



Immigration Sector

BOSNIA AND HERZEGOVINA MIGRATION PROFILE

For the year 2009

Area: 51,129 km²

Total length of the borderline: 1,665 km

Total number of border crossings: 89



Sarajevo, March 2010

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Summary

The Bosnia and Herzegovina Migration Profile (hereinafter: BiH Migration Profile) was created in response to the need to establish a mechanism for collecting statistical data about migration and international protection, a system for processing statistical data on migration as well as a system of timely and accurate reporting on migration flows in Bosnia and Herzegovina. The purpose of this document is to provide the Council of Ministers of Bosnia and Herzegovina with insight into migration trends. The Migration Profile is also intended to assist the Ministry of Security in developing high quality migration policies and relevant regulations. This document also enables international organizations active in the field of migration to gain a deeper understanding of migration trends in Bosnia and Herzegovina.

The Bosnia and Herzegovina Migration Profile fulfils one of the “migration management” obligations from the **Roadmap for Visa Liberalization**, which was presented by the European Commission to the Bosnian-Herzegovinian government in June 2008. The Roadmap states that Bosnia and Herzegovina should “*set up and start to apply a mechanism for the monitoring of migration flows, defining a regularly updated migration profile for Bosnia and Herzegovina, with data both on illegal and legal migration, and establishing bodies responsible for the collection and analysis of data on migration stocks and flows.*”

The first Migration Profile of Bosnia and Herzegovina was adopted at the session of the Council of Ministers of Bosnia and Herzegovina on 24th September 2009, following the “Analysis of the measures necessary to establish a mechanism for following migration flows and to define the migration profile of Bosnia and Herzegovina” which had covered the overview of the legislative, institutional and organizational framework for collecting statistical data on migration in Bosnia and Herzegovina, as well as the overview of European and the international standards and practices in the field of the migration statistics. For the purposes of establishing and applying the mechanisms for the follow up of migration flows and yearly update of the Bosnia and Herzegovina Migration Profile, the instruments for the collection and exchange of statistical data have been formalized through the Decision by the Council of Ministers of Bosnia and Herzegovina by which the competent institutions and agencies through 34 defined charts have been obliged, in accordance to their competencies, to deliver data with the indicators required for drafting the migration profile and follow up of migration trends in Bosnia and Herzegovina. This Decision has defined the types and structure of statistical data on migration and international protection and the obligation of the institutions of Bosnia and Herzegovina to, within the scope of their competency, collect statistical data on migration and international protection and to deliver such data to the Ministry of Security no later than 31st January 2010 for the previous year.

In accordance with the above-mentioned Decision, the following institutions have submitted the statistical data for drafting the Bosnia and Herzegovina Migration Profile for the year 2009: Ministry of Foreign Affairs – Sector for International-legal and consular affairs, Ministry for Human Rights and Refugees – Diaspora Sector, Ministry of Civil Affairs - Sector for Citizenships and Travel Documents, Agency for Labour and Employment of Bosnia and Herzegovina, Ministry of Security – Immigration Sector, Ministry of Security - Asylum Sector, Ministry of Security – Service for Foreigners’ Affairs, and the Ministry of Security – Border Police of Bosnia and Herzegovina.

After the institutions and agencies had submitted the data, the quantitative and qualitative analysis of the same was preformed. The annual reports of individual institutions and agencies served as an additional source of qualitative information necessary for the interpretation of migration statistics. Data processing was carried out quantitatively and qualitatively for the major migration flows in the period from 2001 to 2009, and the comparative indicators were made for all migration flows for the period from 2008 to 2009. Having performed the processing and analysis of all available data, we have completed the Bosnia and Herzegovina Migration Profile for the year 2009.

The Bosnia and Herzegovina Migration Profile for the year 2009 contains the following data: visas, denial of entry and illegal border crossings, temporary and permanent residence of aliens, illegal migration and measures taken against aliens, return of irregular migrants, international protection/asylum, work permits issued to aliens, obtaining the citizenship of Bosnia and Herzegovina, emigration from Bosnia and Herzegovina, and the legal and institutional framework.

Recognized Migration Trends:

1. Visas

1.1 Visas issued by diplomatic-consular representation offices

In the year 2009, the diplomatic-consular representation offices of Bosnia and Herzegovina issued a total of 9,284 visas; by observing yearly trends since 2001, it is noticed that there has been a consistent downward trend in the number of issued visas, with the exception of 2007, when there was an insignificant increase in the number of issued visas in comparison to the previous year.

1.2. Visas issued at the border crossing points

In 2009, 345 visas were issued at the border crossing points of Bosnia and Herzegovina, which is a 49.56% decrease in comparison to the year 2008; by observing yearly trends since 2001, it is noticed that since 2004 there has been a consistent downward trend in the number of visas issued at the border crossing points of Bosnia and Herzegovina.

2. Denial of Entry and Illegal Border Crossings

2.1. Denial of Entry into Bosnia and Herzegovina

In 2009, there were 5,103 denied entries into Bosnia and Herzegovina by the BiH Border Police which represented an increase of 64.51% in comparison to the year 2008.

2.2. Discovered illegal crossings of the state borderline

The number of discovered illegal crossings of the state borderline of Bosnia and Herzegovina was 381 in the year 2009, and it was reduced for 29.83% in comparison to the year 2008.

3. Temporary and permanent residence of aliens

3.1. Temporary residence

In 2009, temporary residence was granted to 7,512 aliens in Bosnia and Herzegovina, which represented an increase of 25.81% in comparison to 2008; by observing yearly trends since 2001, it is noticed that since 2002 there has been a consistent upward trend in the number of granted temporary residence permits in Bosnia and Herzegovina.

3.2. Permanent residence

In 2009, permanent residence was granted to 359 aliens in Bosnia and Herzegovina and it had increased by 66.98% in comparison to the year 2008. By observing yearly trends since 2001, it was noted that the year 2003 was a peak year for the number of permanent residence permits issued in Bosnia and Herzegovina.

4. Illegal migrations and measures taken against aliens

4.1. Residence Cancellation

In 2009, 566 residence permits were cancelled, thus representing an increase of 9.69% as compared to 2008.

4.2. Decisions on Expulsion

In 2009, 474 decisions on expulsion were issued, thus representing a decrease of 39.77% as compared to 2008.

4.3. Placing of Aliens under Surveillance

The total number of 191 aliens was placed under surveillance in the year 2009, while the number of such aliens was 198 for the year 2008.

4.4. Forced removal of Aliens from Bosnia and Herzegovina

During 2009, 109 aliens were forcibly removed from Bosnia and Herzegovina, representing a decrease of 36.63% as compared to the year 2008.

5. Return of Irregular Migrants

5.1. Voluntary return of citizens of Bosnia and Herzegovina to Bosnia and Herzegovina, with the IOM's assistance

In 2009, 73 citizens of Bosnia and Herzegovina returned, with IOM's assistance, to Bosnia and Herzegovina voluntarily. In this manner, from 2001 to 2009, a total of 4,332 citizens of Bosnia and Herzegovina had been returned.

5.2. Voluntary Return of aliens from Bosnia and Herzegovina to their countries of origin, with IOM's assistance

In 2009, 153 aliens were voluntarily returned, with IOM assistance, from Bosnia and Herzegovina to their countries of origin. In this manner, from 2001 to 2009 a total of 1,520 aliens had been voluntarily returned from Bosnia and Herzegovina.

5.3. Admission based on the readmission agreement

In 2009, pursuant to the Readmission Agreement with the Republic of Croatia, 122 third-country nationals were admitted to Bosnia and Herzegovina, representing a decrease of 50.81% as compared to 2008.

6. International protection/ asylum

In 2009, international protection/asylum from Bosnia and Herzegovina was requested by 71 individuals. From 2001 to 2009 a total of 3,309 individuals requested international protection/asylum from Bosnia and Herzegovina.

7. Work permits issued to aliens

In 2009, 2,592 work permits were issued to aliens, representing a decrease of 13.40% as compared to 2008.

8. Obtaining the citizenship of Bosnia and Herzegovina

In 2009, 945 individuals obtained the citizenship of Bosnia and Herzegovina. The majority of granted citizenship requests were from citizens of Serbia and Croatia.

9. Emigration from Bosnia and Herzegovina

According to estimates made by the Ministry of Human Rights and Refugees on the number of emigrants from Bosnia and Herzegovina in 2008, the number of emigrants from Bosnia and Herzegovina is about 1,350,000 people.

With a view to setting up and applying mechanisms for the monitoring of migration flows and annual updating of Bosnia and Herzegovina's Migration Profile, the instruments for the collection and exchange of statistical data should be formally defined through a Decision of the Council of Ministers VM 244/09 from 24th September 2009 ("BiH Official Gazette" no. 83/09), which has charged the competent institutions and agencies with delivering data in line with the parameters needed for the completion of the Migration Profile and monitoring of migration flows of Bosnia and Herzegovina.

I INTRODUCTION

The creation of the Migration Profile of Bosnia and Herzegovina (hereinafter: BiH Migration Profile) has been defined in the Road Map for Visa Liberalization, in the part which refers to "Migration Management", as one of the preconditions for the abolition of visa regime for citizens of Bosnia and Herzegovina. This obligation of Bosnia and Herzegovina is defined as follows:

"Set up and start to apply a mechanism for monitoring migration flows, define a regularly updated migration profile for Bosnia and Herzegovina, with data both on illegal and legal migration, and establish bodies responsible for collection and analysis of data on migration stocks and flows."

The primary purpose of making the migration profile is the collection of relevant statistical data and information necessary for a specific state to develop and implement its migration policy.

The first Migration Profile of Bosnia and Herzegovina was adopted at the session of the Council of Ministers on 24th September 2009; and the preparation of this document had been preceded by the "Analysis of the measures necessary for the establishment of mechanisms for the monitoring of migration flows and to define the Migration Profile of Bosnia and Herzegovina", which included a review of the legislative, institutional and organizational framework for the collection of migration statistics in Bosnia and Herzegovina, and the appraisal of European and international standards and practice in the field of migration statistics.

For the purposes of setting up and implementing mechanisms for the monitoring of migration flows and for making the annual update of the Migration Profile of Bosnia and Herzegovina, the instruments for collection and exchange of statistical data have been formally decided by the Council of Minister's Decision, by which the competent institutions and agencies are obliged, through 34 defined tables, in accordance to their competencies, to submit data with the parameters necessary for defining the Migration Profile and to monitor migration flows in Bosnia and Herzegovina.

On 24th September 2009, the Council of Ministers of Bosnia and Herzegovina, upon the proposal of the Ministry of Security, adopted the Decision on the obligation of submitting the statistical data on migration and international protection to the Ministry of Security ("Official Gazette" No. 83/09). This decision has defined the type and structure of statistical data on migration and international protection, as well as the obligations of the institutions of Bosnia and Herzegovina, to collect statistics on migration and international protection within their competency, and that the data was to be submitted to the Ministry of Security no later than 31 January for the previous year. The Immigration Sector shall collect, process and analyze the delivered statistical data on migration and international protection for the purposes of monitoring migration flows and regular annual updating of the migration profile of Bosnia and Herzegovina, including information on legal and illegal migration.

The Unit for Analytics, Strategic Planning, Surveillance and Training under the Immigration Sector is tasked with producing the Migration Profile, by collecting the migration statistics, processing data and creating reports for various purposes. It should be noted that this Unit has only been partially supplied with the necessary human resources and that it is of crucial importance to develop this Unit in order to have the capacity to monitor migration flows. The need for further development in the field of monitoring migration flows has been recognized in the Report of the European Commission on the progress of Bosnia and Herzegovina in 2009.

1. Data sources and collection methodology, classification and processing

The sources and methodology of data collection have originated from the Decision on obligation to submit statistical data on migration and international protection to the Ministry of Security (“Official Gazette” No. 83/09).

The following institutions, organizations and agencies were designated as sources of information: Ministry of Foreign Affairs – data on visas issued by the Diplomatic-Consular Representation Offices of Bosnia and Herzegovina; Bosnia and Herzegovina Border Police – data on denial of entry to aliens, illegal border crossings, and visas issued at the border crossing points; Service for Foreigners’ Affairs – data on stays of aliens in Bosnia and Herzegovina, measures taken against aliens in Bosnia and Herzegovina, and readmission of foreign nationals and stateless persons; Ministry of Security – Asylum Sector – data on international protection; Ministry of Security – Immigration Sector – readmission of Bosnia and Herzegovina’s citizens and voluntary return with the IOM’s assistance; Ministry of Civil Affairs – data on obtained Bosnia and Herzegovina’s citizenships; Ministry for Human Rights and Refugees – Diaspora Sector – emigration of BiH citizens, emigration; and the Work and Employment Agency of Bosnia and Herzegovina – work permits for aliens in Bosnia and Herzegovina.

Regarding the methods used for data collection, the above-mentioned Decision has defined a total number of 34 tables developed specifically for the institutions and agencies that are charged with implementing the “Law on Movement and Stay of Aliens and Asylum in Bosnia and Herzegovina”. The tables include the following: data on countries of citizenship, birth, sex and age structure, and other relevant parameters on procedures and decisions related to movement and stay of aliens and asylum in Bosnia and Herzegovina in 2009. In addition, in order to establish a comprehensive mechanism to monitor migration flows and defining Bosnia and Herzegovina’s Migration Profile, the same methods were used to create tables for citizens of Bosnia and Herzegovina related to their emigration, voluntary return and issued work permits for foreign nationals in Bosnia and Herzegovina. The tables were designed in accordance to European and international standards, especially in line with the Regulation No. 862/2007 of the European Parliament and the Council on Community Statistics on Migration and International Protection, which requests that member states provide harmonized reporting on migratory flows and international protection, pursuant to the models of UN and IOM migration profiles.

In accordance with the aforementioned Regulation, the tables have been delivered to the relevant authorities in the field of migration and international protection in Bosnia and Herzegovina and classified as follows: by citizenship, state of birth, sex and age.

After receiving the completed tables from relevant institutions, organizations and agencies, a qualitative and quantitative analysis of their data was performed. The annual reports of certain institutions and organizations have been used as additional sources of qualitative information necessary for the interpretation of migration statistics. Both the qualitative and quantitative analyses of the data were performed for the period covering 2001 to 2009. However, comparative indicators were calculated for all migration flows only during 2008 and 2009. After all the available data was processed and analyzed, the Bosnia and Herzegovina Migration Profile was defined for the year 2009.

2. Data availability and quality

The data analysis led to several conclusions on data availability and quality. Most institutions, organizations and agencies managed to deliver the requested data before the given deadline.

The analysis showed that the majority of authorities have kept detailed records on aliens and procedures related to aliens in Bosnia and Herzegovina. However, it was also clear that the records have not been entirely adjusted to statistical monitoring of migrations flows and stocks, international protection and statistical reporting as required by European standards. Hence, authorities were not able to obtain the requested data from their records in a timely and speedy manner to include them in the delivered tables. They most often had to calculate the data and fill in the tables manually, without having almost any automatic procedure. Most of the authorities were able to deliver the required data, arranged by the country of origin (or birth), age and sex.

The Border Police of Bosnia and Herzegovina, the Service for Foreigners' Affairs, Asylum Sector and the Agency for Labour and Employment of Bosnia and Herzegovina have delivered the data at their disposal to the Immigration Sector in line with the Decision on obligation to submit the statistical data on migration and international protection to the Ministry of Security ("Official Gazette of Bosnia and Herzegovina" No. 83/09).

The Ministry of Civil Affairs has forwarded information on obtaining citizenship, which had been collected from the competent entity-level institutions such as the Federal Ministry of Internal Affairs, and the Ministry of Administration and Local Self-Governance of the Republic of Srpska, as required by the aforementioned Decision.

The data on Bosnian-Herzegovinian Diaspora has not been classified by sex or age because the competent institution is not in the possession of such data. In addition, there are no established mechanisms for the collection of data on emigrants from Bosnia and Herzegovina. These figures are mainly collected based on an assessment made by the Diplomatic-Consular Representation Offices of Bosnia and Herzegovina in the countries of reception, as well as by organizations and Diaspora Associations of Bosnia and Herzegovina in such countries. The lack of coordination was also evident in the relations between the Diaspora Sector of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina

and the Ministry of Foreign Affairs, specifically the Diplomatic-Consular missions of Bosnia and Herzegovina, related to making records on the citizens of Bosnia and Herzegovina living abroad.

Despite shortcomings in terms of the completeness of the delivered data, the quality of the delivered data was satisfactory. The data that was delivered on the basis of the pre-designed tables, the annual activity reports of the Service for Foreigners' Affairs and the Bosnia and Herzegovina Border Police and the analysis performed by the Emigration Sector of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina, provided a satisfactory basis for the analysis of migration flows and defining of the Bosnia and Herzegovina Migration Profile.

3. Harmonization with the EU Regulation 862/2007

Regulation (EC) No 862/2007 of the European Parliament and the Council on Community Statistics on Migration and International Protection provided the framework for establishing a European standard for collecting statistical data on migration and international protection. Pursuant to the Regulation, which states that the first reference year for collecting data shall be 2008, EU member countries must supply the relevant statistics to Eurostat. The Regulation provides basic definitions of terms and procedures related to migration and international protection. However, for the first reference year, the Regulation stipulates that the statistics supplied to Eurostat may be based on definitions in line with the legislation of Member States. In such cases, Member States must notify Eurostat on possible differences as compared to the definitions stipulated by the Regulation.

Bearing in mind that the *"Analysis of Measures Necessary for Establishing Mechanisms to Monitor Migration Flows and Define a Bosnia and Herzegovina Migration Profile"* already contains a detailed analysis of Regulation 862/2007, some practical recommendations were given for the harmonization of Bosnian-Herzegovinian legal framework with the Regulation which has been used in the newly written Rulebook on the Centralized Database on Foreigners. Hence, the Bosnian-Herzegovinian legal framework for recording migration statistics can be viewed as harmonized with the principles of Regulation 862/2007.

4. Consultations completed

The draft of the Bosnia and Herzegovina Migration Profile was delivered to all institutions, organizations and agencies that participated in its definition by delivering relevant data. The goal of providing the draft Migration Profile was to receive opinions, remarks and suggestions. After all the opinions, remarks and suggestions were obtained, the proposal of the Bosnia and Herzegovina Migration Profile was completed for the year 2009.

On 26th March 2010, the proposed Bosnia and Herzegovina Migration Profile for 2009, was discussed and approved by the Coordinating Body for monitoring implementation in the field on immigration and asylum and the Action Plan for the period 2008 to 2011, and afterwards delivered to the Ministry of Security for approval and finally submitted to the Council of Ministers of Bosnia and Herzegovina for adoption.

II BOSNIA AND HERZEGOVINA MIGRATION PROFILE

1. Visas

A visa is a permit that allows an alien to cross the state border and either enables him/her to enter and stay in the country for the period specified in the visa or transit through the country. An alien has the obligation to obtain visa before arriving at a border crossing point, unless he/she is a citizen of a country whose nationals do not need a visa for entering Bosnia and Herzegovina. Visas are issued by the Ministry of Foreign Affairs through its Diplomatic-Consular Representation Offices (hereinafter referred to as: BiH DKP). In exceptional cases that are regulated by the Law on Movement and Stay of Aliens and Asylum (hereinafter referred to as: the Law) a visa can be issued at the border crossing by the Bosnia and Herzegovina Border Police.

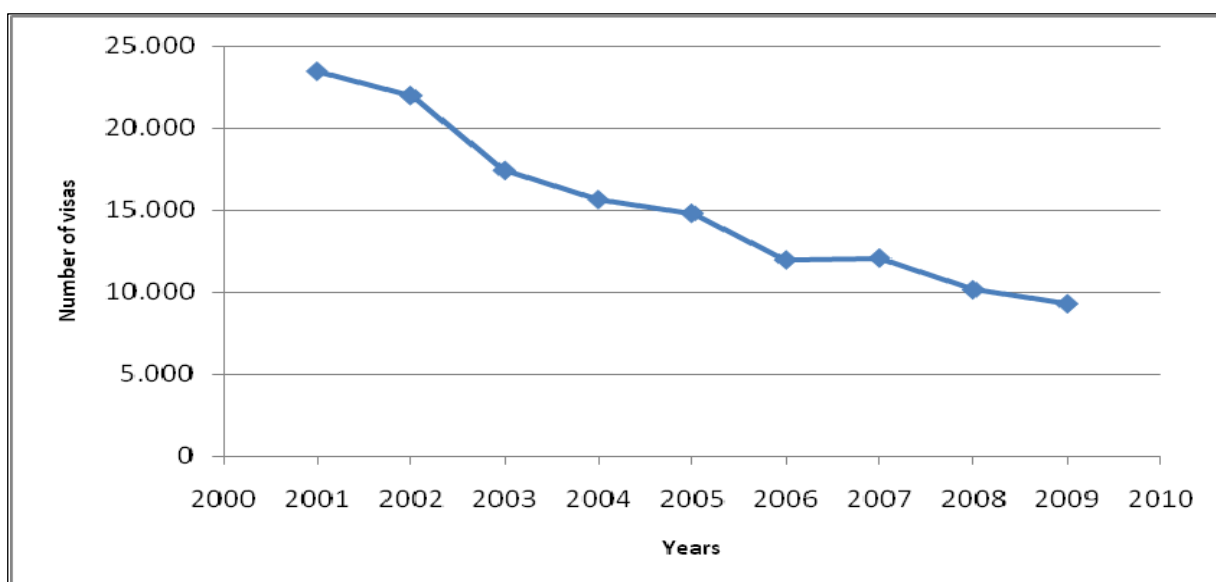
1.1. Visas issued by Diplomatic-Consular Representation Offices of Bosnia and Herzegovina

On the basis of the information obtained from the Ministry of Foreign Affairs, we provide both tabulated and graphical overviews of the number of visas issued annually, along with a brief analysis of the visa trends.

Table 1 – The total number of visas issued from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Visas	23,458	21,978	17,411	15,638	14,801	11,960	12,071	10,139	9,284

Graphic Overview of Visas issued from 2001 to 2009



An analysis of data on the number of visas issued for the reporting period by the BiH DKP shows a continued decrease in the number of visas issued, with a sharp decrease between 2002 and 2003, which was the result of the introduction of visa stickers in May 2002. There was also a significant decrease in visas issued between 2005 and 2006 as the result of accession to EU of the following countries: the Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia¹, were exempt from obtaining a visa for Bosnia and Herzegovina following the Decision of the Council of Ministers of Bosnia and Herzegovina², which came into force on 21 July 2005. A significant decrease in the number of visas issued in 2008 as compared to 2007 is the result of the accession to the EU of Romania and Bulgaria (1 January 2007), with the citizens of those countries being exempt from obtaining visas for Bosnia and Herzegovina following the Decision of the Council of Ministers of Bosnia and Herzegovina³, which came into force on 28 June 2007. The downward trend in visa issuance by the BiH DKP continued in 2009, which is a result of the Decision by the Council of Ministers on visas⁴ which came into force on 24 December 2008.

In order to define current problems in visa issuance, we present comparative indicators on the number of visas issued during 2008 and 2009 for those countries whose citizens were granted the majority of the visas for Bosnia and Herzegovina, along with a brief analysis of the relevant parameters.

Table 2 - Total number of visas issued in 2008 and 2009; disaggregated by country

No	Country	2008	2009	%
1	Lebanon	1,786	1,528	-14.45%
2	Albania	1,638	1,280	-21.86%
3	Ukraine	921	996	8.14%
4	Belarus	900	80	-91.11%
5	Indonesia	264	461	74.62%
6	Serbia	471	176	-62.63%
7	China	211	427	102.37%
8	India	212	416	96.23%
9	Egypt	225	377	67.56%
10	Iran	250	314	25.60%
11	Mexico	488	3	-99.39%
12	Jordan	236	170	-27.97%
13	Saudi Arabia	175	143	-18.29%
14	Libya	10	295	2850.00%
15	Russian Fed.	20	206	930.00%
16	Other countr.	2,332	2,412	3.43%
	Total	10,139	9,284	-8.43%

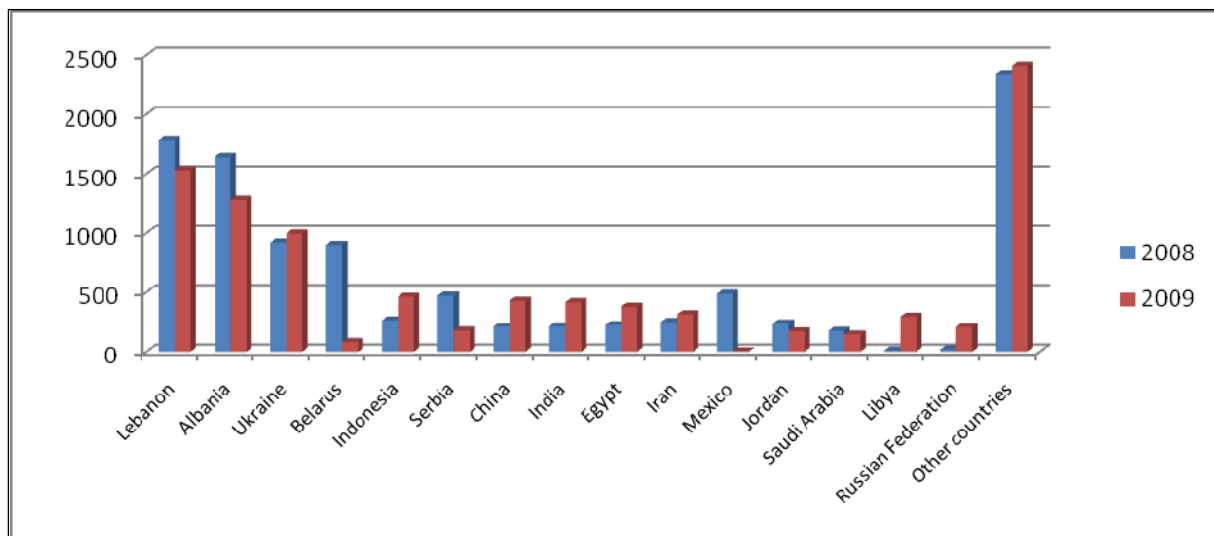
¹ Citizens of Slovenia did not need a visa to enter Bosnia and Herzegovina.

² Decision on amendments to the Decision on determining the countries whose citizens are exempt from the visa regime when entering, exiting, or transiting the territory of Bosnia and Herzegovina ("BiH Official Gazette" no. 57/05)

³ Decision on amendments to the Decision on determining the countries whose citizens are exempt from the visa regime when entering, exiting, or transiting the territory of Bosnia and Herzegovina ("BiH Official Gazette" No. 8/08)

⁴ Decision on Visas („BiH Official Gazette“, No. 100/08).

Graphic overview of visas issued in 2008 and 2009, disaggregated by country



An analysis of data on visas issued in the Diplomatic-Consular Representation Offices of Bosnia and Herzegovina in 2009, when compared to 2008 and disaggregated by countries whose citizens were granted greatest number of visas, shows that there is a decrease in the number of visas issued, specifically for Argentina, Brazil, Mexico, and Chile whose citizens are exempt from visa requirement for Bosnia and Herzegovina, as well as some other countries such as Belarus, Serbia (holders of UNMIK passports), Jordan, Albania, Saudi Arabia and Lebanon. This trend can be attributed to legislative changes in the visa issuance system because the Law, which came into force in May 2008, enabled issuing of short-term visas (Visa-C), allowing an alien to enter and stay in Bosnia and Herzegovina up to 90 days within six months and long-term visas (Visa-D), allowing an alien to enter and stay in Bosnia and Herzegovina for up to six months within a year, commencing from the date of the aliens' first entry and with a possibility of a single or multiple entries into Bosnia and Herzegovina. Significant increase of visas issued in 2009, as compared to 2008, has been noted with the nationals of the Libyan Arab Jamahiriya, Russian Federation, China, India, Indonesia and Egypt. Visas issued to the nationals of Serbia are related to the holders of UNMIK passports. According to the data supplied by the Ministry of Foreign Affairs, the number of pending requests transferred from 2008 to 2009 amounted to 80 requests, and the number of received requests in 2009 was 9,493. Last year, 9,284 requests, or 96.98%, were positively resolved while 159 requests, or 1.66%, were negatively resolved, while 130 requests or 1.36%, and were transferred to the following year. The most of the refused requests were related to the nationals of Ukraine and China, the total of 123 requests or 77.36%.

1.2. Visas issued at border crossings

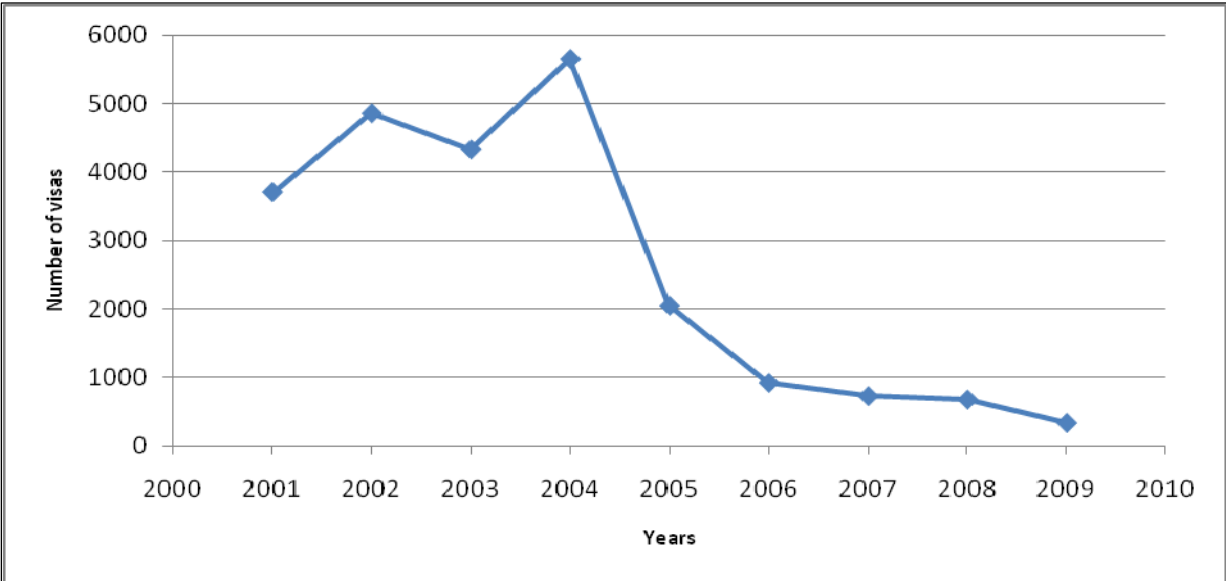
The Law on Movement and Stay of Aliens and Asylum, in exceptional cases, allows the Bosnia and Herzegovina Border Police to issue visas in certain cases (Article 36). Under the previous law a similar possibility existed in the use of the Visa-F category (i.e. visas issued at

the border). The new Law, which was adopted in May 2008, does not contain a Visa-F category, and instead prescribes that the Bosnia and Herzegovina Border Police, when issuing visas at border crossings, must adhere to the new categorization of visas and issue only Visas A (i.e. airport transit visa), B (i.e. transit visa) or C (i.e. short-term stay visa for one entry of up to 15 days).

Table 3 – Total number of visas issued at the BiH border crossings from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Visas	3,706	4,853	4,327	5,641	2,049	927	735	684	345

Graphic overview of visas issued at the BiH border crossings from 2001 to 2009



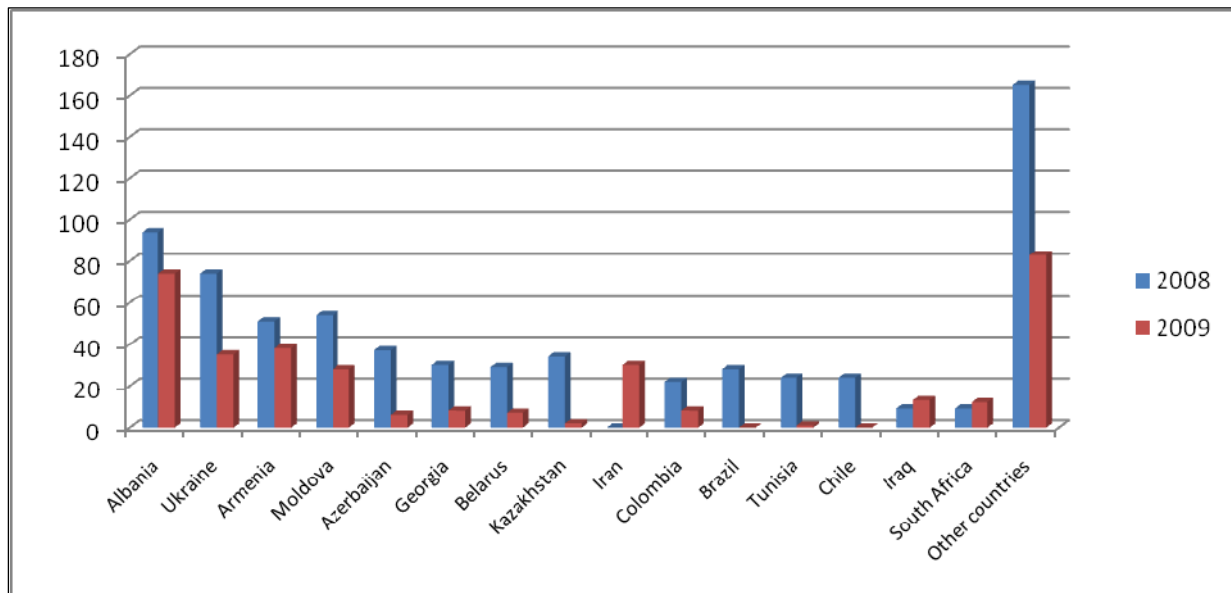
From 2004 onwards, an analysis of data on the number of visas issued at the border crossing points shows a significant downward trend which may lead to a conclusion that the objective of reduction of visa issuance in such a manner is being realized. The achieved indicators have resulted from the development of the network of Diplomatic-Consular Representation Offices, development of legislation framework which stipulates that visa issuance at the border crossings shall be issued in exceptional cases stipulated by the Law and in line with the Law implementation by the BiH Border Police.

In order to define the current situation related to visa issuance at the border crossings, we are presenting comparative indicators on the number of visas issued in 2008 and 2009, for the countries of nationals who have been most frequently issued visas to enter BiH, with a brief analysis of the parameters and amendments to the legislation, for the purposes of a comprehensive interpretation of data.

Table 4 – Total no. of Visas issued at Border Crossings in 2008 and 2009 Disaggregated by Country

No	Country	2008	2009	%
1	Albania	94	74	-21.28%
2	Ukraine	74	35	-52.70%
3	Armenia	51	38	-25.49%
4	Moldova	54	28	-48.15%
5	Azerbaijan	37	6	-83.78%
6	Georgia	30	8	-73.33%
7	Belarus	29	7	-75.86%
8	Kazakhstan	34	2	33.33%
9	Iran	0	30	-
10	Colombia	22	8	-63.64%
11	Brazil	28	0	100.00%
12	Tunisia	24	1	-95.83%
13	Chile	24	0	100.00%
14	Iraq	9	13	44.44%
15	South Africa	9	12	33.33%
16	Other countr.	165	83	-49.70%
Total		684	345	-49.56%

Graphic Overview of Visas Issued in 2008 and 2009 Disaggregated by Country



During 2008, when changes were introduced to visa legislation, 408 Visa-Fs 276 Visa-Cs were issued at border crossing points, for a total of 684 visas issued at border crossing points by the Border Police. In 2009, there was a significant decrease of visas issued at the border crossing points and the number was 345 visas (Visa B, 9 and Visa C 336). Bearing in mind the principle that visas issued at border crossing points should be reduced, Bosnia and Herzegovina can report that there was a significant decrease (49.56%) in the number of visas issued in 2009, when compared to 2008.

The previous two years showed that the majority of visas issued at border crossing points were issued to foreign nationals coming from Albania, Ukraine, Armenia, Moldova and Azerbaijan. Statistical data in 2009 showed that the more visas were issued to men (72.46%) than women (27.54%), and that in both cases the majority of people are aged between 18 and 59, with almost equal representation of two age groups, the one 18-35 and the other 36-59 which can be clearly seen in the following graphic overview.

Table 5 - Visas Issued in 2008 at Border Crossing Points Disaggregated by Age, Sex and Nationality

	Albania	Armenia	Azerbaijan	Tunisia	Mexico	Other Countries (out of 59)	Total
0-17	0	2	0	0	1	15	18
18-35	20	6	10	0	2	56	94
36-59	20	3	2	1	3	54	83
60+	0	0	2	0	0	9	11
Total females	40	11	14	1	6	134	206
0-17	0	0	12	0	0	29	41
18-35	23	26	9	17	6	119	200
36-59	31	14	2	6	6	142	201
60+	0	0	0	0	0	36	36
Total males	54	40	23	23	12	326	478
Total by Nationality	94	51	37	24	18	460	684

Graphic Overview of Total Number of Visas Issued at Border Crossing Points in 2008 Disaggregated by Age and Sex

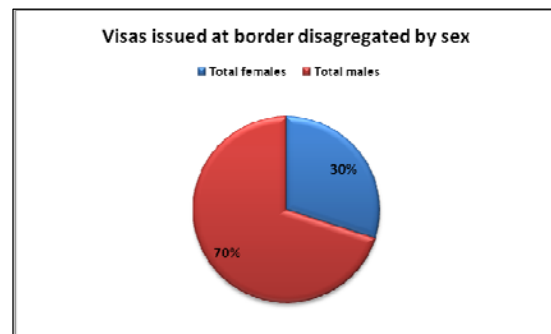
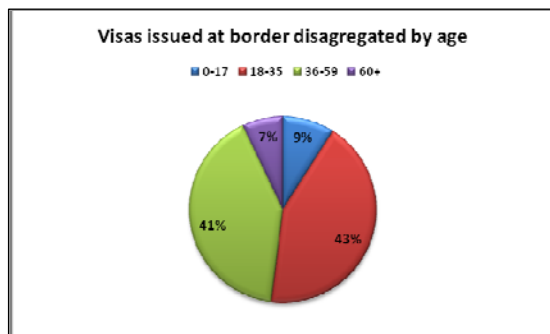
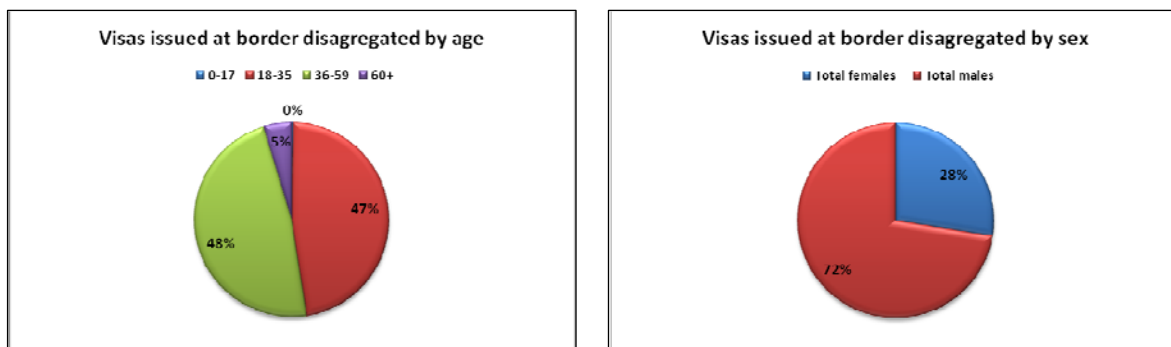


Table 6 - Visas Issued in 2009 at Border Crossing Points Disaggregated by Age, Sex and Nationality

	Albania	Armenia	Ukraine	Iran	Moldova	Other Countries (out of 38)	Total
0-17	0	0	0	0	0	1	1
18-35	14	3	16	0	4	10	47
36-59	9	1	5	0	5	23	43
60+	0	0	0	0	0	4	4
Total females	23	4	21	0	9	38	95
0-17	0	0	0	0	0	0	0
18-35	20	20	9	23	10	34	116
36-59	27	12	5	7	9	62	122
60+	4	2	0	0	0	6	12
Total males	51	34	14	30	19	102	250
Total by Nationality	74	38	35	30	28	140	345

Graphic Overview of Total Number of Visas Issued at Border Crossing Points in 2009 Disaggregated by Age and Sex



2. Denial of Entry and Illegal Border Crossings

Denial of entry is a measure undertaken by the Bosnia and Herzegovina Border Police, pursuant to the Law when foreign nationals and stateless persons attempt to legally cross the Bosnian and Herzegovinian border and enter the country without meeting the entry requirements prescribed by the Law. After the denial of entry, the Bosnia and Herzegovina Border Police issue a decision on the refusal of entry pursuant to the regulations of the Law. A foreign national or a stateless person can file a complaint against this decision to the Ministry of Security, but the lodging of the complaint itself does not give that person the right to enter Bosnia and Herzegovina.

An illegal border crossing occurs when a person is caught trying to cross the border of Bosnia and Herzegovina illegally, either entering or leaving the country, regardless of whether that person is a citizen of Bosnia and Herzegovina, a foreign national or a stateless person.

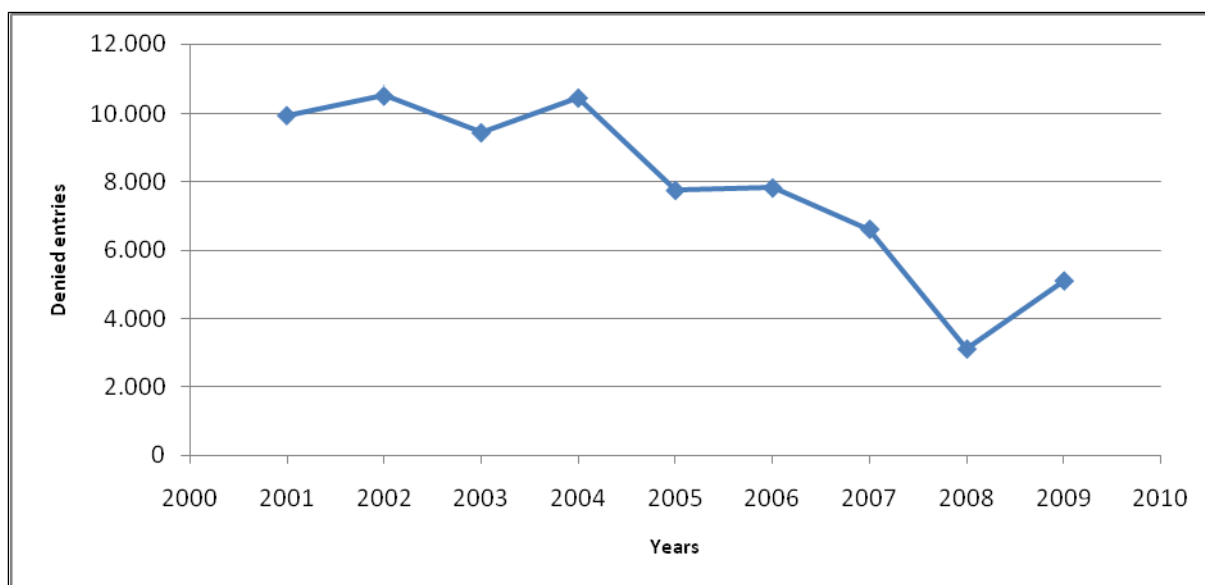
2.1. Denial of Entry into Bosnia and Herzegovina

A foreign national who does not meet the general requirements for entering Bosnia and Herzegovina pursuant to Article 19 of the Law on Movement and Stay of Aliens and Asylum of Bosnia and Herzegovina, or if he/she is not a subject to the international treaty or decision on entry under special conditions, may be refused to enter into Bosnia and Herzegovina.

Table 7 – Denied Entries at the Borders of Bosnia and Herzegovina from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Denied Entries	9,955	10,527	9,450	10,469	7,758	7,829	6,618	3,102	5,103

Graphic Overview of Denied Entries to Bosnia and Herzegovina from 2001 to 2009



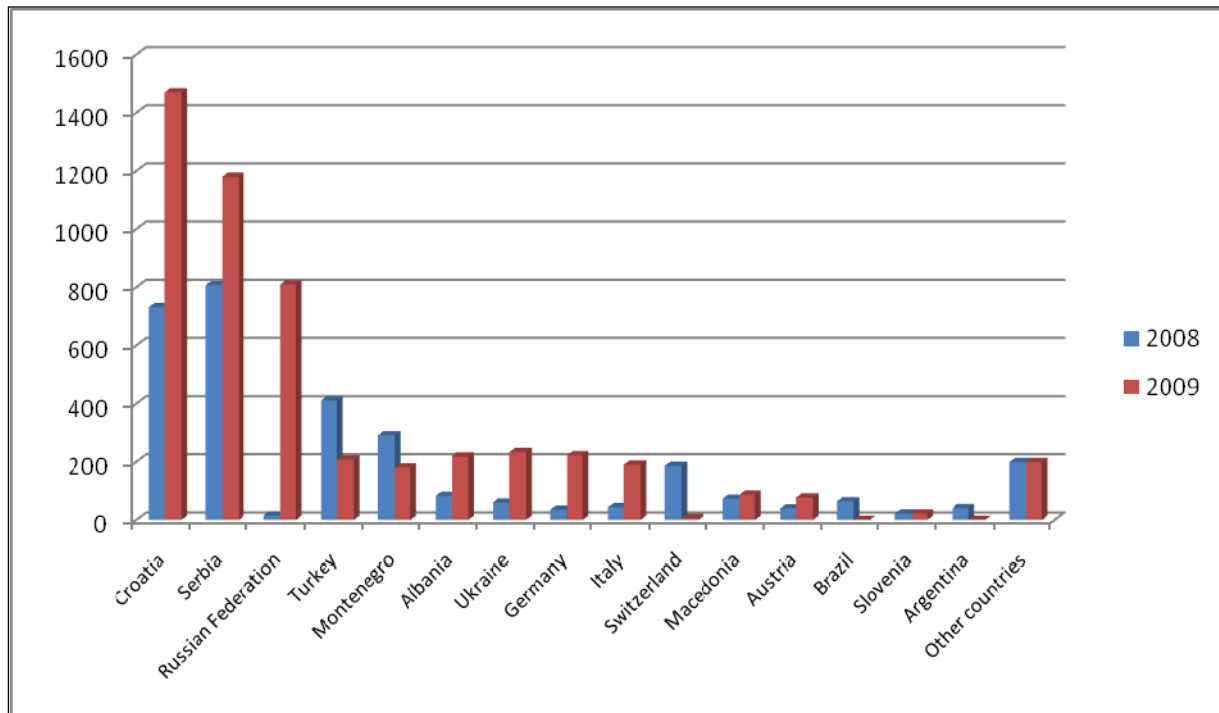
An analysis of data on denied entries at the border crossing points, in the presented period of time, shows that after 2004, when there was a significant increase in the number of denied entries, there was a continuous decreasing trend in the number of these parameters. The significant increase in 2004 followed by a sharp decrease in 2005 was mostly the result of the accession of ten (10) new member countries to the EU on 1 May 2004. Visas for the citizens of nine (9) of the ten (10) countries who previously needed visas for entry into Bosnia and Herzegovina were no longer required in 2005 (21 July 2005). During 2008, the number of denied entries into Bosnia and Herzegovina was more than 50% reduced as compared to 2007; in 2009, the number of denied entries increased for 64.51% as compared to 2008.

In order to give an updated analysis of denied entries, data from 2008 and 2009 is presented for the 15 countries whose nationals were most frequently denied entering into Bosnia and Herzegovina. This data is followed by a short analysis of the relevant parameters.

Table 8 – Denied Entries at Border Crossing Points in 2008 and 2009 Disaggregated by Country

No	Country	2008	2009	%
1	Croatia	732	1,470	100.82%
2	Serbia	807	1,180	46.22%
3	Russian Fed.	15	810	5300.00%
4	Turkey	411	208	-49.39%
5	Montenegro	291	181	-37.80%
6	Albania	83	218	162.65%
7	Ukraine	59	233	294.92%
8	Germany	35	222	534.29%
9	Italy	44	190	331.82%
10	Switzerland	186	6	-96.77%
11	Macedonia	73	87	19.18%
12	Austria	40	77	92.50%
13	Brazil	64	0	-100.00%
14	Slovenia	22	22	0.00%
15	Argentina	41	0	-100.00%
16	Other countr.	199	199	0.00%
	Total	3,102	5,103	64.51%

Graphic Overview of Denied Entries at Border Crossing Points of Bosnia and Herzegovina in 2008 and 2009 Disaggregated by Country



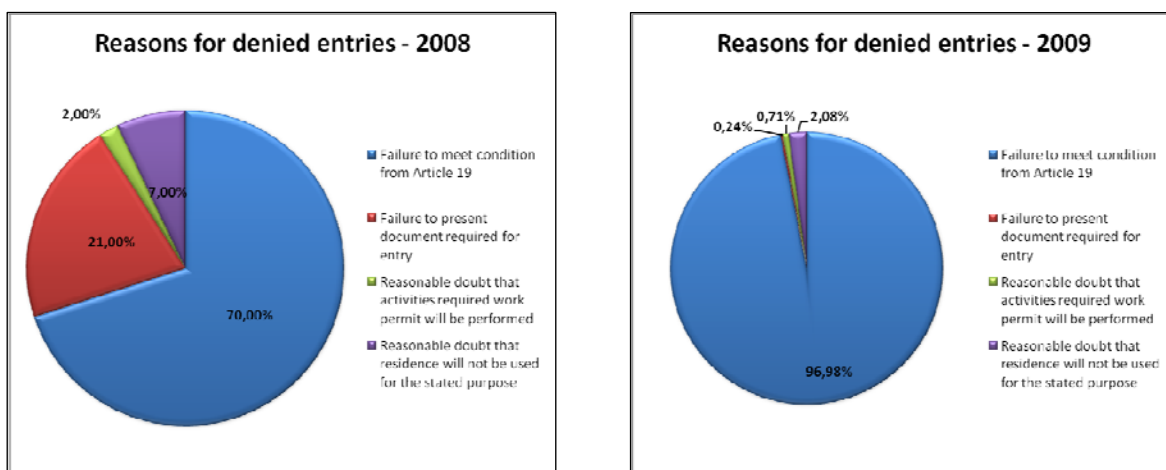
There is a significant difference in the number of denied entries in 2009 as compared to 2008, with a 64.51% increase.

The majority of denied entries into Bosnia and Herzegovina come from neighbouring countries: Croatia (1,470), Serbia (1,180) and Montenegro (181) and account for 55.48% of all denied entries into Bosnia and Herzegovina. Of the presented number of denied entries into Bosnia and Herzegovina for citizens of Serbia, 94 such cases in 2008 and 139 in 2009 were holders of UNMIK passports. The largest increase in the number of denied entries is related to nationals of the Russian Federation, mostly due to their failure to possess a visa, and nationals of Germany and Italy because they had no travel documents on them. In addition, in this reported period of time, it is noted that only 4 nationals from the South America were denied entries (Brazil, Argentina, Mexico and Chile) which was more frequent in the past (i.e. 2008 -163), and the reason is the abolishment of the visa regime for these countries. In 2009, 5,103 foreign nationals were denied entries into Bosnia and Herzegovina, out of which 4,878 persons at the land borderline of Bosnia and Herzegovina and 225 persons at the international airports. The reasons for denying entry into Bosnia and Herzegovina to foreign nationals were: lack of possession of a valid travel document (48%), lack of possession of a visa for entry, stay, transit in Bosnia and Herzegovina or residence permit pursuant to the Law (27%); lack of sufficient means of subsistence, including means for health care (7%); the person is registered with an authorised authority as an offender (7%), his/her inability to prove or provide information on the purpose of the intended stay

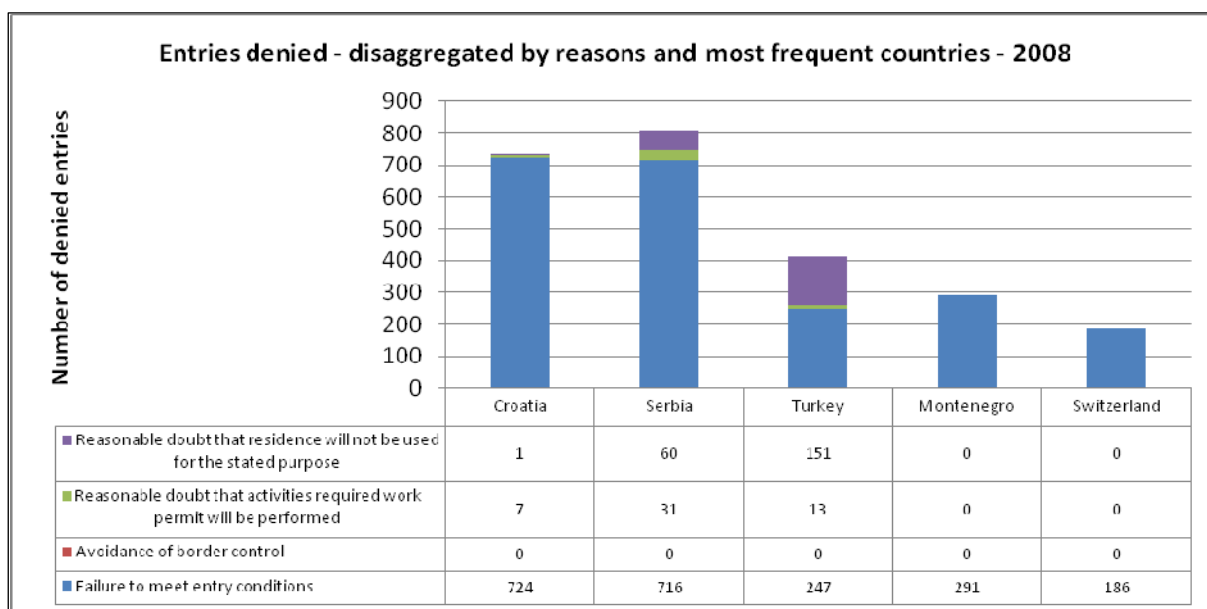
(5%); deliberate provision of false data related to ground for entering Bosnia and Herzegovina (3%) and other reasons (3%)⁵.

According to information received from the Border Police of Bosnia and Herzegovina, “the majority of denied entries of the state borderline at the international airports is due to false data given in relation to grounds for entering Bosnia and Herzegovina, while in the other Field Offices, the major reason is the lack of possession of a valid travel document and lack of visa.”⁶

Graphic Overview of Denied Entries in 2008 and 2009 Disaggregated by Grounds for Denial

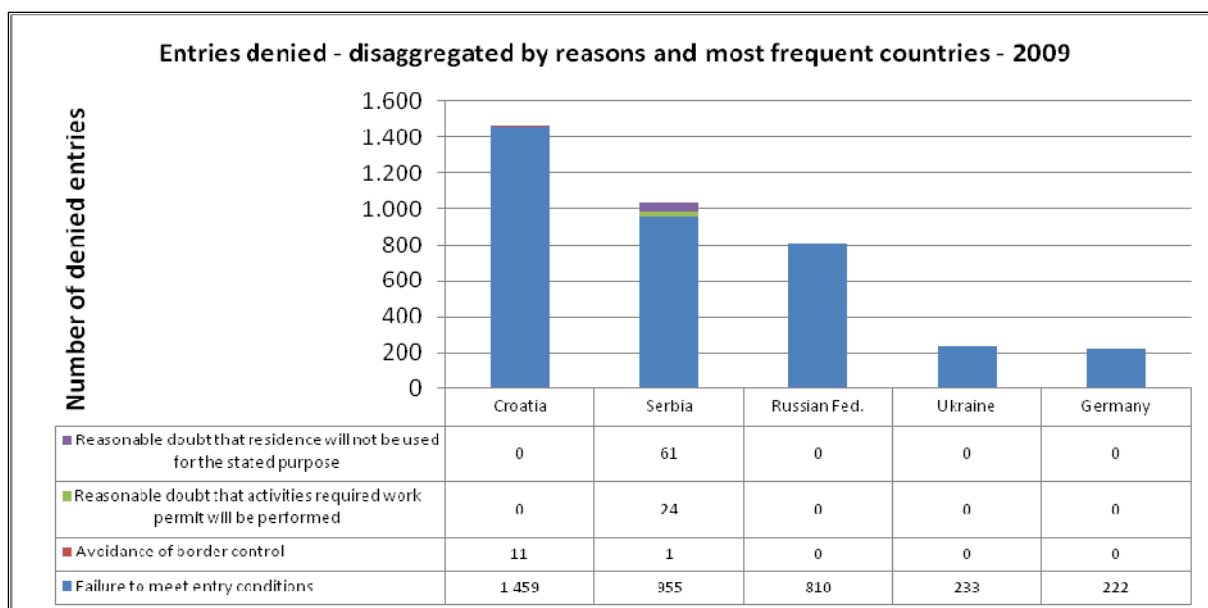


Graphic Overview of Denied Entries in 2008 and 2009 Disaggregated by Grounds and Most Frequent Country of Origin



⁵ BiH Border Police “Analysis of Work of Border Police of Bosnia and Herzegovina for 2009” Sarajevo, January 2010, page 5

⁶ BiH Border Police “Analysis of Work of Border Police of Bosnia and Herzegovina for 2009” Sarajevo, January 2010, page 6



2.2. Discovered Illegal Crossings of the State Borderline

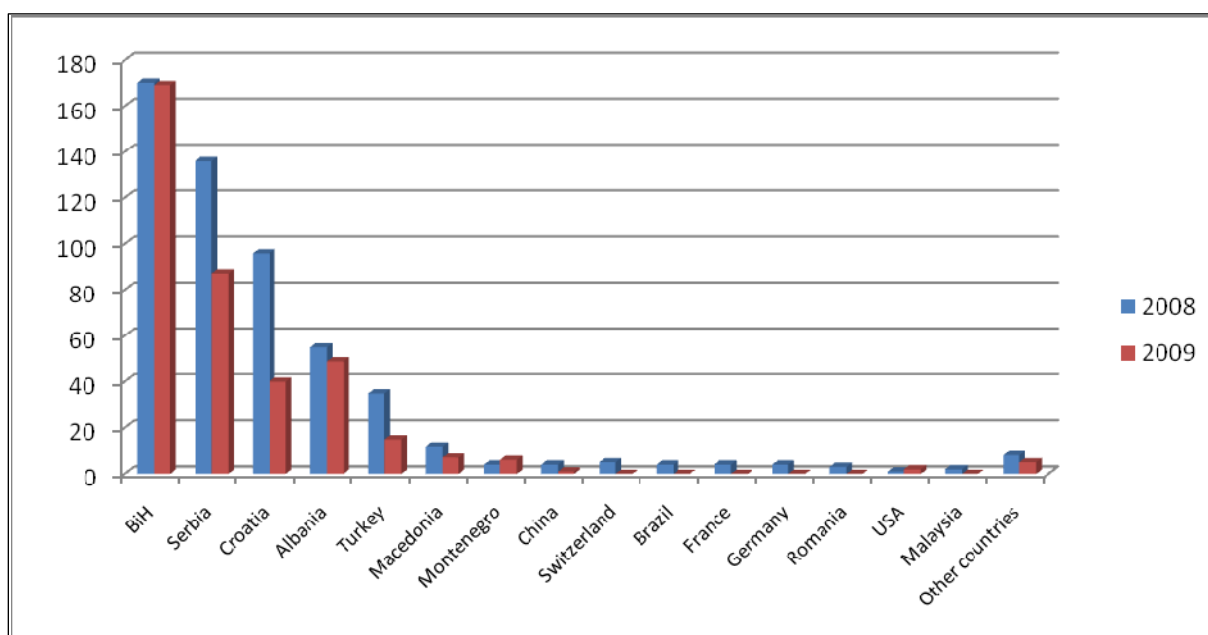
An illegal border crossing occurs when a person is caught trying to cross the state border of Bosnia and Herzegovina illegally, regardless of whether the person is entering or leaving the country, or whether the person is a citizen of Bosnia and Herzegovina, a foreign national or a person with no citizenship. In 2008, a total of 543 persons were caught trying to cross the border of Bosnia and Herzegovina illegally. During 2009, the total number of 381 persons was registered in such attempts. This data indicate a reduction of 29.83% in the number of discovered illegal border crossings.

Table 9 - Illegal border crossing attempts in 2008 and 2009 disaggregated by citizenship

No	Country	2008	2009	%
1	BiH	170	169	-0.59%
2	Serbia	136	87	-36.03%
3	Croatia	96	40	-58.33%
4	Albania	55	49	-10.91%
5	Turkey	35	15	-57.14%
6	Macedonia	12	7	-41.67%
7	Montenegro	4	6	50.00%
8	China	4	1	-75.00%

No	Country	2008	2009	%
9	Switzerland	5	0	-100.00%
10	Brazil	4	0	-100.00%
11	France	4	0	-100.00%
12	Germany	4	0	-100.00%
13	Romania	3	0	-100.00%
14	USA	1	2	100.00%
15	Malaysia	2	0	-100.00%
16	Other countr.	8	5	-37.50%
	Total	543	381	-29.83%

Graphic overview of discovered illegal border crossings in 2008 and 2009 disaggregated by country

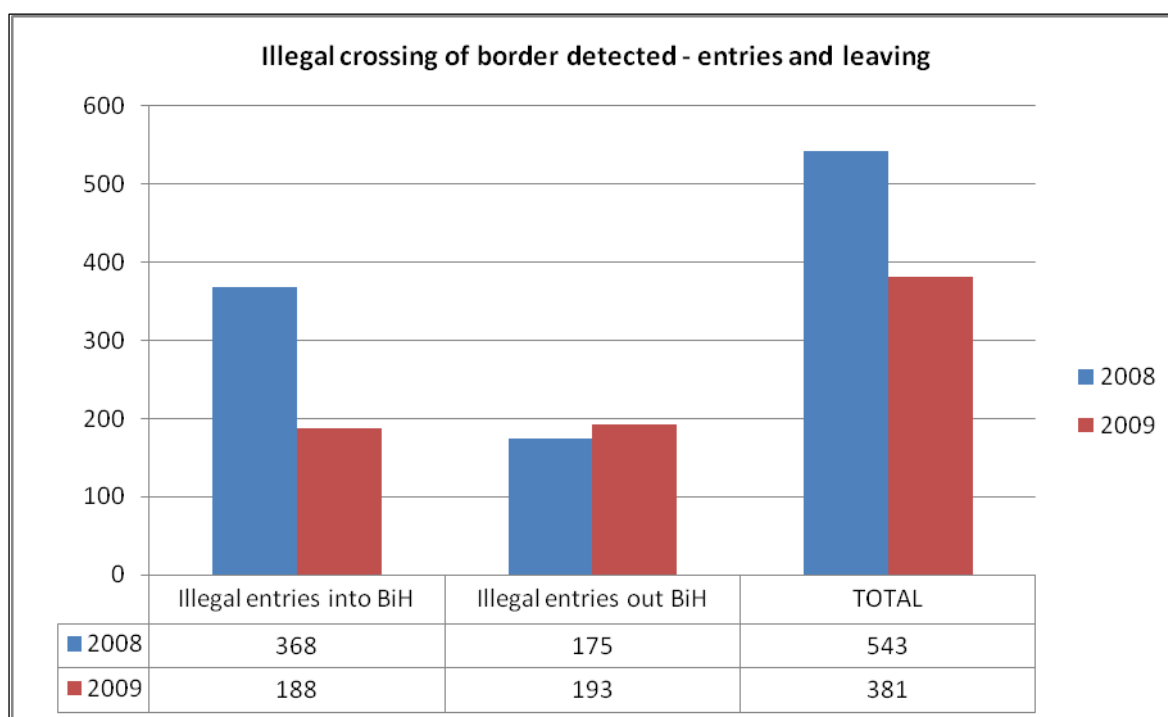


According to available data, most of discovered illegal border crossings are attempted by citizens of Bosnia and Herzegovina. In terms of foreign nationals, the largest number of such attempts was committed by nationals of the neighbouring countries and countries in the region. Out of this number of discovered illegal border crossings attempted by nationals of Serbia, 37 persons were holders of UNMIK documents in 2008, and 15 persons in 2009. An analysis of the available data shows that 44.36% of all illegal crossings that were discovered in 2009 were attempted by citizens of Bosnia and Herzegovina. However, this percentage increased in comparison to 2008, when 31.31% persons were discovered. There was also a significant fall in the number of discovered illegal crossings of the state border by nationals of other countries where the largest number comes from Serbia (22.83%), Albania (12.86%), Croatia (10.50%) and Turkey (3.94%). According to data from the activity report of the Bosnia and Herzegovina Border Police “at border crossing points in 2009 (both entrance and exit) 110 persons were registered (entry 46 + exit 64) in attempt to cross the state border illegally, and 271 person (entry 142 + exit 129)⁷ attempted to cross the border outside the border crossing points (border strip), while in 2008 “on the border crossing points (total of entries and exists) 185 persons were registered (entry 126 + exit 59) in an attempt to illegally cross the state border, while 358 persons attempted to cross the border outside the border crossing points (border strip) (entry 242 + exit 116)”⁸. The aforementioned data shows that there is a tendency of illegal border crossing outside the border crossing points.

⁷ BiH Border Police, “2007 Activity Report of the Border Police of Bosnia and Herzegovina”, Sarajevo, January 2008, p. 11

⁸ BiH Border Police “2008 Activity Report of the Border Police of Bosnia and Herzegovina”, Sarajevo, January 2009, p. 13

Graphic Overview of Attempted Illegal Entries and Exits across the State Borderline

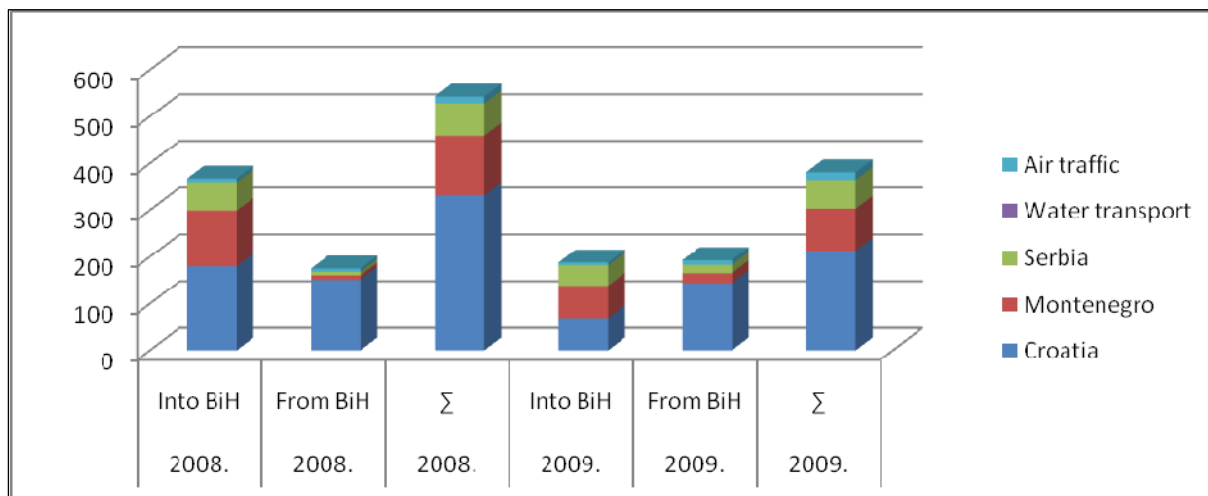


In 2008, illegal exits accounted for 32.23% of the total number of persons caught while attempting to illegally cross the state border (543), while this percentage for 2009 was 50.65% (out of 381). With regards to the land border, the data obtained from the Bosnia and Herzegovina Border Police indicates that the majority of illegal border crossings (both into and out of the country) were registered outside official border crossing areas. However, there were a small number of attempted illegal crossings at international airports.

Table 10 - Illegal border crossing attempts in 2008 and 2009 disaggregated by type of border crossing

Country	2008 to BiH	2008 from BiH	2008 Σ	2009 to BiH	2009 from BiH	2009 Σ	% to BiH	% from BiH	%
Croatia	180	151	331	69	144	213	-61.67	-4.64	-35.65
Montenegro	119	9	128	69	21	90	-42.02	133.33	-29.69
Serbia	61	8	69	44	18	62	-27.87	125.00	-10.14
Sea traffic	0	0	0	0	0	0	-	-	-
Air traffic	8	7	15	6	10	16	-25.00	42.86	6.67
Total	368	175	543	188	193	381	-48.91	10.29	-29.83

Graphic overview of attempted illegal border crossings in 2008 and 2009 disaggregated by type of border crossing



An analysis of the data on attempted illegal border crossings into Bosnia and Herzegovina disaggregated by the type of border crossing and neighbouring country clearly shows that there were 365 attempted illegal land border crossings in 2009. This percentage decreased to 30.87% as compared to 2008, when there were 528 attempted illegal land border crossings. There was also approximately the same number of attempted illegal border crossings at international airports in 2009, when there were 16 attempted illegal crossings at international airports, and in 2008 this number was 15.

The border of Bosnia and Herzegovina and the Republic of Croatia is an interesting case for analysis because 55.90% of all attempted illegal crossings out of Bosnia and Herzegovina in the last year were registered along this border. According to the Bosnia and Herzegovina Border Police, “74.61% of all attempted illegal crossings were registered along the border with the Republic of Croatia, indicating a preference by illegal migrants to use this part of the border to try and leave Bosnia and Herzegovina. There was an apparent decreasing trend in all the parameters in 2009, as compared to 2008.

The presented indicators and comparative analysis have shown that the good results in this field in 2009 are the result of the implemented activities by the Border Police of Bosnia and Herzegovina in the suppression of illegal migration.

3. Temporary and permanent residence of aliens

An application for residence is filed with the Diplomatic – Consular representation Office of Bosnia and Herzegovina or the competent organizational unit of the Service for Foreigners' Affairs, either personally or through a legal proxy in cases where an alien is incapable of conducting business. Applications must be submitted no later than 15 days prior to the expiration of his/her long-term residence visa (Visa D), or for granting of non-visa residence

or approved residence in case of a renewal of temporary residence on the same basis or permanent residence. The Service for Foreigners' Affairs issues decisions granting and extending residence. Residence is granted by affixing a residence permit sticker into the valid passport of the alien. The residence permit sticker allows an alien to cross the border of Bosnia and Herzegovina during the period of the approved stay.

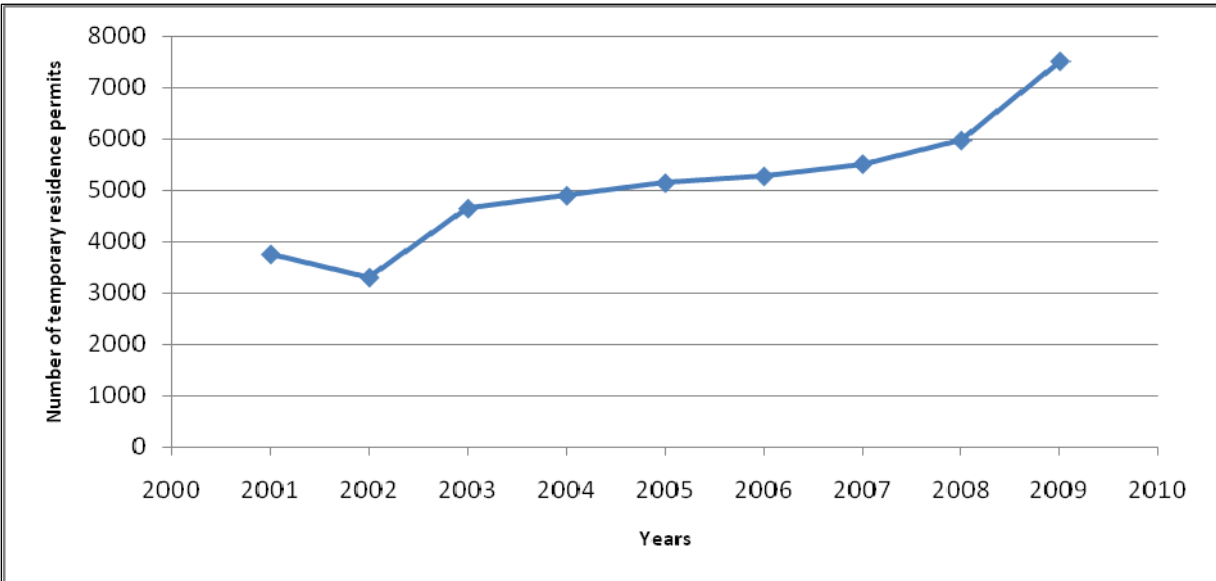
3.1. Temporary residence

Approval of temporary residence is granted for the period of up to one year, under the condition that the period of validity of the alien’s passport extends at least three months longer than the period for which the temporary residence is granted. Pursuant to the Law, which came into force in May 2008, temporary residence can be granted on the following grounds: marriage or common law marriage with a Bosnia and Herzegovina citizen, family reunification, education, scientific-research work, artistic work, sport work, or consultant work; labour of key staff within physical or legal entities or labour upon issued work permit; private entrepreneurship or volunteer work or realization of a project significant for Bosnia and Herzegovina; engagement in religious organizations or congregations, medical treatment, humanitarian grounds; or other justified reasons or reasons based on an International treaty of which Bosnia and Herzegovina is a party. Temporary residence can, in exceptional cases, be granted on the basis of ownership of a real estate, provided there is an effective connection between the alien and Bosnia and Herzegovina.

Table 11 - Total temporary residence permits issued from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Temporary Residence	3,756	3,305	4,646	4,897	5,143	5,274	5,513	5,971	7,512

Graphic overview of temporary residence permits issued from 2001 to 2009



An analysis of data on temporary residence permits (permit stickers) shows that there was a decline in residence permits issued from 2001 to 2002. This reduction was the result of

introducing stickers in May 2002 that were printed, at the time, by the Immigration and Asylum Sector of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina that had supervisory power in the period of 30 days after the date of delivery of the decision and dossier about the granted temporary residence by the Cantonal Ministries of the Interior of the Federation of Bosnia and Herzegovina, Public Security Centres of the Ministry of Internal Affairs of Republika Srpska, and the Brčko District Police. In addition, the previous Law on Immigration and Asylum in Bosnia and Herzegovina did not stipulate any sanctions for aliens who did not adhere to the Law, creating the possibility for abuse of the legal framework. The sharp increase in temporary residence permits seen from 2002 to 2003 was a consequence of the adoption of the new Law, which regulates immigration and asylum in a much more concrete manner than was the case under the previous law. Enhanced legal regulations, along with the existing centralized institutional framework, helped to bring order to the fields of the movement and stay of aliens in Bosnia and Herzegovina. From 2003 to 2008 there was a continued steady increase which leads to the conclusion that the movement and stay of aliens were placed under the control of authorities in Bosnia and Herzegovina. In 2009, there is a significant increasing trend of granted temporary residence permits in Bosnia and Herzegovina in comparison to 2008, which shows that Bosnia and Herzegovina has also become a country of destination to foreign nationals, besides the fact that the field of movement and stay of aliens is placed under the control of the competent authorities since 2003.

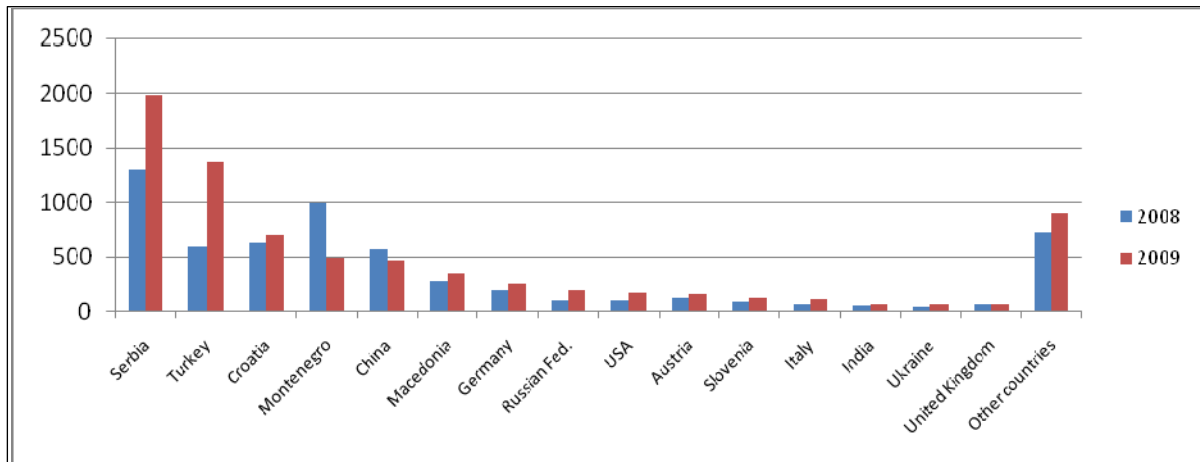
Until 1st October 2006, the Unit for Aliens within the cantonal Ministries of Internal Affairs, the Ministry of Internal Affairs of Republika Srpska and the Brčko District had been in charge of the issue of solving the status of foreign nationals, and they had different approaches to solving this issue. Upon the establishment of the Service for Foreigners' Affairs, as an administrative unit within the Ministry of Security of Bosnia and Herzegovina, with an operational independence, significant progress was made towards more efficient management of migration in Bosnia and Herzegovina, through unique procedure in all organizational units of the Service pursuant to the Law on Movement and Stay of Aliens and Asylum, especially by using the operational capacities of the Service on the suppression of illegal migration.

In order to describe the current temporary residence situation, data on the number of residence permits granted (i.e. resident permits approved for the first time or extended for a certain period) for temporary stay in 2008 and 2009 is presented.

Table 12 - Temporary residence permits granted in 2008 and 2009 disaggregated by country

No	Country	2008	2009	%
1	Serbia	1,298	1,979	52.47%
2	Turkey	595	1,375	131.09%
3	Croatia	631	704	11.57%
4	Montenegro	1,002	497	-50.40%
5	China	569	469	-17.57%
6	Macedonia	280	351	25.36%
7	Germany	201	257	27.86%
8	Russian Fed.	108	200	85.19%
9	USA	105	171	62.86%
10	Austria	125	160	28.00%
11	Slovenia	94	123	30.85%
12	Italy	64	118	84.38%
13	India	53	72	35.85%
14	Ukraine	43	69	60.47%
15	UK	72	65	-9.72%
16	Other countr.	731	902	23.39%
	Total	5,971	7,512	25.81%

Graphic Overview of Temporary Residence Permits Granted in 2008 and 2009 Disaggregated by Countries



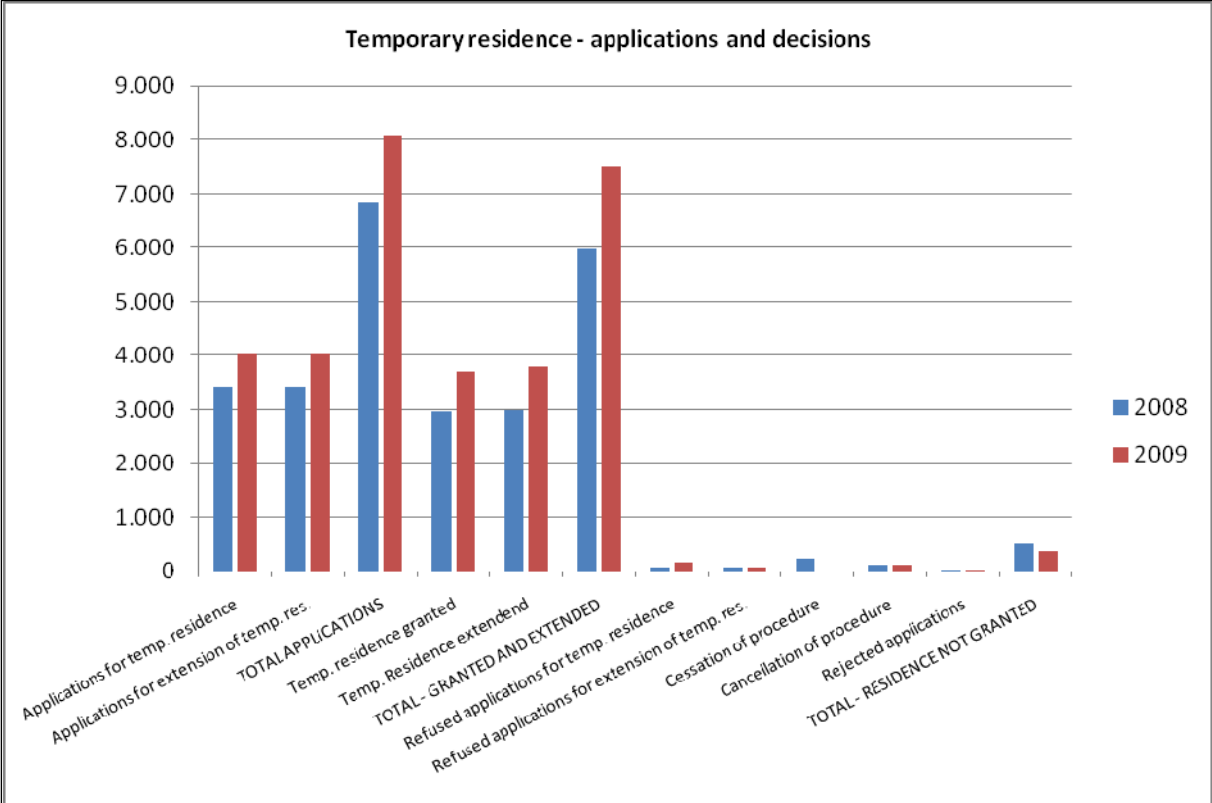
An analysis of the presented parameters shows an increase of 25.81% in the number of temporary residence permits issued in 2009 as compared to 2008.

By observing the comparative presented data, it can be noted that the majority of temporary residence permits were issued to nationals of Turkey and Serbia, out of the total number of issued temporary residence permits. An analysis of the comparative percentages shows that there was a significant decrease of temporary resident permits for nationals of Montenegro and China, and the significant increase of temporary residence permits for nationals of Turkey and the Russian Federation. The increase of temporary residence permits for nationals of Turkey has resulted from temporary residence permits issued on educational grounds, and for the nationals of the Russian federation on grounds of work permits.

The six countries of origin for aliens who were granted either approval or extension of their temporary stay in Bosnia and Herzegovina that are mentioned on a regular basis are: Serbia, including Kosovo/UNSCR 1244, Turkey, Croatia, Montenegro, China, and the Republic of Macedonia, with a slightly changed order. These six countries of origin account for 73.27% of all persons who were granted temporary residence permits in Bosnia and Herzegovina during 2008. In 2009, the total number of such persons amounted to 71.55%.

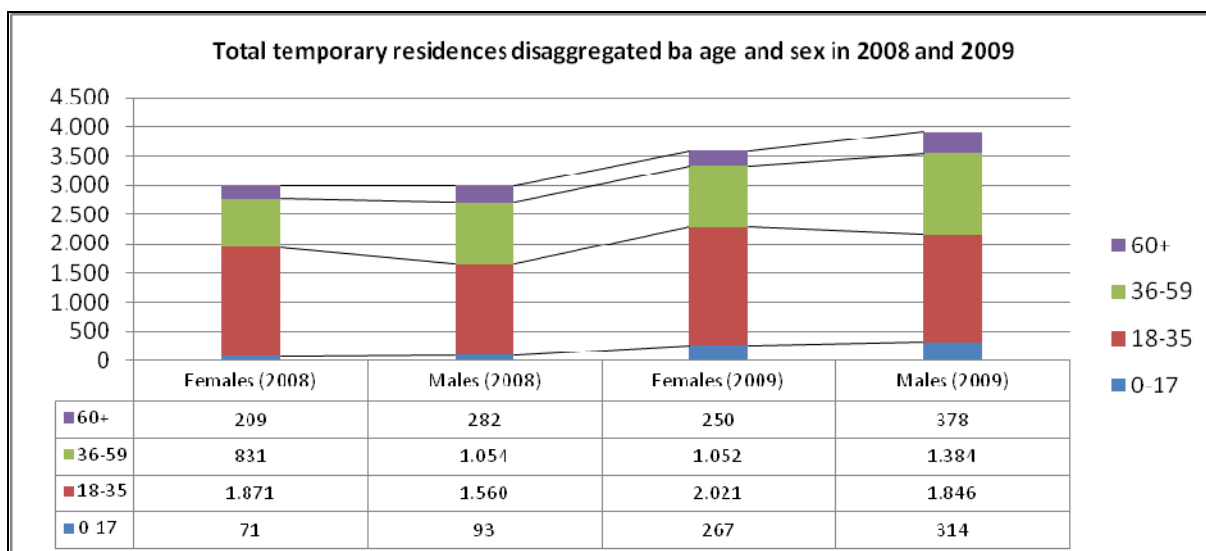
In 2009, a total of 4,034 applications were submitted requesting a new temporary stay permit and 4,031 applications were submitted requesting an extension of a current temporary stay permit. In total, 8,065 applications were submitted, representing an increase of 17.65%, when compared to 2008 when a total of 6,855 applications were submitted as follows: 3,420 applications for new temporary stay permits and 3,435 applications for the extension of current temporary stay permits).

Graphic Overview of Temporary Residence Applications and Decisions in 2008 and 2009 (granted and extended permits)



Regarding temporary residence applications submitted in 2009, approval/extension was granted in 7,512 cases. New temporary residence was granted in 3,712 cases and 3,800 temporary residence visas were extended. The number of approved/extended temporary residence applications increased by 25.81% in 2009 as compared to 2008, when 5,971 temporary residence permits were granted/extended; new temporary residence permits were granted in 2,975 cases and temporary residence was extended in 2,996 cases). According to these indicators, the percentage of approval/extension of temporary residence permits was 87.10% in 2008 increasing to 93.14% in 2009.

In order to construct a profile of foreign nationals who submitted applications and received temporary residence permits in Bosnia and Herzegovina in 2009, data on approved/extended temporary residence permits is shown disaggregated by sex and age. This data shows that more men than women had their applications approved/extended in the following age brackets: aged 60+ (378 men and 250 women), 36 to 59 (1,384 men and 1,052 women), and 0 to 17 (314 men and 267 women). On the other hand, there were more women among persons aged 18 to 35 (2,021 women and 1,846 men). Out of the total number of granted temporary residence permits, 3,922 or 52.21% were granted to men, and 3,590 or 47.79% were granted to women.



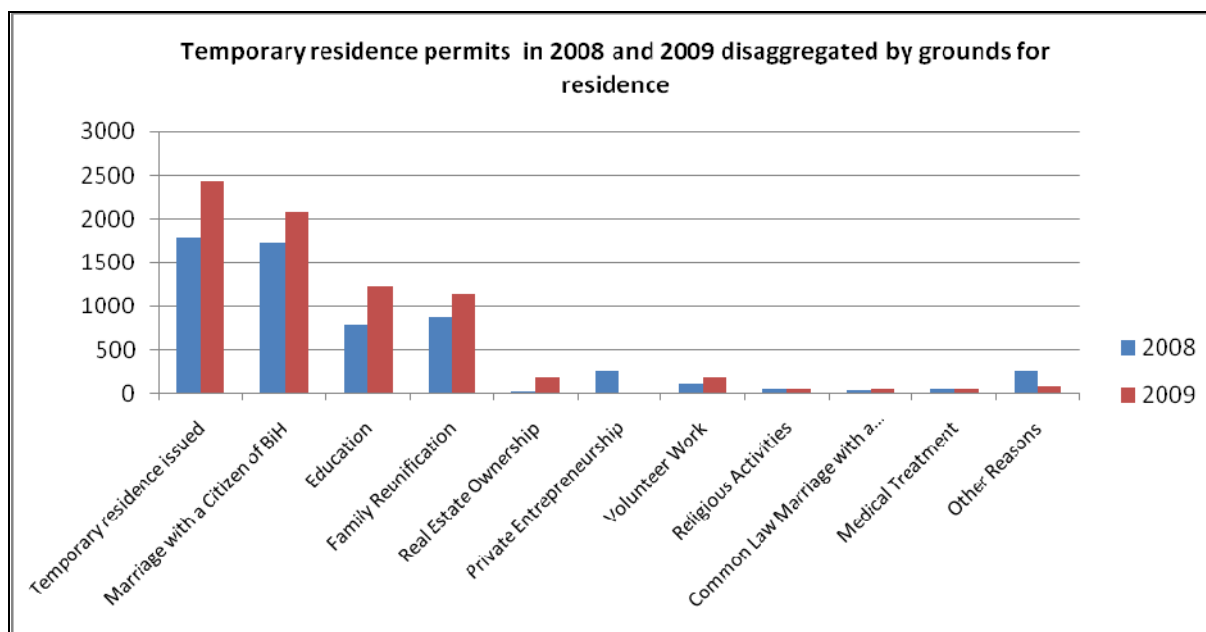
According to data obtained from the Service for Foreigners' Affairs, most of the foreign nationals were granted temporary residence in Bosnia and Herzegovina in 2009 on the following grounds: issued work permit, marriage with a citizen of Bosnia and Herzegovina, education, family reunification, possession of real estate, and volunteering work. For the purpose of defining the current flow of legal migrations on the grounds of temporary residence permits in Bosnia and Herzegovina, we have given an overview of temporary residence permits in Bosnia and Herzegovina in 2008 and 2009, with a special emphasis on 2009, disaggregated by grounds for residence out of the total number of granted residence permits in Bosnia and Herzegovina.

Table 13 - Temporary residence permits in 2008 and 2009 disaggregated by grounds for residence

Grounds for Residence	2008	% u Σ 2008	2009	% u Σ 2009	% 2009/2008
Labour upon issued work permit	1,781	29.83%	2,438	32.45%	36.89%
Marriage with a Citizen of BiH	1,728	28.94%	2,083	27.73%	20.54%
Education	791	13.25%	1,234	16.43%	56.01%
Family Reunification	871	14.59%	1,149	15.30%	31.92%
Real Estate Ownership	23	0.39%	184	2.45%	700.00%
Private Entrepreneurship	269	4.51%	6	0.08%	-97.77%
Volunteer Work	105	1.76%	180	2.40%	71.43%
Religious Activities	53	0.89%	58	0.77%	9.43%
Common Law Marriage with a citizen of BiH	40	0.67%	49	0.65%	22.50%
Medical Treatment	46	0.77%	46	0.61%	0.00%
Other Reasons	264	4.42%	85	1.13%	-67.80%
Total	5,971	100.00%	7,512	100.00%	25.81%

Temporary residence permits granted in Bosnia and Herzegovina on other grounds in 2009 were as follows: scientific research (25), humanitarian grounds (23), implementation of a project of significance to Bosnia and Herzegovina (20), work of consultants (12), key personnel (3), implementation of international agreements to which Bosnia and Herzegovina is a contracting party (1) and on grounds of temporary residence in cases of divorce of marriage or common law marriage (1).

Graphic overview of temporary residence permits in 2008 and 2009 disaggregated by grounds for residence



Analysis of data on temporary residence permits issued in Bosnia and Herzegovina in 2009 as compared to 2008 shows a significant increase (25.81%) which means that Bosnia and Herzegovina has become a destination country to foreign nationals. The same conclusion is visible in indicators on temporary residence permits granted based on possession of real estate in 2009 as compared to 2008. Temporary residence granted in Bosnia and Herzegovina on the grounds of real estate possession accounts for merely 2.45% of the total number of temporary residence permits. Yet, it has increased by 700% since 2008, especially taking into consideration that general requirements for temporary residence are followed with special requirements such as: proof of possession of real estate, proof of possession of a genuine relation with Bosnia and Herzegovina and proof of possession of an adequate residential area on the real estate. Other indicators that show that Bosnia and Herzegovina has become a final destination to nationals of several countries are as follows: temporary residence permits granted on grounds of marriage with nationals of Bosnia and Herzegovina in 2009 was 27.73%, as well as temporary residence on grounds of family reunification which account for 15.30% of the total number of temporary residence permits in 2009. In addition, there is an increase in the number of foreign nationals interested for education in Bosnia and Herzegovina also visible in an increasing figure of 56.01% in 2009, as compared to 2008, which is 16.43% of the total number of granted temporary residence permits in Bosnia and Herzegovina.

Statistical data from 2009 shows that nationals of neighbouring countries obtained temporary residence in Bosnia and Herzegovina largely on the basis of their marriage with citizens of Bosnia and Herzegovina, work permits, education programs and family reunification.

Table 14 – Grounds for Granted Temporary Residence Permits in 2009 Disaggregated by Country

GROUND FOR RESIDENCE	Serbia	Turkey	Croatia	Montenegro	China	Other countries	TOTAL
Marriage with a Citizen of Bosnia and Herzegovina	569	35	430	221	7	821	2,083
Family Reunification	252	188	28	63	185	433	1,149
Common Law Marriage with a citizen of Bosnia and Herzegovina	11		9	2		27	49
Education	266	727	17	83	4	137	1,234
Scientific & Research Activities	5					20	25
Consulting activities		2				10	12
Labour of key staff in a physical or legal entity	1		2				3
Labour on Grounds of Issued Work Permit	798	416	160	101	271	692	2,438
Private Entrepreneurship		1	1		1	3	6
Volunteer Work		3	5	2		168	178
Implementation of Projects of Significance to Bosnia and Herzegovina	1	1	2	1		15	20
Religious Activities	2		10			46	58
Medical Treatment	34		5	1		6	46
Humanitarian Grounds	1	1			1	20	23
Other Reasons	39	1	35	23		90	188
TOTAL	1,979	1,375	704	497	469	2,488	7,512

Education is a frequent ground for residence for nationals of Turkey, Serbia and Montenegro. For the nationals of Turkey, education is the most frequent basis for residence in Bosnia and Herzegovina. Nationals of China most frequently are granted temporary residence on grounds of issued work permits and family reunification.

3.2. Permanent residence

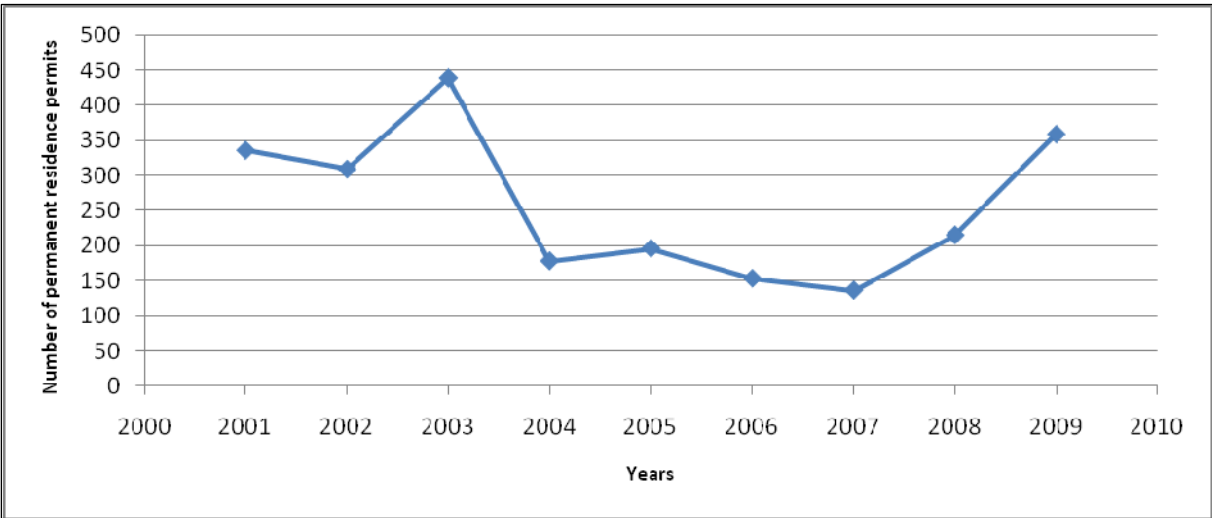
A permanent residence permit can be issued to an alien provided that he/she: resided in the territory of Bosnia and Herzegovina under a temporary residence permit for at least five years uninterruptedly prior to submitting the application for issuance of permanent

residence permit; has sufficient and regular means of subsistence to support himself/herself; and has been provided with an adequate accommodation and health insurance.

Table 15 - Permanent residence permits issued from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Permanent Residence	336	309	439	178	196	153	136	215	359

Graphic overview of permanent residence permits issued from 2001 to 2009



The analysis of the trend of permanent residence permits (permit stickers) shows that there was a decline in their number from 2001 to 2002, which was the consequence of introducing stickers in May 2002 that were printed, at the time, by the Immigration and Asylum Sector of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina that had supervisory power in the period of 30 days after the date of delivery of the decision and dossier about the granted temporary residence by the Cantonal Ministries of the Interior of the Federation of Bosnia and Herzegovina, Public Security Centres of the Ministry of Internal Affairs of Republika Srpska, and the Brčko District Police. Also, the then Law on Immigration and Asylum of Bosnia and Herzegovina did not stipulate any sanctions for aliens who did not adhere to the Law, so there were possibilities for abuse of the valid legal framework. The sharp increase in the number of permanent residence permits was seen from 2002 to 2003, which we see as a consequence of the adoption of the new Law, which regulates the fields of immigrations and asylum in a much more concrete and quality manner than was the case before. Quality legal regulations, along with the existing centralized institutional framework, helped to bring order into the fields of aliens' movement and residence in Bosnia and Herzegovina. However, while there was a continued steady growth in the number of temporary residence permits issued from 2003 to 2008, the number of permanent residence permits sharply decreased in the period from 2003 to 2004. The analysis shows that the decrease in the number of permanent residence permits resulted from the changes introduced to legal regulations. The Law on Movement and Stay of Aliens and Asylum

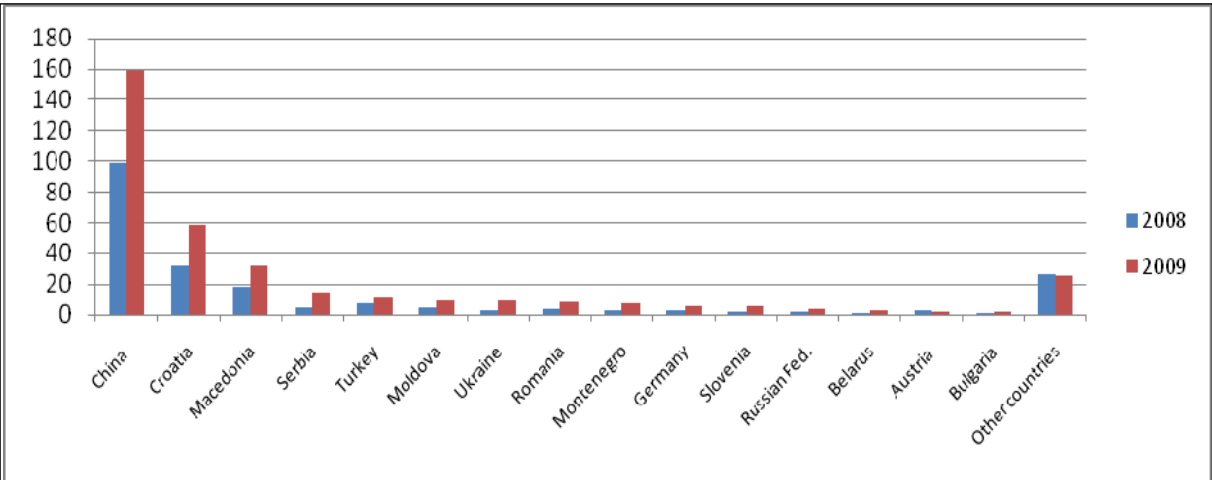
adopted in 2003 stipulates that a permanent residence permit can be issued to an alien provided that he/she has resided on the B&H territory on the basis of a temporary residence permit for at least five years uninterruptedly before submitting the application for issuance of a permanent residence permit. The previous Law on Immigration and Asylum of Bosnia and Herzegovina stipulated that a permanent residence permit can be issued to an alien before the five year period, when the permit is applied for by a family member with the condition that the issue of the permanent residence permit to an alien who is the spouse of a citizen of Bosnia and Herzegovina is subjected to a waiting period of one year following the date of marriage. The previous Law also prescribed that family member of an alien who holds a permanent or temporary residence permit should be granted residence for the same period as the alien. Since 2008, there is an increasing trend in permanent residence permits.

In order to describe the current state of permanent residence permits, data on the number of permanent residence permits granted in 2008 and 2009 is presented.

Table 16 – Issued Permanent Residence Permits in 2008 and 2009 Disaggregated by Country

No	Country	2008	2009	%
1	China	99	159	60.61%
2	Croatia	32	59	84.38%
3	Macedonia	18	32	77.78%
4	Serbia	5	15	200.00%
5	Turkey	7	12	71.43%
6	Moldova	5	9	80.00%
7	Ukraine	3	9	200.00%
8	Romania	4	8	100.00%
9	Montenegro	3	7	133.33%
10	Germany	3	6	100.00%
11	Slovenia	2	6	200.00%
12	Russian Fed.	2	4	100.00%
13	Belarus	1	3	200.00%
14	Austria	3	2	-33.33%
15	Bulgaria	1	2	100.00%
16	Other countr.	27	26	-3.70%
	Total	215	359	66.98%

Graph overview of the number of permanent residence permits granted in 2008 and 2009 disaggregated by country

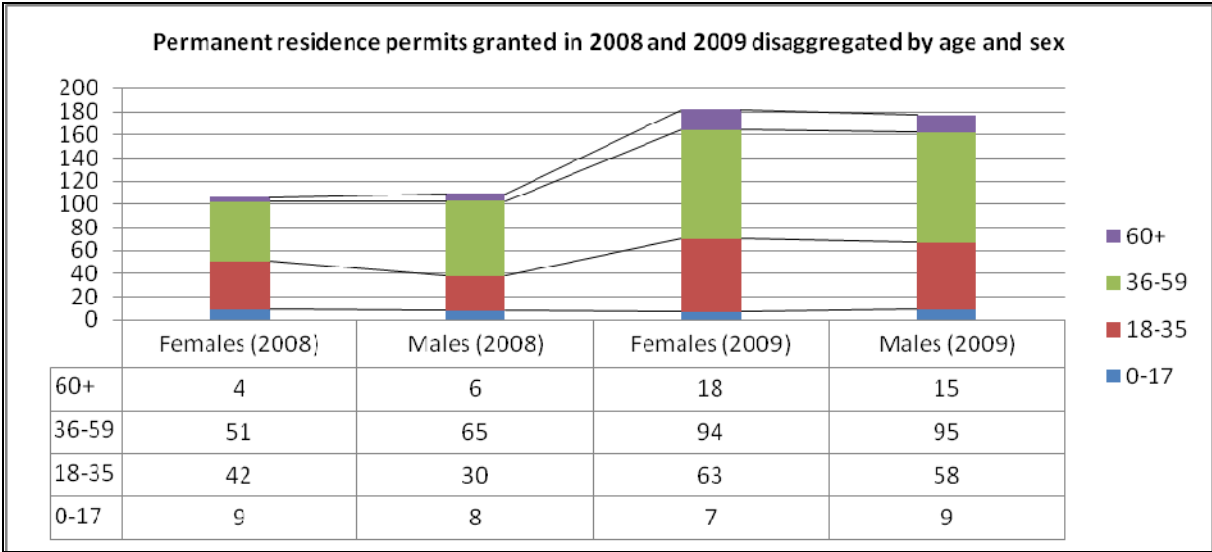


The number of permanent residence permits issued for aliens in Bosnia and Herzegovina increased by 66.98% in 2009, as compared to 2008.

The largest part of aliens who were granted temporary residence in Bosnia and Herzegovina in 2008 and 2009 had come from China, Croatia and Macedonia.

According to a 2008 report of the Service for Foreigners' Affairs, the increase in the number of permanent residence permits stems from the fact that "a greater number of foreign nationals met conditions for granting permanent residency on the basis a temporary residence permits for at least five years uninterruptedly, which led to the increase of the number of applications for permanent residence."⁹ However, the Report stresses that only a small percentage of citizens of the Republic of Serbia were granted permanent residence (15 cases in 2009 and 5 in 2008) because the "Dual Citizenship Agreement enables citizens of the Republic of Serbia to meet conditions for obtaining the citizenship of Bosnia and Herzegovina before obtaining those that are necessary for permanent residence permit".¹⁰

In order to construct a profile of foreign nationals who submitted and received permanent residence permits in 2009, data on approved residence permits is shown disaggregated by sex and age; it is visible that more women than men aged 60+ (women 18, men 15) and aged 18 to 35 (women 63, men 58) were granted temporary residence permits; while there were more men than women among persons aged 36 to 59 (men 95, women 94) and aged 0 to 17 (men 9, women 7). Out of the total number of issued temporary residence permits, 182 or 50.70% were issued to women, and 177 or 49.30% were issued to men.



4. Illegal Migrations and Measures Taken Against Aliens

According to the 2009 report from the Service for Foreigners' Affairs, the Service performed regular and required operative measures and control of the movement and stay of aliens (catering and tourist facilities, companies, educational institutions, night clubs, visits to the address of living).¹¹ Control actions such as these are some of the basic ways of finding illegal

⁹ BiH Service for Foreigners' Affairs "Activity Report from 1/1/2009 to 31/12/2009", Sarajevo, January 2010, pg. 13
¹⁰ BiH Service for Foreigners' Affairs "Activity Report from 1/1/2009 to 31/12/2009", Sarajevo, January 2010, pg. 13
¹¹ BiH Service for Foreigners' Affairs "Activity Report from 1/1/2009 to 31/12/2009", Sarajevo, January 2010, pg. 14

immigrants in Bosnia and Herzegovina, and result in measures being taken against foreign nationals who have no legal grounds for staying in Bosnia and Herzegovina.

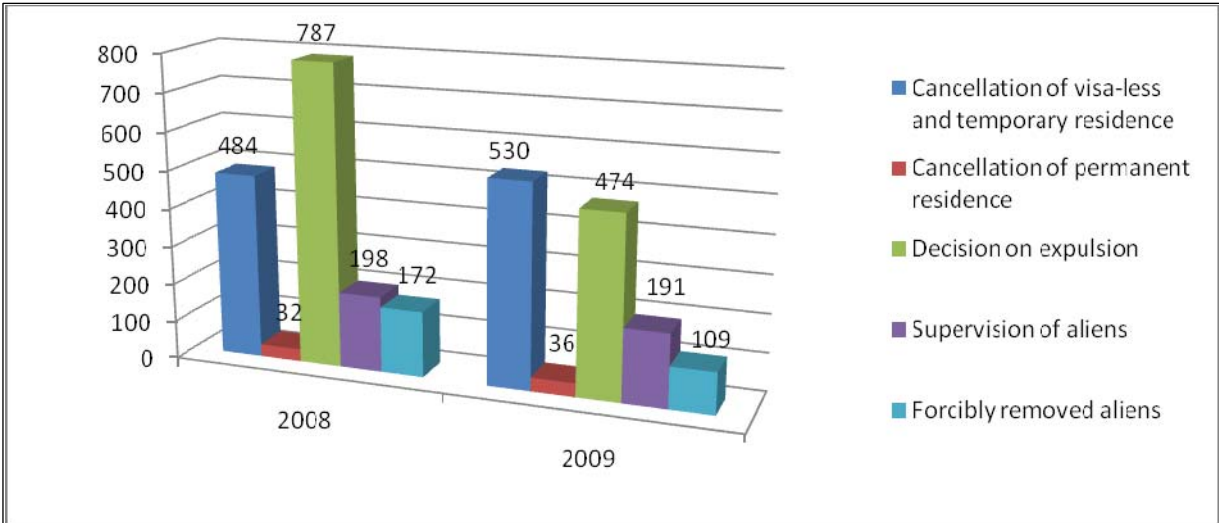
The measures taken against such foreign nationals include: cancellation of non-visa and temporary or permanent residence; decisions on expulsions; placing of foreign nationals under surveillance; and forcible removal of aliens from Bosnia and Herzegovina.

A comparison of data on the measures taken against foreign nationals in 2008 and 2009 follows, as well as the data on the measures taken in 2009 disaggregated by the citizenship of aliens against whom measures were taken.

Table 17 - Measures taken against aliens in 2008 and 2009 disaggregated by types of measures

No	Type of Measure	2008	2009	% (2009/2008)
1	Decisions on the cancellation of non-visa or temporary residence	484	530	9.50
2	Decisions on the cancellation of permanent residence	32	36	12.50
3	Decisions on expulsion	787	474	-39.77
4	Decisions on placing aliens under supervision	198	191	-3.54
5	Forced removal of aliens from Bosnia and Herzegovina	172	109	-36.63

Graphic overview of the measures taken in 2008 and 2009 disaggregated by types of the measures



The presented data show a visible decrease in measures taken against aliens in 2009, as compared to 2008. According to the 2009 Report of the Service for Foreigners’ Affairs, this fall in number of taken measures in 2009 is a result of “continued operational activities of the inspectors for aliens on collecting information on organizers of illegal transfer and smuggling in human beings, routes of movement of illegal migrants, and timely sharing of information with other security agency for law implementation, which resulted in processing people involved in illegal transfer and smuggling of foreign nationals; therefore, resulted in a decrease in the number of illegal entries to Bosnia and Herzegovina, as well as intensified activities of the agencies for law implementation on the prevention and suppression of illegal migration, as well as processing people involved in the aforementioned crimes, which lead the change of the path and route of illegal migration to avoid the region of Bosnia and

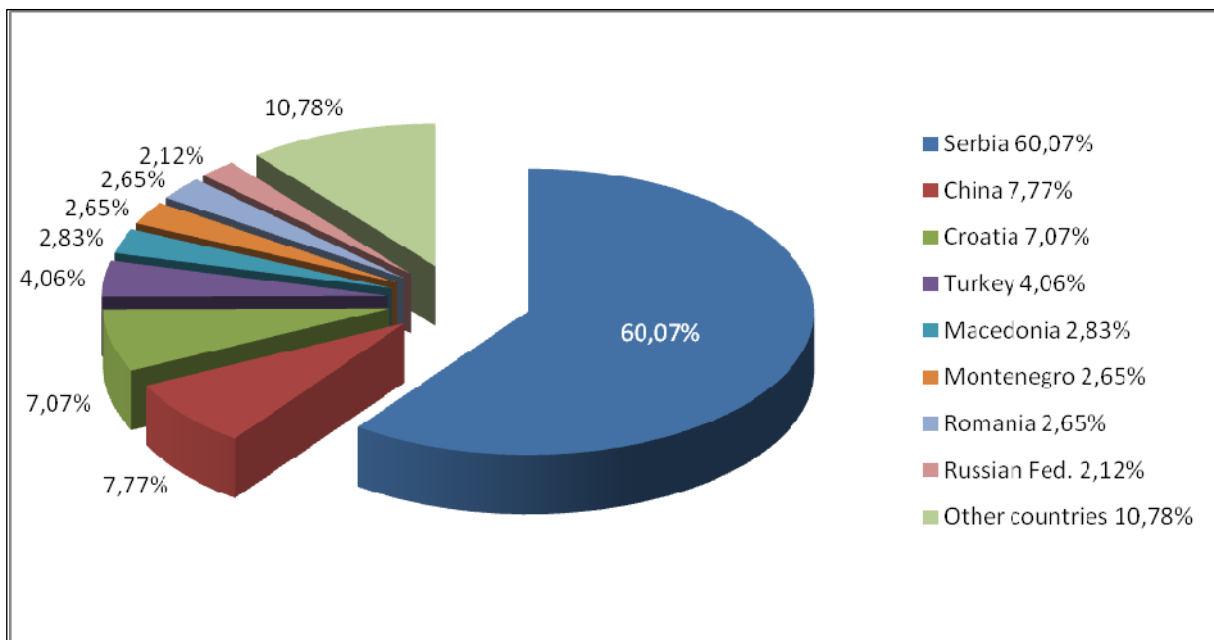
Herzegovina; to use the route across Serbia towards Hungary and then countries of the Western Europe..¹²

The comparative analysis shows there is an increase in the number of issued residence permits in 2009 in Bosnia and Herzegovina, as compared to 2008; on the other hand there is a decrease in the number of measures taken against aliens in 2009 as compared to 2008; which is a clear indicator that foreign nationals have been suitably informed on the immigration system of Bosnia and Herzegovina and that the legal procedure of Visa D issuance gave positive results, giving an opportunity to an alien to submit for temporary residence in Bosnia and Herzegovina unless the alien is not coming from a non-visa regime country for entry to Bosnia and Herzegovina, then the Service for Foreigner's Affairs shall be in charge of the decision making.

4.1. Residence Cancellation

During 2008, a total of 516 residence permits were cancelled – 484 non-visa and temporary residence permits and 32 permanent residence permits. During 2009, the number of cancelled residence permits increased to 566 – 530 non-visa and temporary residence permits and 36 permanent residence permits.

A graphic overview of decisions related to the cancellation of non-visa, temporary and permanent residence permits in 2009, disaggregated by the citizenships of aliens against whom the measure was taken, follows.



¹² BiH Service for Foreigners' Affairs "Activity Report from 1/1/2009 to 31/12/2009", Sarajevo, January 2010, pg. 15 and 16

The largest number of decisions on residence cancellation was delivered to nationals of Serbia and Turkey because of their “labour without a work permit”, and to nationals of China because of their “changes in circumstances on which they had been granted residence to a such extension that exclude any other possibility for issuance of residence permit”. Nationals of Croatia are in the largest number of cases delivered residence cancellation due to “changes in circumstances on which they had been granted residence to a such extension that exclude any other possibility for issuance of residence permit” and their “labour without a work permit”.

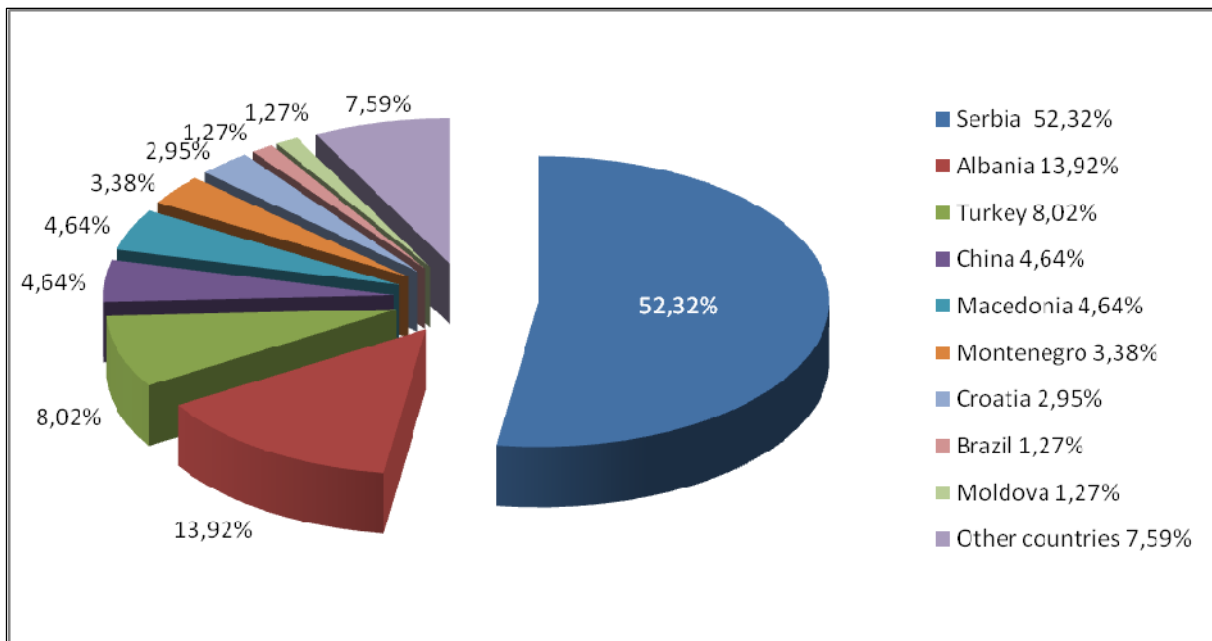
Generally speaking, the most frequent grounds for issuance of decision of residence cancelation are: “labour without a work permit” and “changes in circumstances on which they had been granted residence to such extension that exclude any other possibility for issuance of residence permit”.

4.2. Decisions on Expulsion

During 2009, a total of 474 decisions on expulsion were reached. In contrast, there were 787 expulsion decisions in 2008.

According to a 2009 report from the Service for Foreigners' Affairs, most expulsion measures were taken because: in 68.35% of case, foreign nationals breached the regulations on crossing the state border or they illegally remained in the country after the expiration of a visa or residence permit, or after expiration of a non-visa stay; in 15.19% of case, foreign nationals were subject to readmission agreement but do not have granted residence in Bosnia and Herzegovina; in 6.96% of case, for having been legally sentenced for criminal acts for which a one year sentence or longer sentence may be given; 3.80% of case, for the reason that the presence of an alien is a threat to public order or security in Bosnia and Herzegovina; in 3.38% of cases, for a reason that aliens have been legally sentenced for acts of organized, cross-border or trans-national; in 1.69% of cases, for a reason that an alien, whose residence has been cancelled, failed to leave Bosnia and Herzegovina within a specified time and in 0.63% of cases, after the ceasing of temporary protection or after legal and binding denial of request for international protection within the deadline and he/she failed to leave Bosnia and Herzegovina.

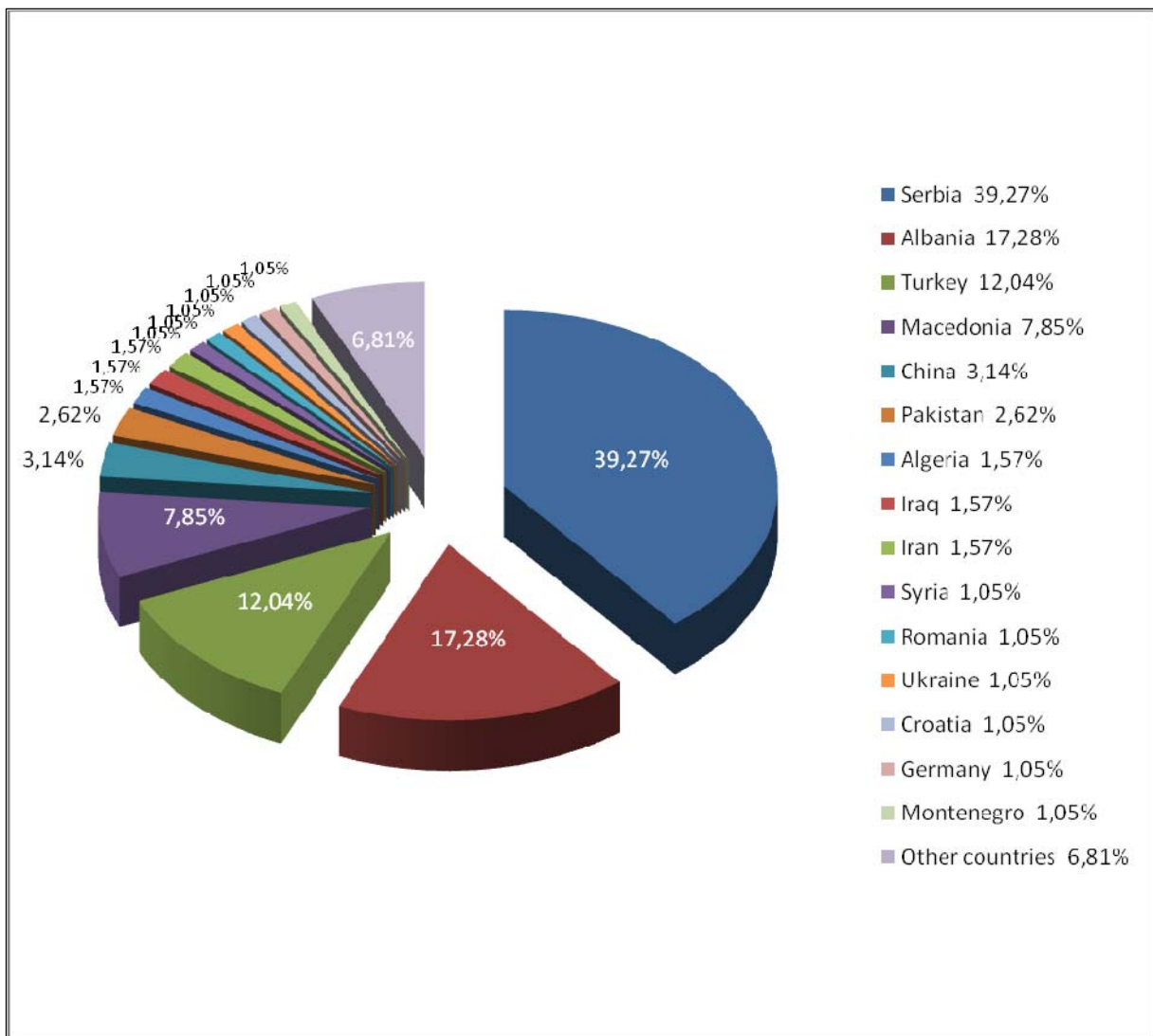
We present a graphic overview of issued decisions on expulsion in 2009, disaggregated by nationalities of aliens who were subject of expulsion measure.



4.3. Placing of Aliens under Supervision

Under the Law on Movement and Stay of Aliens and Asylum, aliens may be placed under supervision. When an alien is placed under supervision, he/she is placed in the Immigration Centre. The Immigration Centre, with the initial capacity of 40 beds, is located on the premises of the Service for Foreigners' Affairs. This immigration centre began operations on 30 June 2008, when the law of placing aliens under supervision went into effect. The new building of Immigration Centre, with a capacity of 80 beds, was open on 23 November 2009. During 2008, a total number of 198 aliens were placed under supervision. Most of illegal migrants were nationals of: Turkey, then Serbia, Macedonia, Albania, China and Pakistan. During 2009, total number of 191 aliens was placed under supervision. Most of illegal migrants were nationals of: Serbia, Albania, Turkey, Macedonia, China and Pakistan.

A graphic overview of decisions related to placing of aliens under supervision in the Immigration centre in 2009, disaggregated by nationalities of aliens against whom the measure was taken, follows.



According to the report made by the Service for Foreigners' Affairs, out of the total number of the beneficiaries of the Immigration centre "65 people were admitted based on the Readmission Agreement with the Republic of Croatia and 3 people based on the Readmission Agreement between the Council of Ministers of Bosnia and Herzegovina and the Governments of Serbia and Montenegro."¹³ In addition, according to the report by the Service for Foreigners' Affairs „during 2009, the Immigration centre was left by 5 people on the grounds of termination of decision of placing an alien under supervision, specifically: 1 person gained the citizenship of Bosnia and Herzegovina, 2 people were adopted appellation on the termination of citizenship by the Court of Bosnia and Herzegovina so they regained the citizenship of Bosnia and Herzegovina, while 2 people were national of Cameroon and Nigeria and they were moved the competence of the Asylum Sector and placed to the Asylum Centre."¹⁴

¹³ BiH Service for Foreigners' Affairs "Activity Report from 1/1/2009 to 31/12/2009", Sarajevo, January 2010, pg. 21

¹⁴ Ibid

4.4. Forced removal of aliens from Bosnia and Herzegovina

Removal of aliens from Bosnia and Herzegovina is a measure that is undertaken by the Service for Foreigners' Affairs when an alien who has received a valid decision that orders him/her to leave Bosnia and Herzegovina has no intention of leaving the country within the deadline for voluntary return as defined in the decision. According to the report of the Service for Foreigners' Affairs "109 aliens (22 aliens were forcibly removed by the Field Offices of the Service for Foreigners' Affairs, and 87 aliens were forcibly removed from the Immigration Centre) were forcefully removed from the country in 2009, while in 2008 there were 172 cases of the forced removal of aliens from Bosnia and Herzegovina." The reduction of this measure by 36.63% in 2009 as compared to 2008 is a consequence of voluntary decisions made by aliens to self-initiatively leave Bosnia and Herzegovina, or if they had been placed in the Immigration centre to use the assistance of IOM to voluntarily leave the country. Forced removal of aliens is also easier, quicker, and more efficient when readmission agreements can be used. Use of readmission agreements requires Bosnia and Herzegovina sign readmission agreements with countries into which aliens are removed and that those agreements subsequently enter into force.

5. Irregular migrant return

Data and analyses of trends in irregular migrant returns are presented on the following subjects:

- Voluntary return of citizens of Bosnia and Herzegovina to Bosnia and Herzegovina, with the assistance and support of the International Organization for Migration (IOM);
- Voluntary return of aliens from Bosnia and Herzegovina to their countries of origin with the support from IOM;
- Acceptance and return on the basis of the readmission agreement with the Republic of Croatia; and,
- Voluntary return of aliens from Bosnia and Herzegovina.

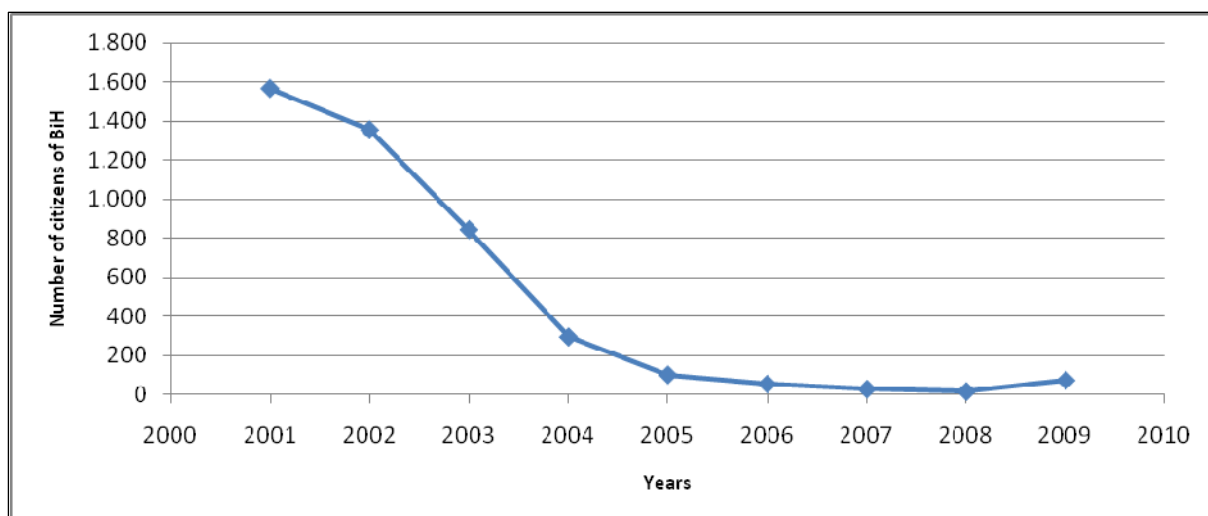
5.1. Voluntary return of citizens of Bosnia and Herzegovina to Bosnia and Herzegovina, with the assistance and support of the International Organization for Migration (IOM)

Bosnia and Herzegovina participates in programs which voluntarily return citizens of Bosnia and Herzegovina from other countries. Programs that voluntarily return citizens of Bosnia and Herzegovina are largely implemented with the mediation of IOM. IOM was the source of the data that follows.

Table 18 - The total number of citizens of Bosnia and Herzegovina who returned to Bosnia and Herzegovina with the assistance from the IOM from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	TOTAL
Persons	1,566	1,355	844	295	101	54	28	16	73	4,332

Graphic overview of the number of citizens of Bosnia and Herzegovina who returned to the country from 2001 to 2009 with the IOM's assistance



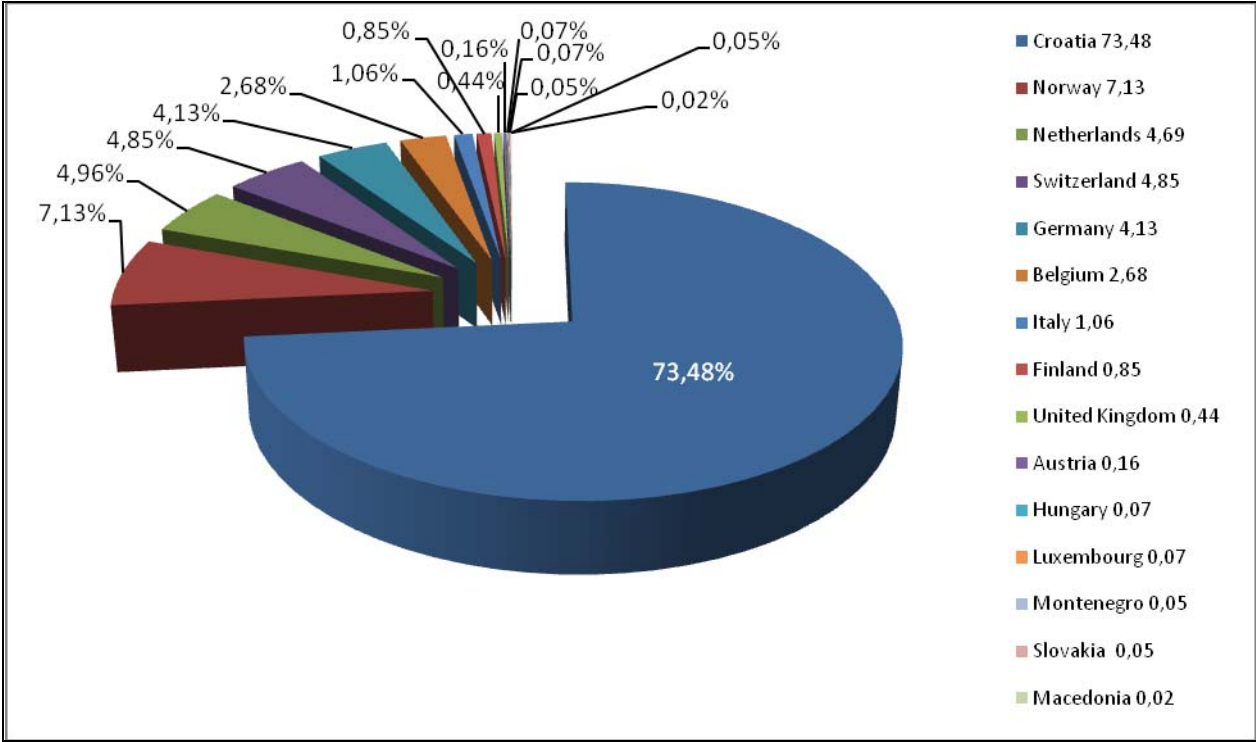
A total of 4,332 citizens of Bosnia and Herzegovina returned voluntarily to Bosnia and Herzegovina from 2001 to 2009 through IOM programs. According to the presented data there has been noted a continuous decreasing trend of BiH citizens who return to BiH in the above mentioned manner. In the last few years an extremely small number of citizens of Bosnia and Herzegovina have opted for voluntary return with IOM's assistance. This small number may result from a lack of funds for voluntary return programs, or may indicate that citizens of Bosnia and Herzegovina have solved their status in their respective countries of destination.

Table 19 - The number of citizens of Bosnia and Herzegovina who returned voluntarily to the country with the support from IOM

No	COUNTRY	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
1	Croatia	1,160	1,244	591	185		1		2		3,183
2	Netherlands	87	12	79	25	8	4				215
3	United Kingdom				3	6	9		1		19
4	Norway	43	50	139	41	18	1	12	4	1	309
5	Germany	175	4								179
6	Belgium	79	16	9	4		2	1		5	116
7	Switzerland		1	12	35	57	27	15	7	56	210
8	Austria	4	1			1	1				7
9	Italy	9	24	3	1	6	2		1		46
10	Finland	7	3	11	1	4	3			8	37
11	Hungary					1	2				3
12	Montenegro						2				2
13	Macedonia								1		1
14	Luxembourg									3	3
15	Slovakia	2									2
	Total	1,566	1,355	844	295	101	54	28	16	73	4,332

Having analysed the data in accordance to the respective countries from which BiH citizens have voluntarily returned to BiH with the IOM's assistance it was observed that the largest number of returns took place from Croatia (73.48%), then follows Norway (7.13%), The Netherlands (4.69%), Switzerland (4.85), Germany (4.13%), Belgium (2.68%), while the total return from the other countries was 2.77%, in the period of time from 2001 to 2009.

Graphic overview of the numbers of citizens of Bosnia and Herzegovina who returned voluntarily from 2001 to 2009 disaggregated by the country from which they returned



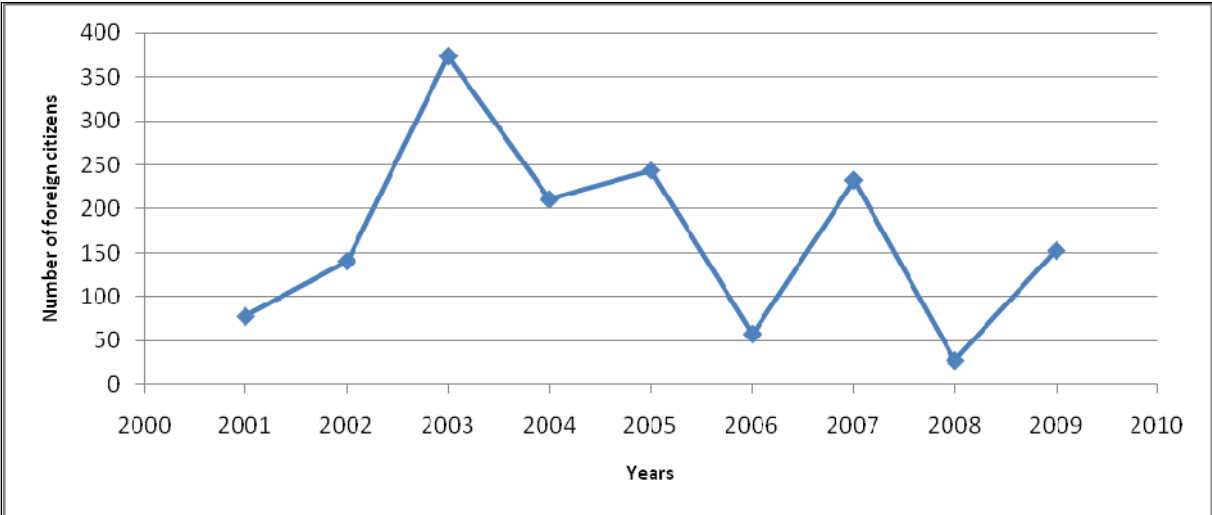
5.2. Voluntary return of aliens from Bosnia and Herzegovina to their countries of origin with the support from IOM

Legal provisions in the field of immigration and asylum in all legal proceedings aimed at deciding on the status of foreign nationals in Bosnia and Herzegovina, in cases when an alien is forced to leave Bosnia and Herzegovina, a deadline for voluntary compliance with the decision is supplied. When an alien wants to leave Bosnia and Herzegovina voluntarily but has no funds for return, he/she can return through the “Assisted Voluntary Return” (hereinafter referred to as: “AVR”) Program, which is implemented by IOM.

Table 20 - The total number of aliens who returned from Bosnia and Herzegovina with the IOM's assistance from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	TOTAL
Persons	78	141	374	211	244	58	233	28	153	1,520

Graphic overview of the number of aliens who returned from Bosnia and Herzegovina with the IOM's assistance from 2001 to 2009



From 2001 to 2009, 1,520 aliens returned voluntarily from Bosnia and Herzegovina to their countries of origin through IOM's programs. This process of return peaked in 2003, when 374 foreign nationals were returned from Bosnia and Herzegovina. There were significant decreases in the number of IOM assisted voluntary returns in 2006 and 2008. The decrease that occurred in 2006 resulted both from a lack of funds for the AVR program and the requirement that it be proved that an alien was attempting to migrate to Western Europe. The decrease in the number of returns in 2008 was also a result of the lack of funds for the AVR program. In 2009, there was an increase in the number of AVR beneficiaries.

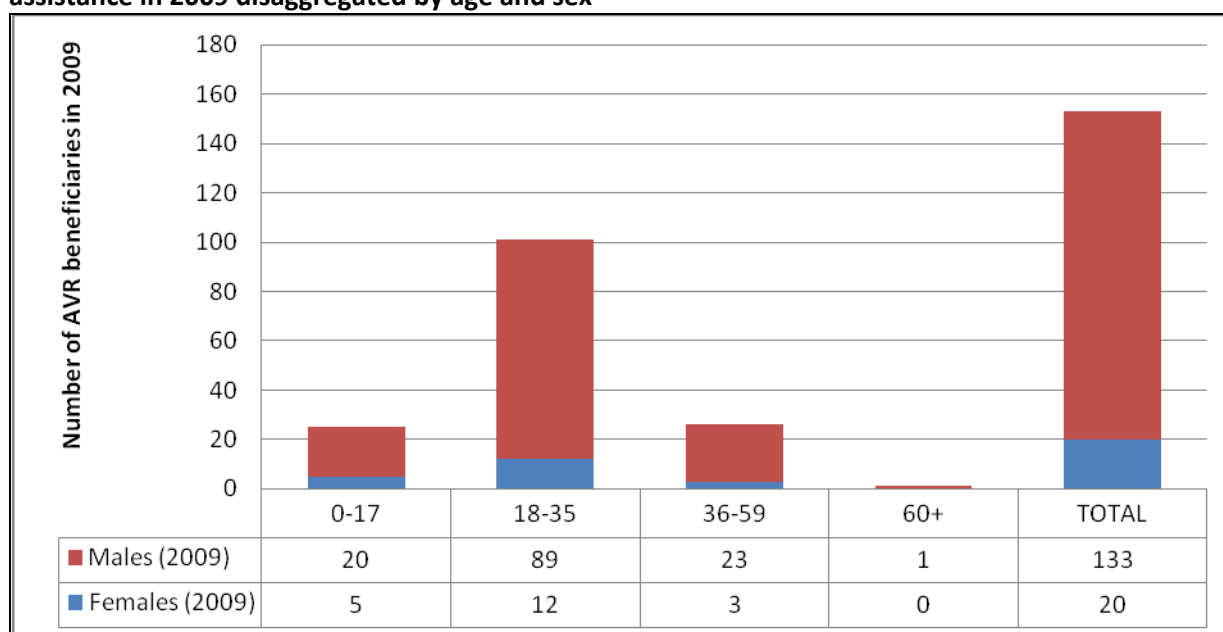
When analyzing the continuity of the return process, one can see that there has been a continued return of citizens of Serbia originating from Kosovo, Albania and Macedonia. The second largest source of assisted voluntary returns is Turkish citizens. The total number of people who were subject of voluntary assisted program in 2008 was 28, out of which 27 individuals assisted were males.

In 2009, 153 foreign nationals voluntarily left Bosnia and Herzegovina and went to their countries of origin, out of which 133 were males and 20 females. The largest number of the AVR Program beneficiaries was aged 18 to 35. According to the Service for Foreigners' Affairs, 95 foreign nationals who were subject to AVR Program had been accommodated in the Immigration Centre.

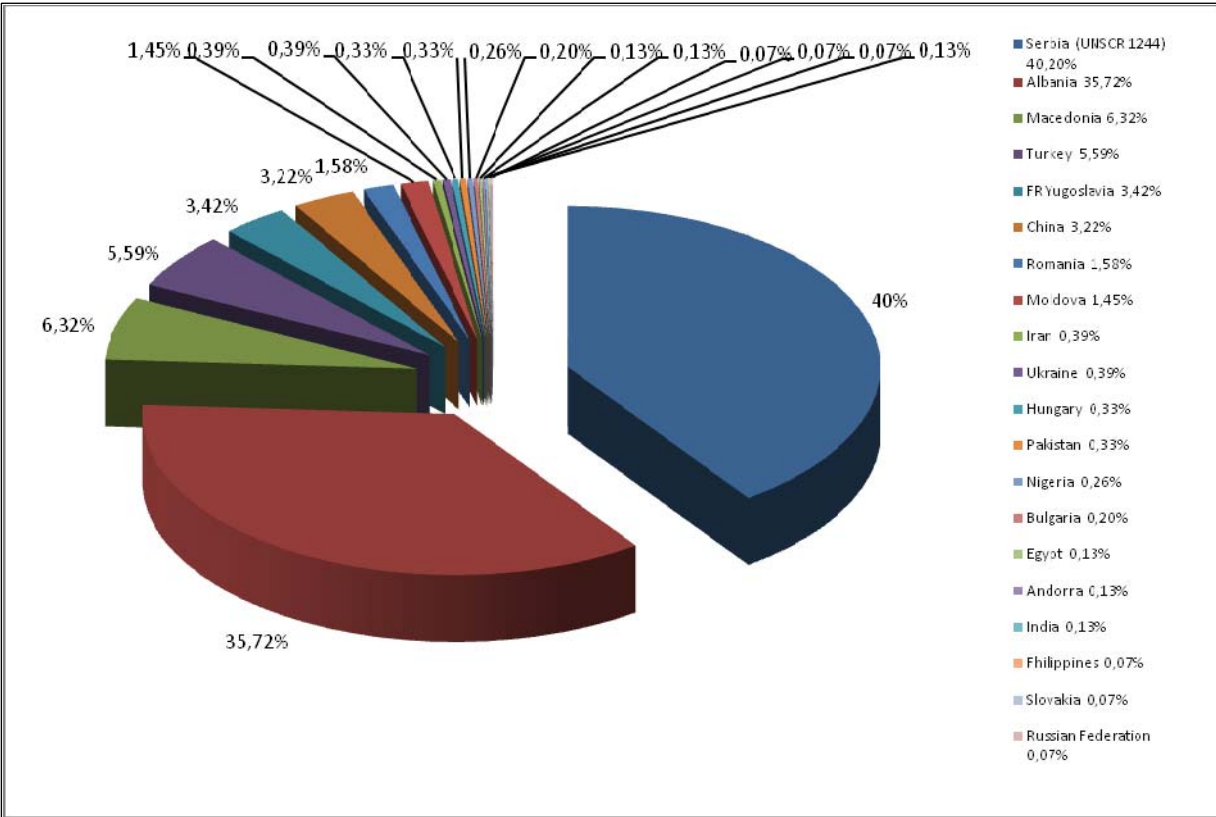
Table 21 - The return of aliens from Bosnia and Herzegovina within the AVR program disaggregated by years and country of return

No	COUNTRY	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
1	Serbia (UNSCR 1244)	19	52	204	62	91	36	70	9	68	611
2	Albania	1	31	59	106	125	15	136	18	52	543
3	Macedonia	2	8	23	19	17	3	11	1	12	96
4	Turkey	28	14	8	5	5	2	13		10	85
5	FR Yugoslavia	1	5	31	9	4	2				52
6	China	6		36	6					1	49
7	Romania	11	6	1	3					3	24
8	Moldova	8	10	3						1	22
9	Iran		4	1				1			6
10	Ukraine	2	3		1						6
11	Hungary		5								5
12	Pakistan									5	5
13	Nigeria			4							4
14	Bulgaria		2	1							3
15	Egypt			2							2
16	Andorra					2					2
17	India							2			2
18	Philippines			1							1
19	Slovakia		1								1
20	Russian Fed.									1	1
	Total	78	141	374	211	244	58	233	28	153	1,520

Graphic overview of the number of aliens returned from Bosnia and Herzegovina with the IOM's assistance in 2009 disaggregated by age and sex



Graphic overview of the number of aliens returned from Bosnia and Herzegovina from 2001 to 2009 disaggregated by the countries in which they were returned



5.3. Admission and return on the basis of the readmission agreements

Readmission agreements facilitate and expedite the return of citizens of signatory states who reside with no residence permit in another state that is party to the readmission agreement. Readmission agreements also facilitate and expedite the return of citizens of third countries or stateless persons who left illegally from the territory of one signatory to the territory of another signatory. Implementation of readmission agreements to admit citizens of Bosnia and Herzegovina, i.e. identity and check citizenship, is done through the Ministry of Security's Sector for Immigration. In contrast, implementation of readmission agreements to admit citizens of third countries and stateless persons, as well as to return citizens of signatory states from Bosnia and Herzegovina, is done by the Service for Foreigners' Affairs.

5.3.1. Admission and return on the basis of the readmission agreement with the Republic of Croatia

The readmission agreement through which Bosnia and Herzegovina admits the greatest number of persons is the agreement signed with the Republic of Croatia. These readmitted individuals are either citizens of Bosnia and Herzegovina who reside in the Republic of Croatia without residence permits, individuals who were returned from other countries “on the same basis” to the Republic of Croatia, or citizens of third countries or stateless persons

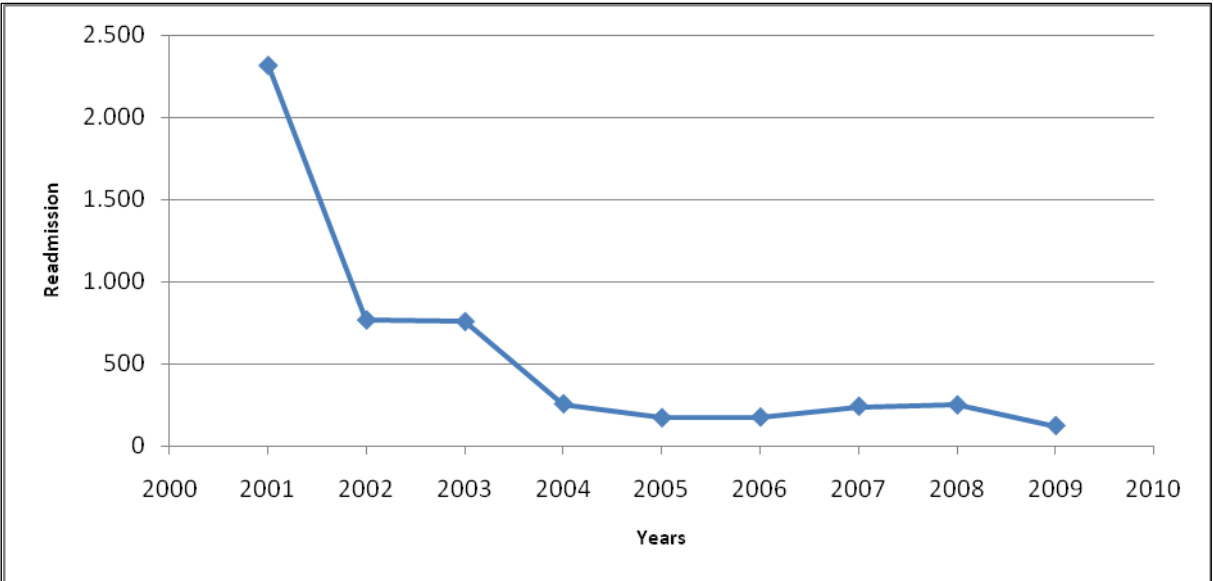
who illegally crossed from the territory of Bosnia and Herzegovina into the Republic of Croatia.

The Readmission Agreement with the Republic of Croatia is one monitoring source for irregular migration. The Readmission Agreement is particularly useful for monitoring the admission of citizens of third countries who, after entering Bosnia and Herzegovina either legally or illegally, proceed to move illegally into the Republic of Croatia and countries of Western Europe. In order to present the mentioned parameter and on the basis of data obtained from the Bosnia and Herzegovina Border Police, data on the admission of citizens of third countries in Bosnia and Herzegovina pursuant to the Readmission Agreement with the Republic of Croatia is provided.

Table 22 - Admission of citizens of third countries pursuant to the Readmission Agreement with the Republic of Croatia

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Admission in BiH, persons	2,317	766	756	255	170	174	240	248	122

Graphic overview of the number of citizens of third countries admitted to Bosnia and Herzegovina pursuant to the Readmission Agreement with the Republic of Croatia



An analysis of the data on the admission of citizens of third countries pursuant to the Readmission Agreement with the Republic of Croatia shows a significant decline in admissions in 2002 as compared to 2001. This reduction is largely a consequence of the introduction of visas for Iranian citizens. There was also a significant decline in the number of admissions of citizens of third countries in 2004 as compared to 2003. This reduction was due to the introduction of stickers for visas and residence permits in 2002. A comparison of data from 2002 to 2004 indicates that responsible authorities in Bosnia and Herzegovina achieved a considerable degree of control over and progress in migration. From 2002 to 2003 there was a significant decrease in the number of visas issued at consulates, embassies

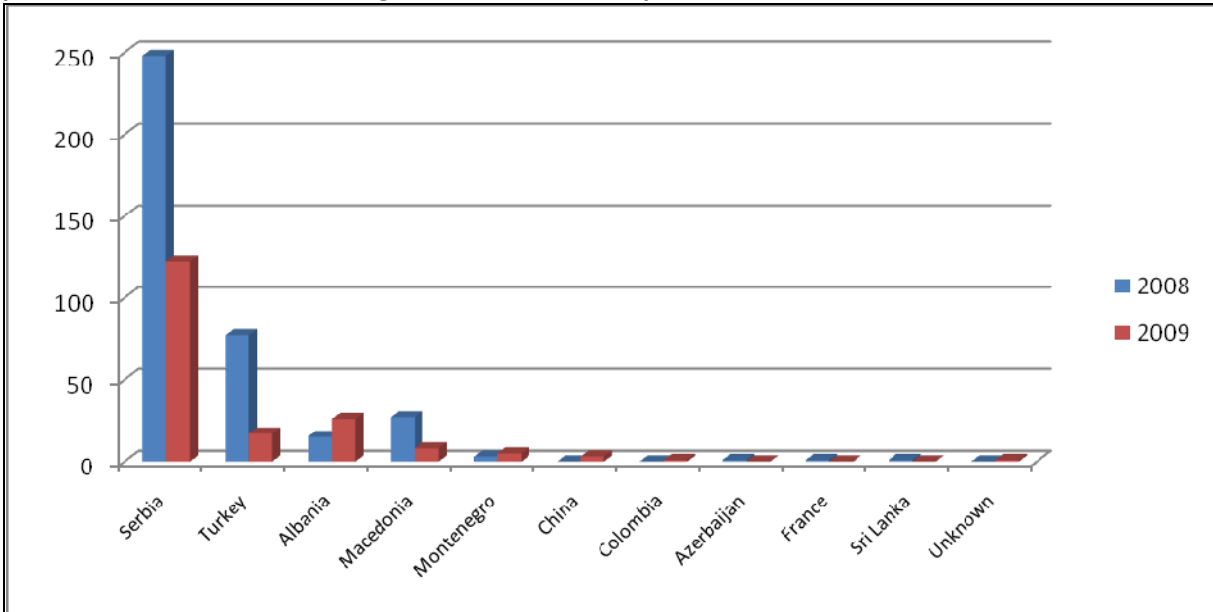
and border crossings. However, during this same period there was also a significant increase in the number of temporary and permanent residence permits issued. From 2003 to 2004 the number of citizens of third countries admitted to Bosnia and Herzegovina pursuant to the Readmission Agreement with the Republic of Croatia significantly decreased. It is noted that the competent authorities in the field of immigration in Bosnia and Herzegovina have achieved significant results in this respect.

Reports from the Bosnia and Herzegovina Border Police were a key source of data for a consolidated overview of 2008 and 2009. Pursuant to the Readmission Agreement with the Republic of Croatia, the Bosnia and Herzegovina Border Police submit regular reports on the admission of persons, whose residence is illegal or who entered Croatia illegally via Bosnia and Herzegovina. According to data from 2008, 459 persons were admitted to Bosnia and Herzegovina from Croatia (248 foreign nationals and 211 citizens of Bosnia and Herzegovina). In contrast, Bosnia and Herzegovina returned only 4 persons.¹⁵ The number of readmitted persons in 2009 was decreased by 32.24% to 311, out of which 122 were foreign nationals and 189 were citizens of Bosnia and Herzegovina. Four (4) persons were returned to Croatia in 2009.¹⁶

Table 23 - Admission of citizens of third countries pursuant to the Readmission Agreement with the Republic of Croatia for 2008 and 2009

No	Country	2008	2009	%
1	Serbia	123	61	-50.41%
2	Turkey	77	17	-77.92%
3	Albania	15	26	73.33%
4	Macedonia	27	8	-70.37%
5	Montenegro	3	5	66.67%
6	China	0	3	-
7	France	1	0	-100.00%
8	Colombia	0	1	-
9	Azerbaijan	1	0	-100.00%
10	Sri Lanka	1	0	-100.00%
11	Unknown	0	1	-
	Total	248	122	-50.81%

Graphic overview of the admission of citizens of third countries to Bosnia and Herzegovina pursuant to the Readmission Agreement with the Republic of Croatia for 2008 and 2009



¹⁵ BiH Border Police "2008 Activity Report of the BiH Border Police", Sarajevo, January 2009, pg. 12.

¹⁶ BiH Border Police "Work Analysis of the BiH Border Police for 2009", Sarajevo, January 2010, pg. 9

And analysis of data shows a significant increase in 2009 in the number of Albanian citizens admitted to Bosnia and Herzegovina pursuant to the Readmission Agreement with Croatia. However, there was also a large decrease in the number of Serbian, Turkish and Macedonian nationals admitted under the Readmission Agreement.

5.3.2. Admission and return on the basis of other readmission agreements

Under Bosnia and Herzegovina's other readmission agreements, the Ministry of Security – Immigration Sector is in charge of implementation of the readmission agreement in the part referring to the nationals of Bosnia and Herzegovina, where a request for readmission was submitted for 201 persons. After the check up of their identity and nationality, Bosnia and Herzegovina approved readmission for 173 people who were nationals of Bosnia and Herzegovina, and 14 requests for readmission had been declined because the person had not been citizens of Bosnia and Herzegovina; on 31 December 2009, the procedure of establishing identity and nationality of 14 people was not completed. In 2008, 20 nationals of Bosnia and Herzegovina have been approved for readmission. Significant increase of nationals of Bosnia and Herzegovina in 2009 was implemented through the Readmission Agreement between the Council of Ministers of Bosnia and Herzegovina and the Government of Switzerland.

Table 24 - Admission of citizens of Bosnia and Herzegovina in 2008 and 2009 pursuant to other readmission agreements

No	Country	2008	2009
1	Switzerland	0	131
2	Austria	16	9
3	Germany	0	17
4	Slovenia	0	6

No	Country	2008	2009
5	Denmark	3	0
6	Sweden	1	0
7	Netherlands	0	10
	Total	20	173

Analysis of the presented data show that 189 citizens of Bosnia and Herzegovina were readmitted on the grounds of readmission Agreement with the Republic of Croatia and 173 citizens of Bosnia and Herzegovina were readmitted on the grounds of other readmission agreements. The Immigration Sector is in charge of check up of identities and nationalities. According to the Border Police of Bosnia and Herzegovina, 528 nationals were subject to readmission agreements in 2009¹⁷; it is visible that a significant number of nationals of Bosnia and Herzegovina, to be precise 166, returned to Bosnia and Herzegovina with their own initiative, because they were not subject to procedures as defined by readmission agreements.

On the grounds of other readmission agreements, the Service for Foreigners' Affairs, which is competent for readmission of third country nationals and stateless people, in 2009 readmitted three people on the grounds of the Readmission Agreements between the Council of Ministers of Bosnia and Herzegovina and the Government of Serbia and Montenegro; in 2008, there were no cases of readmission of third country nationals or stateless people on the grounds of other readmission agreements except for readmission based on the Readmission Agreement with the Republic of Croatia.

¹⁷ BiH Border Police „Work Analysis of the BiH Border Police for 2009“ Sarajevo, January 2010, pg. 9

5.4. Voluntary return of aliens from Bosnia and Herzegovina

The Voluntary return of foreign nationals from Bosnia and Herzegovina was not monitored separately in the past period. Because of this gap in data, numbers for voluntary returns were calculated based on data recorded by Bosnia and Herzegovina Border Police for “deportations.” This data contains information on all aliens who were ordered by the Service for Foreigner’s Affairs to leave Bosnia and Herzegovina and subsequently returned to their countries of origin. This data includes individuals who participated in assisted forced and voluntary returns.

According to the data obtained from the Bosnia and Herzegovina Border Police, the number of deportations from Bosnia and Herzegovina was increased by 24.21% in 2009 as compared to 2008.¹⁸

Table 25 - The number of deported foreign nationals in 2008 and 2009

No	Country	2008	2009
1	Albania	86	40
2	Serbia	178	278
3	Macedonia	15	19
4	Romania	12	7
5	Turkey	11	6
6	Croatia	7	7
7	Montenegro	4	10
8	China	2	11
9	Poland	0	1
10	Netherlands	0	1
11	Germania	0	1
12	Lithuania	0	1
13	Ukraine	1	3
14	France	1	0
15	Belgium	1	0
16	Austria	0	2
17	Bulgaria	0	1
18	Russian Federation	0	2
19	Algeria	0	1
20	Nigeria	0	1
21	Sweden	0	1
22	Cameroon	0	1
23	Bahrain	0	1
Total		318	395

According to data from the BiH Border Police, there were 395 “deportations” of foreign nationals from BiH in 2009, out of which the Service for Foreigners’ Affairs forcibly removed 109 people, 153 foreign nationals were beneficiaries of the AVR program, and 133 foreign nationals decided to voluntarily leave the territory of Bosnia and Herzegovina.

The BiH Border Police registered 318 “deportations” of foreign nationals from BiH in 2008, out of which the Service for Foreigners’ Affairs forcibly removed 172 people, 28 foreign nationals were beneficiaries of the AVR program, and 118 foreign nationals decided to voluntarily leave the territory of Bosnia and Herzegovina.

The presented data show that the individual voluntary return to the countries of origin of aliens, who had been issued a decision to leave the territory of BiH by the Service for Foreigners’ Affairs, increased by 12.71% in 2009 as compared to the figures from 2008.

It is plausible to expect that the individual voluntary return is at an even larger scale because of the foreign nationals who are allowed to cross the BiH border with an identification card, and upon leaving BiH they fail to present the decision on the request to leave the territory to the BiH Border Police.

¹⁸ BiH Border Police, “Work Analysis of the BiH Border Police for 2009” Sarajevo, January 2010, pg.10

6. International protection/asylum

Up to 30 June 2004 applications for asylum were received and decided upon by the UNHCR, following UNHCR procedures.

Bosnian-Herzegovinian authorities took control of the asylum and international protection application process on July 1st, 2004. The asylum and international protection process is now governed by Bosnian-Herzegovinian laws. The institution of first instance is the Ministry of Security - Sector for Asylum, whereas the Court of Bosnia and Herzegovina represents the institution of second instance, which deliberates complaints and appeals. While deciding whether an applicant will be approved for international protection, the principle of "non-refoulement" is also deliberated upon. One of four Ministry decisions may result:

- a) the application for international protection is approved and applicant's refugee status in Bosnia and Herzegovina is recognized;
- b) the application for international protection is approved, refugee status is not recognized, and the right to subsidiary protection is granted;
- c) the application for international protection is rejected, and the alien is given a deadline by which he/she must leave Bosnia and Herzegovina;
- d) the international protection process is ceased and the alien is given a deadline by which he/she must leave Bosnia and Herzegovina; or,
- e) the alien is denied the international protection process and the given a deadline by which he/she must leave Bosnia and Herzegovina.

An alien who has exhausted all available legal remedies and whose request for international protection/asylum was rejected by a final and binding decision brought in accordance with Article 116 (Decisions upon the application for international protection) Item c) or by a final decision made pursuant to Article 116 Items d) or e), but who nevertheless cannot be removed from the territory of Bosnia and Herzegovina for the reasons prescribed in Article 91 of this Law (*the principle of »non-refoulement«*), shall come under the authority of the Service. (2) The Service shall issue to the alien a temporary residence permit on humanitarian grounds pursuant to Article 54 (Temporary residence on humanitarian grounds) paragraph (1) Item d) of this Law. Exceptionally, the Service shall place under supervision any alien who it is determined poses a threat to the public order, legal order, or peace and security of Bosnia and Herzegovina, in accordance with articles 98 through 104 of the Law. The Service for Foreigners' Affairs, in cooperation with the Ministry of Security, other ministries and the Council of Ministers, shall undertake all measures in necessary under the law and regulations of Bosnia and Herzegovina and international law in regard to resolution of the final status of the alien.

In order to identify trends in asylum, data asylum applications, i.e. international protection from 2001 to 2009, is provided. Applications for asylum in Bosnia and Herzegovina were submitted to the UNHCR from 2001 to June 30th, 2004. During this period 2,249 individuals applied for asylum in Bosnia and Herzegovina. All applications for asylum were received and decided upon by the UNHCR following UNHCR's procedures. From 2001 to 2006, when the procedure for deciding upon submitted applications was completed, the UNHCR recognized

the refugee status for 355 persons (2001 – 36 persons, 2002 - 88 persons, 2003 - 20 persons, 2004 - 41 persons, 2005 - 163 persons, and 2006 - 7 persons).¹⁹

From July 1st, 2004 to December 31st, 2009, the competent authorities of Bosnia and Herzegovina received 407 applications for asylum or international protection in Bosnia and Herzegovina. These 407 applications resulted in asylum requests by 1,060 people. During this period, Bosnia and Herzegovina recognized the refugee status of eight individuals.

In the past several years, UNHCR has implemented projects moving people to third countries. Taking these UNHCR projects into account, as at the end of 2009, 185 people have been granted refugee status.²⁰

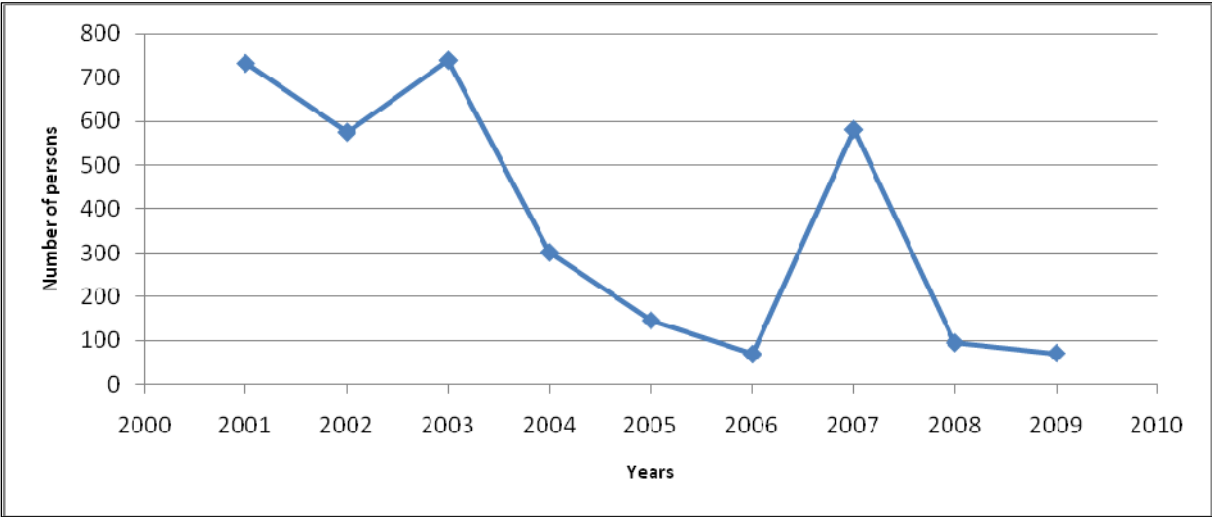
In 2009, UNHCR assisted five people with refugee status, originally from Palestine, to move to Canada.²¹

In accordance to the transfer of competency, 301 people applied for asylum in 2004. Of those 301 asylum seekers, UNHCR received applications from 203 people and the remaining applications for 98 people were submitted to authorities in Bosnia and Herzegovina.

Table 26 – Number of people who applied for asylum/international protection in Bosnia and Herzegovina from 2001 to 2009

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Number of persons	732	575	739	301	146	69	581	95	71

Graphic overview of the number of people who applied for asylum/international protection in Bosnia and Herzegovina from 2001 to 2009



¹⁹ A total of 390 people were recognized as having refugee status by UNHCR in the period from 1999 until 30 June 2006.

²⁰ Out of 185 people with a recognized refugee status who had refugee status on the territory of BiH, UNHCR recognized the status for 177, and the competent authorities of BiH recognized eight people.

²¹ UNHCR Annual Report - 2009

The high degree of variation between years in the number of persons who applied for asylum in Bosnia and Herzegovina is the result of legal changes in the definition of temporary admission that occurred during a massive influx of citizens of Serbia.

The trend in submitted applications shows a peak in asylum applications in 2003. This peak the result of the November 2001 adoption of the *Decision on Partial Cessation of Application of Instructions on Temporary Admission of Refugees from the Federal Republic of Yugoslavia in Bosnia and Herzegovina* ("Bosnia and Herzegovina Official Gazette no. 28/01"), which terminated the use of the status of temporary protection for newly arrived persons. A second peak in asylum applications is evident in 2007. The 2007 peak is the result of the September 2007 cessation of temporary admission of citizens of Serbia originating from Kosovo.

In both of these cases, the individuals who lost their status of temporary protection had the opportunity to submit applications for asylum/international protection in Bosnia and Herzegovina, and they used this opportunity in most of the cases.

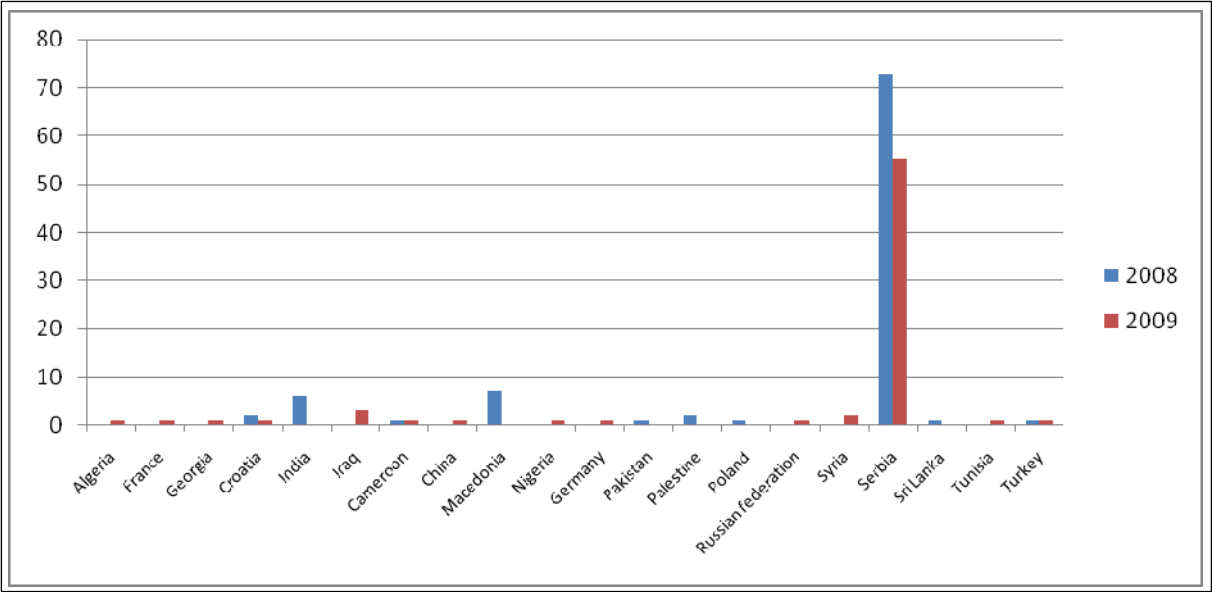
In 2009, there is a decrease in the number of application for asylum/international protection as compared to 2008 by 30.43% and there were 32 applications (71 people).

In order to analyze international protection situation in Bosnia and Herzegovina, data on applications for international protection and numbers of people who submitted them in 2008 and 2009 is presented.

Table 27 – Number of applications (people) who submitted applications for asylum/ international protection in Bosnia and Herzegovina in 2008 and 2009

ASYLUM		2008		2009		%	
No	Country	Applications	Persons	Applications	Persons	Applications	Persons
1	Algeria	-	-	1	1	-	-
2	France	-	-	1	1	-	-
3	Georgia	-	-	1	1	-	-
4	Croatia	2	2	1	1	-50.00	-50.00
5	India	6	6	-	-	-100.00	-100.00
6	Iraq	-	-	3	3	-	-
7	Cameroon	1	1	1	1	0.00	0.00
8	China	-	-	1	1	-	-
9	Macedonia	4	7	-	-	-100.00	-100.00
10	Nigeria	-	-	1	1	-	-
11	Germany	-	-	1	1	-	-
12	Pakistan	1	1	-	-	-100.00	-100.00
13	Palestine	1	2	-	-	-100.00	-100.00
14	Poland	1	1	-	-	-100.00	-100.00
15	Russian Fed.	-	-	1	1	-	-
16	Syria	-	-	1	2	-	-
17	Serbia	28	73	17	55	-39.29	-24.66
18	Sri Lanka	1	1	-	-	-100.00	-100.00
19	Tunisia	-	-	1	1	-	-
20	Turkey	1	1	1	1	0.00	0.00
	Total	46	95	32	71	-30.43	-25.26

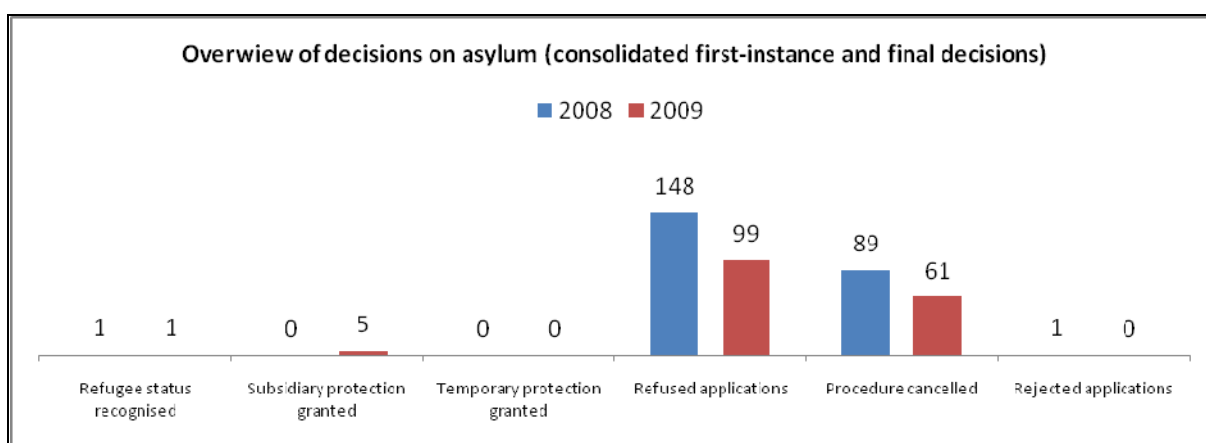
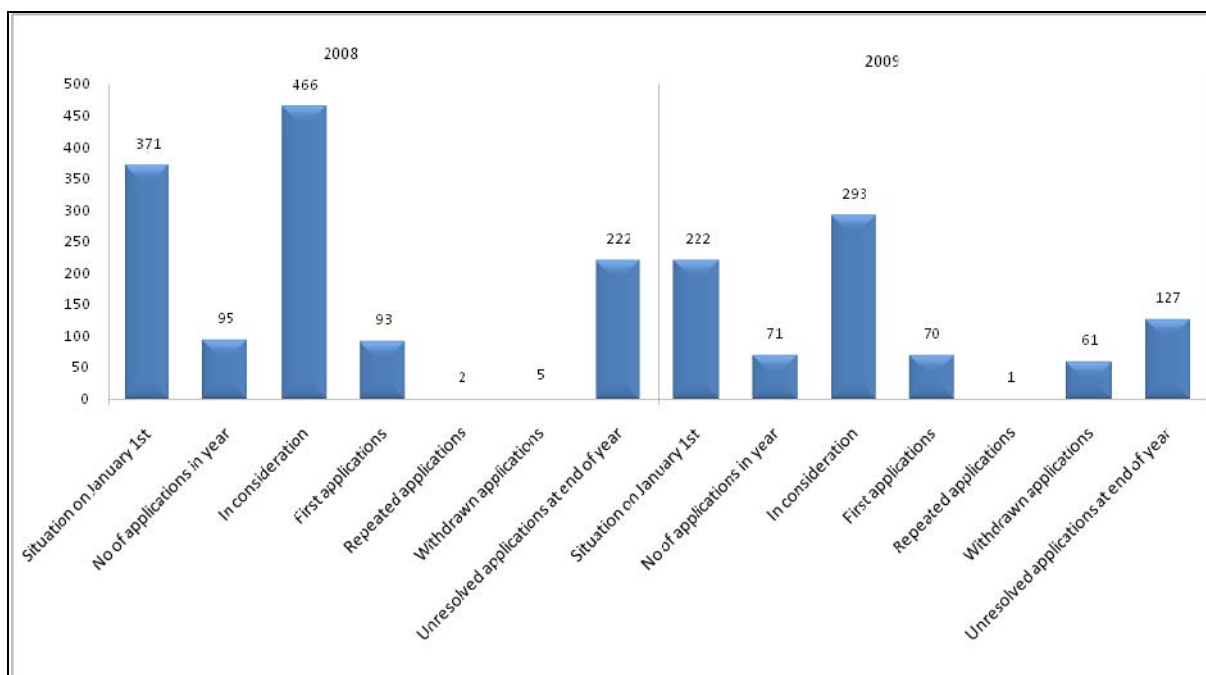
Graphic overview of the number of people who applied for asylum/international protection in Bosnia and Herzegovina in 2008 and 2009



The presented data show that 46 applications for 95 people were submitted in 2008, while in 2009, 32 applications for 71 people were submitted, representing a decrease in the number of applications by 30.43%. The largest number of individuals seeking asylum or international protection was nationals of Serbia (predominately originating from Kosovo). Namely, 28 applications for 73 people in 2008 and 17 applications for 55 people in 2009. From other countries, with the exception of Syria (in 2009), individual applications for international protection were submitted.

During 2008 and 2009 Bosnia and Herzegovina received no applications for international protection of unaccompanied minors.

For the purpose of a detailed analysis of the current situation regarding international protection in Bosnia and Herzegovina, the presentation of comparative data on submitted requests and decisions reached in 2008 and 2009 by the number of individuals is shown below.



The number of individuals who submitted an application for international protection in BiH in 2008 was significantly decreased as compared to the previous year. During 2008, applications for 95 people were received, which represented a decrease of 83.65%. However, the Ministry of Security – Asylum Sector was processing applications for 466 people in 2008, taking into consideration the cases that had been transferred from the year before (371). Out of the total number of applications submitted in 2008, 93 were related to people who were subject to international protection in BiH for the first time, while two cases were re-submitted from 2004 and 2005. Five requests were revoked for five people. During 2008, 239 applications were resolved in total, while 222 people and their applications were passed to the following year 2009.

According to data from the Ministry of Security – Asylum Sector, a total of 71 people applied for international protection in BiH in 2009. A total of 293 applications were in the process of being decided upon (taking into consideration unresolved cases from the previous years – 222 people). In 2009, out of the total number of applications, 70 people applied for international protection for the first time, while a single application for an individual was

repeated. During the year, 61 people revoked their applications. At the end of 2009, 42 applications remained unresolved for 127 people.

As it was the case with previous years, the largest number of applications for international protection in 2009 was submitted by nationals of Serbia – a total of 55, or 265, including unresolved cases from previous years. However, 54 individuals submitted their application for the first time, while a single application was repeated for a single person. During 2009, 52 applications from Serbia were revoked, and at the end of the year, there were 32 unresolved cases for 116 people who were nationals of Serbia.

As demands from citizens of Serbia are about 90% of all requests for international protection in BiH in 2009, we present data on the age and sex structure of these people (265 people, including pending claims from previous years). The group is comprised of 139 men and 126 women. The age structure shows the presence of people of all age groups, but juveniles are the most numerous - they are 128 and 48.30% of all people from Serbia, which were the subject of the request for international protection. The next age group is 18-35 (60 or 22.64%) and 36-59 (58 or 21.89%) followed by those from the age group over 60 years of age (19 or 7.17%).

Other requirements for international protection in 2009 are presented for individuals from Algeria, France, Georgia, Croatia, Iraq, Cameroon, China, Nigeria, Germany, Russia, Syria, Tunisia and Turkey who all together make up 22.53% of the people who have sought international protection in BiH during 2009.

In 2008, of the applications considered (for 239 people), one person was granted recognized refugee status in BiH, 148 people were denied international protection by the first instance decision or by the final and binding decision, while the proceedings for 89 people were suspended by the first instance decision or by the final and binding decision. Applications of 222 people remained unresolved at the end of 2008.

In terms of decisions on applications for international protection considered during 2009, Bosnia and Herzegovina recognized the refugee status of a person from Sri Lanka, and five people from Serbia were granted subsidiary protection or temporary stay on humanitarian grounds because of the principle of "*non-refoulement*". All other applications, 56 of them relating to 160 persons, were rejected by a first instance decision or a final and binding decision, or the procedure was suspended by a first instance or a final and binding decision. Most requests were denied to citizens of Serbia - 41 requests for 144 persons, being by far the most number. The reasons for these decisions relate mainly to lack of grounds for international protection.

Although it is visible that there were new countries of origin of the individuals who applied for the international protection, as compared to 2008; specifically Algeria, France, Georgia, Iraq, China, Germany, Russia, Syria and Tunis, the structure of countries of origin shows that the largest number of application in 2009 was submitted by nationals of Serbia – 55 people in 2009, which represents 77.46% of the total number of people who applied for the international protection in Bosnia and Herzegovina in 2009.

Among new applications for the international protection, juveniles from Serbia represent the largest group – 55.77% of all applications from Serbia. The next age group is the one from 36 to 59 – 25% of all people from Serbia, followed by age group 18 to 35 – 17.31 %, then age group 60+ representing 1.92%. Out of total applications for the international protection in BiH in 2009, of the nationals of Serbia, 40.38% are women.

Among other demand for international protection, out of 16 people from different countries, there were three women.

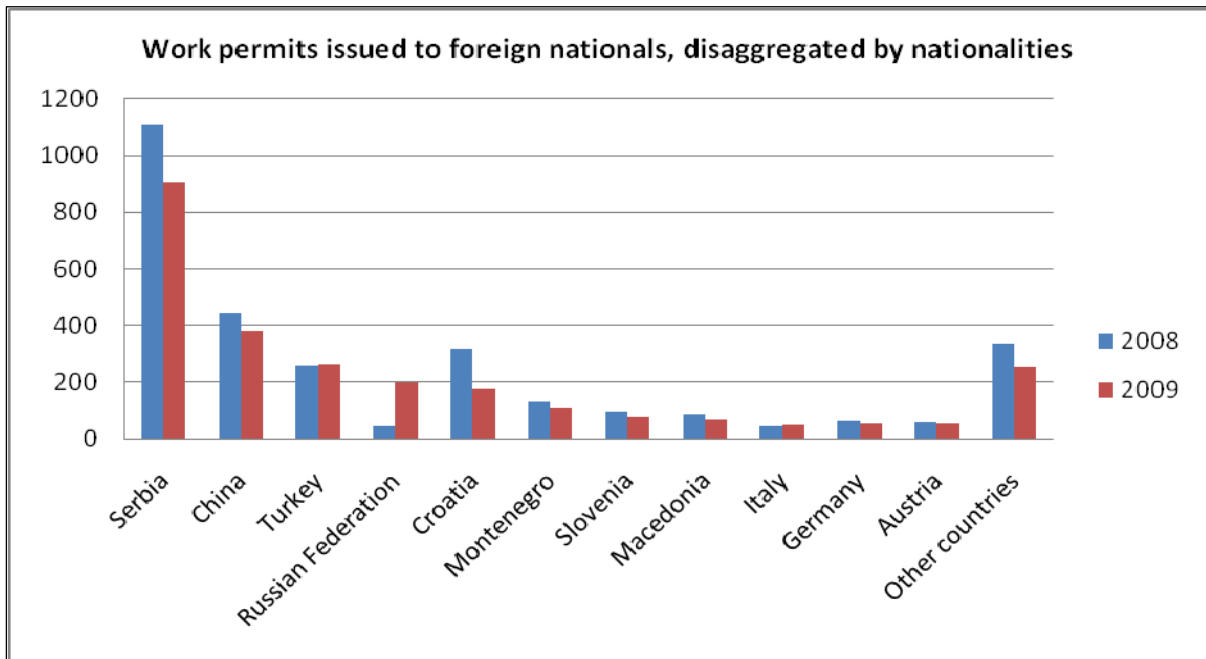
7. Work permits issued to aliens

According to the data obtained from the Labour and Employment Agency of Bosnia and Herzegovina, and on the basis of data received from the relevant entity services and the Brčko District, 2,993 work permits were issued to foreign nationals in 2008 and 2,592 work permits in 2009, representing a decrease of 13.40%. The data on work permits issued to foreign nationals, disaggregated by the nationality and qualification structure of aliens is given below.

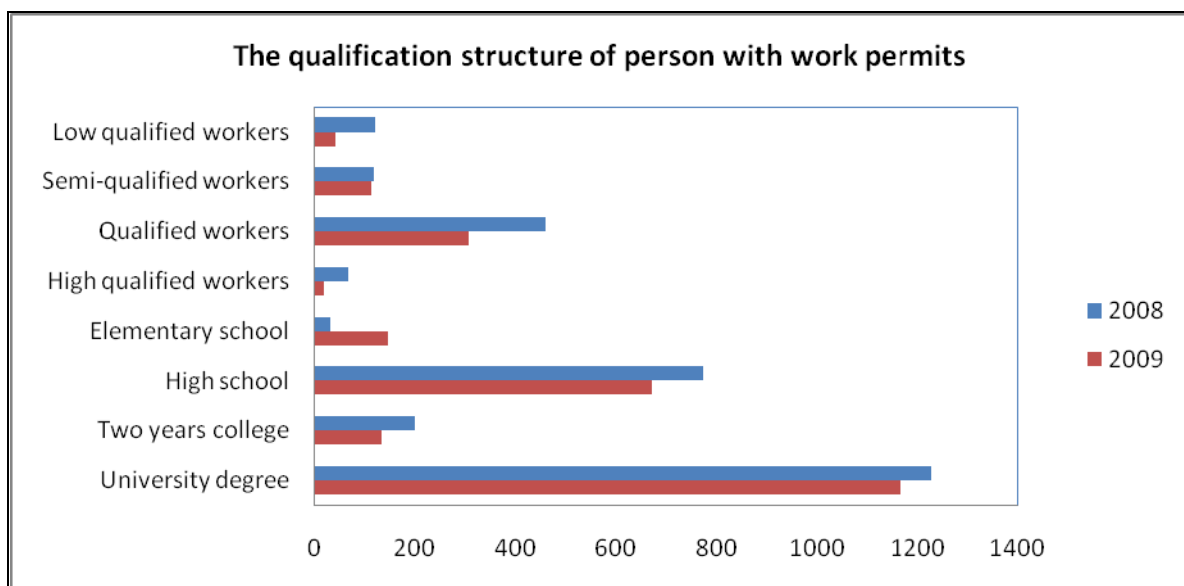
Table 28 - Work permits issued to foreign nationals, disaggregated by nationalities for 2008 and 2009

No	Country	2008	2009	%
1	Serbia	1,108	906	-18.23
2	China	442	380	-14.03
3	Turkey	259	264	1.9
4	Russian Fed.	44	198	350
5	Croatia	317	179	-43.5
6	Montenegro	133	108	-18.87
7	Slovenia	98	80	-18.37
8	Macedonia	89	67	-24.72
9	Italy	47	49	4.25
10	Germany	62	56	-9.68
11	Austria	58	53	-8.62
12	Other countr.	336	252	-25.00
	Total	2,993	2,592	-13.40

The majority of foreign nationals with work permits in Bosnia and Herzegovina are nationals of Serbia. They are followed in number by citizens of China, Turkey, Russian Federation, Croatia, Montenegro, Slovenia, Macedonia and some old member states of the European Union. In 2009, it is visible that there is a decreasing trend for most of the presented countries related to the issuance of work permits in BiH as compared to 2008. Also, it can be noticed that there is an increasing trend of work permits issued to the nationals of the Russian Federation.



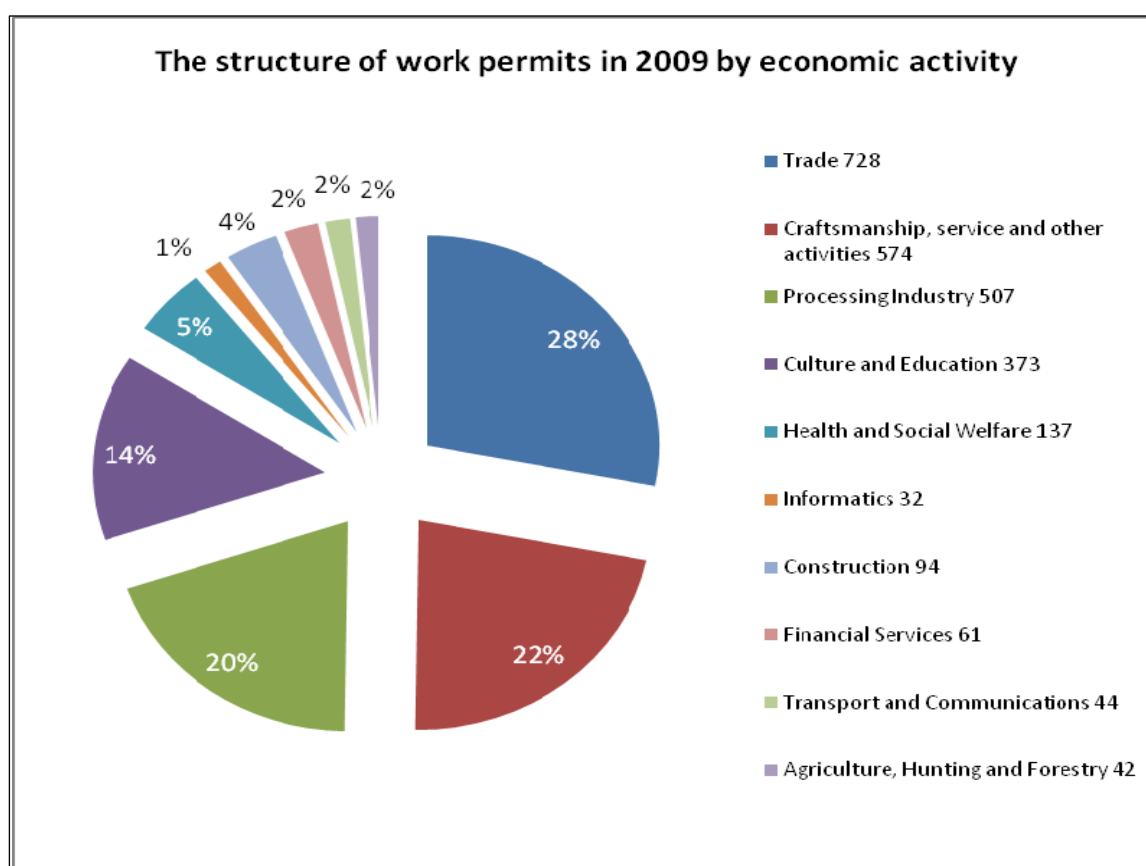
Regarding the qualifications of aliens who were issued work permits in 2008 and 2009, there are a majority of people with a university professional degree, followed by workers with a high school diploma and then other qualified workers.



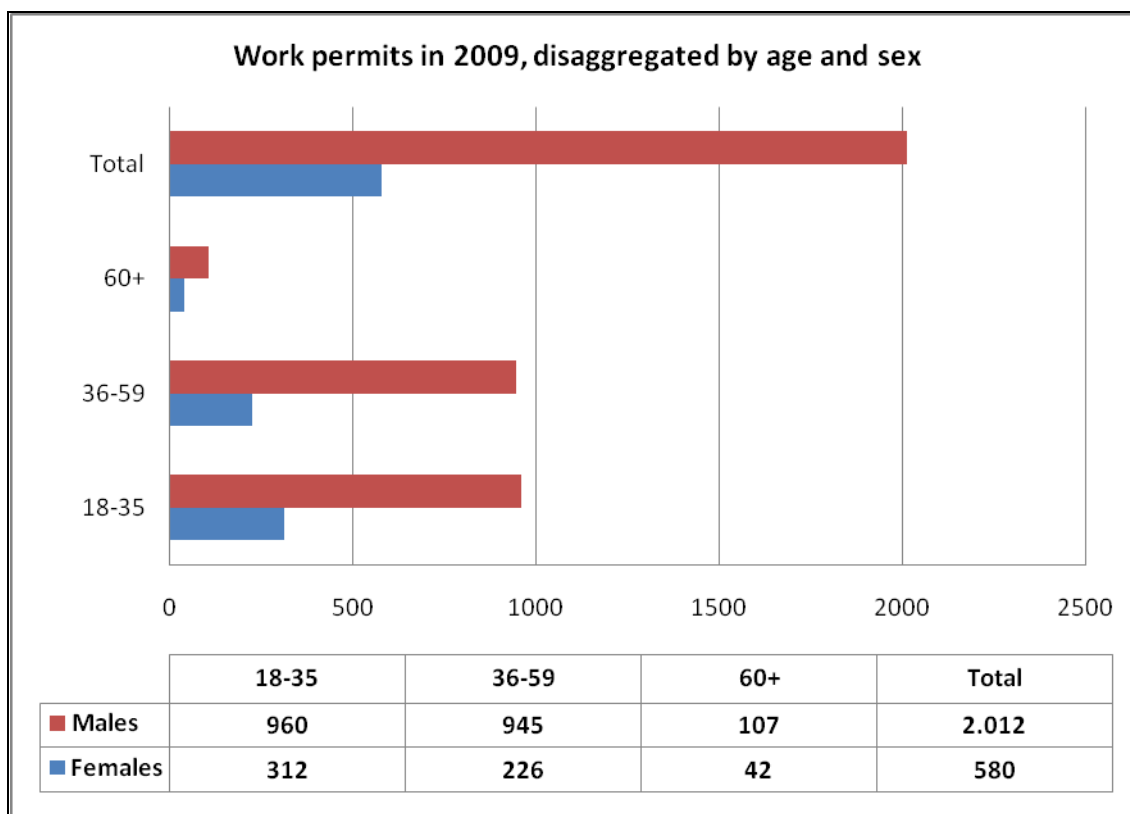
The largest number of work permits was issued for the following field of work in 2009: trade 728, crafts, catering and other services 574, processing industry 507, followed by culture and education 373.

Table 29 – The structure of work permits in 2009 by economic activity

ACTIVITY	2009
Trade	728
Crafts, catering and other services	574
Processing Industry	507
Culture and Education	373
Health and Social Welfare	137
Informatics	32
Construction	94
Financial Services	61
Transport and Communications	44
Agriculture, Hunting and Forestry	42
TOTAL	2,592



Out of the total number in 2009, 580 women and 2,012 men received work permits. The largest number of work permits, a total of 1,905, was issued to males aged from 18 to 59.



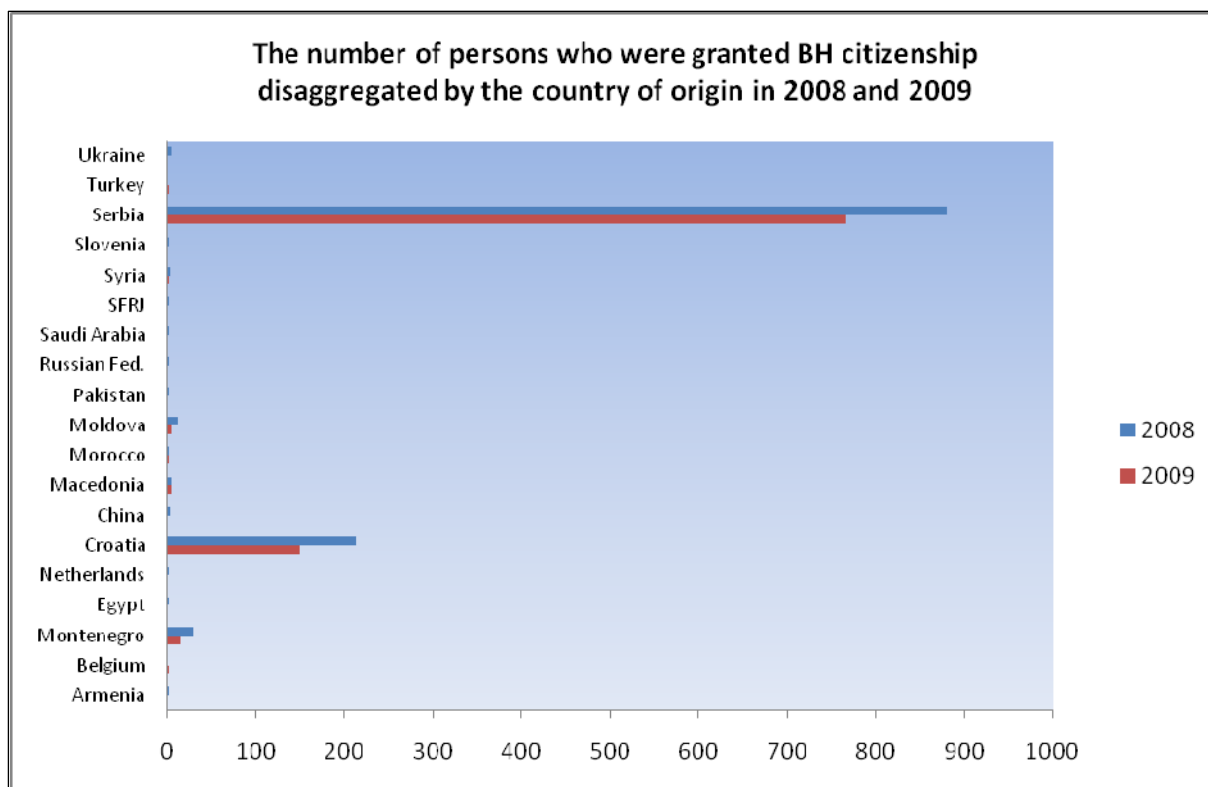
8. Obtaining citizenship in Bosnia and Herzegovina

The Ministry of Civil Affairs, competent for the issuance of agreements for granting citizenship of Bosnia and Herzegovina, requested from the competent entity level ministries to submit statistics on the number of people who were granted BiH citizenship through naturalisation or implementation of the international treaties on dual citizenship. The Federal Ministry of the Interior and the Ministry of Administration and Local Self-Governance of Republika Srpska submitted the requested data, disaggregated by country, sex and age of the people who obtained citizenship of Bosnia and Herzegovina in 2008 and 2009. The submitted data was analysed and disaggregated by years.

Table 30 - The number of persons who were granted Bosnian-Herzegovinian citizenship, disaggregated by the country of origin in 2008 and 2009

No	Country of Origin	2008	2009
1	Armenia	2	0
2	Belgium	0	1
3	Montenegro	29	15
4	Egypt	1	0
5	Netherlands	1	0
6	Croatia	213	150
7	China	3	0
8	Macedonia	4	4
9	Morocco	1	1
10	Moldova	11	5

No	Country of Origin	2008	2009
11	Pakistan	1	0
12	Russian Fed.	2	0
13	Saudi Arabia	2	0
14	SFRJ	1	0
15	Syria	3	2
16	Slovenia	1	0
17	Serbia	880	766
18	Turkey	0	1
19	Ukraine	4	0
	Total	1,159	945



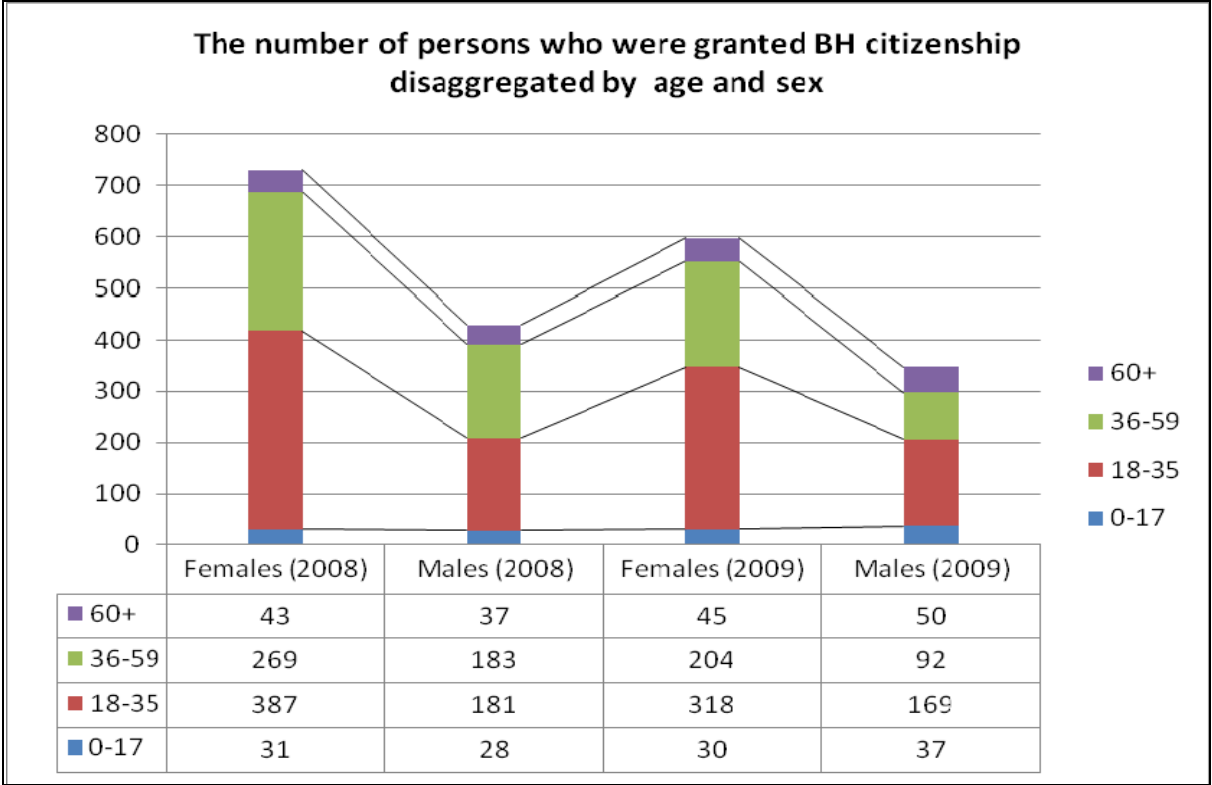
The majority of people who were granted the citizenship of Bosnia and Herzegovina in the past two years originate from Serbia and Croatia.

1,159 people obtained the citizenship of Bosnia and Herzegovina, with 866 people obtaining the citizenship on the basis of the Dual Citizenship Agreement between Bosnia and Herzegovina and Serbia during 2008.

In 2008, 402 people obtained the citizenship of Bosnia and Herzegovina; with 388 of them obtaining the citizenship on the basis of the Dual Citizenship Agreement between Bosnia and Herzegovina and Serbia. In 2009, 757 people obtained the citizenship of Bosnia and Herzegovina; with 478 of them obtaining the citizenship on the basis of the Dual Citizenship Agreement between Bosnia and Herzegovina and Serbia.

In 2009, 945 people obtained the citizenship of Bosnia and Herzegovina; with 758 of them obtaining the citizenship on the basis of the Dual Citizenship Agreement between Bosnia and Herzegovina and Serbia. In 2009, 417 people obtained citizenship of Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina, out of which 409 people were on the basis of the Dual Citizenship Agreement between Bosnia and Herzegovina and Serbia; while 528 obtained citizenship of Bosnia and Herzegovina and the Republika Srpska in 2009, out of which 349 were on the basis of the Dual Citizenship Agreement between Bosnia and Herzegovina and Serbia.

The analysis of the overall data about the people who obtained the citizenship of Bosnia and Herzegovina disaggregated by their age and sex, shows that most of the persons who obtained the citizenship of Bosnia and Herzegovina are aged 18 to 59 and that there were more women than men obtaining the citizenship of Bosnia and Herzegovina.



9. Emigration from Bosnia and Herzegovina

The Diaspora Sector, under the Ministry for Human Right and Refugees, has prepared an overview and analysis of Bosnia and Herzegovina’s Diaspora based on the available data.

9.1. General Estimation of Migration Flows

It should be emphasized that there are several constraints that hinder the implementation of a comprehensive analysis of the current situation regarding emigration trends in Bosnia and Herzegovina.

What is clear is that migration is an issue of primary importance in Bosnia and Herzegovina. Bosnia and Herzegovina was and still is a country of emigration. BIH population migration trends are caused by different historical, political, social and economic factors. After World War II, population from the territory of Bosnia and Herzegovina has mostly emigrated for economic reasons, or for the purpose of employment in the receiving countries. During the 1990s due to war events in Bosnia and Herzegovina, a large proportion of the population was forced to migrate around the world, while in the recent years emigration is related to the economic situation.

According to estimates of the Ministry of Human Rights and Refugees from 2008, the total number of people originating from Bosnia and Herzegovina who live outside the borders of Bosnia and Herzegovina is about 1,350,000 people, which is about 26% of the total BiH population.

As for the status of our emigrants, according to UNHCR in 2008 there were 74,132 BiH Refugees and 1,159 people who submitted a request for asylum.²²

Over 90% of BiH emigrants in receiving countries solved their status through the acquisition of citizenship, employment and legal or other grounds specified by law.

This type of data is usually collected based on the assessment of diplomatic and consular offices of Bosnia and Herzegovina in the receiving countries and organizations and associations of the BiH Diaspora in these countries. The Bosnian Diaspora has the potential to contribute to the development of the BiH economy and the country's overall development, not only through the influence of money transfers but also through transfer of knowledge gained abroad and the possibility of returning to his/her homeland.

As for the acquisition of citizenship of countries receiving emigrants from Bosnia and Herzegovina in 2006 it was at the 11th place according to the number of acquired citizenship in the 27 countries of the European Union with a value of almost 40,000 people who have acquired citizenship of the receiving country in that year, which amounts to 1.9% of total granted citizenship in the EU-27 in 2006.

It is interesting that in Slovenia, BiH immigrants are in the first place with 52.7% of the total number of approved nationalities in the country in 2006. In Austria, they occupy the 3rd place after Turkey and Serbia, with 17.9% and in Sweden occupy the 5th place with 5.1%. Taking into account that the number of immigrants granted citizenship in the receiving country really depends on the total number of immigrants in the country; the conclusion is that as far as the EU-27 is concerned, BiH has the largest number of emigrants in three EU countries: Slovenia, Austria and Sweden. If you exclude the U.S.A. and countries that are not members of the EU, this figure agrees with estimates of the total number estimated by the Ministry of Human Rights and Refugees on the number of BiH emigrants²³.

According to the total number, Bosnia and Herzegovina's leading emigrant receiving countries are: USA, Germany, Croatia, Serbia, Austria, Slovenia, Sweden, and Canada in Australia.

²² UNHCR, 10 June 2009

²³ Eurostat, Statistics in Focus, 108/2008

Table 31 – The data on the number of emigrants from BiH, estimates by the diplomatic-consular representation offices of Bosnia and Herzegovina in 2006 ²⁴

HOST COUNTRY	NUMBER
USA	390,000
Germany	157,187
Croatia	60,000
Serbia	137,000
Austria	132,262
Slovenia	100,000
Sweden	75,000
Canada	60,000
Australia	50,000
TOTAL:	1,161,449

Table 32 – Bureau of Statistics in Host Countries and Eurostat data ²⁵

HOST COUNTRY	NUMBER
USA (American Community Survey, 2008)	120,655
Germany (Eurostat, 2008)	169,040
Croatia (Census, 2001)	189,039
Serbia (Census, 2002)	131,108
Slovenia (Eurostat, 2008)	32,468
Austria (Eurostat, 2008)	85,215
Canada (Census, 2006)	28,735
Sweden (Eurostat, 2008)	10,453
Australia (Census, 2006)	24,635
TOTAL:	791,348

According to the emigration trend in several past years, the leading countries of destination are: Slovenia, Germany, Austria, USA and Italy.

Table 33 – Leading countries of destination

COUNTRY OF DESTINATION	Movement of BiH migrants
Slovenia	2,016 (2000) – 12,477(2007)
Germany	10,421 (2000) – 6,403 (2007)
Austria	3,978 (2000) – 3,034 (2007)
USA	23, 594 (2001) – 3, 789 (2006)
Italy	1,797 (2000) – 2,584 (2007)

²⁴ These data are related to total number of emigrants and their descendants in the country of reception who are originally from Bosnia and Herzegovina regardless of their status.

²⁵ This information is not related to individuals of BiH origin who were born in the country of reception.

There is an interesting fact about the United States where there was a great wave of immigrants from Bosnia and Herzegovina in the period from 2000 to 2005 (on average about 15,000 per year), and then the number began to decline and in 2006 amounted to merely 3,789.

It is also interesting to mention that Slovenia has in the past four years become the leading country of destination for Bosnia and Herzegovina's emigrants. Looking at the above-mentioned data, the number in 2007 is six times higher than in 2000. If we look at gender structure of the BiH emigrants who entered to Slovenia in 2007 (11,225 men and 1,254 women) due to the fact that the emigrants are predominantly men, it can be concluded that the number of emigrants from BiH mainly related to the migration of labour.

Also interesting is the fact that BiH emigrants to Slovenia are the largest immigrant group there, with 43% of all foreign immigrants in the country. Immediately after are Serbia and Montenegro with 24% and Macedonia, with 11%.

As for the total labour population migration, the BiH Ministry for Human Rights and Refugees does not have that data, but estimates of the International Organization for Migration²⁶ for the most important country of destination notes that the total number of BiH migrant workers increased from 160,000 in 2000 to 218,000 in 2007. However, this data relates to only a small group of countries of destination and generally it is estimated according to statistical data and Eurostat that the actual number is much higher.

9.2. Remittances

Bosnia and Herzegovina, as a country in development and transition, is not exceptional when it comes to the importance of the influx of financial remittances as a significant factor in combating poverty.

Data of the BiH Central Bank states that the influx of remittances to Bosnia and Herzegovina (sent by banks or through informal channels) in the last five years significantly increased, specifically by 76 %, as compared to direct foreign investments.

This inflow of funds to Bosnia and Herzegovina has a significant effect, primarily on the reduction of poverty. It is also important whether these funds are used for investment purposes in order to increase the rate of production and not only for the expenditure of the person receiving the remittance; the purchase of domestically produced goods and services shall have positive effect on production.

For Bosnia and Herzegovina, it is important to enhance the formal flows of remittances, namely to motivate the transfer of money through formal paths – banks etc, by reducing the costs of money transfer, and to strive to encourage the placing of remittances into production investments.²⁷

²⁶ IOM: Labour Migration Patterns, Policies and Migration Propensity in the Western Balkans, 2009.

²⁷ Source: Central Bank, September 2008, Macroeconomic Effects of Remittances from Abroad

Regarding remittances from abroad, according to the data of the BiH central Bank for 2008, they make up 10% of the GDP, and according to the World Bank 15.8%. According to the data from the BiH Central Bank in 2009, the remittances from abroad amount to 7.5% of the GDP, and according to the World Bank 13.7%.

According to available data²⁸, for the first nine months in 2009, remittances amounted to 2,091 million BAM. When we compare that with the same period of time in 2008, when the amount was 2,522 million BAM, we may conclude that the inflow of remittances from abroad in 2009 decreased by 17.09%, as it was expected. According to estimates of the World Bank, due to the economic crisis, in 2009 it was expected that the inflow of remittances worldwide would fall by 7 - 10%.²⁹

Table 34 – Remittances from BiH emigrants from 2001 to 2009

Workers' remittances, compensation of employees, and migrant transfers		2001	2002	2003	2004	2005	2006	2007	2008	2009
Central Bank of BiH³⁰	In million BAM	2,007	1,967	1,973	2,317	2,319	2,469	2,771	2,522	2,091
	In million USD	1,386	1,358	1,362	1,560	1,601	1,705	1,913	1,740	1,440
World Bank³¹	In million BAM	2,206	2,213	2,537	3,004	2,961	3,217	3,914	3,966	3,815
	In million USD	1,521	1,526	1,749	2,072	2,043	2,157	2,700	2,735	2,627

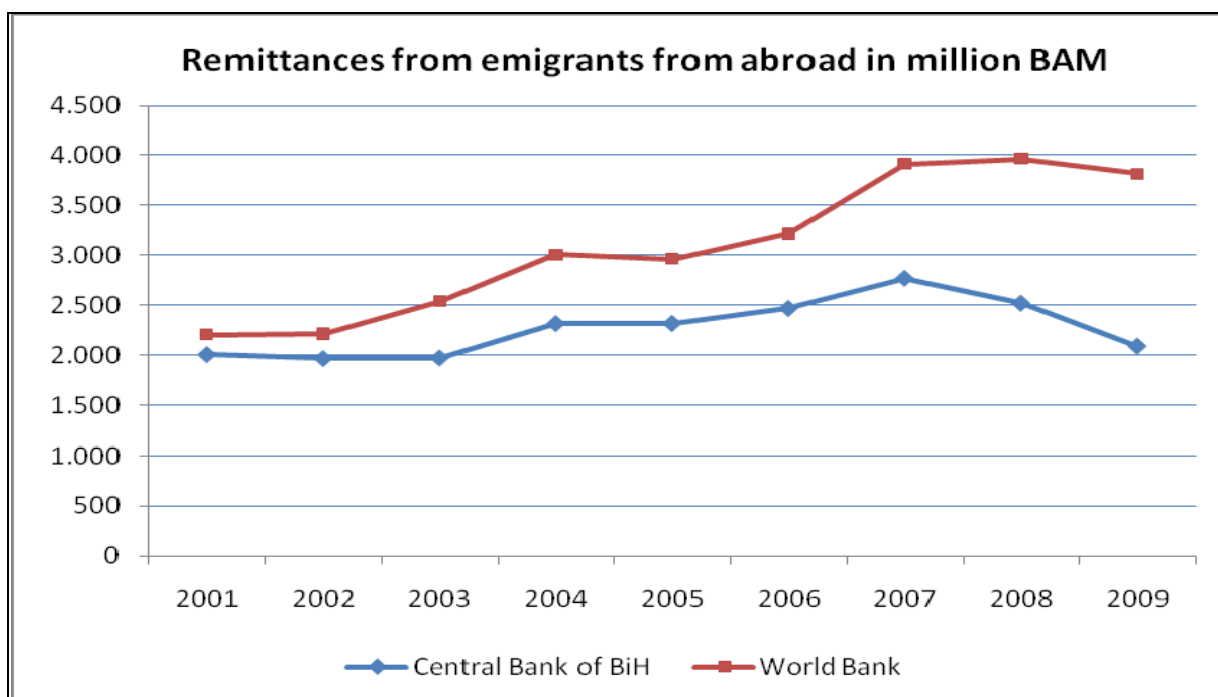
Note: According to the estimates of the BiH Central Bank, about half of the listed remittances were sent to BiH through official channels, while the other half is sent through informal channels.

²⁸ Official data from BiH Central Bank from 06/04/2010

²⁹ World Bank: Outlook for remittance flows 2009-2011

³⁰ BiH Central Bank: Statistics of the Balance Sheet, March 2010

³¹ World Bank: Migration and Development, November 2009; World Bank Assessment on the grounds of the *Statistical Yearbook of the International Monetary Fund, 2008*.



10. Immigration policy of Bosnia and Herzegovina: legal and institutional framework

Pursuant to Article III, Paragraph (1), Item f) of the Constitution of Bosnia and Herzegovina, development of policy and regulation of immigration issues, refugees, and asylum is the responsibility of state-level institutions.

10.1. Immigration policy

Data from 2000 regarding the illegal migration of foreign nationals attempting to enter Western Europe via Bosnia and Herzegovina led to the conclusion that Bosnia and Herzegovina had become a transit centre for well-organized international crime involving smuggling of human beings.

- An overview of the immigration and asylum situation, completed in the first quarter of 2001 identified the types of illegal migration, explained the causes that led to the illegal migration trend, and proposed measures to remedy the situation. The Council of Ministers adopted this overview during its May 10th, 2001 session. The adoption of this overview provided a solid foundation for further activities aimed at controlling illegal migration. This overview was also the first document to define the goals and bases for immigration policies in Bosnia and Herzegovina.
- The second document that defined Bosnia and Herzegovina's policy and developed its immigration and asylum system was the Action Plan in the Field of Immigration and Asylum, as adopted by the Council of Ministers on April 6th, 2004. This document

identified issues of visas, borders, immigration and asylum and elaborated on each of them with clearly established goals, tasks and responsible stakeholders.

- The current policy in the field of immigration and asylum was also defined by the Strategy in the Field of Immigration and Asylum and the 2008-2011 Action Plan, as adopted by the Council of Ministers on November 13th, 2008. This document outlined the development of immigration and asylum systems in Bosnia and Herzegovina, and defined the goals, activities, deadlines, and parties responsible for activities in the following fields: visas, borders, immigration, asylum and protection of foreign victims of trafficking in human beings. The Council of Ministers of Bosnia and Herzegovina, at its session held on March 19th, 2009, adopted the Decision on Appointing the Coordinating Body for Monitoring the Implementation of the Strategy in the Fields of Immigration and Asylum and the 2008-2011 Action Plan (“BiH Official Gazette” number 32/09).

10.2. Legal framework

From 2000 to 2008, three laws were adopted regulating immigration and asylum in Bosnia and Herzegovina

- The first legal act which regulated immigration and asylum at the state-level was the Law on Immigration and Asylum of Bosnia and Herzegovina, which came into force at the end of 1999 (“BiH Official Gazette” no 23/99).
- Significant progress was made on the legal framework that regulates the issues of the movement and stay of aliens in Bosnia and Herzegovina with the adoption of the Law on Movement and Stay of Aliens and Asylum in late 2003 (“B&H Official Gazette” no. 29/03, 4/04, and 53/07).
- As a result of the development of the EU Acquis Communautaire, the need for changes or amendments to a significant number of provisions of the Law that was adopted in 2003 emerged. In order for Bosnian-Herzegovinian immigration and asylum legislation to be harmonized with the EU acquis communautaire and Schengen Agreement, and to remedy shortcomings that became evident with the application of the then current law, the new Law on Movement and Stay of Aliens and Asylum was adopted. This law entered into force in May 2008 (“BiH Official Gazette” no. 36/08). Pursuant to the new Law, the following by-laws were adopted:
 - Rulebook on the Entry and Stay of Aliens (“BiH Official Gazette” no. 81/08),
 - Rulebook on the Supervision and Removal of Aliens from Bosnia and Herzegovina (“BiH Official Gazette” no. 81/08),
 - Rulebook on the Protection of Alien Victims of Trafficking in Humans (“BiH Official Gazette” no. 90/08),

- Rulebook on Standards of Functioning and Other Issues Important for the Work of the Immigration Centre (“BiH Official Gazette” no. 105/08),
- Rulebook on Covering Expenses Incurred by the Return of Aliens and Placement of Aliens Under Supervision (“BiH Official Gazette” no. 2/09),
- Rulebook on the Obligations of Carriers, Organizers of Tours, and Similar Travel (“BiH Official Gazette” No. 17/09),
- Decision on the Minimum Means of Subsistence During the Intended Stay in Bosnia and Herzegovina (“BiH Official Gazette” no. 17/09),
- Rulebook on the Central Database on Aliens (“BiH Official Gazette” no. 25/09),
- Rulebook on International Protection/Asylum in Bosnia and Herzegovina (“BiH Official Gazette” no. 37/09),
- Rulebook on Form and Contents of the Application for Issuance of Travel Document for Refugees, Travel Document for Stateless Persons and Travel Document for Aliens (“BiH Official Gazette” no. 78/09),
- Rulebook on Standards on Functioning and Other Issues Important for the Work of the Asylum Centre (“BiH Official Gazette” no. 86/09),
- Decision on Visas (“BiH Official Gazette” no. 100/08),
- Rulebook on Issuance of Long-Term Stay Visas (Visa D) and on Procedures to be Followed When Issuing Such Visas (“BiH Official Gazette” no. 104/08),
- Rulebook on Procedures to be Followed When Issuing Visas in Bosnian-Herzegovinian Consulates and Embassies and on Technical Conditions for Issuing Airport Transit Visas (Visa A) and Transit Visas (Visa B) (“BiH Official Gazette” no. 26/09).
- Rulebook on Methods of Exercising the Right to Employment for the Persons who were Granted International Protection in Bosnia and Herzegovina (“BiH Official Gazette” no. 67/08),
- Rulebook on Methods of Exercising the Right to Education for the Persons who were Granted International Protection in Bosnia and Herzegovina (“BiH Official Gazette” no. 83/09),
- Rulebook on Methods of Exercising the Right to Social Protection for the Persons who were Granted International Protection in Bosnia and Herzegovina (“BiH Official Gazette” no. 3/09).

10.3. Institutional Framework

A. State-level Bodies

A1. Presidency of Bosnia and Herzegovina

Comprised of a tripartite Presidency with a rotating chair, the Presidency has the responsibility for conducting the foreign policy of Bosnia and Herzegovina, including the ratification or denouncement of treaties with the consent of the Parliamentary Assembly and in the pursuit of membership within international and European organizations.

A2. The Council of Ministers of Bosnia and Herzegovina

The Council of Ministers of Bosnia and Herzegovina is an executive body. It is comprised of representatives of nine national ministries and it operates at the state-level as the central government of Bosnia and Herzegovina. Its duties include the adoption or amendment of decisions, resolutions, laws, strategies and other acts. Each Minister has a Deputy Minister from a different constituent ethnic group.

The following are ministries, administrative organizations and other bodies with responsibilities directly related to migration management:

A2.1. Ministry of Security

The Ministry of Security was formed in 2003 and is responsible for: the protection of international borders; internal border crossings and regulation of traffic at border crossings of Bosnia and Herzegovina; prevention and tracking of perpetrators of terrorism, drug trade, counterfeiting of domestic and international currencies, and trafficking in humans, and other crimes of international or inter entity nature; international cooperation in all fields that fall within the responsibilities of the Ministry; collection and usage of data useful for the security of Bosnia and Herzegovina; organization and harmonization of the activities of entity ministries of the interior and the Brcko District with the goal of performing security tasks in the interest of Bosnia and Herzegovina. The Ministry of Security is also responsible for the creation, maintenance and implementation of immigration and asylum policy in Bosnia and Herzegovina; it also regulates procedures related to the movement and stay of aliens in Bosnia and Herzegovina.

The Ministry of Security makes first instance decisions on the international protection of foreigners in Bosnia and Herzegovina and is responsible for second instance decisions regarding appeals of first instance decisions made by the Service for Foreigners' Affairs and Bosnia and Herzegovina Border Police pursuant to the Law on Movement and Stay of Aliens and Asylum.

- **Bosnia and Herzegovina Border Police**

Introduced in 2000, the Bosnia and Herzegovina Border Police (originally the State Border Service) is the police body responsible for: the surveillance and control of the cross-border movement of goods and persons; the protection of state borders; the protection of the lives and health of people; the prevention of criminal acts and tracking of criminals; the prevention of illegal cross-border migration and prevention and tracking of other hazards to public security, legal system and national security. From its inception in 2003, the Bosnia and Herzegovina Border Police have been a comprising element of the Ministry.

The Bosnia and Herzegovina Border Police enforces immigration laws by: controlling the movement of foreigners across the borders of Bosnia and Herzegovina, pursuant to the Law on Movement and Stay of Aliens and Asylum; denying the entry of foreigners to Bosnia and Herzegovina when they do not meet the requirements for entry; and issues decisions, under certain circumstances, on denials of entry; issuing visas at border crossings in exceptional

circumstances as defined by the Law; annulling visas or shortening their duration; keeping records and exchanging data in this field. A foreigner can express his/her intention to the Border Police about submitting an application for asylum in Bosnia and Herzegovina.

- **The Service for Foreigners' Affairs**

The Service for Foreigners' Affairs is an administrative unit within the Ministry of Security. It has operational independency to perform duties and solve issues within its responsibilities. The Service was established to: perform administrative and inspection activities related to the movement and stay of foreigners in Bosnia and Herzegovina; issue decisions on administrative matters related to applications submitted by foreigners; and to perform other duties pursuant to the Law on Movement and Stay of Aliens and Asylum, and other laws and regulations related to movement and stay of foreigners. The Service for Foreigners' Affairs was established on October 1st, 2006.

- **State Investigation and Protection Agency (SIPA)**

The State Investigation and Protection Agency (SIPA) is an administrative organization within the Ministry of Security, with operational independence in its work. SIPA was created so to perform police duties. Its responsibilities, as defined by the relevant Law, include preventing, tracing and investigating criminal acts that fall under the Court of Bosnia and Herzegovina. In particular, SIPA is concerned with acts of organized crime, terrorism, war crimes, trafficking in humans, and other crimes against humanity and principles protected by international law. In its present capacity, SIPA began operations in 2004, replacing the 'State Information and Protection Agency.'

A.2.2. Intelligence and Security Agency (OSA)

In terms of immigration, the Intelligence and Security Agency is responsible for security checks of foreigners. The purpose of these checks is to determine Bosnia and Herzegovina's security level.

A2.3. The Ministry of Human Rights and Refugees

The Ministry of Human Rights and Refugees is responsible for: monitoring and implementing international conventions and other documents that relate to human rights and basic freedoms; defining and implementing activities fulfilling the obligations of Bosnia and Herzegovina for accession to the European Union, with particular concern for the European Convention on Human Rights and Fundamental Freedoms and its Protocols; monitoring and composing overviews on human rights standards and activities; taking care of the rights and concerns of refugees in Bosnia and Herzegovina once their status as refugees has been determined; defining and implementing the policy of Bosnia and Herzegovina in regards to emigration and the return of refugees and displaced persons to Bosnia and Herzegovina, including reconstruction projects and the provision of other conditions for sustainable return.

A2.4. Ministry for Foreign Affairs

The Ministry for Foreign Affairs is responsible for the: implementation of Bosnia and Herzegovina's policy; development of international relations; representation of Bosnia and Herzegovina in diplomatic relations; cooperation with international organizations; proposals to the Presidency related to the country's participation in the work of international organizations; preparation of bilateral and multilateral agreements; performance of duties related to the residence and protection of rights of citizens of Bosnia and Herzegovina who have temporary or permanent residence abroad and of domestic legal persons abroad; and, for the cooperation with emigrants from Bosnia and Herzegovina.

In the field of implementation of the immigration legislation, the Ministry for Foreign Affairs prepares for the Council of Ministers proposals of decisions about the states whose citizens do not need visas for entering Bosnia and Herzegovina; proposals of decisions on the countries whose citizens can enter Bosnia and Herzegovina with a document other than a passport; and proposals of decisions on exempting holders of certain types of travel documents from visa requirements.

In addition, the Ministry for Foreign Affairs issues visas through the consulates and embassies of Bosnia and Herzegovina, and decides on the extension of short-term visas (Visa C) in exceptional circumstances, pursuant to the Law on Movement and Stay of Aliens and Asylum.

A2.5. Ministry of Justice

The Ministry of Justice is responsible for administrative functions related to state-level judicial bodies and international and inter-entity judicial cooperation. It ensures that Bosnian-Herzegovinian legislation and its implementation is in accord with Bosnia and Herzegovina's obligations under international treaties. The Ministry of Justice cooperates with the Ministry for Foreign Affairs and entities in drafting international bilateral and multilateral agreements. It acts as a central coordinating body for harmonizing legislation and standards of the judicial system between entities; extradition; jobs of administrative inspections over the implementation of laws; and for issues relating to associations of citizens, and keeping records of association of citizens and NGOs that are active in Bosnia and Herzegovina.

The Ministry of Justice inspects the administrative procedures of all ministries and other civil bodies, including those responsible for migration management and asylum.

A2.6. Ministry for Civil Affairs

The Ministry for Civil Affairs is responsible for activities related to citizenship, protection of personal data, registration of domicile and residence, identification and travel documents, and other activities prescribed by the law. In terms of its migration duties, the Ministry for Civil Affairs is responsible for defining travel documents for foreigners.

A2.7. Directorate for European Integration

Formed in 2002, the Directorate of European Integration was created to direct the progress of Bosnia and Herzegovina towards EU integration. The Directorate assumed the responsibilities of the former Ministry for European Integration of Bosnia and Herzegovina. The Directorate for European Integration coordinates the harmonization of Bosnia and Herzegovina's legal system with the EU *acquis communautaire*.

A2.8. Court of Bosnia and Herzegovina

The State Court has jurisdiction over crimes violating the state laws of Bosnia and Herzegovina and inter-Entity disputes over the legal meaning and implementation of state laws. It may also preside over cases involving international treaties, and international or national criminal law.

Within its responsibilities related to crime, the Court of Bosnia and Herzegovina has jurisdiction over crimes defined by the Criminal Code of Bosnia and Herzegovina and other laws of Bosnia and Herzegovina. Within its administrative responsibilities, the Court of Bosnia and Herzegovina has the jurisdiction over appeals of final administrative decisions. Within its appellate responsibilities, the Court of Bosnia and Herzegovina hears appeals of, and decides on legal remedies, for decisions delivered by the Criminal or Administrative Division of the Court. However, the Court of Bosnia and Herzegovina does not hear appeal requests to reopen proceedings.

In terms of its immigration duties, the Court of Bosnia and Herzegovina is a body of second instance and decides appeals of international protection decisions by the Ministry of Security. This function stems from the fact that all immigration decisions adopted by the Ministry of Security are subject to judicial review.

A2.9. Constitutional Court

The Constitutional Court acts at the state level. It has exclusive jurisdiction to decide any dispute that arises under the Constitution between the Entities, Bosnia and Herzegovina and an Entity or Entities, or between the institutions of Bosnia and Herzegovina. The Constitutional Court may decide whether a provision of an Entity's constitution or law is consistent with the Constitution.

The appellate jurisdiction of the Constitutional Court is established by the Constitutional provision, which states that the Court has appellate jurisdiction over issues under the Constitution arising out of a judgment of a lower court. The Constitutional Court has jurisdiction over whether a law is compatible with the Constitution, with the European Convention for Human Rights and Fundamental Freedoms and its Protocols, or with the laws of Bosnia and Herzegovina. It may also decide the existence or scope of a general rule of public international law as it pertains to the Court's decision.

B. Entity-level Bodies

The increasing responsibility of state bodies over migration management directly impacts the role of entity level actors. Prior to the inception of the Bosnia and Herzegovina Border Police (former State Border Service in 2000), entity level Ministries of Internal Affairs (MUPs) had wide authority in migration management. This authority included border control and the operation of a 'Department for Foreigners' within each MUP. Currently, the responsibility for enforcing in-country migration management has shifted from the cantonal/regional level of each MUP to the recently established Service for Foreigners' Affairs within the Ministry of Security. The Service was established to reform an under-funded and decentralized system under which Aliens Inspectors have operated and ineffective actions resulted. The Aliens Inspectors' authority could not be exercised beyond their respective cantonal/entity boundaries. In addition, the Aliens Inspectors' powers varied according to cantonal/entity legislation. Poor communication between Aliens Inspectors and entity and state bodies resulted in a lack of harmonized activities and decentralized data.

B1. Republika Srpska

B1.1. Republika Srpska Ministry of the Interior

The Republika Srpska Ministry of the Interior is responsible for civil and security related investigations. It also supports state migration management bodies, primarily the Service for Foreigners' Affairs, in registering the arrival or departure of foreign nationals and the forceful removal of aliens from Bosnia and Herzegovina.

B1.2. Ministry of Administration and Local Government

The Ministry of Administration and Local Government performs administrative tasks relating to citizenship, registries, personal names, entity/state personal identity numbers, and other duties pursuant to the laws and regulations of Republika Srpska and Bosnia and Herzegovina.

B2. Federation of Bosnia and Herzegovina

B2.1. Ministry of the Interior of the Federation of Bosnia and Herzegovina

The Federation Ministry of the Interior is responsible for preventing, tracking and apprehending the perpetrators of: international crime, terrorism, drug trade, and organized crime. As part of its crime fighting efforts, the Federation Ministry of the Interior also initiates and announces INTERPOL, federal, and inter-cantonal searches and cooperates with attorneys' offices to investigate criminal acts. The Federation Ministry of the Interior also deals with issues relating to citizenship in the Federation of Bosnia and Herzegovina and the protection of human rights and civil freedoms.

In terms of its immigration activities, the Ministry provides support to the Service of Foreigners' Affairs in the forceful removal of aliens from Bosnia and Herzegovina.

B2.2. Cantonal Ministries of the Interior

The Cantonal Ministries of the Interior support the Service for Foreigners' Affairs in immigration matters by assisting in registering the arrival or departure of foreign nationals and, forcefully removing aliens from Bosnia and Herzegovina upon request by the Service for Foreigners' Affairs.

B3. Brčko District

The Brčko District Police's immigration duties include providing support to the Service for Foreigners' Affairs, when requested, to assist in the forceful removal of aliens from Bosnia and Herzegovina.

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