



PROJEKT GRAĐANSKIH PRAVA Civil Rights Project

Activity Report – January 2011

Office activities

In the reporting period, CRP Sisak received **275** clients, out of which there were **124** 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	43
Returnee	62
Settlers	2
Refugee	9
Not defined	8
<u>Total</u>	124

NEW clients by reception mode:

<i>Mode</i>	<i>Totals</i>
Office	61
Field	62
Power of attorney BiH	1
<u>Total</u>	124

TYPE OF CASE	NUMBER OF EVENTS
Citizenship	10
Documents and status	48
Ownership	58
Pension and health and social security	41
Housing care/tenancy rights	33
Labour	39
Free legal aid	12
Crime cases/misdemeanour	23
Other: other legal issues, information, etc.	80
TOTAL	344

During the reporting period, there were **117** successfully solved requests. They mainly relate to documents, establishment of ownership and other cases.

ASSISTANCE

Appeals/complaints	11
Lawsuits	3
Constitutional complaint	1
Administrative lawsuit	1
Letters	71
Requests	31
Submissions	64
Legal counseling	116
Quick advises	58
TOTAL	356

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 case of Z.G. (CRP case No. 9726) shall demonstrate the above said. The client and his family fled Croatia and in 1997 their property was given for temporary use to M.P. who was a Bosnian Croat. As the administrative procedure for repossession of property had not given any results, the client filed a lawsuit for repossession of property to the Municipal court in Sisak in 2003.

During 2003 and 2004, there were 7 court hearings held. The temporary user had been claiming that he was waiting for housing care to be provided to him by the Ministry. The court was asking the Ministry to give statement on the case, but the Ministry was saying that they did not have adequate house for the temporary user.

So in 2005, the Court brought the decision that the temporary user had to vacate the house after he was provided with housing care. Therefore, the Court extended the lawsuit request, which is not legal.

On behalf of the client, CRP filed an appeal to the County court in Sisak. After several rush notes, the County court brought its decision in August 2006. The first level decision was cancelled and the case was sent back for new trial.

Despite of few rush notes, the Municipal court in Sisak only in 2007 held a court hearing and in January 2008 brought the decision that the temporary user should vacate the premises and return it to the owner.

However, the defendant (temporary user) filed an appeal, which was accepted in August 2009. The court hearing was scheduled for December 2009. At that court hearing nothing new happened. The temporary user claimed that he needed to be provided with housing care. The court asked the report from the Regional office for displaced persons and refugees.

The next court hearing was held in January 2010, where nothing new happened, only the new rush note was sent to the Regional office to report on the case. At the court hearing that was held on 1 March 2010, it was concluded that the Regional office was not replying to the requests of the Court. So, it was decided to send the request to the relevant Ministry!?

There was a court hearing in April 2010 and the Municipal court brought its decision on 23 April 2010, which was positive for the client, so the temporary user filed an appeal again. CRP wrote and answer to the appeal.

Finally, in January 2011, the County court brought its decision, rejecting the appeal of the temporary user and saying that the temporary user should vacate the house. CRP wrote a letter to the temporary user to voluntarily vacate the house. There was no answer. CRP will write a proposal for execution of the court decision.

Therefore, despite of the fact that the Croatian Government claims that the process of repossession of property that was given for temporary use is finished, the client Z.G. cannot repossess his house for over 11 years.

Other activities

On 20 December 2010, CRP started implementation of the project “Enabling mobilisation of local communities in rural areas”. The project is mainly financed by the European Union and the main objective of the project is to build capacity and support activities of new civil society organisation “Centre for rural initiatives” in rural areas of the Sisak-Moslavina county in order to empower rural population to be represented and able to participate in decision making process of local self-government and encourage the local initiatives and sustainable development of rural areas.

The project is complementary to the UNHCR project “Provision of information, counseling and legal aid” that started on 1 January 2011, as they cover Banija and Kordun area and one of the main activities is providing of free legal aid to beneficiaries in those areas.

During the reporting period, CRP opened field offices in Dvor, Hrvatska Kostajnica, Gvozd and Glina. The field offices are to cover the area of Banija and Kordun with the aim to provide free legal aid to the population. It was planned to open the office in Vojnic, but the local authorities rejected the CRP’s and UNHCR’s request for cooperation, saying that there were no problems in their area and that the population there did not need legal aid. Therefore, CRP decided to open the field office in Krnjak. The authorities there are very cooperative, as well as in other municipalities and towns in the area.

On 12, 13, 14 and 20 January, CRP Sisak was visited by the law students from the Law faculty in Zagreb. The students are members of the Legal clinic in Zagreb that was established by the Law Faculty as part of the free legal aid system in Croatia, and the visit is related to the cooperation of CRP and the Legal clinic.

On 20 January, CRP met with the County office for free legal aid in Sisak in order to discuss the free legal aid system in the County. It was concluded that the free legal aid system in Croatia still has many problems.

On 24 January, CRP participated at the round table on the new Penal Law – crime against sexual freedom, marriage, family and the youth.

CRP Sisak participated at the radio show “Clip” of the Radio Banovina on 26 January. The aim of the show is to present the civil society organisations. CRP Sisak presented its organisation, as well as its projects.

On 27 January, CRP met with the Red Cross in Glina and they provided CRP with office premises. Mr. Antun Sogoric presented the work of the Red Cross Glina and offered CRP the possibility for partnership for some future activities in Glina. Red Cross is especially interested in strengthening their partner, local NGO “Ruža”, which continues with some activities that “Citizen Centre Glina” was implementing in Glina in 2009. That Centre was CRP’s project funded by the EU and Norwegian embassy in Zagreb.