



PROJEKT GRAĐANSKIH PRAVA Civil Rights Project

Activity Report – December 2011

Office activities

In the reporting period, CRP Sisak received **347** clients, out of whom there were **108** new clients and **239** old clients that revisited **345** times, both in the CRP Sisak office and the field offices in Hrvatska Kostajnica, Dvor, Gvozd, Krnjak and Glina.

Target groups:

NEW clients by status:

<i>Status</i>	<i>Totals</i>
Domicile	58
Returnee	38
Settlers	1
Refugee	8
Not defined	3
<u>Total</u>	108

NEW clients by reception mode:

<i>Mode</i>	<i>Totals</i>
Office	42
Field	57
Letter	2
BiH	1
Phone	6
<u>Total</u>	108

TYPE OF CASE	NUMBER OF EVENTS
Citizenship	5
Documents and status	45
Ownership	108
Pension and health and social security	36
Housing care/tenancy rights	58
Labour	6
Free legal aid	42
Crime cases/misdemeanour	19
Family law	14
Other: other legal issues, information, etc.	60
TOTAL	393

During the reporting period, there were **188** successfully solved requests. They mainly relate to documents, establishment of ownership and other cases.

ASSISTANCE

Appeals/complaints	33
Lawsuits	14
Administrative lawsuit	4
Letters	25
Requests/applications/proposals	34
Submissions	93
Legal counselling	152
Quick advises	66
TOTAL	421

Legal issues

The legal issues that CRP has been dealing with remain the same, as it can be seen in the table above (type of case.) Also, despite of some changes in proceedings, the problems related to cases remain generally the same: lengthy proceedings, postponing of court hearings, etc. The courts and administration do not act impartially when the State is involved in the case, but exactly the opposite, being completely on the side of the State. The laws, even when they are good, are not being applied well, etc.

The above said may be demonstrated with the cases in which the clients need to pay **huge court expenses to the Republic of Croatia**. Namely, it is about the clients that lost court cases before the municipal courts, in which they sued the Republic of Croatia for compensation for damage, mainly related to death of family members and damage to houses. In these cases, the courts brought decisions that the clients needed to pay court expenses in the amounts that the clients could not afford, not even in instalments.

The Government of the Republic of Croatia brought the Decision on 28 May 2009 on **writing off of court expenses of the Republic of Croatia** in cases that were decided by valid court decisions brought after 31 July 2003. It relates to cases that were

initiated on the basis of the ex-Article 180 of the Law on Obligatory Relations and continued on the basis of the Article 10 of the Law on Responsibility for Damage Caused by Terrorist Acts and Public Demonstrations and the Law on Responsibility of the RoC for Damage Caused by the Croatian Army and Police Members During the Homeland War. It means that the Government's Decision only applies to cases that were initiated before 1996, which are not many. The most probably not even one of such cases were initiated before 1996 by the Serb minority members, who mostly suffered this type of damage in early 1990-ies, because they mostly fled and the return of refugees started after 1996.

Therefore, the mentioned Decision does not relate to the CRP clients, which could be taken as discriminatory, because the time of filing of lawsuit and time when the case was finished with a valid court decision should not be relevant.

CRP had a **case of the client M.K. (CRP 7497)**, who sued the Republic of Croatia for damage caused to his Optical Shop in the centre of Karlovac, as it was destroyed by a terrorist act. The case was held before the Municipal court in Karlovac. The client lost the case, but the State Attorney's Office in Karlovac, which represented the RoC, did not ask for the court expenses, and therefore the client did not have to pay any court fees.

This case shows that the practice is not the same in all parts of Croatia, and more importantly, that it is not obligatory to request the court expenses.

CRP mentioned the above mentioned case in its letter on related issue that was sent to the State Attorney's Office in Sisak and Zagreb. CRP mentioned its clients: D.V., M.Š., P.P., R.P., A.D., N.K. These are the people that live on the edge of their existence, with small or no income, and cannot pay the court expenses, mainly in huge amounts. In all the cases, CRP wrote letters to the State Attorney's Office Sisak asking for writing off of court expenses. The State Attorney's Office replied negatively in all case, offering only to clients to pay in instalments, which is not a solution for the clients.

The list of clients that CRP mentioned is not complete, as there are much more people in Croatia that are in the same situation.

CRP thinks that these clients are really damaged enough by loss of their family members and/or destroyed property, as well as by the fact that they lost court cases, which resulted in not being compensated whatsoever for their losses. Therefore, putting additional burden on people in such situation by forcing them to pay court expenses is not moral or legal.

CRP forwarded the above mentioned letter also to Ms. Vesna Pusić, the Minister of Foreign Affairs, who, when she was in opposition of the Croatian Parliament, spoke about this problem and was suggesting that it should be solved.

Other activities

CRP continued cooperation with the Centre for Peace Osijek on their IPA project, through which they monitor the implementation of the Law on Free Legal Aid. CRP collects questionnaires on the Law of FLA from its clients, as well as does monthly tables with data on legal aid provided to clients.

CRP Sisak organised a seminar – education “Advantages in poultry farming” in Hrvatski Dom Petrinja on 8th of December 2011. Mr. Rodoljub Džakula, manager and owner of the Džakula farm from Sjeverovac gave lecture and moderated the seminar. This farm has been a positive example – project of his family and represents a mixture of traditional and modern way of cattle-breeding and agricultural production. 27 beneficiaries, potential farmers in the Sisak-Moslavina County took active part in one day seminar. The presentation started with information related to what was necessary to anticipate before registration of the farm. The lecture was divided into three parts and the last one was related to poultry farming, as the special part of the agricultural production. The education caused a wish for further education related to other parts of the agriculture. The most of the beneficiaries wished to be given education related to agricultural market – how to approach to it in any part of agricultural production. They suggested additional education – seminar to be held in future covering this specific topic.

On 14 December 2011 in the Civil Centre Hrvatska Kostajnica, CRP Sisak and Centre for Rural Initiatives, together with Novi Svijet Luščani and Eko-Una Cooperative, organised a workshop on advantages, potentials and challenges of ecological production in agriculture. The lecturer was Mr. Marin Fucijaš of the First Ecological Station in Zagreb, which does supervision and certification of ecological production and products. Around 20 beneficiaries were present and they were first explained what they needed to do to be registered for ecological production. Also, general standards and technologies of ecological production, as well as standards and technologies of production of fruits and cereals were explained. The newest world achievements in ecological production, as well as the mechanisation, were presented. The economic aspects, subventions and market potential in Europe were explained. The workshop was very useful, as it demystified the ecological production, for which many people thought that it was very complicated and difficult to achieve. Finally, it was concluded that it was very similar to the “old” agriculture that still many people in this area practised. Therefore, they would need almost only to register it.

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