

6. Returns of Non-Home-Owners

A particular point of contention between the Croatian authorities and the international community has been the treatment of Serb returnees who do not own their own property, who previously lived in socially-owned property and have now lost their occupancy rights. The programme states that such people can, upon return to Croatia, and once their status has been regulated, apply for welfare benefits like all citizens. This is not likely to encourage the return of Serbs in this category; not only would their chances of receiving adequate housing appear slim, but the experience of Serbs who have remained in eastern Slavonia suggests that numerous obstacles would be put in the way of Serbs claiming social welfare.⁵³

Further, the commission set up by the programme would, "where possible", try to find such returnees permanent accommodation where this affected the returns process. During the period of consultation when the programme was being drawn up, the international agencies pressed the need for provision for this category of returnee, but accepted the argument of their Croatian counterparts that in the circumstances it would be politically difficult to spell out too specifically that special treatment would be extended to Serb returnees while many Croat DPs were still living in collective centres. Nevertheless, the OSCE and the UNHCR stressed that they would continue to press for special attention for this category of returnee, so that they would not be disadvantaged.

In his speech to the Sabor, Radic rejected any possibility of Serb returnees regaining their occupancy rights, and rejected the interpretation of "some international representatives" (the UNHCR spokesman in Zagreb, Andrej Mahecic) that there was any ambiguity in the programme, asserting that Croatia had rejected discussion of the matter. However, Guldemann signalled that the international community will not let the matter rest, when he told the press that the question remained open.⁵⁴ The international community has continued to press the matter since then. The OSCE has described the series of laws which took away occupancy rights from departed Serbs as arbitrary and discriminatory as a result, for example, of the unreasonably short deadlines for applications to preserve the rights. The occasion for a clarification of the programme on this point could, according to the UNHCR, be provided for by the stipulation in the programme that the government should propose changes to the law so as to ensure the equal status of all returnees. Radic, however, has continued to maintain that the matter is closed, stating that Guldemann must not seek to alter the agreement.⁵⁵

⁵³ Information from the OSCE in Vukovar.

⁵⁴ *Jutarnji list*, 27 June 1998.

⁵⁵ Interview with Jure Radic in *Vecernji list*, 9 July 1998.