

CHAPTER 5

THE FACTS OF DISLOCATION

Now that we have the basic constitutional framework for understanding the terms of reference for the return of refugees and displaced persons, it is important to put forth and interpret some basic facts concerning the process. The one previously mentioned is the most basic. As the World Bank summarized the key fact as it existed at the end of 1997 and the core issue as it saw it, "About a third of Bosnia and Herzegovina's population is still internally displaced or hosted in asylum countries. Large movements in population are expected in 1998. Many refugees will be repatriated and many displaced persons will move within the country. Successfully reintegrating these people is not only a humanitarian issue, but it is also a key condition for medium-term political stability and economic growth." (EC and World Bank, April 1998, i)

In absolute numbers this meant that, "According to the best available estimates, 2.3 million people left their homes during and in the immediate aftermath of the war." (CRPC December 1997, 3) The implementation of the 1995 Dayton Accords required not only rebuilding a peaceful, law-abiding and self-sustaining economy and society out of one wracked by war for four years and which killed at least 250,000 people, but repatriating as many as possible of half the population that had been displaced by the war, 1.2 million refugees and over 1 million internally displaced of the original 4.4 million population according to the 1991 census. "UNHCR estimates that approximately 570,000 of these [1.2 million] refugees came from the territory of the Federation and 630,000 from the territory of Republika Sprska." (CRPC December 1997, 3) The source of these refugees will be significant in understanding the problem of return as I shall soon clarify.

Of that original population of 4.4 million in Bosnia and Herzegovina before the war, according to the 1991 census, 43.7% was Bosniac, 31.3% Serb and 17.3% Croat, 5.5% "Yugoslav" and 2.2% Other. 504,000 were permanently settled abroad. Given the supremacy of nationalist politics among all three ethnic groups, it is widely believed, and seems to be supported if the decisions of the Canadian Refugee Board are any indication, that the vast majority of those of mixed marriage - "Yugoslavs" according to the 1991 census - and the Others, many of them Jews, made up a good part of those permanently resettled abroad, or, in absolute terms, about 250,000. If the small numbers that remained are ignored, that would mean that the remaining population of Bosnia and Herzegovina would have been made up of 47.5% Bosniacs, 34% Serbs and 18.5% Croats, assuming each group suffered deaths in the war in the same proportion and each group resettled abroad permanently in the same proportion. Neither of these assumptions will prove to be true when we clarify the movement of the refugees and the new proportions will turn out to be 39.2% for each of the Bosniacs and Serbs and 21.4% for the Croats, the Croats and Serbs having increased their proportion of the total at the expense of the Bosniacs.

Let us calculate the resident population in BiH at the end of June 1998 by undertaking the numbers of each ethnic group resident in Bosnia beginning with the Bosniacs. Of the 4.4 million population in 1991, 43.7 %, or just over 1.9 million inhabitants were Bosniacs. Of the 250,000 who died in the war, it is

estimated that at least 80% of the losses were suffered by the Bosniacs. Thus, if 200,000 or almost 10% is subtracted from the 1.9 million Bosniacs, that leaves a total surviving Bosniac population of 1.7 million. Of those, it is estimated that 80% of the 300,000 refugees who remain abroad are Bosniacs. Therefore, subtracting a further 240,000 leaves 1.46 million and we still need to subtract those refugees who were permanently resettled. After deducting those of mixed population and others who were resettled, assuming that the rest of the refugees resettled abroad - that is, the remaining 250,000 who were permanently resettled - were proportionate to the original population - and it is likely that the Bosniac proportion was even higher. That means that if we divide the 250,000 among 47.5% Bosniacs, 34% Serbs and 18.5% Croats, after deducting those of mixed population and others who were resettled, we arrive at a figure of 120,000 Bosniacs, 85,000 Serbs and 45,000 Croats who were permanently resettled abroad. This means that an additional approximately 120,000 can be deducted from the total Bosniac population in the country requiring housing. The result of the calculation yields a figure of 1.1 million Bosniacs within the country requiring to be housed compared to the original number of 1.9 million in 1991. Then

Compare this to the Serb population which was 31.3% of the original Bosnian population or almost 1.4 of the original 4.4 million, more precisely 1.38 million Serbs. Of these, assume even 25,000 were killed in the war, 250,000 are now living in FRY, 85,000 have resettled permanently abroad, and 40,000 Serb refugees remain in Europe in search of a permanent solution, about two-thirds of the 20% who are not Bosniacs. This means that there are almost 1.1 million Serbs in BiH., more specifically, in RS. If one adds the estimated 100,000 Serbs that entered the area from the Krajina region of Croatia, roughly the same number as the Bosniacs in the country.

There were just over 760,000 Croats in BH before the war, 17.3% of the population. 77,000 of that population fled to Croatia. An estimated 15,000 were killed. 45,000 were permanently resettled abroad and about 20,000 remain abroad awaiting a permanent solution. This means that about 600,000 Croats remain in BiH, overwhelmingly in the Federation. The total population resident of BiH would then be 2.8 million compared to a 4.4 million pre-war total.

What about the refugees outside BiH who have not been permanently resettled? They have to be considered in planning the process of return and reconstruction. According to the UNHCR, 216,000 refugees had returned to Bosnia by April in 1998; of these, almost 200,000 returned to the Federation and almost 17,000 to RS. (Cf. Map 4: RETURNEES TO BOSNIA AND HERZEGOVINA SINCE DPA) Deducting the 504,000 that had acquired status abroad and the 216,000 refugee returnees, this left 580,000 refugees to be repatriated from other countries, 32,000 less than five months earlier. "As of 1 December 1997, 612,000 Bosnian refugees are still without durable solutions, 89 percent of whom are only in three countries, the Federal Republic of Yugoslavia (FRY) (249,000), Germany (220,000) and Croatia (77,000). Other countries still hosting refugees with unresolved status include Switzerland (11,658), Italy (9,285), Austria (8,300) and France (7,400)." (ICG May 1998, 10)

At the above rate of return, less than 80,000 per year, it would take almost eight years to repatriate the refugees. 'Large movements of population may have been expected in 1998,' according to the World Bank, but if the first four months of 1998 were any indication, there had still not been any flood of returnees let alone a large movement of the internally displaced. And that is the rate of return which includes those

estimated to have returned spontaneously in addition to the ones officially transported by the International Organization for Migration (IOM).

From September 1996 to May 1998, under the REAG program, IOM “processed 92,305 refugees/migrants for movement to Bosnia and Herzegovina” with about 3,700 transported per month on average for a total of 14,850 refugees in the first four months of 1998, not the 26,400 and average of 6,400 for each of those months that UNHCR estimated. (IOM Update, May 1998) The actual IOM estimates for each of the first five months of 1998 were as follows: January - 2,079; February - 2,240; March - 4,339; April - 6,192; May - 5,042, for a five month total of 19,892. In fact, since the average return rate from the end of the war, calculated by IOM statistics on the basis of officially transported returns, was slightly more than 4,300 per month, the rate of return was declining rather than rapidly escalating.

After the first half of 1998, the expectation of large movements of population in 1998 have not been realized. I will attempt to explain why.

Of the almost 600,000 refugees abroad that remain to be repatriated, half of those refugees are either in Croatia or in the Federal Republic of Yugoslavia (FRY), mostly in the latter, and most are unlikely to return to the homes from which they fled and perhaps even to BiH. The biggest emphasis for return is on the approximately 50% who enjoy temporary status in Europe, that is, approximately 300,000 refugees. The vast majority of these are Bosniacs from the Republika Srpska. “Some 80% of Serb refugees went to FRY, 55% of Croat refugees to Croatia, and 95% of Bosniac refugees are outside the former Yugoslavia. The largest group of refugees in West European host countries are Bosniacs originating from Republika Srpska, originally representing a little over 50% of the total, but now closer to 80% as a result of higher rates of return among majority groups. While no precise figures are available, it appears that the overwhelming majority of refugees without durable solutions in Western Europe come from an area in which they would not represent an ethnic majority.” (CRPC December 1997, 3)

Why are the refugees not returning at the rate expected? Because those refugees are unable or are unwilling to return to RS. And the emphasis of the return program is on return to original homes, not relocation within BiH. 80% of the refugees abroad are Bosniacs from BS who, even if allowed to return, would be a minority at risk and, at the very least, likely to be discriminated against. If the focus of attention remains on minority returns, and because of both the understandable resistance of Bosniacs to return to a Serb dominated territory and polity as well as the actions of Serbs in the RS in inhibiting such a return process, then indirectly the process of concentrating on minority returns inhibits the return of Bosniacs and feeds the larger process of increasing the Serb percentage of the overall population of BiH.

Contrast this with the optimistic claim of UNHCR at the end of May 1998. “UNHCR estimates that about 220,000 Bosnian refugees remain in Germany, of whom between 140,000 and 170,000 are Bosniacs and Croats from Republika Srpska. [CRPC estimated that 176,000 were Bosniacs.] UNHCR anticipates that between 120,000 and 200,000 refugees from Germany may ‘voluntarily’ return between March and September of this year.” (ICG May 1998, 10) That would mean a return rate of 17,000 to over 28,500 per month.

The return flow never even came close to these figures, and no calculations have been taken into account for those who go into exile a second time. The estimated UNHCR total return figures and the IOM actual officially transported figures do not take into account the fact that someone returns may migrate abroad again, and many more would do so if they had the opportunity. This is indicated by a survey undertaken of returnees from Denmark who could be considered the most voluntary of returnees in comparison to those from Germany. For these refugees were offered permanent status in Denmark. "Between 1992 and 1995, a total of some 22,000 refugees from former Yugoslavia were received in Denmark. To date, there has been no revocation of the residence permits of Bosnian refugees in Denmark. The vast majority has already obtained permanent residence." (Pilegaard and Fosseldorf 1997, 7) Further, they could return to BiH and then, within a specified time limit, return back to Denmark and regain permanent residence there.¹ In the survey of those returnees to BiH, "Some 37 per cent of the returnees stated that they would like to go back to Denmark now, if the 3 or 6 months had not expired. Considering that in addition, approximately 15 per cent of all returnees actually go back to Denmark within the designated period, these figures indicate that over half of the returnees find themselves in such difficult situations that they have considered giving up their lives in BiH." (Pilegaard and Fosseldorf 1997, 23)

The conclusions of the Danish survey were in stark contrast to the UNHCR optimism for the period of March to September of 1998 and the World Bank estimates of expected large movements for 1998. The peak of return had already been reached for Danish refugees. "The relatively low number of returnees during the first seven months of 1997 may represent a bottoming-out of the repatriation trend and suggest that repatriation from Denmark may remain at a relatively low level in the future unless a major change occurs in BiH." (Pilegaard and Fosseldorf 1997, 12)

However, push factors may be more important than pull factors in the return process. For most of the refugees not in Croatia or FRY who have not been permanently resettled are in Europe. The single largest group of these refugees are to be found in Germany (35%).² Germany has elections scheduled for September of 1998. Germany had not granted the refugees permanent residence but only temporary asylum and has made it explicitly clear that it wants the refugees to return to BiH since the peace agreement is now being implemented. German policy is determined to push repatriation. Given the change in government of RS, tens of thousands from RS have been given notice that they had better go home by July 1998 or face formal deportation. (1000 were deported in 1997.)

The majority of returnees thus far have gone to areas where they belong to the majority, adding to the internally displaced population rather than providing a durable solution for both refugees and internally displaced. Since the majority of remaining refugees requiring resettlement are estimated to come from areas, to which, if they returned, they would belong to a minority, and since the ideology of the return movement has been on reconstructing BiH, as much as possible, as the multicultural society that it was before the war, the problem of return has focused on returns to minority areas.

This is also true of the internally displaced. In addition to the up to 1.2 million people who became refugees when hostilities ended, another 1 million were internally displaced not counting most of the refugee returnees who can be added to the original displaced person population. "Of the over 1 million Bosnians displaced internally, as of April 1998, a net total of 153,000 had returned to their homes, almost all to areas

controlled by their own ethnic group. Only 45,500 had returned to areas in which they formed a minority, of whom a paltry 2,200 had returned to Republika Srpska (plus 2,400 to Brcko's Zone of separation). Most of the remaining 612,000 refugees and 816,000 internally displaced Bosnians would be in the minority if they returned to their homes. Alternatively, they could be relocated in areas in which they belong to the ethnic majority." (ICG, "Minority Return or Mass Relocation?" May 1998, i)

In sum, the initial returns were easy because the refugees were returning to areas in which they remained part of the majority population. The bulk of the balance of movement will entail return either to a minority status if the return is to an original home, or relocation to other areas.

I want to argue that the single largest stumbling block to the return program is the focus on returns to minority areas and the inability to fulfill this objective. Look at the total returns for 1996 and 1997.

Total Returns 1996 and 1997

	Refugees	Internally Displaced	Total
To Federation	191,764	156,073	347,837
To RS	16,625	67,054	83,679
Total	208,389	223,127	431,516

Of the displaced, by 31 March 1998, over 67,000 had returned to the RS and over 158,000 to BiH indicating that the 1998 return was almost entirely to the Federation, and that return amounted to only 2,000 people. But over three quarters of a million Bosnians remain displaced. In the first three months of 1998, there was very little return let alone an increased return to BS.³

The returns to the RS are insignificant. Yet most of the refugees abroad in Germany (80%) are estimated to be Bosniacs from RS. Some believe the election of the new, more moderate government in RS would change the potential for return. Though the new government may not have been as extremist as the old government, it was still a nationalist government. Further, if it wanted to get reelected, it could not afford to repatriate Bosniac refugees from Germany and the Federation when it was itself hosting many Serbs who were ethnically cleansed from the Krajina region of Croatia.

The most telling figure is the remarkably small number of returnees in total in spite of a massive effort and a very large effort emphasizing minority returns. The minority DP returns in 1996 to the Federation totaled 8,354 and to BS 1,096. To this combined total of 9,450 could be added 2,216 refugee returns to minority areas for a Grand Total of 11,666 total minority returns during 1996. (UNHCR, "Return Operation," 1998 cited) Were the results any better before and after the Minority Return program was launched? Examine the following table.

Minority Returns in 1997

	Bosniacs		Croats		Serbs		Total		
	REF	DPs	REF	DPs	REF	DPs	REF	DPs	TOTAL
To Federation	4,822	4,018	12,260	4,923	2,777	3,914	19,859	12,855	32,714
To BS	234	734	113	42			347	776	1,123
TOTAL	5,056	4,752	12,373	4,965	2,777	3,914	20,206	13,631	33,837

(ICG, "Minority Return or Mass Relocation?" May 1998, 4)

The return population to minority areas doubled from 1996 to 1997 whereas the total return population had remained almost constant with 109,000 returning in 1997 and just over 100,000 in 1996. Thus, in 1997, minority returns doubled whereas overall returns remained constant. This would seem to indicate that an emphasis on minority return might eventually pay off. But was this because of policies and a program or some other factor? In any case, it was 1998 that was declared to be the year of minority returns. Yet the number of returns to minority areas has been declining, not increasing as I indicated above.

Why? A Swiss Government survey "found that 47% of returnees had chosen voluntarily to relocate to other parts of the country, and that 67.5% had been unable to return to their home of origin." (CRPC December 1997, 7) Further, among the statistical count of returns to minority areas, "A significant percentage of these individuals are in fact transients who have visited but not necessarily remained in their home of origin." (CRPC December 1997, 7) In other words, the statistics are misleading for many of the minority returnees have just returned to establish a possessory claim on their properties rather than to resettle permanently in an area where they would be a minority.

The ICG advocates and supports minority returns as the priority, only arguing that the program needs to be more effective and supported with more finances and the use of more muscle. Yet it concluded that, "There was an almost complete failure to promote minority returns: 11,666 minorities returned in 1996 and 33,837 in 1997, most of whom were elderly." (ICG, "Minority Return or Mass Relocation?" May 1998, 5) But the investment in minority returns was very large. For example, the Open Cities program, the program which offered large incentives to municipalities which promoted and facilitated minority returns, showed few results for the large sums invested.

"The 'Open City' concept invested 40 Million US dollars and attracted less than 5,000 returnees." (ECMM 1998, 4) As the Danish survey concluded, "Just over two-thirds of respondents were able to return to their former residence or home town. Some 98 percent went back to a majority area and only 2 per cent to an area in which they were in the minority." (Pilegaard and Fosseldorf 1997, 12)

What was the result? BiH is an almost totally divided country based on ethnicity with overwhelming majorities of each ethnic group concentrated in different parts of the country. "As a consequence, overwhelming ethnic majorities exist in most of Bosnia, with only a handful of areas containing minority populations greater than 10 percent (about 13 percent in the Tuzla and Sarajevo cantons." (ICG, "Minority Return or Mass Relocation?" May 1998, 5) In other words, there are minority populations in the very large cities. Where minorities did exist in the smaller cities and towns, the populations were not mixed but radically divided in the municipality. "The larger cities had higher degrees of ethnic integration which were

reflected in residential arrangements. In all regions, there were significant numbers of localities where residential communities were divided along ethnic lines. In rural areas, many small villages were dominated by a single ethnic group, and larger towns were frequently amalgams of two or more areas with a separate ethnic identity.” (CRPC December 1997, 3) Mostar is a prime example with a total separation of the Croatian and Bosniac populations.

What can one conclude? “The population left in BiH following the exodus of refugees was just under 2.8 million, or 64% of the pre-war total. With internal displacement, only 42% of the people were left in their home of origin. The Federation saw the departure of over 90% of the original Serb inhabitants, and over 95% of the original Croat and Bosniac inhabitants left Republika Srpska. In 6 of the 10 Cantons the minority population represents less than 10% of the total, and in the remaining Cantons, local regions show an equal degree of ethnic separation. In sum, the policies of ethnic cleansing carried out in all parts of BiH during and after the war were extremely effective in separating the population.” (CRPC December 1997, 5) And the great efforts put into remixing by stressing minority returns have not been successful.

Is this because refugees and the internally displaced are intimidated by vigilantes supported by the police and the military? Clearly, this has been the case as I will show. But in the Zone of Separation of the military forces of the two sides where one might expect larger movements of minorities back to their homes at the very least to continue the battle for demographic control of the area, there have, in fact, been very few returns. “Compared with overall returns and even with minority returns, actual returns to the ZOS have been rather insignificant and are likely to remain that way.” (ECMM 1998, 4)

As an ICG Report concluded, “Relocation has already emerged as the dominant reality in the past two years.” (ICG, “Minority Return or Mass Relocation?” May 1998, 5) Ethnic cleansing has succeeded and the effort to undo those results through emphasizing returns to minority areas have shown thin results.

But perhaps the source of the problem is not minority returns per se, but the absence of adequate housing. Before the war, there were almost 1.3 million housing units in Bosnia and Herzegovina for its 4.4 million people, almost a 30% ratio and considered quite an adequate housing stock. Further, 80% of it was held with free title while 20% was held as an occupancy right, a kind of ownership but without registered title to the residence. In the cities, property held by means of occupancy rights constituted 50% of the housing stock. (RRTF Action Plan, March 1998, 32)

The housing situation at the end of the war appeared far from adequate. In the Federation, 50% of the housing stock had been damaged and 6% destroyed. In the RS, 24% of housing stock had been damaged and 5% had been destroyed. (EC and World Bank, April 1998, vii) But these are absolute figures. The situation does not seem as bad overall when relative figures are used.

If we begin with the Republika Srpska, it now has a population of 1.1 million including the influx of Serbs from the Krajina region of Croatia estimated generously as almost 40% of those who fled, or about 100,000. Then the BiH population in the Serb controlled area has declined from 1.9 million to 1.1 million or an average of 47%. However, only 24% of the housing stock in RS was damaged or destroyed, and if the population because of ethnic cleansing has been redistributed from RS in favor of the Federation,

and if the big push for return is not to majority but to minority areas, there would seem to be a surplus of housing stock in RS compared to the population in the area even with the number of houses destroyed and damaged. If it is recalled that the Serbs now control 49% of the territory and not 31.3%, then it is clear that there is probably a significant surplus housing stock in RS. The housing crisis is in the Federation and, as we shall see, primarily one for the Bosniacs.

The following statistics of the CRPC at the end of 1997 are revealing:

Status of pre-war home	35.2 %	inhabited without permission
	30.5%	vacant
	5.7%	inhabited with permission
	28.6%	unknown

One third of homes, presumably in minority areas, specifically in RS, are inhabited by persons who are squatters. Probably, in a number of these cases we have situations of double occupancy where locals have placed family members in the homes to prevent or inhibit the return of their owners. Presumably, displaced people, Croats and Bosniacs, from BS now residing in the Federation are squatting in houses formerly occupied by Serbs, while those Serbs displaced from the Federation are occupying Croat and Bosniac houses. But in RS there is no shortage of such housing, whereas there is a considerable shortage in the Federation as shall soon be seen.

Look at the following table:

Current residential status (displaced persons)	Collective centre	53.7%
	With friends or family	22.8%
	Temporary occupancy right	21.3%
	Other	2.2% (CRPC 1997, ii)

Three quarters of the displaced population would appear to be living neither in squatter digs nor in their own homes, and virtually all of these are almost certain to be in the Federation rather than in RS. Further, only 37% would appear to have intact homes to return to and 46% would have no home at all to which to return.

		Adjusted by Distributing Unknowns	
Condition of pre-war home	Destroyed	35.0%	46%
	Partially damaged	14.4%	17%
	Intact	31.3%	37%
	Unknown	19.3%	

The demand for housing from those living in the Federation would also have dropped precipitously by about 45% or for about 330,000 units, or about an 18% shortage assuming all of the damaged houses could not be occupied and the repairs that have been undertaken were not completed.

The real shortage for Bosniacs comes not from this source primarily, but from the fact that the

Bosniacs have now been squeezed into a significantly smaller area, for the Croats and Bosniacs received 51% of the territory but have 60 % of the remaining population to fit into that area. The shortage of housing would appear to be in the Federation, particularly in the large cities to which there has been an accelerated migration pattern.

Thus, four factors at least have contributed to the housing stock shortage in the Federation. The amount of destroyed and damaged property exceeded the reduction in the population by a significant amount; if roughly 55% of the housing stock was damaged or destroyed, even with a radically reduced demand, there would still be a housing shortage. Secondly, there is a reduced amount of housing available because the population has been squeezed into a smaller territory. Thirdly, the population is unwilling or unable to go back to their original homes where the housing supply exceeds the demand. Fourthly, the migration to large cities was significantly accelerated by the war, but it is the property in besieged cities such as Sarajevo, or divided cities at war such as Mostar, that suffered the greatest damage.

This housing shortage exists for the existing population in the Federation. It does not take into account refugee returnees being pushed out of Germany. The present population of BiH is approximately 3.7 million rather than 3.1 million if those refugees who are abroad who have not been permanently resettled and the refugees in Croatia and FRY are included. (RRTF March 1998, 2)

The refugee return has gone through two phases and is in the process of entering a third. In the first phase, the easy returns to majority areas occurred where the refugees and displaced had intact houses or, at least, ones not so severely damaged. In the second phase, returns to minority areas based on ideological grounds was favored, but the results have been paltry. If the studies are taken seriously, and if the rhetoric on minority return is given lip service, then what we are witnessing is a process shifting the strategy from minority returns to relocation in order to deal expeditiously with the displaced population and returning refugees.

Since the vast majority of housing stock is entwined with ownership issues, and with large numbers of the existing stock of housing held by one party but occupied by another, the resolution of ownership issues is obviously a key ingredient in facilitating the whole relocation process *on a secure basis and as a durable solution*. In the CRPC Survey, only 30% of those polled were opposed to selling their pre-war house at a fair price or exchanging it. (Cf. RRTF Action Plan, March 1998, 33, fn. 50)

For example in a survey in which the internally displaced were asked to choose among three options, Option A, return into possession, Option B (binding declaration of property rights to be used as a later date) and Option C (compensation or property, the resultant preferences are as follows:

A (possession)	Total BiH	53,406	54.74%	Federation	15,556	30.2%	RS	35,850	81.4%
B (future right)		25,769	26.41%		19,512	37.9%		6,257	14.2%

C (compensation)	18,385 18.84%	16,448 31.9%	1,937 4.3%
	97,560	51,516	44,044
D no option	3,358	3182	196
TOTAL	100938	56,698	44,240
		56.17%	43.82%

CRPC Statistical Summary (31 May 1998)

Clearly, over half of the internally displaced would prefer to return to their own homes and areas. What is striking is that in the Federation, the percentage is only 30% while in RS, over 80% want to return to their homes. This is clearly not because there is a shortage of homes, as indicated above, but because the economic circumstances are so much more dire in RS. On the other hand, those who would prefer a future right, presumably to enable a possible return but more likely a future sale, or immediate compensation in the Federation total almost 70%. Clearly, most Bosniacs seemed to be prepared to relocate while the very ones most stubbornly resisting return to homes of others are also most eager to return to their homes, for the fairly obvious fact that they themselves have relatively less to fear and more to gain, but as perpetrators of fear, they have made the population in the Federation wary of return to their homes and more eager to accept compensation or at least retain their property rights for future disposition.

If the breakdown in statistics is very revealing when the Federation and the RS results are compared, they become even more revealing when the data is collected on a municipal level. I have taken three municipalities to indicate what is happening on the local level: Banja Luka, Brcko and Sanski Most. I have deliberately chosen municipalities that have not been selected as Open Cities since the minorities return program will be considered in greater detail in a later chapter.

Before the war, Banja Luka, located in the north west of BH, had a Serb majority and a total population of 195,000 of whom 60,000 were Croats. There are virtually no Croats there today. But added to the original population of 135,000 Bosnian Serbs, there are around 85,000 displaced Serbs principally from Croatia, Canton 10 and the Una-Sana Canton. The 60,000 Croats are in the Una-Sana Canton in Croatia. (cf. ICG May 1998, 27)

Brcko is in the narrow neck of RS joining the western and eastern segments and is a town critical to Serb geo-political strategy lest the two halves of RS be left divided. It is located in the ZOS area and is, therefore, far more subject to international control. Brcko, though not designated as an Open City, the Brcko area has been the leading recipient of aid and "represents a model for minority returns strictly regulated and monitored by the international community." (ICG May 1998, 28). As might be expected, with such support there have been minority returns, particularly in light of the strategic importance of the area to both sides. But even then, the minority returns have not been large. "According to OHR statistics, 3,400 people have returned to Brcko ZOS villages, based on 2,803 approvals, as of 31 March 98. At the same time, 3,670 applications for returns to ZOS areas other than Brcko have been approved, 150 are

pending and approx. 750 individuals have returned.” (ECMM 1998, 1)

But even those figures do not represent the full story. For the returnees are really largely testing the waters and reclaiming property rights but most have not established a permanent residence there. “Owing to its strategic importance, Serb settlers and Bosniac returnees, often with construction materials supplied by their authorities, returned to repopulate its destroyed suburbs in 1996...On 23 December 1997, 596 Bosniac and 18 Croat families had returned to their homes on the Republika Srpska side of the Zone of Separation (ZOS), but no Serb families had returned to the Federation side...that achievement is modest in light of the political leverage conferred by the arbitration process, and the large number of personnel and material resources devoted to promoting minority returns compared to the resources available to the other parts of the country. Moreover, many of these families have not moved into their Brcko homes on a full-time basis; *they are considered resettled when a family member has spent at least one night in the reconstructed home.* (my italics)” (ICG May 1998, 28)

As my final example I have taken Sanski Most in the far west of BH in an area that was once a mixture of Serbs and Bosniacs and is now a majority Bosniac town. “Bosniacs represent the majority, if not all, of the potential returnees registered with IHCs. There is no significant evidence for other ethnic groups returning with the exception of the Gradacac municipality where Bosnian Serbs are returning to Krekane Gornje albeit only for weekends. Another exception is Stara Rijeketa, Sasina and Kropvrina in the Sanski Most area, where Bosniac Croats are returning.” (ECMM 1998, 3) In fact, only 2 Croat returnees were noted for Sanski Most. (See Table 5) “The degree of relocation that has taken place in the Una-Sana Canton, especially in Sanski Most, supported in large part by funds from West European countries that host refugees, has now rendered the return of Serbs exceedingly difficult.” (ICG May 1998, 9)

In sum, whether considered on the gross level, on the level of the Entities or on the municipal level, ethnic cleansing has achieved its goal and the efforts to reverse that fact seem feeble in comparison. That ethnic cleansing has been achieved by the destruction of population, by the removal of some population from the territory altogether, by the exchange of population in one area to another, by the reduction of territory and housing available to what was once the largest plurality, by making it difficult for one’s own population (of Serbs) who might want to return to their homes in Bosniac territories to do so, and by using intimidation, including the blowing up of houses scheduled for returnees and physical violence against persons, that significantly reduces the desire of former owners to return to their homes and more willing to accept alternative arrangements. Given the extreme shortage of such arrangements for the Bosniacs, this makes it even more clear how fearful most are of returning to their original home areas, not only in RS, but in territory still under contention that is controlled on the local level by Serbs.

1. “Denmark is one of the few European countries to allow returnees to change their minds within a set period. Those who have been resident in Denmark for less than six years are entitled to exercise their right to regret their repatriation and return to Denmark within a six-month period. Those who have been resident in Denmark for more than six years may exercise their right to regret within a twelve-month period.” (Pilegaard and Fosseldorf 1997, 8)

2. In fact, 88% of the refugees are to be found in three host countries, 40% in the Federal republic of Yugoslavia who will likely stay there or return only to RS and 13% in Croatia. Again the latter refugees are likely to stay in Croatia or return only to Croatian majority areas.

3. I have relied on UNHCR figures. Various figures are offered. For example, the RRTF March 1998 report (p. 2) states that 950,000 rather than 750,000 persons are still displaced.