



PROJEKT GRAĐANSKIH PRAVA Civil Rights Project

Activity Report – November 2011

Office activities

In the reporting period, CRP Sisak received **363** clients, out of whom there were **122** new clients and **241** old clients that revisited **338** 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	52
Returnee	50
Settlers	6
Refugee	6
Not defined	8
<u>Total</u>	122

NEW clients by reception mode:

<i>Mode</i>	<i>Totals</i>
Office	43
Field	73
Kosovo	1
BiH	1
Phone	4
<u>Total</u>	122

TYPE OF CASE	NUMBER OF EVENTS
Citizenship	10
Documents and status	59
Ownership	140
Pension and health and social security	60
Housing care/tenancy rights	31
Labour	7
Free legal aid	40
Crime cases/misdemeanour	27
Family law	15
Other: other legal issues, information, etc.	40
TOTAL	429

During the reporting period, there were **242** successfully solved requests. They mainly relate to documents, establishment of ownership and other cases.

ASSISTANCE

Appeals/complaints	36
Lawsuits	18
Administrative lawsuit	4
ECHR application	1
Letters	55
Requests/applications/proposals	47
Submissions	134
Legal counselling	155
Quick advises	40
TOTAL	490

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.

Perhaps the example for the above said may be the case of **Mr. Nikola Pavlović of Petrinja** regarding the **unsolicited investments** into his house. CRP has been reporting on this case, as it started over 10 years ago, and despite of all submissions, negotiations, Government Decision dated 7 December 2006, tripartite agreement, etc. it has not been solved. Lately, also nothing has been happening. Namely, since June 2011, the Ministry of Regional Development, Forestry and Water Management has sent 3 letters to the State Attorney's Office in Sisak, asking them to take steps in order to solve the case in accordance with the Law on Amendments to the Law on Areas of Special State Concern. After each of 3 letters was sent to the SAO Sisak, the CRP attorney met with the Deputy SA in Sisak in order to discuss the case and rush

its solution. However, the Deputy SA Sisak was reluctant to meet, but more importantly she has been refusing to do any action, with an explanation that she, i.e. SAO Sisak was not in charge? She claims that it is up to the Government, i.e. the Ministry. She insists on that opinion and does nothing regarding the case, despite of the clear instructions given by the Ministry in almost each letter, as well as despite of CRP's explanations.

During the reporting period, CRP dealt with **26** cases that relate to **citizenship/residence issues**. Therefore, the regulation of temporary/permanent residence, as well as the citizenship, still remains problematic for returnees.

However, on 11 November 2011, CRP received another positive decision from the Administrative Court regarding the admittance to the Croatian citizenship of the client **Z.J. (CRP 10721)** that was rejected for admittance to the Croatian citizenship with an explanation that he was not residing at the registered address, which was established by the police check. The decision is very similar to the one reported last month and it says that the fact that the client was not found at the address was not the reason for rejecting the client's request for Croatian citizenship.

However, it is to be seen how the MoI will deal with the case in the new procedure, as well as how this will influence other similar cases.

CRP would like to report on the case of **deleting from the evidence of addresses of citizens in the Republic of Croatia**. Namely, the client **D.Č. (CRP 13881)** was stopped at the border crossing in Hrvatska Kostajnica and his **ID card** was taken away from him. The explanation was that he did not receive the court mail. The client claims that he did not get any mail and that he resides at the registered address, though he often travels.

CRP contacted the MoI in Zagreb, as well as in Hrvatska Kostajnica. The Ministry said that it was established by the police operative checks that the client was living in BiH.

The Ministry told us that it is not the only case. They said that they used the data from the census and that they were checking all those citizens that were not found at the registered addresses?

Therefore, it is expected to have more of such cases.

Other activities

On 4 November 2011 in the Centre for Social Welfare in Sisak, CRP participated at the coordination meeting of stakeholders regarding the out of institution providing of social services to old and disabled persons. The Caritas Sisak representative informed that a public kitchen was to be opened in the middle of November, with a capacity of 50 meals a day. The issues related to the Roma population in the Sisak-Moslavina County were also discussed. It was agreed that all stakeholders needed to cooperate in order to assist the Roma to improve their position in society.

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

collect questionnaires on the Law of FLA from its clients, as well as do monthly tables with data on provided legal aid to clients.

CRP met with SNV Zagreb and IPC Slavonski Brod in order to discuss further and apply jointly to IPA 2010 supporting CSOs in promoting and monitoring of equal opportunities and non-discrimination related policies. CRP also applied separately to the same call for proposals with its partners: Centre for Peace Vukovar, Izvor Tenja and Legal Clinic in Zagreb.

On 10 November 2011, CRP was invited to the Ministry of Justice in Zagreb to meet with Mr. Kristijan Turkalj, Head of the Directorate for European Union and International Cooperation, and Ms. Jasna Butorac, Head of the Department for Free Legal Aid. The meeting discussed the situation with the implementation of the Law on Free Legal Aid in the field. The meeting was held in a very positive atmosphere, but however, CRP emphasised the problems related to the LFLA.

On 14 November 2011 in Zagreb, CRP participated at the round table on the reform of legal aid system and the future of legal advice. The round table was organised by the Legal Clinic in Zagreb and the Embassy of United Kingdom and Northern Ireland in cooperation with the Ombudsman Office and the Centre for Human Rights. The conclusions of the round table were mainly that the Law and its Amendments did not promise that the situation in the area of legal aid would improve. CRP would like to point out that no representative of the Ministry of Justice was present, though the Minister and all relevant Ministry staff were invited. They gave an explanation that they thought that the pre-election time was not good timing for such meeting? It is even more interesting that the representative of the Constitutional Court, the judge, shared the same opinion, as well as the Bar Association.

On 15 November 2011 CRP organised a study visit to the Local Action Group (LAG) Vallis Colapis in the Municipality of Draganić in the Karlovac County. 15 participants, representatives of the CSOs from the region around Petrinja, were introduced to the LAG's projects so far, their positive experience from cooperation with local self-government implementing different projects. After presentation of the activities of the LAG by Milan Medic, representatives of the NGOs "Zraka" and "Zorkovac" presented their respective NGOs, their actions and positive experience. Mr. Josip Tomančić, Head of the Municipality presented and informed us about situation in their municipality, pointing out very important role of NGOs. Our host, Ms. Zvezdana Klarić from the NGO "Contessa" presented her NGO, activities and the farm in the village of Budrovci. A joint lunch was organised there, as well as a small tour around the village and the church of St. George, which has historical influence. The study visit was used for establishing of new business contacts and initiatives for some new, joint project activities.

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