

HDIM.NGO/158/06  
5 October 2006

# CONSOLIDATION OF RETURN AND STABILISATION IN THE BALKANS PROGRAM

## Legal Project

HUMAN DIMENSION IMPLEMENTATION MEETING  
Warsaw, October 2006.

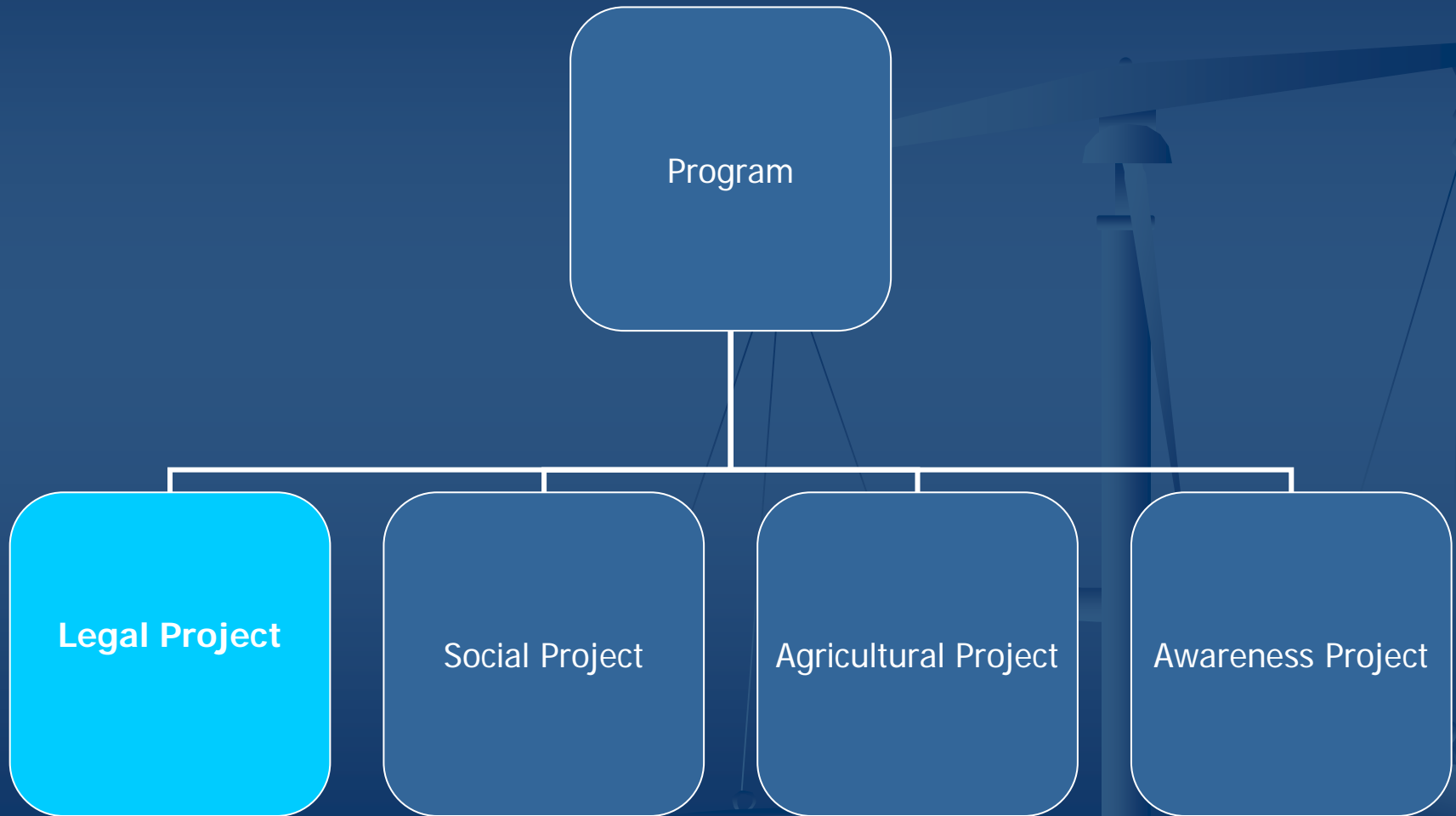
# PROGRAM



- Term: 3 years.
- Commencement of activities: November 1, 2004.
- Geographical scope:
  - Croatia.
  - Bosnia-Herzegovina.
  - Serbia (including Kosovo).
  - Montenegro.
- Direct execution by MPDL.
- Donor: AECI – Spanish Agency for International Cooperation.

# 4 COMPLEMENTARY PROJECTS

## 1 AIM: CONSOLIDATION OF THE RETURN



# MPDL LEGAL BACKGROUNDS IN THE BALKANS

After the end of the war in the territory of the former SFRY, MPDL has implemented few humanitarian -legal projects, being:

- 1997-1999

Project of free legal aid in BH, region of Banja Luka, Mostar, Trebinje and Zenica in cooperation with UNHCR for beneficiaries refugees, DPs and returnees.

- 1999-2001

Cross-border project of free legal aid in BH and Republic of Croatia for refugees, DPs, returnees and minorities, by the donation of the AECI.

- 2001-2004

Cross-border project of free legal aid and court representation within the Supporting Sustainable Return and Stabilisation in the Balkans in BH, RoC, Serbia and Montenegro and Kosovo for refugees, DPs, returnees and minorities by the donation of the AECI.

# MPDL NOWADAYS IN THE BALKANS

- 30 Legal Advisors
  - 9 Offices
  - CROSS BORDER ACTIVITY:
    - (a) Free Legal Aid
    - (b) Free Representation in Court
  - Know How of 9 years in the Balkans.
- 



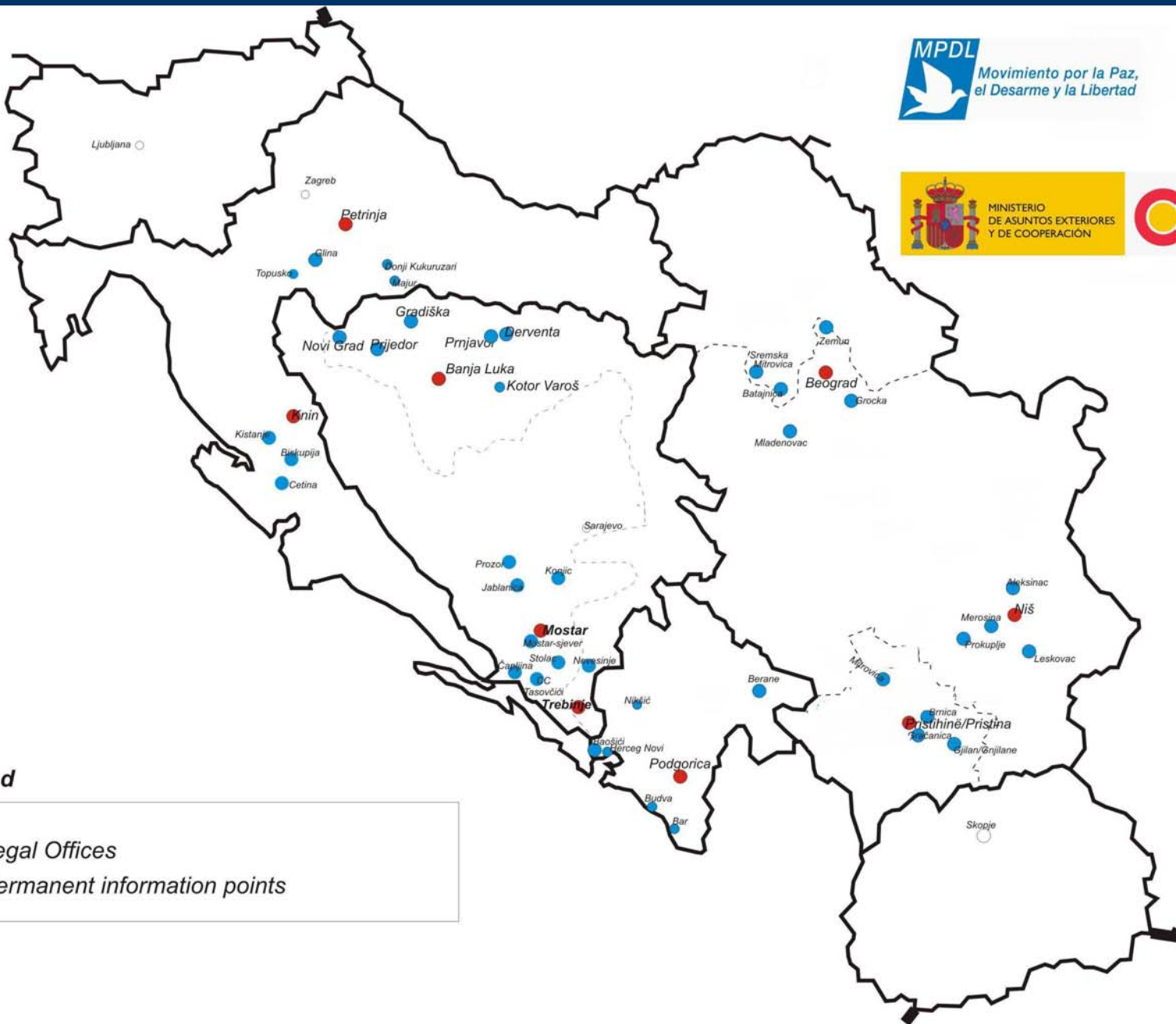
Movimiento por la Paz,  
el Desarme y la Libertad



MINISTERIO  
DE ASUNTOS EXTERIORES  
Y DE COOPERACIÓN



AGENCIA  
ESPAÑOLA DE  
COOPERACIÓN  
INTERNACIONAL



### Legend

- Legal Offices
- Permanent information points



**TARGET GROUP**



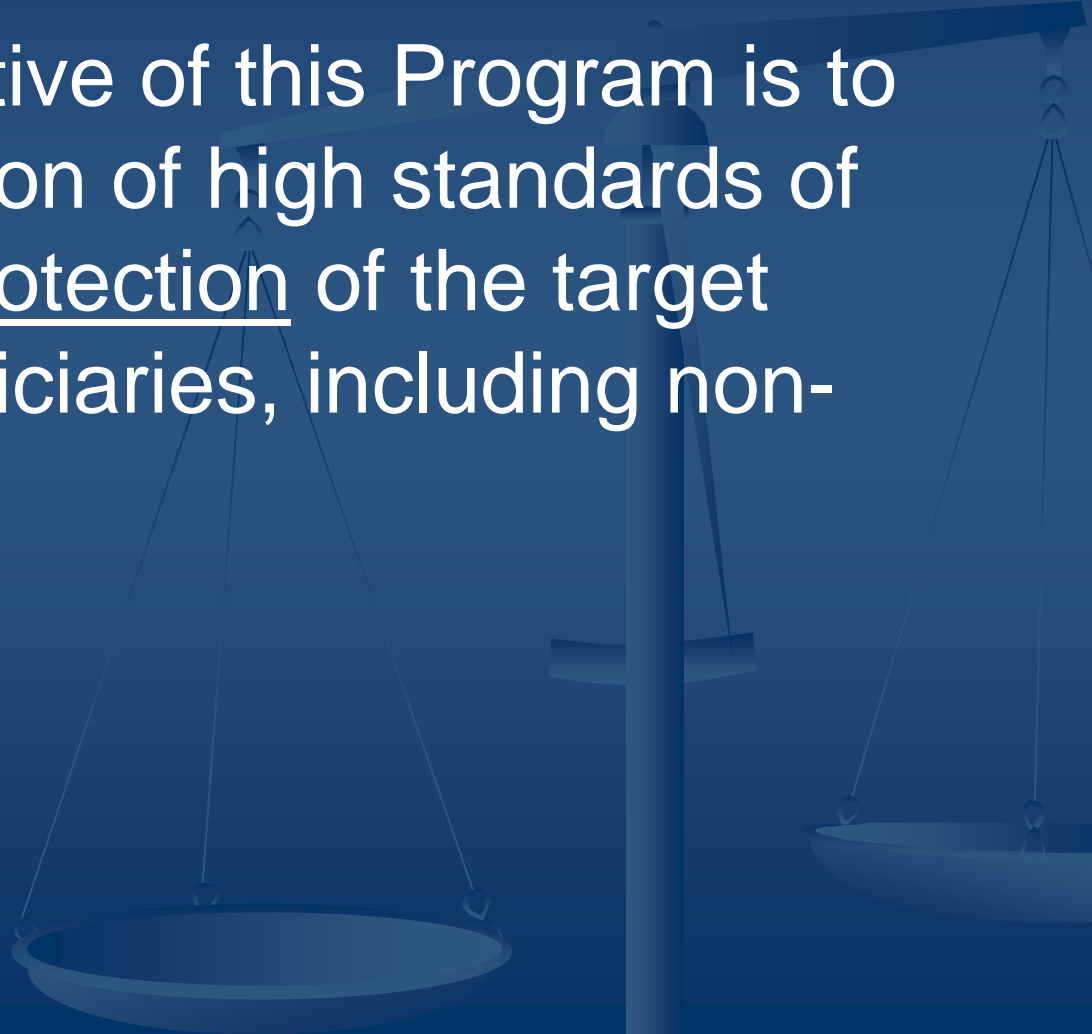
**REFUGEES**

**RETURNEES**

**IDPs**

**MINORITIES AND  
VULNERABLE  
PEOPLE**

# GENERAL OBJECTIVE OF THE PROGRAM

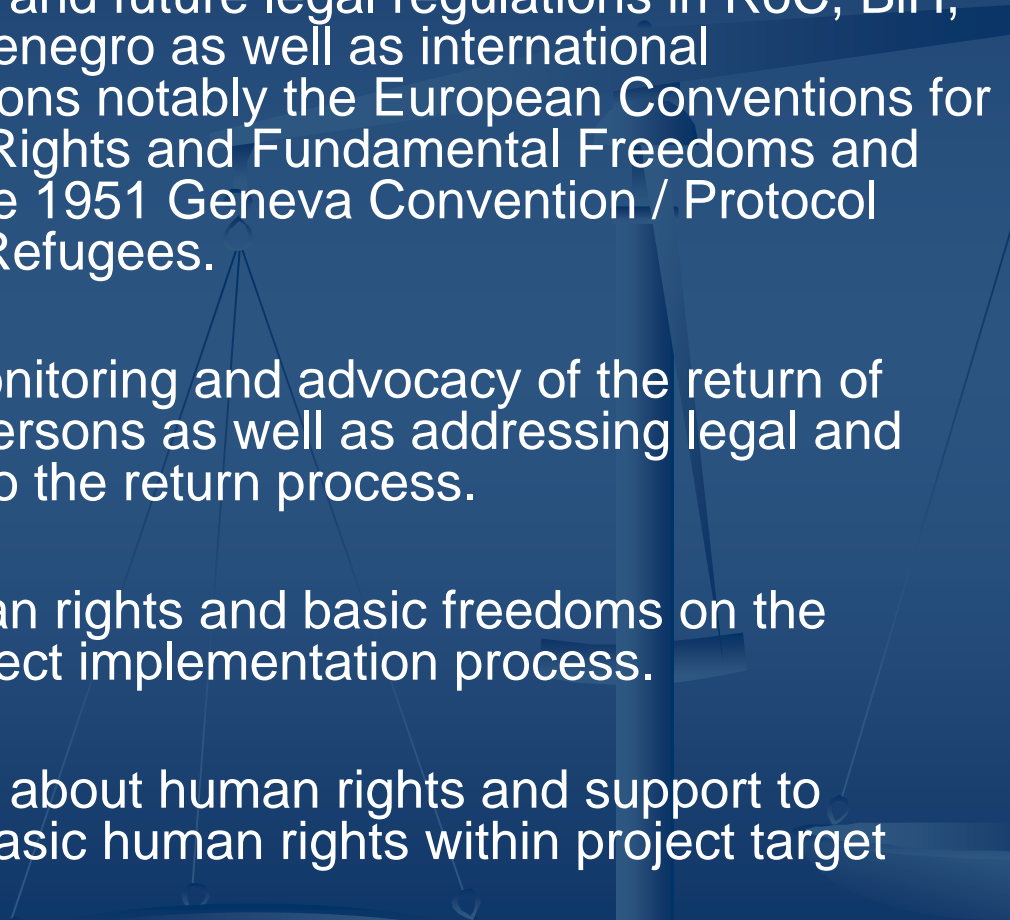
- The main objective of this Program is to enable application of high standards of human rights protection of the target groups of beneficiaries, including non-discrimination.
- 



## SPECIFIC OBJECTIVE OF THE PROJECT

- Make sustainable return and/or local integration process through legal and social aid to target groups of beneficiaries in Croatia, Bosnia and Herzegovina, Serbia (including Kosovo) and Montenegro.

# OTHER OBJECTIVES OF THE PROJECT – A

- Implementation of current and future legal regulations in RoC, BiH, Serbia, Kosovo and Montenegro as well as international conventions and declarations notably the European Conventions for the Protection of Human Rights and Fundamental Freedoms and Protocols Thereto, and the 1951 Geneva Convention / Protocol Relating to the Status of Refugees.
  - Promoting, facilitating, monitoring and advocacy of the return of refugees and displaced persons as well as addressing legal and administrative obstacles to the return process.
  - Promoting universal human rights and basic freedoms on the territories covered by project implementation process.
  - Strengthening awareness about human rights and support to education in the area of basic human rights within project target groups.
- 

# OTHER OBJECTIVES OF THE PROJECT – B

- Application of international conventions and other international documents on human rights.
  - Application of constitutions and laws and regulations of the relevant states for the purpose of providing support to target group.
  - Protection of civil, social, economic and other rights related to the target group.
  - Protection of rights related to status of minority groups.
  - Monitoring of the overall activities with and emphasis on field activities and reporting to international organizations about the situation in the area of protection of human rights and in relation to the target group.
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# METHODOLOGY

BENEFICIARY'S ATTENDANCE



**DIRECT CONTACT**



9 Offices

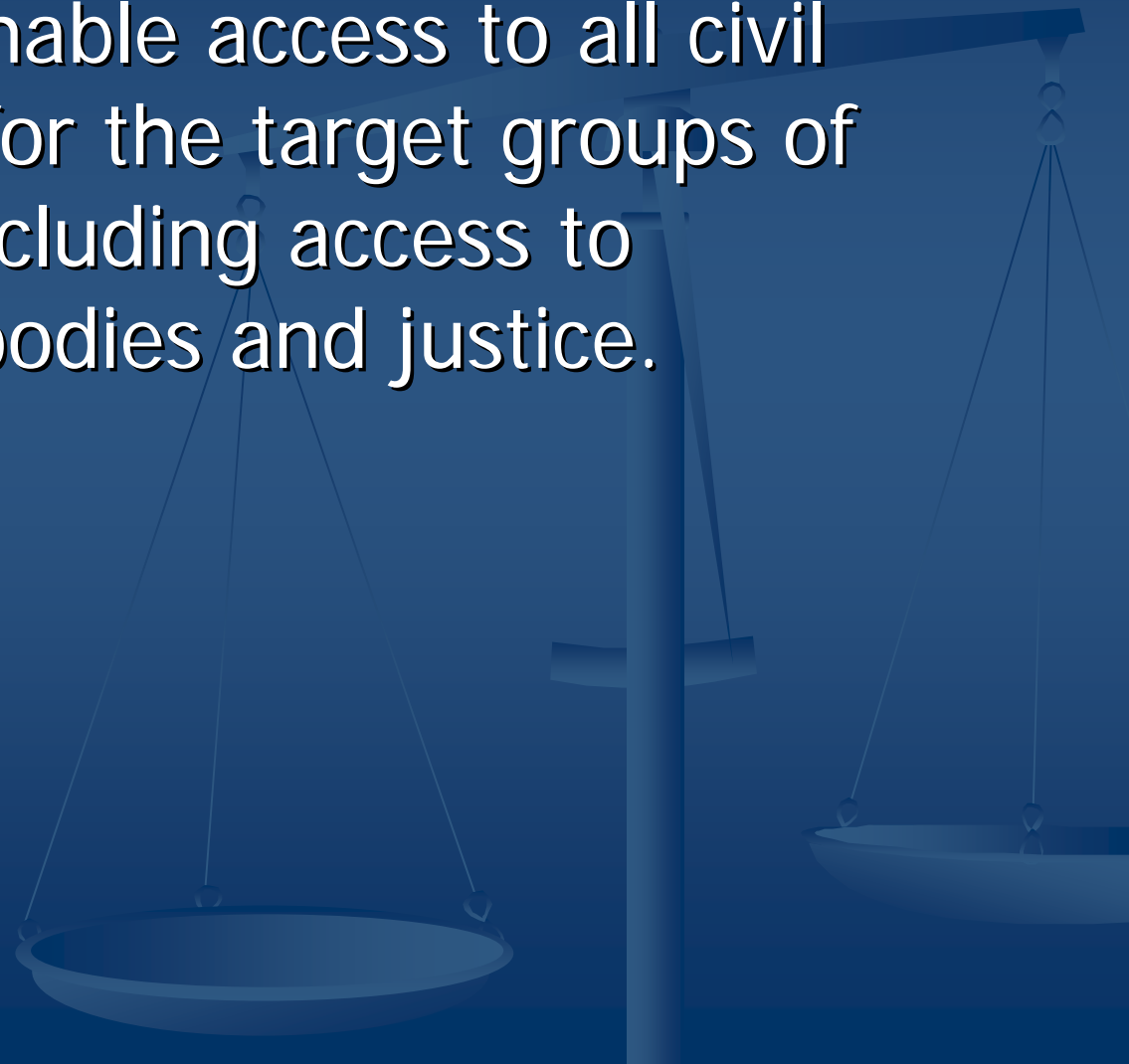
43 Information points

# TYPES OF ACTIVITIES

- Information on daily political and social issues in the countries of return
- General advice on the return- and local integration-related issues
- Legal information and legal aid
- Drawing up various legal petitions (lawsuits, appeals, complaints, etc)
- Legal representation in courts of law
- Analysis of laws and court decisions
- Identification and selection of vulnerable cases for social aid
- Organization of lectures and seminars on relevant topics: legal support to refugees, internally displaced persons, returnees and minorities
- Continuous monitoring of political and legal developments related to the status of refugees and internally displaced persons in regard to their human rights
- Monitoring of issues and problems relevant to the status of target groups
- Data processing of the submitted requests
- Co-operation with other international political and humanitarian organizations and local associations
- Designing and issuing of newsletters and leaflets for target groups
- Updating and training of staff members on daily and periodical basis

# MAIN ACTIVITY

- To make sustainable access to all civil rights possible for the target groups of beneficiaries, including access to administrative bodies and justice.



# ACCOMPLISHED RESULTS

- 1997 – 2001
    - (a) About 45.000 beneficiaries
    - (b) About 62.500 initiated legal procedures
  - 01.10.2001 – 31.08.2006
    - (a) 39.537 beneficiaries
    - (b) 78.554 initiated legal procedures
- 

## STATISTICS (01.01.2005 – 31.08.2006)

Type of Beneficiaries	ID type	Requests	Oral reply	Written sub mission letter	Beneficiaries
A - Refugees	A	6885	945	5940	3399
B - Returnees (from refugees)	B	5338	816	4522	2908
C - Displaced persons	C	9362	1846	7516	3932
D - Returnees (from displaced persons)	D	1788	469	1319	727
E - Minorities	E	445	61	384	235
F - Other applicants from RoC	F	321	99	222	198
G - Other applicants from SiM	G	712	162	550	379
H - Other applicants from BiH	H	5105	660	4445	1852
I - Legal parties, NGOs	I	13	4	9	7
J - Internally displaced person within Kosovo	J	29	4	25	14
K - Returnees from internally displaced person within Kosovo	K	1	1	0	1
L - Other applicants from Kosovo	L	1331	264	1067	890
<b>Total</b>		<b>31330</b>	<b>5331</b>	<b>25999</b>	<b>14542</b>
<b>% of TOTALS</b>		<b>100.00</b>	<b>17.02</b>	<b>82.98</b>	



# STATISTICS (01.01.2005 – 31.08.2006)

## LEGAL MATTERS

Type of case	Number of initiated procedures	% of TOTAL
Property	5062	16.16
Housing	1486	4.74
Pensions	5699	18.19
Health Ins.	1476	4.71
Labour	3777	12.06
Documents	6081	19.41
Citizenship	538	1.72
Other	7211	23.02
<b>Total</b>	<b>31330</b>	<b>100.00</b>

# STATISTICS (01.01.2005 – 31.08.2006)

## TERRITORIAL COMPETENCE

Beneficiaries	RS	FBiH	CRO	BiH	SR	CG	Kosovo	Si
Refugees	483	509	4837	188	595	157	104	12
Returnees (from refugees)	115	128	3363	17	195	4	1505	11
Displaced persons	592	2792	287	371	1345	244	3729	2
Returnees (from DP)	107	889	268	190	20	4	309	1
Minorities	10	5	6	0	2	0	422	0
Others from RoC	7	6	280	2	14	0	12	0
Others form SiM	13	45	223	36	127	48	219	1
Others form BiH	1052	1611	1721	675	29	9	7	1
Legal parties, NGOs	4	9	0	0	0	0	0	0
DP in Kosovo	0	0	1	6	10	0	12	0
Returnee form DP in Kosovo	0	0	0	0	0	0	1	0
Others from Kosovo	0	16	6	7	103	10	1189	0
<b>Total</b>	<b>2383</b>	<b>6010</b>	<b>10992</b>	<b>1492</b>	<b>2440</b>	<b>476</b>	<b>7509</b>	<b>28</b>
<b>% Total</b>	<b>7.61</b>	<b>19.18</b>	<b>35.08</b>	<b>4.76</b>	<b>7.79</b>	<b>1.52</b>	<b>23.97</b>	<b>0.09</b>

# REPRESENTATION IN COURT

Type of case		Territorial competence			TOTAL
		RoC	BH	Kosovo	
1.	Repossession of property	28	8	6	42
2.	Compensation of property-related damages	20	7	2	29
3.	Cancellation of contracts signed in the war	6	13	3	22
4.	Occupancy right recovery	7	14	0	21
5.	Pension and disability insurance	6	2	0	8
6.	Labour law	0	15	0	15
7.	Marital and parental rights	4	6	0	10
8.	Inheritance procedure	4	3	8	15
9.	Foreign court decision recognition	2	0	0	2
10.	Movable property recovery disputes	3	3	0	6
11.	Other issues	3	3	3	9
<b>TOTAL</b>		<b>83</b>	<b>74</b>	<b>22</b>	<b>179</b>

# ADDED VALUE: DATA BASE

- MPDL DATA BASE IS WEEKLY UPDATED WITH NEW BENEFICIARIES AND PROCEDURES FROM THE 9 OFFICES.
- TOOL FOR USEFUL ANALYSIS.

# e.g. COMPARATIVE: N° beneficiaries

01.01.05 - 31.08.05

01.01.06 - 31.08.06

A - Refugees	1672	1556
B - Returnees (from refugees)	1012	1589
C - Displaced persons	1945	1909
D - Returnees (from displaced persons)	326	363
E - Minorities	32	174
F - Other applicants from RoC	47	138
G - Other applicants from SiM	175	193
H - Other applicants from BiH	834	1024
L - Other applicants from Kosovo	254	484
<b>TOTAL:</b>	<b>6297</b>	<b>7441</b>

# THANK YOU FOR YOUR TIME



Movimiento  
por la Paz



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