

from around 60-70 to around 20-30 per week.¹⁴ However, the decline has mainly been in property-related cases involving Croats returning to find Serb DPs in their former homes, and reflects the departure of most of the latter. The occurrence of ethnic-related assaults and abuse has remained fairly stable according to the UNPSG, although violent incidents have increased. The UNPSG has also reported that the local police have responded adequately in most instances, although there have also been cases of police participating in or even initiating incidents. Incidents have usually only resulted in public order charges being brought, and a huge backlog of cases has built up in the courts. The UNPSG's mandate ended on 15 October 1998, when its functions were taken over by the OSCE.

The Croatian media have tended to focus on incidents in which Serbs have been the initiators. For example, great attention was given in the Croatian media to the recent case of a Serb pupil who insulted Croat pupils in school, spat on the Croatian coat of arms and destroyed a photograph of the Pope.¹⁵ However, international representatives in the region assert that in the overwhelming majority of cases it is Croats who are the initiators and Serbs the victims. Thus while insecurity remains high among the Serb community, Croats are fed the false impression of a beleaguered Croat community suffering intimidation and humiliation at the hands of the region's Serbs.

The authorities' response to incidents such as the above, resorting to placing police in schools, is indicative of the failure thus far to promote reconciliation and real reintegration. The international community has complained that the National Committee to Establish Trust has to date failed to accomplish anything.¹⁶ Moreover, a Serb member of the Trust Establishment Committee in Vukovar in October 1998 complained that the situation of Serbs was becoming unbearable, especially in areas to which Croats were returning. He asserted that Serbs faced constant threats and disturbances, which would lead to further mass departures unless things improved.¹⁷

B. Amnesty Ambiguity

On-going uncertainty over application of Croatia's 1996 amnesty law affects both Serbs who are still in eastern Slavonia and potential Serb returnees.¹⁸ The law amnestied Serbs who had participated in the armed uprising against Croatia, but did not extend its protection to people guilty of war crimes. After much negotiation, a limited list of 150 people not protected by the amnesty was issued in March 1997, 25 of whom had been convicted in absentia. The Croatian authorities also agreed that in case of any further prosecutions, the international community would be consulted first.

In March 1998 some 13,575 people were specifically amnestied for their part in the armed rebellion. This has, however, caused great confusion, as many people on the amnesty list were insufficiently clearly identified, with the result that one of them was arrested, and only released after international protests. Moreover, the issuance of a list of people included in the amnesty goes against the principle of a general

¹⁴ Kirsten Haupt, UN Liaison Office spokeswoman, quoted in HINA, 13 October 1998.

¹⁵ HINA, 30 September 1998.

¹⁶ The OSCE's September 1998 report on Croatia. In addition, in a non-paper submitted to the government in October 1998 the OSCE repeated that concrete action should be taken to implement the programme to establish trust.

¹⁷ HINA, 26 October 1998.

¹⁸ Information on the amnesty issue from the OSCE in Croatia.