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PROGRESS IN AND PROSPECTS FOR SUSTAINABLE RETURN  
AND SOLUTIONS IN THE FORMER YUGOSLAVIA

I. OVERVIEW

1. This paper provides a summary review of developments in 1998, and particularly since the Humanitarian Issues Working Group (HIWG) meeting on 26 June 1998, and of the prospects and requirements for 1999. Near the end of the third calendar year after the conclusion of the General Framework Agreement for Peace (GFAP), some 1.7 million persons remain displaced after the earlier conflicts in the former Yugoslavia, and over 300,000 of those displaced this year by the conflict in Kosovo have yet to return to their homes. In the implementation of the GFAP, projections in mid-November suggest that 200,000 persons will have found solutions within the region in 1998. This includes only some 35,000 minority returnees to and within Bosnia and Herzegovina and some 20,000 Croatian Serb returnees. An overview of the figures is given in the table and map at the end of this note.

2. These figures -- like the estimated cumulative total of only some 125,000 minority returns -- illustrate the continuing reluctance of the parties to "ensure that refugees and displaced persons are permitted to return in safety" and to "take all necessary steps to prevent activities within their territories which would hinder or impede the safe and voluntary return of refugees and displaced persons", in the words of Annex 7 of the GFAP. Minority return is recognized as the key test for the success of the GFAP, a test that the parties have conspicuously failed to date.

3. The progress in the region during 1998 has again been the direct result of an extraordinary level of engagement and commitment by the international community and, when needed, intense pressure and direct intervention. Of critical importance has been, and will continue to be, the work of the High Representative and his Office (OHR), the Stabilization Force (SFOR), the United Nations Mission in Bosnia and Herzegovina (UNMIBH), the several long-standing Organization for Security and Cooperation in Europe (OSCE) Missions in the region (and the new OSCE Kosovo Verification Mission), and recovery and development assistance programmes, including the work of the Reconstruction and Return Task Force (RRTF) in Bosnia and Herzegovina, its members and its counterpart in Croatia. The real onus lies, however, with the governments and authorities at all levels in the region.

4. The meeting of the Peace Implementation Council (PIC) in Madrid on 15 and 16 December 1998 will further the international community's long-term strategy for the region and especially for Bosnia and Herzegovina: democratic reinforcement at all levels of society; the entrenchment of the rule of law and human rights; and, most significantly in this context, self-sustaining minority return. There will almost certainly be resistance and turbulence in meeting these goals, requiring a strong international presence, including a military one, until peace is indeed self-sustaining. The hopes of all those who, even after so long, still remain determined to go home both demand and justify such a commitment. Many see 1999 as their last chance.

## II. MAJOR DEVELOPMENTS IN 1998

### A. Bosnia and Herzegovina

5. Over the year, there have been several significant gains, reported on in detail by the High Representative to the Security Council<sup>1</sup> and the Steering Board (SB) of the PIC. The outcomes of the national elections, conducted peacefully in September 1998, are unlikely to deter continued minority return, despite the election to office of some nationalists opposed to return and a radicalization and polarization of positions immediately before and after the vote. In 1998, there has been a significant improvement in freedom of movement (largely due to the successful introduction of common vehicle license plates) and some strengthening of institutions and programmes working towards democratization and human rights. Much remains to be done in the area of employment creation, and more progress is needed before dependency on humanitarian assistance is eliminated. The return of minority councillors and recently of minority police was adopted as a priority by the international community through the RRTF to help encourage minority returns and foster multi-ethnic institution building.

6. Although in lower numbers than expected, minority returns are taking place. Most importantly, the determination of individuals and families to return, including to places that have experienced violence over the last year, remains strong. There has been a sharp overall increase in assessment visits and other preparations for return, but the process remains far from self-sustaining. Recent violent attacks in some Croat-controlled areas have again illustrated its fragility: some of the returnees affected are considering going back into displacement.

### B. Croatia

7. Parliamentary approval was given to the Government's Return Programme on 26 June 1998. This was a major positive development, albeit one that had required much international pressure, and which continues to require high-level intervention by the international community to ensure its full implementation. Of particular concern has been the lack of a concerted effort by the Government Return Commission to address requests for identification of alternative accommodation for those persons occupying the homes of others who wish to reclaim them.

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<sup>1</sup> The most recent report, S/1998/947 of 16 October 1998, covers the third quarter of 1998.

8. Small-scale but significant return is now taking place from the Federal Republic of Yugoslavia (FRY). In October 1998, a first group of Croatian Serbs in Bosnia and Herzegovina was approved for return by the Croatian authorities. These were welcome steps, though sustainable return remains far from assured. Reconstruction and economic recovery of war-damaged areas and rehabilitation support for returnees remains a priority. A Conference on Reconstruction and Development is scheduled in Croatia on 4 and 5 December 1998.

9. In order to support the Return Programme, two principal bodies have been established. The Return Coordination Committee, a body consisting of governmental and international community members, meets regularly to oversee the implementation of the Return Programme. The Return Facilitation Group (RFG), a coordination body co-chaired by UNHCR and OSCE, provides a forum for evaluation of on-the-ground implementation of the Return Programme and makes recommendations to the Return Coordination Committee. The RFG, of which OHR is a full member, also acts as the counterpart to the RRTF in Bosnia and Herzegovina for cross-border return.

### C. Federal Republic of Yugoslavia

10. FRY continues to host over half a million long-term refugees from the conflicts in Croatia and Bosnia and Herzegovina. The small-scale returns of refugees to Bosnia and Herzegovina and Croatia have been offset by arrivals in FRY from the Danube region of Croatia. With the further decline this year of an already poor economy and with a collapsing social welfare system, the refugees face extremely difficult circumstances, particularly those in collective centres. The conflict in Kosovo has both generated large-scale new displacement and humanitarian needs<sup>2</sup> and contributed indirectly to this decline. Much now hinges on the successful implementation of the international agreements reached with the authorities in October 1998 on measures to begin to resolve the Kosovo crisis.

## III. REGIONAL STRATEGY

11. The UNHCR Regional Strategy for Sustainable Return of Those Displaced by Conflict in the Former Yugoslavia, endorsed in June 1998 by the PIC Steering Board and by the HIWG<sup>3</sup>, identifies a number of actions required to enable sustainable return. These include: measures against separatist media; multi-ethnic police; a non-discriminatory and functioning justice system; education that promotes tolerance not division; and minority rights, including the key issue of the free and fair exercise of property rights.

12. The Regional Strategy noted that, at the same time as solutions were being promoted for those already displaced, action to prevent further displacement within and from Kosovo and from the Croatian Danube region was essential.

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<sup>2</sup> See HIWG/98/8 of 16 November 1998, "*Meeting Humanitarian Needs in Kosovo Province of the Federal Republic of Yugoslavia.*"

<sup>3</sup> HIWG/98/2 of 17 June 1998, which is an essential complement to the present paper.

13. The central lesson reinforced by the experience in 1998 is that reaching the goals of the international community, and thereby meeting the aspirations of the great majority of the peoples of the region, is a long process, much longer and more demanding than many had expected at the conclusion of the GFAP. Events in Kosovo were a stark reminder of the importance of early political action, and of the inability of humanitarian action alone to address political problems. Nationalistic policies pursued by the regional political leadership and often executed by extremists, compounded by the absence of fully developed democratic and viable human rights institutions in the countries of the region, will remain important constraints in 1999. There must also be greater recognition of the fact that reconciliation and reintegration are complex, long-term processes. There will need to be strong and long-term international support for peace implementation regionally, backed by a continued security umbrella.

#### IV. THE CHALLENGE IN 1999

14. The High Representative has set a framework for the international community's strategy for 1999 and beyond, the third phase of GFAP implementation. After first forging a peace and then consolidating it, the goal is now to reinforce that peace so that it is strong enough to survive on its own, without the need for substantial international military and civil support: *to make the peace self-sustaining*. Within this framework, the promotion and achievement of durable solutions for those persons still uprooted as a result of the conflict that ended with the GFAP remain a central objective.

15. The great majority of those still displaced have their pre-conflict homes in areas where they would now be among the minority, though many were members of the majority ethnic group at their place of origin in the pre-conflict demography. In 1999, minority return within and to Bosnia and Herzegovina and to Croatia will remain a key indicator of the success of the international community's endeavors as well as key to the nation-building exercise, since it is generally recognized that de facto partition would lead to more fragmentation and eventually violence among dispersed national groups.

16. This is a major challenge, not least because the basic prerequisite for voluntary and sustainable return -- a durable removal of the causes of flight -- remains unmet. Those responsible for the conflict and the displacement that was often its objective continue to undermine the enormous efforts of the international community to promote return opportunities.

17. Return to homes of origin remains the genuine desire of many of the displaced, and the realization of this right is the objective of both Annex 7 of the GFAP and of the Croatian Return Plan. The 1999 United Nations Consolidated Inter-Agency

Appeal for the region<sup>4</sup> will plan for a level of minority return that is approximately twice that expected in 1998.

18. At the same time, large and increasing numbers of those still in search of solutions have decided not to return home. Many factors influence such decisions. Some are borne of experience during the war, some of experience since the war ended, and some reflect trends that would have changed the demographic maps, even without conflict. These factors include: lack of confidence in the readiness of the leaders to translate their commitments to minority return into reality; an assessment that the international community will not be able to impose such reality in a manner that will be sustainable; a belief that their future, and in particular that of their children, will be more secure as members of a majority; and changed patterns of employment opportunity, reflecting the region's transition to a market economy.

19. Without a major breakthrough in ensuring that the commitments to minority return become reality, decisions not to return to the pre-conflict home harden, and the dilemma for the international community inherent in this situation will become more apparent. Persons who have decided not to return home need help to rebuild their lives and should not be left in limbo. Yet the more the international community acts to provide this help before the option of return home has become a reality for those who are still determined to exercise this option, the more those opposed to minority return feel reinforced. A balanced and principled approach will be necessary to ensure a framework within which the displaced can exercise their rights voluntarily.

20. A separate but directly related and major challenge for the international community in 1999 is continued support for the over half a million refugees in the FRY until they can find a sustainable future. The difficulties facing this group set out in the Regional Strategy have only increased. Some are in their seventh year as refugees. Over-shadowed by the implementation of the GFAP on the one hand, and most recently by the crisis in Kosovo on the other, their needs have often not had the international attention and support they deserve. Not only are these needs real and often acute, but any grounds for a perception that this group is neglected has obvious negative political consequences elsewhere.

21. For all these and other reasons, the international community must effect a breakthrough in 1999 that will allow much higher numbers of minority returns than hitherto. On 10 November 1998, the Contact Group agreed to recommend to the PIC SB, as one of five priority areas: "Increasing the momentum on the return of refugees and displaced persons, especially to minority areas."<sup>5</sup> The High Representative is committed to an accelerated return plan for 1999, and this is at an advanced stage of preparation by the OHR/RRTF, in close coordination with UNHCR. The best current estimate of the intentions of Bosnian internally displaced and of refugees in Croatia and FRY suggests that, were the obstacles to return to be removed or significantly reduced, minority returns in 1999 would be several times those in 1998. When this

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<sup>4</sup> The appeal will set out in detail the needs of the participating agencies for both GFAP implementation and the Kosovo crisis, and will be issued by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in early December 1998.

<sup>5</sup> Chairman's Conclusions, Contact Group, 10 November 1998, Washington, D.C.

happens, significantly larger numbers within the region are likely to elect to return home, direct minority return from abroad will increase, and the displaced and refugees will have the free choice at the heart of the GFAP. Where this is their choice, solutions other than minority return can then be fully supported.

22. UNHCR wholeheartedly welcomes the commitment of the international community to this breakthrough, and to the difficult political action that will be required to realize it.

## V. CORE REQUIREMENTS FOR SUCCESS

23. It is unrealistic to assume that all the impediments to return that have proved so intractable for over three years can now be overcome before the 1999 return season starts. The two most important elements for a *real* breakthrough in minority returns in 1999 are: first, a significant improvement in the security environment, meaning an end to violence and intimidation, combined with real strides towards representative and human rights compliant law enforcement agencies, as well as an independent judiciary; and second, the adoption and implementation of internationally acceptable property and housing legislation, in full respect of the rights of pre-conflict occupants and owners, as well as of the European Convention on Human Rights. These two core requirements are reviewed below and require immediate, effective action.

### A. Security

24. A secure environment is essential. SFOR has provided this at the area level, and on occasions for specific groups of returnees, and has given much essential support to the return process and to UNHCR and its partners. Without a continued presence of SFOR at the necessary force levels, there will be little minority return in 1999, and even that already achieved would be at risk. An increase by SFOR of its direct engagement with potential returnees and communities affected by return will be an important contribution to the breakthrough, and consistent with SFOR's increased focus on civilian implementation. Action that prevents violence, for example through the timely deployment of the Multinational Specialized Unit of SFOR, and that prevents obstruction of return and intimidation of returnees, for example through a robust presence in disputed border areas, will continue to be needed, and initially will probably be required on an expanded scale.

25. Of greater long-term importance for the region is the development of professional and democratic law-enforcement agencies and the de-politicized judicial system necessary to maintain sustainable conditions for returns. In Bosnia and Herzegovina, the contribution of UNMIBH to building law enforcement and judicial institutions which promote international standards of human rights, through its 2,000-strong International Police Task Force (IPTF) and its new Judicial System Assessment Programme, will continue to be essential. The creation of a multi-ethnic border police, and the recruitment and UNHCR-supported return of minority police to their original homes, are two UNMIBH priorities which will help to create the security environment necessary for civilian implementation of the GFAP.

## B. Property and housing

26. In Bosnia and Herzegovina, full implementation of property and housing legislation in the Federation that is in compliance with the requirements of the international community and the passage and implementation of such legislation in Republika Srpska is essential. A further outstanding obstacle to return common to both Entities is the poor management of existing housing stock. Positive decisions on repossession obtained by potential returnees are very rarely enforced by the authorities, on the grounds of absence of alternative accommodation. While available accommodation is certainly limited, the authorities have not yet made serious efforts to ensure that existing space is used by either the original occupants or those truly in need of temporary accommodation such as the displaced. They have taken little action against the many, usually well-connected, families who have taken unlawful possession of more than one housing unit. Greater pressure needs to be exerted on the authorities both to enforce the rule of law in a non-discriminatory fashion and to fulfil their obligations towards displaced persons who are entitled to and in need of alternative accommodation.

27. A mechanism is required for temporarily allocating housing units that have been reconstructed but not immediately occupied by the intended beneficiary, or that have been vacated when current occupants return to their own homes, in a manner that prioritizes genuine cases and ensures respect for the property rights of others. The Commission for Real Property Claims (CRPC) is crucial to this process as, in addition to its role as an independent arbiter of property claims, it is consolidating and computerizing all land survey data evidencing property rights in Bosnia and Herzegovina to ensure access to these records, security of title, improved housing stock management and a sound basis for a free property market and a fair property-exchange and compensation mechanism. This concept should then be expanded regionally to give Croatian Serb refugees greater flexibility in exercising their rights and to promote both inter-state returns and property transactions.

28. The CRPC had received approximately 111,000 property claims by end October 1998 and taken decisions on 21,000, a figure that is expected to reach 35,000 this year, with significantly more decisions expected in 1999. Funding of the CRPC is only assured for a few more weeks, yet the international community cannot support minority return without a properly funded CRPC.

29. Properties of those who left Croatia had until recently been considered by the Government as abandoned and, under the law on "Temporary Takeover and Administration of Specified Property", were allocated by the Government for the use of refugees in Croatia, mainly Bosnian Croats. This law has recently been rescinded, and the restitution of property is now covered by the National Programme for Return. However, the lack of concrete activity by many Municipal Housing Commissions, and the failure of the Government Commission of Return to meet as stipulated and to implement their decisions, continue to seriously hamper the return process.

## VI. OTHER IMPORTANT REQUIREMENTS AT THE NATIONAL AND REGIONAL LEVELS

30. For return to become *sustainable*, progress must be made and consolidated in relation to the full range of other issues identified in the UNHCR Regional Strategy, some of the more important of which are reviewed below.

### A. Specific requirements at the national level

31. In Bosnia and Herzegovina, the authorities still need to take urgent measures: to recognize all public documents and provide full and unhindered access to them; to register the residence of returnees and displaced persons and issue them with appropriate documentation; to eliminate the so-called war taxes, as well as excessive administrative fees to obtain public documents or initiate administrative procedures; to adopt and implement measures eliminating discriminatory treatment in the employment, education, health and social welfare sectors; to ensure full and non-discriminatory access to all public services, notably telephone lines, gas, electricity and water. In particular, Republika Srpska needs to amend its amnesty law without further delay and bring it in full compliance with the GFAP. In addition, both Entities and the State of Bosnia and Herzegovina need to adopt and fully implement already negotiated legislation, as well as accompanying regulations, relating to return, displacement and citizenship. UNHCR will continue to offer its special expertise in addressing these issues.

32. In Croatia, provisions in different domestic laws, particularly laws relating to property, and the suspension of the Constitutional Law on Minorities, hinder a successful implementation of the National Programme for Return. The main problems faced by returnees relate to the restitution of their properties, the acquisition of relevant Croatian documents, as well as, in some instances, the realization of an effective nationality.

### B. Regional legal issues

33. As explained in the Regional Strategy, the dissolution of the Socialist Federal Republic of Yugoslavia (SFRY) has broken many administrative ties, with continuing adverse effects on its former peoples, in particular the displaced. Full recognition of and access to public documents is clearly key to the exercise of a wide range of basic human rights, and notably to gaining access to social services and pensions. While specific measures are required between the two Entities of Bosnia and Herzegovina and in relation to returns of Croatian Serb refugees to Croatia, the States of the region, with the support of the international community, urgently need to reach a regional agreement on the recognition of and access to public documents. Similar agreements are needed to cover social benefits and pension rights. In 1999, UNHCR will initiate a survey on the legal and factual background of the pension systems of the various countries of former Yugoslavia and make specific recommendations to the Governments concerned. UNHCR will continue to promote measures regionally for the elimination of statelessness and the realization of an effective nationality.



### C. Good governance

34. The continuing prominence of nationalist parties in the region adversely affects the creation of protection and human rights structures, and contributes to a climate that tolerates some actions outside the law<sup>6</sup>. For return to become sustainable, the Governments and authorities in the region need to recommit themselves fully to the process of reconciliation between ethnic groups and combat wide spread corruption. Credible confidence-building measures, such as the IPTF community policing and democratic training programmes for local police, are also necessary to enhance public faith in law enforcement officials. All States of the region need to promote vigorously the rule-of-law reform initiatives of the Council of Europe, OSCE, OHR, UNMIBH and other relevant organizations. Early action to ensure an independent judiciary is of obvious importance. The contribution of UNMIBH's newly formed Judicial System Assessment Programme in diagnosing the cause of systemic weakness in the judiciary is an important step toward the collective goal of an independent judiciary. The full participation of persons belonging to minorities in economic, political and cultural activities, as well as the protection of their rights in accordance with relevant international and regional standards also remains to be assured.

### D. Democratic and human rights development

35. The scars of war and of gross and systematic human rights violations are still too visible (as are those who inflicted them). More needs to be done regionally to support civil society initiatives and local capacity-building activities in the non-governmental sector which promote tolerance, the creation of open societies and pursue non-nationalistic political goals. National human rights institutions need to be reinforced to provide effective redress mechanisms, increase public awareness of human rights and widen the scope of a sense of responsibility beyond narrow ethnic or nationalistic boundaries. The establishment of a free and independent media in all countries of the region is another pre-condition to sustainable democratic development. The availability of objective information and its unbiased dissemination to the displaced and to local communities will be essential if a breakthrough in minority return is to be achieved. The full implementation of the inter-agency returnee monitoring frameworks in both Bosnia and Herzegovina and Croatia in 1999 will provide an essential tool to measure success in consolidating returns and to identify necessary remedial action for achieving full and lasting reintegration.

### E. Normalized relations

36. The Governments of FRY and Bosnia and Herzegovina still need to normalize their relations through the establishment of diplomatic and consular representations, in

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<sup>6</sup> See, for example, the periodic report of Mr. Jiri Dienstbier to the General Assembly, A/53/322 of 11 September 1998, and in particular paragraph 34: "The Special Rapporteur is obliged to conclude that the representatives of the dominant political parties among the three ethnic groups in Bosnia and Herzegovina are more interested in strengthening a sense of collective identity among those who share their ethnic background than in establishing a genuine system of civil society. The policies undermine all efforts aimed at building a framework for the protection of individual rights and freedoms". Addendum 1 to this report dated 30 October 1998 updates the information therein to 25 October 1998.

order to facilitate the return process, improve the exchange of information and documentation, as well as address some of the aforementioned regional issues. An early resolution of remaining border and territorial disputes, particularly between Croatia and Bosnia and Herzegovina, would also greatly ease the return process in these areas and have an important preventive effect. Increased bi- and multilateral contacts at all levels of government between the States in the region need to be strengthened to address effectively trans-boundary issues, renew old ties and foster trade links.

## VII. INTERNATIONAL COHERENCE

37. The Regional Strategy stressed the obvious importance of the international community acting in a determined, coherent and dynamic manner. The necessary coherence has not always been evident, nor have priorities been consistently pursued. For example, minority return was among the highest priorities in the spring of 1998, as illustrated by the Sarajevo and Banja Luka Conferences, but later tended to become subordinated to political considerations related to the autumn elections. Nor have the key lessons of the need for a principled protection approach to the exercise of a basic right always been heeded in individual initiatives to promote return. These include:

- absolute respect for the free and informed choice of the individual as to her or his place of desired residence, and the creation of local conditions that allow this choice to be implemented, rather than a “project-driven” approach;
- a clear rejection of all conditionality and reciprocity for the exercise of the right of return (for example, conditioning approval for return on reconstruction and the creation of employment opportunities: important as these and other requirements may be, the returnees, not those who may be opposed to their return, should decide if conditions are acceptable);
- not accepting the linkage of return to ratios of returnees among the different constituent peoples (such linkages are used to manipulate the ethnic demography and frustrate free return);
- not accepting numerical limits for initial returns to specific locations (these limits are then used as an argument to preserve local ethnic numerical dominance).

Beyond the protection considerations, experience has shown that where compromises are made in the belief that this will advance return, the result is in fact the opposite.

38. Actions of the international community in promoting minority return must also contribute to the de-politicizing of local and nationalist return agendas. Increased pressure for minority return must not be allowed to be manipulated, as has been some of such return hitherto, in order to advance political and territorial goals, with the returnees being used as pawns in political strategies.

39. In addition to consistent and robust political action, coherent and well-prioritized support for the return itself will be required. A reinforced framework for this is being elaborated in the 1999 OHR/RRTF Action Plan. For its part, besides its international refugee protection and regional responsibilities concerning the pursuit of durable solutions for the displaced, UNHCR will, within its lead role under Annex 7 of the GFAP, continue to promote, facilitate and monitor the return of refugees and

displaced persons, as well as address legal and administrative barriers to return, notably by providing expert legal advice and assisting in national legal and institutional capacity-building efforts.

## VIII. NATIONAL RESPONSIBILITY

40. All SB and PIC declarations note the central responsibilities of the authorities. In the words of the UNHCR Regional Strategy, “[a]chieving sustainable return is first and foremost an obligation of the authorities towards their people: theirs is the primary responsibility.” Much of the progress made has, however, been the result of impositions, notably through the exercise of the increased powers of the High Representative. Responsibility can be assigned, but has also to be assumed. Yet, having flagrantly failed to assume and exercise their responsibility, in a sense those opposed to return are relieved of it when the international community acts in their place. At the same time, extracting often re-renewed commitments to uphold the GFAP from those who continue to violate its provisions can also decrease, albeit temporarily, the visibility of these violations.

41. This highlights a fundamental problem. In no area is the commitment and engagement of the authorities more important than in minority return. Return that is imposed from outside, and -- however misguidedly -- not accepted as in a wider common interest, is unlikely to be sustainable. This may be the most difficult obstacle before the international community in achieving its necessarily very ambitious goal for minority return in 1999. Briefing the Security Council on 10 November 1998, the United Nations High Commissioner for Refugees said: “This is perhaps the greatest challenge of the return of refugees to situations of fragile peace, in Bosnia and elsewhere -- and, I would add, of post-conflict situations in general: that peaceful coexistence be accepted by divided communities living together again, rather than simply enforced upon them”.

42. If increased numbers of minority returns can only be achieved by pressure and coercion, however well-motivated, not only will the security and protection of refugees be at higher risk -- and demand greater international, and in particular SFOR and UNMIBH, attention -- but such return may not be truly sustainable, and the process itself is unlikely to become self-sustaining. While the breakthrough can be driven by quick progress on the two core requirements identified above, to be sustainable, it must therefore be quickly consolidated across the range of issues central to the establishment of free and open societies.

## IX. RESOURCES

43. In order to implement the GFAP, the international community has made and is committed to continue to make a political and financial investment that dwarfs the resources to be sought in the 1999 UN Consolidated Inter-Agency Appeal. With the intensified negotiating process and the Kosovo Verification Mission and related engagements, the same will be true for Kosovo. On these investments depend the

future of the many hundreds of thousands of persons still suffering from the effects of the conflicts. Realizing the promise of these investments -- those futures -- will be determined in no small part by the success of the activities set out in the 1999 Appeal. This success will, in turn, require both the necessary continuing and reinforced political action and a generous response to this Appeal. Without both, the much larger investments being made outside this Appeal will also not yield results.

44. As and when the breakthrough in minority return is achieved, the resources requested in the 1999 Appeal will be redeployed, and additional resources requested as necessary, and the international community informed accordingly. The RRTF's Action Plan for 1999, which is expected to be endorsed by the Madrid PIC, will be an essential complement to the activities set out in the 1999 Appeal.

## X. CONCLUSION

45. In 1999, a significant number of those still displaced will probably decide on their future. If the core requirements set out above are met, and if other major obstacles to return are at least very significantly reduced, their decisions would reflect a free and informed choice for a sustainable future. Such a choice is essential, for without the right conditions, these decisions will carry the seeds of future instability.

46. For those who freely elect not to return home, where return was really an option, integration at the current place of displacement or relocation would end the current uncertainty of a life in displacement. These solutions will need careful implementation and must not be manipulated for political purposes. Such integration would take place in majority areas, where strained absorption capacities, the lack of adequate socio-economic infrastructure and employment are major but surmountable challenges.

47. In Kosovo, the humanitarian crisis is the consequence of unresolved political problems, which could not and cannot be addressed by the humanitarian operation. An agreement on the framework for a just and sustainable solution will be essential if further displacement is to be avoided, for sustainable voluntary return, and for the transition from emergency humanitarian assistance to economic and social recovery.

## REGIONAL STATISTICAL OVERVIEW

	end 1997			10 Nov 1998			Cumulative Returnees (to and within) as of 10 Nov 1998								
	Refugees	DPs	of whom in collective accomm.	Refugees	DPs	of whom in collective accomm.	Refugees		DPs	Total		of whom in 1998			
							home	relocation	home	majority	minority	majority	minority		
<b>BOSNIA AND HERZEGOVINA</b>	<b>40,000</b>	<b>816,000</b>	<b>13,319</b>	<b>48,500</b> <sup>1)</sup>	<b>860,000</b>	<b>13,697</b>	<b>188,000</b>	<b>115,500</b>	<b>247,000</b>	<b>357,500</b>	<b>77,500</b>	<b>17,500</b>	<b>32,500</b>		
	<b>Federation</b>		450,000	6,296	<sup>2)</sup> 8,500	500,000	7,082	177,500	106,000	171,000	282,000	66,500	17,000	22,500	
	<b>RS</b>		40,000	366,000	7,023	40,000	360,000	6,615	10,500	9,500	76,000	75,500	11,000	<sup>3)</sup> 500	10,000
<b>FR YUGOSLAVIA</b>	<b>548,000</b>		<b>50,200</b>	<b>527,000</b>	<b>235,000</b>	<b>44,000</b>			<sup>4)</sup> <b>75,000</b>						
	<b>Serbia</b>		520,800	45,700	502,900	<sup>5)</sup> 195,000	41,200			75,000					
	<b>Montenegro</b>		27,200	4,500	24,100	<sup>2)</sup> 40,000	2,800								
<b>CROATIA</b>	<sup>6)</sup> <b>68,900</b>	<b>79,400</b>	<b>30,312</b>	<sup>6)</sup> <b>31,000</b>	<b>62,000</b>	<b>22,949</b>	<b>24,800</b>		<b>154,700</b>	<b>131,300</b>	<sup>7)</sup> <b>48,200</b>	<b>21,350</b>	<sup>3)</sup> <b>17,600</b>		
<b>SLOVENIA</b>	<b>5,100</b>		<b>2,250</b>	<b>3,500</b>		<b>1,721</b>									
<b>fYR of MACEDONIA</b>	<b>1,300</b>		<b>200</b>	<sup>8)</sup> <b>4,250</b>		<b>183</b>									
<b>ALBANIA</b>				<sup>3)</sup> <b>24,500</b>		<b>1,600</b>									
<b>TOTAL:</b>	<b>663,300</b>	<b>895,400</b>	<b>96,281</b>	<b>638,750</b>	<b>1,157,000</b>	<b>84,150</b>	<b>212,800</b>	<b>115,500</b>	<b>476,700</b>	<b>488,800</b>	<b>125,700</b>	<b>38,850</b>	<b>50,100</b>		

<sup>1)</sup> Includes refugees who have returned to internal displacement

<sup>2)</sup> From Kosovo

<sup>3)</sup> Not including an estimated 20,000 Croatian and Bosnian Serbs who have repatriated spontaneously but have not been registered

<sup>4)</sup> In Kosovo, including an estimated 2,000 from Montenegro

<sup>5)</sup> Including estimated 175,000 in Kosovo

<sup>6)</sup> Not including some refugees who have obtained residency status; 75,000 as of Nov 98

<sup>7)</sup> Croatian Serbs of whom 25,000 from FRY, 50 organized returns from BiH and 23,200 from Danube region

<sup>8)</sup> 1,250 from BiH and an estimated 3,000 from FRY (Kosovo)

# ESTIMATE OF REFUGEES AND DISPLACED PERSONS STILL SEEKING SOLUTIONS

version 1.7

THIS MAP SHOWS ONLY THOSE WHO DO NOT YET HAVE A DURABLE SOLUTION

THE MAJORITY OF THESE TWO MILLION PERSONS HAVE THEIR HOMES IN AREAS WHERE THEY WOULD BE IN A MINORITY IF THEY RETURNED



\* In addition some 40,000 have sought asylum as result of events in Kosovo in 1998.

