



PROJEKT GRAĐANSKIH PRAVA Civil Rights Project

Activity Report – February 2011

Office activities

In the reporting period, CRP Sisak received **498** clients, out of which there were **261** new clients, both in the CRP Sisak office and the field offices.

Target groups:

NEW clients by status:

<i>Status</i>	<i>Totals</i>
Domicile	55
Returnee	151
Settlers	8
Refugee	10
Not defined	37
<u>Total</u>	261

NEW clients by reception mode:

<i>Mode</i>	<i>Totals</i>
Office	57
Field	204
<u>Total</u>	261

TYPE OF CASE	NUMBER OF EVENTS
Citizenship	16
Documents and status	82
Ownership	94
Pension and health and social security	82
Housing care/tenancy rights	85
Labour	17
Free legal aid	4
Crime cases/misdemeanour	8
Other: other legal issues, information, etc.	117
TOTAL	505

During the reporting period, there were **189** successfully solved requests. They mainly relate to documents, establishment of ownership and other cases.

ASSISTANCE

Appeals/complaints	29
Lawsuits	8
Administrative lawsuit	1
Letters	85
Requests	45
Submissions	98
Legal counseling	212
Quick advises	99
TOTAL	577

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, not encouraging the return of refugees, 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 following case will demonstrate the above said. The client **M.D. (CRP 7474)** returned to Croatia in 1997. When she returned, her family house was occupied by the Bosnian refugees. After they moved out, she moved into the house. In 2000, the client received a letter from the **State Agency for legal Transactions and Mediation of Real Estates (APN)** to vacate the house, stating that the house was property of the Republic of Croatia. This is when the client found out that the house was sold to the State, based on false power of attorney given to Ms. Dušanka Borojević. The power of attorney was definitely false because it was signed by the three owners of the house, out of who two were dead at that time. Namely, they were the mother and father in law of the client. The mother in law died in 1992 and the father died during the Second World War, so they definitely could not sign the document in 1998.

The client filed criminal charges against the person who sold the house to APN, i.e. to the Republic of Croatia.

However, as the client did not move out of her house, in 2006 the State filed a lawsuit for eviction against the client. The case has been ongoing and on 17 February 2011, the client received the Municipal court decision saying that the clients had to vacate the house within 15 days and pay the court expenses. An appeal was filed.

In the meantime, the client filed a counter-claim for annulment of the contract on sale of the house, as it was based on the false document. CRP also filed a submission asking the court to stop proceeding the case for eviction until this case for annulment of contract was over. However, the court rejected this request and proceeded the case

for eviction. In the case for annulment of contract, against the Republic of Croatia, there was no court hearing even yet.

The client is an old lady, 80 years old, who built the related house with her late husband, and it is her only property, property that she has been using for living. Now, because of the criminal acts of others, she has been involved in court cases for years and she is threatened to be evicted from her house.

CRP has more similar cases in which the State bought houses based on criminal acts.

Other activities

On 4 February, CRP and the partner “Novi svijet Luščani” organized a meeting with local population in the Centre for Plum and Chestnut in Donja Bačuga. About 15 people from different villages were present. CRP presented the project “Enabling mobilization of local communities in rural areas” financed by the EU. The project objectives will mainly be achieved through the work of the new NGO “Center for rural initiatives” that will be formed among rural population.

On 4 February, CRP Sisak participated at the forum on the Law on prevention of discrimination. The public forum was organized by the County coordination for human rights in the City of Sisak hall. The speakers were from the Croatian government, Sisak-Moslavina county, etc. The connection of the mentioned law with the Law on free legal aid was emphasized. It was concluded that citizens were not informed on the issues related to discrimination and that NGOs and the Ombudsman were the only ones doing a good job related to the issue.

On 9 February, CRP met with the Head of the Municipality of Krnjak, Mr. Rade Kosanović, on the legal aid project, financed by UNHCR, which CRP would implement, among other places, in Krnjak. Mr. Kosanović was very cooperative and promised to provide the field office premises.

On 9 February, CRP participated at the meeting on fundamental rights issues in Croatia that was held at the EU Delegation in Zagreb. The main purpose of the meeting was to discuss fundamental rights regarding the Chapter 23. CRP presented the legal obstacles related to the return of refugees that still existed in Croatia, such as unsolicited investments, housing care, citizenship, etc.

On 26 January in the Civil Centre Hrvatska Kostajnica, CRP organized, together with the EKO UNA cooperative and the Sisak-Moslavina county, an educational workshop on medical herbs. There were over 50 people that attended the workshop, which shows a big interest of population on this issue and possibility of involvement in this type of production.

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