



PROJEKT GRAĐANSKIH PRAVA Civil Rights Project

Activity Report – November 2010

Office activities

In the reporting period, CRP Sisak received **380** clients, out of which there were **44** new clients, both in the CRP Sisak office and the Civil Centre Hrvatska Kostajnica.

Target groups:

NEW clients by status:

| <i>Status</i> | <i>Totals</i> |
|---------------|---------------|
| Domicile | 15 |
| Returnee | 4 |
| Settlers | 5 |
| Refugee | 4 |
| IDP | 3 |
| Not defined | 13 |
| <u>Total</u> | 44 |

NEW clients by reception mode:

| <i>Mode</i> | <i>Totals</i> |
|--------------------------|---------------|
| Office | 26 |
| Field | 17 |
| Power of attorney Kosovo | 1 |
| <u>Total</u> | 44 |

| TYPE OF CASE | NUMBER OF EVENTS |
|--|------------------|
| Citizenship | 11 |
| Documents and status | 47 |
| Ownership | 68 |
| Pension and health and social security | 45 |
| Housing care/tenancy rights | 14 |

| | |
|---|------------|
| Labour | 14 |
| Family violence | 6 |
| Free legal aid | 9 |
| Crime cases/misdemeanour | 10 |
| Other: other legal issues, information, courses, etc. | 158 |
| TOTAL | 382 |

During the reporting period, there were **129** successfully solved requests. They mainly relate to documents, establishment of ownership and other cases.

ASSISTANCE

| | |
|--|------------|
| Personal documents issued | 7 |
| Appeals/complaints | 3 |
| Lawsuits | 6 |
| Constitutional complaint | 3 |
| ECHR application | 1 |
| Letters | 61 |
| Requests | 28 |
| Submissions | 37 |
| Legal and psychosocial and other types of counseling | 157 |
| Quick advises | 90 |
| TOTAL | 393 |

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.

Regarding the above, CRP would hereby like to tackle the issue of the **Law on free legal aid** once again and report on a CRP case.

The client D.R. from Dvor (CRP case no. 2318) approached CRP in 2001 regarding the pension issue, family pension. The court procedure for payment of unpaid pension was initiated and the case has been ongoing.

When in 2009 the client received the court decision, she came to CRP for legal counseling. As the Law on free legal aid came into force, the client was advised to apply to the County office for free legal aid with a request for free legal aid. CRP filled in the request and submitted it to the County office in October 2009. On 21 October 2009, the County office rejected the client's request for free legal advice. The explanation for rejection was that the client did not satisfy the financial criteria,

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as she had 32,50 m² more than predicted by the Law, which said that one person might have 35 m² of housing space in order to be qualified for free legal aid?

The client filed an appeal to the Ministry of Justice on **29 October 2009**. On **16 June 2010** the Ministry, as the second instance body, rejected the appeal. The Ministry confirmed the decision of the County office, as they said that the client had extra housing space, but they also added that the pension issues of the client was not of existential nature.

In August 2010, CRP filed an administrative lawsuit, emphasizing that the client lives alone, being sick and old, in 12 m² of useful housing space in the areas of special state concern, as well as that the pension issues are of an existential matter.

On 3 November 2010, the client received a negative decision of the Administrative court. The Administrative court went into the merit of the client's court case, regarding which the client applied for free legal aid, i.e. legal advice. The administrative lawsuit was related to the client's right to free legal aid, and therefore the Administrative court exceeded its authority, i.e. exceeded the claim.

On 1 December 2010, CRP filed a constitutional complaint (regarding the right to free legal aid), as CRP is of an opinion that the client's constitutional rights were violated.

Therefore, the client has been dealing with the right to free legal aid for one year and a half. She has needed legal aid during the whole period, as the court proceedings regarding her pension has been going on. She also has needed free legal aid to assist her in her "new" administrative case regarding right to free legal aid, which is also ongoing.

Other activities

On 3 November in the Civil Centre Hrvatska Kostajnica, CRP and ADELA organized a forum against all types of addiction. The forum was organized in cooperation with the secondary school in Hrvatska Kostajnica, as the forum focused on the youth, who are very exposed to addiction. 39 pupils and two professors attended the forum. The interaction and discussions were very lively. The pupils identified betting and computer addiction (internet and computer games) as the most frequent among addiction. The professor Lahorka Zec emphasized the necessity of development of real friendships in real life, sports, going out, etc. in order to avoid addiction.

On 9 November, CRP was visited by the Head of the Municipality of Donji Kukuruzari. The situation in the municipality, as well as possible cooperation, was discussed.

On 12 November, CRP was visited by the UNHCR Zagreb on the Roma issue. CRP provided UNHCR with information on the problems of the Roma population in the Sisak-Moslavina county, such as regulation of their status, health insurance, personal documents, etc.

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On 12 November in the Civil Centre Hrvatska Kostajnica, CRP Sisak organized a dialogue workshop on life adaptation and coexistence of population in Hrvatska Kostajnica regarding different life experiences, different culture, ethnic, social and family background. Considering the fact that the workshop was attended by more than 30 participants of different national, cultural, social and educational background, it is obvious that people have need to verbalize their experiences and perspectives of linking in present and future. The participants express their views regarding the events that happened in last 20 years, especially regarding separation between population based on different cultural, religious and political belonging. Most of the participants had refugee or IDP status. A comment of one participant was very impressive: “We gathered here today and we talk, what we haven’t done so far. If nothing else, when we meet in the street tomorrow, we shall say hello to each other, and that is a lot.”

On 19 November in the Civil Centre, CRP organized a meeting between the citizens of Hrvatska Kostajnica and surrounding places and the representatives of the Centre for social welfare Hrvatska Kostajnica, Head Đurđica Pavešić Herkov and legal advisor Ljubica Ćatić. Eight citizens participated and asked questions regarding social welfare. The issues mainly related to family violence, housing care and social welfare rights. CRP and the Centre exchanged useful information in order to improve the cooperation.

On 19 November in Zagreb in the Human Rights Center, CRP participated at the meeting with the Legal Clinic of the Faculty of Law in Zagreb. The meeting was organized with the aim of establishing of cooperation between NGOs – legal aid providers and the Clinic.

On 25 November in the Delegation of the EU in Zagreb, CRP participated at the meeting of the civil society organizations and Mr. Stefan Fule, EU Commissioner for Enlargement and Neighborhood Policy. CRP informed the Commissioner on the state of human rights of returnees and other socially vulnerable population, especially in the Sisak-Moslavina county, where there are many war related issues that are still unsolved.

On 29 November, CRP organized a workshop on project cycle management. The workshop was conducted by Mr. Munir Podumljak of the Partnership for Social Development Zagreb. The participants got theoretical knowledge and materials, but also did some practical exercises and made some draft project proposals.

In the period from 1 August to 30 November 2010, CRP had been implementing a civil initiative in the village of Klinac near Petrinja. Its goal is to show that self engagement within the community may create preconditions for sustainable return and motivate young people to be initiators and work on changes in community. This initiative enabled the repair of water reservoir in the village of Klinac, which is part of the local water supply system. “This civil initiative is implemented by financial support of the Regional foundation for local development “Zamah” within decentralized model of financing of the National foundation for civil society development”.

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