2.14 family members.

Situation as of 01.08.2005

Number of Refugees – per Country of Origin and Place of Residence

Country of Origin	Total number of refugees in RCG	Persons who lost status
Bosnia and Herzegovina	6.105	918
Croatia	2.343	297
Slovenia	26	-
Total	8.474	1.215

Re-registration exercise in Montenegro started in June 2004 and is ongoing. So far, decisions on refugee status cessation are passed only in the first instance thus they are not final - valid, meaning that according to positive legal regulations effective at the RCG territory these persons have not lost their status. Therefore, data presented in the table as «Total number of refugees in RCG» could be treated as authentic.

Basic groups of information related to persons registered in the Database are:

1. identification through data on Ids and temporary status
2. submitted claim for citizenship
3. data on household
4. basic personal data on displaced person
5. data on its personal status(education, occupation, marital status)
6. origin (residence, property)
7. displacement from the country of origin
8. temporary status in Montenegro (accommodation, property, current employment status and source of income)
9. health and social vulnerability of displaced person.

Statistics and Exchange of Data - Available Information and Exchange of Data

UNHCR's Aide Memoire on exchange of data on durable solutions for refugees in the context of the Ministerial Declaration of 31st January 2005

Background

The Declaration issued by the regional Ministerial Conference on Refugee Returns in Sarajevo on 31 January 2005, *inter alia*, calls upon UNHCR to assist the Governments concerned in creating the necessary databases aimed at exchanging data on durable solutions for refugees. In the pursuit of durable solutions, UNHCR recognizes the importance of data management and exchange of information to identify persons who have achieved a durable solution.

Host countries have an obligation to ensure that the rights of refugees are upheld, including those of confidentiality of personal data especially vis-à-vis the countries of origin. UNHCR, in accordance with its Mandate to provide international protection to refugees and to work with States in seeking permanent solutions to their plight and considering its supervisory role derived from Article 35 of *the 1951 Convention relating to the Status of Refugees*, shall ensure the observation of these rights, including during the process of identifying those no longer in need of international protection and implementing appropriate durable solutions.

One of the basic principles of international refugee law and European data protection standards relates to the fact that personal data of refugees, asylum seekers and other persons in need of international protection shall not be shared with the country of origin. The confidential nature of personal data and the need to protect confidentiality is reiterated in UNHCR EXCOM Conclusion No. 91 (LII) of 2001 on Registration of Refugees and Asylum-seekers. In UNHCR's view, sharing of information on refugees with the country of origin shall take place based on the explicit (written) and informed consent by the refugee concerned only. UNHCR throughout the world in repatriation operations is involved in aspects of information exchange also with the countries of origin linked to the implementation of these operations. There may be exceptional situations where the individual concerned consents to sharing certain data with the authorities of the country of origin, for instance in order to facilitate transfer of assets or to enable family reunification. In such instances, it must

be established clearly that the sharing of information does not put at risk the individual concerned, her or his family members or other individuals related to the case. In the event refugees have acquired the citizenship and protection of the country of asylum, such information may also be shared with the country of origin, in line with international and national individual data protection legislation.

Any other exceptions may contravene the 1951 Refugee Convention, to which Croatia, Bosnia and Herzegovina and Serbia and Montenegro are States Parties and thus they have an obligation to uphold. In addition, international human rights and European instruments, including the *Acquis communautaire*, guarantee everyone the right to privacy and protect individuals from arbitrary or unlawful interference.

The Regional Context

UNHCR maintains in Southeastern Europe a strong focus on durable solutions and stands ready to assist the Governments to provide the necessary support in the process of exchange of data pertaining to those persons who are considered to have achieved a durable solution and are no longer in need of international protection. The purpose of this undertaking is to support regional efforts to co-ordinate de-registration mechanisms of refugees in each country and exchange of data on achieved durable solutions. A clear distinction shall be made between asylum-seekers, refugees and other persons of concern to UNHCR on the one hand and persons who have effectively achieved a durable solution and are not longer in need of international protection on the other hand.

In the Ministerial Declaration, UNHCR has been invited to assist the respective Governments in creating the necessary databases to solve the remaining population displacement by the end of 2006. Given the nature of this process, it is evident that the role of UNHCR can not be to maintain and to operate such data bases, but the provision of UNHCR's expert advice.

The country of origin should therefore on regular basis be able to provide the country of asylum with data on the achieved durable solutions, so that the country of asylum will be able to de-register those refugees who have found a durable solution, in accordance with international standards. The on-going refugee registration efforts by the three countries will enable the Governments concerned to focus on those persons for whom a durable solution will need to be identified by the end of 2006. UNHCR is aware that a limited exchange of data related to refugees has already taken place between the countries in the region

UNHCR, in accordance with international refugee law and standards, will assist the concerned Governments in identification of data that may be safely exchanged so that refugees who have found a durable solution can be de-registered accordingly and consistently in the respective countries of asylum.

To this end, data may be exchanged between BiH, SCG and Croatia pertaining to:

- a) Refugees who have voluntarily and physically returned in safety and dignity to their country of origin or country of former habitual residence;
- b) Persons who have completed the process of acquisition of citizenship in the country of asylum;
- c) Relevant property data towards achieving either durable solution mentioned under a) or/and b) above (physical repossession of property, exchange, purchase, sale and/or signed reconstruction contract).

Conclusion

UNHCR, in accordance with its Mandate and supervisory role in ensuring that the rights of refugees are upheld, confirms its readiness to support the Governments concerned in the process of identifying and finding durable solutions for refugees in the Region within the set framework of the regional Ministerial Declaration. In particular, UNHCR could provide legal expertise and limited operational capacity to assist in the establishment of a regional refugee de-registration practices for refugees and exchange of data on durable solutions between the concerned countries.

BOSNIA AND HERZEGOVINA

Bosnia and Herzegovina in cooperation with UNHCR Representation is already working for a certain period of time on the establishment and unification of all available data on levels of entities, cantons, municipalities and Brčko District of BiH, international institutions, NGOs and other.

Currently **central database contains detailed entries**, with a special emphasis on:

- I- Number of filed claims for the return into BiH;**
- II- Property repossession to owners/occupancy right holders;**
- III- Reconstruction beneficiaries/donations in BiH**

I - Number of filed claims for the return into BiH – according to country of residence

Ministry for Human Rights and Refugees published a CALL for Refugees from BiH, Displaced Persons in BiH and Returnees to register applications of potential reconstruction beneficiaries and returns into BiH on 25 June 2004. A large information campaign was performed with the aim of ensuring prepositions of a comprehensive determination of conditions in this field, identification of needs and priority issues relating to return and planning of activities on the essential finalization of the return process in BiH. The call is open for an indefinite period and indicators shown relate to registered applications for reconstruction assistance and return, as of 31 March 2005, filed by persons whose residence in 1991 was on the territory of BiH and who currently (not depending on their status) reside in countries of the region.

All applicants signed statements declaring inter alia that they want to return to BiH, that they are informed with the provisions of the law stipulating cessation of refugee status in the cases of voluntary return to pre-war permanent residence and that they agree with submission of their personal data which aims checking of data given in the application as well as the checking of their statement.

Review of Recorded Potential Beneficiaries as of 31.03.2005

category	Families	Persons
Returnees	16,809	56,131
Displaced Persons	13,711	47,277
Refugees from BiH	4,936	17,943
n/a	54	133
TOTAL	35,510	121,479

Review of Submitted Claims for Reconstruction and Return in BiH – by Country of Current Residence in the Region

Country of residence	Families	Persons
CROATIA	1,704	6,433
SCG	1,999	6,799
TOTAL in the region	3,703	13,232

According to the average expense of making a housing unit habitable we think that financial means amounting 20 millions € are needed which would ensure basic preconditions for return needs in BiH through reconstruction of housing units of applicants whose temporary place of residence is Croatia and SCG.

Database contains the following data:

- Data about the owner/occupancy right holder
- Data on members of returnee family
- Data on the housing unit of the owner/occupancy right holder
- Data on current place of residence of the returnee family
- Data on the type of accommodation/residence
- Data on membership to particular social groups of the owner/occupancy right holder (ORH) and members of the household

II - Repossession of property to owners/occupancy right holders

PLIP Statistics as of 30 July 2005

Socially owned property	Claims	97.149
	Positive decisions	87.583
	Negative decisions	9.153
	Closed cases	8.751
	Pace of implementation	90,08 %
Private Property	Claims	114.635
	Positive decisions	110.226
	Negative decisions	3.485
	Closed cases	110.168
	Pace of implementation	96,10 %
Total	Claims	211.784
	Positive decisions	197.809
	Percent	93,40 %
	Negative decisions	12.639
	Percent	5,97 %
	Closed cases	197.678
	Pace of implementation	93,34 %
Implementation Rate	Implementation rate as of 31/12/ 2003	92,48 %
	Implementation rate as of 31/12/2002	68,70 %
	Implementation rate as of 31/12/2001	40,51 %
	Implementation rate as of 31/12/2000	20,76 %

**Repossession of property to owners/occupancy right holders
whose last known place of residence was in the countries of the region**

Country of residence	Reposessed housing units
CROATIA	15.634
SCG	17.656
TOTAL in the region	33.290

* Data in the above table are related to the information as of 31 December 2003. Process of property repossession continued throughout 2004 and 2005, so the number of reposessed housing units to refugees from BiH in the region is certainly bigger than the number disposed here.

The following information is available in the Database:

- Surname/father's name/ and name of occupancy right holder (ORH) or owner of sealed or reposessed property;
- Unique identification number of the ORH or owner of sealed or reposessed property;
- Full address of sealed or reposessed property (municipality, place, pre-war name of the street, current name of the street, pre-war number of house or apartment, current number of house or apartment, postal code);
- Type of property (house, social apartment, private apartment, private business premises, social business premises);
- Date of informing the ORH or owner on the fact that the property is vacated and/or sealed;
- Date of sealing the property;
- Date of property repossession by the ORH or owner;
- Number of claims;
- Date of fling the claim with the Administrative Body;
- Number of Decision of the Administrative Body;
- Date of the Decision of the Administrative Body;
- Number of CRPC Decision (if any);
- Condition of property (destroyed, reconstructed, habitable);
- Full address of temporary residence of ORH or owner returning into his property (state, town, address, number of house or apartment);
- Other remarks (should include all available details such as, name and surname, father's name and current address of the pre-war ORH or owner of temporary accommodation)

III - Beneficiaries of reconstruction assistance/donations in BiH

Reconstruction in BiH was followed by return process and therefore since GFAP was signed until now around 170.000 housing units were reconstructed based on donations.

In years immediately after the war, participation of international community in financing reconstruction was almost 100%, after what domestic resources started to participate in this process by investing significant amount from budgetary resources at all levels of the Government in BiH.

By transferring responsibilities for return process to domestic institutions it is to be expected that drastic decrease of financial support by IC will take place.

By Strategy for implementation of Annex VII of GFAP, BiH determined itself for reconstruction of housing fund for the return of refugees and DPs, followed by sustainability of return in terms of securing housing needs in accordance with standards on minimum housing conditions. Therefore significant financial resources need to be secured.

Beneficiaries of reconstruction assistance/donation in BiH whose last known residence was in the countries of the region

Country of residence	Reconstructed housing units	Number of beneficiaries (persons)
CROATIA	3.385	10.952 persons
SCG	2.269	9.171 persons
TOTAL in the region	5.654	20.123 persons

Database available at the Ministry based on the Protocol on Exchange of Data, signed with HVM (Housing Verification Monitoring Unit) and data relating to the verified housing units.

Database contains also about 50.000 registered owners/ tenancy right holders who were assisted in reconstruction for return purposes, but there are no available data on their temporary place of residence for these beneficiaries.

The following information is available in the Central database of the Ministry for Human Rights and Refugees:

- name, surname, name of father
- unique identification number
- age
- nationality
- status /relationship
- occupation
- employment
- country of residence
- municipality/town
- address
- entity where the reconstructed housing unit is located
- canton
- municipality
- address
- status of the housing unit (occupied, empty, used by someone else, etc.)
- date of reconstruction

REPUBLIC OF CROATIA

Ministry of the Sea, Tourism, Transportation and Development i.e. its Directorate for Displaced Persons and Refugees have at their disposal precise data on displaced persons and refugees accommodated in Croatia, as well as on all returnees who either return to the Republic of Croatia or asked for assistance relating to their accommodation or property.

On the other hand, we do not have data on refugees from Croatia who are still residing in SMN and B-H who have never asked us for assistance in return or any other assistance relating to their accommodation or state of their property.

The central data base on displaced persons and refugees in Croatia, and later on returnees was established as early as 1994, when the re-registration of displaced persons and refugees was conducted. Central electronic system of data collection was established after the last re-registration in 1997. Thus, numbers have been traceable precisely since 1998. They could not lag behind the actual situation on site longer than one month. Realization of rights of displaced persons and their return have also been monitored. Later, when the process of return from the Croatian Danube region and from Serbia and Montenegro and Bosnia and Herzegovina was opened, data were added on returnees and applications for the return, as well as all other accompanying data on state of their property, reconstruction, housing applications and the like. Monitoring of changes taking place on site until the re-registration in 1997 had not been kept up-to-date nor had it been linked to the realization of rights of displaced persons and refugees and their return.

Between 70 and 80 pieces of information relating to personal data, place of origin, date of exile for persons registered in 1994, accommodation in Croatia, etc. have been given for each person who has been registered as a displaced person, refugee or returnee in Croatia. Beside these, data have been added on the state of their property – repossession or reconstruction, housing applications and the like, for all persons who have asked for any of these forms of assistance either from the ODPR or the Directorate for Reconstruction of Family Houses, MSTTD. Data contained in this data base are based on personal files that are stored in the Directorates archive for each registered refugee.

ODPR-MSTTD central data base contains following data:

- Data on refugees registered in the Republic of Croatia;

- Data on returnees in the Republic of Croatia;
- Submitted applications for the return to the Republic of Croatia;
- Claims for repossession of property, including data on the remaining occupied and already repossessed property;
- Applications for housing in areas of special state concern, including solved applications (data on recipients of assistance and a provided housing object);
- Applications for housing outside the areas of special state concern.

The Ministry of Sea, Tourism, Transportation and Development – Directorate for Reconstruction of Family Houses and its central data base contains following detailed information:

- Data on solved claims for reconstruction, including data on reconstructed housing units or housing units currently under reconstruction.

REPUBLIC OF SERBIA

The Commissariat for Refugees of Serbia is formed in April 1992 in line with the Law on Refugees. The Commissariat as a distinct institution is responsible for taking care of refugees as well as for other issues related to refugee population. In performing its duties the Commissariat formed archives with data on refugees and other persons threatened by the war.

The Database in electronic form was formed after the 1996 Census of refugees and other persons threatened by the war. The database contained around 538,000 records of persons with refugee status and some 80.000 records on persons in the category of persons threatened by the war.

The Commissariat had utilized the 1996 Database in its work until the 2001 Census of refugees was conducted with the information on this population update. There were some 380.000 refugees and some 75.000 persons threatened by the war registered upon the Census in the Database. In co-operation with UNHCR the Commissariat performed the continuous updating of the Database during the period from 2001 to 2004 with an emphasis on status changes for the persons who found durable solutions and in line with positive legal regulations and 1951 Refugee Convention with reference to 1967 Protocol that amended definition of refugee status.

Based on Memorandum of Understanding signed between the Commissariat for Refugees on behalf of the Government of Republic of Serbia and the UNHCR, the registration of refugees in Republic of Serbia started in November 2004 and ended in January 2005. Out of the total caseload of estimated 350.000 refugees, 141.705 persons approached to registration exercise. The final number of persons with recognized status would be established only after the appeal procedures are completed, bearing in mind that the number is significantly lower due to local integration which had been, regretfully, of just a formal character.

The de-registration exercise will be continued accordingly.

In future, once the process of registration is completed, the Commissariat for Refugees in co-operation with UNHCR would assure the permanent updating of the common Database in line with approved principles on data protection following the Instruction on Data Confidentiality passed by the UNHCR (August 2001)

The Central Database, amongst other, contains information on:

- personal details
- nationality
- information on the family
- place of birth, country of origin and 1991 place of residence
- social vulnerability
- social-economic parameters (marital status, social vulnerability, education, occupation, work status etc)
- detailed data on state and situation of property in a country of origin
- present accommodation in Serbia

These records are subject to permanent updating by the mechanisms and infrastructure of the Commissariat for Refugees of Serbia.

In addition, the Commissariat for Refugees of Serbia keeps centralized records on persons whose status would be terminated by implementation of the integration projects.

However, for the needs of the continuant and accurate database on refugees updating it is necessary to ensure the valid information on durable solutions in their country of origin too.

With this regard it is essential to exchange information on applications for reconstruction, ongoing reconstruction, as well as their housing situation in Republic of Croatia, then information on persons who have repossessed and/or sold their property, on persons who exercise their rights to retirement, etc.

In addition, information on reconstruction, repossession of property and occupancy rights, sold property, pension benefits and their status of a displaced person in Bosnia and Herzegovina, etc are needed too.

The accuracy of this information is a basic precondition to prevent access to double benefits for individuals.

REPUBLIC OF MONTENEGRO

LEGAL FRAMEWORK AND EXCHANGE OF DATA

The influx of persons threatened by the war from the territories of the former SFRJ republics started in 1990 and at the beginning of 1991. These arrivals continued in particular upon the conflict in former Republic of Bosnia and Herzegovina. Thus, the summer of 1993 would be marked as the period with the hugest number of displaced persons in Montenegro. By that time, according to several assessments, some 70,000 displaced persons were residing in Montenegro, which relative to total population made around 12%. Dynamic movements of these persons prevented the establishment of an accurate figure of displaced persons in Montenegro until 1996.

By that time, the number of displaced persons from former SFRJ in Montenegro was fixed by the Red Cross in MN. Based on agreements among the UNHCR, Commissariat for Refugees of the Government of Republic of Serbia and Commissariat for Displaced Persons of the Government of Montenegro the first official registration at the territory of SRJ was organized in 1996. The results of the registration exercise demonstrated the figure of 566,275 refugees in SRJ by that time, out of which 28,338 in Montenegro.

After this period, migrations of refugees motivated by various causes occurred (economic reasons, return that started etc). This situation indicated the need to make a new registration in order to update information on the 1996 registration. Thus, another registration of displaced persons from the former SFRJ republics in Montenegro, namely the second one, was organized by the end of 2000. Besides the total number of displaced persons (14,418), this registration exercise provided for the additional information on their territorial concentration, current accommodation, health, social and economic situation of DPs, as well as many other data collected on the basis of the questionnaire that was prepared for this need accordingly.

However, besides the records on the presence of displaced persons in Montenegro, these registrations did not have any formally legal significance. That is to say, as the Ministry of Interior of Montenegro was the exclusive competent authority for deciding on the status of these persons in Montenegro the information collected in registration exercises could not be utilized for the revision of their status. Keeping this in mind, the working group composed of representatives

of Montenegrin Ministry of Interior, Commissariat and UNHCR, in 2004 planned and organized the registration of displaced persons from republics of former SFRJ in Montenegro. The incumbents did the following: agreed on the questionnaire that was used for collection of data on each displaced person and belonging household; administrative procedures were elaborated in detail, as well as the IT organizational model for the realization of the registration; duties and responsibilities of the aforementioned subjects were precisely defined, and the MoU among Ministry of Interior, Commissariat and UNHCR was signed accordingly.

LEGAL FRAMEWORK

The Decree on Care for Displaced Persons, RM Official Gazette 37/92, that is effective in Montenegro recognizes only the term „displaced persons“.

The Decree governs the issues of providing temporary shelter, care, protection, registration of displaced persons and resolution of their status and stipulates competences of several bodies.

Under the Decree:

- The Office of the Commissioner keeps records of displaced persons, coordinates assistance extended by other bodies and organizations and ensures evenhanded and timely provision of assistance; provides accommodation, i.e. placement of displaced persons; creates conditions for their return to the territories they left or to other territories designated by the Government, i.e. creates conditions for, i.e. pending, durable solutions for them;
- The Ministry of the Interior (MUP) issues decisions on the recognition and cessation/revocation of refugee status; decides on appeals against first instance decisions, adopts Rules on the form for the displaced person's card, identity card of a displaced person and data to be recorded, and keeps records of submitted applications for the issuance of identity cards to displaced person and adopted decisions.

For the purposes of the National Strategy for Resolution of Refugee and IDP Issues, and the Draft Road Map of the Republic of Montenegro, a «refugee» is a displaced person from any of the former Yugoslav republics which are now internationally recognized states. An «internally displaced person» is a displaced person from Kosovo.

Although the categories of refugees and internally displaced persons cannot be treated in the same manner from the standpoint of international law, the consequences of the stay of both populations in Montenegro are almost identical.

Accommodation in Montenegro

The largest number of refugees have settled the issue of accommodation on their own, be it in their own apartments or houses or in rented ones, or they live with their friends or relatives. Thus 32.3% of displaced persons live in rented apartments, 13.3% live at their friends' or relatives' while 32.3% live in their own houses or apartments. In collective centers in Montenegro 5% is accommodated, while in family accommodation centers 14.1 %. Accordingly, a total of nearly 20% of the displaced population live in some type of collective accommodation.

Country of origin	Rented house/ apartment		One's own house/apartment		At friends' or relatives'		Collective center		Centers for family accommodation		Other types of accommodation		Total
B/ H	1863	30.52%	1995	32.68%	873	14.30%	202	3.31%	992	16.25%	180	2.95%	6105
Croatia	875	37.35%	733	31.28%	243	10.37%	220	9.39%	202	8.62%	70	2.99%	2343
Slovenia	2	7.69%	10	38.46%	9	34.62%	0	0.00%	4	15.38%	1	3.85%	26
TOTAL:	2740	32.33%	2738	32.31%	1125	13.28%	422	4.98%	1198	14.14%	251	2.96%	8474

Citizenship

A majority of refugees residing in Montenegro, based on the statements they made in the 2004 registration/status revision exercise have the citizenship of the country of origin.

The issue of the citizenship of the country of origin of refugees is significant, along with some other issues (access to rights), in the process of determining whether conditions have been created for the cessation of refugee status and return to the country of origin.

The Republic of Montenegro is in the process of drafting a Law on Citizenship. The new Law on Montenegrin Citizenship will lay down the terms on which a refugee may acquire the citizenship of Montenegro. Legislative and administrative reforms will define also:

- the manner of the exercise of the rights guaranteed by international instruments, as well as the scope of these rights for persons who will keep refugee status
- possibility of Montenegro to naturalize refugees, as well as conditions for access to Montenegrin citizenship
- fundamental rights of persons who will not be able to avail themselves of the protection of Montenegro, and have no access to citizenship.

Country of nationality	Number of persons
Bosnia and Herzegovina	3 542
B/H and Croatia	11
Montenegro	459
Montenegro - B/H	97
Montenegro - Croatia	4
Croatia	1 150
Macedonia	3
Slovenia	6
Serbia	105
Serbia- B/H	53
Serbia- Croatia	32

ACCESS TO RIGHTS – PLANS OF ACTIVITIES

Road Map of Bosnia and Herzegovina

RIGHTS OF REFUGEES IN BOSNIA AND HERZEGOVINA				
No.	Priorities/rights	Legal basis	Obstacles	Recommendation
1	LEGAL REGULATIONS	<p>Status and rights of refugees in BiH are regulated by the <i>Law on Movement and Stay of Foreigners</i> (OG BiH, No. 29/03). According to the Art.81 of that Law, foreigner with recognized status of refugee in BiH will be entitled to work, education, health and social protection under the same conditions as for citizens of BiH.</p> <p>In its latest <i>Law on DPs, Returnees and Refugees</i>, Republic of Srpska additionally regulated some of these issues.</p> <p>Federation BiH does not have separate law on these issues.</p>	<p>In practice, enjoyment of these rights is limited by complex economic and social situation in BiH.</p>	<p>Improvement and possibilities and crosscheck of the level of harmonization of RS with the State Law. Poverty Reduction Strategy Paper foresees reduction of poverty, while DPs and refugees are marked as the most vulnerable group.</p>

RIGHTS OF REFUGEES IN BOSNIA AND HERZEGOVINA				
No.	Priorities/rights	Legal basis	Obstacles	Recommendation
2	<i>BYLAW REGULATIONS</i>	<p>The ways of enjoyment of the rights of foreign citizens with temporary residence in BiH is regulated by the Rulebook on asylum, which is implemented by the BiH Ministry of Security.</p> <p>Instruction on re-registration of refugees in BiH.</p> <p>Rulebook on ways of exercising the rights of refugees in BiH.</p>	<p>The rights of foreign citizens in BiH which are guaranteed by the Law on Movement and stay of Foreigners are mostly regulated at the Entity level and in Federation BiH the competencies over this issue are additionally divided between entity and cantonal authorities.</p>	<p>Changes and amendments to the Law on Council of Ministers of BiH are obliging Ministry for Human Rights and Refugees (MHRR) to amend sistematization and issue bylaw in order to define the ways of exercising the rights of refugees in BiH</p>
3	<i>ACCOMMODATION</i>	<p><i>Law on Movement and Stay of Foreigners.</i></p> <p>For the refugees in BiH with recognized status in need for accommodation, BiH provide accommodation based on the special agreement with UNHCR.</p> <p>Individual accommodation is not regulated in institutional way.</p>	<p>Nonexistent institutional organization of the issue of BiH taking over financing and providing for refugees – lack of budget.</p>	<p>Seeking for solutions within the budget, which would enable BiH to take over this responsibility upon UNHCR's "withdrawal".</p>
4	<i>LABOR</i>	<p><i>Law on Movement and Stay of Foreigners.</i></p>	<p>Difficult economic situation in the country and high unemployment rate are the obstacles for employment of BiH citizens as well as refugees in BiH</p>	<p>Regulate the issue with bylaws.</p>

RIGHTS OF REFUGEES IN BOSNIA AND HERZEGOVINA				
No.	Priorities/rights	Legal basis	Obstacles	Recommendation
5	<i>HEALTH INSURANCE</i>	<i>Law on Movement and Stay of Foreigners.</i> Bosnia and Herzegovina is providing basic health care for refugees with recognized status accomodated in organized way, based on the special agreement with UNHCR. Individually accomodated refugees do not have health insurance regulated in institutional way	Lack of bylaws and insuficient means for financing health insurance for refugees.	Regulate the issue with bylaws.
6	<i>SOCIAL WELFARE</i>	<i>Law on Movement and Stay of Foreigners</i>	Nonexistence of bylaw regulations.	Regulate the issue with bylaws.
7	<i>EDUCATION</i>	Law on Movement and Stay of Aliens and Asylum.	Diplomas proving primary and secondary education are validated on entity level, whereas diplomas for higher level of education are validated in the frame of certain Universities of BiH. This activity is too complicated,expensive and unfavorable for refugees, as validation has to be paid.	Simplifying of procedure for validation of diplomas and commence activities on exempting refugees from payment of diploma validation fees, especially for lower education levels.

RIGHTS OF REFUGEES IN BOSNIA AND HERZEGOVINA				
No.	Priorities/rights	Legal basis	Obstacles	Recommendation
8	<i>CITIZENSHIP</i>	<i>Law on Citizenship of Bosnia and Herzegovina</i> ("O.G. of BiH", no: 4/97, 13/99, 6/03 and 14/03) and Entity Laws on Citizenship.	Regulations related to obtaining citizenship by naturalization.	Shorten the necessary legal period as a condition for acquisition of BiH citizenship by the way of naturalization.
9	<i>RIGHT TO IDENTIFICATION DOCUMENTS</i>	Rulebook on Asylum in BiH	Re-registration was not performed since 2000, but this process is currently ongoing.	Update records, finish re-registration and establish status

RIGHTS OF REFUGEES IN BOSNIA AND HERZEGOVINA				
No.	Priorities/rights	Legal basis	Obstacles	Recommendation
10	<i>INFORMATION CAMPAIGN</i>	Freedom of Access to Information Act for Bosnia and Herzegovina ("O.G. of BiH", no. 28/2000).	Insufficiently developed network of NGOs and GOs information centers complicates overall condition in this field and negatively influences adoption of the final decision on the manner of durable solutions of refugee issues.	Make information guidebooks for refugees in the region and ensure distribution of materials in Regional Centers of MHRP and all municipalities, with the aim of accurate and transparent informing, intensifying media campaign.

No.	Priorities/rights	Legal basis	Obstacles	Recommendation
RIGHTS OF RETURNEES IN BOSNIA AND HERZEGOVINA				
1	<i>REPOSSESSION OF HOUSING UNITS IN BiH</i>	Regulations at the BiH, Entity and Brčko District level.	Small number of claims for repossession is not resolved and part of the claims is currently at reconsideration with CRPC.	Prepare missing instructions and directives and establish unified parameters for the whole region. Competent bodies need to finalise substantial completion of property law implementation in remaining municipalities. All unresolved claims at CRPC to be recorded as soon as possible and resolved.

No.	Priorities/rights	Legal basis	Obstacles	Recommendation
RIGHTS OF RETURNEES IN BOSNIA AND HERZEGOVINA				
1a	REPOSSESSION OF PRIVATE PROPERTY	<p><i>Law on Refugees from BiH and Displaced Persons in BiH</i> ("O.G. BiH", no. 23/99, 21/03 and 33/03) Right to repossession of private property is also confirmed with Entity Laws</p>	<p>Claimants could also submit the claims with the CRPC by the expiration of its mandate, i.e. 31/12/2003. Big number of repossessed housing units is destroyed or inhabitable.</p>	<p>Competent bodies need to finalise substantial completion of property law implementation in remaining municipalities. All unresolved claims at CRPC to be recorded as soon as possible and resolved.</p>

No.	Priorities/rights	Legal basis	Obstacles	Recommendation
RIGHTS OF RETURNEES IN BOSNIA AND HERZEGOVINA				
1b	<i>REPOSSESSION OF OCCUPANCY RIGHT</i>	<i>Law on Refugees from BiH and Displaced Persons in BiH</i> ("O.G. BiH", no. 23/99, 21/03 and 33/03) Right to repossession of occupancy rights is also confirmed with Entity Laws.	The right to repossession of occupancy rights in BiH is regulated on entity levels, namely by the Law on Cessation of the Application of Law on Abandoned Apartments in Federation of BiH and the Law of RS.	Upon the Agreement of the Handover of Responsibilities, the Archive of BiH took over Decisions made by CRPC, local housing bodies are solving unsolved cases and the BiH Commission for Property Claims of Displaced Persons and Refugees is solving requests for checking CRPC Decision.

No.	Priorities/rights	Legal basis	Obstacles	Recommendation
RIGHTS OF RETURNEES IN BOSNIA AND HERZEGOVINA				
2	<i>RIGHT TO RECONSTRUCTION</i>	<i>Law on Refugees from BiH and Displaced Persons in BiH</i> ("O.G. of BiH", no 23/99, 21/03 and 33/03) Right to reconstruction confirmed in entity laws.	Number of reconstruction claims for return purposes received to date exceeds the real possibilities of BiH to ensure the realization of this right in BiH. Certain number of persons is still accommodated in collective type of housing or are spontaneous returnees without implemented right to reconstruction.	Ensure additional budgetary means, especially though progressive financing of Fund for Return.. Mobilize favorable means from international financial institutions (CEB,OPEC,etc). Keep the attention of the International Donors Community. Focusing activities in the direction of creating joint multilateral (regional) projects, which would be focused in the direction of solving issues of refugee – DP population in the region. Continue development of human resources in MHRR in cooperation with entity Ministries for reconstruction purposes. Coordinate activities with competent bodies in RoC to ensure that RoC reconstruction projects in BiH are directed in jointly recognized real priorities. Additionally improve transparency of legal framework.
3	<i>RIGHT TO WORK AND EMPLOYMENT</i>	<p>Work on implementation of the amendments re. constitutionality, among other issues, with the aim of employment of returnees in judicial and administrative bodies, public companies etc., and in accordance with population census 1991.</p> <p>Promote practice of equal access to right to work in BiH.</p> <p>Coordinate activities of donors and their implementation partners with the aim of rationalization and efficiency of the projects related to creation of financial surplus.</p> <p>Analyse and follow-up the application of Agreements on social insurance within the countries in the region.</p> <p>Follow up the directions established by PRSP (poverty Reduction Strategy Paper)</p>		

No.	Priorities/rights	Legal basis	Obstacles	Recommendation
RIGHTS OF RETURNEES IN BOSNIA AND HERZEGOVINA				
5	<i>RIGHT TO EDUCATION</i>			<p>Ensure full implementation of Interim Agreement on accommodation of specific needs and rights of returnees children and Criteria for School names and symbols issued on 02 March 2002, in accordance with the Implementation report for 2004/2005 school year.</p> <p>Continue activities on complete elimination of segregation in education, in accordance with the commitments and obligations of BiH after accession to CoE, ensure respect of principles on national, religious and other diversities of students, including resolution of problems in segregation through administrative and legal unification of 'two schools under one roof'.</p> <p>MHRR to take full participation in work of reorganized Coordination Board for implementation of Interim Agreement.</p> <p>Ensure adoption of Guidelines for History and Geography Textbook Authors aimed at development of multi-perspective textbooks addressing the needs of all constituent peoples and persons belonging to national minorities.</p> <p>State or Entity Ministries to ensure that students from socially vulnerable refugee families obtain books, materials, clothes and transportation free of charge.</p> <p>To make effective mechanisms in place to ensure recognition of schooling and degrees for returning students at all education levels and graduates</p>
6	<i>RIGHT TO HEALTH CARE</i>			<p>Continue activities related to resolution of health issues at BiH level.</p> <p>Analysis and follow up on implementation of existing Agreement on health insurance between RoC and BiH.</p> <p>Seek for the solution in access to health insurance for all refugee persons who missed previously, legally prescribed registration deadlines.</p> <p>Ensure health insurance for the family members of persons registered in Employment bureau.</p>

No.	Priorities/rights	Legal basis	Obstacles	Recommendation
RIGHTS OF RETURNEES IN BOSNIA AND HERZEGOVINA				
7	<i>RIGHT TO SOCIAL CARE</i>	Ensure social assistance for vulnerable returnee families and ensure that received services provided by the competent bodies and Social Welfare Centers are allocated without discrimination.	Ensure equal and harmonized Social Welfare system in the whole country, that would be based on principle of shared responsibilities, in accordance with legal responsibilities.	Ensure access to right to housing for socially vulnerable categories and socially vulnerable returnee families.
8	<i>SAFETY - DEMINING</i>	Competent ministries and other administrative bodies at state and entity to pay due attention on return related violence and ensure fast prosecution of perpetrators of return related incidents and in criminal acts against returnees.	Increase transparency and public awareness on actions taken with regards to return related incidents and in cases of criminal acts against returnees.	BiH demining plan of activities harmonize with the plans of prioritized returns, work on raising awareness on mine dangers.
9	<i>COMUNAL INFRASTRUCTURE</i>	MHRR, Entity Ministries for Energy and electro distribution companies to adjust signed Memorandum of Understanding with the aim of easier and complete access to electric utilities for returnees. Ensure implementation of existing MoU throughout BiH.	Competent Ministries and other administrative bodies at state and entity level should prioritize reconnection to electro-distributive network for returnees, through better cooperation with electro-distributive companies and planning of means for reconstruction of electro-distributive network.	

RIGHTS OF REFUGEES FROM BOSNIA AND HERZEGOVINA

1	<i>RIGHT TO RETURN TO PREVIOUS PLACE OF RESIDENCE</i>	<i>Law on Refugees from BiH and Displaced Persons in BiH</i> ("O.G. of BiH", no. 23/99, 21/03 and 33/03). Right to return to previous residence is confirmed in entity laws.	Devastated housing units, insufficiently developed sustainability of return.	Note: the same as for returnees	
2	<i>RIGHT TO CHOOSE OTHER PLACE OF RESIDENCE</i>	<i>Law on Refugees from BiH and Displaced Persons in BiH</i> ("O.G. of BiH", no. 23/99, 21/03 and 33/03). The right of choice of another residence is confirmed in entity laws.	The process of voluntary return is not finished. Nonexistence of bylaw regulations determining access to this right. Insufficient financial means and undeveloped housing policy.	Open a dialogue on legal modalities and possible solutions. Work on strategic solutions of housing policy and creation of institutional basis within MHRR	Not developed
3	<i>OBJECTIVE INFORMING</i>	<i>By the way of the Law on Refugees from BiH and Displaced Persons in BiH</i> ("O.G. of BiH", no. 23/99, 21/03 and 33/03). Refugees from BiH for the time of duration of their status in the country of displacement are entitled to objective informing on the conditions in BiH, specially in the view of their previous residence for the reason of making a final decision on voluntary return.	Refugees from BiH, especially vulnerable categories (elderly and bed-ridden persons, children, etc.) do not have a complete picture on the conditions in BiH in their previous place of residence from the aspects of security, economy, social life and politics.	Improve the distribution of official bulletin to the end user. Strengthening of information campaign on the possibilities to return to previous residence especially emphasizing clear possibilities on the access to rights.	Ministry for Human Rights and Refugees regularly publishes periodical publications on the conditions in the field of possibilities to return.

4	<i>ADDITIONAL CURRICULAR</i>	On the basis of the Law on Refugees from BiH and Displaced Persons in BiH ("O.G. of BiH", no 23/99, 21/03 and 33/03) refugees from BiH for the time of duration of their status in the country of displacement are fully entitled to additional curricular organized by the competent entity departments, by the way of Ministry of External Affairs and the Ministry for Human Rights and Refugees.			
5	<i>CONSULAR SERVICES</i>	On the basis of the Law on Refugees from BiH and Displaced Persons in BiH ("O.G. of BiH", no 23/99, 21/03 and 33/03) refugees from BiH for the time of duration of their status in the country of displacement are fully entitled to consular and other services through services of Bosnia and Herzegovina in reception countries for the reason of regulating their rights, specially rights to return to BiH.		Examine the possibilities for release or decrease of administrative fees for refugees within the framework of exercising the rights in BiH. In accordance with the achieved results, initiate changes to relevant regulations.	

ACRONYMS, ABBREVIATIONS AND TERMINOLOGY

Anex VII DPA	Agreement on Return of Refugees and Displaced Persons
BHMAC	BH Mine Action Centre
CRPC	Commission for Real Property Claims
CRSP	USAID Community Reintegration and Stabilization Program
DMS	Dayton Peace Agreement
GFAP	General Framework Agreement for peace in Bosnia and Herzegovina
LSMS	Living Standards Measurement Study
MHRR	Ministry for Human Rights and Refugees of Bosnia and Herzegovina
NPP	Teaching Plan and Programme
OHR	Office of High Representative
OSCE	Organization for Security and Co-operation in Europe
PLIP	Property Law Implementation Plan
PRSP	Poverty Reduction Strategy Papers
SIDA	Swedish International Development Agency
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
USAID	United State Agency for International Development
WB	World Bank
WHO	World Health Organisation