

19 November 2014

## BOSNIA AND HERZEGOVINA

# Ethno-political agendas still prolonging displacement

Around 100,400 people remain internally displaced as a result of the 1992-1995 war in Bosnia and Herzegovina. Often invisible, internally displaced people (IDPs) survive on benefits and meager income earned through informal labour. They mostly live in private accommodation in unknown housing conditions, while a small percentage still live in substandard collective centres. Some continue to struggle to repossess their property while others are unable, or do not wish, to repossess their property or return. Roma IDPs are especially marginalised as they often lack documentation to access services and assert housing and property rights. In recent years, after focusing solely on promoting return, the government has taken measures to facilitate integration of IDPs.



Those who have returned face a series of challenges. Upon repossession of their property, some found secondary occupants in their homes and were ordered to pay high compensation for investments made by the occupants. Roma returnees have had difficulty repossessing their property since they often lacked the documents required. Many other returnees have had to reconstruct their homes without sufficient aid and little opportunity for employment. The education system in some return areas remains ethnically segregated, cementing divisions and preventing reconciliation. Some returnees seek to retain rights to access health care and benefits in their area of displacement when they are more advantageous. Physical attacks on returnees have decreased in recent years, but continue nevertheless.

In 2014, the worst floods and landslides on record seriously impacted work addressing internal displacement as a result of the 1992-1995 conflict, increasing the number of people in need of assistance. Many IDPs and returnees were displaced again and lost what they had managed to rebuild. In some cases this reignited past trauma. The authorities have an opportunity, while responding to the needs of the newly displaced, to also address structural long-term issues such as extreme poverty and social exclusion of those suffering from protracted displacement and those who have not achieved durable solutions.



Map by: IDMC

More maps are available at [www.internal-displacement.org/search?Type=Map](http://www.internal-displacement.org/search?Type=Map)

Politicians are doing little to encourage a sense of common belonging and establish the facts of the events of the 1992-1995 war to promote reconciliation. The persistence of the ethnic divide in political discourse and policies encourages IDPs to remain displaced or to return to areas where they belong to a majority group. Reconciliation is essential for the achievement of durable solutions to displacement. It is also vital to resolve outstanding property cases of IDPs, address requests for housing reconstruction, design a livelihoods strategy for IDPs, returnees and other vulnerable groups, eliminate segregated education, improve tenure security and birth registration for Roma, step up efforts to determine the whereabouts of the remaining 7,200 missing persons and resolve outstanding court cases related to wartime atrocities.

## Background

### Displacement caused by conflict

Following Bosnia and Herzegovina's<sup>1</sup> declaration of independence from the Socialist Federal Republic of Yugoslavia in March 1992, Bosnian Serb paramilitary units, militia and police forces, supported by the mainly Serbian Yugoslav People's Army began a campaign to expel other ethnic groups from Bosnian Serb-held areas. Their aim was to establish an ethnically homogenous Greater Serbia by uniting Serb-majority areas of BiH and neighbouring Serbia (HRW, 2000). The armed conflict was also characterised by other grave violations of international humanitarian law, including mass killings, torture, systematic rape, forced labour and camp confinement. Bosnian Muslim (Bosniak) and Bosnian Croat forces also committed serious abuses in an attempt to create ethnically homogenous areas (HRW, 1 September 1993).

Over half of BiH's 4.4 million people were driven from their homes, more than one million were

displaced internally and another million became refugees. Bosniaks, Bosnian Croats and others, such as Roma, Jews and other minorities in BiH, fled Serb-dominated areas, while Bosnian Serbs mainly fled to Serb-dominated areas (Tabeau, E., 2009, p.678). The result was a dramatic shift from ethnically mixed areas to those with ethnic majorities. Over 100,000 people were killed (HRW, 9 July 2013; Tableau, E, 2009, p.387). At least 20,000 women and girls were victims of rape and sexual violence as a weapon of war, as well as at least hundreds of men (Ombudsman, 25 October 2013; UN Report of the Secretary-General, 13 March 2014).

Some wartime violations have been deemed crimes against humanity. The International Criminal Tribunal for the former Yugoslavia, established by UN Security Council Resolution 827, had made 69 convictions by mid-2013 (HRW, 9 July 2013). The Tribunal recognised rape and sexual enslavement in BiH as crimes against humanity, established their link with ethnic cleansing (ICTY, 16 November 1998; ICTY, 12 June 2002; ICTY, 02 August 2001) and confirmed the Srebrenica massacre constituted genocide (ICTY, 19 April 2004). The whereabouts of around 7,290 persons have yet to be determined (ICRC, 2 July 2014). Mass graves are still being uncovered. Additional funds, specialists, psychological support and improved redress mechanisms for families are needed (The Guardian, 27 May 2014).

The 1995 Dayton Peace Accords (DPA) which ended the war brought peace that has lasted to date. Reflecting power relations that existed at the time the DPA provided for two ethnically defined entities for three constituent peoples with equal constitutional status: the Federation of Bosnia-Herzegovina (FBiH), with mainly Bosniaks and Bosnian Croats, and Republika Srpska (RS), with mainly Bosnian Serbs. A much smaller self-governing administrative unit, Brčko District, was also formed.

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<sup>1</sup> Throughout this overview the state of Bosnia and Herzegovina is also referred to as BiH.

## A timeline of displacement in Bosnia and Herzegovina

From 1991 to 2014

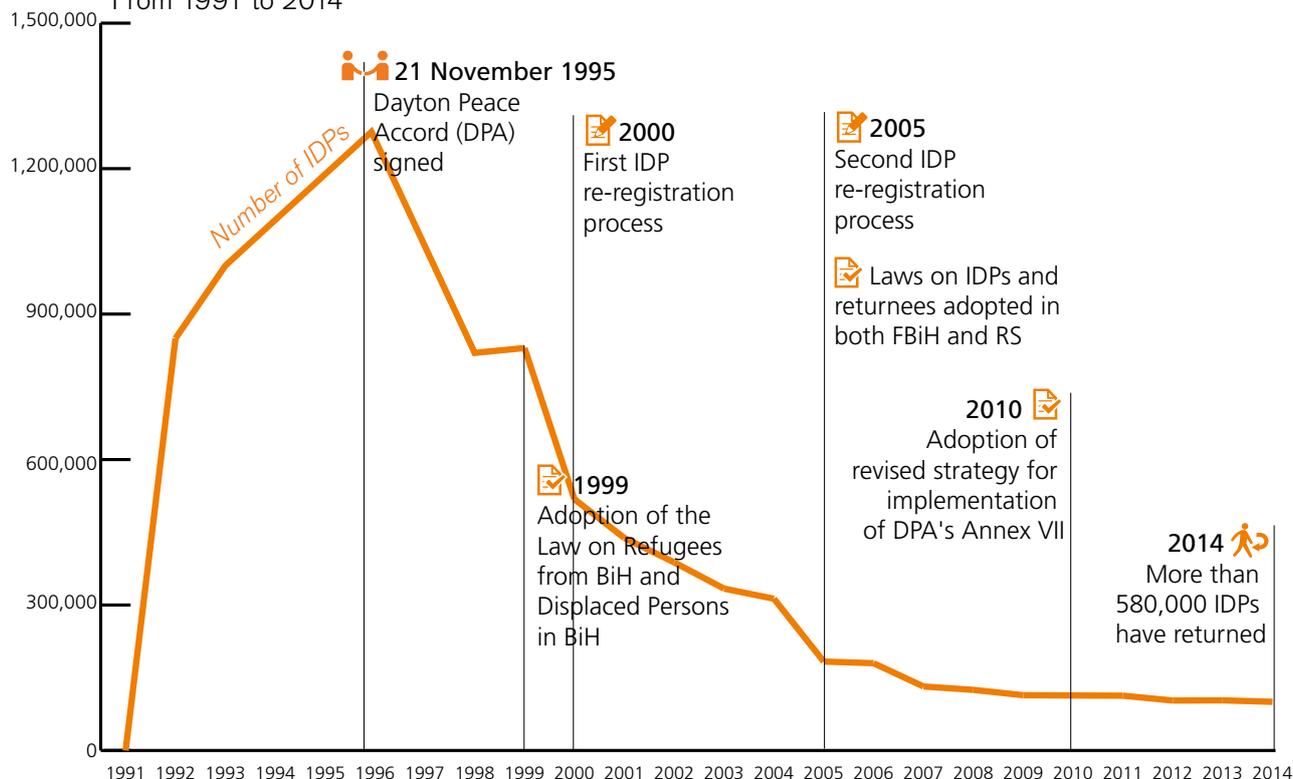


Figure sources: Government of Bosnia and Herzegovina, ICG, UN Commission on Human Rights, UNHCR

While many displaced persons have since returned, the political arrangement whereby territory was divided by ethnicity has only served to further entrench divisions and slow the resolution of displacement and related issues. Change requires the agreement of representatives of Bosnian Serbs, Bosnian Croats and Bosniaks. The parties to scrutinise any proposal for its potential effects on each group as well as on the balance of power between them and access to resources (ICG, 10 July 2014).

### Displacement caused by natural hazards

Floods and landslides in BiH are increasing in frequency, aggravated by environmental degradation associated with deforestation and construction in risk-exposed areas. Floods in May 2014 were the worst for a century. They caused \$2.59 billion damage (GoBiH, July 2014). Over 43,000 houses were flooded and 1,900 were destroyed due to landslides, many having been built illegally in at-risk areas (GoBiH, July 2014). Significant

flooding had occurred in 2010 but subsequent preventive measures proved inadequate.

## Displacement figures

### Displacement caused by conflict

Those displaced by conflict in BiH are eligible for 'displaced person' status. Those who have returned are accorded 'returnee' status for six months. Displaced person status ceases upon return, permanent settlement elsewhere in the country, disposal of pre-war property, purchase or construction of housing or assisted reconstruction of pre-war housing. Officially acknowledged IDPs and returnees are entitled to housing reconstruction assistance, temporary accommodation, food, social reintegration, psychological support, health care and education.

As of June 2014 there were 100,365 people with displaced person status in BiH (MHRR, 30 June

2014), with about 39,000 in FBiH, 60,900 in RS and 500 in Brčko District. Children of IDPs are given displaced person status on birth if the head of household has the status, regardless of their gender. Data is not disaggregated by age or sex, but according to ethnicity, Bosniak, Bosnian Serb, Bosnian Croat, and 'others'. In mid-2014 there were around 32,800 Bosniak IDPs, 62,200 Bosnian Serb IDPs, 4,900 Bosnian Croat IDPs and 500 IDPs of other ethnicities (MHRR, 30 June 2014).

Municipalities issue displaced person status and nation-wide figures are produced by BiH's Ministry of Human Rights and Refugees (MHRR). The actual IDP figure may be higher because it does not include Roma IDPs who regularly move within the country and/or lack personal identification documents to register as IDPs. Also, in order to be recognised as a displaced person in BiH, individuals must express the wish to return and take specific steps including applying for reconstruction of their destroyed property. IDPs who do not wish to return are therefore neither recognised nor enumerated.

In June 2014, the UN Refugee Agency (UNHCR) estimated that around 580,000 IDPs, some 60 per cent of those originally displaced, had returned to their homes. This included 352,000 returnees in FBiH, 208,000 in RS, and 20,000 in Brčko District. Some areas have received almost no returnees with others receiving up to half their pre-war population ([Lipman](#), 2012). Almost half have been classified as 'minority returns,' situations where IDPs return to an area where they represented a numerical minority based on the post-war composition of the area ([UNDP](#), 2013, p. 68). Estimates are unreliable, but at least tens of thousands of returnees eventually moved back to their area of displacement or to another location ([UNDP](#), 2013; [CESI](#), 2013; Valenta and Ramet 2012). For many, return has been short-term as they have sold, exchanged or let repossessed property and opted to live elsewhere ([EMR](#), September 2009, pp.22-24).

### **Displacement caused by natural hazards**

Floods and drought have affected over 489,000 people since 2000 ([UNISDR](#), March 2013; [GoBiH](#), July 2014). Some of those affected had already been displaced by the 1992-1995 conflict and had returned, or were still displaced. Flash floods in early December 2010 led to 40,000 people being evacuated from their damaged or destroyed homes, including about 10,000 who had been uprooted by violence in the 1990s ([UNHCR](#), 7 January 2011). In May 2014, up to 89,000 people were displaced by flooding and landslides ([GoBiH](#), July 2014). Over 54,000 were displaced in FBiH, 33,000 in RS and 1,200 in Brčko District ([GoBiH](#), July 2014). This included already vulnerable groups such as conflict-affected IDPs ([GoBiH](#), July 2014; RS, 29 May 2014), over 1,000 Roma families (UNHCR, May 2014), victims of wartime sexual violence (IDMC interview, July 2014) and landmine victims ([Landmine Monitor](#), 19 October 2014). People displaced by natural hazards are not eligible for displaced person status.

## **Protection concerns**

### **IDPs displaced by natural hazards**

People displaced by the May 2014 floods and landslides found accommodation with relatives and friends, or in tent camps, barracks, schools and other public buildings opened as temporary accommodation facilities (TAFs). In November 2014 there were around 1,500 IDPs still living in TAFs in both the FBiH and RS (IOM, November 2014). Schools being used as temporary accommodation were vacated on commencement of the academic year and all children displaced by the floods are attending school.

The number of IDPs in TAFs has fluctuated as IDPs have been returning temporarily to start clearing, repairing and reconstructing their homes and some TAFs have been closed (IOM, November 2014). Others have returned to seek reconstruction assistance, while some have not done so

because of poor health or old age (IOM, 12 August 2014). Shifting of unexploded ordnance, mine warning signs and fences have led to one mine fatality and other injuries (Norwegian People's Aid, 30 May 2014; Norwegian People's Aid and ICRC, 10 June 2014; [Civil Protection](#), 2 September 2014).

With over 43,000 destroyed and damaged housing units, reconstruction will not be complete by the end of 2014 ([GoBiH](#), July 2014, p.82). Verification of housing and land ownership and personal identification documents is problematic as many fled without documents. Such documents are difficult to reissue since they were kept as paper records at government offices ([GoBiH](#), July 2014, p.203). Three quarters of all houses built before the conflict lacked permits and many natural hazard victims may thus be ineligible for housing aid. Some Roma and other IDPs impacted by natural hazards lack building permits and live in risk-prone localities ([GoBiH](#), July 2014).

The vast majority of people displaced by conflict and then by natural hazards are elderly, single and poor ([GoBiH](#), July 2014, p.84). For some the latest displacement reignited trauma related to their war-time displacement (IDMC interview, July 2014; [ECHO](#), 6 June 2014). In July 2014, 25 per cent of those affected by the floods and landslides needed psychosocial support (UN, 6 July 2014), a proportion likely to grow as aid diminishes (IOM, 12 August 2014). All IDPs have faced the disruption, and at times destruction, of livelihoods as they lost businesses, crops and livestock. As most households and businesses lack weather-related insurance coverage many have lost regular sources of income and are thus aid-dependent ([UNISDR](#), 1 October 2014).

### **IDPs displaced by conflict**

#### ***Precarious livelihoods***

BiH remains one of the poorest countries in the region. The reported unemployment rate ranges from 27 to 45 per cent ([BiH Agency for Statistics](#), 2014; [Ombudsmen BiH](#), March 2014, para 10.1).

Unemployment affects the whole population, but many IDPs fall below the national poverty line. Ongoing post-war trauma and low skill levels limits chances of becoming self-reliant ([WB](#), 2009, p.9). Internally displaced women are increasingly becoming victims of human trafficking ([UN CEDAW](#), 30 July 2013, para 23). Older IDPs are particularly vulnerable, especially those unable to wash or cook for themselves. With limited access to soup kitchens, some depend on family members or have to pay others for help. Thus some go without food, medical treatment and sanitary items.

IDPs report they mostly depend on pension and social benefits and/or informal income obtained through such seasonal work as collecting berries and mushrooms, recycling metal or selling crafts (IDMC interviews, July 2014; [Humanity in Action](#), 2013). BiH is among the leading countries in terms of the share of GDP generated by remittances (10.6 per cent) ([WB](#), 2013). There is no data on how many IDPs benefit from remittances or how they contribute to household budgets. Budget restrictions in 2013 led to authorities at all levels providing less support and assistance to IDPs and other socially vulnerable groups. IDPs in rural areas say they could become more self-reliant if they received livestock (IDMC interviews, July 2014).

#### ***Access to adequate housing improving but insufficient***

By 2013, around 29,000 housing units, some six per cent of those destroyed during and following the war, still needed reconstruction ([UNDP](#), 2013, p.48). Owners of these properties have missed application deadlines, never applied or been rejected. Some IDPs report not being offered a genuine choice to return as without reconstruction assistance they could only stay where they were (IDMC interviews, July 2014).

The vast majority of IDPs live in private accommodation with a significant number currently residing in dwellings that others abandoned ([OSCE](#), 8 March 2012). Around 15,000 IDPs live in accom-

modation provided and paid for by the government (UNDP, 2013, p.47). Some 8,500 live in over 150 collective centres throughout the country, most in FBiH. Residents are mostly older people, in female-headed households or those who are traumatised, disabled or chronically ill (UNHCR, February 2012). Most have now lived in collective centres for almost two decades. Their vulnerability has increased over time as living conditions have worsened, their healthcare needs have remained unaddressed and aid has diminished (UNHCR, 24 August 2012).

Most IDPs in collective centres are set to move within the year to social housing as part of a five-year project led by the Ministry of Human Rights and Refugees. Residents will pay a token rent of approximately \$1 per square metre, and may be eligible for reduced utility rates. Similar previous rehousing projects have significantly improved housing conditions for IDPs but moving out has increased financial burdens as in collective centres they did not pay for rent or utilities. Some have been unable to pay social housing rent, though there have been no reports of eviction (UNDP, 2013, p.47; IDMC interview, July 2014).

#### ***Most difficult property repossession cases remain***

Annex VII of the DPA states that displaced persons have the right to have their pre-war property restored or to receive compensation from the Commission for the Real Property Claims of Refugees and Displaced Persons (CRPC) (General Framework Agreement for Peace in BiH, 1995). In 1998, the authorities in FBiH and RS repealed wartime rules allowing displaced persons to move into abandoned housing and created procedures for restitution to their pre-war residents. Implementation was closely monitored through a joint international effort. However, a property compensation system has not been put in place for those unable or unwilling to return partly because of lack of funds but also because donors have been unwilling to contribute to a premature end to returns and consolidate the ethnic separa-

tion created by the war (Philpott, 2006). As a result, the dispossessed have only been able to apply for property restitution, which has been confined to private houses and flats in social ownership.

By 2003, the restitution process was largely complete and over 90 per cent of claims had been decided. Nearly 200,000 private and socially-owned homes were returned to their pre-war residents (CoE, 2009). Some of the dispossessed have reclaimed properties in order to resell or let them, while living elsewhere in BiH or abroad. The most difficult cases are still pending, with some 110 unresolved cases, 300 cases being processed and additional appeals in legal limbo (OSCE, 8 March 2012). Complicating the issue is that the CRPC has been defunct since its mandate expired in 2009. An unknown number do not seek to repossess property because of abuses suffered during the war or fear of retaliation for violent acts committed by their ethnic group (McClatchy, 25 April 2012).

Thousands of IDPs have faced additional property restitution challenges. This includes those who had started a process of acquiring flats owned by the army that they were living in in the early 1990s but had had these flats confiscated during the war. The army has obstructed their repossession. Those who missed deadlines to claim socially-owned property were also left without a remedy. The authorities have been allocating unclaimed flats, for which there is no reliable figure, but not always to those most in need (OSCE, 8 March 2012, p.31). Less than five per cent of estimated unclaimed flats have been allocated to members of socially vulnerable groups (OSCE, 8 March 2012). Some descendants of deceased or missing IDP property owners have not had titles transferred into their names. They are thus prevented from repossessing and selling the property and can be disqualified from livelihoods support and other assistance (IDMC interview, July 2014).

### **Discrimination against Roma IDPs**

Roma IDPs are doubly vulnerable on account of their displacement and their status as the largest and most discriminated against minority in BiH ([UN Independent expert on minority issues](#), 31 December 2012, p.2). On top of the obstacles inherent to being Roma, including chronic unemployment, inadequate housing, lack of documentation, limited access to healthcare and education, and discrimination, many Roma IDPs have been unable to repossess their pre-war property. Roma IDPs who were disproportionately housed in informal settlements were largely excluded from the property restitution process ([CoE](#), 8 January 2010, p.7, 16; [CoE ECRI](#), 7 December 2010, p. 33). This is because most never had a formal property title, which leaves them at a disadvantage compared to most other IDPs. Some live in alternative accommodation provided by the government or have been resettled in new social housing. Their low rate of employment and/or school enrolment makes them less likely to have health coverage ([WHO](#), May 2013; [CoE ECRI](#), February 2011). They report that they are still marginalised from broader society ([UN Independent expert on minority issues](#), 31 December 2012).

## **Obstacles to durable solutions**

### **Courts support unlawful occupants of IDP property**

Some 40 returnees are still embroiled in legal challenges against rulings mostly made in 2012 requiring them to reimburse occupants of their property for expenses and investments incurred (IDMC interview, July 2014). The law provides for compensation to temporary occupants for necessary expenses they made to preserve property and courts have often ruled that other non-essential payments were necessary. This is despite the fact that they have not been paying rent while living there for over a decade. Often compensation granted to temporary occupants is higher than the property value and if returnees cannot pay

they forfeit the right to return. Some returnees have taken loans to pay the compensation. Others have been unable to pay and thus had their homes forcibly auctioned. Tenancy rights holders may also face the same situation when they return to their flat, but the law is not clear about where they can lodge claims. The Ombudsman of BiH has received complaints on this issue from returnees, mainly in RS but also in Bosnian Croat areas of FBiH and concluded that due to lack of legal clarity returnees are unable to fully enjoy the right to return and the legislation that prescribes compensation for expenses for property preservation should be amended ([Ombudsman BiH](#), March 2012, p. 2).

### **Housing reconstruction still required**

Insufficient assistance for reconstruction of destroyed homes remains a key obstacle to sustainable return. Housing stock was often willfully damaged or destroyed to prevent return of the displaced ([Dahlman and O Tuathail](#), 2005, p. 644). Around 453,000 or 42 per cent of housing units were damaged or destroyed during the conflict and following the signing of the DPA ([MHRR](#), 2009, p.4). Most destruction took place in FBiH. Over 317,000 housing units have been reconstructed (in FBiH 232,367, in RS 72,388 and in Brčko District 12,365) (GoRS, 30 June 2014). However, there is still significant need for reconstruction assistance ([UN Independent expert on minority issues](#), 31 December 2012, para 67). Reconstruction has been implemented through various schemes for over two decades. While this has improved the living conditions for many returnees, the quality of reconstruction has been inconsistent. Many returnees left with half-finished homes and living in partially reconstructed homes they cannot afford to finish. Others have again moved, leaving their reconstructed homes uninhabited ([UZOPi](#), 2009, p.13).

### **Security threatened by alleged perpetrators, ethnic divisions and landmines**

Returnees face several physical security concerns.

They report having to live alongside those they blame for serious human rights abuses ([UNDP](#), 2012, p.22). Physical attacks against minority returnees may have diminished in recent years, but continue to occur, along with attacks against religious sites, other hate-motivated attacks and ethnically divisive political discourse ([CoE FCNM](#), 7 April 2014, para 99; [CoE ECRI](#), 7 December 2010, p.8). Crimes against minority returnees are not always as vigorously investigated and prosecuted as crimes against those who are in the majority. Landmines also remain an obstacle to sustainable return in BiH, the most heavily mined country in Europe ([Handicap International](#), 6 June 2014). Returnees, IDPs and refugees constitute two thirds of the 540,000 people found to still be affected by mines in 2011 (BHMIC, May 2012, p.4). Rural areas have yet to be de-mined. With job opportunities scarce, people venture into unsafe zones to collect firewood to sell or to work in fields.

### **Segregated education prevents integration and reconciliation**

The education system continues to reflect and reinforce ethnic divisions. There are 14 separate education administrations each with its own policies, budget and power to decide the curriculum ([UN SR on right to education](#), 27 May 2008, para 55). 'National group of subjects' were developed for Bosniaks, Bosnian Serbs and Bosnian Croats and included languages, history, geography, religion and music according to their ethnicity. Each educational authority has the power to determine whether numerical minorities can be taught their 'national group of subjects', in which case they separate from their peers to study their subjects ([Osservatorio Balkani e Caucaso](#), 7 November 2013). Textbooks remain ethnically oriented ([CoE FCNM](#), 7 April 2014, para 202; [Swimelar](#), March 2012, p.11; [UN SR on right to education](#), 27 May 2008, para 65). School boards are generally controlled by ethnicity-based locally dominant political parties. ([UN SR on right to education](#), 27 May 2008, para 74). Hiring of teachers is usually influenced by their ethnicity ([Barbieri](#) p.6).

Some children of returnees who have returned to an area in which they are now a numerical minority have thus found only mono-ethnic schools that cater to the needs of the majority. Some minority returnees in such schools have been marginalised ([UNICEF](#), 2009, p.13; IDMC interview, July 2014; OSCE, May 2010). In response some parents prefer to send their children to a school outside the catchment area that caters to their ethnicity ([UN SR on right to education](#), 27 May 2008, para 68; [IIEP](#), 2010). The result is ethnically homogeneous schools that are reportedly proliferating even in ethnically-mixed areas ([CoE FCNM](#), 7 April 2014, para 120; [EC](#), 2013, p.17; [UN Independent Expert on minority issues](#), 31 December 2013, p.17).

In other areas, the "two schools under one roof" system – established in the late 1990s as an interim measure to promote return to places of origin – remains in place. In such schools minority returnee children are taught in their language based on their ethnicity. They are taught separately from children of other ethnicities using different textbooks, under separate school management and with their own teachers. There are up to 50 such schools operating in FBiH ([Barbieri](#), November 2013; [RFE/RL](#), April 2012; [SETimes](#), 11 March 2012; [IIEP](#), 2010; [Perry](#), 2009). The result is that returnee children are educated separately from other ethnic groups, which prevents their integration in the area of return.

*A set of Recommendations for the Elimination of Segregating and Parallel Structures in Educational Institutions in the FBiH* was adopted in 2012 but has not been implemented (IDMC interviews, July 2014). The heads of some education administrations agreed to establish integrated education that respects all cultures, but relevant national laws are not implemented as a result of the lack of coordination ([Osservatorio Balkani e Caucaso](#), 2013; [Transconflict.com](#), November 2013; [UN SR on the right to education](#), 27 May 2008, para 58). Parents and children in RS have requested that the 'national group of subjects' be taught accord-

ing to their ethnicity. They have complained to the Ombudsman and applied to the courts to challenge the practice of mono-ethnic schools ([Ombudsman](#), 2014; IDMC interview, July 2014). Most court cases are ongoing, but there have been some court judgments ordering some mono-ethnic schools to offer the national group of subjects for numerical minority group applicants. In the case of “two schools under one roof” courts have called for their closure but have refused to hear other cases ([RFE/RL](#), 27 April 2012; [EC](#), 2013, p. 8, 17). The result is continued segregation of some primary school children.

A survey of parents, teachers and students found most to be highly in favour of integrated education. Though convinced studying alongside students from other ethnic groups is in the best interest of the child and the wider society, they believe fears of assimilation make this unfeasible ([UNICEF](#), 2009, p. 14-17). Integrated education has been instituted in Brčko District with Bosniak, Bosnian Croat and Bosnian Serb students studying together with the same curriculum, with respect for their own language and cultural specificities ([UN SR on right to education](#), 27 May 2008, para 99; Perry, 2009 p.217). Concerns about preserving language and culture can be met within an integrated education system ([CoE FCNM](#), 7 April 2014, para 17; [UN Independent expert on minority issues](#), 31 December 2012, p.21; UN RSG on IDPs, 29 December 2005, p.20-21; [CoE](#), 29 March 2011; [OSCE](#), 23 September 2013).

#### **Differential access to health care and welfare**

Health care entitlements and social and pension benefits are generally more advantageous in FBiH. This has been a factor in some IDPs deciding not to return to RS or Brčko District while others who have not returned have kept their registered FBiH address in order to continue accessing health care and benefits there ([CoE ECRI](#), 7 December 2010, p.30; [UZOPJ](#), 2009, p.13). The exception is Sarajevo canton, which adopted legislation in April 2014 that enables IDPs leaving the canton to return to

their pre-war home to retain the healthcare and social benefits they receive in the canton. Some health care centres employ staff only from the majority ethnic group and display ethnically divisive symbols ([CoE ECRI](#), 7 December 2010, p.8). Many returnees in a minority situation lack confidence to go to these institutions and prefer to travel back to their area of displacement for treatment.

#### **Limited access to livelihoods**

A major obstacle to return is lack of employment ([Ombudsman](#), 2014). Some IDPs have returned because of the lower cost of living in the return area and the possibility of working the land. Detailed information is lacking but it is thought that a considerable number of returnees face poverty ([UNDP](#), 2013). There is ethnic discrimination in access to the labour market for minority returnees. Restrictions on access to other social rights, as well as the poor economic climate, also act as barriers to sustainable returns of IDPs ([CoE FCNM](#), 7 April 2014, para 98; [CoE ECRI](#), 7 December 2010, p.32; [UN Independent expert on minority issues](#), 31 December 2012, para 69). Many returnees have become dependent on social and/or pension benefits or limited income from small-scale agriculture. Many lack health insurance since they often miss application deadlines. A lack of infrastructure in rural areas, including water facilities, roads and electrification, has also been an obstacle to sustainable return ([UNHCR](#), 30 July 2011).

## **National response**

#### **Response to conflict-induced displacement**

The national response to conflict displacement is based on the *2010 Revised Strategy of Bosnia and Herzegovina for the implementation of Annex VII of the Dayton Peace Agreement* ([GoBiH](#), 24 June 2010). Its adoption represented an important shift in the government’s approach to internal displacement since it contained provisions for the integration of IDPs in their areas of displacement and elsewhere – in addition to return. It also

includes harmonisation of legislation, development of an integrated database, creating conducive policies in health, education, labour and employment and provision of social and disability insurance. Currently, the main form of assistance through this strategy remains housing reconstruction and provision of alternative accommodation, though there has also been livelihoods assistance and reconstruction of water and sewage systems, electricity networks and roads. A consultative group for the implementation of this revised strategy was formed in 2014, but has not yet started functioning.

Originally adopted in 1999, a revised law on displaced people and returnees that incorporated provisions for property compensation has been sent to the Council of Ministers – the executive branch of the BiH government – for adoption (MHRR, 11 July 2014). According to the draft law, BiH's state institutions, entities, the Brčko district, cantons, cities and municipalities will all give two per cent of their budgets to fund projects until Annex 7 of the DPA is fully implemented ([Balkan Insight](#), 26 February 2013). The May 2014 floods and landslides prompted discussion of whether natural hazards should be added as a cause of displacement in the law, but this revision to the draft was not agreed.

The authorities report lack of resources to meet IDPs' ongoing grave needs (IDMC interviews, July 2014). Over 70,000 people with IDP status have been assisted since 2010 (MHRR, 11 July 2014). Municipal authorities have been contributing to social housing projects led by international agencies with land, infrastructure connections and building permits, despite the lack of legislation at the state or entity level. The canton or municipality is responsible for management of social housing units and has allocated land and property. Strategies on social housing have been or are being developed in Gorazde, Zenica, Mostar, Prijedor and Banja Luka. At a local level political frictions may prevent improvements in IDPs' lives.

In Mostar, for example, factional deadlock has meant that IDPs given land plots are unable to apply to build on them (IDMC interview, July 2014).

In December 2013, the Ministry for Human Rights and Refugees and the Council of Ministers adopted the *Revised Action Plan for Addressing Roma Issues in the Field of Employment, Housing and Healthcare of Bosnia and Herzegovina*. In 2014 the outstanding 1,300 cases involving wartime violations were continuing to be transferred to the locality where the crimes took place. Other drafted policies that may benefit IDPs have yet to be adopted. These include the *National Strategy on Transitional Justice* developed in 2011, which aims to ensure access to justice and reparation for all civilian victims of war. Also awaiting adoption is the *National Programme for Victims of Sexual Violence in Conflict and Beyond* drafted at end of 2012 to ensure access to reparations for survivors of wartime rape and other forms sexual violence.

The Decade of Roma Inclusion 2005-2015, an initiative by 12 European countries to improve the socio-economic status and social inclusion of Roma in the region, has improved the situation of some Roma in BiH, including Roma IDPs. General improvements include increased school enrolment, lower school dropout rates, higher employment, better infrastructure, improved health awareness and health care access ([CoE FCNM](#), 7 April 2014; [Ombudsman BiH](#), March 2014). There has been considerable work in recent years to ensure Roma have identity documents. However, initiatives are often poorly funded and have not significantly improved the situation of many Roma ([UN Independent expert on minority issues](#), 31 December 2012, p.10).

### **Response to natural hazard-induced displacement**

Displacement as a result of the May 2014 floods further compounded the national response to conflict-induced internal displacement. Authorities had to simultaneously address the

needs of affected IDPs and those who had been waiting for two decades. The government has acknowledged the need to include vulnerable groups, such as Roma or conflict-affected IDPs, refugees and returnees in recovery interventions ([GoBiH](#), July 2014). People who had been doubly displaced have been prioritised by the FBiH Ministry of Displaced Persons which has shifted funds from conflict- to natural hazard-impacted IDPs (IDMC interviews, July 2014).

The Ministry of Security and Civil Protection is responsible for consolidating data on needs of affected persons and distribution of aid. While FBiH, RS, Brčko District and many municipalities declared a state of emergency, there was no national declaration. Responses were affected by difficulties of access to populations in need, insufficient funds, electoral campaigning, the summer holidays and Ramadan (IDMC interviews, July 2014). RS gave affected families a voucher worth up to \$3,500 to be spent on set items that would aid recovery and reconstruction in certain shops. FBiH did not provide such a grant. Customs clearance of humanitarian items was delayed by red tape. While there was solidarity across ethnic lines in affected regions and neighbourhoods, the government response was judged as slow and insufficient ([ICG](#), 10 July 2014, p.4; [DW](#), 7 July 2014).

The government made commitments to build back better at a July 2014 international donors' conference. It acknowledged that there were limited dams to hold back floodwaters and that many affected homes had been constructed illegally. It has committed to developing flood prevention, flood risk mapping and vulnerability assessments, to paying attention to the needs of the most vulnerable, further developing civil protection mechanisms and promoting a culture of damage insurance. A high-level meeting will be convened in 2015 to monitor implementation ([EC](#), 16 July 2014).

## International response

### Response to conflict-induced displacement

Significant post-war reconstruction resources have been provided. The main recent donors have been the European Union (EU), Germany, the United States, the Council of Europe Development Bank (CEB), the OPEC Fund for International Development (OFID) and the Saudi Fund for Development. Much aid arrived soon after the DPA but by the time it became apparent that more attention was required to promote long-term development and reconciliation international attention had shifted (Perry, 2009 p. 218). Aid by 2010 may have totaled \$14 billion. There has been billions of dollars of further expenditure as international officials in effect ran the country ([ICG](#), 10 July 2014). The EU spent \$623 million supporting returns, including establishing safe conditions, return of property and reconstruction ([EU](#), 28 April 2014). Corruption and non-transparency limited the impact these funds have had on addressing displacement (IDMC interviews, July 2014). IDPs also report that the same privileged people in their communities benefit from assistance time and again (IDMC interviews, July 2014).

International organisations continue to address internal displacement. Among the many international NGOs assisting IDPs are as Catholic Relief Services and Hilfswerk International, both mainly assisting IDPs with housing and income generation. CEB has provided a loan for \$74 million for social housing for collective centre residents. Implementation is awaiting a memorandum of understanding between UNHCR and the Ministry of Human Rights and Refugees and a grant agreement. Another inter-agency project "Support to durable solutions of the Revised Annex 7 DPA Implementation Strategy" aims to enhance shelter, income generation, and access to rights for the most vulnerable IDPs and returnees in ten municipalities. It will be implemented by UNHCR, UNDP, UNICEF, the International Organization for Migration (IOM) and civil society partners ([EC](#),

2012). There is a complementary ongoing UN Country Team (UNCT) project implemented by the UN Development Programme (UNDP), UNHCR, UNICEF, IOM and municipalities in Canton 10 that aims to address the needs of returned IDPs and refugees found to be the most vulnerable. While not targeting IDPs specifically, the OSCE has interventions on IDP-related issues around education, property, Roma rights and transitional justice. The Office of the High Representative, an international institution responsible for overseeing implementation of the DPA, continues to monitor activities related to IDPs and following elections in October 2014 called on the newly mandated government to put the interests of the country and its citizens first (OHR, 11 November 2014).

### **Response to natural hazard-induced displacement**

Around 60 international governments and organisations are providing assistance to address the aftermath of the May 2014 floods and landslides. Around \$1 billion was pledged at the July 2014 donor conference (EU, July 2014). This was in addition to other funding already mobilised such as \$4 million from the Central Emergency Response Fund allocated to the UNCT. A number of international organisations already active in the country have provided substantial relief in addition to active efforts on coordination and information sharing. Several organisations immediately included flood and landslide affected people in their ongoing activities and/or mobilised assistance in some cases diverting existing funding for conflict-affected IDPs and returnees. Further appeals for funds continue to be made by the International Federation of the Red Cross (IFRC) and others. Disaster risk reduction activities are ongoing (UN, 4 November 2014).

The EU Floods Recovery Programme, budgeted at around \$53 million, focuses on reconstruction of 4,000 housing units for approximately 14,000 people, rehabilitation of key public services and infrastructure, as well as funding around 2,000

jobs in flood-affected areas. The programme is implemented by UNDP, UNICEF and IOM (EU Delegation to BiH, 17 October 2014). Agencies had by October 2014 reconstructed 29 priority homes, and were working on another 350 out of a total of 650 homes that will be reconstructed in the first phase (UN BiH, 13 October 2014). People who require reconstruction but who cannot prove property ownership will be included in the next phase. Schools have also been reconstructed as part of the programme (UN BiH, 3 October 2014; UN BiH, 17 October 2014). Non-food and personal hygienic items also continue to be delivered. Expert teams are providing psychosocial assistance to affected communities in cooperation with BiH Centres for Mental Health.

## About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC) is the leading source of information and analysis on internal displacement. For the millions of people worldwide displaced within their own country, IDMC plays a unique role as a global monitor and evidence-based advocate to influence policy and action by governments, UN agencies, donors, international organisations and NGOs.

IDMC was established in 1998 at the request of the Interagency Standing Committee on humanitarian assistance. Since then, IDMC's unique global function has been recognised and reiterated in annual UN General Assembly resolutions.

IDMC is part of the Norwegian Refugee Council (NRC), an independent, non-governmental humanitarian organisation.

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