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UNHCR

FORMER YUGOSLAVIA LIAISON UNIT (FYLUI)

MONTHLY REPORT ON BOSNIA AND HERZEGOVINA, CROATIA
AND THE FEDERAL REPUBLIC OF YUGOSLAVIA

SEPTEMBER 1998

FEDERAL REPUBLIC OF YUGOSLAVIA AND KOSOVO SITUATION AREA

Population Displacement

New large scale population displacement took place during the month of September in and from Kosovo. Government punitive actions were mainly at the origin of these population movements, while fighting between Serbian security forces and KLA continued in several pockets of resistance. On 1 September, the village of Rusinovce, Lipjan municipality, was shelled by Serbian security forces with a death toll of four civilians and 16 seriously injured. The beginning of September saw fighting developing in the area south of Prizren, with several villages targeted. Some 20,000 people fled Government violence to the vineyards surrounding Prizren and into the city itself. A total of 35 casualties was reported. On 6 September, UNHCR was informed that police had encircled 15,000 people at Pomorac village in the Klinia-Malisavo-Orahovac triangle. Some 2,000 people were captured, men separated from their families and taken away. Later on, Government sources confirmed that 50 individuals had been detained after a sweep of the hills in Pomorac and that 50 people had been charged for terrorist activities. On 8 September, an estimated 25,000 people became displaced due to shelling of their villages south of Pec, according to UNHCR teams who witnessed the outflow - while on 9 September in the area east of Glodjane (south-east of Pec) shelling of villages caused 20,000 IDPs to move. On 12 September, in Istic, Government troops dispersed Serbian IDPs camped in the open during the previous days. Severe clashes between Serbian police and members of the Kosovo Liberation Army in the central Drenica region and Mount Cicavica area produced displacement of tens of thousands of new IDPs. A Government offensive in Mitrovica-Podujevo areas, which lasted from 14 to 18 September, affected 17 villages and displaced some 20,000 people. On 22 September, the military operations extended to villages in Obilic and Vucitrn areas, around the Cicavica mountain, with a reported population of 6,000. Following international pressure to end the campaign of military aggression against civilians and in defiance of Security Council Resolution 1199, Serbian security forces resumed, on 24 September, shelling of villages and punitive raids in the area along the Komorane-Kijevo road and in Suva Reka municipality. This lasted until 29 September, while the operation in the Cicavica mountain area intensified. On 28 September, UNHCR received reports of 15,000 new displaced persons on the move from their villages in Suva Reka municipality.

At the end of the month, it was estimated that 200,000 persons were displaced inside Kosovo, 41,800 in Montenegr^o 20,000 in other parts of Serbia, while 800 Kosovo refugees were registered in Bosnia and Herzegovina, 18,000 in Albania, 2,000 in Turkey, 2,000 in Slovenia and 1,000 in FYROMacedonia.

Humanitarian Assistance

Multi-agency UNHCR/World Food Programme (WFP)-led humanitarian convoys continued to deliver a mix of food and non-food items across the province for distribution through the Mother Theresa Society and the Yugoslav Red Cross, according to the pattern of displacement and availability of stocks. In addition to distribution of food and non-food items, ICRC continued providing hospitals and health facilities with essential medical and surgical supplies and evacuating to the capital the wounded and persons in life-threatening condition. UNICEF and WHO carried on their expanded immunisation programme.

Return and Security of Returnees

The circumstances of those who returned to their villages continued to concern UNHCR. The paramount issue for the returnees was security rather than damaged or destroyed property. UNHCR continued to receive reports of police harassment of returnees. One example of this concerned a group of 500 people in 50 families, who had returned to the town of Junik, south west of Pristina. On 7 September the Government informed UNHCR about the detention of 50 persons among a group of 450 males who had been rounded up and separated from their families during a sweep of the hills in Ponorac area. At the end of the month, UNHCR estimated that some 50,000 individuals had returned to their homes. This was assumed to be the result of the deteriorating weather conditions, rather than an increased feeling of security among the displaced. Returns were however outnumbered by fresh waves of violence and displacement. On 9 and 10 September 1998, UNHCR, USAID and the Italian Embassy were accompanied by the Serbian Co-ordinator for Kosovo to visit 9 of the 12 Humanitarian Centres established by the authorities. The Humanitarian Centre in Orahovac was found to be fully functional, with some 80 per cent of the original population having returned; many civilians were also seen in Kina and Stolica. Diakovica and Decani centres were found fully stocked, however very little returnee population was noticed around these and the other Centres, while heavy police presence was spotted in Decani and Junik.

Draft Transitional Agreement

The US draft transitional agreement on Kosovo was submitted to Belgrade and Pristina, laying down the starting position for talks between the two sides. The efforts of the US Special Envoy Christopher Hill's shuttle diplomacy between Belgrade and Pristina bore little fruit.

Security Council Resolution

The UN Security Council passed Resolution 1199 on Kosovo on 23 September 1998. The Resolution demanded an immediate cease-fire and the continuation of negotiations to end the crisis. Another document, a Warning Act by the NATO North Atlantic Council convening in Portugal was also understood by the Yugoslav authorities as an hostile one. Vojislav Seselj, the Leader of the Radical Party and the Deputy Prime Minister of Serbia said that Serbia would defend itself if NATO intervened and would not allow interference in its internal affairs.

Mass Graves Discovered

The Yugoslav authorities discovered and presented to the local and international public, including diplomatic missions in FRY, findings of several mass graves of Kosovo Serb civilians in Klocica, Glodjani and Dasiinci, and launched a media campaign.

Landmines

During the reporting period, an ICRC vehicle travelling in Kosovo hit a landmine, possibly laid by the KLA. One national doctor was killed, another seriously injured and one international staff lightly wounded. In the same area, a few days before, a Canadian Kosovo Diplomatic Observer Mission armoured vehicle hit a landmine, and turned over on its roof, slightly injuring one occupant. It was reported that a Serbian Forces light vehicle hit a landmine in the same area and five occupants were killed.

Montenegro Closes its Border to IDPs from Kosovo On Friday 11 September, the Government of Montenegro in special session decided to close its provincial boundary with Kosovo to IDPs seeking safe haven. The Government stated that 72,350 refugees and IDPs (28,000 refugees from Bosnia and Herzegovina and Croatia and 44,000 IDPs from Kosovo) were hosted in the Republic, constituting 11.6 per cent of the population. The crossing of 3,000 new IDPs that day, with news of several thousands following, apparently triggered the decision. The Government of Montenegro made clear its view that the presence of over 40,000 IDPs from Kosovo was a threat to the stability of the Republic. On 13 September, Montenegrin police transported by bus between 2,000 and 3,000 new arrivals from play to the Vimes crossing at the border with Albania. UNHCR appealed to the President of Montenegro to reopen the provincial boundary with Kosovo and to stop further expulsions to Albania. UNHCR Chief of Mission and UNHCR Special Envoy for Former Yugoslavia met with Government representatives on 14 September. The Government agreed to stop expulsions to Albania, but declined to change its position regarding the provincial boundary with Kosovo, however committed itself to a flexible implementation of the new policy in favour of vulnerable cases. Subsequent reports from UNHCR in Podgorica showed that special police units had been deployed at the provincial border and were preventing any new arrival from entering Montenegro. Reports of police harassment of new cases of Kosovo IDPs were also received.

Belgrade suspends bilateral agreements on asylum seekers.

The FRY Government suspended the bilateral agreements reached with EU countries on the readmission of "false" or rejected asylum seekers, mainly Kosovo Albanians, on the ground that the agreements provided for the use of the national air flight agency JAT. The EU decision to ban JAT's flights was put into effect on 8 September. The Government said in a statement it had also suspended current talks on readmission agreements, frozen the ratification of those already agreed, and postponed the start of others.

Official Government stance on the situation in Kosovo.

The authorities continued to deny reports of any humanitarian disaster, supporting this claim with news on the return of displaced to their homes. However, Milosavljevic - Coordinator of the State Bodies in Kosovo - admitted "that there

were some 150,000 IDPs of whom some 20,000 were living out in the open for the first time since the outbreak of conflict. Opening the session of the Serbian Parliament on Kosovo on 28 September, Prime Minister Marjanovic said that the terrorist groups in Kosovo had been defeated and that 'peace reigns in Kosovo - Metohija today'. The Parliament adopted a platform on Kosovo with a decision to form a Temporary Executive Council of the Autonomous Province of Kosovo-Metohija, appointing Zoran Djindjic - Minister of Sports and a high ranking SPS official - as the Prime Minister of the Council in Pristina. PM Marjanovic said at the session that the Serbian anti-terrorist forces would be scaled down and sent back to their bases. Speaking on the humanitarian situation, PM Marjanovic said "there is no humanitarian disaster in Kosovo-Metohija. None of that is true. All of it is lies and fabrications". At the same time clashes in the southern parts of Kosovo, in the area of Urosevac, Klina, Suva Reka were causing the displacement of thousands more civilians.

More reports of atrocities

The bodies of 16 Kosovo Albanian villagers, some of them mutilated, including elderly and children, were discovered at Gornja Obrinje. Reports clearly pointed to Serbian security forces and paramilitary units as responsible for these atrocities. The Security Council in an emergency session condemned the massacre. A fierce campaign against the UN was mounted in the local media as a consequence - which produced strong antipathy towards UN/humanitarian organisations among local Kosovo Serb citizens. The campaign included reports of statements by high JUUSPS officials. At a press conference of the Radical Party, Deputy Federal Prime Minister Seselj invited people to "lynch those who betrayed Serbian interests and sought to provoke military intervention", alarming foreign citizens, independent media, human rights and those he called "quislings" (the latter apparently aimed, inter alia, at local staff members working in international humanitarian organisations).

Expanding UNHCR presence in Kosovo

UNHCR Pristina Office expanded - three additional international and several national staff arrived. Three new satellite offices (Pec, Prizren and Kosovska Mitrovica) were established in Kosovo. Three new Field Officers arrived and were assigned to head each of the new offices. The offices started recruiting local staff. The total number of staff in Kosovo at the end of the month was 11 international, 18 local and 5 seconded staff.

Visit by John Shuttuck and Bob Dole

US Assistant Secretary of State for Human Rights John Shuttuck and President of the International Commission for Missing Persons Bob Dole, visited FRY and asked Yugoslav President Milosevic to allow international forensic experts to visit Kosovo. Senator Dole described the humanitarian situation in Kosovo as extremely bad. John Shuttuck stated he had seen "horrendous violations of humanitarian law and acts of punitive destruction on a massive scale".

UN Special Envoy for Children in Conflict

Mr. Olara Otunnu, Special Representative of the Secretary General for Children and Armed Conflict, visited FRY from 10 to 12 September 1998, in order to review the situation of refugee children from Croatia and Bosnia and Herzegovina and more especially that of the many thousands of children caught in the conflict in Kosovo. In his report, Mr. Otunnu noted, among other findings, a pattern of destruction due to

an indiscriminate and disproportionate use of force against civilian population and called for an immediate cease-fire in order to end the spiral of violence.

ICRC Initiatives

On 14 September, Cornelio Sommaruga - President of ICRC - wrote to President Slobodan Milosevic while reiterating ICRC's readiness to assist the Government in providing humanitarian assistance to the displaced, and noting the killing and kidnapping of civilians of Serb ethnicity. Mr. Sommaruga urged Milosevic to take steps to end the disproportionate use of force and deliberate destruction of property. On 19 September, ICRC exceptionally made public its position on the crisis in Kosovo by stating, inter alia, that "from a humanitarian perspective, it has become apparent that civilian casualties are not simply what has become known as collateral damage. In Kosovo, civilians have become the main victims - if not the actual targets - of the fighting." "A significant discrepancy has emerged between the policy of favouring returns and the very nature of the operations carried out by security forces in past weeks."

High Commissioner's Mission to the Federal Republic of Yugoslavia 24-28

September

During her mission to the region, High Commissioner for Refugees Sadako Ogata met with President Milosevic of FRY and President Djukanovic of Montenegro. In Kosovo she visited a group of some 2,000 displaced people at Resnik in the municipality of Vucitrn. They had recently fled from clashes in the Cacak mountains and were in a state of fear and suffering, many of them in the open air, and seeking to reach shelter. At the end of her mission, the High Commissioner reported that the pattern of human displacement was fast-changing and unpredictable, however its cause was well-established as Serbian security forces were using terror and violence against civilians to force people to flee. The High Commissioner recommended an immediate and fundamental change in the Serbian authorities' approach and urged president Milosevic to stop violence against civilians and undertake confidence-building measures such as an amnesty and the reduction of a highly visible and intimidating security force presence. The High Commissioner also referred to human rights violations by the KLA. The High Commissioner noted the significant increase in operational capacity of humanitarian actors and that co-ordination on the ground was good. The High Commissioner's report outlined UNHCR's strategy, consisting of: (1) ensure as effective as possible a co-ordinated humanitarian response; (2) promote immediate measures to increase security and confidence; (3) seek to ensure that the provisions of any political settlement, and the arrangements for its implementation, take due account of the humanitarian community's concerns. The High Commissioner concluded that Kosovo is a political problem, with devastating humanitarian consequences, for which there is only a political solution.

UN Consolidated Appeal for Kosovo Crisis.

The extension of the UN Consolidated Inter-agency Appeal for Humanitarian Assistance Related to the Crisis in Kosovo, covering the period 1 June to 31 December 1998, was issued in Geneva. Copies were distributed to donors, humanitarian agencies and NGOs in all countries concerned in Former Yugoslavia and at Geneva level. UNHCR in FRY continued to emphasise with all donors and NGOs that the refugee assistance program still required funding to continue activities planned for the remainder of 1998.

Albania

At the end of the month, UNHCR assessed that many refugees in northern Albania had been leaving Tropoje District spontaneously and moving into the southern districts of the country, mostly Durres and Tirana, due to a combination of a deteriorating security situation and adverse weather conditions. The majority of the 3,000 refugees remaining in Tropoje District continued to be accommodated with host families. Due to both the reduction of beneficiaries in Tropoje District and the worsening of the security situation in the area, UNHCR closed its office in Bejram Curri on 19 September 1998. UNHCR Tirana and Kukes continued to monitor the situation in Tropoje District, while the Head Office in Tirana continued to explore alternative options for the opening of new offices in Durres and/or Shkoder.

PROGRAMMES RELATING TO REFUGEES FROM CROATIA AND BOSNIA AND HERZEGOVINA

Elections in Bosnia and Herzegovina, Voting in FRY

According to the FRY body in charge of assisting refugees to vote in the elections in Bosnia and Herzegovina and the OSCE office, 86,206 voters had been registered among refugees in FRY. In 73 voting points established covering the territory of FRY, refugees from Bosnia and Herzegovina cast their votes on 12 and 13 September.

Go-and-See Visits

"Go-and-see" visits to Bosanski Petrovac, Grahovo and Glamoč in Bosnia and Herzegovina, (3 buses, organised by Barja Luka Co-ordination Board) were assisted by OCM FRY on 7 September. Other "go-and-see visits" to Velika Kladusa (2 buses), Cvjetici/Dvaz (1 bus), Grahovo (3 buses), Bosanski Petrovac (2 buses) took place in the second half of September.

Movements from the Croatian Danube Region

The movement of Croatian Serbs from the Croatian Danube Region continued at a steady rate. FO Novi Sad learned that the number of registered refugees had increased in the Vojvodina municipalities bordering Eastern Slavonia as many newly-arrived asylum-seekers from Croatia obtained refugee status in these municipalities. Another reason for this increase in the number of refugees in Vojvodina was the movement of refugees from other parts of Serbia to municipalities bordering the Danube Region, in order to obtain FRY local border passes enabling them to travel to Croatia. According to FO's findings, many refugees have been using this channel for spontaneous return to Croatia (mainly to former UNPF Sectors North and South), thus avoiding cumbersome procedures for repatriation, especially via the Croatian Consulate in Belgrade.

CRPC Begins Operations

In the three weeks after their opening, the Commission for Real Property Claims (CRPC) offices in Belgrade, Novi Sad and Porega received some 3,500 refugee visitors. The CRPC continued its preparations for organising, with UNHCR's assistance, a major media campaign to draw attention to its activities in FRY. The CRPC in FRY is funded by UNHCR.

Repatriation to Croatia and Bosnia and Herzegovina
Implementation of the new procedures for repatriation to Croatia progressed.

The following breakdown offers an indication of the actual pace and intensity of repatriation movements to Croatia.

31.08.98	-	55 returnees (Former Sector South - FSS)
2.09.98	-	6 returnees/5 tractors
3.09.98	-	65 returnees (Former Sector North - FSN)
7.09.98	-	66 returnees (FSS)
9.09.98	-	7 returnees/7 tractors
10.09.98	-	173 returnees (FSN)
14.09.98	-	148 returnees (FSS)
14.09.98	-	7 returnees/7 tractors
15.09.98	-	86 returnees (FSN)
21.09.98	-	73 returnees (FSS)
23.09.98	-	7 returnees/7 tractors
24.09.98	-	62 returnees (FSN)
28.09.98	-	21 returnees (FSS)
30.09.98	-	4 returnees/4 tractors

(N.B. The total cumulative number of returnees to Croatia is reported under the Croatia chapter)

The current number of Bosnian refugees repatriated from Croatia with UNHCR assistance to Bosnia-Herzegovina as of the end of September stood at 1,037 persons.

Resettlement of Refugees from Kosovo

As of 25 September, the Resettlement Unit had submitted a total of 700 cases/2,028 refugees in Kosovo for resettlement consideration. Of this number, 452 cases/1,301 refugees were accepted by resettlement countries and were awaiting departure, 126 cases/414 refugees had departed for resettlement countries. The breakdown of acceptances by resettlement country was: Australia 54 cases/174 persons, Canada 6 cases/18 persons, and USA 392 cases/1,109 persons.

BOSNIA AND HERZEGOVINA

Kosovo Asylum-seekers

The influx of Kosovo asylum-seekers into Bosnia and Herzegovina - Federation territory - continued unabated during September. As of the end of the month, 6,800 refugees were in the country, with Government estimates approaching 9,000 individuals, both registered and spontaneously settled in private accommodations, mainly with host families. The enormous cost of paying for private accommodation for these people led to a new UNHCR policy on assistance in mid-September. UNHCR started to offer accommodation in transit centres and no longer in private accommodation. UNHCR offered a subsistence allowance of 120 DEM to the Principal Applicant and 60 DEM for each accompanying dependant, if the family was found eligible. This was intended to be a form of bridging assistance until the Government assumed full responsibility. The situation reached a critical point on the

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night of 14/15 September with the occupation of UNHCR's premises by 100 Kosovars. From the night of 15 September, the refugees started to be accommodated at the Coca Cola factory in Hadzici - a suburb of Sarajevo, after President Izetbegovic issued instructions that no Kosovars would be left without shelter. However, there was little further co-operation by the authorities in the following days. UNHCR had to arrange services in all sectors - with the help of NGOs - providing water, health and special care of vulnerable groups. As of 20 September, 700 were at the factory (including 300 children under 16).

On 24 September, the Council of Ministers finally adopted the instructions on Temporary Admission of Refugees from Kosovo, thus creating an adequate legal framework for the treatment of refugees from Kosovo and paving the way for UNHCR to enter into sub-agreements with the competent authorities on reception facilities. This positive development followed many weeks of intensive negotiations, several drafts and letters - including three from the High Representative and a last-minute intervention at UNHCR's request by the US Ambassador with the Co-Chairmen of the Council of Ministers. OHR informed us that Senior Deputy High Representative, Hans Schumacher, also made a very strong intervention to get the instruction adopted at this session of the Council of Ministers.

Impact of Elections on Minority returns

The second national elections in post-Dayton Bosnia and Herzegovina were conducted peacefully over the weekend of 13 and 14 September. The voter turn out of over 70 per cent was extremely healthy, and despite a number of what officials described as 'little irregularities', there was no major incident. Election results were received with mixed feelings by representatives of the international community at the end of the month. The impact of the results on the return process, and particularly on minority returns, is still being evaluated. In general terms, while some opposition parties gained in strength, much will depend now on the formation of the new governments, particularly in the RS. This will be key to opportunities for minority returns and to implementing Annex 7 of the Dayton Agreement, notably in the RS. It was however immediately sensed that concerted efforts on the part of the international community will continue to be required.

Civilian Implementation and Minority Returns

On 10 September, the Chief of Mission, Barry Rigby, attended a dinner of the Principals with NATO Secretary General Solana and NATO SACEUR General Wesley Clark during their 24 hour visit to Bosnia and Herzegovina in the context of the local elections. Discussions focused broadly on progress in the implementation of Dayton and future directions, including the need for electoral reform, the economy, progress on the return of refugees and DPs and future NATO involvement. The High Representative noted that there will have to be a visible redoubling of efforts by the international community immediately after the elections, which had caused an inevitable political stalling effect. In acknowledging the disappointment of the international community over slow progress with minority returns, B. Rigby emphasised the obstacles presented by many elected leaders and others behind the scenes who obstruct returns that the majority of ordinary citizens would otherwise accept. Overcoming this resistance and carrying out the necessary negotiations to achieve returns in villages and neighbourhoods is a labour-intensive, time-consuming task which will need years of international commitment, with a significant linkage between the economy and sustainable return.

On 27 September, Artur Torbjørnsen, DCMB, attended a meeting of the Principals with visiting US Secretary of Defence, Cohen, who was accompanied by SACEUR General Wesley Clark and US Ambassador to Bosnia and Herzegovina Kauzlarich. Secretary Cohen's main message to the Principals was that 'civilian implementation of Dayton is much too slow'. The High Representative clarified that the slow pace of civil implementation in this country was not due to a lack of international coordination, but to a fundamental lack of political will among local authorities to facilitate this implementation, including refugee/DP returns. This has been in turn linked to a continued fragile security environment, where SFOR plays a major role. The target figure of 50,000 minority returns in 1998 was discussed. A Torbjørnsen acknowledged that the obstacles to achieving this target: the difficulty of establishing a legal framework for return (property legislation, laws on refugees, DPs and repatriates, and immigration law) compounded by the lack of political will among the authorities at all levels, should not be under-estimated.

In spite of political resistance, minority returns, both registered and unregistered continued along different axes. Progress was made in Western RS. Visits and house-clearing in two villages in Doboj and Brod Municipalities represented a breakthrough - given the hard-line nature of the local authorities. In Eastern RS, Zvonik municipality witnessed the establishment of a stable dialogue between the authorities and a group of DPs who had been pushing strongly for return. Despite strong opposition to return by extreme elements of the local population, the on-going dialogue, coupled with the co-ordinated support of the international agencies and the DPs' willingness to return within the framework of a staged return plan, enhanced the likelihood that an orderly and safe return will take place in future. The sustainability of the minority return process and the willingness of the ethnic majority community to 'absorb' minority returns continued nevertheless to depend on the decisive and concerted negotiating action of international actors.

In the Posavina Canton, the main news item was the dismissal of the Mayor of Orasije by the High Representative, and the subsequent removal of 11 candidates from the HDZ Posavina list. The Mayor's opposition to minority returns was, inter alia, a factor in his dismissal.

The recent slow down in minority return movements within Southern Bosnia and Herzegovina, which had seen substantive successes in July and August, appeared to be clearly linked to the elections. UNHCR's Mostar office was approached by several DP groups from each of the constituent communities, who indicated their intention to return after the elections. The serious shortfalls in material assistance in support of recent minority returns in this region were the focus of discussion at the Regional Return Reconstruction Task Force meeting held in Mostar on 10 September.

Property-related issues

On 15 September 1998, the High Representative adopted as an interim measure a Law on Amendments to the Law on Cessation of the Application of the Law on Abandoned Apartments which effectively extended the deadline for filing claims for repossession of socially-owned apartments in the Federation from 04 October 1998 to 04 April 1999.

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MISSION DU DOKTERK GENEUE + FLYGININSESR

On 17 September 1998, the High Representative adopted as another interim measure a Law on Amendments to the Law on Taking Over the Law on Housing Relations which similarly extends the parallel deadline contained in that Law for a further six months.

As a result, pre-conflict holders of occupancy rights for apartments in the Federation of Bosnia and Herzegovina now have until April 1999 to file a claim for repossession of their apartments, since the six month period was changed to a twelve month period. If pre-conflict occupancy right holders do not file a claim by this time, their occupancy rights will be permanently canceled. The procedure for filing a claim remains the same.

The amendment related only to socially-owned property in the Federation. There is still no deadline for filing claims for privately-owned property in Republika Srpska. Equivalent laws for Republika Srpska have not yet been passed.

As a result of these amendments, it has become essential that the Federation Law on Sale of Apartments with an Occupancy Right (which allows people to purchase apartments for which they have a permanent occupancy right) is also amended to take into account the extensions contained in the above Laws. These changes will be discussed with the new Government - once constituted after the recent elections.

This was the first time that the High Representative used his "Bonn" powers to amend existing legislation. The imposed amendments will remain in place until the new Parliament formally passes amendments to the Laws in the same terms. The High Representative came under some criticism from the Federation Government for imposing these amendments, but, as the old deadline would have expired before any new Parliament was formed, he had no choice but to do so - in order to protect the rights of refugees and displaced persons under the Peace Agreement.

A new information sheet for public distribution was also released with the relevant information concerning the extension of the deadline.

CROATIA

The Danube Region

On 25 September, UN Secretary-General Kofi Annan released his report on the UN Police Support Group in the Danube region. The report concluded that the Support Group will be able to terminate its operation on 15 October 1998 - as scheduled. The Secretary-General noted an improvement in the performance of the Croatian police in the Danube region over the last three months and commented positively on the role that international monitoring and advice had played in securing this improvement. At the same time, the report indicated that this improvement in performance was not sufficient by itself to offset the range of outstanding problems which continued to create a climate which fostered ethnic hatred, intolerance and intimidation. The report noted the importance of continued international police monitoring to sustain local confidence.

A number of issues in the Danube Region remained unaddressed by the Croatian authorities, such as the continuing inter-ethnic incidents, poor judicial follow up to

reported incidents, and a lack of progress in the implementation of the Programme for National Reconciliation.

The number of DPs who returned from the Danube Region to other parts of Croatia under the Joint Working Group Agreement stood at the end of the month at 1,808. Some 5,000 Serb DPs had remained in the Region. ODPB reported that, as of 24 September, 18,597 individuals had obtained returnee status upon their return to the Danube Region.

Voluntary Repatriation of Minorities to Croatia and Implementation of the Return Programme

Repatriation movements from FRY to Croatia continued during the reporting period. As of 27 September, ODPB informed that 13,374 individuals had applied for repatriation to Croatia; 1,116 had returned under the logistics arrangements of the programme; 797 had returned with their own means - after having obtained Croatian temporary travel documents (30 days validity). Therefore, a total of 1,913 individuals had returned from FRY in an organised manner as at the end of the month, while the cumulative figure of persons returned from FRY to Croatia after the launch of the Programme stood at 2,904. The returns, which went smoothly and saw good co-operation from ODPB, were to Knin, Sisak and Karlovac. Despite the fact that there were cases of 'easy' return, reintegration remained problematic, due to a shortage of essential assistance items, including food, which UNHCR was unable to provide due to its regional funding shortfall. Monitoring trips by OSCE, UNHCR and ECMM revealed that the so called "easy cases" (refugees returning under family reunion or going back to their own empty houses) were in fact difficult ones. Many of these cases were seen returning to houses where all basic equipment had been looted, damaged or removed and replacement items, urgently required to allow people to restart their lives, were simply not available from the resources of the international community. Mounting concern was expressed by members of the international community about sustainability of these movements should the present funding shortfall continue to affect UNHCR in providing emergency shelter assistance and immediate re-integration assistance. The international community remained nevertheless committed to the principle that granting equitable access to state-funded reconstruction opportunities to all citizens, and economic rehabilitation of return-concerned areas, remain the primary responsibility of the Croatian authorities.

Several 'go-and-see' visits took place during the month from Croatia to Bosnia and Herzegovina - Federation territory and from Bosnia and Herzegovina - Republika Srpska to Croatia.

The Joint Working Group convened in Zagreb on 10 September, this time to discuss issues related to the implementation of the Government Return Programme. Multiple occupancy, which is declared illegal under Article 10 of the Programme on Return, was also highlighted as an outstanding issue, with a separate meeting on this topic to be held. It was noted that the first meeting of the Croatian Government's Return Commission had taken place few days before and that its report would have followed.

At a further meeting of the Joint Working Group on 17 September, the main point of discussion was the issue of the Housing Commissions. The international community

as a whole continued to press for clear and transparent written instructions to be issued by the Croatian authorities on procedures related to the repossession of occupied property by legitimate owners and reconstruction of damaged/destroyed houses. The meeting agreed that travel papers and voluntary repatriation forms could substitute for Croatian documents. On the issue of monitoring the work of the Housing Commissions, UNHCR continued to be of the strong view that the international community should serve only as an observer. OSCE would prefer greater involvement and scrutiny, a position supported by the Croatian authorities which would like international organisations to share responsibility on controversial property-related issues.

The Return Facilitation Group (RFG) met for the first time on 17 September. The meeting went well and established the terms of reference and an operational plan. The OSCE Head in Zagreb called for acceleration of Croat returns to RS to balance the Serb returns to Croatia from FRY. UNHCR reminded the meeting about the unconditional nature of the right to return and the danger inherent to introducing a principle of reciprocity, which so far had been strongly advocated by the Croatian authorities themselves in an attempt to politicise the return process.

Implementation of the Amnesty Law and Return

UNHCR initiated discussions with the recently appointed Minister of Justice, Mr. Ramljak, to identify the names of those granted amnesty under the Amnesty Act, in order to ensure that potential returnees are able to make a well-informed choice and that full transparency is upheld by the Croatian authorities in implementing the Law. This list had been requested from the previous Minister and denied. This time, there was agreement that the information would be shared with UNHCR within a few weeks.

Marco Roggia

External Relations Officer

Former Yugoslavia Liaison Unit

22 October 1998