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NEZAVISNI BIRO ZA HUMANITARNA PITANJA
INDEPENDENT BUREAU FOR HUMANITARIAN ISSUES

**RSP DOCUMENTATION
CENTRE**

DISCUSSION PAPER

**TRANSITION OF THE POLICY AND SYSTEM OF
SOCIAL PROTECTION IN THE FEDERATION OF
BOSNIA-HERZEGOVINA**
Preliminary Study of Problems and Proposals for Changes

SARAJEVO, NOVEMBER 1997

FOREWORD

It is now widely recognised that policies of economic growth and development cannot yield satisfactory durable results unless they are accompanied and nurtured by a vigorous social policy. In Bosnia and Herzegovina, a social policy for the benefit for all citizens and particularly the vulnerable, calls for, among other things, the revival and strengthening of institutions that have stood the test of time, such as the Centers for Social Work.

The idea of undertaking this study came about by chance, as most things in life. In one of the capacity-building training workshops organised by the Independent Bureau for Humanitarian Issues (IBHI), I came across, among the trainees, a group of officials from Centers for Social Work. I was told about the lamentable under-utilisation of these institutions and the serious material and financial problems they were facing in the post-war period. Many of them had been targets of senseless destruction but most had continued to provide services, as best they could, despite limited means.

In the context of efforts to strengthen the civil society and the emergence of local non-governmental organisations, the social workers in the IBHI training workshops wondered whether they could not develop social aid projects and raise funds on their own in order to fully revive their activities. Their enthusiasm - a moving mixture of plight and optimism - aroused not only my curiosity about their present situation and future potential but also a desire to look into the social policy in the post-war period, particularly since the challenges facing the public and policy-makers are linked not only to the ravages of the armed conflict but also to the radical change of socio-political system of the country.

Encouraged by my colleague, Alma Polić, we decided to visit some of these Centers to gain first hand knowledge and to learn from the experience of social workers and experts in social policy. I was aware of the work done in recent years in the psycho-social field by a number of international governmental and non-governmental organisations. Bearing in mind considerable funds that had been spent by international donors, I felt that greater use of local experience and expertise would be a more efficient and cost-effective way to produce durable results. Without wishing to downgrade the value and importance of the work hitherto done by the expatriates, it is clear that enhancing local capacity would be a more sustainable approach, particularly since the international programmes are bound to gradually phase out.

In developing this line of thought, I benefited greatly from the advice of Professor Vahid Kljajić whose experience and expertise in the field of social policy is widely recognised. Handicapped by my lack of knowledge of Bosnian language, I requested my colleague, Dr. Papić to coordinate the work of experts. He undertook the task with his habitual commitment and enthusiasm. The editing and finalisation of the report is our joint responsibility.

This preliminary report is only the first phase of the IBHI project in the field of social policy: the linkages between humanitarian concerns and social policy need no explanation. The next step would be to carry out a similar study in Republika Srpska where the needs in the twin fields of humanitarian aid and social action are equally great. Eventually, IBHI proposes to make its modest contribution to the elaboration and strengthening of a robust social policy coupled with vigorous and sustained action in the whole of the country.

It is my sincere hope that the donor community as well as the national policy-makers will make a concerted effort to develop and implement a cohesive national social policy, one of whose aims would be to revitalize the institutions established to alleviate human suffering and to meet the social needs of the country.

No one can be truly happy if surrounded by unhappiness, misery and deprivation. Hammerskjöld, a great public servant and former Secretary General of the United Nations, once said that the path to holiness passes through action. It is time for action by all those who espouse humanitarian causes and believe that the ultimate objective of all public policies and practices should be the promotion of human well-being.

This preliminary and modest report is dedicated to the social workers of Bosnia and Herzegovina. Blessed are those whose life work is devoted to helping their fellow human beings.

Sarajevo, November 1997

Zia Rizvi
Director General
Independent Bureau for
Humanitarian Issues

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INTRODUCTION

The Independent Bureau for Humanitarian Issues has been active in Bosnia-Herzegovina for three years, working on local capacity building, training people in local institutions and NGO's, as well as government officials at all levels, promoting cooperation with international organizations and strengthening local skills in planning and implementing projects to meet humanitarian needs.

The problems of social policy, especially social protection and Centers for Social Work in municipalities, have retained special interest of IBHI in the course of 1996 and 1997. With the experience of field work with people, NGO's and the Centers, as well as with State authorities and international organizations, it was possible for IBHI to identify problems and challenges that the domestic social protection policy and international humanitarian assistance are faced with, including the lack of links between them. The next logical step was to proceed with analysing these problems and identifying the ways of solving them, with the help of recognised domestic experts.

This preliminary study is the result of work by an expert team consisting of: Prof. Dr. Vahid Kljajić, Faculty of Political Sciences Sarajevo, Novka Agić, Deputy Director of the BiH Health Care Bureau, and Šefik Kafedžić, Assistant Minister for Refugees and Displaced Persons of the Zenica-Doboj Canton. The team's work was coordinated by Dr. Žarko Papić, Resident Director of IBHI BiH, with the help of Alma Polić, secretary of the expert team and coordinator of field missions. Although the text of the Study is a result of collective work and as such constitutes an undivided whole, the authors of the individual parts are as follows: Prof. Dr. Vahid Kljajić, chapters 4 and 5; Novka Agić, chapter 1 (part 2), chapters 2 and 6 (part 1), Annex 2 and 3; Šefik Kafedžić, Annex 1 and 4, and Dr. Žarko Papić, chapter 1 (part 1), chapter 3 and chapter 6 (parts 2 and 3).

The text was edited by Mr. Zia Rizvi and Dr. Žarko Papić.

The methodology of analyzing problems and gathering data and other sources of importance for the Study was as follows:

In field missions, IBHI staff members conducted direct interviews and gathered all existing data and projects in all Centers for Social Work in the Sarajevo Canton (City Center for Social Work, and social work services in the municipalities: Stari Grad, Centar, Novo Sarajevo, Novi Grad, Ilidža, Hadžići, Trnovo, Vogošća and Ilijaš), as well as in all municipal centers in the Una-Sana Canton (Sanski Most, Bosanski Petrovac, Ključ, Bihać, Bosanska Krupa, Bužim, Velika Kladuša and Cazin). Thus social protection was analyzed in 20 municipalities in the Federation of Bosnia-Herzegovina.

In addition, IBHI, in cooperation with regional UNHCR offices and within its 1997 programme, organized several training workshops attended among others by representatives of Centers for Social Work with the participation of IBHI experts who worked on the Study (Mostar, Bihać, Livno, Sanski Most), which was a good opportunity for a serious exchange of opinion about problems and how to solve them.

Several discussions were held in the Federal Ministry of Social Policy, Displaced Persons and Refugees, as well as in ministries in the Una-Sana Canton and the Sarajevo Canton.

The Study used data from State bodies in the Federation of Bosnia-Herzegovina and the UNHCR (especially in Annex III), the census of Bosnia-

Herzegovina from 1991 and the register of displaced persons in the Federation of Bosnia-Herzegovina in 1995.

Part of the data was especially processed for the needs of this Study by appropriate institutions, primarily by ERC ZIPO Sarajevo, to which IBHI is much obliged. A significant part of the quantitative assessments was made during the work on the Study. Hence, much data appears for the first time in this text. However, in view of the major problems faced by official institutions in gathering and processing data and the lack of a reliable data base, this information should be taken cautiously and understood as approximations.

Although the Study refers only to the Federation of Bosnia-Herzegovina, most parts of the findings are valid also for the Republika Srpska. IBHI plans to make a study of the same character and orientation for the Republika Srpska. The special analyses/studies for the two entities are primarily a result of the fact that social policy, and also social protection, are completely in the jurisdiction of the two entities of Bosnia-Herzegovina, the Federation of Bosnia-Herzegovina and the Republika Srpska.

The expert discussion, which included authors of the preliminary study as well as Prof. Dr. Kemal Hrelja, Prof. Dr. Muhamed Dervišbegović and Mr. Marko Pejčinović, supported the study, its basic conclusions as well as the consequent suggestions included in it.

Dr. Žarko Papić
Resident Director
IBHI – BiH

I PROBLEMS AND CHALLENGES OF THE SOCIAL PROTECTION POLICY IN FBiH

1. Main problems in the social protection field

I: 1.1. The protracted war in BiH caused a humanitarian catastrophe which, despite the international assistance provided so far to alleviate the situation, is becoming in peacetime a specific and serious social problem, primarily in the context of social protection. The consequences of the war are of such magnitude that they require very considerable material resources and a network of coordinated activities in order for the situation to become normal in the coming years. The financial resources for normalizing the social situation, especially that of vulnerable groups, will need to be specially provided, not only because domestic sources and the Bosnian-Herzegovinian economy can hardly afford them but also because burdening the national economy for everyone with high social costs would negatively affect the reconstruction process and the transition to a free market economy. The condition for the reconstruction and transition of Bosnian-Herzegovinian economy is to ensure additional external financial sources for normalizing the situation with regard to social protection.

I: 1.2. During the wartime and post-war years, Bosnia-Herzegovina received, through the UN organizations, bilateral donors and other international and regional organizations and arrangements, enormous humanitarian assistance. By helping during the critical years when most of the population was a "vulnerable group" in addition to especially vulnerable groups, the external aid replaced the domestic social protection system even though there were serious problems of organization and coordination. The peacetime situation naturally leads to a decrease in humanitarian aid in the country, although it is still much needed.

The challenge that the domestic authorities and the international donors are faced with now is how to transform financial resources for humanitarian aid into additional external financing of projects for developing the domestic social protection system and its transition that will normalize the situation so that humanitarian aid becomes less and less necessary. This, in the important field of social protection, means initiating and supporting the process of moving from emergency assistance to socio-economic development.

I: 1.3. The social protection system in Bosnia-Herzegovina, at the time of the former Yugoslavia, had its own network, institutions and infrastructure. (For details on the state of social protection in Bosnia-Herzegovina before 1992, during and after the war, institutions and legislation, see Annex I). The main support for these systems were municipal Centers for Social Work.

The existing institutional and personnel infrastructure is a suitable basis for a reform of the system and policy of social protection that would facilitate:

- solution of major problems that are a consequence of the war
- efficient and better organized use of the external financial sources aimed at replacing direct humanitarian aid and decreasing the scale of the socially-vulnerable groups through their rehabilitation
- "internal" reform of the social protection system in line with the transition of the economy and emergence of a democratic society and market economy.
- support to the development of the NGO network, especially at the local level, which, within the system, should carry out specific social protection activities.

I: 1.4. An especially important aspect of the social situation, and an additional burden and obligation for the social protection system, are internally displaced persons, whose material, family and health situation makes a considerable number of them beneficiaries of humanitarian aid and eventually of social protection (See Annex II; Refugees as a special problem are reviewed in Annex III)

I: 1.5. The Federation of Bosnia-Herzegovina, with the help of the international community, must approach in an organized manner the transition of the social protection system and the transformation of direct humanitarian aid into financial resources for the transition of the system in order to satisfy the enormous needs for social protection through new mechanisms and activities over the next several years.

I: 1.6. The reform of the social protection system is possible only within the context of transition of the overall social policy system and of definition of a new set of social policies. The experience of developed market economies, as well as the positive and negative experiences of other ex-socialist countries, can be of use in this regard in addition to the expertise of local and international NGO's in Bosnia-Herzegovina.

2. Economic-financial position of social protection in FBiH

The following data (only for the part of the Federation that was under BiH Army control) illustrates the inability of domestic resources to satisfy the social protection needs¹.

I: 2.1. The grave consequences of the war are still present in the first year of peace. The process of economic consolidation is proceeding very slowly. The industrial production growth rate at the end of 1996 was 10% monthly. The total industrial production in the Federation increased by 87% over 1995, but that is only 9.3% of the pre-war level.

I: 2.2. The slow political consolidation of the State and the Federation, the delay in the reconstruction of the economy and the lack of expected financial resources for investing in the economy, have had a negative impact on the economic potential of the country.

I: 2.3. In 1996, a negative trend was noticeable in the trade with other countries.

Imports amounted to ca. \$410 million, and exports to only \$36.7 million.

The total number of the employed at the end of 1996 was 260,139, which is 18% more than in 1995, but only 35% of the employment level in 1991. The economic sector employed 202,256 people last year, and public services and administration employed 57,883 (which amounts to 28.6% of the total number of the employed). In 1991, the total number of workers in public services and administration was 15.1%. Such an employment structure demands big budget expenditures and hampers economic development. A special category of workers at the end of 1996 are those unemployed (hidden unemployment) of whom there were 58,000.

¹ The available data is often incomplete or comes from different sources. The methodology of monitoring the data is not always reliable for many reasons. The resulting differences do not, however, substantially change the overall or the basic findings presented in this report.

I: 2.4. In general, the national economy during 1996 produced a negative financial results. Expenditures rose faster than revenues, resulting in a loss of 741.2 million DM. Public services also recorded a loss of 122 million DM, which is 16.5% of the total losses. Of the total stated losses in public services, 63.2% is made up of losses in health care and social protection. The total revenue in social protection in 1996 was 0.75 million DM, and expenditures were 8.48 million DM. In other words, the expenditure was 11.3 times higher than the revenue.

I: 2.5. According to available data in 44 municipalities of the Federation of Bosnia-Herzegovina, there are some 120,000 social protection beneficiaries. This number keeps increasing with the establishment and revival of the record-keeping system and regularisation of claims. It is known that during the war, more than 70% of the population was in a state of social need, deprivation that called aid which consisted mainly of ensuring survival and which came in varying degrees from different sources.

I: 2.6. Compared to the total population, the number of 120,000 social protection beneficiaries makes up only 5.3%. However, the potential number of beneficiaries is estimated at close to 39% of the population at this moment. This does not include the unemployed workers, displaced persons who are making their own living or repatriated refugees. It covers only people who need material aid, whether in money or some other form. However, the needs for other forms of social assistance, socio-educational or socio-health, which are not mentioned here, are also high. This is discussed in more detail in part V.

I: 2.7. On the other hand, the process of reconstruction of the Bosnian-Herzegovinian economy based on the World Bank program is being implemented at a slower pace than anticipated. Of the anticipated \$1.8 billion in 1996, only 63% of the funds were under implementation by March 1997. The delay in 1997 may be even higher because the Third Donors Conference was held only in July of 1997.

This is why the estimates that Bosnia-Herzegovina could reach its 1991 level of development within seven to nine years, given at the beginning of the reconstruction process, can already today be considered unrealistic and unduly optimistic. The present poor economic-financial state of social protection coupled with the dramatically high needs and the slow process of economic reconstruction, create a situation in which there is no choice between the existing system and its transition, between prolonging direct humanitarian aid and its transformation into foreign financing of the transition of the social protection system. The transition of the system and transformation of humanitarian aid are imperative.

3. Refugees / displaced persons and social policy

I: 3.1. In the context of social policy, one of the greatest challenges facing the country as a whole is that of the return home or normalization of life of refugees and internally displaced persons. There are few examples in recent history of such a high level of forced migration of populations as that which took place in the territory of Bosnia-Herzegovina. It has been established that more than 50% of the population of Bosnia-Herzegovina under the 1991 census were either expelled or fled out of fear or due to the consequences of the war.

I: 3.2. The number of refugees in asylum countries has been determined on the basis of estimates and using certain data from the asylum countries or the UNHCR, while the

number of displaced persons is the result of registers and records of their movement. (See Annex II and III)

I: 3.3. Despite all pressures and the situation on the ground, most refugees are returning home spontaneously. It is estimated that so far, in the course of 1996 and in the first half of 1997, some 150,000 refugees returned to Bosnia-Herzegovina. Some of them are coming individually or as families. Others return in small groups. At a certain point, this may grow into a massive and public migration (such cases have already been reported) and in such situations everyone, the domestic authorities and international organizations, domestic and foreign NGO's, must know what to do.

I: 3.4. The root causes that led people to leave should have been addressed through social and political changes. The reality, however, is quite different. The circumstances are far from having been changed or, on the other hand, many returnees are coming back to completely different environments from those they used to live in. However, it is clear that refugees who make a voluntary decision to return to their country must be given all possible assistance by the country of asylum, the country of return, and NGO's, both domestic and international.

I: 3.5. An important part of repatriation is reintegration. Reintegration must take place in conditions of social, economic even-handedness and empathy for both returnees and the remainees, i.e. the local population. Due to this, reintegration must be approached with a dual strategy, on one hand to satisfy the most urgent needs, and on the other to include refugees in the long run in the reconstruction of economy and normal life.

I: 3.6. Bearing in mind the social status of displaced persons and refugees, the policy of providing for them is to a great extent within the sphere of social policy. Of the total number of displaced persons, those under the age of 18 make up 28.3%, persons over the age of 60 make up 15%, and women 51.98%, families with four or more members make up 46.6%. On the other hand, only 1.95% displaced persons live off their own work. (see Annex II)

I: 3.7. Unlike refugees, the internally displaced persons within the territory of Bosnia-Herzegovina, in addition to their plight, also endured all the difficulties of the war dangers and consequences. This has especially affected on children and the elderly. According to registered data, there are now 2,250 children without both parents or guardians. The lack of social and emotional support to this group may lead to the verge of disaster. To this high-risk group it is necessary to add other children, mothers with children, elderly women and men with various forms of physical health damages. In view that they have stayed in the country, they cannot use the protection and assistance provided to refugees in accordance with international refugee law and practice.

I: 3.8. In view of the above, social policy must seek and promote a new paradigm for societies in transition with the aim of creating a viable democratic state and civil society, capable of coping with "post-war" problems. In order for the social protection system to be restructured, it is necessary to accompany and support it with other social policies directed at the reintegration and rehabilitation, and inclusion into normal economic activities of social protection beneficiaries, particularly the socially and politically vulnerable groups such as refugees and internally displaced persons.

II GENERAL CHARACTERISTICS OF THE TRANSITION OF SOCIAL POLICY

1. Foundation for a new set of social policies

II: 1.1. The new approach to social policy in the post-socialist world must change traditional expectations as well as the concept of acquired and historic rights while at the same time giving the population essential security corresponding to their material potential and needs.

II: 1.2. Bearing in mind the general principles, it is necessary to define a new social policy that will be complementary and that will support the general transition effort, providing in the given circumstances a reasonable basis for its active contribution to social well-being.

II: 1.3. The gravity of the problem in Bosnia-Herzegovina is of specific nature: social policy is conditioned by the dramatic social consequences of the war as well as a lack of financial resources for overcoming them and for articulating and promoting a social policy. On the other hand, this is precisely the reason why the transition of social policy must imperatively be carried out. This chapter identifies the principles of transition of social policy in general, leading to the development of a conceptual environment for the transition of social protection.

II: 1.4. Economic recovery and development are the key factors in the material position of social institutions and their role. Proceeding from the fact that social protection is an important factor in a successful economy, it should be pointed out that there can be no growth if savings, and through them investments, are burdened by social expenditures, no matter how justified they may be. The other important fact with regard to social policy is that social rights must not be institutionally more attractive than income from work.

II: 1.5. Consequently, social policy must be based on the following considerations:

1.5.1. It must be the responsibility of the State and cannot be the responsibility of enterprises. This typically ex-Yugoslav specific characteristic was inherited from the self-rule system and has had a negative impact on the efficiency of enterprises, affected their competitiveness while at the same time, the social policy suffered from inconsistency.

1.5.2. Social rights must be adapted to the real and available material resources. This calls for a clear identification and definition of social policy priorities. Financing of social costs must come from real, non-inflationary sources.

1.5.3. Networks of social institutions must gradually be transformed into economically healthy, market-compatible and functional institutions, in which each will maintain its specific characteristics.

1.5.4. Expansion of the network of social institutions through support for the establishment of non-profit, non-governmental organizations on the one hand, and through bolstering local and voluntary initiatives on the other, is of utmost importance. Such an approach would at the same time, contribute significantly to the development of civil society structures and democratization of Bosnia-Herzegovina.

1.5.5. It is necessary to carry out an organized transition from humanitarian aid to efficient social protection of vulnerable groups. This would necessarily involve smooth transition from donations for special, critical humanitarian needs to external financial support for the reconstruction of the social protection system and its normal functioning.

1.5.6. Defining new social policies requires international professional and other support.

Concerning some aspects of social services, the following base for policy formulation should be borne in mind:

II: 1.6. Pension and invalid insurance: The new system must be based on real linkage of the level of pensions on the payment of pension insurance fees during active working years. The transformation of the current system in which the level of pensions is de facto tied to the level of salaries, must be approached gradually, but the clear aim of the new system must not be jeopardized or put in question.

1.6.1. The new pension system should also enable the establishment of different forms of additional pension insurance, such as life insurance and life-time rent. In the end, it would enable pension insurance fees to be paid through a combination of the individuals themselves, their employers and different State levels, as is the case in most countries with developed social protection systems.

1.6.2. Finally, the network of institutions dealing with pension insurance should be expanded. Their mutual competition would contribute to the quality and efficiency of providing pension insurance. Pension funds, which should function as real funds, would be economically activated and motivated to expand their assets by intelligently investing a part of their capital.

1.6.3. All other rights based on pension insurance which are essentially relies of the past, such as financial assistance for vacations, convalescence assistance, financing of company-owned summer resorts etc., should be abolished.

II: 1.7. Health care in Bosnia-Herzegovina before the war consisted in its essence of a well-developed network of institutions and significant human potentials. The programme of reconstructing health care capacity should be linked to the reform of the system. The health care reform should enable this segment of the social services to emerge from the state of collapse and functional inefficiency which is the case now. The problem of this sector is more of an economic than of a medical nature. At the root of this problem are the poorly defined links between health care and the financing of this sector.

1.7.1. The foundation for the reform calls for a clear definition of who pays what and what are the rights of those who pay. Therefore, it is necessary to redefine the sources of financing, the scope of compulsory health care and to define priorities.

1.7.2. Health insurance should be paid by employers, employees and the State, for different categories and in agreed ratios. The State should be responsible for the essential medical care of those who are outside the insurance system. Moderate and varied participation of the population in paying for health services is reasonable. In

principle, the population should participate at the level of 20% in covering health care costs with differentiation according to payment potentials.

II: 1.8. Social protection should return to its traditional functions, such as caring for specific groups of the population and materially handicapped individuals and families. It should, therefore, be separated from caring for the unemployed. Social protection cannot solve all the negative social consequences of the war and the economic collapse. In order for it to be efficient, its function must be precisely defined. On the other hand, most displaced persons and repatriated refugees are in a way handicapped and must be helped accordingly through social protection.

1.8.1. In this field, experience of other countries shows that local initiatives are the most efficient. Local initiative and institution building should, therefore, be the cornerstone of the new policy. Expanding the network of social policy institutions is of equal importance. This can be achieved, in large measure, through support for the establishment and work of non-governmental agencies, and through transformation of humanitarian agencies to those that specialize in training workers and preparing them for jobs. Centers for social work in municipalities through their own transformation are a good basis for the coordination and professional control of the expanded network of institutions.

II: 1.9 Protection of children has, in addition to a social function, also an important population function. The foundation for the policy in this field should be similar to that for the social protection field.

2. Active policy of preventing unemployment

II: 2.1. Finding solutions to the problem of unemployment must be separated from social policy and social protection. The large number of unemployed and fictitiously employed persons impedes any policy related to the unemployment problem in Bosnia-Herzegovina. The scale of this problem does not lend itself to a solution through classical social policy. Due to this, solving the problem of unemployment and the unemployment prevention policy during the economic transition and reconstruction period must become an integral part of the overall policy of restructuring and reconstructing the economy. One has to proceed from the fact that the best way to prevent unemployment is to have a high growth rate. The unemployment prevention network should harmonize its activities with the labor market and even facilitate the functioning of the labor market which, for its part, enables labor mobility and flexibility.

II: 2.2. Active unemployment prevention measures call for the creation of conditions for new, productive employment, which is of the greatest importance. They include:

2.2.1. Re-training programme, obtaining new professional qualifications and training of the unemployed and those who will soon be out of their jobs. Efforts should be made into restructuring the labor force in accordance with the parallel restructuring of the economy.

2.2.2. Special integrated programme should be developed for displaced persons and repatriated refugees, which will encompass their re-socialization, re-training and employment.

2.2.3. A program of support to self-employment by way of cred or co-financing the founding of own companies for those who are unemployed or will soon be out of a job. "Self-employment schemes," which are very developed in market economies, channel revenues that would otherwise be given as unemployment benefits towards advance payments or co-financing self-employment, which is accompanied by professional assistance and professional control. In this way, investment of own financial resources is also stimulated. These programs should especially be directed towards displaced persons and repatriated refugees.

2.2.4. Measures stimulating new employment, especially in the private sector, such as potential fiscal benefits, participation of employment funds in new employment, etc.

2.2.5. Development and encouragement of new and flexible forms of employment such as shorter working hours, limited employment period, working on contract, handicrafts, home employment, etc. The aim is to do away with the old stereotypes about work and models of work, which will improve the efficiency and mobility of the labor force.

2.2.6. Restructuring the economy on the basis of privatization with the aim of supporting the development of small- and medium-size enterprises and micro-businesses is imperative for the overall development, environment and for an active employment policy.

2.2.7. In implementing these proactive measures, it is of great importance to boost and expand the role of lower-level State structures, such as municipalities, towns and cantons. Smaller territorial units should have full potentials to develop their own initiatives and responsibilities. At the same time, it is also necessary to ensure a network of policies and institutions at the entity level.

II: 2.3. The passive unemployment prevention measures would include, as in all market economies, compensation for unemployment that would be paid through social insurance mechanism.

III REFORM (TRANSITION) OF THE SOCIAL PROTECTION SYSTEM IN POST-WAR CONDITIONS

1. Some difficulties in implementing social protection transition

III: 1.1. The on-going process of reforming the social protection field is heading towards decentralization of the inherited, socialist system of centralized, controlled social protection to the local level (municipality) as the main bearer, and with the support of the canton (subsidiarity) as the provider of financial and other facilities. The transition process also involves the participation of humanitarian non-governmental organizations, of the non-profit /third sector in social protection as a part of the process of democratization and development of a charity relationship of the population towards socially vulnerable fellow citizens.

The role of the Federation in this field is to establish a foundation for the social protection system, with a possibility to agree with cantons on the organization and implementation of social protection of wider interest, some sort of subsidiarity.

Draft laws that are going through parliamentary procedure will initiate the reform, but still will not constitute a strong enough foundation for a definite transition of the social protection system as an integral part of the transition of economy and society in Bosnia-Herzegovina.

III: 1.2. The transition of social protection comes at a time of general transition, which calls for a full market economy. In this regard, the transition is also supposed to harmonize the social security scales with the level of economic potential which objectively speaking, without international assistance, is not sufficient at present to provide the necessary and minimum social security.

III: 1.3. The processes of social protection reform (draft laws from this field, which are mentioned in Annex I, are in parliamentary procedure) were launched even before the basic concept of the system of the social policy was established, through which social protection would have "found" its place in comparison to other fields of social policy, especially the field of social security (pension and invalid insurance, protection of the unemployed, health care, etc.).

III: 1.4. The transition of social protection comes at a time when, due to the consequences of the war, a large part of the population is in a state of social need and when, in addition to "classical social cases," social protection must also include those who, through no fault of their own, cannot provide even the minimum existential conditions.

III: 1.5. The transition of social protection from a real-socialist concept to a contemporary concept involves orientation towards higher development of social services and rationalization and efficiency in utilizing social funds. This is impossible to achieve in the present circumstances, first due to the collapse of the previous level of the system of social services, and especially due to the "dispersed" professional staff, and secondly, because social services now cannot compensate for the need for material benefits as the condition of existence for such a large number of the vulnerable people;

III: 1.6. Social protection, according to international practice, essentially encompasses also displaced persons, as well as repatriated refugees, former prisoners and civilian war victims. This means that without international support, they cannot be supported from the Federation's resources although they must be provided with living conditions.

III: 1.7. New post-war social problems are a special segment and major challenge in the social protection transition, in view of the fact that the enormous growth of incomplete families (families whose heads were killed, separated families, abandoned families and children, increased number of divorces, etc.), socio-pathological phenomena (alcoholism, drug addiction, prostitution, suicides, etc.) pose special problems that demand, in addition to material support, also a wide range of social services, and especially professional advice and counselling.

III: 1.8. The present artificially created or superficially elaborated social situation is the main obstacle to the transition of social protection and to bringing it into the context of "classical social protection". This means that it is imperative in the transition process to respect the establishment of a wider concept of social protection for an interim period until the extraordinary conditions cease to exist.

2. General characteristics of announced changes in the social protection system in FBiH draft laws

III: 2.1. The changing of the social protection system is still at the level of draft legislative regulations in the Federation, which under constitutional and draft guidelines, is responsible for passing the basic legal framework in order to regulate: social protection beneficiaries, basic rights in social protection, social protection institutions, association in social protection, financing of social protection, relations between the Federation and cantons in social protection, and control of social protection implementation.

III: 2.2. According to the draft Law on the Foundations of Social Protection of April 1997, social protection is an organized activity in the Federation, directed towards providing social security for its citizens and their families, in a state of social need.

III: 2.3. A social need, according to this law, is regarded to be a permanent or temporary state in which a citizen or family find themselves due to war, natural disasters, general economic crisis, mental or physical state of an individual or other reasons, which cannot be eliminated without the help of the social community.

III: 2.4. By analyzing the definition of social protection, one can conclude, among other things, the following:

2.4.1. that it did not define that the State as a rule is responsible for social protection. Furthermore, it is general, because the text states that the bearers of social protection, in addition to the State, are also humanitarian and other organizations, citizens, etc.;

2.4.2. that the "state of social need," in addition to classical social cases, also encompasses citizens who are in that situation, permanently or temporarily, due to "war, natural disasters, general economic crisis." However this is not explained in the later text (Article 20), but is restricted, for instance, to those citizens who are "incapable of working," that is to say they have the right to "other material support". It

is not defined and it is unknown as to who decides this, how big that "right" is, and on what basis it is determined.

2.4.3. a specific question refers to the "potential" beneficiaries, who are defined by the draft to be a result of a "general economic crisis," which means that the system of protecting the unemployed and their so-called "material provision in case of unemployment" is transferred to social protection without defining the conditions, therefore only by establishing the "right," which, according to the conditions of the draft, may be exercised;

III: 2.5. The drafted basis does not define the minimum social protection at the Federation level, as a guarantee of the level of social security of social protection beneficiaries, which is regulated in countries with complex systems, compared to the established poverty line (social need) and essential support for satisfying the existential needs of all citizens in a state of social need;

III: 2.6. The basic concept also does not establish the level of solidarity, that is to say subsidiarity, so that the higher level in the social system (Federation) would provide prerequisites for realizing social protection in lower systems (canton – municipality), which, objectively, are not able to achieve that from their own resources;

III: 2.7. The draft laws established the principle of "reaching agreements" (which is an ex-Yugoslav self-rule heritage) about the common and agreed separate transfer of responsibilities to higher levels of power (social institutions of wider social interest etc.), which cannot function in the current circumstances;

III: 2.8. The draft legal acts establish, in addition to the state at the mentioned levels, also new bearers of social protection, such as humanitarian organizations, citizens' associations, religious communities and organizations, which, in addition to their own social activities, may found social institutions pursuant to federal and cantonal laws, this is good. However, this does not establish a system of coordination and a supervisory role for the basic social protection institution, which should give its professional opinion on the founding of these social institutions. This is regulated through special legal acts, although some restrictions exist in this field, such as those under the Family Law, etc.;

III: 2.9. With regard to the kinds of social institutions, the drafts remained at the level of the previous nomenclature and explicitly did not allow the possibility of forming institutions of the non-profit sector of non-governmental organizations, protection workshops, counseling services, rehabilitation centers, etc., except in the framework of homes-institutions, therefore institutionalized care, which, as a rule, are founded by the State;

III: 2.10. The defined model of financing social protection was essentially changed in the field of financing, mainly relying on budgets (in municipalities, cantons, Federation), the role of founders, legate, participation of beneficiaries, etc. This field was left without original revenue, for instance, without at least minimum solidarity of employees through contributions, or through special parts of taxes, for instance, in the annual calculation of citizens' income. In addition, something that is well-known and efficient in the world, no obligation was established for setting aside funds for social protection needs from income made from games of chance, mandatory and other misdemeanor fines;

III: 2.11. The draft laws defined only the basic social protection institutions, from the well-known nomenclature, although they should have made a much wider network in the sense of specialized institutions for certain categories of social service beneficiaries. This deprived non-governmental institutions of the possibility to establish institutions for individual needs, house care, rehabilitation, daily care for certain categories, etc.

In addition to this, the basic and central institution of social protection – the Center for Social Work – was given, on one hand, a wider foundation for its activities (Article 51), but, at the same time, was denied the roles and tasks in “transferring public responsibilities of the guardianship organs,” which constitutes about 40% of the tasks carried out by the Centers. The result of this is duality, certain tasks according to the Family Law are carried out by the municipality organ, and others (more complicated ones) by the Center. Furthermore, as the basic and professional social protection institution, the Center is not at the same time a “public” institution, and except coordination, has no other jurisdiction, such as, for instance, the supervision of other social institutions in the territory of the municipality, and to give its professional opinion about their establishment, etc.;

III: 2.12. The draft documents did not explicitly define the conditions for establishing Centers, in the sense of their staff, depending on the size of the population, material and other prerequisites, and the role and ability of the Centers to act as public institutions and on that basis to be able to operate also as “non-profit institutions,” NGO’s, which, independent of the authorities, would be able to offer services on a non-profit basis, as is the case in democratic systems and in developed societies.

III: 2.13. Finally, the draft envisioned the establishment of institutions “for studying phenomena and problems in the social protection field”. However, this right was not given to cantons, but only to the Federation, although the draft left to the canton a whole complex of social issues, making it de facto the main bearer of social protection because it provides resources for its realization.

III: 2.14. The overall concept underlying the draft Law is not consistent, although it contains significant changes, and should therefore be professionally analyzed and improved in harmony with contemporary social legislation, on the principles of decentralization, higher level of de-Statization and stronger emphasis on the role of the non-profit NGO sector as the contemporary bearer of social protection and as the prerequisite for democratization in this field.

3. Possibilities and aims of social protection transition in FBiH

III: 3.1. The first prerequisite for the transition of social protection in the Federation of Bosnia-Herzegovina is to define the aims, objectives and perspectives of the social policy. These definitions were not outlined even in the basic documents, the Constitution of the Federation, nor has an appropriate document been adopted to define the objectives of social policy, and with it the objectives of social protection as its integral part. True, the constitutional annexes point to the orientation that the Federation is committed to applying international and European acts with the aim of reaching the level of social security that would enable Bosnia-Herzegovina to be admitted into European associations, but as a non-member it does not have the prerequisites for that, such as, for instance, providing the basic elements of social security, defined by the European Social Convention etc.;

III: 3.2. The final aim of the social protection transition is to bring it to the level corresponding to the material potential and to provide the "assigned" level of social security, to carry out deregulation, to bring the bearers closer to the beneficiaries, to have, in addition to state institutions, also citizens participating in social protection through non-governmental organizations and the non-profit sector, and not to have social fees paid at the expense of economic development, but to support it with social measures.

III: 3.3. The "assigned" level of social security (the defined poverty line) can be achieved in the entire territory of the Federation only by applying the principle of subsidiarity (from the municipality to the Federation), and with inevitable support from the international community during the period affected by the post-war consequences.

III: 3.4. A significant transition process of social protection should be achieved through social services, and especially through Centers for Social Work, which themselves should undergo changes as institutions in order to ensure their existence and development under the new conditions.

III: 3.5. Finally, the entire transitional social process, which also includes social protection, has the aim of achieving such social development that would bring the Federation of Bosnia-Herzegovina to the level *that would to the greatest possible extent provide social security for all its citizens*. This can be achieved by defining and implementing social programme aimed at alleviating social inequality by protecting and helping citizens with social problems.

III: 3.6. Social protection transition should be carried out in such a way as to enable the State to provide the right to aid for satisfying the basic living needs to the socially weak, helpless and other citizens without care because they are unable to work. The State, through social protection, should particularly protect the family, especially those with many children and families in deficiency.

According to binding international documents, special social care, and therefore social protection, should include children, especially children without parent care, children whose development is hampered due to family circumstances, children hampered in mental and physical development, children who are for various reasons inclined to asocial and anti-social behavior (delinquents, addicts, children with other forms of inappropriate behavior, etc.). Due to the consequences of the war, social protection also encompasses civilian war victims, families of killed soldiers, war invalids, displaced persons, repatriated refugees, separated families, and especially reuniting children with parents. Among grown-ups there are increasing cases of old, lonely people who depend on themselves, invalids and the homeless.

III: 3.7. Post-war socio-pathological phenomena are worrying, such as: alcoholism, drug addiction, prostitution, suicides, but also other social phenomena such as the increased number of divorces, abandoning of families by their bread-winners, abandoning of children by both parents, etc.

III: 3.8. Social protection as a State and social activity, carried out by general and specialized social institutions, in addition to material support, institutionalized and non-institutionalized protection, should also have a social activist role towards the beneficiaries of that protection, primarily to integrate them socially, rehabilitate them,

and to permanently work on helping them to take over responsibility for their own self-protection/self-security and progress in life.

The above succinctly outlined social situation does not include the consequences that will ensue the ownership transition, privatization, discarding of social functions in enterprises, labor market and labor force market, etc., which will inevitably lead to even bigger social phenomena and problems, among which should be emphasized rampant unemployment and the many consequences that it imperatively leads to.

IV TRANSITION (REFORM) OF CENTERS FOR SOCIAL WORK

1. Definition of reformed center for social work

IV: 1.1. The municipality, that is to say local self-rule, together with local non-governmental organizations, should be the main bearer of social protection for citizens in its territory. The municipality should carry out its social protection function through the basic forms of social protection, which are the following:

- Financial and other material benefits,
- Enabling people to live and work;
- Accommodation in another family and social protection institutions;
- Social and other professional services, and
- House care and house help.

In addition to this, the laws still in effect and the new draft laws state that social protection is achieved through social protection institutions and NGO's (non-governmental organizations, associations of citizens and religious communities and organizations), which offer services that wholly or partly satisfy the social and other needs of social protection beneficiaries.

IV: 1.2. Among the social protection institutions in a municipality, the Center for Social Work holds the central place. According to the Draft Law on the Basis of Social Protection, "a Center for Social Work is founded as an institution charged with carrying out tasks related to the satisfaction of needs of citizens and their families in social need in the territory of the municipality, charged with carrying out tasks defined by this law and the law of the canton, and charged with carrying out professional-analytic and other professional tasks for the municipality, other organizations and communities, pursuant to the law of the canton."

IV: 1.3. The transition (reform) of Centers for Social Work requires precise elaboration.

The existing centers were formed as institutions whose activities and costs were to be financed by the institutions themselves from the budget, globally and regularly, based on the center's proposal and budget's financial potential. The budget financing of the institution defines its closed character, and the reducing of all social protection activities to the center and "its" budget.

The transition of the institution of the center should put in the forefront the social protection activity and its financing, in which the structure and character of the institution is derived from the very activity (which is the purpose of the institution's existence). This means that the institution of the center must be open to the network of social protection participants, NGO's above all, to stimulate and coordinate their work. This requires essential changes in the organization, financing, and manner of work of the institution of the center, which are elaborated in detail further on. The existing centers are a good basis for institutional reconstruction and transition of the social protection system.

IV: 1.4. Bearing in mind the previous statements, the center for social work may be defined as a multi-functional institution of social protection (a public service), organized as a central institution, open for cooperation with NGO's and other organizations, at the level of one or more municipalities, which on the principle of

contemporary, scientifically-based social work, with the engagement of the necessary profiles of experts (social workers, lawyers, psychologists, general and specialized pedagogists, sociologists) and if needed other experts (psychiatrists, crime experts, managers, etc.) organize, supervise and carry out the aims of social protection – satisfying the basic human rights and needs, providing conditions for preventing the appearance of social cases and helping individuals and social groups to develop and make progress in life.¹

2. Tasks of Centers for Social Work

IV: 2.1. From this context, the following tasks of the centers for social work are derived:

2.1.1 To detect, monitor and study problems and phenomena in the field of social, child and family protection, and to propose legal and other activities, especially social-programme activities, to the State (municipality, canton and federation) and society in general;

2.1.2. To initiate and organize preventive activities for people and groups in risky periods of life, and in especially difficult situations to help prevent their material or functional vulnerability;

2.1.3. To directly offer services and other forms of social protection, to remove the consequences of the state of social needs and problems of citizens who are defined as beneficiaries of social protection;

2.1.4. To plan and program the implementation and development of social protection in the territory of the municipality;

2.1.5. To motivate, organize and coordinate voluntary activities of citizens, their associations, religious humanitarian organizations, other humanitarian, charity, invalid and other non-governmental organizations and associations whose activities encompass the achievement of social protection aims;

2.1.6. To give professional assistance, develop and supervise the network of social institutions, as well as non-governmental organizations in their area of operation;

2.1.7. To develop and promote non-institutionalized social protection, self-help, neighborly help and other forms of active democratic-civilizational attitudes of citizens towards preventing, averting and alleviating living difficulties of their fellow citizens;

2.1.8. In the absence of a network of social institutions or due to its rationalization, the centers develop other activities as well, such as: discipline centers, sheltering points for children, youth and the elderly, house care and house help, etc.; alone or in cooperation with NGO's.

2.1.9. The centers organize or support the organization of various social, pedagogical, psychological and legal counselling services such as: counselling services for educating the youth, counselling services for family, marital or other problems,

¹ Working definition given by Prof. Dr. Kljajic

especially problems related to war consequences on children, youth, parents and even certain social groups, such as refugees, expelled persons, displaced persons, etc.;

2.1.10. As professionally competent social protection institutions, the centers, together with health care and other institutions and services, in addition to preventive work, also organize the system of sending people for treatment, monitor the course of treatment and organize social rehabilitation of treated alcoholics and other addicts, especially young drug addicts, through clubs, and in other ways organize free time and even working engagement and participation in healthy social groups;

2.1.11. The Centers have special complex tasks when they carry out the functions of the guardianship body's public service, that is to say of the legal institutes from the Family, Penal or some other code which encompass special social protection: underage children without parent care, and/or those whose development is hampered by family circumstances, and also the function of guardianship over grown-ups who are unable to work and other persons who are unable to protect their rights and interests;

2.1.12. In addition to caring for and protecting the interests of children and parents, the Centers also have the task of working on strengthening and developing family functions, enabling families to assume their various social roles and family stabilization. In that sense, deficient families deserve special and constant attention, especially families of self-supporting mothers with children, separated families, families with many children, etc.;

2.1.13. Changes in the legal basis for protecting children, the youth and grown-ups hampered in mental and physical development, (removal from the system of pension and invalid insurance and transfer to the social protection system) is a special part of the Centers' activities and tasks, both in the institutional and non-institutional form of protection, rehabilitation and participation in social systems;

2.1.14. As a prerequisite for monitoring, studying, development and joint action with other bearers of social protection, the Centers for Social Work also have the task to keep records and documentation on the overall work. This means establishing a state-of-the-art information system of informing the general public and animating it for support and social actions.

2.1.15. To develop contemporary management in social work, needed by the municipality, center, social institutions, non-governmental organizations and the non-profit sector.

2.1.16. To prepare and carry out projects, either alone or in cooperation with local NGO's, as well as to monitor them for international and domestic donors, related to activities of social protection in its special segments.

3. Role of Centers for Social Work

IV: 3.1. From the above concept of tasks of Centers for Social Work, we can derive their roles grouping the characteristics of the contemporary public and social service – the basic institution of social protection in the territory of the municipality, that is to say the Center for Social Work, which are the following:

- The role of researching, studying and planning social protection in the territory of one or more municipalities;
- The role of preventing and averting the appearance of the causes of the state of social needs, problems and phenomena;
- The role of solving social cases, problems and phenomena;
- The role of developing and coordinating the network of institutions and other, especially humanitarian, charity, non-profit and other non-governmental bearers of social protection;
- The role of introducing management in social protection and especially of organizing and financing activities through projects;
- The role of developing a uniform information system in social protection.

4. Principle of organization

IV: 4.1. Previous organization of Centers for Social Work was conditional on the personnel capacities, territorial situation and the state of social problems, and was reduced to organization under the territorial principle, category principle and principle of combination. This project is based on previous positive experiences in work and in the development of centers for social work. In outlining the new organization, contemporary views of active social protection were taken into account, based on applying the methodology of professional, scientifically-based social work, bearing in mind the existing social state and the planned future.

IV: 4.2. In outlining the centers for social work in the new conditions, special care was taken about the fact that in the future, domestic/local humanitarian organizations and citizens will have an increasingly important place in social protection, so the centers will have the task of giving professional assistance for their organization and development, and, as a coordinating institutionalized system, for developing such networks that will, corresponding to the social needs, "cover" all categories of citizens in a state of social need. The new tasks and roles of the Centers for Social Work include the activities of the centers, as well as of other social institutions, as non-profit institutions, especially in the sense of training social protection beneficiaries to work and in that way make progress in life.

IV: 4.3. The new organization, therefore, is based on positive experiences, current social and development needs, in the context of democratization of social services, which should be based on self-protection, citizens' participation, non-profit activities and efficiency. Therefore, it is proposed to constitute the organization of the centers on the principle of *specialized services consisting of departments and enabling specialists (for instance psychologists) to cover several services.*

5. Principle of organization of specialized services – Organization scheme of Centers for Social Work

IV: 5.1. In view of the fact that in this project, the Center for Social Work is defined as a public-social service, that is to say that in addition to entrusted public responsibilities and tasks defined by the State, it also has the right to function as a supervisor and a non-profit social service, the organization of the center and its tasks should be realized through the services as illustrated in the organizational chart included at the end of this chapter (p. 28).

5.1.1. Administrative-management and organization service (Administrative service); This service was established in such a way that the hierarchy is regulated by the Management Board, through the director to individual services, departments, that is to say to all those carrying out various tasks.

In its work it uses the advantages of working through a managing board.

The Management Board encompasses a novelty, "management in social protection" which means that the State role in social protection is shared with the private, non-governmental sector. The latter is supposed to rationalize resources (funds and staff) in the context of the needs of those who should be helped by the State in satisfying their basic needs. In this regard, management in social protection has the task of assessing local-communal potentials and resources in comparison to the needs, that is to say the categories of citizens in a state of social need. It has another motivation as well, which is to "feel" in the local community a certain surplus of resources and chiefly free time that could be used well and rationally, when appropriate. Especially significant is project management, defining, implementing and monitoring special projects, through which certain activities are carried out by the center's individual services and through which foreign and domestic donor funds are engaged.

In the advanced countries a principle has been established of directing management in social protection towards:

- identifying people in a state of social need;
- supporting people in a state of social need,
- planning, protecting and satisfying needs pursuant to the protection plan;
- monitoring in accordance with the quality of the service-protection, that is to say with the population needs at the given local level, and
- constant warning of the population about the needs of social protection.

5.1.2. Service for protection, support and development of vulnerable children and youth (Service for protection and development of children);

This service, depending on how wide-spread the protection issues are, may be organized at the level of several units, for instance a unit for children without parent care, for children whose development is hampered by family circumstances, for children who are protected institutionally or non-institutionally (family protection, adoption, etc.), as well as units formed according to the causes of the need for protection (for instance, children civilian war victims), etc.

5.1.3. Service for protection and rehabilitation of children, youth and grown-ups hampered in mental and physical development and inclined to socio-pathological behavior (Service for protecting those hampered in functioning and development);

This service, in addition to the units divided into categories (children – grown-ups), manner of protection (institutional and non-institutional, etc.), also includes commission work, but also coordinates work with NGO's in protecting these categories.

5.1.4. Service for protecting those materially unprovided for, those unable to work and the elderly who enjoy social protection (Service for protection of grown-ups and the elderly). This service generally has departments for permanent social benefits, occasional or temporary, but also departments for granting subventions from social protection funds or some other systems, as well as for the housing, firewood and other energy sources, basic food items, etc.

5.1.5. Service for family issues, protection and promotion of the family (Service for family protection and development);

The family does not always have to be protected through the social protection system only: it may also be protected and promoted through other systems, health care, education, etc. This means that there may be many departments involved with many sources.

5.1.6. Service for organizing, developing, coordinating and supervising social institutions, humanitarian and other organizations and services, and organizing the non-profit sector (Service for the development of the social service network); This service may function through specialized departments working in the field of support, but also departments for supervision, that is to say for monitoring the work of social institutions which are formed by this segment of social protection bearers. Along with this service, coordination bodies may be formed for the development of non-governmental institutions, for carrying out certain projects, etc.

5.1.7. Service for protecting repatriated refugees and returnee displaced persons as well as persons and families made vulnerable by the war (Service for protection of persons made vulnerable by the war).

In the field of protecting displaced persons and repatriated refugees, there exists organizational dualism, that is to say there exist special services in municipal secretariats in charge of these issues, while Centers for Social Work solve issues that appear as social cases in this population group. This model aims to establish a concentration and rationalization of these service to efficiently solve the numerous problems that appear among displaced persons and repatriated refugees.

5.1.8. Service for material-financial and administrative issues.

This service is also regulated through appropriate legal documents in view of the fact that it disposes of and manages considerable social funds on instructions from the administrative service.

5.1.9. The above conceptual framework foresees that each municipality in the Federation would have its own center for social work as the central social institution. In addition to this, each center must employ a minimum number of experts who make up the center's expert team, as follows: at least one social worker, a psychologist (or psychologist/pedagogist), special pedagogist (defectologist) and a jurist.

Additional number of professional workers depends on the municipality's population, social problems and development of other social services. Bearing in mind the post-war situation, and as the Draft Law on the Basis of Social Protection did not define the normative provisions, the present report suggests that the further number of necessary experts at the center be employed according to the size of the population, i.e., one social worker per 5,000 citizens, one psychologist and one pedagogist or one special pedagogist per 12,000 residents, and one jurist per 10,000 residents. The number of experts may be adjusted according to the characteristic social problems in the municipality.

5.1.10. Taking into account rationalization, material potential, lack of staff, demographic size of municipalities and the level and variety of social problems and in the context of the process of democratization and bringing social services and social protection closer to citizens, other organizational options are also possible, such as:

- Organization of Inter-Municipal Centers for Social Work (a center for two or three municipalities);

- Cantonal centers for social work, with separate services for individual municipalities, may be organized in cantons in which municipalities are connected by their infrastructure and territory (for instance Sarajevo), or which have a smaller number of municipalities or smaller population. At the level of the canton and the Cantonal Center, in addition to the Administrative Service, there would also be common specialized services, such as the Service for the Development of the Social Institution Network, Service for Protecting Persons Made Vulnerable by the War, Service for Protecting Those Hampered in Functioning and Development, etc., and at the canton level there would also be specialized commissions, such as the Commission for Assessing the Abilities of Those Hampered in Development, Commission for Assessing Incapability, etc.

- This concept is also based on organizing, at the level of cantons with large populations and bigger social problems, institutes for studying social issues, as envisioned at the level of the federation. A special feasibility study is needed for organizing these institutions, for their tasks, fields of activities and mutual relations with centers and other social services.

6. Organizational association of centers for social work (see p. 29 for the chart)

IV: 6.1. Although Centers for Social Work are “local social services – public institutions,” as bearers of public responsibilities, they are subject to supervision and control on the part of federal, cantonal and municipal social protection bodies. The reason for this is that, for instance, public responsibilities under the Family Law, although transferred to the centers from municipalities, are subject, as municipal administration bodies, to the control of central State bodies, in this case of the Federation, etc.

IV: 6.2. The first organizational and functional association of Centers for Social Work is the so-called founding association – association with the municipality as the local self-rule body, therefore with the Municipal Assembly and its bodies to which the center submits its annual plans and annual and/or ad hoc reports. According to the suggested changes, the Center for Social Work will be financed according to the projects it presents annually to the Municipal Assembly, on the basis of which financial resources are provided for carrying out the entrusted tasks (financing of personnel, etc.) and resources for achieving social protection (financial and other material dues). In the protection of certain categories of social protection beneficiaries, the center has competition with non-governmental, non-profit organizations and other social services.

IV: 6.3. In the context of the relationship with the municipality, the Center, according to the valid and proposed legal acts, is subordinate also to municipal administrative bodies, therefore to responsible secretariats or specially formed commissions. This particularly refers to entrusted tasks, implementing decisions on social benefits, etc. The Center as the central social institution with the role of supervision, therefore of exercising expert control over the work of social institutions in the territory of the municipality, is obliged to submit reports, expertise and other entrusted tasks.

IV: 6.4. The municipalities continue to be organized with the aim of assessing, initiating and satisfying the needs of citizens, through local communities and their organizational systems, such as commissions (Commission for Social Issues, Commission for Child Protection, etc.). Therefore, the center’s organizational and functional relations with them are important. Finally, the most important segment in

detecting social needs and social cases is the local community and its organizational systems in which the center includes its experts.

At the level of the municipality there are special institutionalized systems with which centers for social work must coordinate their work, such as Public Security Centers, Health Care Centers, Schools, etc., without which the social protection policy, separately or jointly, cannot be implemented.

IV: 6.5. The relations between social institutions, local NGO's and humanitarian organizations, as explained earlier in the report are emphasized in the scheme.

IV: 6.6. The association between centers for social work and cantons is especially important and these relations have already been mentioned in the context of organization. For instance, the association relations are different in the concept according to which each municipality has its own center for social work, different when it comes to inter-municipal centers, and different again when there is a Cantonal Center for Social Work and when a Cantonal Institute for Social Issues and common services for all municipalities are organized.

IV: 6.7. Regardless of the organization of Centers for Social Work at the level of cantons, the center has a subordinate position with regard to cantonal parliaments and especially to cantonal ministries that are responsible for social protection. It is necessary to point out first of all that the Canton is the bearer of legislative and executive activities in the field of social policies, and particularly social protection. Cantonal ministries are responsible for supervising the implementation of laws, and therefore also for giving responsibilities and entrusting tasks to Centers for Social Work. The center is subject to evaluation of its work and professional supervision of the implementation of, for instance, the Law on Social Protection by the Ministry of Social Protection, Refugees and Displaced Persons, as well as by the Ministry of Justice for instance in carrying out entrusted duties in implementing sanctions against juvenile perpetrators of criminal acts, and by Ministry of Education for rehabilitating handicapped persons, etc. The Canton may entrust supervision of the centers' work also to specially formed cantonal institutions, such as, for instance, the Institute of Social Issues, Educational-Pedagogical Institute, Health Care Bureau, etc. Among other institutions should be emphasize, for instance, cantonal correctional institutions, juvenile prisons, etc., which in their founding documents may be entrusted with tasks related to Centers for Social Work.

IV: 6.8. The Federation, as one of the main bearers of social policies and therefore of social protection as well, primarily adopts the basic laws and through them determines relations with centers for social work, especially with professional supervision of their work. In this context, the Ministry of Social Policy, Refugees and Displaced Persons has the primary place, and after it come the Ministry of Education, Ministry of Health, Ministry of Justice, etc.

The Institute for Studying Phenomena and Problems in the Field of Social Protection should also be at the level of the Federation. This federal institution, in addition to studying phenomena and problems in the field of social protection, should also study the "work of social protection institutions (therefore also of Centers for Social Work), invalid associations It deals with scientific research work, gives professional assistance, participates in drafting social protection programs and in defining social protection plans, proposes measures for promoting social work, and other tasks defined by the law and other regulations." Hence, the Institute may also have the role of supervisor,

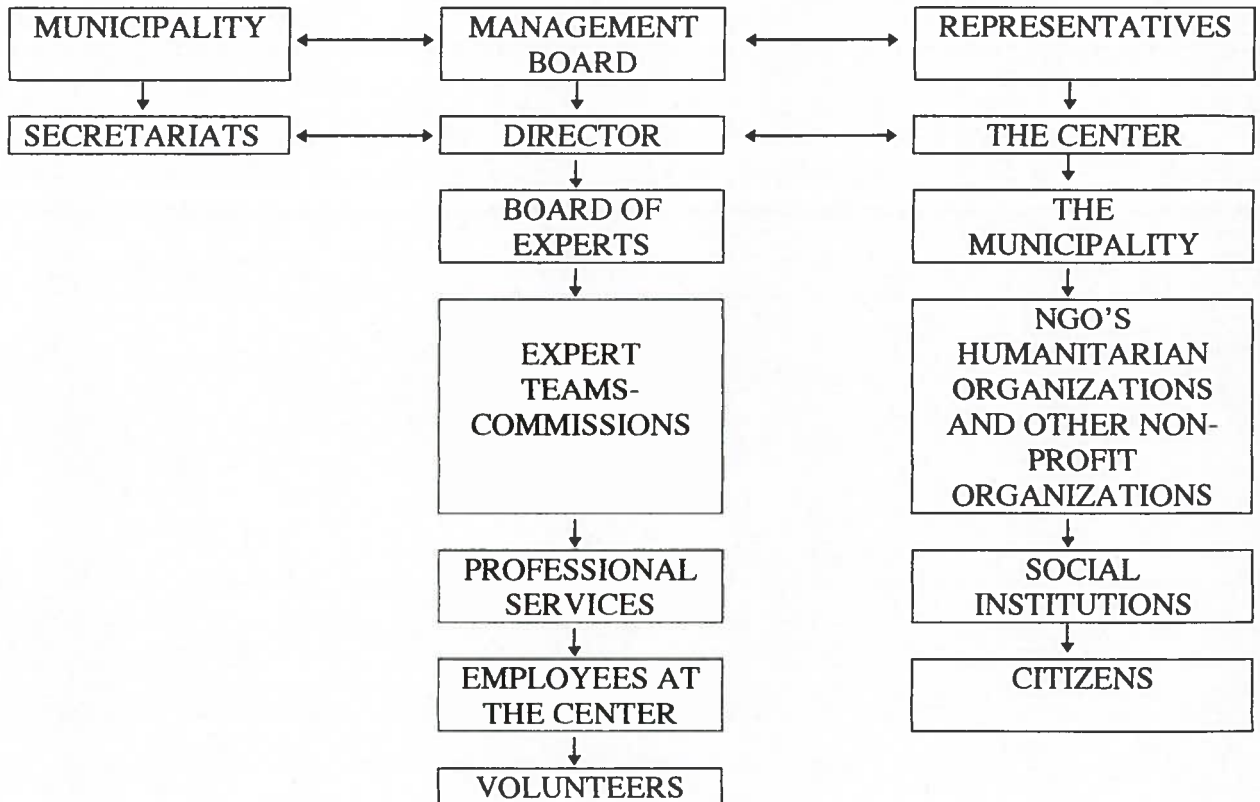
which means that it exercises professional supervision, but also promotes social work and social protection. In that sense, the relations between the centers and the Institute are mutual, and also subordinate, with the aim of developing and promoting social protection.

IV: 6.9. A Center for Social Work is established with the goal of satisfying and promoting the social needs of citizens, but also with the goal of controlling other bearers, which means social institutions and local NGO's, humanitarian organizations and other citizens' associations. Its role in their organization and association is to be a mediator or supervisor between those in need of social protection and those who implement it. It needs to be mentioned that this is not directly defined by the Draft Law on the Basis of Social Protection. However, it should be added because the Center is objectively, due to its professional staff, the only institution that can carry out this task in a professional way.

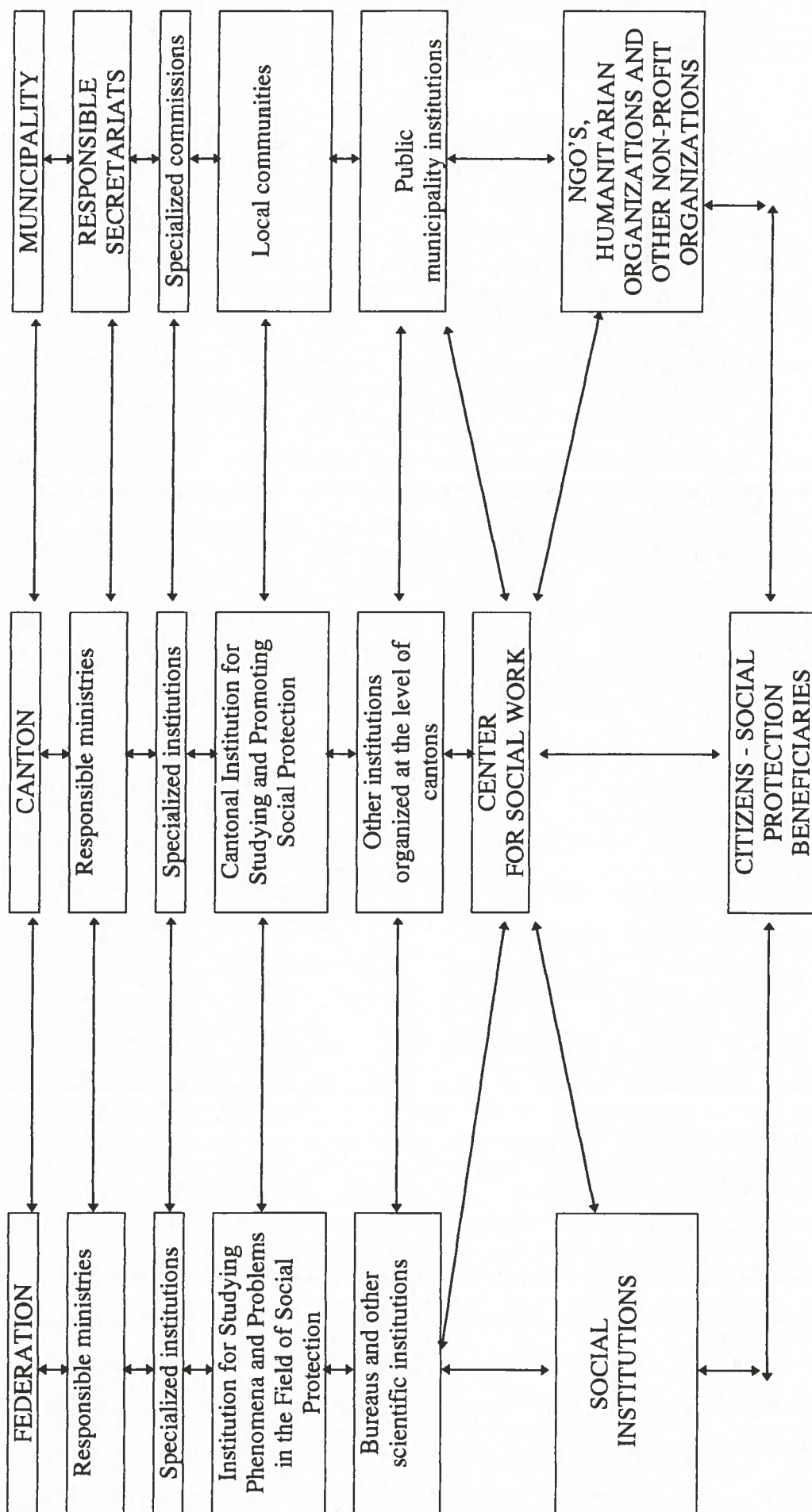
IV: 6.10. The enclosed scheme under "Specialized Institutions" includes cooperation and association between the centers and organizational systems constituted at the level of the Federation, for instance the Federation of Red Cross/Crescent Societies, federal associations and organizations (of invalids, civilian war victims, etc.), and in addition to that, international governmental and non-governmental organizations which are as such registered at the level of the Federation and which implement the social protection aims at the level of the Federation.

The proposed scheme, therefore, includes horizontal and vertical links and relations that have binding internal and external relations in the context of the main aim: to satisfy in a normal and effective way the social needs of citizens of the Federation of Bosnia-Herzegovina.

SCHEME OF ORGANIZATION OF A CENTER FOR SOCIAL WORK



SCHEME OF ASSOCIATION OF CENTERS FOR SOCIAL WORK



V TRANSITION OF THE MODEL OF FINANCING SOCIAL PROTECTION IN FBiH

1. Basic indicators relevant for financing protection

V: 1.1. Defining changes in the system of financing social protection is not easy because of the difficulties in establishing the real financial resources needed for a relatively normal functioning of social protection and the problem of the lack of quality organization of the system in the Federation of Bosnia-Herzegovina, as well as the lack of harmony among the existing regulations.

	1991	1996	
1.1.1. Size of population	2,794,726	2,253,606	
age 0-6	310,753	225,361	
age 7-19	596,994	545,373	
age 20-64	1,718,057	1,307,091	
65 and over	168,922	175,781	
1.1.2. Number of workers	633,977	260,139	
- balance between workers/active population	36.9%	19.9%	
- balance between workers/total population	22.7%	11.5%	
1.1.3. Number of pensioners	408,120	194,000	112,520) ¹
1.1.4. Number of social protection beneficiaries	174,520	120,000) ²	135,000) ³
1.1.5. Number of social protection institutions	1,142	87	
1.1.6. Number of displaced persons	-	590,363) ⁴	450,000) ⁵
1.1.7. Number of repatriated refugees (1996 i 1997)			150,000) ⁶
1.1.8. Number of invalids and civilian war victims			30,000
1.1.9. Number of persons in need of protection			877,520
- balance with regard to total population			38.94%

¹ Number of pensioners whose income is below 60 DM monthly, which is 58% of the total number of pensioners

² This information refers to 44 of the total 75 municipalities in FBiH.

³ Assessment on the total number of social welfare beneficiaries in all 75 municipalities in FBiH

⁴ According to the last census in 1995

⁵ UNHCR working assessment, for more details see Annex II

⁶ Change

1.1.10. National income in thousands of DEM	11,414,596	1,154,759
National income per capita in DEM	4,084	450

V: 1.2. Bearing in mind the starting point that prevention of unemployment and unemployment benefits should be separated from social protection, these groups were not encompassed in the previous assessment. However, for assessing the real number of the socially-vulnerable population, one must take into account the 197,376 unemployed and the 58,000 laid-off workers, i.e. a total of more than 255,000 people. By adding this figure to the previously assessed number of persons in need of protection (877,520), we reach the figure of 1,132,520 socially-vulnerable people, or 50.25% of the total population of the Federation of Bosnia-Herzegovina.

Bearing in mind that a significant number of those who are unemployed are not registered and that social vulnerability refers to their families as well, it is realistic to assess that 60-70% of the population in the Federation of Bosnia-Herzegovina in 1997 is in a state of social vulnerability and in need of protection.

V: 1.3. Social protection before the war was financed through the compulsory special contribution rates and from other sources of State public revenues, and directed through funds to the final beneficiaries. As far as institutions are concerned, they mainly consisted of Centers for Social Work and social protection institutions. According to their structure, they were divided into those that organize accommodation for children and the youth (379), for grown-ups (126) and for professional rehabilitation (637).

V: 1.4. During the war, according to data available from the territory of 44 Federation municipalities, 115,327 social protection beneficiaries were registered. Protection was provided to 14,069 underage persons and 101,258 adults, while 11 institutions cared for 2,040 beneficiaries. The benefits were very low.

V: 1.5. With the arrival of peace, new problems appeared. As an interim solution until the adoption of new bills, the Emergency Social Fund within the Emergency Recovery Project of the World Bank was used for helping the most vulnerable categories of the population. A monitoring operation is underway to show the justification of these investments and to determine possible reasons for the delay in implementing the project. Humanitarian aid was terminated for a part of the domicile population, and is now reduced to a minimum.

V: 1.6. However, the main problem when speaking about the situation in the social protection field is the non-existence of legal prerequisites for resolving the issue at the level of the Federation. It is indisputable that the number of beneficiaries is increasing on one side, and that there is a lack of resources on the other. A huge number of displaced persons who mainly depend on benefits, the unemployed, laid-off workers, invalids, demobilized soldiers, members of families of killed soldiers, pensioners, all these are people who expect help from the State. On the other hand, in the Federation territory there is no single system of collecting public revenues from which to provide a minimum of social security, nor to participate in solidarity funds of any kind for those cantons that are unable to achieve this at the level of the Federation.

V: 1.7. The Law on the Appropriation of Public Revenues in the Federation and Financing of the Federation of Bosnia-Herzegovina, passed by the Federation Parliament in December of 1996, defined the allocation of public revenues between the

Federation and cantons. According to the decision, a significant part of revenues, depending on responsibilities, is transferred to cantons. The cantons were given the responsibility of defining through their own regulations the kind and level of the revenues that were to be transferred to municipalities. This has been applied since January of 1997, thereby transferring the financing of social protection to cantons.

The result of the situation can be summarized as follows:

1.7.1. The field of social insurance in the Federation of Bosnia-Herzegovina exists under the principle of two separate, unconnected systems. Separate funds and social insurance bureaus operate, and taxes are calculated and paid in two differently defined ways and at different rates.

Revenues from pension-invalid insurance taxes are transferred to the existing bearers of insurance, Social Fund PIO BiH Sarajevo and Bureau for Pension and Invalid Insurance Mostar. Revenues from health care taxes are given to health insurance bureaus, i.e., to the budgets of those cantons that have not resolved this matter, and very little is given for needs at the level of the Federation and the State, as well as in the field of international obligations. Revenues from taxes for insuring prevention of unemployment are transferred to the existing employment bureaus in Sarajevo and Mostar.

1.7.2. The need for social protection and the level of allocation of funds for this purpose is left to cantonal decisions. For the January – June 1997 period, social protection scored a 1.36 million DM loss and the losses were twice as high as the income.

It is impossible to establish the precise data on the number of beneficiaries and kind of aid at the level of the Federation due to reasons elaborated earlier.

V: 1.8. Proceeding from the fact that the number of social protection beneficiaries has increased, as well as the number of persons needing care, it is necessary to define at the Federation level, the minimum, and the kind of, social protection both for beneficiaries and for persons needing care. With this aim, part of revenues at the Federation level must be provided for achieving this minimum.

It is necessary to proceed from the fact that a certain amount of resources needs to be provided for the 877,520 persons who need protection. Naturally, there are numerous methodological problems in assessing the amount and form of financial assistance. A starting point has been taken as the minimum amount of necessary financial aid per person, but only for analytic purposes. The starting point is 60 DM, whose analytic basis is the Pension-Invalid Insurance decision that all pensioners with pensions lower than 60 DM have the right to a protection benefit. The total annual funds, according to this basis, are 631,814,400 DM ($877,520 \times 60 \times 12 = 631,814,400$). This amount of assistance can naturally be decreased, but at the same time it is necessary to bear in mind that the assessed number of potential aid beneficiaries is probably underestimated and that this does not include all the forms and costs of the needed social protection (the following is not included: costs of functioning of the social protection system and its reconstruction; repair of buildings, staff, equipment, etc.)

V: 1.9. On the other hand, the legally defined rights of the beneficiaries are in complete disharmony with the legally defined sources of funds. For the sake of comparison, based on the draft law and the number of social protection beneficiaries in the Sarajevo Canton, according to a Canton decision, three forms of benefits are necessary annually (permanent financial benefits, benefits for being cared for by someone else, and beneficiaries in family accommodation) amounting to 2,831,971

DM, but the Financial Plan for 1997 envisions only 1,463,479, which is only some 51% of the needed resources. One must bear in mind the fact that the Sarajevo Canton, due to its specifically favorable position (seat of both the State and the Federation) is able to collect revenues from public revenues, while this is not the case with other cantons.

V: 1.10. The Law on Displaced Persons and Refugees, Article 16, recognizes the right to financial benefits in cases of no income. Only 1.95% of displaced persons live off their work, all others need social protection. In view of the fact that this is a federal act, the Federation Government defines the minimum and the criteria, and the sources must be provided at the Federation level, which means that part of public revenues that are transferred to cantons must be redirected. At the same time, shelter and accommodation for displaced persons is not a reflection of cantonal economic power, so a source of solidarity must be provided.

V: 1.11. This analytic approximation of resources necessary for social protection should also be analytically compared with the actual potential of the social protection system in the Federation of Bosnia-Herzegovina (using 1996 as an example) as well as the scale of humanitarian assistance from international organizations.

In 1996, the total revenues of the social protection system were (data for 44 FBiH municipalities) 0.75 million DM or 6.25 DM per social protection beneficiary (about 120,000) annually. Social protection activities were really covered with that amount of funds. The social protection system expenditures were 8.48 million DM or 67 DM per protection beneficiary, annually. This refers to activities "covered" by fictitious financial sources, which constitute public debt, or to unpaid claims (social worker salaries which are not paid, but are recorded as expenditures, for instance). Meanwhile, it is very difficult to assess the direct international humanitarian aid in the territory of the Federation of Bosnia-Herzegovina, but in 1996 it could not have been lower than \$1.5 billion, or some 2.250 billion DM (1 USD = 1.5 DM, 1996). This aid was, therefore, 3.5 times higher than the minimum funds, the analytic approximations, necessary for the functioning of the social protection system.

Directing a part of the international humanitarian aid to the social protection system would decrease the amount of aid needed now.

V: 1.12. It is necessary to harmonize laws that define rights (Law on Displaced Persons and Refugees, Law on Pension-Invalid Insurance and Law on Social Protection), determine criteria for exercising rights, define the minimum and provide that minimum as a starting point for the survival of people and some sort of social security.

2. International humanitarian aid in Bosnia-Herzegovina

V: 2.1. Humanitarian activities are organized and carried out through a series of different sources ranging, from specialized organizations within the UN System, regional and bilateral channels and forms of aid, to a series of international non-governmental organizations. The scale of the overall humanitarian assistance, in view of the different sources and channels is extremely difficult to determine. Agencies from the UN system plan \$594 million in aid for 1997, part of which is not classical humanitarian aid, because it "touches" some aspect of reconstruction. The UNHCR, with \$125 million planned, still has the biggest budget, but it is much lower than last year's of \$196 million. Naturally, the total amount of humanitarian aid is several times higher because it also includes bilateral sources.

V: 2.2. However, the trend of gradually decreasing humanitarian aid is obvious and is certain to continue, giving place to financial support to reconstruction and economic development.

Interestingly, more significant financial resources are allocated for refugees abroad. Germany, for example, has been setting aside several billion DM annually for these purposes only.

It is beyond doubt that humanitarian assistance was huge and that it enable large segments of the population of Bosnia-Herzegovina to survive during the critical years. In addition to that, it de facto replaced the functions of the social protection system by directly helping vulnerable groups.

V: 2.3. The manner of implementation of humanitarian aid and the partners chosen for it are important aspects of the present international system. The organizations of the UN System and others cooperate with authorities at the level of Government ministries, but they prefer to implement aid resources at the local level (therefore, as directly as possible). They do so mainly through international non-governmental organizations operating on the ground with minimal efforts and resources devoted to local capacity-building. Bosnia-Herzegovina did not have a tradition of Western-style non-governmental organizations while the Associations of Citizens and local institutions such as the Centers for Social Work were passed-by the donor community. It is becoming increasingly clear, however, that local NGOs and institutions are in the long run the most cost-effective and durable sources for implementation of humanitarian as well as economic development project. Hence the need to re-orient the implementation methodology and aid strategies.

3. Basis for the new model of financing social protection in FBiH

V: 3.1. The biggest significance of the suggested model is that social protection for vulnerable groups through the reformed system of local institutions is financed jointly by the Federation of Bosnia-Herzegovina and international organizations. Due to the big disproportion between the social protection needs (which are much greater due to the war consequences) and the inability of FBiH economy to finance these needs (which is also a war consequence), the participation of financial donations from international sources will be bigger during the first years, but with economic revival and rehabilitation and with the reintegration of vulnerable groups and returnees, it will keep decreasing over the years and in the end there would no longer be need for it.

V: 3.2. The Federation, the cantons and municipalities must adopt legislation that regulates and harmonizes the system of social protection based on local institutions.

It is especially important to change laws so as to precisely define the relationship between the right to social protection/aid and the actual level of organizing social protection, the method and means of collecting budget resources as well as the process of decision-making, law-making.

V: 3.3. It is considered necessary that the government of FBiH makes an effort to strengthen the local resources for socila protection, primarily in the areas of:

3.3.1. strengthening the legal state and discouragement of "grey economy" through financial control directed at tax and customs payment,

3.3.2. a more rational use of existing budget sources and

3.3.3. strengthening of solidarity and self-organization among the population through philanthropy as well as engagement of local NGOs.

V: 3.4. International organizations and individual countries, particularly the major donors supporting humanitarian activities, should consider direct donations to the local system and activities of social protection institutions. A special fund, with precise criteria and conditions for financing social protection activities should be envisaged. It is also necessary to develop decentralized but cohesive and consistent cooperation among local associations (Committees) of citizens, local NGOs and NGO's from donor countries.

This would involve organizing a network of projects in municipalities, cantons and the Federation that would focus on four fields:

- projects to support the transition of local institutions, Centers for Social Work, Social Protection Institutions and NGO's in carrying out their duties
- projects of activities for vulnerable groups in areas covered by local institutions
- project of coordinating the transition of the entire social protection and social policy system and supporting FBiH bodies and cantons in carrying out their duties in the transition period
- projects of training and educating social workers for working in the new conditions.

V: 3.5. It is necessary for the authorities of the Federation and the international organizations to support special projects for establishing and strengthening local NGO's and institutions so that they can assume functions and responsibilities in the new social protection system.

V: 3.6. International humanitarian aid system requires "transition" as well: a re-orientation of policies, priorities and methodology. The aim of this adjustment should be to transform direct assistance for vulnerable groups to financial support (for capacity building, training and re-cycling personnel etc.) local institutions (Centers for Social Work and local NGO's) involved in social protection in order to facilitate their transition towards institutions of a modern democratic society. Direct humanitarian aid should gradually, according to a planned "scenario," be replaced by reconstruction of the social protection and social policy system in Bosnia-Herzegovina.

The suggested model for this system, especially for Centers for Social Work, envisions that they take over activities related to social protection and reintegration of refugees and displaced persons, civilian war victims and other groups hurt by the war. In this way, international humanitarian aid for this purpose could be implemented in a more rational, efficient and durable manner by these Centers supported by local NGO's.

V: 3.7. With the suggested changes, humanitarian activities and assistance will become an important factor for the overall reconstruction of the Bosnian-Herzegovinian society, adding to economic development an essential segment, i.e. social reconstruction. Support to local institutions and NGO's is at the same time an important impetus to the development of civil society in Bosnia-Herzegovina. Financial support to reconstructing the social protection system means utilizing resources in a more economic and sustainable way and facilitates the gradual phasing-out of humanitarian aid. Reconstruction of the local social protection system and institutions and financial support to their activities should help the vulnerable groups including the returning refugees and displaced persons.

The necessary conditions, qualified social workers, exist in the Centers for Social Work and related local bodies for the suggested change in policy in Bosnia-

Herzegovina in almost all municipalities (buildings, infrastructure, tradition etc.). Support to them would mean that phasing-down process would not negatively affect the vulnerable groups while ensuring a smooth transition process from emergency assistance phase to rehabilitation/reconstruction and socio-economic development phase.

ANNEXES

STATE OF SOCIAL PROTECTION IN BOSNIA-HERZEGOVINA

In an attempt to avoid excessive burdening with all the known facts, this annex tries to consider the state of social protection in Bosnia-Herzegovina through a rough division into the following time periods:

- a) The situation before the year 1992;
- b) Social situation and social protection problems during and after the war.

1. The state of social protection before the year 1992

The basic thesis at the time of socialism with regard to social issues and "problems", was that in socialism "there are no social problems," that they were relics of the past, that they were produced by the previous political system and that in time those problems would be overcome.

Social trends and events were especially manifested in the resettlement of the population from rural to urban areas, which was a consequence and result of fast industrialization. As a further consequence of the "sudden" resettlement of the population, there was an increase in social problems due to various reasons. In addition to "inherited" problems, "new" forms of social problems emerged. In order to seek appropriate ways to successfully solve social problems of the inherited and newly-created dependent categories of the population, people's committees in large cities and industrial centers started to form Centers for Social Work.

The first step to forming a Center for Social Work and to entering the essence of the problem, paved the way for training professional and scientific workers from the field of social protection, an aspect often forgotten and not stressed as significant in the development of social protection. The development of expertise and professional work in various fields and at different levels resulted in the fact that in 1961 the Federal People's Assembly passed a Recommendation on Centers for Social Work, which now have a rich 30-year experience behind them.

Like other fields, social protection was also conditioned by socialist provisions, that is to say, it was controlled by instruments of the State and there were no non-governmental organizations in the modern sense.

When the war started, 174,520 people were registered as beneficiaries of various forms of social protection, pursuant to the provisions of the prevalent laws. Protection was used by 73,320 underage beneficiaries, as follows:

- vulnerable due to the family situation	44,700
- with behavior disorders	9,950
- hampered in mental development	14,870
- combined development disorders	3,800

and 101,200 grown-up beneficiaries, as follows:

- materially unprovided for and unable to work	30,240
- invalids (mentally or physically handicapped)	15,320
- the elderly without family care	23,050
- persons with socially negative behavior	9,950
- other persons in a state of social need	16,720

Child protection before the war mostly consisted of accommodating children in pre-school facilities (infant nurseries, kindergartens – 180 of them for accommodating 33,000 children), while the right to family allowances was exercised by 110,000 beneficiaries with some 240,000 children.

According to regulations relating to World War II civilian victims, there were about 4,500 beneficiaries, of whom 1,700 had physical damage of at least 60% and 2,800 beneficiaries had lost a family member. In addition to the above forms of social protection in the territory of Bosnia-Herzegovina, there were also 16 special-purpose facilities with 4,000 protégés.

2. Social situation and social protection problems during and after the war

According to data from 44 municipalities controlled by the ARBiH delivered by Centers for Social Work and municipal administration bodies in charge of social and child protection tasks, the total number of beneficiaries was 115,327.

Due to the war circumstances, besides being registered, there was no other benefit, because financial benefits, depending on the category, amounted from 1.76 DM to the maximum 15 DM per month.

In addition to the above data, it is necessary to mention as an illustration that 70% of the population during the war was in a state of social need reduced to the level of mere survival. The war logic of destroying everything did not spare even social protection institutions including destruction of facilities, equipment and human, professional potentials. As the entire social protection system was put out of function, the situation was alleviated by humanitarian aid, through the United Nations (UNHCR, WFP, UNICEF, etc.) and numerous foreign governmental and non-governmental organizations.

With the appearance of foreign governmental and non-governmental organizations, domestic humanitarian organizations were also formed with different sorts of support programs.

The activities and programs of support ranged from mental and social, medical, technical, financial and educational assistance, support in food, clothing, footwear, to certain categories of the population, such as children, the elderly, invalids, displaced persons, people engaged in various fields (health care, education, public duties, etc.). Depending on the resources and possibilities of delivering humanitarian aid, in certain regions, specific models were used for providing the population (domicile and displaced) with the basic items necessary for survival.

After the Washington Agreement on the Federation of Bosnia-Herzegovina and the Dayton Peace Agreements, the earlier State-legal order and economic system practically disappeared without replacement by a coherent and affective new system. The pace of the normalization process, democratization and promoting a civil society was slow. The huge material destruction and plight of the population (the wounded, invalids, displaced, refugees, missing and killed) became a newly-created "burden" for the war-devastated social protection system. The very fact that the war ended did not enable objectives to be defined and comprehensive conditions for normalization of life to be created. On the contrary, problems in the field of social protection became even more complex and numerous including, notably, the demobilization of soldiers, return of displaced persons and repatriation of refugees. The question now is how to improve the situation when the consequences of the war are still present and have not been eliminated, while a functional system needs to be established in the entire state territory, according to a model of State organization which is exceptionally complex.

The situation is especially complex in the territory of the Federation of Bosnia-Herzegovina, where two parallel systems are in operation in certain cantons and municipalities.

3. Institutions

The Federation of Bosnia-Herzegovina, as one of the two entities foreseen in Dayton Agreements, represents 51% of the territory, in which 2,794,726 people lived according to the 1991 census. Due to the war activities, the territorial and demographic picture suffered drastic changes in all segments. According to the provisions of the Washington Agreement and the Dayton Peace Agreement, the Federation of Bosnia-Herzegovina is made up of 10 cantons and 75 municipalities.

When the war began, beneficiaries in 106 municipalities received support from: Centers for Social Work (75), professional services in municipalities (29), 16 social protection institutions for special purposes.

In the pre-war period, the following forms of organization of institutions in the field of social protection existed:

- centers for social work at municipality level,
- special-purpose homes at municipality and regional level,
- special-purpose institutions at republic level.

An insight into the current situation in the territory of the Federation of Bosnia-Herzegovina shows that Centers for Social Work operate in 38 municipalities, while homes for children without parent care operate in the following municipalities: Sarajevo, Zenica, Tuzla, Mostar, while institutions exist in the municipalities of: Fojnica, Ljubuški and Sarajevo. All the above institutions retained their function during the war, despite the conditions determined by the security, material, personnel, etc. situation. Ironically, the institutions in the field of social protection were special targets during the war. The consequences were so pronounced that even 20 months after the signing of the Peace Agreement, the institutions' functions are carried out at the lowest scale compared to pre-war standards, differing from canton to canton.

It is interesting to note, however, that Centers for Social Work were the quickest to restore their functions pursuant to the regulations in force, both in the organizational and professional sense. The status of homes for children and youth without parent cares, at this moment, is good to say the least. In addition to the war problems, new consequences have emerged as a result of the implementation of the Laws on Institutions. This has resulted in the unusual situation whereby municipalities are their founders, but homes also care for children from other municipalities, cantons and the other entity, and due to this the material obligations are not defined, making the institutions and their protégés suffer. The founding and the work of institutions are regulated by special laws for each institution individually, and their activities are defined according to the categories of their protégés, as follows:

- children and youth whose upbringing has been neglected
- children and youth hampered in physical or mental development.

In view of the level of organization and needs, it is logical that these institutions were the quickest to restore their functions. Protection for grown-ups (elderly and dependent persons) did not have a tradition in the pre-war period when it comes to an institutionalized form of protection and was mainly resolved by keeping the persons in their families, giving them house care and help, as well as through daily centers.

A special form of organisms in the field of social protection were Institutions for Health Care, accommodating mentally ill and permanently unfit grown-ups, children and youth who are moderately, seriously or more seriously retarded, and persons with socially negative behavior.

In addition to pre-war beneficiaries of the above institutions the war produced new groups knocking at the doors of institutions with new needs, of which some of the examples are:

- children without parent care,
- children and youth whose upbringing has been neglected
- invalids of all categories and ages,
- elderly and dependent persons.

Due to the circumstances, Centers for Social Work (55 Centers for Social Work staffed with 548 employees among which 192 are social workers) bear at present the biggest burden because they are the starting point for identification, verification, prevention, implementation of direct forms of social protection and social work services within their jurisdiction as well as cooperation with other institutions and implementation of social protection.

Centers for Social Work, due to their organization (they are organized for one or two municipalities) constitute the basis and framework for establishing the social protection system.

4. Legislation

In addition to provisions on social protection in the Constitution of the Federation of Bosnia-Herzegovina, this field is also regulated by another 50 legislative documents and sub-legal normative deeds. Besides their large number, one can also note their diversity, both with regard to the period of their adoption-validity and to the indirect influence of other fields, from the judicial field to the field of finances. It is necessary to emphasize that essential laws from the field of social protection originate from the superseded former socialist period, whose regulations refer to forms that have not existed for a decade now (OOUR – Basic Organization of Associated Labor, and SIZ – Self-Management Interest Association). It is also necessary to point out the legislative documents and sub-legal normative deeds that were adopted and imposed by the war circumstances. Their implementation impedes the field of social protection more than it promotes it, and a drastic example is parallelism of systems in territories formerly controlled by the HVO and ABiH.

Roughly speaking, the currently valid legal regulations can be characterized as an obstacle, not an impetus to the development of social protection and to defining the SOCIAL POLICY TRANSITION strategy. The valid regulations, according to their efficiency, lead to the conclusion that one Ministry and 12 governments operate in the Federation of Bosnia-Herzegovina and that social policy is a partial, not a global issue. The above statement reflects the situation in the field of legislation, but it should be mentioned that activities have been undertaken to draft essential laws from the field of social protection and that they are still awaiting the harmonization and adoption procedure.

The Federal Ministry of Social Policy, Displaced Persons and Refugees prepared for procedure PRELIMINARY DRAFT FOR THE LAW ON THE FOUNDATIONS OF THE SYSTEM FOR SOCIAL PROTECTION, PROTECTION OF CIVIL WAR VICTIMS AND FAMILIES WITH CHILDREN.

DISPLACED PERSONS

Back in the wartime conditions, a Law on Displaced Persons and Refugees was adopted, whose aim was to define the status of displaced persons, their rights and obligations, as well as the obligations of the responsible bodies in taking care and giving assistance to displaced persons and refugees.

The status of a displaced – expelled person, is defined by Article 3 which states: “The status of a displaced person shall be recognized to a person who, from an occupied part of a municipality, as well as the district of Sarajevo, on his own or in an organized manner, forced by the aggressor or in order to avoid direct war or genocidal activities of the aggressor, fled to free areas in the same or a different municipality, as well as the district of Sarajevo, in the territory of the Federation.

The status of a displaced - expelled person is recognized to a person, who due to war activities and expulsion was forced to leave his home and sought refuge of the same or different municipality in the territory of the Federation.”

In the conditions of major war activities, a number of persons had to leave their homes, and their status is regulated by the provisions of Article 5. “Persons who fled from war-threatened outskirts of a municipality, as well as the district of Sarajevo, to other parts of the municipality, as well as the district of Sarajevo, due to the non-existence of safe living conditions (destroyed apartments and houses or direct danger to life due to war activities in the area) shall not have the status of a displaced – expelled person... Persons from provision 1 of this article, during the duration of the circumstances due to which they fled, shall have the right to: temporary accommodation, food, as well as satisfying other essential survival needs in accordance with regulations in the field of social protection....The executive bodies of the municipality, as well as the district of Sarajevo shall decide when circumstances from provision 2 of this article commence and end.”

The first census of displaced persons and refugees was made in the course of 1995 in the territory of the Federation, separately for areas controlled by the Army of Bosnia-Herzegovina and the HVO, but the final results were added together. The census was assessed as successful, because important data was recorded, although a small number of people did not respond to the census.

The results of the census are contained in Table 1 below:

Of the total number of 590,363, the status of a displaced person was recognized for 434,641, or 73.6%, while the others were considered to be in a state of social need.

Table 1.

DISPLACED PERSONS IN CANTONS ON THE TERRITORY OF THE FEDERATION

No.	CANTON	Article 3	Article 5	TOTAL
1.	Una-Sana	26,905	9,417	36,322

2.	Posavina	829	65	894
3.	Tuzla-Podrinje	125,050	43,643	168,693
4.	Zenica-Doboj	86,732	33,036	119,768
5.	Upper Drina	17,252	6,038	23,290
6.	Central Bosnia	61,780	23,764	85,544
7.	Neretva	49,218	20,962	70,180
8.	Western Herzegovina	5,080	-	5,080
9.	Sarajevo	55,147	18,600	73,747
10.	Western Bosnia	6,648	197	6,845
T O T A L		434,641	155,722	590,363

Table 2 below shows displaced persons according to the territory they fled from. The number of displaced persons from the Serb entity is 301,045 or 50.99 % of the total number of displaced persons, and if that is compared with the number of those who were granted this status, then it is 69.2%.

Table 2.

DISPLACED PERSONS ACCORDING TO TERRITORY THEY FLED FROM

No.	BIH FEDERATION	Displaced persons after the AR BiH- HVO clash	Persons expelled from the Serb entity	Displaced persons under Article 5	Total
1.	Territory controlled by AR BiH	97,273	286,226	134,488	517,987
2.	Territory controlled by HVO	36,323	14,819	21,234	72,376
T O T A L		133,596	301,045	155,722	590,363

By comparing the results of the 1991 national census and the results of the displaced persons census, one can obtain the situation related to the number of displaced persons according to their municipalities of residence, Table 3.

Table 3.

DISPLACED PERSONS ACCORDING TO MUNICIPALITIES OF RESIDENCE

MUNICIPALITY OF RESIDENCE	DISPLACED PERSONS UNDER ARTICLE 3	DISPLACED PERSONS UNDER ARTICLE 5	TOTAL (2+3)
1	2	3	4
1. EASTERN BOSNIA			
1.Goražde	1,419	6,038	7,457
2.Višegrad	3,594	-	3,594
3.Foča	9,484	-	9,484
4.Rogatica	5,018	-	5,018
5.Sokolac	4,232	-	4,232
6.Han Pijesak	922	-	922
7.Čajniče	345	-	345
8.Rudo	294	-	294
9.Žepa	4,408	-	4,408
Total	29,718	6,038	53,756
2. SARAJEVO REGION			
1.Pale	2,961	-	2,961
2.Stari Grad	776	881	1,657
3. Centar	1,018	4,576	5,594
4.Novo Sarajevo	8,453	2,682	11,135
5.Novi Grad	4,416	5,991	10,407
6. Vogosća	5,876	149	6,025
7.Ilijaš	10,129	-	10,129
8.Ilidža	7,964	2,194	10,158
9.Hadžići	5,792	2,127	7,919
10.Trnovo	4,462	-	4,462
Total	51,847	18,600	70,447
3. VISOKO REGION			
1.Visoko	630	4,360	4,990
2.Kiseljak	5,913	622	6,535
3. Kreševo	1,063	-	1,063
4. Breza	42	1,910	1,952
5.Fojnica	829	1,212	2,041
6.Vareš	1,119	1,150	2,269
7.Olovo	2,775	928	3,703
Total	12,371	10,182	22,553
4. ZENICA REGION			
1. Doboj	14,957	757	15,714
2. Kakanj	16	2,315	2,331
3. Maglaj	7,891	1,611	9,502
4. Tešanj	51	3,920	3,971
5. Zavidovići	3,037	1,426	4,463
6. Zenica	12	10,214	10,226
7. Žepče	4,033	1,269	5,302
8. Teslić	4,529	-	4,529
Total	34,526	21,512	56,038

5. TUZLA REGION

1. Banovići	1,311	3,590	4,901
2. Lopare	2,113	-	2,113
3. Gračanica	213	2,781	2,994
4. Gradačac	1,547	2,039	3,586
5. Kalesija	7,589	2,086	9,675
6. Kladanj	25	2,513	2,537
7. Lukavac	6,406	3,761	10,167
8. Srebrenik	12	4,625	4,637
9. Tuzla	44	11,929	11,943
10. Zvornik	25,954	2,038	27,992
11. Zivinice	13	5,550	5,563
12. Čelić	323	1,012	1,335
13. Srebrenica	34,885	-	34,885
14. Vlasenica	10,873	-	10,873
Total	91,278	41,924	133,202

6. MOSTAR REGION

1. Jablanica	1,099	1,322	2,421
2. Konjic	1,514	1,829	3,343
3. Mostar	9,817	7,622	17,439
4. Prozor	5,965	615	6,580
5. Čapljina	4,724	-	4,724
Total	23,119	11,388	34,507

7. TRAVNIK REGION

1. Bugojno	41	4,248	4,299
2. Busovača	3,180	730	3,910
3. Donji Vakuf	9,960	-	9,960
4. Kupres	294	-	294
5. Prozor	5,965	615	6,580
6. N. Travnik	2,548	2,107	4,655
7. Travnik	5,754	5,594	11,348
8. Vitez	4,647	339	4,986
9. Glamoč	530	-	530
10. Livno	50	-	50
Total	32,969	13,633	46,602

8. BIHAĆ REGION

1. Bihać	60	4,314	4,374
2. Bosanska Krupa	132	1,212	1,344
3. Bužim	-	956	956
4. Cazin	55	2,582	2,637
5. V. Kladuša	51	353	404
6. Sanski Most	1,341	-	1,341
7. Bosanski Petrovac	859	-	859
Total	2,498	9,417	11,915

9. BIJELJINA REGION

1. Bijeljina	6,687	-	6,687
2. Bratunac	10,236	-	10,236
3. Modriča	903	-	903
4. Odžak	183	-	183
5. Derventa	677	-	677
6. Brčko	5,692	1,720	7,412

7.Ugljevik/ Teočak	1,923	-	1,923
8.Šamac	129	-	129
Total	26,430	1,720	28,150

10. TREBINJE REGION

1.Trebinje	170	-	170
2.Gacko	2,209	-	2,209
3.Neum	119	-	119
4.Nevesinje	2,155	-	2,155
5.Bileća	156	-	156
Total	4,809	-	4,809

11. BANJA - LUKA REGION

1.Bos. Dubica	39	-	39
2. Bos.Gradiška	262	-	262
3.Bos.Brod	67	-	67
4.Banja Luka	2,369	-	2,369
5.Čelinac	274	-	274
6.Kotor Varoš	2,506	-	2,506
7.Ključ	2,315	-	2,315
8.Prijedor	2,499	-	2,499
9.Bos.Krupa	132	-	132
Total	10,463	-	10,463

12. JAJCE REGION

1.Jajce	12,848	-	12,848
2.Mrkonjić Grad	889	-	889
3. Gornji Vakuf	1,236	418	1,654
4.Šipovo	1,499	-	1,499
Total	16,472	418	16,890

RECAPITULATION

TOTAL	336,500	134,832	471,332
Displaced persons who did not respond to the census (assessment)			46,655
Displ. persons in HVO territory			72,760
TOTAL			590,363

The census recognized status, identification cards were issued, and records on movements were introduced, as well as the obligation for displaced persons and refugees to register.

At the same time, refugees from abroad who have not returned to their earlier places of residence in an organized manner, are recognized the status of displaced persons. The number of such persons is given in Annex III.

In view of the fact that Article 5 of the Law on Displaced Persons and Refugees was within the jurisdiction of Executive Bodies of the municipality, as well as the district of Sarajevo, and also since conditions have changed from the time of the census until today, the above bodies abolished the rights under Article 5. The following tables (4-7), give an overview of the state of displaced persons in August of 1997 according to the following structure.

If one compares the current number of 385,000 displaced persons and the number of 434,641 at the time of the census, it can be concluded that only 49,641 persons found a permanent solution and lost the status of displaced persons. According to UNHCR data, 102,363 displaced persons have returned so far, which means that it was only a case of new resettlement within the territory of the Federation. The next census that is now being planned will probably give new results.

The problem of sheltering and caring for displaced persons falls for most part in the social protection field. The fact that only 1.95% of the total number of displaced persons live off their own work indicates the social status of displaced persons.

The age structure is quite unfavorable, with persons under the age of 18 making up 28.3% and persons older than 60 making up 15% of the total number, so that almost half of the displaced persons are not able to make a living or to support themselves even if they were able to work.

Children are a special problem. So far, 2,250 children without both parents or guardians have been registered within the displaced persons population only.

Due to all of the above mentioned elements, the policy of the social protection system must be expanded to encompass more beneficiaries than has been the case so far, notably displaced persons and repatriated refugees. In order to be able to achieve that, an entirely new approach is necessary.

DISPLACED PERSONS ACCORDING TO MUNICIPALITIES OF LAST RESIDENCE
Table 4

ERC ZIPO Sarajevo	state: 05.08.1997.
Municipality of residence	Number
BIHAĆ	8,314
BOSANSKI PETROVAC	2,290
CAZIN	5,107
KLJUČ	906
SANSKI MOST	4,979
VELIKA KLADUŠA	128
BRČKO	11,098
BANOVIĆI	4,998
DOBOJ	3,911
GRAČANICA	7,594
GRADAČAC	3,299
KALESIJA	7,595
KLADANJ	5,416
LUKAVAC	9,938
SREBRENİK	11,013
TUZLA	38,540
ZVORNIK	9,352
ŽIVINICE	7,849
BREZA	3,796
KAKANJ	9,075
MAGLAJ	5,460
OLOVO	2,359
TEŠANJ	8,315
VAREŠ	4,053
VISOKO	10,028
ZAVIDOVIĆI	2,636
ZENICA	35,036
ŽEPČE	3,974
GORAŽDE	15,959
PALE	341
BUGOJNO	15,847
BUSOVAČA	1,530
DONJI VAKUF	6
FOJNICA	3,287
GORNJI VAKUF	1,211
KISELJAK	1,769
KREŠEVO	393
NOVI TRAVNIK	3,229
TRAVNIK	16,580
VITEZ	1,526
JABLANICA	3,924
KONJIC	5,979
MOSTAR	22,222
PROZOR	1,784
CENTAR-SARAJEVO	12,140
HADŽIĆI	7,906
ILIDŽA	7,874
NOVI GRAD-SARAJEVO	4,752
NOVO SARAJEVO	9,372
STARI GRAD-SARAJEVO	4,752
VOGOŠĆA	633
Total	385,400

AGE STRUCTURE OF DISPLACED PERSONS

Table 5

ERC ZIPO Sarajevo		state: 5.08.1997								
Municipality of residence	under 1	2-3	4-6	7-14	15-18	19-25	26-59	60-79	Over 79	TOTAL
BIHAĆ	3	73	342	1,192	612	1,085	3,872	1,053	82	8,314
BOSANSKI PETROVAC	9	31	43	272	175	208	1,110	417	25	2,290
CAZIN	1	64	239	821	379	606	2,340	611	46	5,107
KLJUČ	8	20	31	97	80	97	363	195	15	906
SANSKI MOST	61	114	177	588	322	557	2,162	938	60	4,979
VELIKA KLADUŠA		2	3	12	13	11	50	35	2	128
BRČKO	52	279	463	1,448	754	1,190	5,417	1,373	122	11,098
BANOVIĆI	2	105	308	880	474	686	2,036	477	30	4,998
DOBOJ	37	88	160	463	265	529	1,892	446	31	3,911
GRAČANICA	101	248	438	1,189	639	948	3,012	947	72	7,594
GRADAČAC	10	100	182	499	289	388	1,473	326	32	3,299
KALESIJA	8	188	453	1,182	574	1,018	3,280	825	67	7,595
KLADANJ	8	162	314	872	497	758	2,251	506	48	5,416
LUKAVAC	1	144	558	1,549	726	1,040	4,500	1,302	118	9,938
SREBRENİK	14	427	813	2,087	1,091	1,429	3,966	1,110	76	11,013
TUZLA	15	1,001	2,319	6,138	3,041	4,934	15,969	4,723	400	
ZVORNIK	1	257	552	1,473	767	1,348	4,017	883	54	9,352
ŽIVINICE	3	145	492	1,324	671	1,033	3,228	898	55	7,849
BREZA	2	59	165	549	264	376	1,877	477	27	3,796
KAKANJ	97	242	417	1,387	653	945	3,962	1,269	103	9,075
MAGLAJ		140	286	739	368	620	2,666	589	52	5,460
OLOVO		51	139	326	158	243	1,081	327	34	2,359
TEŠANJ		178	326	1,043	538	986	4,257	932	55	8,315
VAREŠ	37	123	211	574	291	420	1,869	486	42	4,053
VISOKO	3	181	468	1,425	723	1,006	4,621	1,485	116	
ZAVIDOVIĆI		61	141	403	180	311	1,209	310	21	2,636
ZENICA	317	804	1,724	4,842	2,526	3,978	15,391	4,991	463	35,036
ŽEPČE	27	97	203	592	351	571	1,732	381	20	3,974
GORAŽDE	78	403	644	1,866	877	1,597	7,126	3,094	274	15,959
PALE	3	8	24	53	17	28	155	49	4	341
BUGOJNO	6	401	773	2,303	1,195	1,894	7,155	1,941	179	15,847
BUSOVAČA	11	39	60	248	114	220	714	118	6	1,530
FOJNICA		70	172	483	238	381	1,505	403	35	3,287
GORNJI VAKUF		17	68	195	89	164	519	146	13	1,211
KISELJAK		41	85	235	131	218	881	163	15	1,769
KREŠEVO		12	12	68	30	41	182	44	4	393
NOVI TRAVNIK	1	81	142	588	259	332	1,540	273	13	3,229
VITEZ		43	76	219	117	205	710	143	13	1,526
JABLANICA	8	93	170	549	335	468	1,699	550	52	3,924
KONJIC		91	266	790	420	689	2,661	958	104	5,979
MOSTAR	5	379	813	2,577	1,439	2,435	10,390	3,697	487	22,222
PROZOR		18	51	264	122	205	940	165	19	1,784
CENTAR-SARAJEVO	12	170	323	1,299	712	1,137	6,081	2,189	217	12,140
HADŽIĆI	9	196	307	1,056	567	827	3,895	995	54	7,906
ILIDŽA	34	168	294	829	487	857	3,679	1,399	127	7,874
NOVI GRAD-SARAJEVO	37	307	703	2,209	1,277	2,077	9,468	3,648	351	20,077
NOVO SARAJEVO	13	150	307	1,077	530	861	4,577	1,733	124	9,372
STARI GRAD-SARAJEVO	4	63	120	426	294	448	2,211	1,079	107	4,752
VOGOŠĆA	10	8	19	73	35	51	281	140	16	633
Total	1,127	8,526	18,108	53,577	27,926	44,802	173,495	53,210	4,629	385,400

DISPLACED PERSONS ACCORDING TO STATUS IN FAMILY

Table 6

ERC ZIPO Sarajevo		state: 05.08.1997						
Municipality of residence	Widower/widow	Divorced	Husband/wife	Oldest living child without both parents	Child with one or both parents/guardians	Child without both parents/guardians	Living alone	Total
BIHAĆ	622	112	3,820	26	3,495	57	182	8,314
BOSANSKI PETROVAC	217	68	1,149	1	701	7	92	2,235
CAZIN	301	83	2,407	11	2,220	36	49	5,107
KLJUČ	72	17	310	10	197	2		608
SANSKI MOST	430	97	2,475	16	1,696	28	107	4,849
VELIKA KLADUŠA	20	5	62	1	39		1	128
BRČKO	813	253	5,619	30	4,310	52	21	11,098
BANOVIĆI	339	51	2,169	19	2,365	35	24	5,002
DOBOJ	243	47	1,995	11	1,574	7	34	3,911
GRAČANICA	602	114	3,375	27	3,406	30	40	7,594
GRADAČAC	235	37	1,525	11	1,390	22	79	3,299
KALESIJA	513	71	3,502	11	3,414	34	50	7,595
KLADANJ	465	58	2,213	25	2,606	22	30	5,419
LUKAVAC	712	86	4,806	17	4,012	156	149	9,938
SREBRENİK	775	75	4,515	47	5,440	100	81	11,033
TUZLA	3,121	495	17,013	192	17,228	192	328	38,569
ZVORNIK	428	65	4,726	5	4,092	17	19	9,352
ŽIVINICE	531	93	3,473	52	3,566	48	99	7,862
BREZA	299	53	1,883	7	1,539	6	25	9,133
KAKANJ	687	104	4,209	40	3,934	34	35	9,133
MAGLAJ	358	67	2,637	20	2,344	28	6	5,460
OLOVO	162	26	1,191	11	960	11	3	2,364
VAREŠ	263	38	1,922	5	1,727	21	50	4,026
VISOKO	833	132	4,779	39	4,198	54	19	10,054
ZAVIDOVIĆI	174	17	1,256	8	1,162	9	4	2,630
ZENICA	2,861	499	15,798	207	15,414	270	94	35,143
ŽEPČE	201	61	1,744	4	1,946	24	8	3,988
GORAŽDE	1,368	124	7,928	24	5,757	146	623	15,970
PALE	14	1	183		127	3	13	341
BUGOJNO	1,064	167	7,458	86	7,013	52	7	15,847
BUSOVAČA	68	17	692	5	743	3	2	1,530
DONJI VAKUF			4		2			6
FOJNICA	221	32	1,620	1	1,416	6	3	3,299
GORNJI VAKUF	93	11	524	12	556	12	3	3,299
KISELJAK	131	13	863	4	756	9		1,776
KREŠEVO	29		184		179	1		393
NOVI TRAVNIK	148	62	1,561	8	1,440	8	6	3,233
TRAVNIK	1,140	204	8,099	87	7,441	78	16	17,065
VITEZ	89	33	685	3	710	5	6	1,531
JABLANICA	329	33	1,698	15	1,834	27		3,936
KONJIC	408	39	2,811	23	2,674	43	3	6,001
MOSTAR	1,927	132	10,408	114	9,295	102	244	22,222
PROZOR	80	4	929	1	761	9		1,784
CENTAR-SARAJEVO	1,213	341	5,849	67	4,467	91	255	12,283
HADŽIĆI	495	82	3,966	35	3,258	47	67	7,950
ILIDŽA	708	75	3,578	32	3,188	53	70	7,704
NOVI GRAD-SARAJEVO	2,198	350	9,400	97	7,274	110	548	19,977
NOVO SARAJEVO	927	206	4,366	45	3,338	56	185	9,123
STARI GRAD-SARAJEVO	573	129	2,251	30	1,606	40	112	4,741
VOGOŠČA	80	14	308	9	216	3	3	633
TEŠANJ	490	118	4,327	32	3,289	44	21	8,321
Total	30,070	5,011	180,355	1,583	162,315	2,250	3,816	385,400

DISPLACED PERSONS ACCORDING TO MANNER OF SUPPORT

Table 7

state: 05.08.1997

Municipality of residence	Off work personal	Off personal work and benefits	Off state benefits	Off aid from relatives	Other	Total
BIIAČ	1,623	1,200	3,633	494	1,364	8,314
BOSANSKI PETROVAC	276	323	1,615	72	4	2,290
CAZIN	50	559	4,133	266	99	5,107
KLJUČ	26	58	779	42	1	906
SANSKI MOST	86	98	4,059	486	250	4,979
VELIKA KLADUŠA	13		113	2		128
BRČKO	48	6,207	4,477	138	228	11,098
BANOVIĆI	11	3,442	293	377	875	4,998
DOBOJ	9	166	3,704	19	13	3,911
GRAČANICA	58	745	6,708	40	43	7,594
GRADAČAC	20	1,212	1,728	132	207	3,299
KALESIJA	46	4,513	2,334	54	648	7,595
KLADANJ	212	3,568	946	284	406	5,416
LUKAVAC	43	3,074	6,500	51	270	9,938
SREBRENİK	23	3,310	7,321	54	305	11,013
TUZLA	202	5,493	32,318	340	187	38,540
ZVORNIK	54	95	1,677	43	7,483	9,352
ŽIVINICE	26	1,437	6,145	157	84	7,849
BREZA	244	1,456	1,059	30	1,007	3,796
KAKANJ	30	263	8,741	20	21	9,075
MAGLAJ	7	26	5,397	13	17	5,460
OLOVO	8	158	2,121	10	62	2,359
TEŠANJ	50	1,151	6,794	95	225	8,315
VAREŠ	12	3,454	515	13	59	4,053
VISOKO	41	4,394	5,403	124	66	10,028
ZAVIDOVIĆI	80	3	2,546	2	5	2,636
ZENICA	199	2,943	28,016	392	3,486	35,036
ŽEPČE	4	59	3,894	4	13	3,974
GORAŽDE	12	256	15,683	5	3	15,959
PALE		14	323		4	341
BUGOJNO	158	585	14,820	107	177	15,847
BUSOVAČA	4	5	1,516		5	1,530
DONJI VAKUF			6			6
FOJNICA	139	588	2,544	16		3,287
GORNJI VAKUF	1	213	930	64	3	1,211
KISELJAK	14	1,444	254	33	24	1,769
KREŠEVO	30		361	1	1	393
NOVI TRAVNIK	58	861	1,891	39	380	3,229
TRAVNIK	535	667	15,146	195	37	16,580
VITEZ	38	595	866	23	4	1,526
JABLANICA	2	40	3,868	8	6	3,924
KONJIC	38	681	5,213	25	22	5,979
MOSTAR	37	234	21,877	62	12	22,222
PROZOR		1	1,783			1,784
CENTAR-SARAJEVO	1,183	2,241	5,066	1,652	1,998	12,140
HADŽIĆI	77	2,718	4,841	135	135	7,906
ILIDŽA	59	263	7,159	97	296	7,874
NOVI GRAD-SARAJEVO	696	2,160	15,154	979	1,088	20,077
NOVO SARAJEVO	668	1,676	5,501	611	916	9,372
STARI GRAD-SARAJEVO	263	290	2,526	308	1,365	4,752
VOGOŠĆA	22	182	330	85	14	633
Total	7,535	65,121	280,627	8,199	23,918	385,400

RETURN OF REFUGEES AND DISPLACED PERSONS

All refugees and displaced persons have the right to freely return to their places of residence from which they were expelled or that they fled. The basic elements, in addition to voluntariness, on which the return is based are security and dignity. Security means return in conditions of legal, physical and material security. Dignity means no manipulation, no pre-conditions for return, treatment of returnees with respect and restoration of their rights.

The decision to return and when to return depends on the decisions of individuals and families, as well as the asylum country policy. This policy may sometimes be stimulating (different forms of help) and then repatriation may be planned in phases, which is the most ideal case. However, repatriation also happens spontaneously. Whichever way it happens, asylum countries are required to facilitate the repatriation. The authorities of Bosnia-Herzegovina bear the main responsibility for facilitating the return by adopting simple and unbureaucratic procedures for receiving their citizens. In addition to all of the earlier signed agreements, responsible bodies of Bosnia-Herzegovina reaffirmed at a regional gathering in Geneva in April of this year, their willingness to engage in creating conditions as well as helping all forms of repatriation of refugees and return of displaced persons in the coming period.

Based on certain assessments, it has been determined that the present situation is such that a number of refugees can return in 1997. Most countries have said this decision should be made on a voluntary basis, while some believe that it is binding. The UNHCR has taken the position that it will support voluntary returnees notwithstanding whether refugees go back to their original places of residence or where their group is majority. Parallel this, efforts will be made to enable the return of displaced persons within the country to their former places of residence, with special emphasis on concrete programs and elimination of obstacles to the return of minorities.

PLAN AND DYNAMICS OF REFUGEE AND DISPLACED PERSONS RETURN IN 1997 AND 1998 (ACCORDING TO UNHCR and BiH – Repatriation and Return Operation 1997)

Refugees

According to the available data, some 1.2 million citizens of Bosnia-Herzegovina found shelter in third countries. Of that number, 399,000 found a permanent solution, receiving status or being in the process of acquiring a new citizenship. About 88,000 have returned to Bosnia-Herzegovina so far, and the remaining 815,000 are still in need of a durable solution. In line with a UNHCR plan based on assessments or plans by host countries, the return of some 200,000 refugees is planned during 1997. The following table gives an overview of the BiH refugee situation in the host countries:

REFUGEES FROM BOSNIA-HERZEGOVINA IN COUNTRIES OF ASYLUM
SITUATION AS OF MARCH 1, 1997

CURRENT LOCATION	PERMANENT AND OTHER SOLUTIONS	PERSONS WITHOUT PERMANENT SOLUTION	PLANNED NUMBER OF RETURNEES FOR 1997
AUSTRIA	69,000	11,012	4,000
BELGIUM	175	5,709	500
CROATIA	128,000	160,000	30,000
CZECH REPUBLIC	4,510	850	1,000
DENMARK	20,900	1,910	2,500
FINLAND	1,350	-	-
FRANCE	7,600	7,400	-
FR YUGOSLAVIA	-	253,337	37,000
F.Y.R MACEDONIA	2,210	5,000	5,000
GERMANY	30,000	315,000	100,000
GREECE	3,750	250	-
HUNGARY	1,600	1,600	1,280
ITALY	-	8,430	1,000
LICHTENSTEIN	159	237	-
LUXEMBOURG	1,350	466	-
HOLLAND	17,500	6,000	3,000
NORWAY	12,000	-	2,000
R. SLOVAKIA	2,138	262	231
SLOVENIA	25,000	8,370	3,100
SPAIN	-	2,000	-
SWEDEN	61,630	1,900	2,000
SWITZERLAND	7,100	19,567	8,000
TURKEY	2,200	1,800	-
GREAT BRITAIN	1,400	4,600	-
TOTAL	399,572	815,740	200,611

These figures are based on host country projections – UNHCR data.

Of the total number of refugees without a permanent solution, 52.3% are in neighboring countries, 44.7% in European Union member States, and 3% in other countries. There is no precise data on the sex, age and social structure of returnees. Partly due to lack of interest on the part of the host countries, and partly due to the responsible institutions themselves, a census of refugees has not been carried out. Of the total number of planned returnees (200,000), it is believed that some 25% will be Serbs from the Republika Srpska who will return to the RS, and the rest will be Bosniaks and Croats returning to Federation territories. It is expected that most returnees to the Federation territories will be Bosniak refugees.

The next table shows the main return destinations:

**MAIN MAJORITY RETURN DESTINATIONS
IN BOSNIA-HERZEGOVINA FOR 1997**

1. FEDERATION CANTONS	Returnees	%
Una-Sana	27,000	16.90
Posavina	12,000	6.30
Tuzla-Podrinje	23,000	14.40
Zenica-Doboj	16,500	9.40
Goražde	2,000	1.20
Central Bosnia	16,000	8.80
Neretva	14,500	8.10
Western Herzegovina	1,000	0.60
Sarajevo	43,000	31.20
Tomislavgrad	5,000	3.10
Total	160,000	100.00
2. REPUBLIKA SRPSKA		
Banja Luka	17,000	42.50
Bijeljina	3,500	8.70
Doboj	6,000	15.00
Sokolac	1,500	3.70
Foča	2,500	6.30
Trebinje	1,500	3.80
Vlasenica	8,000	20.00
Total	40,000	100.00
TOTAL		200,000

It is assumed that most refugees will want to return in the May-September period, because of the school year, but also because of possible construction works. Based on the 1996 experience, it is expected that 80% of these movements will be spontaneous. In view of the fact that many refugees are not provided for and that they are not helped by various incentive packages, they need a lot of assistance.

Displaced persons

Some 30% of Bosnia-Herzegovina's pre-war population has the status of displaced persons. According to UNHCR data, 102,363 displaced persons have returned so far, mainly Bosniaks to their homes in the Federation territory, and 61,854 to the Republika Srpska. Assessments on the current state of displaced persons (Federation 450,000 and RS 416,000) are working assessments and need to be verified by census that are expected.

In the structure of displaced persons, a number of them who want to return to their homes are unable to do so due to the physical destruction of their residences, anti-personnel mines or lack of economic prospect. These groups need only economic assistance. On the other hand, there are many displaced persons whose return depends on political issues and human rights, and they are in the same situation as refugees when it comes to returning to the other entity.

The main obstacles to the return are intimidation methods and the general environment ambiance of fear and insecurity, as well as the lack of freedom of movement.

The return plan for displaced persons may be grouped in the following way:

- (1) Return of minority groups
- (2) Completing pilot-projects started long ago
- (3) Return to Federation territories, and
- (4) Return to Brčko

Priority regions for 1997 are 15 municipalities in the Federation and three in the Republika Srpska. It is estimated that in the course of 1997, after the completion of projects that are underway, some 50,000 displaced persons will be able to return to their homes and some 30,000 to the other entity, through various minority return projects.

ASSISTANCE FOR FACILITATING REPATRIATION AND RETURN

Many asylum countries are offering repatriation incentive packages: travel costs and travel allowance, financial support and support to communities that receive returnees.

This support differs from country to country and in general, it mostly encompasses consists of one-time support, and, with the exception of Scandinavian nations, the financial benefits are not so big as to give the returnees some security over a longer period. So far, repatriation support has been offered by the Czech Republic, Germany, Norway and Switzerland, while Austria, Denmark and Sweden are participating in the country's general reconstruction.

According to IMG data, the reconstruction plan covers some 10,000 housing units, and according to the UNHCR, 9,600 housing units will be reconstructed from various sources of financing. The reconstruction needs exceed the existing resources and capacities of international governmental and non-governmental organizations currently involved in reconstruction activities.

PROBLEMS FACED BY RETURNEES AND DISPLACED PERSONS

The main problem is accommodation. As already stated, the need for reconstruction exceeds the level of the currently provided resources. On the other hand, a series of administrative and political obstacles impede solutions to these problems. It is assessed that of the total number of returnees, some 46% did not return to their previous places of residence, but voluntarily chose to resettle in other regions. The percentage of returnees who are unable to live in their own houses or apartments is constantly increasing and has reached 67%. These are mainly self-organized returns. When one adds to this the fact that a number of displaced persons are still in collective centers, the gravity of the problem becomes completely clear.

The second problem is employment. Only 3.2% of all returnees have been able to get proper jobs following their return.

Bearing in mind the above problems, the need to provide adequately for these people is urgent and fully justified. It calls for concerted effort without delay on the part of the international community and the government authorities concerned, not only in order to alleviate the plight of the affected populations but also to promote stability in the area and accelerate the process of normalization.