

BREAKING THE LOGJAM: REFUGEE RETURNS TO CROATIA

I. INTRODUCTION

As winter approaches in Bosnia and Herzegovina (Bosnia), conditions for refugee returns to that country become increasingly difficult. In neighbouring Croatia, by contrast, weather conditions are generally more favourable, so that, given the political will, refugees should be able to return to their homes throughout the winter months. Moreover, the Croatian government is organising a reconstruction conference next month, at which it hopes to obtain pledges of international support to help rebuild its war-damaged country. Many of the refugees from Croatia are Serbs -- of whom some 300,000 now reside in the Federal Republic of Yugoslavia and Republika Srpska -- who fled previously Serb-held regions of Croatia in the wake of the Croatian Army's 1995 military offensives. Since many of these refugees took up arms against the Croatian state, their position is in many ways akin to that of eastern Europe's German communities who fled in 1945, and Croat attitudes towards them are uncompromising.

Since the Dayton Peace Agreement (DPA) ended the Bosnian war in 1995,¹ Croatia has formally accepted the principle of refugee return. Until recently, however, the Croatian authorities failed to establish conditions that would encourage the return of Serb refugees. Following intense international pressure, the Croatian parliament (Sabor) voted to accept a Programme for the Return and Accommodation of Displaced Persons, Refugees and Resettled Persons (hereafter the returns programme) in June 1998. In this document, Croatia recognised the equal right of return for all persons who qualify as refugees according to the Geneva convention and reaffirmed its commitments on refugee return contained within the DPA. The returns programme was drawn up in co-operation with the UN High Commission for Refugees (UNHCR) and the Organisation for Security and Co-operation in Europe (OSCE). Since the adoption of the returns programme, its implementation has been closely monitored by the international community, as one of the key conditions for Croatia's integration in western structures.

This report discusses the position of Serbs in Croatia. It focuses in particular on the prospects for the implementation of the returns programme in practice, and for the return of Serb displaced persons to Croatia.² Particular consideration is given to the need for political will among the Croatian authorities to see the plan through. It contains a discussion of possible measures that the international community might take adequately to monitor progress in implementing the programme, and of the criteria upon which the plan's implementation might be assessed. The report concludes with recommendations as to appropriate responses in case the programme is not implemented satisfactorily.

¹ The General Framework for Peace in Bosnia and Herzegovina was initialled in Dayton, Ohio on 21 November 1995, and signed in Paris on 14 December 1995.

² The term "refugees" refers to displaced persons who have fled to other countries; "internally displaced persons" (IDPs) refers to those who remained inside the country; and "displaced persons" (DPs) refers to both categories.