



PROJEKT GRAĐANSKIH PRAVA Civil Rights Project

Activity Report – October 2010

Office activities

In the reporting period, CRP Sisak received **269** clients, out of which there were **49** 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	23
Returnee	11
Settlers	2
Refugee	4
Not defined	9
<u>Total</u>	49

NEW clients by reception mode:

<i>Mode</i>	<i>Totals</i>
Office	15
Field	30
Letter	4
<u>Total</u>	49

TYPE OF CASE	NUMBER OF EVENTS
Citizenship	12
Documents and status	19
Ownership	46
Pension and health and social security	43
Housing care/tenancy rights	30

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Labour	6
Family violence	7
Free legal aid	1
Crime cases/misdemeanour	6
Other: other legal issues, information, courses, etc.	118
TOTAL	288

During the reporting period, there were **91** successfully solved requests. They mainly relate to documents, establishment of ownership and other cases.

ASSISTANCE

Personal documents issued	1
Appeals/complaints	8
Lawsuits	2
Constitutional complaint	2
Revision	1
ECHR application	1
Letters	50
Requests	15
Submissions	32
Legal and psychosocial and other types of counseling	141
Quick advises	60
TOTAL	313

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 above said will be demonstrated with the issue of **repossession of movable property** cases, which CRP would like to tackle once again. Unfortunately, this issue, resulting from the war in Croatia, has not been solved yet, and the ongoing cases have been treated in different ways.

The **CRP's client M.K.** has been the owner of a tractor, which he bought before the war. When he fled Croatia, he left his real estates and movable properties, including the tractor, in Croatia. After he returned to Croatia, he found out where his tractor was. The client filed a lawsuit for repossession of tractor in 2002. The defendant was given the tractor for temporary use in September 1996 by the Commission. During the court proceedings, the court accepted the defendant's statement that he bought the tractor in February 1996 from a company, which means that the defendant first

bought the tractor and later on got it for temporary use? However, the Municipal and County court in Sisak rejected the lawsuit. CRP filed a constitutional complaint, as the owner's right to property/ownership, fair trial and equality before the law were violated.

The **client A.D.** is the owner of a tractor in Vojnic. Immediately after the Storm operation in 1995, the client was stopped with his tractor in the street and the tractor was taken by the police. The police told the client to come to the police the next day to pick back the tractor. The client came there, but he did not get the tractor. The tractor has not been returned to him ever since. The client filed the lawsuit for repossession/compensation in 2006. The municipal and county court in Karlovac rejected the lawsuit. CRP filed a revision to the Supreme court.

The **client J.B.** is the owner of the tractor, which he left in Croatia after he fled in 1995. The tractor was given for temporary use. Upon his return to Croatia, the client filed a lawsuit for repossession of tractor and compensation in 2002. After the long and exhausting court proceedings, including payment of different court fees, finally in 2010 the court decided that the defendant should return the tractor and pay the compensation, as well as the court fee.

Therefore, the case of the client J.B. is a positive example and it has been used as such by CRP in writing of constitutional complaint of the client M.K., which was sent to the Constitutional court in October 2010.

The above mentioned cases show how courts treat differently similar cases. Even the bigger point is that the owners of tractors cannot repossess their movable property even 15 years after the war, even in the case of A.D. in which the State is directly involved in taking over of the tractor from the owner.

Other activities

On 1 October, CRP Sisak met with the Serbian Cultural Association "Prosvjeta" in Zagreb. This meeting and signing of partnership statement was result of the past and present good cooperation with their branch office in Hrvatska Kostajnica, whose members have been involved in the activities of the Civil Centre.

CRP gave its small contribution to the organization of the Chestnut Festival in Hrvatska Kostajnica from 8 to 10 October, through the NGO "Prosvjeta" that organized the exhibition "Kostajnica water paintings."

On 11 October, CRP attended a meeting in Zagreb on the free legal aid. The meeting was organized by the Center for human rights and Coalition for promotion and protection of human rights, who are working on the evaluation of the free legal aid system. Therefore, CRP met with law professors from Croatia, Norway and Austria in order to provide them with information on the CRP's experience with the free legal aid in Croatia.

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On 12 October in the Civil Centre, CRP organized a dialogue workshop. The workshop “Quality of life in the war affected areas” enabled participants to interact with the moderator, CRP’s external expert, and to give their contribution. The topics covered material and emotional values, (un)employment and its effect to quality of living. A special attention was given to friendships and how they influence life quality, especially today when people have no time.

On 13 October in the Civil centre Hrvatska Kostajnica, CRP and ADELA organized a seminar on human trafficking “I cannot be bought” on the occasion of the EU Anti-trafficking Day. Considering the fact that Hrvatska Kostajnica is bordering with BiH and that there is big unemployment rate in the area, the area may be more exposed to human trafficking. The seminar explained how to recognize cases of human trafficking and what to do in such situation.

On 14 October 2010 in the Civil centre Hrvatska Kostajnica, the basic computer course for women started. The interest of citizens was quite big, so there are more women than planned, as well as three men. The course includes basic computer skills, MS Windows and MS Word.

On 19 October, the Head of the European Union Delegation to the Republic of Croatia, Ambassador Paul Vandoren, together with Mr. Martin Mayer, attaché, paid an official visit to the CRP Sisak. CRP Sisak was very pleased to welcome the Head of Delegation. CRP informed Mr. Vandoren on its work and activities, as well as on situation with human rights in the Sisak-Moslavina County. Judiciary and fundamental rights (Chapter 23) were mostly discussed and particular emphasis was given to the Law on free legal aid and problems related to its implementation. The war related legal cases that CRP has been dealing with for years were also discussed. CRP informed on the difficult situation of the Roma population in the region.

CRP Sisak attended the marking of UN Day in Petrinja on 22 October 2010. CRP thinks that choosing of Petrinja for such event is very good idea, because Petrinja belongs to the areas of special state concern. The event was attended by 250 guests from the Government, diplomatic community, local authorities, UN partners, NGOs and others. Croatian President Ivo Josipović, as well as the former one, Stipe Mesic, also attended the event. The event was organized under the slogan “Leave no one behind” that was spoken about by UNDP Resident representative Louisa Vinton, as well as other UN agencies representatives.

On 26 and 27 October, CRP participated at the Project Preparation Workshops, which were organized by the Sisak-Moslavina county and Ministry of Regional Development, Forestry and Water Management, together with Joint Technical Secretariat for IPA Cross-Border program Croatia-Bosnia and Herzegovina.

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