



PROJEKT GRAĐANSKIH PRAVA

Civil Rights Project

Activity Report – March 2009

Office activities

In the reporting period, CRP Sisak received **335** clients, out of which there were **72** new clients and **263** old clients revisiting **417** times.

There were **15** court hearings attended by the CRP external lawyers before the municipal courts in Sisak, Glina and Petrinja.

Target groups:

New clients by status:

| <i>Status</i> | <i>Totals</i> |
|----------------------|---------------|
| Domicile | 18 |
| Refugee | 20 |
| Returnee | 18 |
| Bosnian Croat | 7 |
| Not defined | 9 |
| <u>Total</u> | 72 |

New clients by reception mode:

| <i>Mode</i> | <i>Totals</i> |
|-----------------------------------|---------------|
| Office | 43 |
| Field | 21 |
| Power of attorney - Kosovo | 1 |
| Phone | 7 |
| <u>Total</u> | 72 |

As it can be seen in the above statistics, CRP continued working in Glina, as a part of the “Citizens’ Centre” in Glina project financed by the EC Delegation and Norwegian Embassy in Zagreb. Namely, the Center in Glina is open every day for citizens to come, ask for information, read newspapers, do something on computers, etc. The CRP lawyer attends the Centre on Wednesday mornings to provide legal aid, and CRP’s partner ADELA provides psychosocial assistance on Wednesday afternoons.

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An info-point stand has been opened and it provides different types of information and materials: new laws and regulations, all types of forms, brochures, documents, newspapers, etc.

| TYPE OF CASE | NUMBER OF EVENTS |
|--|------------------|
| Citizenship | 21 |
| Documents and status | 96 |
| Ownership | 115 |
| Pension and health and social security | 58 |
| Housing care | 36 |
| Tenancy rights | 33 |
| Labour | 10 |
| Misdemeanour | 3 |
| Other | 109 |
| TOTAL | 481 |

During the reporting period, there were **132** successfully solved request. They mainly relate to documents, status and establishment of ownership cases.

LEGAL ASSISTANCE

| | |
|---|------------|
| Appeals/complaints | 7 |
| Letters | 75 |
| Lawsuits | 4 |
| Revision | 1 |
| Submissions- institution of proceedings | 5 |
| Submissions – other | 50 |
| Legal and psychosocial counseling | 229 |
| Quick advises | 139 |
| TOTAL | 510 |

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 court 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.

Regarding the administrative cases, the issues CRP has dealt with remain the same: The deadline for convalidation of war period working years has been extended, but the CRP clients mainly get negative decisions. It is yet to be seen how the second instance body will deal with these cases. The same situation is with housing care issues; there are many negative decisions and it is also to be seen how the second instance body will decided on them. Regarding the citizenship and permanent/temporary residence issues, the CRP clients, who are mainly of the Roma

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and Bosnian origin, mainly get negative decision at all instances. It is to be seen how the Constitutional court will be deciding on these cases. For example, there are two Roma cases pending before the Constitutional court, as they have been negatively decided at all lower instances, based on the fact that they do not know the Croatian letter and language, though they are only illiterate.

The CRP clients that need to solve their problems through court procedures are with the Law on Free Legal Aid put in a very difficult situation. Namely, the court cases regarding the ownership that come under the Law are extremely limited. None of CRP clients has been granted free legal aid in ownership cases. E.g. the client N.O. (CRP case no. 9751) has been sued, as an heiress after her late father, for payment of debt of the father. She is one of the heirs and she had nothing to do with the debt. The court procedure goes in direction that the debt will be paid by selling of the client's house, while there are other heirs, who are responsible for the debt, but their property has not been established. The court procedure is ongoing. The client has been rejected free legal aid, based on the fact that the court procedure was about the payment and not the ownership. However, if the client would not have a proper representation before the court, she might lose the house, which is her home and she could become a social welfare case. CRP filed an appeal to the negative decision on free legal aid. Besides, to appeal to the County office for free legal aid, it is necessary to pay administrative fee in the amount of HRK 50,00. Therefore, to receive free legal aid, the clients need free legal aid and to pay fees.

Also, the County office for free legal aid considers cases related to ownership to be of existential nature only if the clients can prove the ownership and if it is of regulated size. Namely, if the client is not owner of property, he/she can not have any procedure about it. However, CRP would like to point out that many of the CRP cases are about establishment of ownership, mainly due to the well known fact that the land registry in Croatia is not in order, as it was not important to register changes regarding the ownership in former Yugoslavia.

It is even more difficult to receive free legal aid from the State in ownership related case if the opposite party is the State or local administration. For example, the clients S. and M.N. (CRP case no. 1186) are of the Roma ethnicity and are trying to establish ownership over their house. The house was built on the town owned land, which was given by the Town to the clients, but the ownership was never regulated. The clients built the house over 30 years ago. They fled Croatia in 1991 and returned in 2000, when they found out that their house was occupied. They filed a lawsuit against the occupant, but they lost the case because, among other things, they could not prove their ownership. They filed a lawsuit for establishment of ownership against the Town. Both cases are ongoing, but the clients cannot get free legal aid, as they cannot prove ownership and they are suing the local authorities.

Other activities

On 19 March, the European Commission Delegation in Zagreb and the Norwegian Embassy representatives visited the CRP's project "Citizens' Centre in Glina". The meeting was held in the Citizens' centre premises, which CRP Sisak shared with the Disabled persons NGO. The meeting was attended by the Glina authorities

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representative, as well as ADELA – Centre for women, CRP's partner, and CRP's volunteers and the beginning phase of the project was discussed.

In the period from 26 to 29 March, CRP attended training for multipliers "Europe for Citizens Programme – new possibilities for civil society organisations". The training was organised by the Local Democracy Agency Sisak and it was attended by around 10 NGOs.

On 27 and 28 March (second part of the workshop will be done beginning of April) in the Citizens' Centre in Glina, a workshop for women on painting on glass was organised by CRP, as a part of activities of the project financed by the EC Delegation and Norwegian Embassy in Zagreb. The workshop was attended by 21 women. Three of them are going to school and all others are unemployed. They are of different ethnicities and there are returnees, settlers and domicile citizens among them. Besides enabling women to develop some skills and eventually generate small income, the aims of this activity was to get different women together and form some basis for future work.

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