

**STUDY REGARDING
THE STATE OF RIGHTS
OF REFUGEES
FROM THE REPUBLIC
OF CROATIA**

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ABOUT THE PROJECT

The Lawyers' Committee for Human Rights YUCOM is a non-governmental organization engaged in promotion of ideas and practice of the human and civil rights and freedoms, dissemination of knowledge on those rights and freedoms, rendering of legal assistance to those whose rights are violated, development of cooperation with associations and organizations committed to promoting civil, political, human and union freedoms and rights, and organization of other activities focused on implementation of the Committee's objectives.

Starting from February 2012 till July 2013, the Lawyers' Committee for Human Rights – YUCOM has worked as a partner of the Center for Peace Studies from the Republic of Croatia, on implementation of the project called **Emphasizing Human Rights in the Areas of Special State Concern** with financial support from the European Union Delegation.

We organized activities in four major fields¹:

- RESEARCH – research on the return and the reasons why the citizens of Serbian nationality have still not returned to Croatia. We are interested in whether the return and integration have been enabled, and, if not, what the obstacles are to that return.
- EDUCATION – the objective is to educate county coordinators for human rights, local government representatives, representatives of organizations engaged in protection of minority rights and other local organizations, about international mechanisms of protection, national legislation in the field of human rights, and about minority and anti-discrimination legislation in general.
- BUILDING CAPACITY of civil society organizations, activists and civil servants for monitoring, reporting and strategic litigation in the field of protection of minority rights, the rights of refugees and returnees, and anti-discrimination legislation.
- RAISING AWARENESS of human and minority rights and problems of divided communities through number of activities at the Stojan Jankovic Castle (Islam Grčki, Zadar hinterland, Croatia), such as the Artists in Exile summer school, art and film festival *Zimsko ljetovanje/ Summer holiday* as well as through various public events in the areas of special state concern.

1 The Center for Peace Studies organized the activities in four major fields.

INTRODUCTION

A lasting solution and an opportunity to start a new life in a new country, or in the country they were forced to leave, are preconditions that need to be fulfilled in order for refugees to maintain their dignity, and in order to right the wrong that was done to them.

Today, with the Europe uniting and the process of accession of new members from the Western Balkans region into the community of democratic countries, hundreds of thousands of people in Serbia still have temporary citizen status². Even though the solution to this problem would accelerate the process of our region's integration into the European Union, it has been slowed down by reducing the important issues to existential ones. However, we are still far from finding a lasting solution. The question that still remains open is whether the refugee problem has been solved or have we just embarked on the quest of finding that solution, as well as the question whether we have discovered all the causes and mitigated their consequences in the best possible way.

The 1991 breakup of the Socialist Federal Republic of Yugoslavia caused numerous migrations which, unfortunately, have still not been completed. In that period, according to the estimates of the Office of the Commissioner for Refugees of the Republic of Serbia, around 3 million people³ left their place of residence, and around one million of them sought refugee status in third countries⁴. The states receiving the refugees have had a clear opinion from the start – providing temporary protection and the return to the countries of previous residence, as soon as favorable conditions have been met.

The return of refugees to the place of their previous residence has never been on large scale, and, having in mind the fact that many refugees have integrated into new environments, it would be useful to have the data on the number of refugees who wanted to return. Therefore, we decided to do the research on refugees' opinions, possibilities and wishes regarding the return, and on obstacles they are facing.

The return to the Republic of Croatia is still an ongoing process and it has been hindered for years by Croatian, and partly by Serbian, side. Having in

2 Persons who possess temporary ID documents have a temporary citizen status

3 Office of the Commissioner for Refugees: The census of refugees and other persons endangered by war in the Federal Republic of Yugoslavia.

4 Ibid.

mind that the security conditions have changed and that they are now on a satisfying level, more intensive return can be expected in the future. The Republic of Croatia's candidacy for the European Union membership has brought some changes, since not only the cooperation with the Hague Tribunal but also the return of Serbian refugees, are among the membership conditions.

However, without a deeper and more concrete democratization and more favorable atmosphere in the region, it would be difficult to expect creation of preconditions for a lasting solution of the refugee issue.

This publication before you has been prepared in cooperation with the Center for Peace Studies from Zagreb, as part of a joint research on the position and status of the refugees from the Republic of Croatia and the returnees, in both Croatia and Serbia.

The publication presents the current position of the refugees and the returnees, and defines actions, solutions and recommendations that would be important for improvement of life of the persons who were forced to leave their homes and move away. Our intention is to promote all the changes and solutions not only in local communities, but also in the territory of the Republic of Croatia, in cooperation with the Center for Peace Studies, and through engagement of all social actors and the international community.

Two courses of action have specifically come to light. One course is providing assistance for sustainable return of refugees to the Republic of Croatia, and here we primarily mean their voluntary and safe return to the country of previous residence. The other course is providing assistance regarding local integration of the group that decided to stay permanently in the Republic of Serbia. The local integration program should include not only the refugees and their preparation for independent life, but also the local population's assistance in this process.

The refugee problem knows no boundaries and is not focused only on the nation that is currently the most endangered; it is not contained inside the borders drawn after the conflict and it does not stop with the number of refugees and internally displaced persons. We should look for solutions through cooperation, primarily regional, in order to create environment that would embrace new circumstances, heal the wounds we do not wish to remember, and ensure a dignified life to those who are rightfully called the victims of war.

Milan Antonijević,
for the Lawyers' Committee for Human Rights – YUCOM

REFUGEES BY NUMBERS

In the period between 1991 and 1995, numerous conflicts and wars took place in the territory of the former Socialist Federal Republic of Yugoslavia:

- In Slovenia (27 June - 7 July 1991),
- In Croatia (summer 1991 - 1995) and
- In Bosnia and Herzegovina (spring 1992 - November 1995).

During these interethnic conflicts, large number of refugees⁵ left their homes and fled to some other republic of the former Yugoslavia, or to a third country. The war, massive violations of human rights, numerous crimes and destruction of infrastructure forced this group of people to seek refuge somewhere else, far away from their homes.

At the end of the eighties and beginning of the nineties, people who anticipated an open conflict breaking out in Slovenia at the end of June 1991 started moving out. The first, that is, the earliest wave of refugees consisted of people who sought refuge at their cousins' and friends'. However, the phenomenon of mass refugees started after the beginning of actual armed conflicts, that is, with escalation of the war in Croatia in 1991, and in Bosnia and Herzegovina in 1992. In this period, people who fled Croatia and Bosnia and Herzegovina were given the official status of refugees. During 1995, that is, during the Operation Storm, Serbia was overwhelmed by the biggest wave of the displaced persons whose status was by no means different from the status of refugees.

Subsequent to the Dayton Agreements in Bosnia and Herzegovina new migrations and human relocation took place as agreed „at the top“. For this reason, Serbs who had settled in Eastern Slavonia were forced in 1997 to move

5 According to Article 1 of the 1951 UN Convention defining the refugee status, this term applies to any person who is outside the country of his nationality owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, and who is, owing to such fear, unable or unwilling to avail himself of the protection of that country; or who, not having a nationality or being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

further. Some of them couldn't return to their home villages in Dalmatia and Lika because their houses had been destroyed and they didn't know what kind of safeness and assistance they could rely on. For this reason, they moved to Serbia and settled primarily in Vojvodina.

Common characteristic of all refugee movements was the logic of ethnic territorial grouping. This means that during persecution people move towards their home republics or towards the territories controlled by armed forces of their ethnic group. All of this influenced the dynamics and complexity of refugee movements, since those movements followed the changing military situation in the field.

Therefore, we can say that ethnic Croats fled (or were expelled) towards the Croat-controlled areas or towards Croatia itself (that is, towards its territories that were not affected by war); ethnic Serbs fled (or were expelled) towards the Serb-controlled areas or towards Serbia, while Bosnian Muslims fled (or were expelled) towards other republics of the former SFRY (mainly Croatia and Slovenia) or towards the Muslim-controlled areas, or abroad. The only exception to this logic of ethnic grouping were the movements of Bosnian Muslim refugees towards Croatia, but it should be pointed out that these took place before the outbreak of hostilities between Muslim and Croatian armed forces.⁶

The 1991 Census shows that out of 23.528.230 inhabitants of the SFRY, 15.83% or 3.725.300 were refugees and internally displaced persons⁷. We can see that almost every sixth resident of the former SFRY was, at some point, a refugee or internally displaced person.

For Serbia, these movements meant receiving a large number of displaced people, who arrived in several waves and who had various statuses⁸. According to the first 1996 Census, 537.937 refugees were in its territory (44% from Bosnia and Herzegovina, 54% from Croatia), as well as 79.791 persons endangered by war. More precise records of the total number of those who moved, were exiled or changed their place of residence were given in the March 31, 2002, Census. However, this census also failed to provide precise data on the total number of refugees in the territory of Serbia. Namely, in the period between 1996 and 2002, certain number of refugees managed to integrate into new environment and they did not want to declare their refugee status. Certain number of refugees was not covered by the census due to their return to the place of origin, while large number of them moved abroad. In addition, due to their subtenant status, their seasonal work, etc., a part of this population group was not

6 Borislav Radović, A Brief Retrospective on the Problem of Refugees in the Yugoslav Wars (1991 - 1999), p. 21

7 The most precise definition of the internally displaced persons is the one used in the United Nations reports and it states that they are persons and groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of, or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.

8 Data is taken from the report "State and needs of internally displaced persons in collective centres in the Republic of Serbia" of the Refugee Committee of the Republic of Serbia from January 2010.

available to census takers. This census registered 379.135 refugees. Out of the total number of refugees, 192.672 or 50,8% of them were living in the central Serbia, and 186.463 or 49,2% were living in Vojvodina. Although more refugees were living in the central territory of Serbia, the wave of refugees had a bigger impact on Vojvodina, since every tenth person registered in the census there was a refugee from one of the former Yugoslav republics.

In the period between 1996 and 2010, the number of refugees declined for more than 80%. According to the data from the Office of the Commissioner for Refugees of the Republic of Serbia⁹ from November 1, 2010, there were 85.155 persons with refugee status, 72% of them from Croatia and 28% from Bosnia and Herzegovina. These data show that the return of refugees from Serbia to Bosnia and Herzegovina happened, and is happening, with less obstacles and difficulties compared to the return to the Republic of Croatia. However, although the number of refugees tends to decrease, according to the data from the Office of the Commissioner for Refugees of the Republic of Serbia from June 20, 2012, there are 66.408 refugees from Croatia and Bosnia and Herzegovina still residing in Serbia, which still makes Serbia the number one European country regarding the scope of forced migrations.

The data presented show that ethnic territorial homogenization happened in Serbia, and mostly in its northern province – Vojvodina. However, we should not forget the fact that most of the refugees are from the Republic of Croatia. Hoping that it would help them meet their existential needs during integration or during the return process, members of this population, even after seventeen years, still hesitate to cancel their refugee status and obtain documents of the Republic of Serbia, or to get the status of returnee in their country of origin. Of course, we must not forget those who have become citizens of the Republic of Serbia, but who still need assistance with housing, employment, or even fulfillment of their rights in the Republic of Croatia.

We can conclude that there cannot be any progress without a coordinated and sufficient engagement of the two governments, and without support of international institutions, as well as their commitment to the ideas of multi-ethnicity and the respect of human rights.

9 Office of the Commissioner for Refugees as a separate organization in the state administration system has been established by the Law on Refugees ("Official Gazette of the Republic of Serbia", number 18/92, "Official Gazette of the Federal Republic of Yugoslavia", number 42/02 – Federal Constitutional Court Decision, and "Official Gazette of the Republic of Serbia", number 30/10) for purpose of performing professional and other tasks related to the provision of care to refugees, their return and integration, defined by this law, and related administrative tasks.

LEGAL FRAMEWORK FOR PROTECTION OF THE RIGHTS OF REFUGEES

1.1. INTERNATIONAL LEGAL FRAMEWORK

The Republic of Serbia is a signatory of all the main international documents in this field, i.e. *the Convention on the Status of Refugees* with the final document of *the Conference of the United Nations Plenipotentiaries on the Status of Refugees* (1960) and *the Protocol on the Status of Refugees* (1967) which define the term refugee, legal status, access to rights and other issues relevant for the position of refugees¹⁰.

In addition, although there is no obligation to apply the United Nations document – *Guiding Principles on Internal Displacement* (1998), the Republic of Serbia has been applying it in order to ensure the proclaimed level of protection and fulfillment of human rights of internally displaced persons.

Since one of the potential solutions for refugees and internally displaced persons is their return to country of origin, *United Nations Security Council Resolution 1120*, adopted in 1997, is also relevant and it reaffirms “the right of this group of persons originating from the territory of former Yugoslavia to return to their homes of origin”.

We must not forget the right of refugees and internally displaced persons to free return to their country of origin, as well as the right to housing and property restitution, that is, the right to compensation for the property destroyed during war which is impossible to restore. The listed rights have been defined by *the United Nations Security Council’s Resolution 2004/2 on Housing and Property Restitution to Refugees and Internally Displaced Persons* and *the Principles of the UN Economic and Social Council on Housing and Property Restitution to Refugees and Internally Displaced Persons* from 2005.

One of the most important conventions ratified by the Republic of Serbia which provides to refugees and internally displaced persons opportunity to address the European Court for Human Rights and which is an important

¹⁰ Conventions on the status of refugees with the final document of the Conference of the United Nations Plenipotentiaries on the Status of Refugees, “Official Gazette of the Federal People’s Republic of Yugoslavia – International Agreements”, number 7/60; Protocol on the Status of Refugees, “Official Gazette of the Federal People’s Republic of Yugoslavia – International Agreements”, number 15/67.

institutional guarantee for protection of their rights, is the *European Convention for Protection of Human Rights and Fundamental Freedoms* (“Official Gazette of Serbia and Montenegro – International Agreements”, number 9/03, 5/05 and “Official Gazette of the Republic of Serbia – International Agreements”, number 12/10).

In January 2010, the Resolution 1708 of the Council of Europe’s Parliamentary Assembly defined standards for solving of property issues of refugees and internally displaced persons.

Besides the aforementioned general international standards for protection of refugees and internally displaced persons, the Republic of Serbia, if it wants to continue down the successful path to European integrations, must respect *the Stabilization and Association Agreement Preamble* which guarantees the right to return to all refugees and internally displaced persons, and protection of their property and other related human rights.

It is important to mention *Annex G of the Agreement on Succession Issues* (“Official Gazette of the Federal Republic of Yugoslavia – International Agreements”, number 6/02) which regulates the field of recognition, protection and access to private property and acquired rights of citizens and other legal persons of the former Socialist Federal Republic of Yugoslavia. This Annex guarantees that the rights to movable and immovable property located in a successor state and to which citizens or other legal persons were entitled on 31 December 1990, shall be recognized and protected and restored by the state in accordance with established standards and norms of international law, and irrespective of the nationality, citizenship, temporary residence or residence of those persons. Article 6 of the Annex G of the Agreement stipulates that domestic legislation of each successor state concerning “housing rights” shall be applied equally to persons who were citizens of the Socialist Federal Republic of Yugoslavia and who had such rights, without discrimination.

During a long period of time, many unresolved issues and various disharmonized opinions of the relevant states have hindered the opportunity to solve the refugee issue in the region. Regional cooperation has been established in Belgrade, on March 25, 2010, during *the Ministerial Conference “Lasting Solutions for Refugees – cooperation between states in the region”*. The conclusion adopted by foreign affairs ministers of the Republic of Serbia, the Republic of Croatia, Bosnia and Herzegovina, and Montenegro, talks about the need for further cooperation between countries in the region in the process of solving of refugee issues. In addition, they agreed that it was necessary to continue consultations with international community for purpose of organization of international donors’ conference in order to discuss establishment of a multi-donor fund for assisting the process of return or integration of refugees and internally displaced persons, closing of collective centers and assisting those who are the most vulnerable.

1.2. NATIONAL LEGAL FRAMEWORK

The Republic of Serbia has regulated the position and rights of refugees from the territory of the former Yugoslavia by the Law on Refugees (1992) and by the regulations stipulating the way the care is provided to refugees and internally displaced persons. There are two such regulations, that is, *the Regulation on Assisting Refugees* (1992, with subsequent amendments) and *the Regulation on the Way for Providing Care to Refugees* (1995).

In order to improve the Law from 1992, the Republic of Serbia has adopted the Law on Amendments to the Law on Refugees on May 5, 2010. This normative framework regulates the issues of importance for local integration of refugees, primarily their admission, use of immobile property for certain period of time with a lease or purchase option, appropriate health and social protection, as well as assistance in the return process.

State bodies' determination to provide assistance and concrete solutions for future integration or the return process to all refugees and internally displaced persons, is described in *the National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons*, adopted in 2002. By all means, after ten years, there was a need to amend it and adjust it to the new needs. In line with that, the revised *National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons for the period 2011-2014* was adopted in March 2011.

In order to improve social-economic position of these persons, *the National Employment Strategy 2005-2010* (Conclusion 05 of the Government, number 11-2291/2005 from 14 April 2005) and *the National Action Plan for Employment for 2010* have included special measures for promotion of their employment. Some of them are: forming of appropriate database on unemployed refugees and internally displaced persons, giving subsidies to employers for employment of refugees and internally displaced persons, and engaging refugees and internally displaced persons in public works.

Sector-specific strategies such as *the Strategy for Development of Social Protection* ("Official Gazette of the Republic of Serbia", number 108/05), *the National Youth Strategy* ("Official Gazette of the Republic of Serbia", number 55/08) and *the National Strategy on Ageing* ("Official Gazette of the Republic of Serbia", number 76/06) define measures which should positively affect resolving of certain problems of this group.

The Law on Social Housing ("Official Gazette of the Republic of Serbia", number 72/09) describes refugees and internally displaced persons, with respect to their specific situation, as a priority endangered group regarding fulfillment of their housing needs.

The issues pertaining to access to rights of refugees and internally displaced persons are also regulated by other laws of the Republic of Serbia, such as *the Law on Citizenship of the Republic of Serbia* ("Official Gazette of the RS", number 135/04 i 90/07), *the Law on Registers of Births, Marriages and Deaths* ("Official Gazette of the RS", number 20/09), *the Identity Card Law* ("Official Gazette of the RS", number 62/06), *the Law on Travel Documents* ("Official Gazette of the

RS”, number 90/07, 116/08, 104/09 i 76/10), the *Law on Permanent and Temporary Residence of Citizens* (“Official Gazette of the RS”, number 42/77), the *Labor Law* (“Official Gazette of the RS”, number 24/05, 61/05 i 54/09), the *Law on Basic Principles of the Educational System* (“Official Gazette of the RS”, number 72/09), the *Law on Primary Education* (“Official Gazette of the RS”, number 50/92 i 22/02), the *Law on Secondary Education* (“Official Gazette of the RS”, number 50/92, 24/96, 23/02 i 25/02), the *Law on Higher Education* (“Official Gazette of the RS”, number 76/05, 97/08 and 44/10), and the *Law on Associations* (“Official Gazette of the RS”, number 51/09).

Finally, it should be added that during the last year, positive progress has been made towards resolving the refugee issue in the region. Thus, another Regional Ministerial Conference was organized in Belgrade, in November 2011. The topic was finding of a lasting solution for refugees and internally displaced persons in the Southeast Europe region. On the other hand, International Donors’ Conference was organized in Sarajevo in April 2012, focused on finding a lasting solution to the housing issues of this group.

However, as it was stated in the 2010 European Commission’s Progress Report for Serbia, many refugees and internally displaced persons still live in poverty, which means that it is necessary to make further improvements regarding fulfillment of their rights.

**ATTITUDES
TOWARDS RETURN –
QUANTITATIVE
RESEARCH FINDINGS**

INTRODUCTION

The return of forced migrants is a complex issue which consists of not only material reasons for return or the lack of return, but psychological ones as well. Here we primarily think of emotional reasons which contribute a great deal to the final decision of an individual whether s/he wants to return to the country of origin. The main goal of this study was to map out the reasons why the Croatian citizens of Serbian nationality who had refuged from Croatia during the 1991-1995 war have not returned. Also, special attention was dedicated to examining whether return and integration are even possible today, and if not, what are the obstacles that make return impossible.

METHODOLOGY

Focus group discussions (FGD) were the main research method used in this study. They were chosen as the most adequate way to analyze what participants truly believed. Because of the specific topic of this research we opted for the qualitative method – this is because we believe questionnaires/ surveys filled out by large groups of people are not the best way to analyze sometimes complex opinions of our target group (Serbian refugees from Croatia, and possible returnees to Croatia), or get an honest reply. Thinking in these terms, we had decided that the survey would be conducted through three focus groups consisting of 8 to 14 participants. This number of people, we believed, would give us different points of view of the same issue. The participants were between 18 and 35 years old, the second generation of refugees, potential returnees, and who would enable us to better understand the problems this generation of people is faced with in Serbia, as well as understand their view on potential return to Croatia. In accordance with how we ran the focus group discussions we had made a discussion guidebook which included, among other things, questions about their life in Serbia, as well as questions on possible return to Croatia.

What turned out to be quite a challenge was how to choose participants in the first place. Because the study also wanted to show what were the opinions on possible return to Croatia, we wanted to get to people who were young enough to even consider that possibility as an option, and who would, we believed, find it easier to integrate into Croatian society more easily. Apart from that, their emotional baggage was lighter when it came to deciding on this issue, so we thought this would greatly contribute to analysing this issue from a more objective standpoint.

The analysis was divided into topics we covered during the discussion. Starting from the importance of property as one of the quintessential preconditions for return, followed by their current life in Serbia and their perception of life in Croatia. A special chapter has been dedicated towards the problem of return to Croatia, as well as reasons disabling this return, as seen by the participants of the FGD. In the end, we went through the questions of civil rights, such as the right to vote, or their comments on the Law on Residence. The last part of the study is the conclusion. Every part includes numerous quotes from the participants, to give the reader an opportunity to understand and feel the real standpoint of the interviewee in a better way.

THE IMPORTANCE OF PROPERTY IN CROATIA

The majority of focus group participants came to Serbia during 1995 with refugee convoys, carrying few possessions and expecting to return to Croatia shortly. Not a single participant stated that they believed they wouldn't be coming back, which is best described in the following statement of one of the participants:

„PEOPLE HAD NO IDEA WHAT'S GOING ON TO THE EXTENT THAT THEY DIDN'T WANT TO BRING WITH THEM THEIR NEW BLANKETS – LIKE WE'RE GOING TO BOSNIA OR SOMEWHERE, AT LEAST THAT'S THE WAY I REMEMBER IT, SO WE'RE ONLY BRINGING OUR OLD STUFF... , WE WOULDN'T WANT TO BRING ANYTHING NEW AS WE MIGHT SPEND SOME TIME IN THE FOREST – I REALLY REMEMBER IT LIKE WE WERE GOING AWAY FOR TWO OR THREE DAYS, JUST UNTIL THE SITUATION SETTLES DOWN A BIT...”

The issue of property stands out as one of the most important issues for the respondent when one talks about return. The guide for focus group discussion contains a set of questions pertaining to the property in Croatia and issues concerning its return to the rightful owners. It was important to ascertain if the participants held any property in Croatia before the war, and what happened to it during and after the war.

The focus group discussion revealed that all participants (more precisely, their parents or other family members) either owned real estate or at least had tenancy rights before war broke out. This status changed dramatically during the war – some lost the ownership rights to their properties, some managed to reclaim it, and some sold it for amounts far below market prices.

The experiences of FG participants concerning the right to manage their property vary. A common occurrence during the war was having other people move into houses owned by Serbs. Sometimes the new tenants “destroyed” the house/flat, sometimes they didn’t. Some had valuables taken out of their houses, others’ houses were destroyed during warfare (“a bombshell flew through our house”).

The focus group participants point out that they ran into numerous obstacles when trying to reclaim their property after the war. Although the majority did in fact manage to reclaim at least a part of the real estate they owned, a subjective feeling of being denied remains concerning the return of property. Examples of that, as explained by FG participants, include houses destroyed during the war being reconstructed as much smaller units than the original. The reason for this lies in the 1996 Law on Reconstruction which states that housing reconstruction is to be done to the extent of 35m² for the first member of the family, and 10m² for each subsequent member registered at the address of the house set for reconstruction.

„MY HOUSE WAS SET ON FIRE RIGHT AWAY IN OLUJA, AND IT WAS REBUILT IN 2003, BUT SMALLER THAN IT SHOULD HAVE BEEN AND ONLY HALF FINISHED. WE ARE DEFINITELY NOT SATISFIED WITH THAT SOLUTION. WE DO NOT LIVE THERE NOW, AND WE HAVE NO ONE TO SELL IT TO – AND EVEN IF WE DID, THE AMOUNT WE COULD GET WOULD BE VERY SMALL. NO ONE IS INTERESTED IN BUYING IT. WE GO THERE ONCE OR TWICE A YEAR FOR A PERIOD OF 10 DAYS OR SO.“

Another occurrence was that property was being „returned” in locations completely different from the locations the participants lived in before the war. It was stated that a significant problem had been the regulation which stipulated that any rights to the return/reimbursement of property was made null and void in case property was acquired elsewhere in the meantime. This turned out to be a misinterpretation of the *Conclusion* of the Republic of Croatia in June 2003 and the *Implementation Plan* which provided housing solutions for former tenancy rights holders outside of areas of special state care. One of the conditions for that was that the applicant for a housing solution doesn’t own or co-own another house or flat on the territory of former Yugoslavia. Basically, FG participants didn’t make a distinction between the concepts of ownership and tenancy rights which led to their misinterpretation of the legal framework.

The participants also pointed out to a legal conclusion which states that one loses the right to the return of property if absent from the house for more

than two years. We can say that this is also a misinterpretation of the *Law on Leasing Housing in Liberated Areas*¹¹ passed after the military operation Storm, which revoked tenancy rights from Croatian Serbs as they were absent from the houses for longer than 90 days from this law's entry into power. Precisely, those who didn't return to their houses by 27.12.1995. lost their tenancy rights by letter of the law. This law was preceded by the *Law on tenancy relations* which served as a basis for revoking tenancy rights from a large number of refugees through court procedures *in absentia* due to unjustified absence from the housing units for longer than six months.

„WE LITERALLY HAD TO FLEE, WE WERE FORCED TO LEAVE. AND THEN, A FEW YEARS LATER, A LAW WAS PASSED STATING THAT IF YOU'VE BEEN ABSENT FROM THE FLAT FOR MORE THAN 2 YEARS YOU CAN NEVER GET IT BACK. LAWS ARE BEING PASSED WITH THE PURPOSE OF DISABLING US FROM RETURNING.”

These procedures were the reason that focus group participants had to renovate their destroyed properties themselves. It is important to note that some did in fact receive funds for the reconstruction of their houses, but the dominant perception of the FG participants is that international organizations were involved with this funding much more than Croatia.

„SPEAKING OF THAT, I HAVE NO IDEA WHICH PART OF THAT RECONSTRUCTION WAS FUNDED BY CROATIA. THERE WERE INTERNATIONAL ORGANISATIONS, LIKE THE UN, WHICH HANDED OUT FUNDS. I KNOW THESE ORGANISATIONS MOSLTY GAVE FUNDS TO PEOPLE IN KORENICA”.

We have to recognize that not all participants lost property during the war, but these cases involved certain other unpleasanties which lead to discontent concerning property issues. In some cases, the participants pointed out to a specific problem which surfaced during sales of property at extremely low prices, far below market prices. Although these properties weren't "physically" taken from their owners, those involved feel as though that very injustice had been done. Various scams are mentioned, perpetrated by real estate agencies and lawyers. Double paperwork was being made – one set of value estimates made for the seller (declaring a lower price), and another made for the buyer (with a higher value). This resulted in grave discontent, and the problem was raised with authorities in Croatia, but to no avail..

„OUR PROBLEM WAS HAVING A DEAL WITH AN AGENCY IN PETRINJA TO SELL OUR HOUSE. THEY KEPT DOUBLE BOOKS. WE WERE TOLD THE HOUSE

11 „Official Gazette of the Republic of Croatia” no. 73/95

WAS VALUED AT 19 THOUSAND, AND THEN MY FATHER HEARD FROM AN ACQUAINTANCE EMPLOYED IN THE MINISTRY THAT IT WAS VALUED AT 29 THOUSAND IN THE OTHER PAPERS. OUR LAWYER, A SERB, SET IT UP THAT WAY – WHEN THE HOUSE WAS SOLD AT THE HIGHER PRICE, THE PAPERS WE RECEIVED WERE MOVED OUT OF THE PICTURE AND SHE POCKETED THE DIFFERENCE. THERE ARE PLENTY OF SUCH CASES, BUT YOU CAN'T PROVE ANYTHING. THE HOUSE WAS OCCUPIED BY A PERSON RECEIVING SOCIAL AID WHO KEPT TEARING OUT THE WOODEN FLOOR. IT WAS IMPOSSIBLE TO KICK HIM OUT OF OUR PROPERTY SO WE HAD TO SELL IT FOR SOMETHING, OTHERWISE WE WOULDN'T GET ANYTHING. THEY ALSO ACKNOWLEDGE THE FACT THAT THE HOUSE HAD 2 SPACES INTENDED FOR COMMERCIAL USE – WE WERE TOLD THAT THOSE HAVEN'T BEEN USED FOR MORE THAN 2-3 YEARS AND AS SUCH WERE NOW DECLARED RESIDENTIAL SPACE.”

In conclusion, the focus group participants suggested that a viable solution could be to organize a law firm in Croatia which would only work on ownership and property issues and inform Croatian Serbs on the changes in laws, to prevent loss of property due to lack of information.

„THE KEY THING IS THAT REFUGEES HAVE BEEN HAVING PROPERTY ISSUES SINCE '91, AND WHAT HAS THE STATE BEEN DOING? COULDN'T IT AT LEAST SET ASIDE FUNDS FOR ONE LAW FIRM WITH SEVERAL LAWYERS WHO COULD WORK WITH THESE PEOPLE AND OFFER THEM ADVICE. IT WOULDN'T REQUIRE A LOT OF MONEY, IT'S JUST A MATTER OF GOOD WILL.”

LIFE IN SERBIA

Many participants give off the impression of lacking roots when speaking of their life after fleeing Croatia. They do not have a feeling of homeland or belonging, and report that the presence of people they hold dear is the only reason they consider certain places as more than “a place where I live”. This is best portrayed in the following statement of one of the participants:

„WE MOVED SO MUCH THAT WE DON'T EVEN HAVE A REAL HOME. MY HOME IS WHERE I SLEEP AND WHERE MY PEOPLE ARE. I'M HERE, IN BELGRADE, BECAUSE MY CIRCLE OF PEOPLE IS HERE. BUT I WILL LEAVE HERE IF NEEDED, THE SAME WAY I CAME.”

However, the discussion does reveal that the participants have adapted to life in Serbia over time, that they are now integrated although it was difficult in the beginning. Most of them point out that life in Serbia was much more

difficult during the first years. When they first came they ran into significant administrative obstacles, especially when trying to enroll their children in schools – due to paperwork and overcrowding. One participant stated that she wasn't able to enroll in school in Belgrade at all as there was no room, so her family had to move to Kosovo for the child (sister of the participant) to continue her education. After successfully enrolling, the children were further discriminated against due to their accent, which was a significant problem for the children going to grade schools and high schools.

„I FELT AS IF I WAS DIFFERENT WHEN I FIRST CAME. I WAS A 3RD GRADE STUDENT WHEN I STARTED SCHOOL HERE AND THEY THOUGHT THE WAY I SPEAK WAS WEIRD. UNPLEASANT INCIDENTS HAVE BEEN KNOWN TO HAPPEN, BUT THAT'S GONE NOW.”

Most of the participants have managed to accept "ekavica" (Serbian dialect) after those first years, and find a space for a normal life, without discrimination. We can conclude that the participants do not perceive themselves as discriminated at the moment, although sporadic unpleasant incidents happen with the native population, especially when seeking employment when they are exposed to the "refugees are stealing our workplaces" sentiments. FG participants explain it by "being thrown into the fire", having to build a life all over again to survive, so they tried harder.

„PEOPLE OVER THERE IN CROATIA ARE STIGMATIZED, BUT WE IN SERBIA ARE ALSO STIGMATIZED, EVEN THOUGH 20 YEARS HAVE PASSED. WE'RE STILL THE REFUGEES AND WE CAN'T CLAIM THIS IS OUR HOME. SHARING THE SAME CITIZENSHIP, ETHNICITY AND RELIGION WITH THE NATIVE POPULATION DOESN'T MATTER – WE ARE STIGMATIZED AS REFUGEES AND ALWAYS WILL BE.”

„PEOPLE HAVE ACCEPTED US BY NOW, ABOUT TIME AFTER 20 YEARS. WE ARE NOT SO DIFFERENT – IT IS JUST A MATTER OF DIALECT, THE RELIGION IS THE SAME.”

„PEOPLE ARE BOTHERED BY THE FACT THAT MOST OF US MADE DO, AND MANAGED TO ACQUIRE MORE DURING THAT TIME THAN THEY DID DURING THEIR WHOLE LIVES. ALL THE MEMBERS OF MY FAMILY SETTLED IN WELL, THEY ALL HAVE JOBS. AND PEOPLE KEEP ASKING HOW COME OUR HOUSE IS SO BIG. THEY THINK WE STOLE”.

Then again, other participants explain their success in Serbia by the very human nature of the people coming from Lika. They stress out the harsh

natural conditions in Lika, which helps build a certain "work and fight" type of personality.

„THAT’S THE NATURE OF PEOPLE IN LIKA – IF YOU DON’T WORK REALLY HARD, YOU WON’T REAP ANYTHING FROM THE SOIL. IT’S NOT LIKE VOJVODINA WHERE YOU SIMPLY TOSS A POTATO INTO THE GROUND AND IT GROWS. EVERY ONE HAD TO WORK TO THEIR LIMIT IN ORDER TO KEEP THE FAMILY FROM GOING HUNGRY. WHEN PEOPLE CAME HERE THEY HAD NOTHING EXCEPT FOR THE CLOTHES ON THEIR BACKS. THIS KILLED MY GRANDFATHER”

On the other hand, the current status of FG participants leads us to believe that there are still barriers regarding full integration in Serbia. A large number is socially integrated, but some have not been integrated into the job market, in spite of being educated and capable of working. They are either unemployed or work illegally¹². We must keep in mind that this is an issue with youth in Serbia in general, and should not be seen as a refugee-only problem. Few participants have regular jobs.

„WE ALL HAVE TEMPORARY JOBS ONLY... THAT IS A PROBLEM IN GENERAL, IT DOESN’T ONLY CONCERN US.”

„PERSONALLY, I HAVE AN MA DEGREE, AND THERE IS NO WORK. NOT BECAUSE I’M NOT TRYING”

„I BELIEVE OUR PROBLEMS ARE MORE OR LESS THE SAME AS THE PROBLEMS OF SERBS BORN HERE. EMPLOYMENT IS AN ISSUES WITH EVERYONE IN SERBIA.”

LIFE IN CROATIA

Most of the participants visit Croatia regularly, at least once a year. In large part, they visit their places of origin during summertime and describe their visits as pleasant and trouble free. However, they still have a sense of fear and behave cautiously. For example, they never park their cars, which have Serbian license plates, in public garages. They consider the danger pretty much gone by now, but they are aware of individual incidents. They see the media in Croatia as one of the main groups to blame for these incidents. They think the media is largely influenced by official Croatian state policies towards the Serbs, which results in the incitement of nationalism among the Croats.

12 „Working illegally” denotes doing regular work, but without being officially hired by your employer – thus, no taxes or benefits are being paid or received.

„MY FATHER WAS IN CROATIA RECENTLY AND NO ONE BOTHERED HIM. THESE THINGS DON'T HAPPEN ANYMORE. BUT PEOPLE STILL DO SOME THINGS AS A PRECAUTION. A RELATIVE NEVER PARKS HIS CAR, WHICH HAS NOVI SAD LICENSE PLATES, OUTSIDE.“

The participants also notice a difference between the north of Croatia and the rest of the country which saw war. Salaries in Croatia are noted to be higher, and the cost of food lower which enables a better living standard. Most are aware, though, that it is really difficult to find a job in Croatia these days due to the global economic crisis. Their perception of life in Croatia is, in addition to the visits, also based on the stories of their friends and relatives who live there.

„IT ENTIRELY DEPENDS ON WHERE WE'D GO. NORHTERN CROATIA IS MUCH BETTER – IT HASN'T SEEN WAR. ZAGREB IS ALSO DIFFERENT. GOING TO CROATIA FOR WORK IS SOMETHING MANY WOULD DO. SALARIES ARE HIGHER THERE, THE STARTING SALARAY IN A STATE INSTITUTION IS 700 – 800 EUROS. FOOD IS, OF COURSE, CHEAPER THAN IN SERBIA. THAT ALONE MAKES YOU PROFIT“

RETURN TO CROATIA

Most participants are not interested in returning to Croatia, and the negativity seems to be growing the older they are as opposed to the findings in the quantitative research. Focus group discussions revealed that the older the participants were, the more negative their attitudes towards return were. Younger generations remain more open towards a possible return, mostly for economic reasons. They say they might go back if they were offered a job – and even then, the return wouldn't be permanent – which is supported by the findings in the poll. Employment is one of the main factors in the decision to return among younger generations.

Only one participants has serious plans of going back, as he has graduated from the Faculty of Medicine in Belgrade and hasn't been able to get a job in Serbia. Having spent time in Croatia during the last few years, he finds the health system in Croatia significantly more advanced and thinks it is easier to get a job than in Serbia. The non-existence of a language barrier is another helpful factor.

„I HAVE A PROBLEM WITH HOW I'M SUPPOSED TO EXPLAIN IT TO MY CHILD. HOW DO I TELL HIM WHO'S A CROATIAN, AND WHO'S A SERBIAN VETERAN (DEFENDER). THEY BOTH DID THE SAME THING. I DON'T HAVE ANY PROBLEMS WITH ANYONE, BUT HOW DO I EXPLAIN THAT TO A CHILD? AND MY TOWN, GLINA, IS EMPTY. THERE IS NO ONE THERE. YOU GO OUTSIDE AND THERE'S NO ONE TO SEE. SERBIAN AREAS ARE COMPLETELY EMPTY

OVER THERE. POPULATION DENSITY IN LIKA IS SMALLER THAN IN SAHARA, AND THERE IS NOTHING IN SAHARA, WHILE ONE COULD HAVE ANYTHING ONE WANTED IN LIKA”

Although some participants would like to go back, they wouldn't want to start a family over there. They think there is no need for a child to grow up in an atmosphere of constant potential discrimination, within an education system they do not believe is adequate.

„I WOULDN'T GO BACK, UNLESS SOMEONE OFFERS ME A REALLY GOOD JOB AND SALARY. I WOULD GO FOR A WHILE, I'D TAKE A YEAR OFF UNPAID. THEN I WOULD SEE IF I WOULD STAY THERE OR RETURN HERE. BUT I WOULDN'T WANT MY CHILD, WHEN IT GROWS OLD ENOUGH TO GO TO SCHOOL, TO GO TO A CROATIAN SCHOOL. I COULD GO BACK TOMORROW, BUT MY CHILD IS A PROBLEM. A BIG PROBLEM. I KNOW PEOPLE WORKING IN A STATE SCHOOL AND THEY HAD A SCHOOL COUNCIL COMPOSED OF 4 CROATS AND 3 SERBS. THE RATIO WILL NOW TURN TO 5:2 FOR CROATS, AND THE PRINCIPAL OPENLY STATED THAT THE CROAT WILL ALWAYS HAVE HER VOTE, EVEN IF HE IS A MURDERER AND A CRIMINAL, WHILE THE SERB CAN BE THE BEST AND THE SMARTEST – IT WILL DO HIM NO GOOD. CROAT CHILDREN INSULT SERB CHILDREN IN SCHOOLS WITH INAPPROPRIATE SLOGANS AND COMMENTS. ALL THE SERBS IN EASTERN SLAVONIA DREAM OF MOVING TO SERBIA.”

One of the important reasons for not returning to Croatia is also the lack of people who lived in the towns and villages they fled from – thus, those places are no longer the surroundings they would want to live in.

„IF I LEAVE SERBIA, THAT COULD ONLY BE FOR EUROPE – AUSTRIA, GERMANY, ITALY.... I WOULD NEVER RETURN TO CROATIA, I HAVE NOTHING HOLDING ME THERE, AND I'M OK HERE FOR NOW. A PLACE IS ABOUT THE PEOPLE FOR ME. WHY WOULD I GO BACK IF I HAVE NO ONE TO DRINK COFFEE WITH OVER THERE? I DON'T HAVE A PROBLEM WITH SOMEONE BEING A CROAT – IT'S JUST THAT ALL MY PEOPLE ARE OVER HERE.”

Croatia's recent accession to the EU doesn't seem to affect the decision to return. FG participants think that by joining the EU Croatia has achieved a goal which will not reflect at all on the position of Serbs in Croatia and thus it doesn't affect their opinions on returning.

„CROATIA GOT WHAT IT WANTED, AND US SERBS WILL BE COLLATERAL DAMAGE”.

OBSTACLES FOR RETURNING

Focus group participants list these as the major obstacles for returning:

1. Fear of discrimination
2. Issue of safety in towns with a Croat majority
3. Employment issues
4. Abandoned towns and villages
5. Croatian national insignia

FEAR OF DISCRIMINATION

The participants pointed out fear as one of the main reasons preventing them from returning to Croatia. By that they didn't mean fear for their personal safety, but fear of being treated badly by the native population instead. The issue of discrimination in school or at the workplace is often raised, as they quote the stories of their relatives who had stayed in Croatia. Those who declare themselves as Serbs are regularly discriminated against, while most attempt to conceal their ethnicity or denounce it in favour of being promoted in the workplace.

„THE PSYCHOLOGICAL FEAR IN PEOPLE IS IMPORTANT – THEY'RE AFRAID OF THE LOOKS THEY MIGHT RECEIVE, OF THE WORDS THAT MIGHT BE THROWN AT THEM. THIS IS ESPECIALLY TRUE FOR THE TOWNS AND VILLAGES THAT ARE PREDOMINANTLY CROAT INHABITED, AND WERE MOSTLY POPULATED BY SERBS BEFORE THE WAR. “

SAFETY

Personal safety is another often mentioned issue. All the participants agree that everything is now more peaceful and that they haven't encountered any problems related to their safety in Croatia recently. The fear still lingers, though, and it is responsible for consistent behavior patterns which include precautions like not parking a car with Serbian license plates outside.

„EVEN IF YOU SEND A CHILD OVER TO ZAGREB FOR EDUCATION, YOU HAVE TO WORRY THAT HER OR SHE MIGHT BE ATTACKED OR BEATEN. AND WHEN THESE THINGS HAPPEN, THE PERPETRATOR ALWAYS REMAINS UNIDENTIFIED.“

EMPLOYMENT

The participants are aware of Croatia's economic difficulties due to their regular contact with people living there¹³. Official statistics confirm their perception that Croatia has been feeling the consequences of the economic crisis. That is why they are convinced it would not be easy for them to find employment in Croatia with the crisis on one hand, and the poorly developed private sector on the other. The public sector prefers employing members of the ethnic majority. None of the participants mentioned article 22 of Croatia's Constitutional law which ensures a proportional representation of national minorities in executive branches. It is possible they are not even aware it exists. In addition to that, most of them would be returning to the towns they fled from – and chances of finding employment in such small towns are even smaller.

„WHEN WE TALK ABOUT RETURNING, SAFETY ITSELF – WHICH VARIES FROM PLACE TO PLACE – IS NOT THE ONLY ISSUE. THE BIGGEST PROBLEM IS THAT PEOPLE WHO RETURN CAN'T FIND EMPLOYMENT ANYWHERE. THE PRIVATE SECTOR IS UNDERDEVELOPED, AND CROATS ARE PREFERRED IN THE PUBLIC SECTOR EVEN IF THEY HAPPEN TO BE TEN TIMES WORSE AS EMPLOYEES. SIX PHDS WILL DO YOU NO GOOD – SOMEONE WITH ONLY A HIGH SCHOOL DIPLOMA WILL TAKE YOUR JOB. THIS IS WHAT IT'S LIKE IN SCHOOLS, TAX OFFICES, POSTAL SERVICE, THE POLICE, THE COURTS... EVERYWHERE.”

ABANDONED TOWNS AND VILLAGES

Several participants pointed out during the discussion that they have nowhere to return in the sense that the places they fled from are now abandoned. Towns and villages formerly inhabited by Serbs are now abandoned, devastated and even prowled by wolves in Lika, which was earlier never heard of. These places were never repopulated after the Serbs left, so the participants think they have nowhere to return to.

„MY TOWN, GLINA, IS EMPTY, THERE IS NO ONE THERE. YOU GO OUT AND THERE IS NO ONE TO SEE. SERB AREAS OVER THERE ARE EMPTY. POPULATION DENSITY IN LIKA IS SMALLER THAN IN SAHARA...”

13 Unemployment rate in Croatia was 18.9% in 2012. It jumped to 21.1% in the first five months of 2013 which indicates a growing unemployment problem in the last year. It is still smaller than in Serbia, where it stands at 24.6% (Croatian Employment Bureau <http://www.hzz.hr/default.aspx?id=6191> and Work Force Poll, Serbian Statistics Bureau)

NATIONAL INSIGNIA

One of the issues affecting return that surfaced in the discussion was the emotional effect of looking at Croatian national insignia. Some participants state they would have a hard time looking at the Croatian national flag in what used to be Serb towns.

„IT SEEMS I AM THE ONLY ONE WILLING TO RETURN. WHEN I ASK WHY, PEOPLE TELL ME THEY COULDN'T BEAR LOOKING AT THE CROATIAN FLAG”

THE REFUGEES' RIGHT TO VOTE IN CROATIA

The discussion left an impression of disinterest among the young to exercise their right to vote in Croatia, with some not even sure if they're listed in Croatia's voting registries. There are, however, those who have the right to vote and have voted in the past, as well as those not listed in the registries who have attempted to exercise their right to vote. One participant's view is interesting:

„I HAPPENED TO BE THERE DURING THE ELECTIONS AND DECIDED TO CAST MY VOTE. I WAS TOLD THAT I WASN'T LISTED IN THE REGISTRIES, EVEN THOUGH I HAD BEEN LISTED THE PREVIOUS TIME. THEY TOLD ME I HAD TO DECLARE MYSELF AS A SERB IN ORDER TO BE IN THE REGISTRY AND THAT THERE IS A REGISTRAR'S OFFICE WHERE THAT CAN BE DONE. THEY TRIED TO CONVINCE ME NOT TO EVEN TRY, THOUGH, AS IT WAS SUPPOSED TO BE COMPLICATED AND I WOULDN'T KNOW WHAT TO DO. IT TOOK ALL OFF TWO MINUTES IN THE REGISTRAR'S OFFICE. THAT'S HOW I WENT, BUT MY FATHER HAD THE SAME PROBLEM A YEAR LATER DURING LOCAL ELECTIONS. NOW THE ENTIRE FAMILY HAS OFFICIALLY DECLARED THEMSELVES AS SERBS, AND WE ARE REGULARLY INVITED TO VOTE AND IT WORKS GREAT, BUT IT IS OBVIOUS THAT THEY TRY TO HINDER YOUR RETURN WITH SMALL THINGS.”

NEW RESIDENCY LAW

The participants have partially mentioned the provisions of the new Residency Law, which provides a simplified procedure for signing oneself off the residency registry, more stringent conditions for registering one's residency and the definition of the status of residency for citizens within the program of reconstruction and housing care, as well as the alignment of residence registries with spatial unit registries. The new Law is supposed to help put a stop to the so-called fictional residencies which result in unrealistic figures in voting registries.

When asked about the new Residency Law, the participants mentioned provisions which enable the police to make checks and charge fines up to 500 Euros if a person does not reside in Croatia for more than 180 days, along with other possible consequences. They also point out that the new Law will cause them to lose voting rights in Croatia.

„THE NEW LAW EXPECTS YOU TO RESIDE IN CROATIA FOR 180 DAYS. IF THAT IS NOT FULFILLED, THE POLICE HAVE THE RIGHT TO INVESTIGATE, TO FINE YOU FOR UP TO 500 EUROS, ALONG WITH OTHER CONSEQUENCES.”

“WE ARE LOSING OUR RIGHT TO VOTE, ALONG WITH ALL OTHER RIGHTS, AS IF WE WERE BORN WHILE PASSING THROUGH”

The problem of double residency also surfaced in the discussion – a phenomenon shared among most refugees from Croatia. During the procedure of gaining their Croatian documents, they had to state their “*last address while living in Croatia*” and that is how they managed to get their papers. This resulted in them having two addresses – one in their Croatian papers, and one in their Serbian papers – which is against the law. Some participants point out that this was made possible because Croatian authorities were “*willing to look the other way*” in order to make the number of people returning seem bigger. This is attributed to solely political reasons.

„IT IS LOGICAL THAT YOU CAN'T LIVE IN TWO PLACES AT THE SAME TIME. I AM CURRENTLY REGISTERED AT TWO DIFFERENT ADDRESSES.”

“I HAD PROOF OF IDENTITY WHEN GETTING MY ID CARD AND THEY LOOKED THE OTHER WAY BECAUSE THEY NEEDED MORE SERBS BACK. PURE POLITICS, SO THAT THEY CAN SAY LOTS OF SERBS HAVE RETURNED”

One of the participants, a lawyer, pointed out that the new Residency Law requires one to renew one's residency registration if one is registered at a fictional or non-existent address. She pointed out that dual residency is unnecessary to be entitled to own property in Croatia. Additionally, she disapproved of the fact that in line with that, her only Croatian document would be a passport which she would always have to carry around, and she thinks some other type of document should be provided for them, similar to an ID card.

„I AGREE THAT DUAL RESIDENCY IS LEGALLY IMPOSSIBLE, AS IS HAVING TWO ID CARDS. YOU WILL BE ABLE TO GET A PASSPORT, BUT WITH YOUR SERBIAN ADDRESS. WHEN I GO TO CROATIA IT MAKES NO SENSE TO ME TO HAVE TO WALK AROUND WITH A PASSPORT, SO IT WOULD BE GREAT IF THEY MADE ME SOMETHING LIKE AN ID CARD THAT IS EASILY CARRIED. THERE

ARE EXPLANATIONS ON THE WEBSITE OF SERBIAN EMBASSY IN CROATIA ON WHO HAS TO RETURN THEIR ID CARD, AND WHO HAS TO REGISTER. IF YOU ARE REGISTERED AT A FICTIONAL OR NON-EXISTENT ADDRESS, YOU HAVE TO RE-REGISTER.”

Lack of information about new laws pertaining to the refugees is cited as the biggest problem law related problem, be it about documents, property or taxes. They say everything comes down to pure coincidence. They only ask around to prevent loss of rights or property after they hear learn relevant information from someone else. The ones they blame the most for this are refugee organizations in Serbia which are lax in informing their members about changes in the Croatian legal system.

„IT ALL COMES DOWN TO COINCIDENCE, SOMEONE TELLS ME: „HEY, DID YOU HEAR WHAT EXACTLY IS NEEDED?“ EVEN WHEN I FIND OUT ABOUT A NEW LAW, I NEED SOMEONE TO HELP ME, TO EXPLAIN SOME PROVISIONS TO ME. WHEN YOU ARE NOT INFORMED, THEY CAN DO WHATEVER THEY WANT TO YOU, AND SAYS WHATEVER THEY WANT TO SAY”

„AND YOU CAN NEVER SAY YOU HAD NO IDEA SUCH PROVISIONS WERE IN PLACE, BECAUSE LAWS ARE TRANSPARENT AND ALL. PEOPLE ARE KEPT IN THE DARK AND THINK THAT IF THEY LOSE THEIR RESIDENCY STATUS THEY WILL LOSE THEIR PROPERTY. AND THAT SHOULDN'T BE POSSIBLE TO HAPPEN. IF IT DOES IT IS A CASE FOR STRASBOURG.”

CONCLUSION

The study gives a general overview of the issue of the refugees' return to Croatia, especially of those people who left Croatia as toddlers or children. In spite of the fact they left Croatia at such a young age, and had every chance to integrate in Serbia, the researchers were left with an impression that they did not manage to fully feel themselves rooted and do not perceive Serbia as their 'homeland' and lack the feeling of belonging or nostalgia (however constructed these feelings might be in the first place). The researchers however believed the lack of emotional baggage helps this specific age group to put the possibility of return into a more objective perspective, and all of the pros and cons of changing statuses within their respective societies. One can conclude the young who once had the refugee status, or still do, are very rational when explaining reasons for leaving Serbia for either Croatia, or any other country in the world. Our participants overwhelmingly stated they would not return to Croatia for more than one reason: fear of discrimination, safety issues in places with the majority of Croatian population; employment and deserted towns and villages. It is interesting to state that some find it difficult to live with Croatian national attributes (flag, crest, etc.)

Apart from the fear from discrimination, most of the discussion participants stated deserted towns and villages as an important problem when talking about return, because, as they say, places where they come from today are either empty or populated with people they don't know. In this sense, socialization represents one of the more important parts of life, and is considered as one of the factors when thinking about return. If most people they know would not be there around them, most participants would not even think about moving anywhere, at least not the place they refuged from.

The FGD participants feel the return would be much easier if they would be able to live as equal members of society. Main preconditions they mention are housing and employment, as well securing a positive climate through the educational system, economy and the entire local community. One of the triggers for return might be the participants' perception of Croatia as a place with a higher standard of living with cheaper food. Apart from that, one should bear in mind Serbian returnees do not necessarily need to return to the place they exiled from.

The study has shown that the topic of the return of Serbs into Croatia is a complex one. Attitudes and reasoning in connection with possible return are very rational, i.e. depend on the economy and emotions towards the place of origin are quite 'sober'. Fear from discrimination outshines all of the other reasons the young generation stated as something that would influence the decision of possible return. Namely, all stated they fear they would in this way or another be discriminated if they lived in Croatia. What is also important to point out that the refugees are usually not informed enough when it comes to laws and administrative measures that enable their return. This lack of information might lead to smaller numbers of potential returnees, because due to ignorance, people often do not realize their true possibilities, and attitudes are formed in semi-knowledge.

MIRJANA MIKIĆ
ZEITOUN
**THE WRITTEN-OFF
RETURN**

INTRODUCTION

According to the 2011 Census, there are 186.633 citizens of Serbian nationality living in Croatia, which makes 4.36% of the total population. (According to the 2001 Census, 201.631 citizens of Serbian nationality lived in Croatia, which was 4.5% of the total population. According to the 1991 Census, 581.663 citizens of Serbian nationality lived in Croatia, which was 12.2% of the total population).

The document we have prepared is a product of our joint work with NGO YUCOM from Belgrade on researching the position and status of Croatian Serbs refugees and returnees in Croatia and in Serbia.

For many years, the Center for Peace Studies has been working with refugees/returnees, both in the field and through the work on public policies. We are especially focused on the areas of special state concern.¹⁴ Ever since the beginning of the conflicts, we have been working in a divided community, organizing gatherings, working on facing the past, on recognizing our mutual past and a better future. People we have been visiting for a long time live in places where no one comes any more. Just talking to them was a kind of support to them. Most often, we were not able to offer them much more than that. During those visits, and through providing psycho-social assistance and legal advice to them, we heard so many stories and learned about so many destinies that seemed worth documenting, putting together and using them for presenting bad reintegration practices and for defining better reintegration guidelines. That was our intention with this research.

There are only three serious publications in Croatia that focus on refugees and returnees and are based on research, facts and documentation. These are the two studies commissioned by UNHCR, whose authors are professors Dragan Bagić and Milan Mesić from the Faculty of Philosophy in Zagreb: “Study on Sustainability of Minority Return in Croatia”, published in 2007, and “Minority Return in Croatia: Study of an Open Process”, published in 2012, as well as extremely valuable research done by political sciences expert Viktor Koska:

14 The area's most destroyed during the war

“Return and Reintegration of Minority Refugees: The Complexity of the Serbian Returnees Experiences in the Town of Glina.”

Why did it come to violence, armed conflict and refugees? One significant part of Serbian minority was not ready to accept the legitimate decision made by the majority of the Croatian population, after the multiparty elections, regarding Croatia’s independence from the federal state. Some of them, in the areas where they had absolute or relative majority, openly rebelled against the new Croatian government and against the fact that they now became a minority, even though they used to be a constitutive nation. After all the chances for peace had been wasted away and after all the people advocating for peace had been eliminated¹⁵, an open armed conflict could begin.

RESEARCH

For this research, we chose the focus group methodology. Focus groups were organized and lead by Mirjana Zeitoun and Petra Jurlina.

We selected the three towns where we already work¹⁶, and ten participants from each of them: Karlovac, Korenica and Pakrac. We had a total of 30 participants and some of their demographic characteristics are shown in the Picture 1.

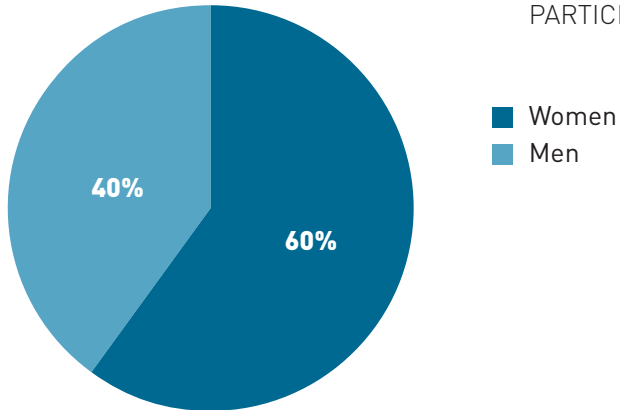
Regarding certain parts of transcripts, we agreed to only use initials. Afterwards, some of the participants asked us to neither use their initials nor the names of their home towns and villages in the text. Since there were 30 participants, I assigned one letter of the alphabet to each of them. In addition, I used letters X and Y to mark those testimonies that were not product of the focus groups but of the many years of field work, and that were closely connected to this topic.

The following is an overview of the research participants’ structure as per their gender, age, employment status, housing situation, place of residence, education and social assistance.

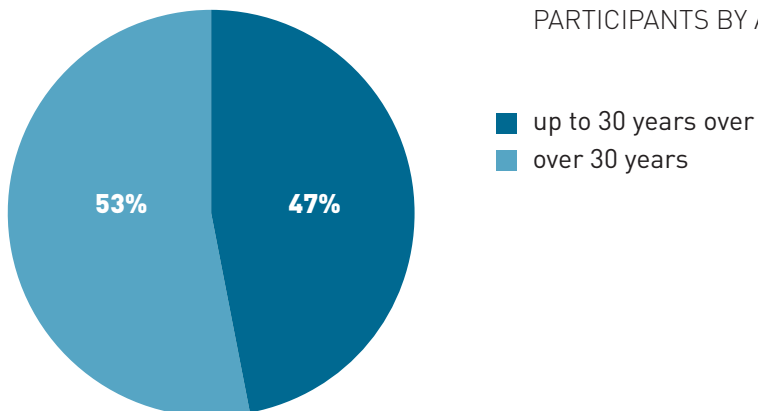
¹⁵ Here, I primarily think of Josip Reihl Kir, Osijek police chief, who went from one side in the conflict to the other trying to negotiate peace, until he was killed.

¹⁶ CMS activities include work in the local community

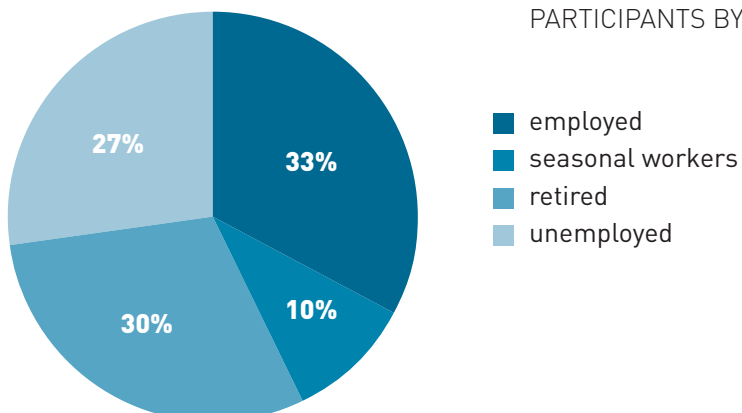
PARTICIPANTS BY GENDER

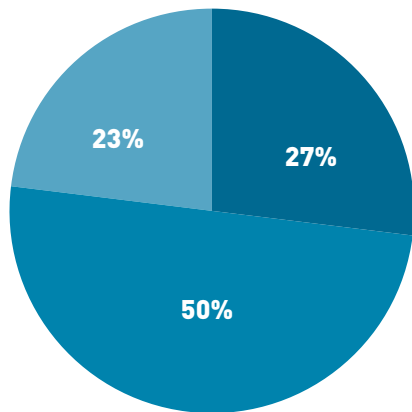


PARTICIPANTS BY AGE



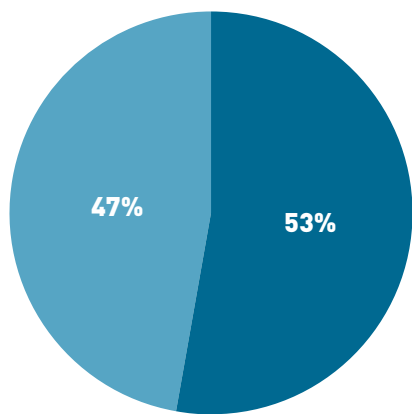
PARTICIPANTS BY EMPLOYMENT





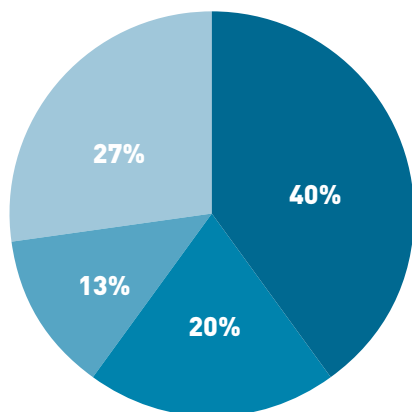
PARTICIPANTS BY EDUCATIONAL LEVEL

- College/university degree
- Secondary school degree
- Primary school degree



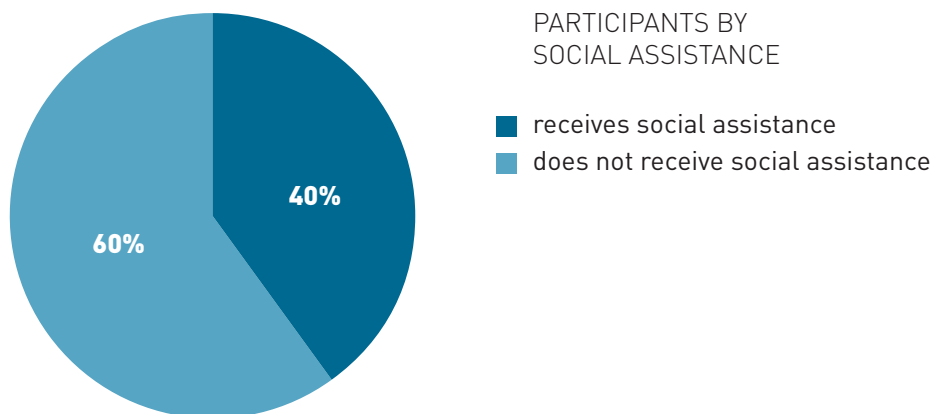
PARTICIPANTS BY PLACE OF RESIDENCE

- town
- village



PARTICIPANTS BY HOUSING

- in their own house
- temporary replacement housing units
- subtenant
- with parents



The goal of the research was to create a database related to the return of refugees, for purpose of further advocacy of sustainable return and creation of a welcoming atmosphere in the society.

We selected the participants in cooperation with our partner organizations in the field and based on our previous field work experience. We conducted preparatory interviews with each of them individually, and, before the research began, we explained to all of them why and about what we were going to talk. Since some of them were quite reserved, mostly out of fear, we tried to explain to them how valuable their statements were. Focus group meetings were held in a local community office where the participants felt comfortable and welcome.

The participants were answering four "simple questions": What was your life like before the leaving? Why did you decide to leave and how did the departure look like? What was your life like as a refugee and how did you decide to return? What is your life like after the return? Each focus group meeting lasted approximately four hours, with a break, and we collected some fantastic testimonies. The interviews were taped, as previously agreed with the participants. We met afterwards with some of them to confirm some statements from the transcript and to possibly ask some additional questions. Two of the testimonies seemed the most interesting to us and we featured them as separate stories¹⁷ in agreement with the participants.

17 "Refugee story: those who left did not understand those who stayed, and vice versa"

WHAT IS COMMON AND WHAT IS DIFFERENT IN THESE FOCUS GROUPS?

Karlovac: the most dramatic focus group: tears and tranquilizers, lack of trust, fear, and dislike *of one side* as well as *of the other side*.¹⁸ This is the town closest to Zagreb. The year is 2012. However circumstances are still tragic for those who left and for those who stayed. In 1991, Karlovac Serbs fled to Krajina area¹⁹, and then in 1995, during the Operation Storm, they fled to Serbia through Bosnia and Herzegovina. This group included higher number of older persons (age limit for this characteristic is 30 years) and “inbetweeners”.

Korenica: well connected and confident group: maybe this was because they lived away from the center, isolated, but very well interconnected. They lived in Krajina after 1991, and they didn’t have very nice memories of those days, while in 1995, during the Operation Storm, they fled to Serbia in exodus. This group was very balanced regarding age and the number of “inbetweeners”.

Pakrac: the youngest group, they are very much aware of the past, but focused on the future. In 1991, they started fleeing: to other parts of Croatia, to Krajina, most of them went to Serbia. In 1995, during the Operation Storm, many of them fled to Serbia. Those in Krajina area fled to Serbia through Bosnia and Herzegovina. This group had the highest number of young people and the lowest number of “inbetweeners”.

According to our research results, organized return started in 1996. Most of the former refugees and today’s returnees, returned to their homes²⁰ relatively quickly. The wave of returnees peaked in 1998. So far, around 132.600 people have returned, which is approximately half of the number of the people who had fled. Only half of those who returned really live in Croatia: the others are either “inbetweeners”²¹, or those who went back to the place of refuge, or who died in the meantime.

According to the official data, at this moment, there are still 60.000 registered refugees from Croatia in the neighboring countries. Although the assumption is that only small number of them would be interested in returning, it still seems that a regional plan for housing and solving of unresolved issues, as well as the Republic of Croatia’s accession to the European Union, could encourage more people to return.

18 Us and them: lost in the denominators: who are us and who are them?

19 Name of the area with absolute or relative Serbian majority which temporarily separated from the Republic of Croatia

20 “Their homes” were often replaced by rebuilt houses, other houses, other apartments... because their own homes were in most cases previously destroyed

21 Those who are neither here nor there, or who are both here and there: they come here regularly to pick up pensions and stay for a short time, while trying to find jobs there; they still have not decided to return

LIFE BEFORE LEAVING
MY WORLD WAS DIVIDED
IN TWO, AND I FOUND
MYSELF ON THE OTHER
SIDE

The war started in 1991. However, no one knows the precise date when it started – they just have the memories of certain events, and associations. Most of our research participants were in primary school at that time: in schools, children started dividing themselves into Croats and Serbs; they started hearing about political organizations – HDZ (Croatian Democratic Union) and SDSS (Independent Democratic Serbian Party); what started with “Dinamo” and “Crvena Zvezda” football match, turned into small classroom conflicts, and then the first shots got fired in some cities. Threats, insults, and even unresolved murders were happening on both sides.

“No one could explain to me how and when it all started? What was the difference between Croats and Serbs: I didn’t even want to listen to my parents’ explanations. When the war started, I understood and experienced that difference. First, I had to leave the town where I was born and where I completed my primary school, and move to a village “on the other side”. B.

“I had a different experience of the year 1991. I was living in Dugo Selo, where I was born, and I was going to high school in Zagreb. You could feel some tensions, though; I am very quiet by nature and there were many provocations, but, at that time, my parents’ divorce also happened to me: my father is Serbian, my mother Croatian; he lost his job, the neighbors did not want to talk to him anymore, it was a terrible pressure: we found ourselves more and more in some kind of quiet isolation.

By the end of that summer, 1991, my grandfather died in a Serbian village in Western Slavonia. There were already some barricades there and our father did not let us go to the funeral for fear of something happening to us. But he did go there. He couldn’t return for awhile because of some shooting. He came back 15 days later and my friends interpreted that as “him fighting on Chetnik side”.

Father wanted to sell the house and take all of us to Serbia. I have a younger brother, too. Mother did not want to hear about going to Serbia: she didn’t know or have anyone there. They sold the house, split the money and separated. Father and my younger brother left in 1994, and I stayed with my mother to finish high school. However, I was very worried about the end of school and possibility of being drafted in the army. Those like me, from mixed marriages, were the first ones to get drafted. I simply could not imagine myself in the army, shooting at my father or my brother because they were “on the other side”. Father called me to come to his place, get a refugee identity card and avoid being drafted into any army. I left as soon as I graduated.” C.

“At the beginning of 1991, there were already rumors about some sort of conflict or war, but I simply couldn’t believe that. I kept going to work as usually. However, in July,

turmoil started, as well as persecution of persons of Serbian nationality, insults and threats. People started comparing this with the World War II when many innocent Serbs lost their lives in this region. My colleague and I took our children and went to Serbia: it was the time of holidays and we wanted to wait there until the situation calmed down. Indeed, I did receive information that the situation was improving, so I returned to Karlovac in August and went back to work. That is when the real terror began. Nightly telephone calls, the worst imaginable threats. My husband worked as a security guard and he was out during the night. Me and my two children, six and nine years old, we slept on the floor for fear of stray bullets. We lived in military personnel buildings complex. One night, they blew up a café owned by a Serb and located beneath our apartment. Both children and I were thrown one meter up in the air by that explosion. The children could not stop screaming. At work, we were already strictly divided into Serbian and Croatian sides. At home, we had to stay in the basement because shots were fired all around: in such circumstances, one day before they announced entry and exit ban for Karlovac, on October 25, I took my children and went back to Serbia. This time, we would stay there for several years.” J.

Even though 20 years have passed since these events and some of our participants were very young at that time, they vividly remember some of them: these are mostly the events that marked their family life or their personal life, and much less the political events and general atmosphere in the society.

“1991 was the year when they divided us, both in our workplaces and in our lives. That year, the school in Karlovac enrolled five first-grade classes: three Croatian and two Serbian. Was that enough for a person to start drawing some conclusions? Serbs were getting fired left and right. Finally, in my company, there were 60 Croats and six Serbs. The six of us were not allowed to sit together to eat or talk, because that would be interpreted as a rebellion. They were following us, spying on us; we were forced to explain everything we did, and to report everything to the director: if we wanted to take a vacation, we had to submit our trip itinerary. They kept asking us to leave and thus stop polluting the environment. That summer, as every other before, I took my children for a vacation to my mother’s in Slunjska Brda. I went through hell with my children and that’s what made me leave. In July, I renovated my apartment, since I was definitely not expecting war or exile.” L.

“The turmoil started already in 1990. First barricades were set here in Lika when I came for a vacation. I remember that it was August; I was returning from Zagreb, from Tina Turner’s concert, to my village of Ličko Petrovo Selo. They looked at me in astonishment: they were wondering who was coming there so late at night?

I had friends among Croats, too. We celebrated the New Year 1991 in a very festive mood. Celebrations started in Karlovac: Catholic Christmas, then New Year’s Eve, Orthodox Christmas after that and, finally, Serbian New Year, which was a holiday that we’ve just started celebrating in recent years. For us, as long as it was a celebration, it was good. I threw a party at my apartment. Those were the times of Ante Marković as the Premier, when we had everything, all kinds of food and drinks. I took all the furniture out of the apartment, the only thing remaining was a piano: we had live music. We were making ironic jokes: like the one that HDZ could not force me, a Serb, out of my town.

I remember talking to a good friend of mine while we were pushing our bikes down the street: I tell her that no Serb would ever stand under Croatian flag. She asks me

why. I tell her that half of my family was slaughtered in the World War II: my father is an orphan. She replies that her granddad also suffered in the World War II because he was forced to move from Lapac to Karlovac. I tell her that it is not the same: my granddad was killed because he was a Serb and her granddad survived and was able to rebuild his life. We walked in silence after that. However, we continued to hang out together. I went to her house for the Easter breakfast. My family was not religious. About that time, they started calling Serbs “the three-phase people”: I warned my friends making those jokes that I was a three-phase, too.

They criticized me for leaving, but no one ever told me they would protect me if I stayed. Anyway, I left for my summer vacation as always, and then the phone lines went dead. After a long time, the first to contact me was a friend of mine who moved to London: no one from Karlovac or Zagreb contacted me.” Š.

“When I think of Korenica before the war, I remember only the ugly things; I stopped remembering the nice things. I remember grenades, shelters, sleepless nights, running between buildings to reach basement, all those smelly basements, and my worried grandma. One time, grandpa tried to get me and my mother out of Korenica, but the shelling was so intense that it was impossible, so we gave up.” O.

“First, Croatian TV news disappeared, then the whole HTV (Croatian TV), and then there was that event in Plitvice. Then a neighbor of ours died in a bombing. During bombing, we did not go to school; there were many of us kids in the buildings in Korenica, but luckily no one got hurt, so we had plenty of time to play. However, that’s when my uncle died and that is a very sad memory for me.” R.

“I was a successful businessman before the war and I still am. My products won medals in all former republics of Yugoslavia. Yes, there were some tensions in 1990. I kept thinking that it would all just blow over; that the smart ones would outnumber the others. Even today, I still think that the war could have been avoided. But those who were in power wanted that war and they got it. And what did they achieve with it? Since I was travelling regularly to Zagreb for business, they accused me of being a spy. After that, all four tires on my car got slashed. When situation started getting quite serious, I had to join the army. We were down in the south. To be honest, I didn’t see any serious fighting. There was mostly shelling – grenades fired from one side to the other, and vice versa. Then, in January, a truce was signed. That truce lasted more or less till the Operation Storm.” P.

All of them agree that they personally don’t have anything to do with the political aspect of events that led to war: they were not members of any party, they were only the victims. And they all experienced mostly verbal threats, although some of them were also physically abused, which made them decide to leave.

“I lived and worked in Čakovec. I was high-school professor and had a socially-owned apartment. I often visited my mother in her family house in Korenica. Although Čakovec was not directly affected by war, I could feel certain animosity towards me, especially from some of my colleagues. When helicopters flew over the town, they would all look at me, as if I were responsible for that. In 1992, in order to visit my mother in Korenica, I had to travel through Slovenia, Hungary and Bosnia. When I was about to go back home at the end of the summer, they informed me that someone broke into my apartment and moved in. I stayed here with my mother.” S.

THE LEAVING
I FELT LIKE GOING BACK

Serbs began leaving Croatia slowly and individually: in the early nineties, with the onset of “democratic changes”, the change of government, announcement of Croatia breaking away from Yugoslavia, the amendment of the Constitution²², nationalistic outbursts, violence and murders. Violence breeds violence. 84.000 ethnic Croats and non-Serbs were exiled from the area inhabited by Serbian majority. 70.000 Serbs moved into these areas from the territories where they felt unsafe. Thus, the Republic of Serbian Krajina was formed. And no matter how much one tried to accept that Serbs felt threatened and that there were persecutions and murders of innocent people²³, it is that much harder to understand why Serbs started persecuting their own neighbors in a cruel way, and why there were many murders on this side, too.” This way, the policies of ethnic cleansing were mutually supporting each another, deepening the ethnic conflict, engaging many people on both sides as perpetrators of crimes and injustice, or as victims.”²⁴

“The first time I heard about someone leaving, it was about my high school colleague who worked in Osijek: he left the city one night, together with his wife and children: we discussed at length whether he was forced to do so or not – at that time, no one knew about the corpses in the Drava River, and there was not much information in the press. Another colleague had a twin brother fleeing to Požega and the two of them lost contact for years – he never returned to Croatia.” X.²⁵

(“The Duct Tape Case” and the conviction of Branimir Glavaš as war criminal happened almost twenty years later.)

Mr. Y told us about individual departures that happened in Borovo while we were trying to find examples of good practices in interethnic relations and finding only the bad ones. In his story, the most interesting thing was that the person who was killing Serbs by night, a suspected war criminal T. Merčep, was

22 With the amendment of the Constitution, Serbs became national minority instead of constitutive nation. For many Serbs, this was very difficult to accept. Many consider this as one of the causes of the conflict. It is certain that, according to every research done, the Serbs are, along with the Roma, the most discriminated minority.

23 I cannot but mention here the murder of several members of the Zec Family in Zagreb, with emphasis on Aleksandra Zec who was twelve at that time

24 Bagić, Mesić (2012:28)

25 X and Y are examples we came across while we were searching for good practices and finding only the bad ones: Mikić, Jurlina (2011.59)

actually giving passes to some of his Serbian acquaintances by day, so they could leave Vukovar.

Some of our research participants also fled individually. In the summer of 1991, some went to the seaside, some didn't; some went to their grandparents' villages, which was often somewhere in Serbia or Bosnia and Herzegovina; the borders were closing, people were getting imprisoned, taken to unknown addresses or fair exhibit halls; people couldn't return, they were afraid; they thought it was better to wait a few days or weeks for situation to calm down: they waited for years and nothing was the same, ever again.

In the late 1991, a semi-organized transport of the people from Western Slavonia began: tractor convoys, so many old cars in which people tried to pack their whole life; people who were unwelcome and detested here, after arriving to their own nation's territory felt that nobody was willing to welcome them there, either.

But the true exodus happened in 1995, after two liberation operations conducted by the Croatian Army and Police: "Flash", on May 2, 1995, and "Storm", on August 5, 1995.

Mass exodus of Serbs from Croatia dangerously approached the number of 400.000 people. During and after the Operation Storm only, 300.000 Serbs fled.²⁶ We will never know the exact number and we will never know all the names. Some of those who stayed were murdered in the terrain clearing actions. Many died along the way from bullets, or from horrible conditions during the trip. Some have never registered themselves as refugees. However, the 2001 Census in the Republic of Croatia showed that the number of Croatian citizens of Serbian nationality had drastically decreased, from 12% to 4.6%.

The research participants are pointing out again that they didn't want or ever expected such exodus, but "they themselves paid it dearly". They lost all of their possessions, their social insurance, many lost the best years of their life, and they got absolutely nothing.

Some of them were "fortunate" enough to end up in a third country. Some of them managed to make their living in one of the neighboring countries, but most of them still wanted to return. Many of them succeeded: with the help of international organizations, without political will of important factors, and mostly thanks to economic crisis, poverty, as well as nostalgia. The return was difficult and traumatic experience for some of the participants, far worse than actual departure, because:

*"We were younger then, everything happened quickly, decisions were made for us by others, but we ourselves had to make the decision to return, nobody tried to talk us into or out of it. **Everything that we once left behind and that was living in our memories, was now gone**". V*

"In 1991, I had two young children and worked in a suburb. A national guard was formed very quickly, there was no regular Croatian army yet, and I was the only Serb there. It was even more inconvenient that I was the manager of that store, and it bothered them, of course. They were putting enormous pressure on me for days: from insults,

asking me (“Chetnik, what are you still waiting here?”), to threats such as (“If you don’t leave, you will disappear”). Finally, with HDZ coming into power, I realized that there was no place for me there: I took the children, 5 and 9 year old girls, and went to Belgrade. I had relatives there. My wife, a nurse, stayed for one more month in K. for work. None of us knew how long all of this would last, and we all hoped we would come back home soon. After a month, she was fired from the hospital, the same as all other citizens of Serbian nationality. At that moment, she had an opportunity to go to Germany, but I insisted she should come to Serbia. I regret that now.” I.

“In 1991, I graduated from high school and I was supposed to continue my studies in Zagreb. But all kinds of provocations started, and people who were already in Zagreb ensured me that as an Orthodox I wouldn’t be able to enroll there, so my parents talked me into going to university in Novi Sad. They were, at the same time, surrounded by Catholic majority, and constantly under threats. They threatened them that the year 1941 was going to happen to them again, and that was the year when my parents’ fathers were killed by the Ustasha.” Lj.

“At the end of the summer, we decided to leave. We thought we would be gone only for a short while, until everything settled down. First, we went to our relatives in Kutina. That was close to our home, but there were already too many of us there. All the relatives from that area gathered there. We couldn’t stay. Then, we decided to go to Serbia. We left everything in our house: neatly organized, even the documents. Our car broke down at the last moment, so my uncle gave us a ride. We had a lot of relatives in Serbia.” G.

“I first left P. when I went to my grandparents’ in the nearby village. But, everyone was leaving that village, too. There were less and less people, and more and more shooting. My second departure was dramatic, because everyone had already left, and my parents were in a military reserve in the battlefield, so they barely managed to get two days off to get us out of the village. I remember that two-day trip to Belgrade, which would in normal circumstances last not more than three hours. The road was going through Bosanska Gradiška, Brčko, Tuzla, and then back to Bijeljina and Serbia”. B.

Some research participants believed that they were leaving for a short while, and only temporary. It turned out it wasn’t temporary; for some of them, it became a permanent solution. This especially applies to our participants’ children: some of them now live in Serbia or in a third country, without any mention of potential return.

“Dad couldn’t make grandma and grandpa get in the car. As he got grandma in, my grandpa would run away, and while he was bringing grandpa back, my grandma would go and hide somewhere. There was no way they were going to leave. And we knew that when Merčep came there²⁷, he would kill everyone. Dad pushed them in, eventually. In Belgrade, in a skyscraper, they quickly got sick, first grandma and then grandpa, and they both died of cancer. They couldn’t forget the horses and cows they left behind on their farm. They dreamt about them every night. Back in their village, person was respected for the quality of horses he had. My grandpa had the most beautiful black horses.” A.B.

“In the summer of 1991, I passed an exam at my university and came to my village to study for the next one. My dad worked in K., and came to Lika on weekends. But, one day he arrived and said he was not going back to Karlovac anymore, since some soldiers who

27 Serbian villages are located on the slopes of the mounts Papuk and Krndija

surrendered were all murdered on the Korana Bridge. After that, both me and my father stopped going to Karlovac. That was the first phase of my life as a refugee. The second phase began with the Operation Storm in 1995. We were among the last people out: everyone was leaving; Franjo Tuđman made a public appeal to Serbs to stay: no one believed him. We figured we could hide in the woods a little while, until the army went away, but when they began approaching us, you could hear them everywhere yelling and celebrating Allah, and calling for persecution of the unfaithful. We drove away in a car that could barely start up, and after some time my dad asked me: “Š, did you bring our prosciutto ham?” It was like in a black comedy. I didn’t bring it – what would we eat now? I left my new shoes and brought the old ones and some shabby pants. **I felt like going back.”** S.

“We travelled to Belgrade for two days. K. was already completely empty. In Lapac, we saw a convoy of people standing and waiting for people from Knin to join them. We joined that convoy. We waited half a day to get fuel distributed to us. We didn’t get any. I saw a wounded acquaintance of mine and he was bleeding: they didn’t give him any priority; there was no solidarity what so ever; when such events happen, everyone cares only about saving their own life. We drove a car with foreign license plates, because it was a car from some donation. When we entered Serbia, they tried to make us pay 10 DM for road toll. At that point, I am getting out of the car to explain to them where we are coming from and what we have been through so far; I am yelling, my father is trying to calm me down. He says: “Pay them, or we’ll end up in prison.” We pay and arrive to Belgrade. The car wouldn’t start anymore, and five years later we still had to pay for its removal from the road.” S.

“We also went with that convoy in Lapac. I was very young. Mom was in the hospital, grandma and grandpa were taking care of me. Aunt M. waited for me in Lapac and she put me in a truck. We drove for nine days in that truck and our food was strictly rationed. I was really hungry and my godmother gave me a piece of bacon although it wasn’t part of my ration. I will never forget that piece of bacon. In Banja Luka, we got out. They gave us coffee and then they poured some water for us. They divided us up and told us who was going where and how. We were sent to Apatin. Just outside of Apatin, there was a half-destroyed bridge, so we all got out of the truck and went across on foot: I was very scared, the bridge was very high, and it was night. In Apatin, they put us in a school, but I was badly bit by mosquitoes there and got some terrible allergy and barely survived. Then we went to Beli Manastir. All that time, we didn’t know anything about our dad who stayed in K. He interceded for two Croatian soldiers there, and since my grandpa was a Croat too, they arrested my dad under suspicion that he was a Croatian spy, until he proved he wasn’t... We got to Baranja together.” O.

“Departure was very dramatic. We knew that Tuđman and Milošević made a deal about everything, and that we were just scapegoats. But we didn’t know that it would last for such a long time, for some people even forever. Older people mostly didn’t want to leave. They would get out of cars and tractors and run back to their houses. People started fighting for fuel, slashing tires, panicking, and there was constant awful bombing. I can’t believe I didn’t get killed then.” P.

When talking about politics and politicians, they all say the both sides were the same: they point out that nobody cared about them, and that others were only looking after their own interests in trading of territories and resources.

“I remember the year 1995, the Operation Storm and the fact that **we all left**. We were in K. where we joined a convoy; then, we spent some time in Lapac and then we went across Bosnia to Serbia. Grandma, grandpa, my brother, mom and I travelled together. Dad remained at his post. They separated us at Bosanski Petrovac. Mom and I continued by car towards Banja Luka, and grandpa, grandma and my brother went with a tractor. My brother was eleven years old then and he was driving the tractor. They were sent to some other road. After two days, we all met in Banja Luka at my aunt’s. Dad arrived, too. But, words cannot describe what we went through during those two days: the fear, not knowing if dad was alive, or what happened to my brother... Together, we all went to Serbia.” T.

“During the Operation Storm, my husband was in the battlefield. I arrived in Lapac with my mother in law and my two year old daughter – a convoy was formed there and I joined my parents who had a tractor in that convoy. We drove the tractor to Banja Luka. I simply don’t know how we survived that: all the shooting and bombing, not knowing anything about my husband, and I believe I am still suffering from psychological consequences of those events. In Banja Luka, they put me, my grandma and my mother in law in a bus to Serbia, while my daughter went with my mother to Ruma by car. There wasn’t enough room in the car for all of us. The bus dropped us off at the Belgrade train station and left us on our own. It was midnight when we arrived to Belgrade.

We were given some accommodation in the Fair Hall 1, but only until morning. The next day, they wanted to take us to Niš because there was no more room there. I begged them not to send me away because my child was somewhere around, but I didn’t know where. They let me stay. Even today, I still don’t know how I managed to find my mother and my daughter, and few days later, I met with my husband in Apatin. I thought those were the worse days of my life.” V.

“When the Operation Storm began, we were told we were going to hide in Frkušiće²⁸ for two days, until the shooting ended, and we would then go back home. But we passed by Frkušiće, and the convoy continued to move further away. In two days, we made it to Banja Luka. We stayed for two days in Banja Luka and then travelled to Belgrade. We spent a few days in Belgrade at our distant relatives’. Then, we were sent to Rasinja, and after awhile, to Smederevo. My mom and I remained in Smederevo the longest. After that, we went back to our relatives’ in Belgrade, then we became subtenants, and then, in 1997, we made a decision to return. When I tell this now, it sounds just like a simple timeline, but, believe me, it wasn’t like that at all.” S.

You can see that some male members of the research participants’ families were mobilized in the Krajina army, police, and civil protection forces, and that they were at their positions in the moment of forming of refugee convoys. All of the testimonies of the people from those refugee convoys clearly show that everything was semi-organized, or badly organized, and that the conditions were extremely bad. It was August, extremely high temperatures, no one knew where they were going, they had no supplies of food or water or basic hygiene products; while on the road, they were being attacked by citizens of Croatian nationality because they were enemies, and by citizens of Serbian nationality because they were seen as traitors running away.

28 Nearby village

LIVING AS REFUGEES
DAD, THEY HAVE
“GERMA”, BUT THEY
WON'T GIVE IT TO US²⁹

²⁹ Staying with “their own” people would often end up in tears due to small language differences: germa = kvasac (2 versions of a word for yeast)

It is important to emphasize that the living conditions for refugees have influenced their decision to return. There are few published studies and research on the life of refugees: most of the participants are still not ready to talk about it openly. The most common reason for this is fear for their safety, loss of achieved social rights, and fear for their children who stayed in the country of refuge to finish schools or live there permanently.

Nobody was too happy when they arrived: they quickly wore out their welcome. Some of them have never been to Serbia before. However, most of them had some relatives in Serbia who accepted them at first. But, as days, and later months, were passing by, without the end of this situation in sight, flats and houses were becoming too small. *“Relatives were whispering during night, children were told to be quiet, everyone was getting more nervous”*. The refugees started to search for other solutions: collective centers, refugee camps, sub-tenancy if they were lucky enough to be able to make some money, and houses of generous people. The Serbian state helped very little with this. UNHCR helped as much as they could. There were attempts to manipulate refugees and send them to Kosovo to fill the gaps (Franjo Tuđman introduced his famous term of “humane resettlement”).

“As a refugee, I slept in 15 different beds. FIFTEEN. I cannot watch movies about war. I cannot listen to talk shows about war. And I cannot tell anyone what I’ve been through in all these places, both here and there.” N.

“I led a typical life of a student until 1995 when the Krajina fell. At that time, many Serbs from Croatia came to Serbia and we felt that we were unwanted in Serbia. We were exiled from there, and we were unwanted here...” Lj.

“You need money when you are refugee. We experienced a whole new type of chaos as refugees. I made a promise to myself that I would return to Croatia, to my own flat.” J.

*“We spoke differently, in Ijekavica dialect, and the older we got, it was harder to change that. And our hosts taunted us because of our dialect. I was 42 when we came there and I wasn’t even thinking about changing the way I spoke. But my daughter was not even five years old then and she speaks now exactly the way other people speak here. At first, when we sent her to the store, she would come home in tears. One day we sent her to the store to get some “germa” (yeast, in Ijekavica dialect), and she came back crying: **“Dad, they have germa but they won’t give it to us.** And that salesman was not joking...”* I.

Most of the research participants say that, during their life as refugees, they never got a nice greeting, an organized welcome, accommodation, security, empathy. It was exactly the opposite: everything was improvised, dishonest, humiliating. Citizens of Serbia behaved as if they had nothing to do with the refugees; as if they were not responsible and as if they had enough worries and problems of their own.

“I haven’t changed my way of speaking, but I must admit that I spent most of my time with other refugees. We had our own group of friends and the locals looked down on us. The saddest thing was that some of us were still speaking in “our” dialect with our parents in our home, but in schools and outside of homes we were speaking in that “other” Serbian dialect.” L.

“We submitted the documents for Australia. The process lasted for three years and we were hopeful all that time... Then, we received a rejection letter. We had less and less money, and it was more and more difficult to find jobs. In the meantime, I got married, got my own family, but economic situation was getting worse. Meanwhile, in 2005, my grandma returned to the village where my father was born. We went to visit her and made a decision to return, too.” C.

“During the first year, we changed 13 different addresses going from one relative to another. First, we were in Belgrade and the surrounding area. You stay for a week with each relative, until they either ask you to leave, or throw you out. We were welcome, but only for a few days. It was very hard. And then, one year later, we ended up in a small place near Belgrade, in a house of a man we didn’t even know. That man was better to us than everyone else: relatives and friends. I had problems with school, due to changing addresses all the time, changing schools, classes, classmates, everything. At one point, I didn’t even want to go to school anymore, since I knew we would move again in a week or two. Mom told me that I used to cross to the other side of the street whenever I came near a school building. But I slowly settled down and started going to school. It turned out they did not study any harder than I did in my old school: I learned the Cyrillic alphabet and managed to fit in. We remained in that small place with 50% of Serbs and 50% of Slovaks until our return to Croatia, in 1996. Almost five years. There, I finished primary school, with excellent grades. I went to school competitions and was an excellent student.

Then I started preparing for high school, because you had to pass an entry exam for high school, too. I enrolled in the Medical High School in Zvezdara (part of Belgrade). Several thousand students applied for this school. I was ranked 70th after the exam. I went to that school for about a month. Beautiful school, everything was new, organized, it even had its own dentist. But, then we received papers for our return to Croatia.

Well, now I didn’t want to go back. I was living just fine, I had friends and my school was great. But my parents couldn’t wait to go back; I was 14, it was up to them, and, of course, we returned.” G.

Some Serbs, especially the ones from mixed marriages, fled together with Croats. Their companions were harassing them, threatening, humiliating and discriminating them because of the things that happened during the war. So, they tried to hide their identity and present themselves as Croats.

“As for my schooling in Serbia, it was not traumatic, because I was in a class of refugees, in a primary school in Belgrade. We were all the same, we had the same me-

mories and we got along very well. There were few kids from Bosnia and Herzegovina. They were mostly from Lika, Banija and Kordun. We, as human beings, as refugees, did not feel welcome in Serbia. Everyone was very reserved towards us, right from the start. I guess they were afraid we would take their jobs. Later, I found out that none of the teachers wanted to be our class-master. An older professor took that upon herself. At the end, it turned out that we were very decent, good students, the best in that generation.

We obviously spent most of our time with other refugees. When I look back today at my high school days, I was the only refugee in my class, but all of my best friends were refugees³⁰, too. My parents worked really hard at that time. Dad was painting apartments by day and worked as a night guard by night. Mom worked in different shifts in stores and, between her shifts, she cleaned other people's apartments and buildings' hallways. We didn't receive any help from anyone. Maybe a little bit at the beginning from the Red Cross, but that was so miserable and traumatic that we were happy if we didn't have to ask anyone for anything.

First, my dad decided to return about ten years ago. He simply couldn't get used to life in Belgrade. Moving around constantly, changing apartments, and working at two jobs in one day just to feed us. He missed tranquility, nature... he couldn't take it anymore and he returned. It was very difficult for me because we were very tight as a family. But my parents wanted my sister and me to finish school in Serbia, in order to avoid what happened to O. in Croatia. Several years later, my sister married a man in Lika and went to live there. Then my mom left, and I stayed in Belgrade to graduate from university. But, we don't have enough money, so I am both here and there. I am looking for a job. I finished the College of Tourism, and the Plitvice National Park is not far away..." V.

The ones who had it easier were only those participants who, or whose parents, managed to find job and not depend financially on any donor: national or international.

„We first went to my mom's colleague in Belgrade, but we could only stay for two days there. We didn't have any relatives in Serbia and that was my first trip to Serbia ever. The colleague sent us to her vacation house in Novi Karlovci. That house was empty, and they used it only on weekends, but two months later, just around Christmas, they literally threw us out of there. Then, we were sent to the village of Slankamen which was mostly populated by Croats who were now being driven out and we were asked to choose one of their houses. We simply couldn't do that, so they finally gave us a house whose owner had died. I skipped that school year. Meanwhile, our family managed to get together, and I heard about a school in Subotica where they enrolled children refugees. My mom took me there, and I lived in school dormitory where I shared a room with a girl from my old neighborhood, and I finished high school. After high school, I went to my brothers', but he got married in the meantime, got kids and his place was too small and tight. My parents had already returned to P. back in 1993. They even stayed in their home during the Operation Flash. In 1996, my mom sent me a guarantee letter and I stood for three days in the street, like a dog, in front of the Croatian Embassy to submit my visa application – even though I was born in Croatia, and had never been to Serbia before that war." B.

30 However circumstances are still tragic for those who left and for those who stayed.

The issue of the return and returnees' rights was highly politicized from the very beginning. Achievement of their status rights such as citizenship, obtaining documents, acknowledgment of the years of employment, regulation of pensions, was often "mission impossible", and they were very often discriminated against.

"First thing I remember is that I ate so much of that dry-cured pork sausage that my aunt told my mom I was going to get sick. We stayed in Baranja for next two years. And I had a very nice time there. I didn't have any good memories of K., so I didn't miss it at all." O.

"I was a very stubborn kid. I didn't want to speak Serbian, I spoke in my own dialect. My teacher was so aggravated by that, that my dad had to come and reason with her. That's what I remember about the school and Baranja. I was taking it out on my teacher and other children for losing my school, my friends, my childhood, my home. Everything." O.

"We first stayed at our relatives'. But, with two kids and an old man now staying in their house, they couldn't wait for us to leave. So we went to Apatin. There, they put us on a train and sent to Raška. We lived for a year in Raška as subtenants. My father got very ill, so we sent a letter to the Office of the Commissioner³¹ asking for transfer. They moved us to a collective center in Zlatibor, which was actually an adapted building previously used by mineworkers. There were forty of us and I got my own room. I got a job in a kitchen and some aid from the Red Cross. They relocated others after some time, but they left me there because of my children. I was doing everything to survive. Our house here was occupied until the fall of 2004. Then they returned it to us and I immediately came back with my daughters. My dad died as a refugee very quickly from his illness and from great sorrow." Ž.

"I was very young and I don't remember much, but I was told that we first went to a village near Pančevo, to my grandfather's relatives. Grandfather's brother moved there from Lika after the World War II. We stayed there only until the beginning of the school year. After that, my mom, dad, brother and I moved to Velika Plana near Belgrade. Grandfather also had relatives who moved there after the World War II from Lika. At first, it was very difficult for me: they called me a refugee, made fun of me. Later, it got easier, although I never felt as one of them. My grandparents were among the first to return to their home, as early as 1997. Grandfather couldn't take it anymore. He just packed and left. We managed to stay at our relatives' for one year. Then, we became subtenants. Then, we moved to our other relatives' because we were not able to pay the rent anymore. Our parents got a job from our relatives who were in a good financial situation. In 1999, NATO bombing started. That was an immediate reason for us to return to Croatia." T.

"When the bombing started, I was working on the Serbian and Macedonian border. When NATO forces first began to group in Thessaloniki, Greece, I told my colleague: "This doesn't look good – it is the same as it was in Krajina just before the war". Then the bombing started. Until then, Serbs would always tell us: "Why did you flee, a man should never abandon his home", but that was before they learned what daily bombing looked like. Now, everyone who could leave Belgrade had already left, or at least sent

31 Office of the Commissioner for Refugees of the Republic of Serbia

their children out of town. Now, they understood why we had fled. When it all started, I was giving them advice on how to stock up on oil, sugar, flour... They were thankful later. Unfortunately, I had experience with war and destruction.” Š.

Many people from Korenica were sent to Apatin. But they only stayed there for a few days, and then, due to lack of accommodation, their transfer to Kraljevo was announced. They went to Kraljevo by train. But when they arrived at the station, they were not allowed to get off the train. Police was making sure that no one got off the train. They felt like in those “movies with death trains in the World War II”. Police and some other people were just yelling “move on, move on!”. They arrived to Raška. Local people gave them juice and water. The plan was to divide them up: one part was to stay in Raška. That group was given accommodation in some halls and the local residents were good to them. The other group went on, not knowing where. They didn’t want to get off the train anymore, because they were afraid. However, they managed to get a group of people to Novi Pazar and give them accommodation there; but, people didn’t want to stay there, so they began returning to Belgrade on their own.

*“It was simply a big chaos. You don’t know who or what you are. **Someone who knows nothing about your life and has no right to control your life is sending you to places you don’t want to go to.”** S.*

There was a rumor that they wanted to place them in Kosovo, and that it was the humane resettlement policy actually, it was ethnic cleansing agreed upon by presidents Tuđman and Milošević. People knew that the living conditions in Lika were much, much better than the conditions in Kosovo, and they simply wouldn’t agree to this. Some people even jumped off those trains. According to the same policy, around 70.000 Kosovo Croats (Janjevo, Latnica) were supposed to move to those areas from which Serbs had fled (Kistanje is one example).

“Upon our arrival in Serbia, I immediately tried to get involved in the process of reception of other refugees. I signed up as a volunteer at the Red Cross in Belgrade, so they sent me to the border in Badovinci, at the Pavlović Bridge, when those sad convoys started coming in. For political reasons, Milošević banned those convoys from entering Serbia. It lasted nearly two days. Trucks full of people standing in the road in the summer heat. Men pushed together, women holding babies in their arms. I will always remember that. The smell was slowly spreading, like when you get wet in the rain, then you dry up, but you don’t change your clothes. Serbs prepared packages with food and drink, but it was all sitting on this side of the border. Nobody wanted to carry the supplies across the border, because there was a rumor that refugees had typhoid and other contagious diseases: typhoid and dysentery... There was also a rumor that they had guns on the other side and that some people said they would throw bombs. Since I was a refugee myself, I empathized with them, so I tried to persuade people on this side to go across and distribute food because it would otherwise spoil in that heat. So, we started crossing the bridge and distributing supplies. The people from the trucks were cursing, spitting on us and throwing those yogurts back at us. They were embittered that after everything they had been through, they still had to wait in the sun for two days on the border of the country whose president was partly responsible for all of this:

Milošević. After that, Slobodanka Gruden arrived at the border; she was the Mayor of Belgrade and the President of the Red Cross at that time. She tried to call some official named Marinović, but he was at a Partizan-Red Star football match, so she somehow managed to get through to Milošević, and, by the end of the day, those people were allowed to come into Serbia. It was awful!

Now that the refugees were in Serbia, local residents were getting more and more nervous, because they didn't know how big of a threat, if any, these newcomers were.

And just as Ivo Andrić wrote in his novel *"The Bridge on the Drina"*: Refugee convoys are crossing the bridge and the locals are sitting, eating watermelons and spitting out the seeds. We were given watermelons in Badovinci then, freshly picked, and we were all eating those. When I say we, I mean us from the Red Cross, while those people waited, and the locals simply didn't care. And after they gave them those packages of food, they just wanted them to move away from their houses." Š.

While travelling through Bosnia, they had to pay for water. "If you don't have money, you should die from the heat". And this was happening in "our" Krajina. They drank water and washed their faces in some suspicious waterwells, during that week in trucks... In Petrovac, people spat on them as they entered, because "they were running away, instead of fighting". "They didn't even want to give them bread".

In Belgrade, they constantly had to explain that they were a product of the joint policy of Tuđman and Milošević; and, that they were not in Belgrade because they wanted to, but because they were forced to, and the conditions in which they lived before were for many of them far better than those in Belgrade. The houses that had outside toilets or baths seemed unbelievable to them. Back in their own homes, many had not just laundry machines, but also dishwashers.

They were slowly proving themselves in their new environment, especially at work; as people from Krajina, they stuck together. They were making new friends, and they were disappointed the most with their own relatives who didn't welcome them as they expected. Those were the same relatives who, "before 1991, would come for every holiday to Croatia to visit relatives: they would eat great food and go back to Serbia with their trunks full; they were the same relatives who never forgot to take their prosciutto or ham".

Those refugees who arrived to Serbia before 1995 got the refugee status; the ones that came after the Operation Storm, were called exiles. Of course, the ones who arrived earlier had a better status and were integrated into society to a certain level. However, Serbia did not have any integration policy for Serbs arriving from Croatia, and neither did Croatia for their reintegration upon their (un)wanted return.

"Regarding refugees, this is what I keep forgetting to mention: people were really envious if you earned something there. It means that, if you a refugee, you are not allowed to have anything; you are only allowed to beg. Generally, that hurt my parents more than me. Before the war, my father was better off than 95% of them there: we had made it all by ourselves. I mean, we lived in D. In June we moved in a house my parents built with their own money and savings, that is, without any loan, since it was hard to

get a loan at that time due to inflation. There were some loans, but you could get them only if you were a director or something; it was very difficult for regular workers to get any loan. So, my parents saved money and with those savings we built a new house where we moved in June 1991. In August, we moved out and went to Serbia... And it was a big shock to my parents. There, you were nothing and no one, you didn't have anything; you only had a little money that you brought with you, because you had invested everything in that house you built. My dad was a mason, I mean he did everything, and his was not a very appreciated profession, but, at that time, he had plenty of work, he worked illegally, of course... It was a well-paid job; in fact, by working illegally as a mason or in similar jobs, you could make good money. And, as soon as you buy anything there, everyone immediately gets envious - look at him, he is a refugee and he bought this and that..." G.

"They started installing bathrooms in their houses maybe ten years ago. They didn't have bathrooms in their houses before, and then you see they have benches in front of their houses... Every house has a bench in front. And when you see all of them sitting on those benches, you know that someone in the house is taking a bath, because they don't have a bathroom in the house. Back in 1975, my parents had central heating in their house, and the house was as big as a municipality building; then, they had to go from that to this... Others say to us: "Why did you flee and leave all that behind, why did you leave what was yours... We would have never left what was ours". But, you left when you didn't know anymore if you would stay alive or not, they threw you out.

Living standard in Croatia was always better than in Serbia. When I first arrived in Vojvodina, Vršac... In 1995, I saw all those houses made of mud and straw, although, I have to say, there were some newly built houses in the town. Those mud houses were a hundred or a hundred and twenty years old..." C.

The research participants agree that mentality and the living standard in Serbia are different from their way of life, and that, on one hand, their "hosts" thought they were doing them a favor by "receiving" them. All of them, the refugees, should be poor and humble. On the other hand, our research participants have come from a better life (good living standard, equipped homes, jobs, education); therefore, all of this was even more difficult for them.

THE RETURN

THOSE WHO STAYED,
DON'T UNDERSTAND
THOSE WHO LEFT, AND
VICE VERSA

Legal regulation of the return process depended, and still depends on political will and interests of the ruling political powers in Croatia, but also on powerful international political factors, and political relations in the region (primarily between the states that are directly involved, former republics of the Socialist Federal Republic of Yugoslavia: Croatia, Serbia, Bosnia and Herzegovina, and Montenegro).³²

All of the serious researches (Koska, Mesić, Bagić and Sekulić) agree today that Tuđman's Government first did everything to make as many Serbs as possible leave Croatia, and then they did everything to make it impossible for them to return, in a way that would be difficult to prove. At that time, laws were discriminatory and they included provisions which did not allow restitution of usurped property or which prescribed very short deadlines for financial assistance applications, or which systematically filled abandoned Serbian houses and property with Croats fleeing Bosnia and Herzegovina and Kosovo. The legislative framework was clearly slowing down the process of return.³³ At that time, we know there were many verbal instructions given to local government offices that refugees must go to when they return, plan to return or have already returned. Focus group participants talked about these laws and instructions and how they made their life difficult and slowed down the return. Things have changed in 2000 when SDP-a came into power, and when the international community started putting more pressure on Croatian Government to make the return and reintegration of Croatian Serbs its priority. When Sanader came into power, this trend continued and it is now even clearer that there is strong pressure from the international community.

The return of people to the country they had left (voluntarily or involuntarily) and the right of people to leave any country, is one of the fundamental human rights described in the Universal Declaration of Human Rights (1948).

Most of the participants believe that they have not managed to rebuild mutual trust with their Croatian neighbors and that is what upsets them in their

32 (Mesić, Bagić 2012:19)

33 The Law on Citizenship (1991); the Law on Temporary Use of Apartments (1991); the Law on Housing Relations (1992); the Law on Lease of Apartments in the Liberated Territories (1995), and the Law on Areas of Special State Concern (1996)

daily life. It is interesting that the younger generation worries about this much less than about the difficult economic situation. We can agree that most of the returnees have managed to make a living, but only few of them have managed to make their living sustainable.

As there were no patterns in how people fled, so there were no patterns in how people returned. Some returned before 1995, which was the year of the biggest wave of refugees: during operations (“Flash” and “Storm”). However, most of the people started returning in 1997. After that, the returns were individual or organized by UNHCR with documents and safe accommodation provided.

“We returned in 1991 and got an apartment. Of course, we didn’t get our own apartment back³⁴, but an apartment in a building near a catholic cemetery, in K. Out of 75 apartments, 50 were used by Serb refugees/returnees. Even now, when I say where I live, everyone asks if it is that yellow building there. They named it “Beogradjanka” (Belgrade building). And I don’t have any connections to Belgrade. If they had only called it Serbian building, it would have been better. I like it in that building: it is very quiet, it is “just a coincidence” that we are near a cemetery, and a catholic one.” Nj.

*“I returned in 2008. I like this town: I more than like it, it is my hometown. However, I have to deal with many things here. I’m trying to resolve the issue with purchase of my apartment.³⁵ I receive 500.00 kn of social welfare, instead of my well-earned decent pension. **Who will pay or get me back the twenty best years of my life?** My wife still works in Serbia in order to get whatever pension she can. We live in different places, now when we are getting a bit older and when we are starting to need each other more. My daughters graduated from university in Serbia, and this town or this country doesn’t mean anything to them. Finally, everything here revives traumatic experiences and memories in them and they insist that my wife and I come to live with them.” I.*

When asked whether young people from this region who are still refugees would return to Croatia now that it is to enter the European Union, none of the participants replied positively. The man from Karlovac whose daughters were excellent students in Serbia, hopes they would find a better future in a third country. Another one believes that his sons don’t want to return because their wives from Serbia must go through a very complicated procedure here in order to obtain citizenship which is also expensive, as well as through a process of

34 These were the “former owners of housing rights”. They were citizens who earned their housing right in the former Yugoslavia, after paying a salary contribution to state housing fund for years. After 1991, they had to leave their apartments because of the war, voluntarily or by force, and they were not able to return to those apartments any more.

35 Housing right is not covered by international refugee rights, but it is a humanitarian right due to obvious injustice that was done to Croatian Serbs: when purchase of “social apartments” started, they were not around; afterwards, again under pressure from the international community, they were allowed to purchase them, but under bad conditions: they had to pay more for those apartments, they were not allowed to sell them for awhile, and they had to live in them constantly, regardless of whether they could afford to pay bills or get furniture.

integration into Croatian society which is even more difficult in these circumstances. However, most of them agree that current situation is such that young people who are not burdened with their past and identity look for their opportunities in places with better salaries and better living conditions. If Croatia offered that, they would certainly think about it.

Those citizens who did not have Croatian republic citizenship face big problems regarding their return. In Yugoslavia, those republic citizenships were issued in various periods in various ways, but no one cared about them since Yugoslavian citizenship was the primary one and valid for the whole country. What happens now is that the people who came as children from Bosnia and Herzegovina to Croatia and spent a lifetime in Croatia, married and had children there, cannot get Croatian citizenship and, therefore, cannot achieve their rights. Obtaining documents, submitting applications, being questioned by police – these are all obstacles that are difficult to overcome. Some people give up, others don't give up; some get negative responses. However circumstances are still tragic for those who left and for those who stayed.

Also, there are many problems regarding renovation. Everything is done to make the renovation slower and more difficult. Once you manage to obtain all the paperwork, and we already mentioned that this was not an easy task, it would turn out that the state currently did not have money for construction material³⁶. Of course, no one gets the equivalent of what was destroyed – what they get is either smaller or of worse quality. People are asked to relocate and that is very difficult for some of them. They are asked to get their property registered at the Center for Social Welfare, which scares and discourages them. They get apartments in places where they have never lived before. None of the Governments involved are showing political will to solve these problems.

Since there are no reintegration policies, assimilation is one of the problems. In order not to stand out and to be accepted, Croatian citizens of Serbian nationality are getting married in Catholic churches; when they talk, they try to sound as Croatian as possible because they are afraid they would otherwise lose their Croatian friends; they are careful about every word they say. If they oppose them or express their own attitude, opinion and identity, they might get in trouble, from getting their car damaged, to getting physically attacked.

“When you talk about shelling, you are not allowed to mention that the first grenades came from Karlovac to other places, and only then from those other places back to Karlovac. “So, how was it possible that we, the Serbs, were the aggressor: against our

36 CMS follows the return of Igor Milankovic's relatives in Bujavicu: he still lives in emergency housing with his wife and three daughters with elementary school age eventhough he managed to obtain all decisions back in 2010. They await material for reconstruction that does not come „because they are not in stock at the warehouse”, „because it is summertime and there is no one to bring it”, „because it is wintertime and there would not be possible to build anyway”. These are some of the answers he receives when he calls to ask to the persons in charge of organizing a sustainable return.

own people and our own country. This country is not only ours, but it is, at least, also ours. How much time should pass to find out the truth about everything?" N.

Most of the participants had problems with restitution of their property upon the return. Housing is especially difficult category: Jure Radić, Minister of Renovation and Development in the 1994 Government of the Premier Nikica Valentić, gave most of the abandoned houses and apartments that belonged to Croatian citizens of Serbian nationality to Croats who fled to Croatia at that time. In most cases, they later refused to leave those houses and apartments, even if they had already achieved their housing rights elsewhere. When, after a long legal procedure, they were forced to leave them, they would completely destroy them. Some of those houses and apartments were, in the meantime, sold and resold many times; some got completely destroyed during the war, so the government started constructing buildings, ghettos, for Serbs, or purchasing those apartments, and that process was very slow. Although this issue was crucial for closing of the Chapter 23, it was rather used for various manipulations, and people are still without their apartments. We heard from the Korenica focus group participants that two buildings were constructed and documents signed and distributed as if the people had moved in, but those buildings are still not finished. Procedure for submitting documents for restitution of apartments is so complicated and expensive that many people are definitely not capable of obtaining those documents or paying for them. Finally, when they submit everything, they still need to wait, like in the case of D. L. who lives in Belgrade and has been waiting for an apartment in Zadar since 2008. He submitted all the documents, but they still couldn't find a suitable apartment in Zadar: when he was single, they did not have one-bedroom apartments available and, now that he is married, they do not have two-bedroom apartments available.

Property restitution did not go well in Karlovac area, either. One of the older participants of the focus group requested relocation in his restitution application. He was given a small renovated house of 35 square meters, more than 30 km away from Karlovac. In that place, there are no trains or buses, so he needs to walk or hitchhike if he wants to get anywhere. Hitchhiking means that he needs to pay someone to give him a ride. He had an apartment, but they didn't want to return it to him – they rather insisted he took this small house that is registered to his brother's name. He sued the state, but the court procedure is long, expensive and exhausting. He is trying to get any kind of assistance possible and the life is slowly but surely passing.

"Yes, I've got my apartment back, but my victory tastes bitter: "Court battle with the Republic of Croatia lasted for so many years, and I had to receive psychiatric treatment for a long time. Their explanation as to why they took my apartment away from me was that I had voluntarily abandoned it. No one mentions the war, the fact that Serbs were getting killed, that they threatened us, beat us, blew up our houses, that my children cried every night. My husband has not resolved his status. We need to pay for his temporary residence; they keep checking whether he is here or not. We are unemployed and the flat we've got does not have anything in it. I ask myself every day why

I had to leave: this is my country and my town; my family has lived here for generations, for 600 years. I was no one's enemy. You should ask those in power about who had started the war." J.

"We were given something, but those were not our houses that got demolished. Those were some other, smaller houses that we must not sell for 10 years. This means that they are not our property, while our property is gone for good. We don't have any rights, can't earn a living. I simply cannot describe how humiliated we have been. They say we should return, but they pray to god that we don't." L.

"We have returned, but we cannot gather our family together. My husband still works there as a seasonal worker, my son works temporarily in a hotel at the coast where they abuse him because of his dialect – he was nine when he left Croatia and he finished school in Serbia. Finally, one Albanian gave him a well-intentioned advice: it would be better for you to go back to where you came from, you see that no one likes you here." J.

Recognition of the years of service is one of the most painful issues for refugees/returnees. It often depends on good will of the Pension Fund clerks. Things may get done, or they may get complicated and then people go through lot of trouble. Many people get lawyers, but that is just an additional expense.

"It is our problem and no one wants to help us. No one wants to work on that: our national minority institutions, our Government, the Government in Serbia. No one cares about us." L.

Obtaining Croatian citizenship is a big problem for the citizens of Serbian nationality. On the other hand, the citizens of Bosnia and Herzegovina or Serbia who are of Croatian nationality and who came to Croatia during the war, can get citizenship quite easily. Some of them "didn't even know where Croatia was".

*"My husband is Serbian and he cannot get the citizenship. Every tenth day of the month, police come to my house to question me: they always ask the same questions, they ask me all kinds of things. **I expect them to ask me one day why I was born at all** – I don't have an answer to that." L.*

The question is why this problem is solved in other newly-established states, but not in Croatia: it raises doubt about Croatia's intentions to have Serbs return? Why would a state adopt laws that are bad for people?

"Well, I think that they are waiting for us to die, we are all already at the end of our strength, so they are waiting for all of us to die. Our children already settled around the world, and Croatia can remain clean, without Serbs. Our apartments will remain there, and our children will not have the right to them, the same as we did not have the right to purchase them at the price set for Croats. We will die, we are already over 60 years of age and they will finally get what they wanted back in 1991: ethnically clean Croatia." J.

They often mentioned in our conversations that some of them were criticized for coming from Serbia to Croatia only to pick up pensions and then returning to Serbia. They are coming here for their own pensions. "Where else would they go?" Those who worked in Germany, they get German pension and they can spend it wherever they want. The same should be with Croatian pensions. Achieving the rights to pension – that is a different thing.

For many focus group participants, the fear is definitely still there. They are afraid of publishing their stories because something bad could happen to them; someone could physically attack them, their children could suffer, police could start questioning them even more: so they would prefer to keep these stories to themselves. However, since they agreed to this, after we had explained to them how important their stories were, they don't want even their initials to be mentioned, let alone their names.

"Many people twist our truth. You understand, they twist it and use it against us, and not to our benefit. I really don't need police to chase me tomorrow around Karlovac because of the story I have told you. I am almost 60 years old and I want my peace. I want my children and grandchildren to be able to visit me, and I don't want to be persecuted by someone because of my nationality or because of what I experienced – I'd rather keep that to myself." J.

Obtaining documents upon the return to Croatia is for many people another traumatic experience. You have to go to a police station in the nearest city to get them. The process depends a lot on the police officer working there. People know who the good or mean ones are. The mean one is "mister" Ivančić in the Pakrac Police Station. Even after many complaints against him, he still works there. Returnees are usually afraid to officially file a complaint and state what happened to them, while what they tell each other about their experiences cannot really affect those problematic officers. However, there was a disciplinary procedure against this Ivančić person. Local SDF (Serbian Democratic Forum) managed to collect several statements against him, but "mister" Ivančić still continues to force people who come for documents from neighboring villages where infrastructure was completely destroyed, unfortunately not by war, but by activities of the Croatian Forests³⁷ to leave "his office" and go somewhere to clean "their dirty shoes" and then come again.

"There is no state in the world where you have to obtain the same document hundred times: you are born once and you get your citizenship – you cannot be born six times." Lj.

A young female participant who was a refugee (official term is: exile) together with citizens of Croatian nationality, is a child from a mixed marriage and she didn't experience any unpleasant situations. However, the return to her hometown was a different story.

"Although my father, a Serb, had died before the war started, we felt certain tensions and distrust right from the start. I was young and we were all children, but that discomfort stays with you forever. At the beginning of any of my relationships, I have to think about a good moment to tell my partner that I am of "mixed" nationality and, thus, avoid unpleasant surprises.

My brother had much more difficulties because he was "marked" by his name and our mother would not let him change it before he turned 18. She would tell him that

³⁷ For years, the Croatian Forests Company has been destroying roads, water supply network and telecommunications with their oversized machines, tractors and trailers which they use to STEAL wood from the forests belonging to exiled Serbs: all of this infrastructure existed in those villages back in 1991 and was built from citizens' contributions.

he got his name at the time when it was acceptable. That he was named after a well known Croatian swimmer from that period. However, he simply did not want that name to be written in his school photo panel³⁸, or in his driver's license. His name was M., now his name is Mihael, but we all call him Miki. However, in his school, his name had negative connotations. We always heard people around us talking about his "Chetnik blood".

My father had died in a car accident before the war started. **I dare not think about what would have happened to us if he hadn't died.** We were in worse situation after we returned to P. than when we were refugees. My brother invited the whole school class to his birthday party. Only one boy showed up. I remember that very well." F.

The collective memory moment:

"For a long time, I couldn't figure out why I don't like cream soups, or those small packages of butter or jam. I hate the thought of them. Now I know that it is because we were placed in a hotel and used to get those every day – every day the same thing. I don't understand why they are still producing that even though the war ended long time ago. The same goes for those small Kinderlada chocolates." F.

"Eh, if we only had "Kinderlada" chocolate, believe me, we would have been thanking the heavens." A.

"I was really traumatized by all that: those small marmalades, that level of poverty after those times when we used to have everything in our houses..." F.

"For me, the fake 'All Star' sneakers symbolize pain, misery and poverty. They were the only ones I could afford to buy at flea market. I hate the thought of them, even the original brand." B.

"After the return, I was one month late for school admission. The school in Pakrac was old and decrepit. I feared the new process of integration and rejection. I would have rather left school: but my mom was persistent. She managed to get me into a school for medical technicians – I did not want to go to that school, but all other schools were full. Finally, there were ten of us students of Serbian nationality; we all got together very well; I did not experience any discrimination even though tensions and animosity towards Serbs were still high in 1997. After graduating from high school (and I was among better students), I passed the entry exam at the College of Health Sciences in Zagreb. But my father lost his job. We didn't have money for school. I had lot of problems with getting internship – those who graduated after me and with much lower grades kept getting internships before me. -In the meantime, I got into the College of Administration in Požega and graduated there, got my internship and then got a job at the Pakrac Emergency Room as medical technician; I am very satisfied. I love my job and I have a good group of friends." G.

"I recently attended the 30th anniversary of my high school class in Karlovac. We finally managed to find each other two or three years ago. We acted as if nothing had happened. No one mentioned war. We even had a primary school class reunion. Thank God for Facebook. I found my friends who now mostly live around the world – few of them stayed in Karlovac. Now, we "like" each other's photos on Facebook. However, no

³⁸ In small towns, it is a custom to put photos of high school graduates on panels in shop windows around the town

matter how much we pretended, the situation is not normal. I don't know what would have happened if I had stayed in Karlovac – maybe the ties would have been stronger?" Š.

"I was not looking forward to my return because I had a good life in Baranja. I had a big bike, I rode it everywhere, and everyone knew me. When I was leaving, they all came to say goodbye.

I expected that my friends in K. would wait for me there. But, Korenica was now a completely different place. I started school, but it was bad from the day one. I was the only Serb in the school. It was 1997 and I was in the fourth grade. **For two years, I was coming home in tears, every day.** I still have good relations with some of my colleagues from that school, but I cannot forget those days and years. We begged my teacher in Baranja not to write anything in my school booklet regarding my nationality since I was from a mixed marriage, but she wrote "Serbian nationality" in big letters there. That was the reason for my tears so many times, and I would have rather that it said "Croat" in my school booklet. However, I later calmed down... I realized that I was Serbian and that if someone had a problem with that, they shouldn't have socialized with me. But, in the beginning, I was doing everything to hide it. I even attended Catholic religion class in my school. That did not help either.

Then, the religion class teacher requested that I get baptized or he would tell everyone about my nationality. I cried in school and cried at home. I was ten years old. My parents were atheists. They went to school to protest, so I didn't have to get baptized, but he did show my school booklet to everyone, with my nationality in it. After that, other children would try to trip me during recess; they would steal my clothes in the locker room. They would say mean things to me – that I was a Chetnik – I didn't even know what that was, so I had to ask my dad.

Then, M. came to my school. He was a big, strong boy of my nationality. They focused their rage on him. They abused him as much as they could. He wore a cross around his neck, but he hid it. Once, during a physical education class, it fell out and everyone started beating him. I tried to interfere and defend him. That school was terrible. **I didn't even want to go with them to the final excursion at the end of primary school.** I can understand children, but I cannot understand our teachers who created such situation and encouraged it. What kind of teachers were they?" O.

"My younger daughter was lucky because upon our return, she enrolled in the fifth grade led by professor Ante Kovač – he was a real professor and a gentleman, and nothing bad happened to her there. My only problem here is that I cannot find job." Ž.

"I was among the first ones to return in 1997. We were not happy in Vojvodina. It wasn't just us, everyone from this area felt the same. I was especially annoyed by people calling me REFUGEE, I did not like that at all. But the situation was dangerous when we returned. Extremists were everywhere, especially those who came from Bosnia. I lived with my mother. They laid a mine near our house in 1998. They kept asking "What did you come back for, you Chetnik?" First ten days, my mom and I ate only plums. We had money, but we couldn't find transportation to get food. Then I hitchhiked and one guy from Perušić gave me a ride. We became good friends: for half a year, he used to bring us bread, meat, whatever we needed. Then we started to work on renovation of everything that was destroyed or stolen. And, today, once again, I have my own

company. I produce top quality fruit brandy. I cooperate with “Plitvice Lakes” tourist center and I’m trying to establish cooperation with other tourist centers, too.

Mom wanted us to return to Serbia. Several times because of the constant abuse and threats from the same twenty or so people. They were laying mines, the same as before. Forty people died of mines between 1996 and 2000. And then it all stopped – mines, threats, everything. I don’t know if it had anything to do with the new government, but it did stop.” P.

Participants from K. agree that the Croatian state gave to some people (those who arrived from Bosnia) big privileges. They realized that they did not have to work. They got other people’s houses, as well as state assistance, and now that such support has decreased or disappeared, they don’t know what to do. Serbs did not get anything. Their destroyed property was hardly renovated. And they received 150.00 kn of assistance per family member during first six months. Then the state realized at one point that it didn’t have so much to give away. So, the people from Bosnia and Herzegovina had to start seriously thinking about work. In a way, they have become much closer with Serbs: poverty brought them together. It is very difficult to find job. Every year, “Plitvice Lakes” National Park employs around one hundred people. This year, four Serbs got employed and there is much higher percentage of us here. Simply, the policy is that we should not get work. If “Serbia had welcomed them the way Croatia welcomed its ‘own’ Bosnians, they would have never returned”.

“My parents decided to return. I was about to start the eighth grade. I was not very happy about going back to that school. I heard that everyone who returned to that school got beaten up. They didn’t beat me. There were some problems and it wasn’t easy, but I managed to find a very good friend there. He had fled to Split in 1995. It was easier for me to go through everything together with him. Then, I enrolled in the Catering High Scholl and everything got a bit easier afterwards. There were no tensions related to different nationalities. After high school graduation, I went to live with my grandparents in the village. They purchased a lot of cattle: cows, sheep, etc. I started helping them and it all seemed very interesting to me, so I enrolled in the College of Agriculture in Križevci and I am about to graduate there. I see my future in agriculture.” T.

“We returned through UNHCR program in 1997. We came back on our tractors, the same ones we used for fleeing. The return was not pleasant at all. There was a lot of fighting and everything. We returned to our own house which was completely destroyed. We started renovating it. Some woman had moved in my father’s family house in Korenica, that is, my grandmother’s house, and she wouldn’t let us come near that place. Whenever my grandmother asked about some photos in the house, the woman would call the police and accuse us of harassment. Later, she was forced to leave the house, but, in return, she was given an apartment. We renovated this demolished house, too. We have cattle, land, it’s a lot of work, but we manage to survive. Around 80% of the people returned to my village. There are over 100 of us.” U.

The return to this area was mostly marked with threats and insults such as “Chetnik is back”, beatings, bruises, and people getting spat at in the middle of the road for no apparent reason, just because of their nationality. Regardless of who started a fight or who won the fight, according to our research partici-

pants, police would usually punish Serbs. But Serbs kept returning, one by one. After peaceful reintegration of Eastern Slavonia, there was an organized return of many families from Baranja. Police was protecting them like they were “Lika bears” (protected species). They were coming in convoys of 10 families: three families returning to Korenica, one to Vrelo, one to Debelo Brdo. “After peaceful reintegration³⁹, we were forced to leave Baranja, regardless of what was awaiting or not awaiting us here.” L.

More information on collective return:

“Through UNHCR, I requested from the Office of the Commissioner for Refugees to give me back my apartment in Karlovac. We had the housing right there, but since we were not paying rent (we didn’t have money for that) they cancelled our right. Then I requested to return to Lika, to my grandparents’ place, but that was not possible either, because I didn’t have temporary residence. There before 1991 – that meant that I was not able to get an organized transport of the property I acquired while working as refugee and of few things I managed to salvage after the Operation Storm. So, I did not have residence in the place I was returning to, while in Karlovac they refused to issue to me documents with my address because I lost my apartment there/it was taken away from me. Finally, I managed to have a friend register me as his subtenant, so that I could get the documents. Meanwhile, my father died and he was the owner of our housing right. I believe that Serbs in urban areas got cheated in everything that happened: under the pressure from the European Union, the housing right was pronounced equal to the ownership right, but we were denied that. I ended up living in a small house we had built as our vacation place.” Š.

“Our return started with the ‘Go and See’ convoy. That was UNHCR’s ‘tourist bus’. You would apply for that trip and wait for your turn. They would take you to Croatia for 40 hours and they would provide you protection during that time. You could go to any part of Croatia, but you had to enter with them and leave in 40 hours. That is how we managed to obtain documents. After that, we had to wait for a bus to fill with returnees and then our return to Petrovac was organized. This was in 2002. We settled in our godfather’s house since half of our house was destroyed and it didn’t have windows or doors. For next four years, my husband worked in a warehouse and was slowly rebuilding our house. Then, one morning he went to work and didn’t come back. He got arrested.⁴⁰ Before we made a decision to return, he checked the list of potential war criminals, because he had fought actively in Krajina. He was not on the list, so we returned without worrying about it. The procedure is still ongoing. He was imprisoned for 22 months and he is now in the house arrest. He is not allowed to work.

I asked everyone for assistance. A lawyer was assigned to him. He is accused of crimes against civilians, but they don’t have any witnesses. I was told in the Gospić Police Station that everything would be fine if he cooperated with them. This means that

39 In January 1997 Croatia succeeded to return Eastern Slavonia territory by means of peaceful reintegration. For 50,000 Croatian citizens of Serbian nationality, who went there as refugees from other parts of Croatia, this meant one more departure and return.

40 We found out during the interviews that there were three buses of returnees who planned to return to that area. After this arrest, most of those people gave up the idea of the return. The conclusion is that this arrest was staged in order to prevent/slow down the return.

he has to reveal some names to them, but I don't know whose names. We have four children. One daughter is studying in Rijeka. One child is in high school, the two are in primary school. I don't know how I manage. I live off of any kind of assistance I get. The process is expected to last two more years; two more years. And our life is falling apart. Now I see the worst that could happen." Z.

"No, the return was not easy. We couldn't go back to our house. Mom went back to Belgrade and I kept travelling between Belgrade – Zagreb, where I had a cousin and K. where I was checking our status. I would arrive there on Monday and ask about our house; they would say there's nothing new happening. So I would come back again on Friday. Our house was occupied by a woman who rented the ground floor to a cafe-bar and lived on the upper floor, while my mother and I were moving around from one place to another; that was the situation up until 2002. The house was damaged and robbed and mom and I were slowly renovating it. We were lucky that both of us achieved our pension right. So we had it easier than most of the returnees. Of course, during all those years, the best years of one's life, I was not doing the work I studied for⁴¹, but was trying to reclaim the right to what my parents had built with their own hands." S.

In 1991, the cattle fund of Udbina and Korenica was: 30.000 sheep, 12.000 cows, 2.500 bulls and 2.000 horses. During tourist season, the whole cost was supplied with meat and dairy products and potatoes from this area. That way, people in Lika were able to make a good living. Today, Croatia imports everything and, here, everything is destroyed.

Mines slowed down and hindered the return. Even people who were tolerant and open to cooperation would suddenly find mines in their fields, in their yards, or in the forests.⁴² "Obviously, some people were against the return and against cooperation".

Even after people decided to return, administration would make it more difficult. One of the focus group participants from Korenica had to travel three times to Budapest to get one document. The third time, custom officer took pity on her and let her through: mixed marriages⁴³, husband returns to Croatia because he is Croatian, wife cannot return because she is Serbian and does not have Croatian republic citizenship even though she used to live in Croatia, went to school there, got married and had children there. The return got easier when Croatia started fulfilling its obligations towards the European Union. The return of Serbs is one of the conditions for Croatia's accession to the EU. It became obvious then that the return process did not have to be that complicated and that the only thing missing was political will.

Serbs were selling their houses through Agency for State Property Management⁴⁴ at low prices, under pressure and without knowing what would happen in the future. The state took advantage of their vulnerability. Especially when

41 Professor of sociology and pedagogy

42 Even today, the 2005 death of two Serbian returnees in Jagma village in Western Slavonia remains unresolved: in one week, they both died from a mine in locations where they used to collect wood for sale for several previous years.

43 Marriage between citizens of various ethnic identities

44 Agency for State Property Management was buying houses from Croatian Serbs under unfavorable conditions for Serbs, but they were willing to accept anything since they were not able to predict how the situation would develop.

in 1994, Jure Radić, Minister of Renovation and Development, started giving out empty Serbian houses to Croats. This would later be very difficult to resolve and it took years for those Croats to move out of Serbian houses, and Croats “tried to destroy as much as they could” before leaving those houses.

“I have lost hope that I would ever find a job... As well as my husband, or anyone else. For example, he invested so much in his diploma, he validated all the papers from medical school, applied for so many jobs, so I have stopped hoping we would ever find jobs. And it’s not only us, but our children, too, unfortunately. So, I am very disappointed with this, and, honestly, I am working very hard on leaving this place because I don’t see any future here, for us, or for our children, unfortunately. I don’t care about my future anymore, but only about my children’s: I don’t see them getting any job in the future, so... And regarding other problems, no one would say anything to your face and we don’t have those kinds of problems; they reject you nicely, with a smile, so you can’t complain, there is nothing you can do. No one would give you in writing that you cannot get a job because you’re Serb, so that you can take that to the Embassy and complain. We tried to leave, even though Serbian institutions, but we couldn’t. We tried through Croatian institutions to move to any other country, but we couldn’t, because when you say that the reason for leaving was that you, as a Serb, cannot find employment, they just say – Croats can’t find employment, either. So, you keep sending job applications; my husband is trying⁴⁵, he is writing to hospitals, asking about vacancies. He had so much trouble getting his internship; he even asked them to give him a rejection letter stating they could not give him a job, but he never got any. He could have used those to prove he was really looking for a job.” B.

When people talk about their future and how they decide where to live, they most often mention employment. What makes the problem of the return of Croatian Serbs even bigger is the fact that the return areas are all affected by economic stagnation, which is another term for poverty. Young people want to work and not depend on someone’s assistance. However, finding a job is a very difficult mission for them. Sometimes, they don’t get a job just because of their name and surname. They are told to refer to Article 22 of the Constitution of the Republic of Croatia that gives them priority in the employment process, but they explain that it is exactly what they don’t want to do because that would just further reduce their chances of employment. While we were processing our research data, we learned that two young participants of our research were leaving Croatia because they found jobs elsewhere.

45 The husband from B. got a job in between: on 1st Marh 2013 he went to work in Germany.

CASE STUDY:
MY WORLD WAS DIVIDED
IN TWO, AND I FOUND
MYSELF ON THE OTHER
SIDE

Mirsada P.D. 1979 P.

Mirsada P.D. lives in “someone else’s” decrepit house in a village near Pakrac⁴⁶ where she also used to live before 1991. Nearby, her grandma has a renovated house, the parts of which belong to her mom, to her and her brother; however, her grandma is keeping the house for her brother who is living in Bosnia and Herzegovina and has still not decided to return. Mom also lives “here and there” and grandma is the only one nearby. She is married to a refugee/returnee from one of the Pakrac villages. Her husband owns a tractor and works on pulling wood from forest and selling it, which provides for maybe a modest life, but it’s a “life”, after all. They have a five year old son who is starting kindergarten for the first time. Until now, he was staying at home, in a village without many children, so he used to make up his friends in the yard.

She is extremely communicative, gives good descriptions and her memories are clear. During her school time she wrote songs and essays.

“I remember one very concrete event in Pakrac. I was in the eighth grade when, in March, after an incident with a police, Croatian flag was put on our school. Until then, no one ever talked about who was who, there were lot of Yugoslavs and atheists. After that flag incident, we started dividing, taking sides. Serbs decided, probably influenced by their parents, not to attend school while that flag was there. The boycott lasted one day and all the children who did not attend school that day received a bad grade. After that, children got divided and for the rest of the school year, about three months, nothing was the same anymore. My friend who shared a school-table with me kept writing “Hajduk” and “U” on the table, so I hit him with a compass and was sent out of classroom. We continued to share the table. However, we knew very well who was rooting for which team. “Red Star” stopped being just a football team...” Mirsada D.P.

At the end of 1991, they left for Bosnia and Herzegovina after “Merčep arrived to clear the field”. They stayed there very shortly and, in 1992, they returned to Šeovica, in the territory of the Republic of Srpska Krajina. She completed the eighth grade as an excellent student in a school in Gavrinica, right next to the military line of separation in Pakrac. She wrote poems and essays and won awards for them. For children in Krajina, further schooling was then organized in Subotica. In order to go to school in Subotica, one had to go to Bosan-

⁴⁶ In this refugee story, in the agreement with the responds we are using her full name, as well as the full names of villages and cities

ska Gradiška to pass an entry exam – Mirsada was ranked third at that exam. She wanted to go to economic school, but there was no possibility for that in Subotica, so, as a very talented student, she was enrolled in a gymnasium.

“In that class, there were seven of us refugees, while others... You know that gymnasiums are mostly attended by children from wealthy families, and we were poor and miserable, yearning for everything. I didn’t like Serbia or Subotica, or being called a refugee. As school year progressed, refugees started gradually leaving the Gymnasium due to huge differences and the feeling of not being accepted.”

At the end of semester, a trip home was organized; at the border, Krajina police stopped the bus and (checked documents; refugee card was the only document refugees had); police requested Mirsada to get off the bus with explanation that she was a spy. She was a 14-year old spy whose mom, in the moment of inspiration, gave her a non-Serbian name. The whole bus underwent additional search and questioning, and Mirsada was released only after her professor insisted and guaranteed for her. The professor kindly advised her to definitely change her name upon her return to Subotica to “some generally acceptable name.”

“With my mother’s signature, I put a request to Krajina authorities to change my name to Mirjana. Upon my return to Subotica, I was Mirjana. My mother was pressuring me to leave the Gymnasium since she did not have the money to send me to university. But I had to stay in Subotica where I didn’t eat much since I was very picky when it came to food. I ate only bread – bread and apples. I was always hungry and all that canned food made me sick. I transferred to Chemistry and Technology school, which I hated from the very beginning. I was skipping classes, and didn’t even know my classmates. They accepted me, I was the only refugee in the class, but I did not accept them. I thought it was a school for post officers. Terrible years: puberty; I was alone, poor, without support...”

During the military and police operation “Flash” for liberation of Western Slavonia, the whole family fled their own village under dramatic circumstances. For about 10 days, Mirjana/Mirsada did not know whether they were alive or not and she described these as the worst days of her life. After that, they arrived to Serbia and settled in the village of Mala Krsna. That summer, she stayed in Subotica and worked as apple-picker in order to earn money. Her family moved to Priština. Her grandmother had a sister there and there was a general intention to have Serbs from Croatia settle in Kosovo.

Mirsada joined them after her graduation in Subotica. She liked Priština. She didn’t like Vojvodina at all: everything was slow there. They were put in a collective center in Priština. Conditions were not good, but she was young and her granddad was still alive. He supported her in her wish to go to the Higher School of Economics in Leskovac. Her granddad found her a job in a construction company in Priština where she started working as a secretary. She was earning decent money, going to school and she described this as a better period of her life.

However, in 1999, NATO bombing started. Her family fled to Bosnia and Herzegovina. She tried to stay, but after awhile, her Albanian acquaintances

warned her that it would be better for her to leave Priština. But, at that time, it was not easy to leave the town and she spent two months in a gathering center for Serbs, waiting to be evacuated from Priština, constantly bombed, without food, and even worse, without water. That was the first “real war experience” for Mirsada.

After that, she arrived to Orahovo, a small village near Bosanska Gradiška, without any documents. Meanwhile, she learned that her mom got a positive response to her application for asylum in the USA for the whole family and that UNHCR would pay and organize everything regarding papers and travel. However, at the last moment, her mother changed her mind. She would never forgive her that. Afterwards, they were not able to function as a family any more. There were constant conflicts in the family.

Mirsada rented an apartment in Bosanska Gradiška where she found a job. She started living with her future husband whom she had known from before. A job was offered to her in Montenegro by the same company she used to work for in Priština. She accepted under the condition they employed her husband too. They moved to Montenegro together. Her husband was “very jealous” and did not want her to work. They had disagreements.

After awhile, they found out that his parents returned to their village in Western Slavonia, so under pressure from her husband, they decided to join them. They didn’t stay there long, because the village was far away and isolated, so they moved to M’s home village.

Then, there were problems with obtaining Croatian documents. She needed to change her name back to her original name in order to get her primary school certificate. And then she had to go through another complicated process in Subotica since her high school certificate was in her new name. After obtaining Subotica certificate, she enrolled in the fourth grade in the Bosanska Gradiška high school, because she would not be able to apply to university with a 3-year high school certificate. She completed the fourth grade successfully and validated her high school diploma in Croatia, and she wanted to apply to university – probably again in Bosanska Gradiška or Banja Luka, since that would be cheaper.

Meanwhile, she was trying to find a job, but in Pakrac, that was almost a mission impossible. Education programs of the Center for Peace Studies mean a lot to her, especially getting employment in the CPS through public works⁴⁷, where she now works on providing social services to the elderly. She hopes this will not be the only employment recorded in her employment booklet.

Instead of one life, as it is supposed to be, she feels as she has lived ten lives. The only thing she wants is to be able to work and provide a secure life to her child. She is still not sure where this should be.

47 Public works were announced by the Croatian Employment Service for the fixed term of six months, and it was required for persons applying for public works to have been registered at the Employment Service as unemployed for at least one year. That was a good opportunity for employment of returnees who have been registered at the Service for much longer

CASE STUDY:
THOSE WHO STAYED DID
NOT UNDERSTAND US
WHO LEFT, AND VICE
VERSA

(Although he was one of the most positive and most active persons in the focus group, which may have been the reason why we chose his story, when we last met him, he asked us to change his initials and to change the first letter in the names of towns and villages mentioned in the story: he explained that he didn't want to get exposed, since the police was already using every opportunity to question him, as soon as they saw his name and surname – they would ask him all sorts of questions that had nothing to do with alleged traffic violation for which he was pulled over.)

N. V. (1986), KARLOVAC⁴⁸

LEAVING FOR THE FIRST TIME

“Maybe you won't believe this – in 1991, I was only five years old, but I remember everything. Everything that was negative! Nothing positive. Some, maybe, won't believe it, but I am still the same, I remember everything. Even as a young boy, I was very eloquent. I liked to talk a lot, the same as today.” His mother worked for Yugoslav National Army⁴⁹ as a salesclerk. She attended trainings that promoted fraternity and unity. His father worked in Germany as a civil engineer, but for a Yugoslav company. They had a nice apartment in Karlovac and well-organized and comfortable life.

However, one morning, when mom came to work, the army was gone and the whole facility was rigged with mines.

His uncle was director of a famous wood processing company in Karlovac and his uncle's wife, his mother's sister, was a teacher. They also led a nice life. Then, since his uncle was “famous” in the town, he started receiving threats, as well as other members of the family, so he gathered them all one

⁴⁸ We have mostly respected the participants' wish regarding use of the initial letters of their villages and towns, but, in some cases, we have used full names of the places where we thought it would be important for better understanding of the context.

⁴⁹ Yugoslav National Army: Army of Yugoslavia

night and took them out of K. He took them to V., to maternal grandfather and grandmother's place. Father and grandfather on his side are from the village R., around ten kilometers away from V. The two villages were separated by a river, but connected by love, since they both had married women from V.

The war broke out so suddenly that they left everything behind in Karlovac, except dinar savings, and they couldn't go back there anymore. Life in V. was very hard for them. Only their grandfather was used to a life in the village and to agriculture. The rest of them were all city people. They were spending their savings and drinking plum brandy instead of Praxiten and other tranquilizers. In 1993, N. enrolled in the first grade in a school in Z. He walked 4.5 km to school every day. There were other city kids there who were now living in a village and attending a village school. Thousands of times, he would get to school or home completely soaked, alone: winter, snow, rain, dark.

He remembers all of the "anomalies" of that war: *"first, those UNPROFOR people – if one would speak bluntly, one might say that they were extremely rude, especially Poles, who used to treat children very badly. I will give you just one example now: we were kids and we went to them for candy and chocolates, "Milka" chocolates – these were like magic to us. Although, until the age of five, I had pretty much everything – I used to eat strawberries, even in winter; I did not long for anything. They would drive erratically up and down the road, but my friend and I came up with an idea – we would raise two fingers and they would throw us candy."*⁵⁰

Then the year 1995 arrived.

LEAVING FOR THE SECOND TIME

According to N's description, this was when the real war began. Serbian army left their positions, as previously agreed. Croatian and Bosnian armies started attacking. *"That was some rock and roll!"*

Unorganized they move towards Bosnia. They were alone in Dvor upon Una. N. remembers this especially well – every detail. Nowadays, whenever he travels to Bosnia and Herzegovina to buy music CDs, passes by the same house they used to hide in. He also remembers dead people on the road.⁵¹ He remembers bodies being trampled. His aunt, who used to work as physical education teacher in a school in K. before the war, picked him up now, and her own son, disabled grandma and mom in her car, while carrying a gun, *"I have to say, she carried it like a man"*. They were only hundred meters away from crossing the Una River, but that's when it started: grenades from Croatian side, grenades from Bosnian side, and no Serbian army in sight. They retreated into the forest. He does not remember everything, but he knows that at that point, "ordinary" people took abandoned arms in their hands and hid in the woods. His aunt was taking them from one house to another in order to save them. They also

⁵⁰ Two fingers raised was the Croatian soldiers' greeting, three fingers raised was Serb soldiers' greeting.

⁵¹ He talks about people fleeing the Operation Storm.

hid behind a tractor trailer for a while: they would hide behind one tire, while “enemy” shot at another tire. Dvor is located in a canyon and everybody was trapped there. They were shot at from both sides, and there was no exit.

LIVING AS REFUGEES

After awhile, they managed to get into Bosnia and they went towards Banja Luka where their cousin was studying. They were joined by father and uncle who had just arrived from the battlefield, so they all together went towards J. Arkan’s troops⁵² did not let them through - they wanted to reroute them to Kosovo, instead. When Arkan was killed, the whole Kordun area celebrated. People in Serbia had a different stance on this. N. explains this: “I did not expect anything from Franjo Tuđman, because I knew he did not care for me. However, I did expect help from my own people.”

We managed to cross the Drina River and get to J. I managed to enroll in the third grade. I had some relatives in J. The town was full of refugees from all three sides. However, Arkan kept enlisting people to fight, so many fled the town from fear of being mobilized.

They were helped by a basketball player who used to play for former national team, N. L., and who was from the village R. He had a vacation house in Kragujevac, in Šumarice, “the place where many children had been shot by Germans back in 1941”. That was a nice, newly built neighborhood and they lived there until 1999. But then NATO bombing started. “Well, for us, that was just a repetition of the events we had already experienced. We were not very worried now. After we had managed to survive crossing of the Una River in 1995 without being shot, we were sure nothing would happen to us now either.”

However, in 1999, there was once again a big mobilization of men for Kosovo. Our people could not be mobilized since we didn’t have Serbian citizenship, which led to some protests from domicile Serbs: why would they have to go fighting, while refugees were not doing anything? On the other hand, Kragujevac was a twin city of K. and there were many army members there, so some of them knew N’s mom from those events from the beginning of the story: they helped them and protected them in a way; they helped N’s dad hide from mobilization. This time, grenades (NATO) were superbly guided and they hit the targets with precision. In N’s opinion, they were 100 percent efficient.

He completed primary school in Kragujevac without any problems. He was an excellent student and “he earned certain credibility”. He was helping other children. However, all that time, he was living in someone else’s house where he was not allowed to bounce the ball off the wall as much as he wanted to. And he really loved sports and was a hyperactive kid.

⁵² Serbian Volunteer Guard, also known as “Tigers”, “Arkan’s Tigers” or “Arkan’s”, is the name of the paramilitary force led by Željko Ražnatović Arkan, who was a career criminal before the war and a Yugoslav secret state police agent, that is, an assassin (according to Wikipedia)

In the summer of 1999, because of the bombing and since his aunt and uncle had already returned to Croatia, he went to V. for holidays. "He could now bounce the ball in the house as much as he wanted, but he was not allowed to go out." His aunt, the only one who stayed in Croatia in 1995, was in Zagreb and somehow managed to save her house. Indeed, the house had only the walls since everything else was destroyed or stolen, but at least they had a place to come to.

However, during those years, there was a certain D.D. who was a big shot in Kordun and he harassed those people who returned, including my family. In 1999, I was not allowed to get out of the house because he would be passing by in his car and shooting at everything that moved."

His father did not manage to settle down in Serbia. "His heart was in Kordun." His paternal grandma remained in R. for the whole time. When army came from Duga Resa and told her they were Croatian soldiers, grandma fainted. While she was trying to understand what was going on, she fled to the woods and when she returned, that army had left and another one arrived. Grandfather was resourceful and the village and the house were away from the main roads, so they somehow managed to survive.

Father stayed in Serbia till 1999, while he stayed there two more years in order to complete primary school.

THE RETURN

Later, in 2001, he enrolled in high school in Karlovac. He went to school from V., his mom's birthplace, since that was a bit closer to Karlovac. His friend, neighbor and first grade classmate from Z. also returned. So, the two of them enrolled in the Technical Sciences High School in Karlovac. At the beginning, it was a disaster. They had 14 courses. He chose a school for electrical engineering and they recognized his diploma from Serbia since he was "a straight A student"⁵³. That was a technical school and he was advised not to go there since it would mostly be boys there and he might get into lots of fights. The truth was that out of one thousand students, there were only two girls. He did not have any problems with professors. "One of the professors was a bit problematic". All other professors were very pleasant, as well as students.

"However, it was completely different with students from Bosnia: it was a disaster. Instead of us understanding each other better as refugees, they were trying to bully me as much as they could. But, I knew how to be diplomatic in such situations. I was a kind of authority to them – I was born in K., loved football, and also loved folk music: they seemed to be impressed by that. They may have talked behind my back, but no one ever said anything to my face. When I got into my first fight in physical education class, I showed them I was the stronger one and that they should not mess with me. I was a very blunt person, and I had to fight for myself."

53 The one who completes all grades with straight As.

What was the most difficult for him? His aunt who worked in Zagreb in the Ministry of Science, Education and Sport, a pedagogue, behaved like some kind of inspector. She was prepping him on how to introduce himself on the first day of school when students are supposed to say the name of the school they came from. He was supposed to say the name of his school in Kragujevac. She suggested to him to just say he was a RETURNEE.

“And, now, how was I supposed to do that – I was sitting in the second row and in front of me was a boy from Iraq. I quietly said I was a returnee and everything was ok until a young geography professor asked me where I returned from. I had to say from “Jovan Popović Primary School” in Kragujevac.”

In the following period, he had 14 courses and 10 professors, and he got seven Fs in geography. He had a B in physics and mathematics, even though it was a gymnasium-level curriculum. Geography professor simply didn't like him and he paid dearly for every Serbian word he would let slip. The same used to happen in Kragujevac – they would correct every Croatian word he uttered, i.e. “stupanj” to “stepen” (Croatian and Serbian words for “degree”), but not to that extent. In any case, he had a long way to walk to and from school; he was always tired and sleepy and he never again achieved excellent grade level, which he would have probably managed, had he stayed with his parents, in his apartment, in his hometown.

When it comes to Croatian language course, he earned a B, which was a great success for someone coming from Serbia. He wrote beautiful essays and his professor was helping him with grammar, so he managed to get B at the end of the school year. He would later find out that the Croatian language professor was married to a Serb and that their son moved to Belgrade in 1991, and that was probably the reason why she had so much understanding for N.

Classes were one thing, while travelling by bus to school was a different story: an hour and a half to school and an hour and a half back. The bus would depart Z.⁵⁴ with Serbs in it. Then Bosnian emigrants would enter, and then Croats. Serbs would sit in the back, Bosnians and Croats in the front, and then “the rock & roll would start” and all hell would break loose. N. was somewhat lucky since there were five or six Serbs in the same school shift as him, but those who were alone in their shift were really getting beat up.

Even today, when he passes by those “same Bosnians” down the road, they would greet him, but he would either greet them unwillingly or not at all. He cannot forget those days. He has never provoked anyone in his life and he cannot understand why they treated him the way they did. To make matters worse, the one person who bullied him the most was from a mixed marriage. His mother was Serbian and he and his father were one of those big Croats. *“They also came from Banja Luka. At the end, it seemed that everyone came from Banja Luka: how big was Banja Luka?! I think they were all actually from some god forsaken hills and mountains. OK, they have their own story, they probably experienced some horrible things too, we were all losers, but they were really terrible. They were supposed*

54 The place near Karlovac

to understand us, we should have stood up together to those people in Karlovac, I have to say that. They were exiled too, we were exiled, and we were all victims of war.”

However, in N's opinion, today's situation between Serbs and emigrant Croats in Karlovac is catastrophic. When it comes to normal people in Karlovac, he never had any problems with them. He would speak his mind with everyone: he knows that's not too diplomatic, but that's just the way he is.

After high school graduation, he enrolled in university in Rijeka. In N's opinion, when you pass the Tuhobić Tunnel on the road to Rijeka, it's like you have entered a new country. It is a completely different world. It is like a different state. It is not Croatia, it is not Bosnia, and it is not Serbia. That is where the real life was. Karlovac could not compare to it.

N. loves his hometown. He was born there, his family was there and everything, although during the war, all that vanished/disappeared. Karlovac is a beautiful town and it has somewhat central location. You can quickly reach Bosnia, Slovenia, the coast, Zagreb; but, it's such a bad town, bad people... terrible. Regarding economy, the situation is very bad there. In general, why was that town so different from Rijeka? Maybe because it is located on the border. When it comes to Rijeka, he has friends there of various nationalities, they are all proud of their own people and they celebrate their own people – it's like a miniature Yugoslavia. From Rijeka onwards, no one will ask you anymore about your nationality or where you are from.

After Rijeka, N. completed mechanical engineering studies in Zagreb. He lives in his own apartment (although that is some other apartment now)⁵⁵ in Karlovac; he spends a lot of time in the village where his parents live. They are trying to make a living from cattle breeding and agriculture. He plays football with his friends. They would like to start something up in their old neighborhood, but sometimes everything seems just too difficult and without prospects.

(N.V., mechanical engineer, plans to continue his life somewhere in the area from Rijeka to the northwest, regardless of the strong ties to his town.)

55 Like many other Croatian citizens with Serbian nationality. N's family could not come back to their flat upon return because it had been awarded several times in the time between, redeemed, marketed and sold. They got housing care in a building near the catholic cemetery that they colloquially name „Belgrade lady” because the majority of families in this building are Serbian returnee families

FINAL CONSIDERATIONS

(Two weeks ago, I travelled to Karlovac to meet with one of the participants of our focus groups. He was preparing to leave Croatia. He begged me not to use his initials in this text, because he has been constantly targeted by Karlovac police – even though he was only five years old back in 1991, they keep questioning him about some people whose names he has never heard before. We met in the office of the Serbian National Minority Council where they were having a meeting at the same time. Their representative, N. R., told me that these were some of the worst days for them: police keeps questioning them, coming to their apartments, checking their status, they are all completely economically exhausted and they don't see their future here).

Under the pressure and constant monitoring from the international community, Croatian authorities have started changing their negative attitude towards returnees. They have started amending their laws, although practices are changing much slower. They started renovating houses and expanding deadlines for property restitution applications and housing issues. However, those newly renovated houses have still not turned into homes where people live and feel comfortable among their neighbors and relatives. Those were just “some different houses with different furniture”, either with neighbors not thrilled about your return, or in completely desolate areas.

One recommendation would be to use these focus groups as an introduction to an opinion poll type of research that would include higher number of participants in order to determine more facts about various statuses of refugees/returnees. After all, this research includes opinions/memories/verbal history of only 30 persons.

It is very important to educate returnees about state regulations and their rights, so that they themselves can start advocating and drawing attention to violation of those rights, the same what currently is being done by NGO activists or their representatives. Initiative for this should come from the Government of the Republic of Croatia, so that more people could be engaged through education and other activities. People who participate in activities organized by NGOs are mostly those people who have already been sensitized to these issues. On the other hand, it should be insisted on education of local

government and self-government representatives who need to be especially sensitized towards reintegration policy for the return.

Finally, this research has confirmed that Croatian Serbs, the returnees, are far from their social inclusion in Croatian society, and especially far from employment that would improve such inclusion. Economic and financial crisis has affected all segments of Croatian society and it has made vulnerable groups even more vulnerable. Returnees mostly live in areas of special state concern, which were most affected by the war, and which are now isolated, not only due to specific circumstances, but also due to political will.

When we make a list of what we need for a sustainable return – primarily, developed network of social services, financial and technical assistance, infrastructure development – and when we put that list in the context of Croatia today⁵⁶, we see that these things are becoming more and more difficult to achieve.

RECOMMENDATIONS FOR IMPROVEMENT OF POSITION OF REFUGEES IN REPUBLIC OF SERBIA

With the beginning of the process of democratic changes in the republics of the former Socialist Federal Republic of Yugoslavia after the end of interethnic conflicts, the process of finding solution for unresolved refugee issues has also started. Even though many measures have been implemented over the years and many bilateral agreements signed, the status of refugees and internally displaced persons must be further improved.

Big obstacle to the process of efficient resolving of the refugee issue is an unbalanced approach to resolving key issues common to the region. When states have different norms, insurmountable obstacles and difficulties occur in protection of refugees' human rights. Improvement of cooperation between the Dayton Agreement states, as well as the pressure from the international community to fulfill the rights of refugees everywhere and under equal conditions are some possible ways to close this issue. It should definitely be ensured that this issue is raised to a regional level, where a faster solution could be found through joint activities.

Eighteen years after the end of war conflicts, there is still a discriminatory approach on ethnical basis. Therefore, we can conclude that the main problem of refugees is primarily their position in relation to dominant population.

Today, in Serbia, there are 66.408 refugees from Croatia⁵⁷. According to the 2010 European Commission's Progress Report for Serbia⁵⁸, many refugees and internally displaced persons are unemployed and living in poverty. When we

56 Trend in poverty increase

57 According to the Office of the Commissioner for Refugees' data from 20 June 2012 (www.kirs.gov.rs)

58 The report can be found on the website of the Office for European Integration of the Republic of Serbia (<http://www.seio.gov.rs>)

look at the situation in the Republic of Serbia, we can see that it is necessary to achieve further improvement of their human rights.

STATUS ISSUES

Since fulfillment of refugees' rights in the country of refuge, as well as in the country of origin, depends on the documents they possess, one of the priority issues that need to be resolved is the status problem.

We have noticed that over 50% of participants do not possess any document, or they are in the process of obtaining them. The most frequently missing documents are personal ID, passport or birth certificate. Use of documents as instruments for protection of acquired rights and solving of existential problems is especially important for refugees.

According to present practices, citizens can obtain documents in two ways. They can personally go to the country of origin, or they can authorize another person to obtain them. The problem occurs when they must personally travel to the country of former residence because many of them are not capable of doing it (due to age, illness, no passport, etc.), or because of fear and bad memories from the times of the war conflicts.

RECOMMENDATIONS:

- the Republic of Serbia and the Republic of Croatia should be obliged to sign additional bilateral agreements in order to simplify procedures and facilitate document obtaining process,
- these agreements should give to refugees an option to order documents or registry books certificates over the Internet and to get them delivered to their address.
- capacities of non-governmental organizations contributing to solving of this problem should be strengthened,
- it is necessary to work on providing better information to refugees about the options available to them.

HOUSING ISSUES

During implementation of this research, participants often mentioned that solving of housing issues should be one of the priorities, since that is important for the process of their local integration.

As already mentioned, unbalanced regional practice is hindering the efforts to find a lasting solution for this issue, especially when it comes to restitution of property and housing rights. Lack of clearly defined needs and criteria and no coordinated cooperation of relevant subjects have lead to creation of double standards for the same issues and problems.

In the last seventeen years, the Republic of Serbia invested great efforts and resources in creating conditions for solving of this issue. The most frequently used program was the social housing program. In this period, the Republic of Serbia provided around 56 million Euros for integration program infrastructure, partly from the republic budget and partly from the budgets of cities and municipalities whose contribution should be especially emphasized (105 municipalities participated in the programs for solving of refugee issues). The funds were mostly spent on providing infrastructure – 34 million, while one part of funds was used for purchase of completed housing units – 22 million⁵⁹.

Although this program is focused on the most vulnerable households, refugees express dissatisfaction with its implementation. Their criticism is primarily focused on the level of family income per household member (90 Euros) set as a threshold for participation in this program. They also mention the fact that contracts on use of apartments are signed for the period of three-years and that there is no purchase option for such apartments. The final, but equally important fact is that, in this program, criteria differ depending on the local community in which the program is implemented.

Special attention should be paid to refugees' accommodation in collective centers, although, there is a tendency today of closing of those centers. During the visit to one of the collective centers in Pančevo⁶⁰, complains could be heard, not only about the non-functional living space, but also about poor hygienic conditions, bad public transportation connections to Belgrade, and cancellation of doctors' visits to the center. It is important to note that many refugees express doubt regarding the collective centers beneficiaries. This means they have a problem with the fact that there are some families living in collective centers that do not need such accommodation.

RECOMMENDATIONS:

- ensure full application of all provisions of the Law on Social Housing,
- make further improvements in the field of social housing, having in mind good practices and efficient models for resolving social housing issues,
- define and ensure application of fair criteria for access to social housing,
- make social housing available primarily to socially most endangered families,
- in line with the abovementioned, update the databases on refugees and create a detailed social card for refugee population in order to ensure equal treatment of refugees,
- allow social housing beneficiaries to become owners,
- do a revision of collective centers beneficiaries.

59 Condition and needs of the refugee population in the Republic of Serbia, the Office of the Commissioner for Refugees

60 Lawyers' Committee for Human Rights visited refugees in collective center Krnjača in Pančevo

PROPERTY ISSUES

Successful integration or sustainable return of refugees to the country of their previous residence depend a lot on the process of restitution and recognition of their property rights, as well as on the process of rebuilding and compensation. This issue has been open in the ex Yugoslavian countries for many years and it is still not completely resolved. It is necessary to make this process more efficient, having in mind that there are still 100.000 persons waiting for resolving of this issue.

The process important for our analysis is establishment of restitution mechanisms in the Republic of Croatia. This process has been, and is still developing very slowly, with numerous obstacles, meaning that it is still not completed today in a way that would provide a lasting solution to refugees.

The main factors in the establishment of restitution mechanism and its implementation were the state authorities of the Republic of Croatia. An ongoing monitoring of this process was performed by the international community bodies that also had a role in its improvement.

After the end of war conflicts, Article 2 of the *Annex G of the Agreement on Succession Issues* stipulated that the rights to movable and immovable property to which citizens were entitled on 31 December 1990, shall be recognized, protected and restored by the state, in this case – Croatia, in accordance with established standards and norms of international law; this is still just a declarative obligation, with almost nothing being done in practice regarding protection of movable property of Serbs who fled the Republic of Croatia. However, the basic principle that guided the authorities was the right of the temporary owner taking precedence over the right of the owner, even in the case when that owner decided to return to the country of origin. According to this principle, the owner cannot enter his property until the temporary owner is provided with alternative accommodation. In addition, with adoption of the Law on Lease of Apartments in the Liberated Territories (“Official Gazette”, number 73/95), after the “Operation Storm”, occupancy rights of refugees and displaced Croatian citizens of Serbian nationality were terminated because they were absent from their apartments for more than 90 days from the day this law came into force (those who did not return to their apartments by 27 December 1995, lost their occupancy rights, as per this law). On the other hand, according to Article 8 of the Law on Lease of Apartments in the Liberated Territories, new occupants of those apartments were guaranteed the right to purchase them at approximately 10% of the market value three years after the lease. On the other hand, returnees of Serbian nationality whose occupancy rights were terminated had an option to purchase those apartments at most unfavorable price of approximately 50% or more of their market value. However, they were still unable to meet the purchase requirements. Namely, the Croatian Parliament adopted a Law on Cessation of Application of the Law on Lease of Apartments⁶¹ in the Liberated Territories, so there was no legal basis for purchase of those apartments.

61 “Official Gazette”, number 101/98

Instead of being purchased, with adoption of the Law on Areas of Special State Concern in 2008⁶², these flats were now being allotted to lessees, providing that lessees have used them and lived in them at least 10 years from the date of adoption of this document, and that they don't own any other housing unit in the territory of the Republic of Croatia; therefore, they may own one in Bosnia and Herzegovina, or elsewhere outside the Republic of Croatia (Article 10, paragraph 2, item 3).

RECOMMENDATIONS:

- annul the regulations that terminate the occupancy rights of refugees and exiled Serbs,
- establish new legal framework that would include solutions from the United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons ("The Pinheiro Principles") and from the Resolution 1708 (2010) of the Council of Europe Parliamentary Assembly from 28 January 2010 on solving property issues of refugees and internally displaced persons,
- allow exiled Serbs to purchase housing units under equally favorable conditions as those for Croatian citizens,
- ensure consistent implementation of the Republic of Croatia's Government Program for 2011-2015 in relation to renovation of destroyed or damaged housing units.

RIGHT TO WORK

In the field of labor, legal framework of the Republic of Serbia equalizes the refugees with the citizens of our country. If they bring their refugee identification document, they are allowed to obtain an employment booklet, register at the Bureau of the National Employment Service or apply for vacancies providing that citizenship is not one of the job requirements.

It is important to emphasize the fact that women and persons over 40 years of age are in less favorable position because it is much harder for them to find job. Of course, we must not forget the world economic crisis which makes it even more difficult to implement programs focused on employment of this group. In any case, improvement of the position of refugees and their more active role in the labor market must go hand in hand with further affirmative action measures.

RECOMMENDATIONS:

- subsidies to employers for opening of new jobs and employment of refugees,
- affirmative actions focused on additional training and retraining of refugees in line with the labor market needs, which would increase their competitiveness,
- including refugees in active employment policy measures through programs which promote self-employment and engagement in public works,
- facilitating access to credits for development of small and medium enterprises and self-employment of refugees,
- affirmative actions focused on employment of women belonging to refugee population.

SOCIAL PROTECTION

Social rights are another group of rights of refugees. In this area, they have the right to placement in social protection institutions, lump-sum financial assistance, professional services of social institutions, the right to placement in social housing facilities in protected conditions, and an option of placement in foster families.

After seventeen years and numerous activities of the Republic of Serbia's state bodies focused on improvement of position of refugees, as well as the civil sector's efforts, there is still a significant number of refugees in unfavorable social-economic situation. Therefore, it is necessary to ensure achievement of their rights and services on a broader scale.

RECOMMENDATIONS:

- initiate creation of social card for refugee population in order to allow re-allocation of resources towards most endangered refugees,
 - through committees for refugees, monitor the level of achievement of social rights of refugees,
 - include refugees in local self-government programs for provision of lump-sum financial assistance, if there are such programs,
 - increase information provided to refugees on their rights and services, as well as on conditions and procedures for their achievement.
-

HEALTH PROTECTION

All refugees who meet the requirements for basic health insurance have the right to health protection under the same conditions and of the same scope and quality as other insured persons. If they do not meet some of the requirements, they have an option to pay health insurance contributions by themselves.

Further actions in this field should be directed towards improvement of health of socially vulnerable groups.

RECOMMENDATIONS:

- monitor the problems refugees are facing and, based on the results, propose activities for solving of those problems,
- provide assistance to all organizations implementing programs for assisting refugees in this field.

EDUCATION

In the Republic of Serbia, the right to education is available to everyone, regardless of whether they are citizens or refugees. While primary education is mandatory and free of charge, enrollment into secondary schools and universities depends on candidate's success and is, accordingly, either financed from the republic budget or it is self-funded.

One of the main problems refugees face in their education is difficult financial situation of many refugee families. Thus, they do not have a possibility to allocate funds for financing of secondary or university education outside the place of their temporary residence. In addition, this group is also not well informed about possibilities of getting assistance for solving of this problem.

RECOMMENDATIONS:

- monitor inclusion of refugee population in education system,
- develop scholarship programs for successful students from socially endangered refugee families,
- increase the level of information to refugee population on scholarship programs for secondary and university education.

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ANNEX

Instrument: Focus group discussion guide

Number of participants: 6-14

Time required: 90 min

Discussion duration: 75 min

POSSIBILITIES FOR THE RETURN OF REFUGEES TO CROATIA

MAIN RESEARCH QUESTIONS:

- Participant's ancestry
- Property in country of origin
- Life in Serbia
- Information on life in Croatia
- Possibilities of return
- Discrimination
- Incentives

INTRODUCTION, EXPLANATION OF THE PROJECT AND METHODOLOGY

A. The moderator introduces him/herself and explains the aim of the project.

Hello, I am _____ and I will be the moderator of today's discussion. We are from the SeConS research agency, and we are analyzing the perception of life in Croatia on behalf of the Committee for Human Rights and the Centre for Peace Studies. We invited you to participate in today's discussion as your experience as refugees or descendants of refugees is very important in establishing a view on today's Croatia. We would like to hear your opinions on life in Croatia.

B. Explain the process of focus group discussion

FGD is a research tool similar to interviewing, but instead of asking one question and then waiting for everyone to answer it, more general questions are posed to the entire group and you are supposed to discuss them among

yourselves and reach one or more answers. You should be paying more attention to each other than to me, and you should feel free to express your opinions, even if it is different from other people's opinions. Everything you say will be recorded for later analysis, but the records will be kept confidential and nothing you say will be linked to your name. The discussion will last for about 90 minutes. .

C. Invite the participants to introduce themselves and collect basic information on them (form – SUPPLEMENT A.)

Will everyone present please introduce themselves? Please tell us your names, occupations and education.

QUESTIONS FOR GROUP DISCUSSION

1. **TELL US ABOUT YOUR ANCESTRY. WHICH TOWN IN CROATIA DO YOU COME FROM?**
 - When did you flee? Which town did you flee? Who did you come with?

2. **DID YOU OWN ANY PROPERTY WHEN YOU FLED? DO YOU STILL HAVE IT?**
 - Did you own a flat or a house in Croatia?
 - Were you listed as the owner or were you parents listed as the owners?
 - Did you sell it? Was it taken from you?
 - Do you own any property in Croatia now?
 - Have you participated in any support programs for property reconstruction in Croatia?
 - Has your house / flat been given for temporary use to a third person in the period since you fled?
 - If yes, is it still being used by the third person?
 - Have you had any dealings with local/state authorities regarding property return in Croatia? What were your experiences like?

3. **HOW IS YOUR LIFE IN SERBIA NOW?**
 - Do you own property in Serbia?
 - Do you have a job? What kind of job? Temporary? Part-time? Full-time? Working illegally?
 - How would you grade your standard in Serbia? What is the quality of life in Serbia like? (E.g. standard, acceptance, human rights...)

- Do you feel you are a part of the society in Serbia? Does anyone treat you any different due to the fact your origins lie in Croatia?

4. WHERE DO YOU GET YOUR INFORMATION ON THE PROSPECTS FOR LIFE AND WORK IN CROATIA?

- Do you know anyone who lives in Croatia now?
- What do you know about job prospects in Croatia?
- Do you think it is easier to find a job there?
- Are salaries higher over there? Is the standard of living higher?
- Where do you get your information on the quality of life in Croatia?

5. WOULD YOU RETURN TO CROATIA?

- Have you been to Croatia since the war? In the last 10/15 years? How often do you go? What are the main reasons for your visits, if they are frequent?
- Where have you been to? What town?
- What are your impressions on your stay in Croatia?
- Do you miss life in Croatia?
- Do you think life there is different? How?
- What do think of Croatia's entry into the EU?
- Does Croatia's entry into the EU affect your decision to return positively, negatively or not at all?

6. DO YOU THINK PEOPLE IN CROATIA WOULD TREAT YOU DIFFERENTLY CONSIDERING YOU LIVED IN SERBIA?

- Which dialect do you use? Ijekavica (Croatian) or ekavica (Serbian)?
- Do you think "ekavica" would be a problem if you were to return?
- Would you feel safe in Croatia today?
- Do you think you would be treated differently at workplace, in the job market, in healthcare, in school and in general interaction with others in Croatia?

7. WHAT WOULD IT TAKE FOR YOU TO RETURN TO CROATIA?

- What do you consider to be the most serious obstacles for your return to Croatia?
- Would you return if you were offered direct individual aid to settle all status and property issues?

- What are the main conditions that need to be met for you to return? (Would you return if offered a job in Croatia? Would you return if offered living accommodation in Croatia?)
- Would you return without any support whatsoever?

8. CIVIL RIGHTS IN CROATIA

- Are you registered in Croatian voting registries? When did you last check your status in the voting registry?
- Do you exercise your right to vote in Croatia, and if yes – which election do you vote in? EU parliamentary elections? Parliamentary elections? Local elections?
- If yes, how do you travel to Croatia to vote? Individually? Organized transport? Who organizes it?
- Are you aware of the new Law on residency?
- Do you know you have to re-register your residency by the end of 2013? If you are registered in Croatia on an address that is not listed on the registry of spatial units? Did you know that failing to do so will result with you being deleted from the residency registry?

