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the European Social Charter
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THE GOVERNMENT OF CROATIA

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12th Report of the Republic of Croatia on the Application of the European Social Charter for the period from 1 January 2017 to 31 October 2018

Simplified Report

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Introduction

In accordance with the changes in the reporting system adopted at the 1196th session of the Committee of Ministers held on 2 and 3 April 2014, the Republic of Croatia was declared exempt from the obligation to report on the provisions that were covered in the Conclusions for 2016. However, Croatia was invited to provide information on the measures taken following the decision rendered by the European Committee of Social Rights under collective complaints procedure, where the Committee found a violation of the European Social Charter.

Consequently, the Republic of Croatia is required to submit information on the following case:

- *Center on Housing Rights and Evictions* (hereinafter: COHRE) vs *Croatia*, Complaint No 52/2008, decision on the request made on 22 June 2010.

The European Committee of Social Rights unanimously decided that Article 16 of the European Social Charter was violated:

Article 16

The right of the family to social, legal and economic protection

With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Contracting Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married, and other appropriate means.

Article 16 was violated in respect of the non-discrimination clause contained in the Preamble to the European Social Charter, according to which the enjoyment of the social rights must be secured without discrimination on any ground such as race, colour, sex, religion, political opinion, national extraction or social origin.

The upcoming compliance assessment will be made based on the information supplied by the Republic of Croatia in 2018.

General information

The competent authority responsible for the provision of housing to refugees and displaced persons in the Republic of Croatia is the **Central Office for Reconstruction and Housing (SDUOSZ)**. Central Office for Reconstruction and Housing was established upon the entry into force of the Act amending the Act on the Organization and Scope of Work of Ministries and Other State Administration Bodies (Official Gazette 39/13).

Central State Office for Reconstruction and Housing performs administrative and other tasks related to the planning, preparation, organization and supervision of housing for refugees, displaced persons and returnees, former tenancy right holders and other beneficiaries of housing programmes in accordance with a special regulation; issuing second-instance decisions on reconstruction applications, applications for housing and applications for the recognition of the status rights of refugees, displaced persons and returnees; organizing care of refugees, displaced persons and returnees; managing operations of refugee settlements; leasing of housing units under the housing programme; planning, preparation, organization and supervision of the implementation of reconstruction of housing units destroyed by acts of war; management and disposal of housing units leased under housing programmes and collection of rents under a special regulation.

The establishment of the Central State Office for Reconstruction and Housing, as well as the amendments to the relevant laws and regulations, reflect the efforts made towards more effective regulation of the activities pertaining to the provision of housing in the Republic of Croatia.

In accordance with the provisions of the Act on the Areas of Special State Concern (Official Gazette 86/08, 57/11, 51A/13, 148/13, 76/14, 147/14 and 18/15), when it comes to the applicants for housing who live in organized accommodation facilities and the beneficiaries of the Regional Housing Programme, their right to housing is determined *ex officio*, in the proceeding in the first instance carried out by the state administration offices in the relevant counties or the competent administrative body of the City of Zagreb, in accordance with a housing plan passed by the Central State Office for Reconstruction and Housing. At the beginning of 2018 all facilities for the organized accommodation were closed.

Unsuccessful applicants may exercise their right to legal remedy by lodging an appeal, which is decided on by the Central State Office for Reconstruction and Housing.

The eligibility of former tenancy rights holders in and outside the Areas of Special State Concern is determined in the first instance by the competent state administration offices in the counties and the administrative body of the City of Zagreb. The right to housing is granted in accordance with the Decree on eligibility of former tenancy right holders and members of their families and on the conditions and procedure applicable to their housing (Official Gazette 133/13).

Persons in organized accommodation facilities and former tenancy right holders whose applications have been granted are taken care of in accordance with the annual plan.

Measures taken

The Central Office for Reconstruction and Housing provides housing through the Regional Housing Programme (RHP) and the National Housing Programme.

Regional Housing Programme (RHP)

Regional Housing Program (RHP) is a multi-annual programme seeking to provide permanent solution for housing needs of the most vulnerable categories of refugees and internally displaced persons. The Programme is the result of a joint initiative of the Republic of Croatia, Bosnia and Herzegovina, Montenegro and Serbia, based on the joint declaration signed by foreign ministers of the countries concerned on 7 November 2011 at the ministerial conference in Belgrade.

The Programme and the Regional Housing Programme Fund (RHP Fund) is managed by the Council of Europe Development Bank (CEB). Donor funds are disbursed through the Fund to the partner countries for projects carried out under their respective national programmes. The main donor is the European Union, whereas CEB carries out a threefold role: that of the RHP secretariat, fund manager, and finance institution.

On 3 December 2013, the Republic of Croatia and CEB signed the Framework Agreement which set up the legal framework for the use of grants disbursed from RHP Fund. The Framework Agreement entered into force on 1 June 2014, and the entire programme is being implemented in accordance with the provisions of the Agreement and the Act on the Ratification of the Framework Agreement between the Republic of Croatia and the Council of Europe Development Bank on the Regional Housing Program (Official Gazette 3/14)

Under the Regional Housing Programme (RHP), Croatia initially intended to provide housing to 3,541 families, i.e. 8,529 persons, which requires EUR 119.7 m. Croatia's national contribution was set at 25%, i.e. EUR 29.9 m.

Given the fact that a certain number of years have passed since the time the idea of this Programme first emerged, i.e. the signing of a joint declaration of ministers in Belgrade in 2011, and the start of implementation of the Programme, the Republic of Croatia has in the meantime become a member of the European Union and as such it is no longer eligible for EUR 119 million from the Regional Housing Programme Fund. For this reason, the Republic of Croatia has been granted funding in the amount of EUR 14 million, made up exclusively of direct donations made by individual donors independently of the Regional Housing Programme Fund and partly of the unexpended IPA funds.

As envisaged by the Framework Agreement, the donor funds granted do not exceed 75%, whereas the remaining 25% must be funded by the country concerned.

- **Framework Agreement signing date: 3 December 2013**
- **Overall estimated cost, exclusive of VAT: EUR 19,279,944.00**
- **Total Croatia's national contribution, exclusive of VAT: EUR 4,861,148.00**
- **Total agreed grant to be disbursed, exclusive of VAT: EUR 14,418,796.00**

- **Programme completion deadline: 31 December 2019**

Under the Regional Housing Programme, the Republic of Croatia has received donor grants for six sub-projects that aim to secure housing for a total of 328 families.

Following the assertions concerning the families that still haven't been provided housing and the failure to set the housing deadlines for the remaining families, it should be noted that the aims of the Regional Housing Programme are being met in line with the plan and defined deadlines, in terms of the completion of both the project as a whole and each of the sub-projects. The implementation of the Regional Housing Programme will continue until 2021.

Under the Regional Housing Programme, a dialogue with the Republic of Serbia has been initiated concerning the return of refugees and displaced Croatian nationals of Serbian descent to their homes and the reinstatement of all their rights. Representatives of both countries, as well as the international community, have been investing efforts to maintain the dialogue.

Occupied property

In the period from 2001 to 2006, the Republic of Croatia repatriated 19,691 housing units to real-estate-holders mainly of Serb ethnicity, which property was used in the temporary takeover program under the Act on Temporary Takeover and Management of Certain Property.

Returnees (status rights)

The Republic of Croatia invests in ensuring the right to adequate housing by securing the rights of post-war returnees irrespective of their ethnicity. Returnees returning to the Republic of Croatia achieve the status of returnees and the right to financial assistance for a period of six months. It is estimated that the total number of minority returnees is 133,736. It should be emphasized that not all of those returning to the Republic of Croatia have been included in this figure since some of the returnees came back to Republic of Croatia without requesting returnee status.

I Completed projects:

➤ HR1 - Construction of an apartment building for 29 families in Korenica

Planned project size: EUR 1,398,212.00

Donation amount: EUR 1,048,658.00

Planned national contribution: EUR 349,554.00

This is the first project to be completed in any of the four partner countries. The project has provided housing for 29 families of former tenancy rights holders, whose members are mostly advanced in age. This project was completed on 1 February 2017, following a cost audit and the approval of audit report and the final report sent to CEB.

➤ HR2 - Construction of two apartment buildings for 40 families in Knin

Planned project size: EUR 3,475,781.00

Donation amount: EUR 2,587,037.00

Planned national contribution: EUR 888,744.00

Grant Agreement for the project was concluded on 23 June 2014 between Croatia and CEB. The project has provided housing for 40 families of former tenancy rights holders and persons living in organised accommodation facilities. The construction was completed in late June 2017. Move-in day was 4 October 2017. Currently, the cost audit is underway, and the audit report and the final report are to be sent. Once they are approved, the project will officially be completed.

➤ HR3 - Reconstruction and extension of a nursing home in Glina

Planned project size: EUR 4,259,039.00

Donation amount: EUR 3,085,525.00

Planned national contribution: EUR 1,173,514.00

Nursing home in Glina was planned and completed as a permanent housing solution for 74 persons living in organised accommodation facilities (Polikarpa, Kovačevac refugee settlement), who have the status of a refugee, returnee, or a displaced person, and other returnees who are not capable of independent living due to old age. Grant Agreement for the project was concluded on 25 February 2015.

On 11 October 2013, the project was approved by the Assembly of Donors of the Regional Housing Programme. Reconstruction works were completed in April 2017. On 5 July 2017, Sisak-Moslavina County took charge of the nursing home. So far, 25 workers have been employed. A service agreement has been signed between the Ministry of Demography, Family, Youth and Social Policy and Sisak-Moslavina County. A list of selected beneficiaries has been sent to the competent ministry so that their right to accommodation may be determined. The beneficiaries started moving in on 16 April 2018. Currently, the cost audit is underway, and the audit report and the final report are to be sent. Once they are approved, the project will officially be completed.

➤ **HR5 - Construction of an apartment building for 21 families in Benkovac**

Planned project size: EUR 1,323,103.00

Donation amount: EUR 999,721.00

Planned national contribution: EUR 323,382.00

Grant Agreement for the project was concluded on 29 September 2015, and the construction works were completed in mid November 2017. The building in Benkovac has provided housing for 21 families of former tenancy right holders and persons who had the status of refugees, in accordance with the UNHCR's vulnerability criteria. Move-in day was 7 February 2018. Currently, the cost audit is underway, and the audit report and the final report are to be sent. Once they are approved, the project will officially be completed.

II Ongoing projects

- **HR4 - Purchase of 101 apartments in and outside the Area of Special State Concern**

Planned project size: EUR 5,717,140.00

Donation amount: EUR 4,287,855.00

Planned national contribution: EUR 1,429,285.00

The Regional Housing Programme includes the purchase of housing units across Croatia for the former tenancy right holders and the persons who are still living in the organised accommodation facilities. So far, 97 housing units have been purchased via five public calls in and outside the Areas of Special State Concern. Prospective beneficiaries have been selected for all the flats purchased so far. On 6 July 2018, CEB approved the purchase of the remaining 4 flats. The project is expected to be completed on 8 December 2018.

- **HR6 - Renovation, reconstruction, or extension of 62 family houses**

Planned project size: EUR 2,666,670.00

Donation amount: EUR 2,000,000.00

Planned national contribution: EUR 666,670.00

Grant Agreement was signed in July 2016. The project aims to provide permanent housing for 62 families that meet the social vulnerability criteria of the Regional Housing Program, whose houses have been damaged and who have been unable to secure permanent housing since then. Currently, the construction works on 18 single-family houses in Croatia are underway. Contracts have been signed for additional 20 beneficiaries, whereas public tender documents for the selection of the general contractor are currently being reviewed in respect of the remaining 24 beneficiaries. The project is expected to be completed by the end of 2018.

- **CHP Support GA and cross-border data verification**

Planned project size: EUR 440,000.00

Donation amount: EUR 410,000.00

Planned national contribution: EUR 30,000.00

On 30 November 2015, the Republic of Croatia and the Council of Europe Development Bank (CEB) signed the Grant Agreement in support of the National Housing Program (CHP Support). The objective of the support is to speed up the beneficiary selection process in the Republic of Croatia and to carry out cross-border authentication of beneficiaries required by the partner countries under the Regional Housing Programme (RHP). The financial support was applied towards the services of an organisation that employed 8 local coordinators who assist the state administration offices in administrative matters. Likewise, the Central State Office for Reconstruction

and Housing (SDUOSZ) has hired 22 field workers to conduct cross-border data checks as per requests from partner countries. To date, 100% of Bosnia and Herzegovina's requests for cross-border, administrative and field checks have been complied with, which has greatly contributed to the selection of potential and vulnerable beneficiaries in Bosnia and Herzegovina. 100% of Serbian and Montenegrin requests for administrative and field checks have also been complied with. The deadline for the completion of this project is 31 December 2018.

III New projects approved

In addition to 328 families of beneficiaries to resolve their housing situation under the Regional Housing Programme (RHP), there are many other individuals who haven't been able to resolve their housing problem for the past 26 years, and they need to be taken care of. Given the above and the additional donations from the United States of America, the Central State Office for Reconstruction and Housing (SDUOSZ) sent on 31 January 2018 three project proposals to be reviewed by the Council of Europe Development Bank (CEB):

- **HR7 - Construction of an apartment building for 21 families in Vukovar**
Planned project size: EUR 1,262,463.00
Donation amount: EUR 859,499.00
Planned national contribution: EUR 402,937.00
- **HR8 - Renovation or construction of 25 single-family houses in the Area of Special State Concern**
Planned project size: EUR 1,062,646.00
Donation amount: EUR 714,521.00
Planned national contribution: EUR 348,125.00
- **HR9 - Purchase of 38 flats in the Republic of Croatia**
Planned project size: EUR 1,620,320.00
Donation amount: EUR 1,130,320.00
Planned national contribution: EUR 490,000.00

The total value of new proposals amounts to EUR 3,945,402.00, of which EUR 2,704,304.00 are donor funds and EUR 1,241,062.00 a national contribution. Under these projects, housing will be provided to additional 84 families, i.e. 247 persons. The proposed projects were approved at the Assembly of Donors held in Zagreb on 6 June 2018. The Development Bank of the Council of Europe (CEB) delivered their official approval of the projects on 22 June 2018.

IV Selection of beneficiaries

All beneficiaries of the Regional Housing Program (RHP) are selected at the sessions of the Joint Working Group for the Selection of Beneficiaries (UNHCR and SDUOSZ), in line with the pre-established procedures defined by the Framework Agreement and the vulnerability criteria. Therefore, vulnerability level is one of the most important criteria for the selection of the project beneficiaries.

Framework Agreement set the following criteria for the eligibility of beneficiaries:

Eligible beneficiaries: Sub-projects under any of the housing projects in the country must benefit the refugees and/or internally displaced persons, including internally displaced persons (IDPs) in Montenegro in 1999, within the partner countries and such persons must fall within one of the following six categories:

Category I: All refugees from 1991 to 1995, regardless of their status, who are beneficiaries of collective centres or other forms of organized accommodation, either formally or informally.

Category II: All vulnerable refugees from 1991 to 1995 who are living in private accommodation and all former tenancy right holders who don't have permanent housing in the country of origin or the receiving country. Regional Housing Program (RHP) applies UNHCR's vulnerability criteria to all countries in the region.

Category III: All vulnerable returnees in Bosnia and Herzegovina and Croatia and all vulnerable returnees who have already returned to Croatia but do not have permanent housing either in the country of origin or in the receiving country.

Category IV: Displaced persons living in collective centres and private accommodation in Croatia.

Category V: Displaced persons located outside the collective centres in Bosnia and Herzegovina.

Category VI: Vulnerable persons displaced in Montenegro in 1999. These have been specifically agreed on by the partner countries because the Regional Housing Programme (RHP) in other countries covers the period from 1991 to 1995.

National Housing Programme

Apart from the housing provided under the Regional Housing Programme (RHP), the Central State Office for Reconstruction and Housing (SDUOSZ) is also in charge of the regular housing provided under the Act on Areas of Special State Concern (Official Gazette 86/08, 57/11, 51/13, 148/13, 76/14, 147/14 i 18/15) and the housing of former tenancy right holders under the Decree on eligibility of former tenancy right holders and members of their families and on the conditions and procedure applicable to their housing (Official Gazette 133/13). Furthermore, applicants who are living in hardship or whose health has been severely impaired, as well as the applicants living in premises damaged by fire, flood, or other natural disasters can be provided priority housing through emergency housing procedure under Article 19(a) of the Act of Areas of Special State Concern applicable to cases that are not on the priority list.

Such priority housing is funded from the housing fund managed by the Central State Office for Reconstruction and Housing (SDUOSZ) and the financial resources from the state budget, earmarked for that purpose. It should be noted that the financial resources and the housing fund are limited. Therefore it is not possible to provide housing to all applicants in a given year. Each year, a priority list is created for each county in accordance with the Decree on the housing points award criteria (Official Gazette 30/14 and 115/16). Applications not decided on in any given year are included in the priority list for the following year. Also, it should be noted that the housing applications submitted by former tenancy rights holders and the emergency housing applications are not subject to the priority list, and that the number of applications expected in the following year cannot be precisely predicted. For that reason it is not possible to be entirely accurate when it comes to earmarking the funds in the state budget.

Any of the following models is permitted when it comes to providing housing in the Areas of Special State Concern:

- leasing a state-owned single-family house or flat;
- leasing a state-owned damaged single-family house and donating building material;
- donating state-owned building land and building material for the construction of a single-family house; or
- donating building material needed for the repair, renovation or extension of a single-family house or a flat, or for the construction of a single-family house on building land owned by the applicant,
- donating state-owned building land and building material for the construction of a housing unit in an apartment building;
- gifting a state-owned single-family house or flat;
- donating state-owned building land.

Under the National Housing Programme, all persons who have the status of a refugee, returnee or a displaced person and wish to exercise their right to housing are awarded a

certain number of points based on the certificate of their status. The points are awarded based on their financial situation, number of family household members, age, etc.

Clarification

The exercise of right to housing in the areas of special state concern is, to a larger extent, regulated by the Act on Areas of Special State Concern, with the exception of Article 10.c thereof, stipulating that the right to donation of the building material may be exercised by Croatian nationals and former tenancy right holders who own a damaged house or a building land, and who have not exercised their right to reconstruction under the Reconstruction Act (Official Gazette 24/96, 54/96, 87/96, 57/00, 38/09, 45/11 and 51A/13).

The Reconstruction Act specifies that the right to reconstruction may be granted to owners, i.e. to co-owners, of apartment buildings damaged or destroyed in war, to tenancy rights holders for apartments in such buildings, and to owners of other destroyed or damaged tangible assets, who are Croatian nationals. The final deadline for submission of applications was 30 September 2004. Therefore, former tenancy rights holders who have not exercised their right to reconstruction under the Reconstruction Act may exercise specific rights under the Act on Areas of Special State Concern. 151,184 residential units that were damaged or destroyed during the war have been restored or reconstructed under the reconstruction programs. In total 17 billion Kuna was provided in the State budget over the years for the reconstruction programs. Pursuant to the Reconstruction Act all users have equal rights, regardless of their nationality. Except in individual cases (when there are unresolved property rights, etc.) the reconstruction program is mostly completed.

The right to housing referred to in Article 8(1) of the Act on Areas of Special State Concern may be granted for specific housing models, specifically, by leasing a state-owned building, by leasing a damaged building and donating building material needed for repair and renovation, by donating building material needed for repair of a damaged single-family house or construction of a single-family house on one's own land, by donating state-owned single-family houses or apartments, by donating a state-owned building, by donating materials needed for renovation of an apartment in an apartment building or by donating state-owned building land.

The Central Office for Reconstruction and Housing (SDUOSZ) may not provide housing for the same person twice, and the Article 10(8) of the Act on Areas of Special State Concern specifies eligibility requirements for the provision of housing to persons who have exercised such right under either the Reconstruction Act or the Act on Areas of Special State Concern. Under specific circumstances, a person is entitled to housing even when such an applicant is already recorded as having exercised their right to reconstruction or housing (if they repay a specific amount of the funds spent on reconstruction, i.e., if they reduce the size of the housing area).

Pursuant to Article 12.a of the Act on Areas of Special State Concern, housing is provided based on defined priority lists, which are compiled and based on submitted housing applications under the Decree on the housing points award criteria, and in line with the funds earmarked for this purpose in the current year, and from housing funds made available by the Central Office for Reconstruction and Housing, and in line with the housing plan. Consequently, no deadlines have been set for the implementation of the National Housing Programme.

The Act on Areas of Special State Concern provides for special categories of persons to be provided housing outside the regular housing programme, and these housing categories are as follows:

- emergency housing provided in special circumstances such as severe damage of buildings caused by fires, floods and natural disasters, and in circumstances where applicants or their family members are living in hardship or whose health has been severely impaired,
- housing provided to persons whose skills and work are in demand in a specific field or, the so-called 'job-related housing',
- *ex-officio* housing for persons living in organised accommodation facilities,
- *ex-officio* housing for persons living in housing units available to a specific body and who are granted such rights based on the acts of state administration bodies, local and regional self-government units or state-owned companies, or who have been given possession based on valid legal basis, but whose right to housing to be provided by this specific body has not been determined.
- *ex-officio* housing for persons who have been provided housing in buildings which are to be vacated because of building maintenance, a court judgment having the authority of res judicata or an administrative decision or for any other reasons,
- housing for persons who have submitted an application for replacement of housing units, provided they meet eligibility criteria prescribed by provisions under the Ordinance on leasing of housing units (Official Gazette 54/14).

Former tenancy rights holders are eligible for housing under national programme, in or outside areas of special state concern, and under regional housing programme, which means that persons on housing priority lists for regional housing programme also qualify for housing rights under national housing programme. However, as previously mentioned, the Central Office for Reconstruction and Housing (SDUOSZ) may not provide housing for the same person twice.

Persons who have no personal income and are granted a status of a displaced person, are entitled to financial aid until cessation of such a status.

Action Plan for the accelerated implementation of housing in and outside areas of special state concern for refugees - former tenancy rights holders who wish to return, and who are mostly of Serbian ethnicity, has been fully implemented. Housing was provided for a total of 4,915 families of former tenancy rights holders in the areas of the Republic of Croatia directly affected by war, as well as outside these areas, as part of the measures implemented between 2007 and 2009 under the Action plan, adopted by the Republic of Croatia in June 2008 and revised in June 2010, for the accelerated implementation of housing for returnees, former tenancy rights holders in and outside areas of special state concern. **After the Revised Action Plan was completely implemented in June 2011, housing continued to be provided for former tenancy rights holders who did not meet eligibility criteria.** The Republic of Croatia also plays an active role in the regional process aimed at providing a permanent solution for all remaining refugees in the region, as previously stated.

Pursuant to Article 12a (6) of the Act on Areas of Special State Concern, and with a view to implementing priority lists referred to in paragraph 1 thereof, the Central Office for Reconstruction and Housing:

- adopted a three-year housing plan for refugees, displaced persons and returnees, persons who are no longer granted such status and former tenancy rights holders who are provided with housing under national and regional housing programmes,
- adopted a three-year housing plan for eligible other persons who are provided with housing under national housing programme in line with the provisions of the Act and based on the opinion of the ministry competent for regional development, which is the sponsor of Housing Programme designed for assisted areas and areas facing negative demographic trends, and which is also the body responsible for monitoring of programme implementation,
- submits, to state administration offices in counties and to the competent administrative body of the City of Zagreb, data on available housing funds and funds earmarked for housing in the state budget.

It is not possible to give an estimate of how many new applications for housing might be submitted in any given year, therefore, the number of applicants is not definite. Housing plans are revised periodically, as well as the number of persons to be provided with housing by the Central Office for Reconstruction and Housing. The issue of housing is an ever-changing and never ending process, taking into consideration all above-mentioned categories of persons who are entitled to housing provided by this body, limited housing funds and available financial resources earmarked for this purpose. New housing applications are received every year, as well as housing applications outside the scope of priority lists, and in cases where all the eligibility criteria are met, *ex officio* housing is provided. Inspection of housing units is periodically carried out in cases when the provided housing units are not being used, eviction proceedings are initiated and conducted against persons who live illegally in state-owned buildings and new property is acquired in cooperation with the Real Estate Agency.

Accordingly, a Three-Year Housing Plan for 2016, 2017 and 2018 is appended hereto. The plan is prepared by the Central Office for Reconstruction and Housing, giving an approximate number of available housing units provided under the housing fund of the Central Office for Reconstruction and Housing. The plan is available on the website of the Central Office for Reconstruction and Housing.

Plans defined for 2016 and 2017 were fully implemented and even exceeded. In the course of 2018, as provided for in the 2018 Annual Plan and in the Three-Year Housing Plan, the Central Office for Reconstruction and Housing plans to secure housing for 1,150 families, applying different housing models.

Priority lists for 2018 are available on the websites of the competent state administration offices in counties, and the lists show the number of submitted applications, separately per every county and housing model. State administration offices in counties conduct administrative proceedings and process application in line with a priority list, and issue decisions granting or rejecting housing application. Decisions are issued for those beneficiaries for whom the funds have been secured, i.e.,

for whom there are available funds in the given year. Therefore, the procedure is transparent and data are publicly published.

Based on the number of decisions that have been issued by competent state administration bodies and submitted to Central Office for Reconstruction and Housing, the Central Office obtains data on the number of decisions issued, granting housing rights to former tenancy rights holders. The Republic of Croatia enables the former tenancy right holders to exercise their rights in the entire territory of Croatia. According to available data, a total of 9 110 families have been provided housing solution, namely 7 560 families in the areas of special state concern and 1 550 families outside the specified area. There are still around 310 housing applications, submitted by former tenancy rights holders, to be resolved in the competent state administration offices. The main problem in the process of granting those rights is the fact that applicants live outside the Republic of Croatia. Therefore, the communication is difficult in order to collect the necessary documentation and evidence for the use of RHP program or integration in the Republic of Serbia. In this regard, cooperation with the Commission for Refugees of the Republic of Serbia was established in order to facilitate communication with the parties. According to legislation in force, residents can buy the housing units under more favorable conditions. Former tenancy right holders to whom the right to housing was granted but no housing unit was ensured, according to the Government Conclusion a cash benefit was paid in the amount of 25 Kuna per day per person until the housing unit is provided. At the beginning of the 2017, 20 families were eligible for this right. In 2018 the program was completed after the applicants were moved to housing units. For the purpose of a sufficient number of available housing units outside the area of special state concern, the Republic of Croatia has purchased 1,647 housing units worth over 860 million Kuna, through the Agency for Legal Affairs and Real Estate Intermediation (APN) exclusively for beneficiaries in the status of former tenancy right holders.

Housing provided by the Central Office for Reconstruction and Housing is not carried out based on the national criteria; consequently, Central Office for Reconstruction and Housing does not keep any records on the ethnicity of the programme beneficiaries. All beneficiaries are treated equally regardless of their nationality and any difference in housing programme implementation depends on the area where housing is provided, i.e, differences exist depending on whether housing is provided in the area of special state concern or outside the area of special state concern.

Conclusion:

The Central Office for Reconstruction and Housing is making significant efforts to provide housing for all returnees, displaced persons, refugees and other target groups in war-affected area. Housing is provided under Regional Housing Programme (RHP) and National Housing programme. Croatian nationals of Serbian ethnicity who are former tenancy rights holders may qualify for housing under both programmes. More precisely, if a person or a family has not been selected for one of the projects under the Regional Housing Programme (RHP), this person or family may exercise their right to housing under national housing programme.

All beneficiaries of the Regional Housing Program (RHP) are selected at the sessions of the Joint Working Group for the Selection of Beneficiaries (UNHCR and SDUOSZ), in line with the pre-established procedures defined by the Framework Agreement and the vulnerability criteria. Therefore, vulnerability level is one of the most important criteria for the selection of the project beneficiaries.

Housing activities are carried out in line with the Three-Year Housing Plan developed by the Central Office for Reconstruction and Housing for 2016, 2017 and 2018, which provides data on an approximate number of housing units available in the housing fund of the Central Office for Reconstruction and Housing. Plans defined for 2016 and 2017 were fully implemented and even exceeded. In the course of 2018, as provided for in the 2018 Annual Plan and in the Three-Year Housing Plan, the Central Office for Reconstruction and Housing plans to secure housing for 1,150 families, applying different housing models. Regional housing programme is to be implemented until the end of 2021.

In terms of future activities, it should be noted that the government of the Republic of Croatia adopted an Operational Programme for National Minorities 2017 - 2020. This Operational Programme contains measures and activities, the aim of which is to safeguard and improve the existing level of rights of all national minorities as well as operational programmes for Serbian, Italian, Czech, Slovak, Hungarian, Albanian and Roma national minorities. Under the operational programme for Serbian national minority, the Republic of Croatia is carrying out a comprehensive analysis of regulatory acts with regard to housing and reconstruction, in and outside areas of special state concern. Based on this analysis, new regulations are to be proposed with a view to regulating the issues of housing, housing programme, those responsible for implementation of measures under this programme, enforcement activities, source and amount of funds, and methodology to be used to monitor implementation and evaluate specific measures. More specifically, a new Act on housing in assisted areas is being prepared, the aim of which is to regulate provision of housing in areas of special state concern and in assisted areas. The Act aims to encourage inhabitants to settle, remain and return to these areas in the Republic of Croatia, fostering demographic and economic recovery and development. The measures specified in this Bill are designed to

produce a long-term impact and balance out the age structure and to maintain territorial balance of the inhabitants, aiming to increase the share of younger population and to encourage settlement and employment, thus ensuring a balanced development of all regions of the Republic of Croatia.

All this leads to a conclusion that the Republic of Croatia is making great efforts to provide housing for all returnees, displaced persons, refugees and other target groups in the war-affected area. In addition to donor funds, a significant share of money for implementation of many activities is provided from the budget of the Republic of Croatia. Activities are implemented in line with three-year plans and annual plans, and their implementation and performance are monitored on an annual basis. Since the period when the Center on Housing Rights and Evictions (COHRE) filed a collective claim against the Republic of Croatia, the regulatory framework has changed, granting the right to housing to a wider group of Croatian nationals regardless of their ethnicity. Both national and regional housing programmes are implemented within reasonable time frames and in line with the legal procedures and financial resources. Vulnerability level is one of the most important criteria for the selection of the project beneficiaries. Taking into consideration all of these activities, we believe that the Republic of Croatia is committed to complying with the provision of Article 16 of the European Social Charter and that it seeks to ensure that social rights may be exercised without any discrimination on grounds of nationality.