

status of the programme, it may in certain key aspects prove to be difficult to enforce it, so as to reverse the effects of the two laws in practice. In its September 1998 report, the OSCE continued to highlight the need for further progress on property issues.

### 3. Returns under the Programme

Before the Sabor passed the returns programme, most returns which had taken place involved people who had already obtained Croatian documents, and whose return was thus relatively simple. The programme contains procedures to enable those who do not yet have Croatian documents to return. As regards the verification of Croatian citizenship, the programme refers to procedures contained in the earlier "Mandatory Instructions". This lays down a variety of documents, including expired identity cards or passports, driving licences, professional licences, birth certificates and property titles, which can be used to confirm the right to Croatian citizenship of those who do not possess valid Croatian papers. Applications for citizenship can then be approved by the Ministry of the Interior, which can also refer to records or the testimony of witnesses in Croatia. The "Mandatory Instructions" specify that a competent diplomatic mission will forward applications for processing.

The UNHCR has cited obstructions in the Croatian embassy in Belgrade as an obstacle to the faster processing of return applications.<sup>35</sup> Some among the Croatian authorities have pointed to a lack of human resources in the embassy as a possible cause of delay.<sup>36</sup> As regards the consulate in Banja Luka, consular hours began to operate in mid-July 1998.<sup>37</sup> The low numbers of applicants for Croatian papers cited by Granic notwithstanding, the Croatian ambassador in Belgrade, Zvonimir Markovic, has denied that the embassy is hindering the issuing of documents, saying that it has dealt with half of the 30,000 applications of Serbs for return.<sup>38</sup>

Difficulties in processing applications in the diplomatic missions should in any case no longer hold up the returns process. The returns programme states that persons defined by the Geneva convention as refugees who do not have Croatian documents "may return under specific ODPOR authorisation and upon clearance by the Ministry of the Interior". They may then "regulate their residence according to the law" and "resolve their citizenship status, if they so wish, through naturalisation". The reference to the possibility of naturalisation is a concern, given the repeated international insistence that it should simply be required to confirm the Croatian citizenship of refugees. Nevertheless, under the programme, refugees can now register their desire to return with the UNHCR, and the information is then passed on to the ODPOR, which processes return applications.

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<sup>35</sup> Eduardo Arboleda of the UNHCR in Belgrade, reported by Reuters, 8 July 1998.

<sup>36</sup> On this point, ICG held discussions with officials in the Croatian Foreign Ministry and in the office of the Deputy Prime Minister, Ljerka Mintas-Hodak.

<sup>37</sup> *Novi list*, 14 July 1998.

<sup>38</sup> *Novi list*, 9 July 1998.