



Refugees

Before the war, minorities coexisted peacefully in Croatia and Croatian Serbs were well integrated in society, to the point of not even constituting an official minority. The war changed many things in Croatia and one of the negative aspects was the suffering experienced by the Serb civilian population.

Approximately half of the 700,000 Croatian Serbs who lived in the country left, basing themselves primarily in Vojvodina. After the conflict, some of the refugees, around 130,000 people, returned to Croatia, while a similar number settled in Serbia. The rest - around 80,000 - were accommodated in around 500 collective centres in the vicinity of Novi Sad, of which 89 still remain.

Eleven years after the opening of the OSCE Mission to Croatia, which has always given a high priority to the issue of return and integration, the Head of Mission officially visited the 'Planum' refugee centre in Nova Pazova, Vojvodina, together with several leaders of governmental and NGO refugee associations.

The result of the visit was extremely instructive and, in synthesis, showed the limits of efforts made by Croatia and Serbia. Zagreb has shown good will in trying to provide for the return of refugees to their places of origin, but it has fallen short of the mark - at least for the moment - in managing to create the conditions necessary to stimulate return: houses are not yet constructed and will not be at least until 2010, the socio-economic environment does not stimulate return and reconciliation is not yet a widespread reality.

On the other hand, Serbia cannot demonstrate an entirely favourable

track record regarding the integration of refugees. Eighty thousand refugees live in modest conditions in large cabins, without kitchens, bathrooms, showers or hot water. And yet, refugees feel thankful to Serbia which, in spite of the difficult post-war conditions, has managed to give refuge to people destitute of everything.

wider region affected by this cruel war.

Following the enormous and commendable effort made by the Serbian province of Vojvodina, these centres concentrate half of all refugees in the country, accommodating the young, adults and elderly people.

Ambassador
Jorge Fuentes
with the six-
month
old baby born
in the collective
center in
Vojvodina



One should not forget that this involves innocent people, not criminals and, in the main, not even ex-combatants. They fled from fear of becoming victims of a war they neither initiated nor wanted. Now many of them do not know if they want to return to Croatia, remain in Serbia or emigrate to a third country where they may not necessarily be welcome.

The International Community has a debt of solidarity towards those refugees. Croatia has a duty to welcome them if they decide to return. Serbia has an obligation to improve their accommodation if they want to give up their refugee status and integrate themselves definitively. The international community also has to try to assist both countries and the

In 'Planum' there is also a six-month old baby, who is growing up as a cheerful, healthy and robust princess. It is urgent that she and all babies in the centres can mature and develop in normal conditions and that they do not have to think that overcrowding, cold water and shortages constitute normal living conditions in the prosperous continent of Europe.

Ambassador Jorge Fuentes,
Head of Mission

Calendar

2 February - Meeting with Belgian Minister of Foreign Affairs Mr. Karel De Gucht, together with Amb. Vincent Degert, Head of EC Delegation to Croatia, Mr. Jean-Claud Concolato, Head of UNHCR Office and Thomas Ossorio Head of the ICTY office in Zagreb.

8 February - Conference on 'Establishing Truth after Armed Conflict', opened by President Mesić, organized by Documenta - Centre for Dealing with the Past, the Humanitarian Law Centre in Belgrade and the Research and Documentation Centre from Sarajevo

9 February - Meeting with Minister of Science, Education and Sports, Dr. Dragan Primorac

12 February - Meeting with Prime Minister Dr. Ivo Sanader and State Secretary Mr. Hidajet Biscevic

13 February - Morning Briefing with Minister of Interior, Mr. Ivica Kirin

16-17 February - Visit to Collective Center "Planum" in Nova Pazova, AP Vojvodina and several meetings in Belgrade and Novi Sad

19 February - Working lunch with the Assistant High Commissioner (UNHCR) Erica Feller, Deputy Director of Regional Bureau for Europe Udo Janz and J.C. Concolato

23 February - Plenary meeting with Minister Grabar Kitarović, State Secretary Bišćević, A. Palarić,

27 February - Retreat on the implementation of the Law on Foreigners, Hotel Millennium, Opatija, organized by R&I Unit (Minister of Interior and Head of UNHCR also attending)

28 Feb-1 March - Field visit to FO Gospić with Austrian and Spanish ambassadors

Activities

OSCE roundtable in Opatija

Come back and stay: Police study new mechanism to regulate returnee status.

On 27 and 28 February, the Mission, in co-operation with the Office of the United Nations High Commissioner for Refugees in Croatia, organized a two-day meeting in the coastal town of Opatija to encourage uniform implementation of the Law on Foreigners. This should assist nearly 2000 pre-1991 habitual residents of Croatia to obtain Croatian citizenship for the first time. Senior officials from the Ministry of Interior and the Ministry of Maritime Affairs, Tourism, Transport and Development attended the meeting along with representatives from the Croatian Institute for Health Insurance and 35 police officials directly responsible for implementing relevant provisions of the Law on Foreigners.



Ministry of Interior employees participating at a workshop held in Opatija, 27 February 2007

Police officials appreciated the possibility to get involved in the detail of the new scheme, defined by Article 47 (3) of the Law on Foreigners. What is more, they were able to analyse various individual cases they might encounter in the field, and were advised on the way to handle them. Under the previous mechanism (Art. 115 of the same Law) the Mission noted that various cases were treated differently by Police Administrations in different parts of Croatia.



(L-R) Žarko Katić, Assistant Minister of Interior, HOM, Jean Claude Concolato UNHCR representative and Ivica Buconjić, State Secretary at the Ministry.

Provided that the mechanism is implemented uniformly and with the necessary safeguards, this new measure should allow for the permanent resolution of this issue and the eradication of de facto statelessness for people with genuine and authentic links to Croatia. They are the beneficiaries of the new system, which would open them the doors to obtaining citizenship.

Magdalena Spalinska, R&I Officer

Farewell to our dear colleagues



HOM and Jasmina Kovačević, HOM's secretary, presenting Mark Fawcett, former Head of the Executive Office with a farewell gift, 26 February 2007.



HOM and the Mission members at the farewell gathering for the former Spokesperson Antonella Cerasino at the MHQ, 9 March 2007.

VIP gallery



Partial view of the Gallery of personalities that have so far visited the Mission: The President of Croatia; the Prime Minister; the OSCE Secretary General; the Ministers of Foreign Affairs, Development, Justice, Environment, Interior, Supreme and Constitutional Court Presidents; HRT Director General; HINA Director General; Zagreb and Velika Gorica Mayors; Chief State Attorney; the Ombudsman; Police Director General; Serb minority MP; Opposition MPs; Rector and the President of the Institute for International Relations (IMO)...

Feature story

Refugees...



HOM and Ratko Bubalo, renowned activist for the civil rights of Croatian Serb refugees in Serbia, 16 February 2007.



Meeting in Novi Sad with the Executive Committee for Refugees and IDPs of Vojvodina, 16 February 2007.



Ambassador Hans Ola Urstad HOM OSCE Serbia, Ambassador Jorge Fuentes HOM OSCE Croatia, Lennart Kotsalainen UNHCR Representative in Serbia visit the collectiv center 'Planum' in Stara Pazova, Serbia, 16 February 2007.

On 16 February, the Head of Mission paid a visit to Vojvodina aimed specifically at familiarizing himself with the situation facing Croatian Serb refugees still awaiting a durable solution to their twelve year displacement agony. The visit was facilitated and organized by the OSCE Mission to Serbia whose HOM Amb. Urstad kindly joined the trip together with the Head of the UNHCR office in Serbia Mr. Lennart Kotsalainen and the Serbian Ambassador to Croatia, H.E. Radivoj Cvetičanin.

The first and probably most significant stage of the visit took place in the collective center 'Planum' in Stara Pazova around 30 km from Belgrade. This is one of the 90 remaining official collective centers in Serbia officially under the administration of the Serbian Commissioner for Refugees and still hosts around 40 Croatian Serb refugees mainly from the area of Knin. The conversation with them was a bit unusual for a mission member from Croatia. Virtually none of them were interested in returning to Croatia or had a particular demand or problem with the Croatian administration (apart from one lady experiencing problems with the re-categorization of her destroyed house and the delay in the issuance of citizenship certificate). The rest of the refugees of the collective center were mainly relying on the provision of housing by the Serbian authorities which should materialize through the construction of social housing funded by the Council of Europe Development Bank.

The living conditions at the 'Planum' were undoubtedly much poorer than in most collective centers in Croatia. In particular the lack of toilets and showers made it look more precarious. In Novi Sad, more precisely in the seat of the Autonomous Province of Vojvodina, the international delegation met with the Executive Committee for Refugees and IDPs of Vojvodina. Of particular importance in this respect was the announcement of the creation of a fund to facilitate the local integration of Croatian Serb refugees in Vojvodina through the purchase and allocation of small farms to a limited number of refugee families (at least 50 in the course of 2007).

The last and very illustrative stage of the visit took place in the late afternoon in the premises of the Humanitarian Center for Inter-ethnic Tolerance with Mr. Ratko Bubalo, one of the most renowned activists for the civil rights of Croatian Serb refugees in Serbia. Mr. Bubalo gave an impressive overview of the problems faced by refugees in Vojvodina in particular related to their difficult access to housing, documents and pension rights. In this respect it was not surprising to denote that the problems faced by refugees in Serbia do not differ from the ones of returnees to Croatia but are probably more aggravated by the psychological burden of finding themselves in exile.

Christian Loda, Head of the R&I Unit

... and Returnees

Although the overall conditions for returnees in the Zadar hinterland have been steadily improving over the last couple of years, young people in particular are still facing an uncertain future due to scarce job opportunities. Unemployment rates in the areas of Gračac and Obrovac range between 40-60%. Serb returnees are rarely able to sustain themselves economically. In choosing between staying on and leaving to make a living elsewhere, those who decide to stay often give in completely to the difficult living conditions, in many cases losing the will to undertake initiatives. Rigid family structures reinforce these attitudes.

For a grass-root perspective, Goran Zelić, a 21-year old Serb returnee to the village of Bogatnik in the vicinity of Obrovac, has shared his thoughts and plans for the future with FO Zadar.

After returning from Serbia where he spent a couple of years during and after the war with relatives in Belgrade and Novi Sad, Mr Zelic attended a local high school. However, as he feels he had been constantly subjected to discrimination, he dropped out with two years left before graduation.

Nevertheless striving to maintain a positive attitude, Goran feels that ethnic tensions in the area on the whole are calming down. But although inter-ethnic cooperation and tolerance has made significant progress over the last years, Mr Zelic still does not have many friends of Croat ethnicity.

With the limited possibilities to make a living, Goran however does not consider leaving again for Serbia. Although his two sisters and numerous relatives are living in Belgrade, he says that people there tend to treat him like an unwanted foreigner and so he prefers to stay on.

Like many other young people in the area, Goran has never visited any country outside the territory of the former Yugoslavia and even though he has considered going abroad to work, he feels that the prospects of making a living in another country, where he would have to learn other customs and languages, are not that promising without proper education.

Expressing a keen interest in IT and considering a possible career within that field, Goran does however not own a computer of his own. Given the growing importance of computer literacy and the economic potential inherent in IT, the staff of FO Zadar has collected money and donated a fully equipped computer to him. Hoping that this will prove a useful tool through which he will be able to more actively take the future into his own hands, we wish Mr. Zelić all the best.

Goran Obrovac FO Zadar



A delegation from the OSCE Mission to Croatia and the OSCE Mission to Serbia visit a collective centre in Nova Pazova, Vojvodina, 16 February 2007. The centre is home to some 30 refugees, mainly from southern Croatia.



Serbian Ambassador to Croatia, Radivoj Cvetičanin and HOM in Stara Pazova, 16 February 2007.



L-R: Carl Lindstrand (Intern), Michele Sabatini R&I Officer and Goran Zelić, browsing the Internet on a new computer.

Activities

Croatian judges better equipped to deal with changing law environment

As part of the 2006 Rule of Law Project Fund, the OSCE Mission to Croatia funded the purchase of legal literature to Croatian courts, so the judges and prosecutors could be better equipped for the changing legal environment. In order to help developing judges' practical skills in the areas of civil and criminal laws, the donated books will serve as a reference in their work.

Changing legal environment and need to adapt

Over recent years, Croatia had to go through a process of transition and the weight of transformation did not bypass the judiciary. Croatian judges continuously have to adapt to the changing legal environment and to apply laws in conformity with international human rights standards.



FO Gospić members donate legal literature to Lika courts, Gospić, February 2007

'The process of adjusting Croatian legislation to EU standards requires a need for constant professional improvement of our judges, who obtain knowledge from conventional legal sources, court practice and, of course, from the legal literature which the OSCE made available with this valuable donation', stated Dubravka Rudelić, President of the Gospić County Court.

Donation of legal literature

Over the years, the Mission field offices have noticed that local courts and prosecutors, mainly in war-affected areas, lack basic legal literature. Therefore, a donation of legal books, particularly ones containing commentaries of laws, was very welcome among courts receiving the donation. 'In late January the Mission provided €3,300 for legal books, which were purchased with left over Rule of Law project funds at the end of 2006 for field offices in Gospić, Karlovac, Sisak and Pakrac, which distributed them to the courts in their AORs', stated Mary Wyckoff, Head of Rule of Law at the OSCE Mission. 'The amount of money was small, but clearly means a lot to these local judges who frequently get left out of the big reform plans.'

'The main purpose of the donation is to improve and ease the work of the courts', stated Sandra Horina, Head of the OSCE Field Office Gospić during the hand over.

A degree of professional knowledge

Only a quality judge, as bearer of legal authority, can be independent and unbiased in his/her work. One of the elements for assessments of his/her qualities is a degree of professional knowledge, which she/he is obliged to upgrade while holding a judge position. 'We are very happy to receive this donation. Namely, besides the essential need for professional improvement, our judges have also an intellectual wish for taking up modern achievements in the field of legal science and practice', stated Tatjana Radaković-Basić, President of the Gospić Municipal Court.

The donated literature will certainly help them in this purpose.

Vladimirka Telenta
Senior Programme Assistant



The Vinodol Law

which primarily protects interests of feudalists.

The Vinodol Law comprises innovations in different branches of law: administrative law, penal law and process law. It is an important monument of the old Croatian common law, and at the same time it reveals the process of feudalisation in Croatia and provides evidence of the high level of social development of the Vinodol area in the 13th century.

The Vinodol Law was brought in during the reign of the Frankopans, in 1288. It is one of the most valuable historical and judicial documents. It is written in the Croatian language and in Glagolitic script. The Law was composed by a special commission which was selected by the representatives of nine castles (county districts) of Vinodol and by the assembly of inhabitants of Vinodol. It concerns the law



Drivenik Castle in Vinodol, Primorsko-goranska County, one of the nine castles whose representatives signed the Vinodol Law

Return and Integration Unit

The exodus of some 300,000 Serbs from Croatia in the aftermath of Croatian offensives in 1995 was an event of enormous proportions for such a small country. It is still looming over the destinies of people who joined refugee trails at the time, and shapes Croatian reality twelve years after the war.

When the Serbs fled, their property was often looted and destroyed in war activities, together with most of the infrastructure. Later, their empty houses were used to house Croat refugees, who had also fled for their lives from neighbouring Bosnia and Herzegovina. Abandoned Serb communal flats were taken over by the Croatian authorities.

The Return and Integration (R&I) Unit is working with the Croatian authorities to resolve all these issues. The goal is to ensure the best possible conditions for return to all Serbs who would like to do so – one of the most important mandate tasks of the OSCE Mission to Croatia.

The R&I Unit was formed in 1998, when return to Croatia was formally opened by the Government. As the problems decreased in urgency over the years, as legal and administrative mechanisms were put in place and most interested refugees came back to Croatia, the R&I Unit was gradually able to downsize. Currently there are 18 local and international mission members deployed in the R&I Unit, four of them working in the Mission Headquarters under the direction of Christian Loda, the Head of the Unit, who succeeded long-time R&I chief Axel Jaenicke in November 2005. The rest of the team are observing the process of return in the field offices throughout the country's war affected territory.



(L-R): Vera Milovanović, Nevenka Lukin, Magdalena Spalinska and Maja Andrić-Lužaić

The Unit tackles some of the key issues of the complex return phenomenon. Firstly, the Unit works on access to

housing, which is the basic precondition for a dignified return. With no home to live in, return cannot even start.



The Mission's Return and Integration Team

In this context, the Mission advised and monitored the huge reconstruction endeavor. Some 190,000 houses were damaged in war activities in Croatia, and almost all of them have been rebuilt to date. Despite our efforts, the conditions of the Law on Reconstruction have been defined in a strict manner, resulting in many returnees being unable to benefit from this valuable and quick form of state assistance. Many of them had to apply for various forms of housing care to repair their destroyed abodes – with the result that they are still waiting for assistance, as housing care programs are not fully operative and lucky beneficiaries are few and far between.

After more than ten years, private property repossession is also coming to its end, with some hundred private houses still occupied in Croatia (from the initial number of some 19,000 properties). The Government has made first welcome steps in solving post-repossession issues: it has repaired the initial group of 400 houses damaged by temporary users. It has recognized its responsibility in settling the temporary users' claims for unsolicited investments in Serb houses, where the owner had no knowledge nor gave any agreement to works on their properties.

After years of lobbying, the OSCE with its international partners have managed to convince the Government to provide a housing solution to the former Occupancy-Tenancy Rights (OTR) holders who fled from the areas not directly affected by war activities (mainly bigger cities like Zagreb, Split, Zadar, Osijek, Karlovac, Sisak). Now, people whose communal flats were taken over by the state, and who want to live in Croatia, can apply to receive apartments to compensate for

their loss. The R&I Unit is closely following the implementation of this program, in addition to monitoring the flat provision for ex-OTR holders from the formerly occupied territories (which is a separate program).

The R&I Unit is also active in ensuring that returnees enjoy access to a variety of rights, to strongly embed them into the social fabric after coming back (mainly the regularization of citizenship and the status of permanently residing foreigners). Also, the Unit is in contact with the Government, local authorities and various donors on the complex task of amelioration of basic infrastructure. Due to the Unit's lobbying, in many returnee houses there is electricity again, people received access to water and enjoy better roads.

The European Union has put the resolution of return-related issues high on its list of pre-accession conditions for Croatia. Much has been done so far, including an important regional initiative under the Sarajevo Process where the countries affected by the refugee problem – Croatia, Bosnia, Montenegro and Serbia – decided to put their forces together to close the refugee file.



Christian Loda, Head of the R&I Unit during the visit to the Collective Centre in Vojvodina

Yet some aspects of return to Croatia still call for decisive Government action. Many returnees have been waiting for too long for a roof over their head, struggling to integrate into the country they fled in such dramatic circumstances. OSCE appreciates that the full integration of each and every returnee will take time – maybe even until the country enters the EU. However, the R&I Unit insists it is essential that mechanisms guaranteeing this full integration are put in place in the shortest possible time.

Magdalena Spalinska
Return and Integration Officer
OSCE Mission HQ

Photo gallery



OSCE Secretary General Marc Perrin de Brichaumbaut speaks about OSCE objectives in 2007 at MHQ, 1 March 2007.



Interior Minister Ivica Kirin during his visit to MHQ spoke about the Ministry's achievements and implemented reforms during his mandate, 13 February 2007.



HOM and former Spokesperson meet HINA Director General Smiljana Škugor-Hrnčević at the MHQ, 31 January 2007.



Ambassadors of Spain and Austria accompanied by HOM at the field trip to the Gospić area, 28 February 2007.



Antonella Cerasino's farewell lunch included as guests the outgoing HRT Director General, State Secretary for Culture, HND President and other distinguished Croatian journalists



The issue of demining in Croatia was the topic discussed with Dijana Pleština, Councillor for demining at the Foreign Affairs Ministry, 16 January 2007.