

1998 to Radic's comments regarding the lack of occupancy rights for returnees who do not own property. The Croatian authorities must be made constantly aware that their performance is being watched.

- Practical difficulties which arise in implementing the programme should be met with insistence by the international agencies on the speedy adoption of measures to deal with them. Such difficulties, as identified in this report, include the communication of clear guidelines from the central authorities to housing commissions, the need to find alternative accommodation for temporary occupants of Serb-owned property and the enforcing of evictions against them. The international agencies should pay particular attention to the legal status of the programme, should press for any necessary clarifications and amendments to it, and should seek expert Croatian legal advice to ensure that there can be no misunderstandings. As the OSCE has repeatedly stressed, most recently in its October 1998 report to the government, a number of legal changes need to be made to equalise the status of all returnees and to provide comprehensive property legislation conducive to the returns process.
- The OSCE, alone among the international agencies, possesses sufficient human resources on the ground adequately to monitor implementation at the local level. It has, in close co-operation with the UNHCR, which is more directly responsible for registering potential returnees and assisting the returns process, maintained contact with the local housing associations, evaluating progress in implementing the programme and warning of problems, so that rapid action can be taken. This close involvement will need to be maintained well into the future, and a continued substantial OSCE presence in Croatia will therefore be needed for some time to come.

B. Prospects for Returnees

Establishing proper procedures for returns and the reclaiming of property will have limited effect if returnees and potential returnees do not see real prospects for themselves in Croatia. Actions that would help in this regard would include the following:

- While there has been an improvement in the security situation for Serbs in Croatia, considerably more needs to be done. Acts of violence and intimidation need to be seen to be taken seriously, with effective police action and charges appropriate to the gravity of the crimes. Only thus can the badly damaged confidence of Serbs in regions of return be restored. The OSCE, which has taken over the role of the UNPSG in monitoring the local police in the Danube region, should give greater publicity to cases of attacks on and intimidation of Serbs, to counter the false perception encouraged in most of the Croatian media that it is Croats who are primarily at a disadvantage in regions of return. In its response to the OSCE's October 1998 report, the government has acknowledged the need to activate the trust establishment committees. This should be given a high priority, for the contribution it can make in diffusing tensions and to a genuine integration of the Croat and Serb communities.
- Of great concern is the application of the amnesty law. Most important here is that there is complete transparency. The international community needs to ensure that only persons on the list of those excluded from the amnesty can be arrested or questioned, and that if the authorities wish to proceed against any other individuals, those cases should first be brought up with the international community, as was earlier agreed. Former Serb soldiers in the armed formations