

Executive Summary

The Civil Rights Project (CRP) of the Norwegian Refugee Council (NRC) began in Croatia in 1996, spreading over the next three years to The Federal Republic of Yugoslavia, Bosnia-Herzegovina and Kosovo. It has been supported by the Norwegian Ministry of Foreign Affairs and a variety of other international donors, including UNHCR, OSCE, and ECHO.

CRP have assisted tens of thousands of persons displaced or threatened by conflict to obtain vital documents essential to the protection of their civil rights, and given legal information, advice, assistance and representation to enable the protection of those rights. The project has aimed primarily to provide displaced persons with a realistic choice of whether to integrate in their present place of residence or return to their country or territory of origin. It attempts to do so by working to restore protection of rights violated and denied as a result of armed conflict and ethnic cleansing in the countries and territories of the former Yugoslavia. The project was managed as four or more separate projects, each with their separate management structures. CRP had never been externally evaluated prior to the present exercise. In August 2002, the Norwegian Ministry of Foreign Affairs requested the Danish Centre for Human Rights and T&B Consult (Copenhagen) to evaluate the project.

The purposes of the evaluation were:

- To assess the relevance of activities during changing phases of the project, emphasising protection, avoidance of flight and durable solutions;
- To assess the relevance of CRP to help re-establish legal systems acceptable to democratic societies;
- To assess complementarities with OSCE, UN and others;
- To assess cost efficiency compared to services rendered by similar organisations in particular other NGOs;
- To assess whether comparative Norwegian advantages have been exploited;
- To assess whether CRP have contributed to competence building of professional actors;
- To assess whether competence building of Norwegian professional actors has taken place;
- To assess the applicability of the CRP programme in other places;
- To make recommendations for a continuation of the program.

The evaluation proceeded by means of a preliminary desk study, examining project proposals, reports and working documents. This was followed by a presentation of preliminary findings. A first mission (to Croatia) was again followed by a presentation in Oslo, quickly followed by missions to the other countries and territories of operation.

The major – and most successful – of CRP-led activities has been provision of vital documents to displaced persons and members of minorities by means of cross-border action through a network of offices. This has been supplemented by legal assistance and representation with a host of conflict-related legal issues, including recovery of

private real property, pension rights, tenancy rights, citizenship and residence rights, and labour and employment rights.

CRP staff has shown commitment to providing quality and professional legal services in difficult circumstances. They have acted creatively and persistently to find solutions to the problems of clients. They have won the trust and respect of the beneficiaries themselves, of the surrounding community, of national NGOs and international organizations. They have provided services that are relevant to the target groups. In addition, NRC has established productive and cooperative relationships with international organizations such as UN agencies and the OSCE, entering into partnership relations with these organizations.

CRP have used the information gained through legal representations to advocate for the rights of its target groups in international fora. They have tenaciously and assiduously fought to secure these rights, using all available legal avenues. However, due to political obstruction, a host of legal obstacles and poorly functioning legal and administrative systems - solutions have been slow in coming. CRP beneficiaries have been Croatian Serb refugees in Serbia and Bosnia, both sides of the Kosovo conflict, and internally displaced persons.

CRP have been spearheading the provision of legal services of this kind to the target groups in question. It has brought professionalism and commitment to the task. However, the organisation has grown in an ad hoc way, expanding in response to needs and opportunities, rather than following a coherent strategy. For instance, expansion was notable in response to the Kosovo conflict in 1999.

While useful data handling and case tracking systems have been developed by the project, more could be done to adapt them to reporting requirements and to the need to compare data to assess rates of success between different strategies and offices. Reporting to the Ministry of Foreign Affairs could be improved significantly.

The Civil Rights Project has operated in a grey area between urgent provision of services and a more long-term goal of restoring the rights of minorities and the rule of law. Results in the latter areas have been slow in coming.

CRP could benefit target groups by enhancing collaboration with them and with national NGOs providing similar services. Doing so could help realize a secondary goal, that of building up sustainable civil society capacity in the protection of minorities in the places concerned. The need for legal aid is likely to increase in some areas of the former Yugoslavia in the coming years (especially in FRY and Croatia), but could perhaps decrease in Bosnia (depending on the implementation of the Property Law Implementation Plan) and in Kosovo.

The project has generally been cost-effective, but could benefit from a more methodological approach to design and priority setting. Human capacity in the field of intervention has been enhanced among CRP personnel, though standards could have been even better with greater engagement with NGOs from the region.

The Norwegian Refugee Council could apply elements of the CRP in other contexts, but before doing so should undertake thorough appraisal studies of the places and

contexts in question, taking fully into consideration the capacities and interests of local state administrations and non-governmental organisations. An exit strategy should be in place from the moment of engagement in the country. The Council should improve their own capacity in the area of project design and strategy.