

3. Bosnia and Herzegovina

3.1 Introduction

Due to its ethnic mixture the population of the former republic of Bosnia and Herzegovina has suffered a lot from the war between 1992 and 1995. The incidents of the conflict did not leave the ethnic composition of the post-war Bosnia and Herzegovina unaffected: During the first four years of peace a large-scale return took place in Bosnia and Herzegovina by both, refugees and internally displaced persons, preferably to areas where their own kind constitute a majority. The Dayton Peace Accords (DPA) lay a high emphasis on the return of refugees and internally displaced persons to the places where they were living before the war. Annex 7 of the DPA provides the legal framework on the right of return, it also states that the Bosnian authorities must also create the “political, economic, and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons, without preference for any particular group. The Parties shall provide all possible assistance to refugees and displaced persons and work to facilitate their voluntary return in a peaceful, orderly and phased manner.”¹ In contrast to this ambitious plan the nationalist agenda of various Bosnian parties failed to create a climate for reintegration and rather prevented especially the return of minorities.

Throughout the last years the wide international efforts have helped to improve the overall situation in Bosnia for refugees returning to their home country. On the other hand there are certain indicators that these efforts have been less successful in creating appropriate conditions to make return sustainable.

Regarding housing and the process of reclaiming property constant international pressure was exerted on the authorities to evict occupants and to return these properties to their former owners. Although over 150,000 Bosnians (62 % of applicants) have reportedly succeeded in reclaiming their property in the year 2002 there are still some municipalities refusing to implement these laws.

Furthermore, in spite of the activities of the international community the unemployment rate is still high in the whole country. Several employment promotion activities and micro-credit programmes represented a first step for many people on the labour market, but could not reduce the unemployment significantly. Nevertheless there is also a positive development regarding the capacity of the local structures, in particular the employment agencies, promising increased efforts with respect to a more active employment promotion.

3.1 Definition of a minority in Bosnia and Herzegovina

In the constitution of BH “minorities” are defined as being an integral part of the population of the country, next to the three “constituent nations” of Bosnia and Herzegovina, the Serbs, Bosniaks and Croats. But they are not named in specific. This is done in the Law on Protection of Rights of National Minorities, adopted on April 1st in 2003 (being the only law published in the three official languages Serbian, Croatian, Bosniakian and Romanes). The minorities listed there are (by size according to the census from 1991) the Montenegrins (approx. 80,000) Albanians, Roma, Ukrainians, Slovenians, Macedonians, Italians, Czechs, Poles, Hungarians, Slovaks, Jews, Turks, Russians, Romanians, Ruthenians, Germans (approx. 150) “and others”. The next census is planned for 2006.

¹ The General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 7, Article 11, paragraph 1. <http://www.ecmi.de/cps/download/Dayton7.pdf> (25/08/04)

The three “constituent nations” are constituent in every of the two entities of the state, the Federation of Bosnia and Herzegovina and the Serbian Republic and therefore not regarded as minorities, although they see themselves sometimes as a minority (this often being the case with the Croat population in the Serbian Republic).

3.2 The situation of minorities in Bosnia and Herzegovina

During the war (1992–1995) nearly all minorities were endangered, especially if they were of different religion than the surrounding population (e.g.: the catholic Czechs in Serbian held territory had to deal with difficulties and were threatened by “ethnic cleansing”, but not the orthodox Ukrainians). The picture changed after the war.

In Bosnia and Herzegovina now there is no legal discrimination of minorities. They have some special rights connected with the preservation of their culture and language granted by the above mentioned law o minorities. Still, the conditions for some minorities are far from being perfect. While certain minorities are completely integrated and facing just the problems the major population has to deal with, other minorities are confronted with big difficulties.

To understand under which conditions the minorities are living and to judge the difficulties they are confronted with, it has to be taken into account that the country is still facing enormous problems not having fully recovered from the war. There are still internally displaced persons, the unemployment rate is enormous (between 40 % and 60 %), the industrial production has not recovered yet and the housing conditions are often very poor although a lot of reconstruction work has been done.

Completely integrated are minorities like the Montenegrins with close links to the Serbian population and others like the Ukrainians, Czechs or Macedonians. The minorities facing problems at large in the process of integration are the Roma and Albanian people.

The Roma have often no proper documents to identify them as citizens of Bosnia and Herzegovina, as owners of their property, etc. There are also problems in the return of the Albanian property.

Although there is no “open” discrimination of the Roma, they are facing difficulties when dealing with state authorities: they are often refused the needed documents to register them as citizens, approximately ¼ has no ID-card and subsequently no state funded health-care, no possibility for schooling their children and no chance to get a job. They often live under poor conditions in the outskirts of towns, separated from the rest of the population. These problems affect nearly all Roma (figures vary between 30,000–70,000, most of them are Muslims, some orthodox and a small number is of catholic belief), who are living in both entities (the majority in the Federation of Bosnia and Herzegovina). A large number does not speak one of the official languages properly. The members of the Albanian minority are facing problems with the return of their property. They owned a lot of private workshops before the war, which were taken away and are now not all returned to the owners due to some legal problems.

Most minorities are well organised in organisations like “Ceska Beseda” (Czech) or the “Udruzenje Roma” (one of more than thirty Roma-organisations) and have their own representatives which are promoting their interest in the public (via TV, radio and newspapers). The organisations are also in charge of taking measures to preserve the cultural identity of the minorities.

A National Council and a Minority Council will begin to work at the beginning of 2005 on all state levels (state parliament and the parliaments of the entities) and minorities will be a part of these councils which will have the right to block laws, if they affect the rights or interests of the nations and minorities. Some members of minorities have an important political position, but not due to their belonging to a member of a minority but rather because of their membership in a political party.

3.3 The national institutional framework and its responsibilities

Due to the complex organisation of post-war Bosnia-Herzegovina, three different ministries are responsible for minority issues: the “Ministry for Human Rights and Refugees” on the state level (which coordinating all actions concerning minorities), the “Ministry for Employment and Social Politics” (Federation of Bosnia and Herzegovina) and the “Ministry for Refugees and Displaced Persons” (Serbian Republic).

They are monitoring the situation of the minorities and the implementation of the law and keeping in touch with the minorities’ organisations. The ministries also organise congresses on the topic of minority issues like the Roma-congress, to be held in December 2004.

The municipalities are in duty to implement the programs and to take care of the social situation. However, one must state that the co-ordination between the actors is far from being exemplary. The ministries (on all levels) are often not informed, which measures the municipalities are taking (e.g.: housing projects for Roma, funded by municipalities) and vice versa.

3.4 National and international NGOs facilitating the return of minorities

In the post-war period no special importance was given to the return of the minorities named above. There were no (EU-funded) programmes designed to assist the return of minorities and the UNHCR did not monitor minorities especially.

As the return of refugees from abroad is coming to an end – and the return of minorities being an integral part of it – now there are only programmes supporting the integration of minorities, mostly designed for members of the Roma population.

Now there are some programmes for the integration of minorities, the most important is the new programme (implemented by the municipalities) for schooling (securing everything needed to attend a school, like books, etc.). But they are all not especially for the members of a minority, but for poor in general, although the Roma are the main target group. The program was widely published via all the media (TV, newspapers and radio).

The OSCE is monitoring the implementation of programmes as well as the situation of minorities in general. Some international NGOs were working on issues like education, vocational training, health and capacity building (advice in managing a project, business start-up training etc.). Now this is done by national NGOs, although often in close cooperation with national institutions.

Concerning the topic of preserving a certain national culture, some minorities get assistance from 'their' national state (e.g. the Czech Republic funds cultural activities of the Czechs in Bosnia and Herzegovina).

One remarkable experience is the project “A chance for the youth”, implemented by Caritas Essen and AGEF was designed in a way to contribute to the reconciliation process especially in the Republic of Srpska, where ethnic tensions were extremely severe. The main aim of the project was to initiate youth offices with a programme linking spare time activities of the youth with vocational education and training as well as with discursive elements encouraging the participants to approach the past of Bosnia. Promoting reconciliation and dialogue was always at the fore of this project, but also connecting it with a certain value for the vocational future of the youth.

The project offered weekly courses in Computer and Internet, languages, music, sport and drama. Additionally, activities promoting reconciliation and inter-ethnic dialogue were implemented like a photo and essay competition, an awareness raising campaign, round table discussions, youth festivals and finally, a newspaper in different languages.

In the youth office the young people could receive advice and counseling with their daily problems with parents, at school or with the job search.

The project activities were open to returnees as well as to local residents and to all population groups (Serbs, Croats, Muslim) in order to promote inter-ethnic dialogue and exchange. Additionally, some participants were trained as local multipliers and further qualified in capacity building workshops not only to lead the youth office in a self-reliant way, but also with respect to questions of reconciliation and interethnic dialogue.

3.5 Perception and expectations among the minority groups

All interviewed minorities agreed, that now there is no state controlled discrimination of any minority, but individuals have faced discrimination. This happens mostly to members of the Roma-population, which – as a whole – don't feel integrated at all. While the other minorities feel well integrated, the Roma are facing discrimination in every-day-life. Mostly it is on a non-official level – hostility expressed by people belonging to the major population, but sometimes also problems in dealing with local authorities. The biggest problem for the Roma is the registration as inhabitants of a municipality and the job-situation. The Roma-organisations are trying to improve the situation via information. They are also trying to integrate their people better, because they know, that the public appearance of some Roma is sometimes appalling (begging etc.).

In general, representatives of the Roma claim that the situation is a little bit better now. The government seems to be more aware of the problems, but the personal economical situation didn't improve. Roma officials now have better contacts with the authorities than before.

Now the main problem is the economical and social situation. The legal situation is recognised as positive.

Some minorities have a different problem: they are too small to protect their identity, like the Czech minority, whose children mostly do not speak the Czech language anymore. This is also true for Ukrainians and others, currently possessing only a more or less religious-coded identity.

3.6 Perceptions and expectations among the officials

The official authorities are well aware of the difficult situation of the Roma population and are taking some measures to improve the integration of minorities (e.g. "Action Plan on the Education Needs of Roma and Members of Other National Minorities in Bosnia and Herzegovina" in 2004, monitored by the OSCE and some small housing projects for Roma-communities). The government organised a Roma – Congress, which is planned for December 2004.

Major effort has been taken to improve the schooling situation among the Roma-population. In 2004 only 70 % of the Roma children attended schools.

The official authorities are also working on a better co-operation between the state institutions to improve the results in integrating the Roma.

3.7 Perceptions and expectations among NGOs

After the war and due to the following resettlements various ethnic groups have found themselves in a minority situation in Bosnia and Herzegovina today. Currently, no evidence can be found in the development of the country that a tolerant and a mutual coexistence of the various ethnic groups is one of the new social standards. To date, exerting influence systematically in this way cannot be taken for granted from the political leadership in Bosnia and Herzegovina.

Moreover, it follows from the experience of Caritas and AGEF in Bosnia, in particular in the region of the Republic of Srpska, that few project activities concentrate on promoting a coexistence of the different ethnic groups in combination with a reactivation of the economy.

Nevertheless, success can be achieved concerning regional activities in the Federation like the establishment of minority advisors in municipalities in urban areas (Zenica, Zivinice, realised by Caritas), which are traditionally more tolerant and open to a service like this. These advisors provide counselling and advise for minorities and promote their access to the public services.

However, the project “A chance for the youth” realised by Caritas and AGEF proves that also in the Republic of Srpska youth from different ethnic groups (Serbs, Croats, Muslim) can be brought together in a vocational training and build bridges through their joint interest in a further qualification as a basis for a mutual understanding.

The co-operation between NGOs and the government has very much improved in the last few years. Their work is now (partly) funded by the authorities of the two entities in Bosnia and Herzegovina. They also see an improvement in the situation of minorities but are still confronted with the poor economical situation of their main target-group, the Roma.

The main problem the (mostly local) NGOs are confronted with, is the lack of funding. They don't have enough means to implement the needed measures (like organising language courses and low-level qualification measures for adults, helping the socially endangered families etc.).