

### Table of Contents

I. Introduction .....	2
II. Croatia, Refugees, and Displaced Persons .....	5
III. Temporary Protection, Safe Areas, and Preventive Protection" .....	16
IV. Conclusions and Recommendations .....	21
V. Refugees in Slovenia .....	20
Bosnia and Hercegovina and Neighboring States (Map) .....	3
UNHCR Estimates of Refugees from the Formerly Yugoslavia (Table) .....	16
Notes .....	23

This report was written by Tom Argent, a research associate with the U.S. Committee for Refugees (USCR). It is based, in part, on a USCR site visit to Bosnia, and Hercegovina, Croatia, Macedonia, and Slovenia in August 1992. It was edited by Virginia Hamilton and produced by Koula Papanicolas.

The U.S. Committee for Refugees operates under a three-part mandate:

- to defend the basic human rights of refugees, most fundamentally, the principle of *nonrefoulement*, no forced return of a person with a well-founded fear of persecution to his or her homeland;
- to defend the rights of asylum seekers to a fair and impartial determination of their status for refugee protection;
- to defend the right of decent and humane treatment for all displaced persons, the uprooted victims of human conflict.

The U.S. Committee for Refugees receives no government funding. USCR is grateful for the important support it receives from the Ford Foundation, the Pew Charitable Trusts, the John D. and Catherine T. MacArthur Foundation, the Joyce Mertz-Gilmore Foundation, and the John Merck Fund. USCR is also grateful to many individual contributors.

Cover photo: Three of a group of about 500 Bosnian women and children who arrived by bus in Split, Croatia from Sarajevo. UNHCR/A. Hollmann

---

**CONVENTION ON THE  
PREVENTION AND PUNISHMENT  
OF THE CRIME OF GENOCIDE**

1948

**Article I.**

*The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.*

**UNIVERSAL DECLARATION OF HUMAN RIGHTS**

1948

**Article 13(2)**

*Everyone has a right to leave any country, including his own, and to return to his country.*

**Article 14(1)**

*Everyone has a right to seek and enjoy in other countries asylum from persecution.*



Photo: AP

---

**CROATIA'S CRUCIBLE:  
PROVIDING ASYLUM FOR REFUGEES FROM  
BOSNIA AND HERCEGOVINA**

*This report employs the following terms: Croats and Serbs are members of ethnic groups, regardless of the state which they see as their home. Muslim refers primarily to Slavic Muslims. Bosnia generally refers to the state of Bosnia and Herzegovina. Bosnians, Croatians, and Serbians are nationals of particular states, regardless of ethnic or religious affiliation.*

## I. INTRODUCTION

### The Pivotal Role of Croatia

Three-quarters of a million Bosnian refugees, fleeing war and "ethnic cleansing" in Bosnia, have sought out Croatia as the first stop in their flight to safety. Military gains by Serb extremists within Bosnia have made the region inland from the Dalmatian coast the only sanctuary Bosnians can reach in Croatia without crossing Serb lines. Because of this, hundreds of thousands of persecuted Bosnians have made their way from contested or hostile regions of Bosnia, through western Herzegovina, and into this region of Croatia. However, the Croatian government has adopted policies and practices that make asylum in Croatia impossible for those Bosnians now attempting to flee.

Continued ethnic cleansing in Bosnia and the brutal winter to come mean even more would-be refugees for Croatia. Croatia's perception of the inadequate support it receives from the international community, as well as Europe's policies regarding entry of Bosnian refugees, makes Croatia feel it is "going it alone," and results in increasingly restrictive policies. Funding shortfalls may make it impossible for the office of the United Nations High Commissioner for Refugees (UNHCR) to fulfill its protection and assistance mandate in Croatia. The UN Consolidated Appeal of September 4, which

covers, in addition to UNHCR, UNICEF, the World Health Organization (WHO), and the World Food Program (WFP), calls for \$434 million "to avert a looming humanitarian disaster." However, as of late September, UNHCR still had a shortfall of \$120 million. The situation in Croatia is at a crossroads: either the international community and organizations responsible for refugee assistance increase significantly their support for refugees in Croatia, or Croatia will likely be faced with the decision of whether or not to adopt even more restrictive practices.

Croatia is preventing refugees from entering the country and has forcibly returned others to Bosnia because it believes it has already reached its capacity in absorbing a massive influx of nearly 340,000 Bosnian refugees (as well as 30,000 non-Serb refugees from the Vojvodina and Kosovo regions of Serbia), in addition to more than 260,000 Croatians displaced by earlier fighting within Croatia. The arguments given are mostly economic (although there are indisputably political considerations as well). Croatian government officials unfamiliar with principles of refugee protection appear unconvinced of (and at times unconcerned with) the need for asylum. They say only that they want the Bosnians to stop coming, and for those already present to return.

Certainly, the people of Croatia have, quite unselfishly, opened their homes to Bosnian refugees. With Croatia itself feeling the immense burden of accommodating more than a quarter million of its own displaced and homeless people, it is a wonder that so many refugees have been housed for so long. As one grateful refugee told the U.S. Committee for Refugees (USCR), "I can't ask them, 'Give me more food, give me more lodging.'" Likewise, the Croatian treasury has suffered, in part, because of the large number of Bosnian refugees. International assistance has not kept pace with the

Bosnia and Hercegovina  
and Neighboring States



large and sudden increase in refugees and displaced persons. The need is staggering, the challenge seems overwhelming. In this respect, Croatia deserves not only the sympathy, but the active support of the international community.

Croatia's warnings about having reached the

limit of its capacity to assist refugees must be taken seriously. As early as July, it dramatically signalled its desperation by sending trainloads of Bosnian refugees to the Slovenian border, urging Italy and Austria to open their borders to allow the refugees to enter. As the refugees waited for days in stifling

heat aboard the stopped trains, an implicit message was sent to Croatia in the form of closed doors in the rest of Europe. The West seemed to be saying, "You're on your own." What happened at Croatia's border represents a fundamental breakdown in the principle of first asylum, a system of burden sharing whereby governments distant from a conflict assist countries in the immediate vicinity to permit them to offer at least temporary asylum to give refugees some immediate escape route when their lives are threatened. Although some European states have subsequently shown a more open attitude, Croatia is still very much a beleaguered front-line state with little support from the rear. If Croatia continues its current course of refusing entry to additional Bosnian refugees, or if Croatia should return them to persecution in Bosnia, the responsibility will be widely shared with an international community that failed to respond adequately.

**What happened at Croatia's border represents a fundamental breakdown in the principle of first asylum.**

This report, based on a USCR site visit to the former Yugoslavia, examines, first, the reasons for refugees and displaced persons from Bosnia. Secondly, it addresses the situation faced by Bosnian refugees in Croatia, as well as Bosnian displaced persons attempting to enter Croatia. Then the report considers the response of other European countries with respect to temporary protection for Bosnian refugees. It concludes that, based on both the international response and Croatia's own political and economic concerns, asylum is in jeopardy in Croatia. In order to turn back the challenges to asylum, the United States, the European Community, and the UN must act rapidly.

Based on USCR's site visit, the report makes the following recommendations: Governments should exercise all necessary measures to stop the war and associated ethnic cleansing. The international community should give generously to prevent the deaths of hundreds of thousands of people during the coming winter, and to assist Croatia in its refugee assistance needs. Countries in Europe and

elsewhere should accept, on a temporary basis, more Bosnian refugees. The Croatian government should stop preventing refugees from entering Croatia. The governments of Croatia and Bosnia and Hercegovina should not proceed with an earlier agreement to return refugees. UNHCR should devote more of its energies to refugee protection, beyond its enormous assistance responsibilities. Finally, European countries, the United States, and other countries capable of resettling Bosnian refugees should identify persons most in need of permanent resettlement.

While implementation of these recommendations will save lives and improve the lot of many refugees, the underlying reality is that unless and until the world community addresses the root cause of displacement in Bosnia, neighboring states will continue to be inundated by people driven from their homes. The human rights violations that continue unchecked in Bosnia are clearly of sufficient magnitude to warrant concerted action by the world community. To date, the world community has not adequately dealt with the persecution being inflicted upon Bosnia's various ethnic and religious groups, persecution that parallels that described by the UN *Genocide Convention*. Without the multilateral action called for by the *Genocide Convention*, there is no reason to believe that the prospects for Bosnians will improve, or that Bosnian refugees in Croatia and elsewhere will have a brighter future.

**The Reasons for Refugees and Displaced Persons from Bosnia and Hercegovina**

According to data collected during the 1991 census of Bosnia, the pre-war population of 4.3 million was 44 percent Muslim, 31 percent Serb, and 17 percent Croat. Other groups comprised the remaining 8 percent. In a February 29, 1992 referendum on independence from Yugoslavia, Bosnia's Muslims and Croats voted decisively for independence, while Serbs, who largely opposed independence, boycotted the vote.

Widespread violence in Bosnia began in April 1992, within days of Bosnia's recognition by the European Community and the United States. Some Bosnian Serbs claim they were dissatisfied with assurances given by the largely Muslim gov-

ernment regarding the rights of Serbs, and felt they were justified in taking up arms to "assure their rights." With indispensable assistance from the Yugoslav National Army (JNA), Serb forces quickly gained control of substantial tracts of Bosnia, including areas in which Serbs had never constituted majorities. Aircraft, tanks, artillery pieces, and 40,000 Bosnian Serbs left behind by the JNA when it withdrew from Bosnia assured continued control of the two-thirds of Bosnia that Serb forces occupied.

The fighting and associated ethnic cleansing in Bosnia now seem so far advanced that the world community as a whole is pessimistic about the prospects for refugees and displaced persons from Bosnia returning home soon -- if at all.

Although most observers agree that all sides in the conflict have committed atrocities, there is a general consensus that the Serb militias of Bosnia, and their irregular Serbian allies, have instigated and carried out most vigorously the policy that has come to be known as ethnic cleansing, the practice of targeting other religious and ethnic groups, primarily Slavic Muslims and Croats, for persecution--killing, expulsion, and imprisonment--in order to rid certain parts of Bosnia of their non-Serb populations. Serb extremists want significant portions of Bosnia to become part of a "Greater Serbia," which would include all areas of the former Yugoslavia with significant or majority Serb populations, together with land links across areas that have not had significant Serb populations.

The Serbs' ethnic cleansing strategies are well documented (see, for example, the UN Commission on Human Rights report on the former Yugoslavia), and include attacking, burning, and destroying the homes of non-Serbs; imprisoning non-Serbs in what some have termed "concentration camps"; forcing non-Serbs to "voluntarily" sign over property to Serbs; depriving non-Serbs of the right to earn an income; confining non-Serbs to their homes or the immediate area surrounding their homes; and, the ultimate solution, outright murdering non-Serbs. As of early October, new reports of ethnic cleansing continued to reach the West.

The goal of Serb extremists seems to be to make the lives of non-Serbs intolerable, so as to eliminate, by terror, murder, starvation, or other means, all those who stand in the way of a Greater Serbia. This systematic eradication of entire Muslim communities was confirmed by the testimony of

Bosnian refugees and displaced persons to USCR staff during the site visit in August 1992. Their testimonies fit the definition of "genocide" in the UN Genocide Convention:

According to Article II of the *Genocide Convention*:

*genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

- (a) Killing members of the group;*
- (b) Causing serious bodily or mental harm to members of the group;*
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- (d) Imposing measures intended to prevent births within the group;*
- (e) Forcibly transferring children of the group to another group.<sup>1</sup>*

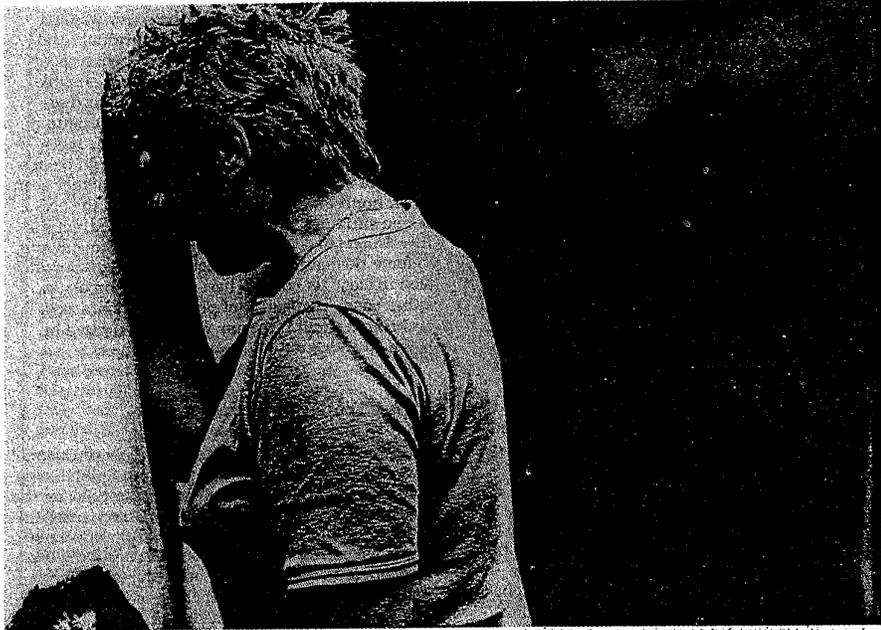
USCR heard eye-witness testimony describing acts listed in (a) through (c) above.

## II. CROATIA, REFUGEES, AND DISPLACED PERSONS

### Displaced Croatians

Before refugees began to flee Bosnia, Croatia was already providing shelter and assistance to 260,000 Croatians internally displaced by the fighting between Croatian and Serb forces from June 1991 to January 1992. Many of the displaced are Croats who fled parts of Croatia that came under Serb control, those areas--the United Nations Protected Areas (UNPAs)--now patrolled by the United Nations Protection Forces (UNPROFOR).

As recently as August 1992, USCR interviewed Croatians newly displaced by increased Serb shelling of the Croatian town of Slavonski Brod. One woman, who with her two children fled Slavonski Brod for the safety of Rijeka, told USCR, "I'm only thinking of my children. They haven't been attending school for the last year. Now we are being shelled and shot at by the same army to



*Fighting in Croatia in 1991 displaced hundreds of thousands of Croatians. Today, most remain displaced and homeless. Photo: UNHCR/A. Hollmann*

whom we gave money to build fallout shelters!"

Government responsibility for displaced persons was assumed initially by the Ministry of Work and Social Welfare. In November 1991, however, when the number of displaced persons surpassed 200,000, the government established the Office for Displaced Persons and Refugees (ODPR), directly under the vice prime minister, responsible for directing and coordinating Croatia's program to assist the displaced population.

About 150,000 of the displaced persons are housed in private homes and receive food parcels from various aid organizations. About 115,000 others live in hotels, hostels, school gymnasiums, and barracks. Those in hotels receive small cash allowances from the government to cover food costs. The

strain of providing for these displaced persons was an immense added financial and social burden for Croatia, already reeling under an annual inflation rate of several hundred percent, and coping with the devastation wrought by war and the impact of large areas of its territory being occupied by armed Serbs.

#### **Refugees from Bosnia and Hercegovina**

Into this economic and social upheaval came the refugees from Bosnia and Hercegovina. Within six weeks of the outbreak of fighting, 250,000 Bosnians fled to Croatia. Initially, many, like displaced Croatians before them, were able to find accommodation in the homes of friends, family or, in many cases, complete strangers. However, as the

influx grew larger and larger--and continued for months--it became increasingly difficult for new arrivals to find accommodation in private homes. This was especially true for Bosnian Muslims, who have fewer ties to Croatia than do Bosnian Croats. This necessitated opening more collective centers, whether old barracks, hostels, gymnasiums, or out-right camps. About 55 percent of the 337,000 Bosnian refugees present in late September were accommodated in private homes, with the remainder housed primarily in collective centers or camps. Many of the centers in which refugees came to be housed were not intended for winter occupation. Such facilities now urgently require rehabilitation in order to be habitable during the winter.

By mid-July, when more than 300,000 Bosnians had already entered Croatia, the government decided that it could no longer permit new arrivals to enter its territory. Publicly, the government's rationale was the financial burden of caring for Bosnian refugees and its own displaced population, which it estimated at \$2 million per day in June. There were, however, other considerations.

Many Croats with whom USCR spoke said that Bosnia's Muslims were "running away from the fight" necessary to stop Serb aggression. Croatia sees its political goals as best served by Bosnia's Muslims and Croats "standing and fighting." The Croatian government views any action that would weaken Serbs in Bosnia, occupied Croatia, or even in Serbia as beneficial and desirable. As Adalbert Rebic, head of ODFR, told USCR, "If all people leave Bosnia and Hercegovina, then who will fight the enemy?" Clearly, Croatia prefers that Bosnia's Muslims fight the enemy, rather than flee. It sees a Bosnian who stands and fights the Serbs as, one way or another, benefiting Croatia; a Bosnian who enters Croatia as a refugee, on the other hand, represents a greater burden, ultimately perceived as weakening Croatia's ability to defend itself.

Whatever the impetus, the Croatian government announced it would permit only those refugees possessing a "letter of guarantee," essentially a financial sponsorship, to enter Croatia. In the letter, sponsors (individuals or organizations) were required to indicate that they would provide for all of the refugee's needs while the refugee remained in Croatia. For several weeks following the

government's announcement, the policy was not universally enforced. USCR met individuals and families who entered Croatia, without possessing such letters, well after mid-July (see box on page 15). However, by early August it was clear that Croatian authorities at the border were admitting few persons without such letters. (Croatia later announced that no Bosnian refugees would be permitted to seek protection in Croatia.) Whether seen as an honest statement on the impact of the economic situation, or as a cynical ploy to extract further financial aid from European governments and to force Bosnians to fight their war, Croatia's decision to close its borders had the same impact in either case: thousands of persecuted, harassed, and traumatized Bosnians were re-victimized by being stranded at the Croatian border.

### Those Trapped on the Border

USCR visited the border region of southern Bosnia and western Hercegovina (inland from Split) during the period August 8-12. During the first day on the border, USCR found several busses, dirty and damaged (one with bullet holes), in the town of Posusje. When asked why they were loitering around a bus, its occupants related their harrowing tale: They were Muslims from the Tuzla area of Bosnia. After enduring for months the tactics employed by armed Serbs, they decided they could no longer risk staying in their homes. They had departed, several days before, in two busses. As they traveled through Serb-controlled areas, the busses were fired on. One bus was destroyed, the other damaged. After three days on the road, they finally reached the Croatian border, only to be informed by Croatian authorities that they could not enter without a letter of guarantee. Most of the bus's fifty or so occupants were women, children, or elderly.

The long conflict in Bosnia meant that accommodation in private homes or hotels was no longer possible; they had been filled for months by 3,500 people who fled Serb-controlled areas in April or May. At one of the local schools in Posusje, the Red Cross had set up shop. The new arrivals, most of whom were refused entry by Croatian authorities at the border, had either to remain in the trucks and busses in which they arrived, or go to the schoolyard. The school itself was already filled.

## Sarina's Story

Sarina (left-center of photo) and her two sons are among the eight displaced persons taken into the home of Emina (back row, left) in southern Bosnia. Sarina told USCR how her family became victims of ethnic cleansing:

*"We left July 21 after our house was attacked. We were taken to the concentration camp at Trnopolje. All types of people were in that camp: elderly, young, women, men. Then they put us in these big trucks; we could hardly breathe. They brought us near the front lines at Travnik. After that, they allowed us to walk the 12 miles down to the Croatian lines. But one-half hour after they let us go, they started to shoot grenades at us. We found some Croats in a small village, and they told us how to avoid the mines on the main road. There was one birth on that truck and that woman had to walk those 12 miles.*

*"There were no arms in our village. The attack was July 20. They entered the village and killed a lot of men. Some of the men were taken to another camp. For about twenty of the men there was no place for them in the camps—so they were taken back to the village and killed. Twice they took my 14 year-old son to shoot him—but I had German marks, so I was able to pay for his life. We were a rich family, but nothing is left now.*

*"I saw people killed. I saw eight 15 year-old kids killed in front of me. My son was not killed because I could pay them. Then they forced women to remove the bodies and wash the concrete because they didn't want the blood to be seen. They said, 'Take the garbage to the garbage.' My son doesn't speak at all anymore.*

*"Even before, there were a lot of Serbian forces around. Once I was alone in the house with only my children at 11 pm. Someone knocked at the door. Then they broke the door and came in. They were trying to find my husband to kill him. They beat me and pushed me across the room. They took the money and gold. My husband knew he was on the list for killing [because he was a Muslim and worked for the police]. I don't know the names of the people, but I know their faces; they were from neighboring villages — acquaintances of my husband. I remember making coffee for them. I'm not sure what it is all about—they just want to cut the whole country down.*

*"My husband was in the police. I worked in a factory. A lot of work, a lot of wealth. Get up at four in the morning*



Photo: USCR/T. Argent

*to milk the cow, then go to work. That was everyday's job. What to do next—I just don't know. I can't even tell which school my kids will attend. The family we are staying with gives us food—but how long can we stay like that? I feel so good here with these people; I feel like we're among relatives—but it's the first time I've ever seen them.*

*"I get used to everything, but there is one thing I cannot understand: how those people are doing things like this. I saw a five year-old child killed while begging for his life! Nobody who had a university degree, nobody who had a high position, and nobody who was rich survived. It was enough to wear anything green [a Muslim color] to be mistreated. My husband had a chance to see those lists [death lists]; his name and my son's were on it. So he went to another village to live under another name—but everybody in that area knew him. He just couldn't hide. I feel sorry that I at least couldn't go to find his body, to bury him at least."*

*After reaching the border, Sarina and her two children tried to enter Croatia, but were refused entry by the Croatian authorities because they did not possess a "letter of guarantee."*

with classrooms housing up to thirty persons each. Many of the new arrivals preferred to sleep outdoors, rather than in crowded hallways.

Because the school had no cooking facilities, a local baker had agreed to bake bread for the displaced persons using flour brought to the site by the Red Cross. With no running water (Posusje has had water rationing for more than ten years), the school was visited each day by a water truck provided by local authorities. Pit latrines had been dug behind the school to keep sanitary conditions from deteriorating.

**...thousands of persecuted, harassed, and traumatized Bosnians were re-victimized by being stranded at the Croatian border.**

According to the Posusje Red Cross, 200 people were arriving each day, most of whom came from the Croatian border after having been refused entry. Although many of the people trapped at the border were optimistic about the prospects for arranging letters of guarantee, many others were completely despondent, seeing no opportunity for receiving such letters. The vast majority of displaced persons USCR met in Posusje had no homes to return to, and no place to stay, either in what remains of Bosnia, or in Posusje.

In Tomislavgrad (formerly Duvno), a town 35 km from the border, officials of the Red Cross and *Merhamet*, a Muslim relief organization, told USCR of traffic headed in both directions, toward Croatia as well as back into Bosnia. "A lot of convoys pass through from Croatia every day. In the last 15 days, an average of 80-90 people returned from Croatia have come to ask for help. They are going back to Bosnia to places they started from," said Hamid Begic of *Merhamet*. It was unclear whether some of those headed back to Bosnia had been expelled by Croatia, but undoubtedly most had at least been refused entry.

Local aid officials expressed dismay at the plight of those caught between a home that no longer exists, and a country that does not want them. In the words of Begic, "They are angry because they feel they were forced out by terror--and now they can't get into

Croatia--so their only choice is to return."

But not all Bosnians see Croatia's border closure as an evil act. Said Branimir Musa of *Caritas*, "You can sometimes find a bus with a hundred people at the door, trying to pass through to Croatia. What they [Croatians] did is more than was expected. All of Mostar is now on the coast in Dalmatia. To be housed in a tourist area--it's more than could be expected."

According to Adela Skaro, director of the Tomislavgrad Red Cross, in the three weeks following Croatia's announced border closing, some 12,000 women and children, traveling in both directions, passed through the Red Cross feeding center. It is likely that thousands more, especially Muslims, never stopped at the Red Cross center. Like Posusje, Tomislavgrad has a "resident" displaced population of about 3,500. But because Tomislavgrad is essentially in the war zone (exploding grenades were audible during USCR's visit), few of those arriving now stay more than a day or two. Perhaps because of this, the scene at the Posusje schoolyard was not repeated in Tomislavgrad.

That thousands of Bosnians are still attempting to flee the madness of Bosnia for the safety of Croatia evidences the continuing persecution in Bosnia. In the weeks and months to come, many thousands more will undoubtedly continue to seek protection in Croatia. With their homes destroyed or occupied, their jobs taken from them, and their families separated through death or imprisonment, Bosnia's displaced have little choice. Croatia provides the only immediate hope. The levels of assistance and protection available in Croatia far exceed that in Bosnia. If Bosnians are someday to return to their home areas, their only realistic hope is to gain entry to Croatia, if only for the winter.

#### Assistance to Refugees in Croatia

ODPR updates daily the number of Bosnian refugees in Croatia. According to these statistics, there were 337,000 Bosnian refugees in Croatia as of September 21. Just over 20 percent of the refugees in Croatia are in the capital, Zagreb. When USCR visited Zagreb, it did not appear "overrun" with refugees. Given that a majority are living in private

### Local Heroes

Throughout the ordeal that has become Bosnia and Hercegovina, two groups of people have born the lion's share of providing assistance to refugees and displaced persons: host families and volunteers with organizations like the Red Cross, *Merhamet*, and *Caritas*. Zrinka Maras (at left in photo) is a 20 year-old Red Cross volunteer in Posusje, Bosnia and Hercegovina.

Due to its proximity to the Croatian border, Posusje received thousands of displaced persons attempting to cross into Croatia. By early August, most were being refused entry. One of the services provided by the Posusje Red Cross was use of its fax machine for receiving the "letters of guarantee" then required by the Croatian government. When USCR traveled to Posusje, there were 2,000 persons camped out at the local school, and Zrinka Maras assisting them. Zrinka is one of six young volunteers (the other five are male militia members) at the center.

Zrinka told USCR, "When the war started I was just another volunteer—keeping an eye on things. The boss liked the way I worked and asked if I wanted to work fulltime. The professional workers are older and they tend to lose patience. Nobody (displaced persons) came here because he wanted it, and so there is a need for someone to help them. I think 'What would happen if I became a refugee?'"

"The last month after the closing of the border has been bad. When I am awake I stay here. When I can't stay on my feet, I go home. Some of my friends tell me I neglect my private life—but I don't care. Some mornings I wake up and think, 'Today I'll stay in bed.' But then I think, 'Oh, what's happening here? Let's go see.' But it's interesting. So many different people: good ones and honest ones and nasty ones."

Zrinka is a student in Zagreb, and hopes to complete her examinations there in the fall. When USCR asked if she intends to work with the Red Cross in Zagreb, she replied, "If I can get a fax from Croatia allowing me to enter."



Photo: USCR/T. Argent

homes, it is not surprising that few are immediately visible. However, during visits to mosques, churches, schools, and other social centers, USCR found up to several hundred refugees living in a single building.

In Croatia, the focus of food assistance is on keeping as many refugees as possible, for as long a time as possible, in private homes. At a minimum, it is hoped that refugees can remain where they are through the coming winter. According to Hans Baechli, the International Federation of Red Cross

and Red Crescent Societies' (IFRC) Head of Delegation in Zagreb, 85,000 families, including Bosnian refugees and displaced Croatians, receive Red Cross food assistance. IFRC also provides assistance to persons in hotels, hostels, and barracks for those items, primarily hygienic supplies, not adequately provided by either the Croatian or donor governments. In the coming winter, IFRC expects to provide clothing and blankets as well.

According to Croatian Red Cross officials, family parcels provided by UNHCR meet only 20-30

percent of needs. UNHCR parcels are supplemented, with supplies donated by Red Cross societies in other parts of Europe, to bring the parcels up to 30 kg each. According to both Croatian Red Cross and IFRC officials, it is becoming more and more apparent that soon the Red Cross may need to assist not only refugees and displaced persons, but Croatians who find themselves in increasingly dire straits because of the worsening economic climate. A backlash of sorts is developing among Croatia's growing number of unemployed and economically disadvantaged, who resent the assistance they see directed to Bosnian refugees, while they receive little support. Although no one with whom USCR spoke indicated that the problem was at present serious, the fact that it was mentioned at all indicates that it is seen as a potentially complicating factor.

**In Croatia, the focus of food assistance is on keeping as many refugees as possible, for as long a time as possible, in private homes.**

Local Red Cross branches, of which there are more than 100, receive deliveries from regional warehouses in Zagreb, Split, Osijek, and Rijeka. The increasing economic strain in Croatia is taking its toll on the Red Cross delivery system. Officials with the Croatian Red Cross in Zagreb told USCR they have a difficult time delivering parcels to outlying regions using only volunteer drivers and private vehicles. The strain of many months of service has caused some volunteers to cut back on food deliveries. They said that if trucks were available for distributing parcels from the regional warehouses, the Red Cross would be able to work more easily, with less volunteer fatigue. Likewise, IFRC staff said they may need to provide fuel to overburdened local branches.

#### Winter Shelter in Croatia

According to the Croatian government, without further arrivals, there already exists a winterized hous-

ing shortage for at least 70,000 refugees and displaced persons in Croatia. In an accommodation study released July 20, UNHCR recommended a minimum planning figure of 100,000 for winter housing needs. This figure applies both to a "continuing need for emergency response (tents)" and "renovation/refurbishment of existing structures."<sup>2</sup> In the study, UNHCR clearly stated its preference in housing: "The option of renovation/rehabilitation is the most cost effective and efficient solution, and we urge the international community to support these projects." In a cost estimate of housing needs, UNHCR calculated that a camp comprised of prefabricated units for 5,000 people would cost a total of \$5 million, or \$1,000 per person, and that renovation of existing structures would cost, on average, \$300 per person.

When it became apparent that winter housing would likely be a problem, the Croatian government undertook an inventory of existing structures that could, with modification, house refugees and displaced persons through the winter. The International Rescue Committee (IRC) has been involved in assessing the government studies, and is a chief proponent of rehabilitation, as opposed to new construction.

Apart from the UNHCR proposals, the Croatian government was also pursuing its own strategy for housing displaced Croatians. It advocated building permanent housing for displaced Croatians, with the rationale that centers now occupied by displaced Croatians could be used for the less permanent Bosnian refugee population. One of the Croatian government's goals is to re-populate with ethnic Croats areas from which Croatians fled during the war with Serb forces. However, few Croats want to return to areas still under Serb control. As a result, the Croatian government hopes to re-populate the heavily damaged areas still under Croatian government control.

As an incentive for people to return to such areas, the government sought to arrange for housing. It approached donor governments, who offered to sponsor construction of specific developments or camps. The German government, in particular, announced that it would contribute 50 million German marks for constructing permanent housing for 20,000 persons. The housing would be of largely prefabricated units brought from Germany. The Croatian government wanted the units placed in



*Bosnian refugees who could not find accommodation in private homes are housed in gymnasiums, hostels, barracks, and camps. Photo: UNHCR/A. Hollmann*

Slavonia, that region of Croatia located between Bosnia and Hungary, and suggested two possible sites, one of which is still within artillery range of Serb positions. Although the question of just who would occupy the units -- Bosnian refugees or displaced Croatians -- was not publicly addressed, all understood that the housing was intended primarily for displaced Croatians.

However, after much discussion of the issue, the idea of large-scale new construction occurring before winter has largely disappeared. Donor governments found progress difficult in working with a chronically understaffed ODP. By August, after several months of discussion, no new winterized housing had as yet been built. Winter was approaching, and there was still a housing shortage. Because IRC had already developed connections with ODP and other government branches, it was

better suited to approaching the government on the housing question than were individual donor governments. Recognizing this, several donor governments turned to IRC to coordinate a task force, comprising donor governments, UNHCR, and ODP, to attack the housing issue. By the end of August, a general consensus was reached that rehabilitation was the best approach to the housing question. Any further debate on the subject was ruled moot by Croatia's September announcement that "construction of refugee centers will not be allowed in the territory of the Republic of Croatia."

Reportedly, the Croatian government still wants 5,000 prefabricated units (perhaps those rumored to have already been built in Germany) to place throughout Slavonia for use by its own displaced population. The government is also promoting a "materials credit bank" that would bring building materials

into villages and extend credit to homeowners (or former homeowners) for reconstruction. (This option may be attractive to donors because it would allow them to contribute building materials that could be purchased within their own countries.)

**Despite warnings that have been sounded for months, the winterized housing shortage in Croatia has not eased in the slightest.**

However, despite the detailed studies undertaken on the rehabilitation issue, and despite warnings that have been sounded for months regarding the prospects for refugees and displaced persons during the approaching winter, the winterized housing shortage in Croatia has not eased in the slightest. The lag time in producing substantive results on the housing issue in Croatia gives the appearance that, due to the desperate nature of the situation in Bosnia, problems of assistance in Croatia are being put off somewhat. Unfortunately, this could have dire consequences for refugee protection. If the Croatian government sees itself as alone in assisting refugees from Bosnia, it may feel that the world community would not object to its relieving its refugee problem by returning refugees, forcibly or otherwise, to Bosnia.

#### Croatian Government Policies

Since its mid-July decision to close its border, Croatia has refused entry to uncounted thousands of Bosnians. The overwhelming majority are women, children, and elderly—persons not generally thought of as prospective combatants. Just as those who came before them, these people saw their friends, family, and neighbors killed, imprisoned, and driven out because of their ethnicity or religion. The 2,000 people USCR found sleeping in the schoolyard in Posusje, nearly all of whom were denied protection by Croatia, had nowhere else to turn in their escape from persecution.

ODPR officials emphatically told USCR that the border was not, in fact, closed—that if the international community agreed to give sufficient financial support, Bosnian refugees could enter. ODPR officials spoke primarily in terms of economics, and did not indicate that they viewed asylum as a right of Bosnians. Unlike Slovenia, Croatia has acceded to neither the 1951 UN Convention nor the 1967 Protocol relating to the status of refugees. (The former Yugoslavia was signatory to both.) The Croatian position further hardened with the September announcement that only refugees in transit would be permitted to enter Croatia. The announcement stated:

*The transit of refugees from [Bosnia and Hercegovina] will be permitted only in exceptional cases when the United Nations High Commissioner for Refugees arranges their accommodation in other European countries. This implies that refugees will be permitted to cross the territory of Croatia without stopping. No guarantee letters will be taken into consideration either.*

As with other former Yugoslav republics, there is little outward democratic tradition or visible concern for individual rights in Croatia. Compounding this is that Croatia sees itself as still at war with Serb forces. (Indeed, Serb forces in Bosnia still shell across the Sava River into Croatia, and significant portions of Croatia remain occupied.) Croatia's roads and cities are filled with uniformed men. Some are regular forces, either police or army, while others are members of militias fighting in Bosnia. Still others are simply caught up in the war hysteria and wear camouflage as a sign of support for Croatia. The sum of Croatia's concerns relates to its preoccupation with the war and the economic crisis, perhaps preventing Croatian officials from speaking in terms of refugee rights.

Just as it excludes would-be refugees, Croatia has forcibly returned refugees. There have been both mass returns (of thousands of Bosnian men considered by Croatia to be deserters from the Bosnian government army) as well as returns of individuals. Many sources, including local Red Cross authorities, staff of international organizations, and even ODPR officials, told USCR of such involuntary returns. All sources verified that the government has rounded-up draft-age men and returned them to Bosnia. In July, officials arrested several hundred such men in Rijeka and returned

*In Posusje, Bosnians fortunate enough to have received letters of guarantee gather around a bus bound for Zagreb. Those without the required letter were forced to remain behind. In September, the Croatian government instituted a new policy under which no Bosnians are permitted to seek protection in Croatia.*  
USCR/Tom Argent



them to Bosnia via the port of Split.

In Rijeka, USCR learned that many males no longer registered with the branch of ODPB responsible for maintaining refugee records. Commonly, in the case of families, wives and children registered, in order to receive food assistance, but adult males did not, fearing that they would, if registered, eventually be arrested and returned to Bosnia.

According to an official with a respected international humanitarian organization in Split, women, too, have been forcibly returned. When questioned by USCR about such reports, Mr. Rebic, ODPB's head, replied, "We bring back only the young people who want to go back and those who are really not resisting our attempts. We are not applying force at the moment."

When confronted with the specific case of two sisters, ages 20 and 21, both of whom were recognized by ODPB as refugees, but were arrested by police in Rijeka and put on a ship bound for Split, Rebic stated, "It can happen; police throughout the world are all the same. It can happen in the United States, in England. If the police get some orders, they will follow them. If we receive complaints of this kind, we try to solve them. In peacetime this issue would receive much more at-

ention—but we are at war. But this is not a policy [emphasis added] which is being applied."

Given the numerous cases of forced return of refugees (*refoulement*), the agreement, announced on July 21, between Croatia and Bosnia regarding the return of refugees, is indicative of the Croatian government's intent vis-à-vis continued protection of refugees in Croatia. A combination of economic concerns and political objectives makes the return of refugees to Bosnia a goal of both governments. The lack of a strong human rights tradition in the region should give pause to the international community whenever the question of refugee returns is broached by either government.

The bilateral agreement defines the categories of refugees who should return to Bosnia: men from 18 to 60 years of age, and women from 18 to 55 years of age, provided they do not have children under the age of 14. As proposed in the agreement, the Bosnian government would delineate areas it considers "safe", and therefore suitable for receiving returning refugees. However, the agreement does not specify how refugees would be returned.

During one of USCR's meetings with ODPB's head, he outlined a scenario regarding the return of refugees: When the new Bosnian embassy opens in

## A FATHER'S CHOICE

N. is a teacher from outside Sarajevo. He and his wife and two children crossed the border from Posušje on August 1, ahead of strict adherence to the "letter of guarantee" policy.

"I crossed the border luckily. I had a very bad car. There were four kids in the car: 3 months to 7 years of age. Before leaving, I had to get permission to leave my home area. HVO [Croatian Defense Council—the Croat army in Bosnia] gave me permission. I didn't dare go through the mountainous areas on my own — that's why I waited for a convoy. Convoys were leaving that day; anyone who wanted to leave, could. After the 1st of August, it is only women and children who can get permission.

"I sent my wife with my sister to go by foot to the border. I was left with the car and four children alone." And as I approached the border, the Croatian border patrol saw my children crying and asking for water. The guard saw my children and let me in. Croatia accepted a lot of refugees; Croatia has helped a lot of Muslims.

"As I lived in the beginning under their [Serbian and Montenegrin forces] occupation, [I saw] they had weaponry. The JNA [Yugoslav National Army] was supplying — before the war — weaponry to the area, and distributing it to the area. Whoever didn't want to accept the weapons had to leave. Some were sent to the front to dig trenches. Most of the parents of these people [resisters] had been anti-fascists during World War II. I have colleagues — Serbs — who are like semi-brothers to me. But they had no choice; they had to do what they were told.

"They were bringing people in fuel tanks to my village. Then they took them to the hills and killed them. From my wife's side, fifty were killed on a bus — only eight survived. Usually they are taking up the more prominent people — the richer people — people who had German marks, gold — in order to steal it and take it back to Montenegro. When they [armed Montenegrins and Serbians] came to the town, all people fled — Serbs, Croats, Muslims — when they saw these people.

"We were given only fifty meters from home that we could move. If we went farther, someone would kill us. We didn't have any means of communication. Telephones have been cut. We had no means of knowing what was going on only 100 meters from our homes. They took away from us our ordinary hunting weapons. Those who refused were killed.

"The Muslims had to leave the area. I left the house. Also my father was driven out of his house. The house is destroyed; my father's flat is occupied. They only give food to Serbians. Usually, at the head of the authorities are people who are very right-wing. Many Serbs don't want to drive other ethnic groups away from their homes, so they too can get killed. My heart is connected with my country. I want to live with all the people of my country. But the reality today is different. All of us have to fight the Serbs because they want all of it [Bosnia] to become part of theirs.

"Today I heard that the Red Cross is sending people to Austria, and I registered my family for that. The Austrian government said they would be permitted to stay for only one month. My family is without refugee status because of the law [the agreement between Croatia and Bosnia and Herzegovina]. From my town I left with the help of my neighbor. He had a car and he is a Serb. I have to go back. I must be in my area to keep my area from the Serbs — with a pistol."

USCR interviewed this man on August 6 at a Red Cross hostel in Rijeka, Croatia. On August 8, his wife and two children were to leave for Austria. On August 9, he was returning to Bosnia.



Photo: USCR/T. Argent

Zagreb, there would be further cooperation between the two governments on the issue. The likely course is that the Bosnian government would declare which regions are "safe" to return to, and the Croatian government would be responsible for identifying refugees meeting the age criteria who come from these "safe" regions. These refugees would then be required to return.

Publicly, neither government has disclosed what the response would be if refugees refuse, for whatever reason, to return to regions declared "safe" by Bosnia. According to Rebic, "We don't want to do it on our own. In talking with Bosnian officials, we want this process to be legal—to Croatia, to Bosnia, to international conventions."

In mid-August, another 200 Bosnian men were returned, this time from Karlovac. Following this well-publicized incident, international organizations vigorously protested to the Croatian government. Apparently because of this intervention, the Croatian government announced it would no longer return draft-age men to Bosnia. However, this announcement by central authorities does not preclude the possibility that local authorities, acting on their own or without meaningful scrutiny from Zagreb, may continue to return those persons they feel should not be accorded refugee status in Croatia. Nor does the newest stated position preclude the possibility that the two governments, acting within their perception of a "safe areas" concept, would move ahead on the July 21 agreement.

Whatever the status of the forcible return of refugees from Croatia, it is clear that, given the unrelenting persecution taking place in Bosnia, more Bosnians will attempt to flee in the coming months. The number of people still in Bosnia who would, if given the opportunity, flee to safety in Croatia or other European countries is variously estimated at from 100,000 to 400,000. Whether they will be permitted to enter Croatia and the rest of Europe remains to be seen.

### III. TEMPORARY PROTECTION, SAFE AREAS, AND "PREVENTIVE PROTECTION"

#### Temporary Protection

During the earlier crisis in Croatia, UNHCR advocated temporary protection for Croatian refugees.

#### UNHCR ESTIMATES OF REFUGEES FROM THE FORMER YUGOSLAVIA

Present Location	Number of Refugees
Bosnia and Hercegovina	93,000
Croatia	367,644
Macedonia	31,300
Montenegro	60,221
Serbia	416,502
Slovenia	70,000
<b>(9/21/92) Subtotal:</b>	<b>1,038,667</b>
Austria	57,500
Belgium	1,800
Czechoslovakia	4,000
Denmark	1,795
Finland	1,892
France	1,108
Germany	220,000
Greece	7
Hungary	50,000
Ireland	10
Iceland	13
Italy	17,000
Luxembourg	1,200
Netherlands	6,300
Norway	2,617
Poland	1,500
Spain	120
Sweden	47,600
Switzerland	70,450
Turkey	15,000
United Kingdom	2,000
Others	30,000
<b>(8/20/92) Subtotal:</b>	<b>531,912</b>
<b>Total:</b>	<b>1,570,579</b>

#### Internally Displaced

in Bosnia	588,000
in Croatia	350,247*
<b>GRAND TOTAL</b>	<b>2,508,826</b>

\* Includes 87,000 in UN Protected Areas.

Some asylum countries made special arrangements, outside the normal legal channels, for Croatians

fleeing the war area. These included "visa free" periods for countries that otherwise would have required visas for "ex-Yugoslavs" and, in the case of Switzerland, "provisional admission," a temporary protection status, for certain asylum seekers. Sweden, Hungary, and Germany, in particular, admitted, officially or unofficially, tens of thousands of Croatians fleeing the war zone. However, few other Western countries admitted significant numbers of refugees. Furthermore, when it became apparent that the crisis in the former Yugoslavia would grow in both proportion and duration, many European countries introduced new visa requirements for ex-Yugoslavs.

One country's introduction of such requirements led to the next introducing similar requirements. Germany's visa requirements for Bosnians led Austria to introduce similar requirements. When Hungary indicated that it might accept no more refugees from Bosnia, Croatia and Slovenia stiffened their entry policies. The general pattern was one of potential asylum countries closing their doors, followed by countries that might otherwise have been used by refugees only in transit, doing the same. Countries to the north tried to keep refugees in the first asylum states of the south, while first asylum countries in the south attempted to push refugees who had already entered to the north. However, by July, as Bosnians already in western Europe told of the true horrors of the situation in Bosnia and Hercegovina, Europe relaxed somewhat its stricter entry policies.

Although most European countries require visas for Bosnian nationals (some countries, including Belgium, Finland, Luxembourg, and the Netherlands, have, as recently as July, instituted new visa requirements), many are willing to permit entry of persons from Bosnia as part of a mass influx searching for temporary protection, rather than as individuals in search of permanent asylum. In a September 9, 1992 letter to USCR, the Belgian Ambassador to the United States stated that Bosnians in Belgium will be permitted to remain and seek employment, but that "In most cases asylum does not apply: Bosnian nationals in Belgium are displaced persons rather than refugees."<sup>6</sup>

Although visa restrictions existed for Bosnians attempting to enter Germany, Germany eased those restrictions in July. Some countries, such as Norway and Sweden, are keeping Bosnians out of the formal asylum process. Others, such as

Denmark, prefer not to act on the asylum application, and thus permit Bosnians to enter and remain by default or, as with Belgium, to reject a first application and postpone any re-examination, thus allowing a Bosnian already in the country to stay.

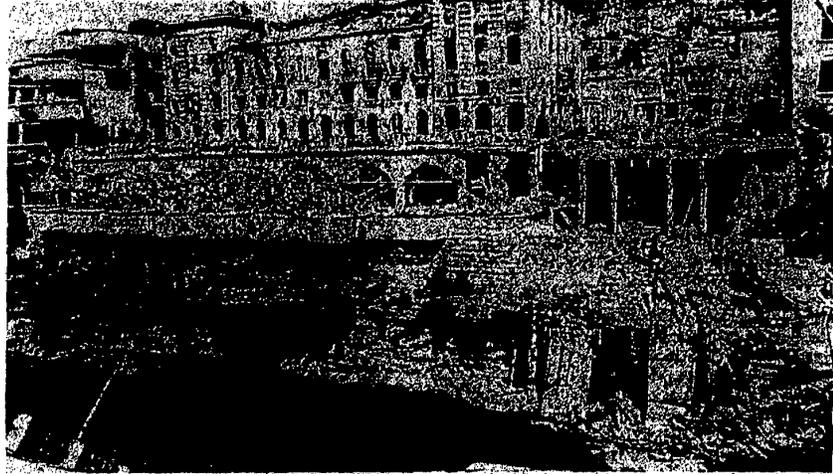
According to UNHCR statistics of August 20 (see table, page 16), more than 530,000 refugees from the former Yugoslavia are in European countries outside the former Yugoslavia. The greatest number, an estimated 220,000, are in Germany. (It should be noted that a significant portion of these 220,000 are probably not from Bosnia, and are more likely ethnic Albanians from Kosovo or elsewhere.) However, in spite of somewhat relaxed entry requirements, only seven countries outside the former Yugoslavia -- Austria, Germany, Hungary, Italy, Sweden, Switzerland, and Turkey -- have permitted to enter, formally or informally, more than 10,000 refugees from the former Yugoslavia. The remainder of Western Europe, including Belgium, Denmark, Finland, France, Greece, Ireland, Luxembourg, the Netherlands, Norway, Spain, and the United Kingdom, have permitted entry of a total of only 17,000 refugees from the former Yugoslavia--only one-twentieth the number of refugees in Croatia.

Although Western Europe never completely closed its borders, it has not completely opened them either. The pendulum that earlier had swung against new arrivals seems to have retreated somewhat, although how far its momentum will carry it remains to be seen. UNHCR protection personnel argue for an approach that calls on Croatia to keep its borders open, even for those refugees who will probably never receive temporary protection outside the immediate region, and Western Europe to permit entry of greater numbers of refugees. This is part of the UNHCR strategy for ensuring first asylum in Croatia and other states contiguous to Bosnia.

In the republics of the former Yugoslavia, UNHCR statistics of September 21 (see table, page 16) indicate that more than one million people have sought refuge, with Serbia hosting the greatest number -- some 416,000 mostly Serb refugees.

#### "Safe Areas" and New Entries

At the July 29 International Meeting on Humanitarian Aid to the Victims of the Conflict in the Former Yugoslavia, Slovenia, which itself hosts 69,000



*The city of Mostar, long home to Muslims, Croats, and Serbs, was damaged, first by fighting, and then by sabotage from retreating Serb forces. The old city (pictured), where most of Mostar's Muslims lived, was rendered completely uninhabitable. Mostar is one of the proposed "safe areas" in Bosnia. USCR/T. Argent*

refugees from Bosnia, publicly floated a proposal, which it said was supported by the Bosnian government, regarding return of refugees to Bosnia. The statement, distributed under the title *Proposals Concerning the Measures for Voluntary Return Home of the Displaced Persons and Refugees from Bosnia and Hercegovina*, proposed creating four "safety zones" within Bosnia. The zones, which Slovenia suggested should be centered around Bihac, Tuzla/Zenica, Sarajevo, and Mostar, would "facilitate the provision of humanitarian assistance to the needy...." The Slovenian statement declared, "The basic task ahead and the principal solutions of the problem are to promote the voluntary return home of displaced persons and to take humanitarian measures to avert new flows of refugees and displaced persons from Bosnia and Hercegovina."<sup>60</sup> European governments warmly greeted the proposal as a way of keeping refugees and displaced persons as near as possible to areas of origin, and therefore out of potential asylum countries.

The political opening for current and potential asylum countries provided by the "safe areas" proposal should be seen within the broader context of new refugee arrivals in Western Europe. Although European countries had relaxed their practices regarding entry of refugees from Bosnia, creation of safe areas in Bosnia would remove the need for Europe to permit anyone to enter. Early European enthusiasm for safe areas was based on this largely unspoken, but widely understood, precept.

In addition to its impact on asylum in Western Europe, the safe areas concept, if instituted, would fulfill certain political goals of several of the former republics of Yugoslavia. For the government of Bosnia, the desire is to regain control of areas lost in combat and to reinforce areas that it still controls. By keeping its citizens inside Bosnia, the government hopes both to increase the number of persons under arms opposing Serb aggression, and to keep the Bosnian economy alive by keeping productive Bosnians in Bosnia. This theme continues

in the Bosnian government's practices regarding travel restrictions on Bosnians and its agreement with Croatia regarding repatriation of refugees.

For Slovenia, support for the safe areas concept rests largely on its desire to prevent more Bosnians from entering. This was most vividly evidenced by its refusal in July to admit thousands of Bosnian refugees placed on trains to Slovenia by the Croatian government. According to UNHCR, in addition to the registered Bosnian refugee population of 69,000, more than 200,000 other Bosnians are living temporarily, most as guest workers, in Slovenia. As with the other former republics, Slovenia is increasingly concerned by the impact of refugees on the economy.

Croatia's support for creation of safe areas in Bosnia stems from its desire to prevent new refugee arrivals, to return to Bosnia those refugees already present, and to strengthen in any way possible those groups in Bosnia opposing Serb control.

The other major factor that led so many in the international community to view safe areas as desirable is the notion that by creating safe areas the world would somehow be opposing ethnic cleansing: if Bosnians were to stay in Bosnia, then ethnic cleansing would not occur. This view, however, completely ignores the probable reality of any safe areas arrangement: each ethnic group would simply have its own safe area. Serbs would remain in Serb-controlled areas; Croats would likely seek protection in Croat-controlled western Hercegovina; Muslims would remain in either the Bihac or Sarajevo areas. Rather than prevent ethnic cleansing, safe areas would both reinforce it and hasten the break-up (cantonment) of Bosnia and Hercegovina into discrete ethnic or religious enclaves.

While initially supportive of the safe areas concept, most Western governments now seem to view the idea as, although still desirable, presently unworkable, the largest single obstacle being the massive military commitment likely necessary to implement it. This military component, which is likewise required, but on a lesser scale, for establishing the "humanitarian corridors" through which UNHCR hopes to deliver to Bosnia greater quantities of assistance, has given pause to governments and UNHCR, but been called for loudly by Bosnia's Muslims. However, neither Western Europe nor the United States has shown any willingness to commit

their forces on the scale necessary to establish truly safe areas.

The August 13 UN Security Council Resolution on "all necessary means" to ensure delivery of humanitarian assistance within Bosnia permitted, even in the absence of a safe area, establishing a protected one-way corridor to deliver aid to unsafe regions to prevent the outward flow of refugees. Foreseeing such humanitarian corridors, acting U.S. Secretary of State Lawrence S. Eagleburger, in his August 26 address to the London Conference, referred to the need to "funnel humanitarian assistance to hundreds of thousands more who are besieged inside Bosnia, so that they do not become the next wave of refugees."<sup>7</sup> However, Eagleburger referred to this need within the context of "opening safe corridors" and not safe areas. Safe areas would, in order to facilitate refugee return, be located in non-Serb-controlled regions—the Bihac area and western Hercegovina, for example. However, there are other regions in Bosnia to which humanitarian corridors could lead.

#### "Preventive Protection"

UNHCR, too, has expressed the desire that Bosnians be permitted to remain in Bosnia. UNHCR's strategy in achieving this goal is the concept of "preventive protection." As outlined in UNHCR documents relating to the former Yugoslavia, preventive protection includes "monitoring of the treatment of ethnic minority groups, mediation between parties, exposure of the practice of forced relocation, and other measures to improve respect for human rights and humanitarian law."<sup>8</sup> UNHCR emphasizes that preventive protection "should not prejudice the right to seek asylum." This is in clear contrast to safe areas as established in Iraq, which effectively prevented Iraqi Kurds from crossing into Turkey and seeking asylum there. In the case of Bosnia, preventive protection is being pursued, largely, in areas under Serb control—areas from which people cannot flee anyway unless Serb authorities permit.

On several occasions, Serb authorities have presented lists of persons, primarily Muslims who "want" to leave their home areas, to UNHCR. According to these authorities, the safety of non-Serbs cannot be guaranteed in Serb-controlled regions.

UNHCR, having been badly compromised in just such a situation involving the "evacuation" of 8,000 Muslims and Croats from Bosanski Novi in July, is determined not to be blackmailed again in such a way. The UN Commission on Human Rights' Special Rapporteur wrote in August, "In spite of the high level of commitment of the United Nations personnel--UNPROFOR and UNHCR--they are unable adequately to protect the affected population and in many circumstances are helpless to prevent violations of human rights."<sup>9</sup> In an attempt to monitor the situation, UNHCR is posting personnel in Field Liaison Offices in Bosnia. In this way, UNHCR hopes to slow ethnic cleansing. UNHCR's emphasis on preventive protection is criticized by some because it appears that other approaches, including third country resettlement or multinational intervention, have not been fully explored. Others say, too, that UNHCR is promising a product it cannot deliver--that the delay in international involvement in Bosnia has made it all but impossible for

such relatively small actions to head off what can only be prevented by more massive intervention.

The view expressed by some staff of assistance organizations in Zagreb is that, even though the "playing field" is tilted, at least the direction in which it tilts is known. From this perspective, any change in the military situation, a movement of front lines for example, could render groundwork on assistance in Bosnia obsolete. Because of this, and because of fear for the safety of assistance personnel in Bosnia should outside military intervention occur, some influential staff in Zagreb are vehemently anti-intervention, with respect to outside forces. They hope for stable front lines, a mild winter, and potential refugees to remain in home areas. However, given the current situation, it would seem unlikely that any of these will occur, or that UNHCR and other organizations will be able to provide enough support, either psychological or material, to create conditions that might allow non-Serbs to remain in their homes.

**The United States, the European Community, and the UN have failed to effectively confront the humanitarian fallout of Serb nationalism gone wild. It is axiomatic that such failure leads to a massive body count.**

#### IV. CONCLUSIONS AND RECOMMENDATIONS

The title of this paper is *Croatia's Crucible*. Its specific focus is on that troubled country's treatment of Bosnian refugees. But future generations who read the history of the immediate post-Cold War era will know that not only Croatia faced a severe test. The humanitarian crisis in Bosnia and Hercegovina (and in Somalia, as well) is a crucible for the world community.

What is painfully clear is that we--the United States, the European Community, and the United Nations--are failing the first watershed humanitarian test of the post-Cold War era. Iraq, because of its strategic implications, was not such a case. Those being victimized in Bosnia are uprooted people without strategic value and the sometime protection that geopolitics once bestowed on others. The United States, the European Community, and the UN have failed to effectively confront the humanitarian fallout of Serb nationalism gone wild. It is axiomatic that such failure leads to a massive body count.

"What then shall we do?", asked Tolstoy, when faced with such madness. The recommendations below are premised on one basic moral obligation: The international community must take immediate and extraordinary steps to curb the aggression and to protect those whose lives are at serious risk, or other aggressors now watching on the sidelines will know that they too can win: that despots can get away with the murder of the powerless in a world where the Genocide Convention and other carefully wrought human rights protections once agreed to by virtually the entire world community are only scraps of paper. And then, we all lose.

The U.S. Committee for Refugees recommends that the following steps be taken immediately:

**1. As is their responsibility under Article I of the Genocide Convention, and as they are enabled by Article VIII, the United States and other UN members should, acting through the**

**UN, take whatever immediate action is necessary to end the "ethnic cleansing" that is taking place in Bosnia and Hercegovina.**

What the U.S. Committee for Refugees and other human rights organizations have learned in interviews with refugees from Bosnia and Hercegovina is that "ethnic cleansing" essentially fits the definition of "genocide" in the UN *Genocide Convention*. Killing members of a national, ethnic, or religious group, causing serious bodily harm to them, or deliberately inflicting conditions intended to destroy them in whole or in part is now happening to the Muslim residents of Bosnia and Hercegovina. The United States and other signatory nations have an obligation to take action "appropriate for the prevention and suppression [emphasis added] of acts of genocide." These are strong, clear words. To their shame, the United States government and the rest of the international community have tragically failed their obligation to this mandate.

**2. The United States, Europe, Japan, and the oil-rich states should immediately contribute sufficient funds to prevent the deaths of hundreds of thousands of Bosnians from starvation and exposure in the coming winter. Likewise, increased assistance should be directed to Croatia and other first-asylum states to ensure the right to asylum.**

Snow is already falling in Bosnia's mountains. The Sarajevo airlift, often interrupted, will never be sufficient to supply even that city's needs. Heating plants in large cities are inoperable. There are few space heaters and no fuel. Displaced people in Bosnia have little or no winter clothing. Windows have been blown out of buildings. Conservative estimates predict 150,000 people will die if the international community continues its current inadequate levels of support. Other experts predict that as many as 400,000 could die.

The UN Consolidated Appeal of September 4.

which covers only "life-threatening priority needs," calls for \$434 million to "avert a looming humanitarian disaster this winter." Total needs for the next seven months are estimated at more than \$1 billion. UNHCR alone faces a shortfall of \$120 million. Without adequate funding, UNHCR, ICRC, WFP, and WHO cannot fulfill their assistance and protection responsibilities; they can only do what donor governments enable them to do.

**3. Until and unless the world community tackles the root cause of displacement in Bosnia, would-be refugees seeking to flee genocidal conditions should not be prevented from doing so. Countries in Europe and elsewhere should expand provision of protection for refugees from Bosnia.**

For politicians in Geneva, Washington, London, or Zagreb—who have failed to get at the root causes of flight or establish truly protected corridors for delivering food and medicine into Bosnia—to then attempt to prevent refugee flight is as cynical as it is heartless, and is in direct contravention of the *Universal Declaration of Human Rights*, under which every person has the right to choose to leave his or her country and to seek asylum from persecution outside that country.

The brunt of providing temporary protection has so far fallen on the former republics of Yugoslavia and a relatively few Western European countries. Most European states have permitted distressingly few Bosnian refugees to enter. To ensure the right to asylum in Croatia and other former Yugoslav republics, Western European countries must open their borders to significant numbers of refugees. UNHCR has already set up a small unit in Zagreb that is identifying and assisting former Bosnian detainees and their families in moving to third countries. UNHCR has appealed for governments outside the region to accept former detainees for temporary protection. The United States and other countries should respond positively to this appeal.

The United States and other countries capable of resettling Bosnian refugees should begin to identify persons who will not likely be able to return to their home areas, even if a political settlement is reached. Resettling persons who cannot return is not support for ethnic cleansing. It is simply recognition of the special needs of certain groups. The most obvious category of such persons is those in mixed marriages, and the children of such marriages.

**4. Croatia should once again offer asylum to refugees seeking protection, and should not involuntarily return those already within its borders, as it has done in the past. The governments of Croatia and Bosnia and Hercegovina should not proceed with their July 21 agreement regarding return of refugees to Bosnia.**

Croatia has implemented increasingly restrictive policies with respect to would-be refugees. As of September 21, no Bosnian refugee is permitted to seek asylum in Croatia. The situation in Bosnia, both in terms of security and provision of humanitarian assistance, is too desperate to deny the right of persecuted Bosnians to seek protection outside their country. Likewise, it is unconscionable to force Bosnian refugees to return to Bosnia while the persecution they fled continues to be inflicted upon others there. Although the Croatian government has stated it will not return refugees to Bosnia without first consulting UNHCR, assurances of the Croatian government have proven insufficient to prevent local authorities from continuing the unacceptable practices of the past.

**5. UNHCR should devote more of its energies in Croatia to protection of refugees. NGOs should continue to offer to provide personnel to UNHCR for protection and logistics responsibilities.**

Understandably, because of massive humanitarian assistance needs in Bosnia, much of UNHCR's focus in the former Yugoslavia to date

has been on relief assistance. However, protection of refugees in the former Yugoslavia is in need of much more attention than it has received. In Rijeka, Split, on the Bosnian border, and elsewhere, staff of international organizations told USCR of lapses in refugee protection that were apparently unknown to UNHCR. Funding and staffing shortages make it difficult for UNHCR to fulfill its mandate in the former Yugoslavia. If UNHCR is to be successful in setting up its Field Liaison Offices in Bosnia, it will need further resources, both human and financial, from NGOs

and donor governments. But even this network will be inadequate unless UNHCR institutionally, and with strong support from major governments, is able to focus more adequately on refugee protection.

• • •

These recommendations, if heeded, will not fully turn back the clock on what has already transpired. However, they can perhaps assist those in immediate, desperate need, and contribute to deterring those who would create future Bosnias.

#### NOTES

<sup>1</sup> UN General Assembly Resolution 260 A (III) of 9 December 1948, *Convention on the Prevention and Punishment of the Crime of Genocide*.

<sup>2</sup> UNHCR, *Refugees from Bosnia and Herzegovina: Accommodation in Croatia*, 20 July 1992.

<sup>3</sup> Republic Of Croatia, Ministry of Information, Press Release No. 319, September 21, 1992.

<sup>4</sup> Ibid.

<sup>5</sup> Embassy of Belgium, Washington, DC, letter to USCR, September 9, 1992.

<sup>6</sup> Republic of Slovenia, Ministry of Foreign Affairs, *Proposals Concerning the Measures for Voluntary Return Home of the Displaced Persons and Refugees from Bosnia and Herzegovina*, statement circulated in Geneva, July 29, 1992.

<sup>7</sup> U.S. Department of State, *Intervention by Acting Secretary of State Lawrence S. Eagleburger at the London Conference*, August 26, 1992.

<sup>8</sup> UNHCR, *A Comprehensive Response to the Humanitarian Crisis in the Former Yugoslavia*, HCR/IMFY/1992/2, 24 July 1992.

<sup>9</sup> UN Economic and Social Council, *Report on the Situation of Human Rights in the Territory of the Former Yugoslavia*, E/CN.4/1992/S-1/9, 28 August 1992.

## YOU CAN HELP

The U.S. Committee for Refugees needs and welcomes your interest and support in its efforts to inform the public about the needs of refugees.

- I'd like to help. Enclosed is a tax-deductible contribution of \_\_\_\_\_  
 I can't contribute financially, but would like to stay informed about refugee issues, especially \_\_\_\_\_

- Send me information about *Refugee Reports*.  Enclosed is \$40.00 for a *Refugee Reports* subscription.  
 Send me information on next year's Survey.  I enclose \$\_\_\_\_\_ for \_\_\_\_\_ issue papers at \$4.00 each.  
 Send me the USCR publications brochure.  I have checked the titles below.  
 Send me this year's *World Refugee Survey*. I have enclosed \$10.00.

NAME \_\_\_\_\_

ORGANIZATION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_



Please photocopy and mail this form for further information.

**USCR's Issue Paper series available for \$4.00 a copy includes:**

- Stone of Refuge: Haitian Refugees in the Dominican Republic (1992)*
- Yugoslavia Torn Asunder: Lessons for Protecting Refugees from Civil War (1992)*
- Uprooted Libertans: Casualties of a Brutal War (1992)*
- Sri Lanka: Island of Refugees (1991)*
- The Long Road Home: Angola's Post-War Inheritance (1991)*
- The Decade of Chiquita: Peru's Internal Refugees (1991)*
- Exile from Rwanda: Background to an Invasion (1991)*
- Running the Gauntlet: The Central American Journey through Mexico (1991)*
- "The War is Growing Worse and Worse": Refugees and Displaced Persons on the Thai-Burmese Border (1990)*
- Refugees at Our Border: The U.S. Response to Asylum Seekers (1989)*
- Beyond the Headlines: Refugees in the Horn of Africa (1988)*
- Uncertain Harbors: The Flight of Vietnamese Boat People (1987)*
- Uprooted Angolans: From Crisis to Catastrophe (1987)*
- Despite a Generous Spirit: Denying Asylum in the United States (1986)*
- Refugees from Mozambique: Shattered Land, Fragile Asylum (1986)*
- Refugees from Laos: In Harm's Way (1986)*

**Refugee Reports**, Monthly, \$40.00 per year for subscription. This 16-page newsletter focuses on refugees in the United States. It includes information about policy, legislation, programs, resources to assist refugees or inform the public, and research on refugee resettlement and asylum. It also contains articles on international refugee developments and statistics on refugee populations. Subscribers receive free copies of the *World Refugee Survey* and *Issue Papers*.

**The World Refugee Survey**, Annual, \$10.00 single copy. Contains widely cited country reports on refugee conditions, statistics on worldwide refugee populations, and a directory of organizations. Includes feature articles by authorities on refugee protection and assistance.

U.S. COMMITTEE FOR REFUGEES  
 1025 Vermont Avenue NW, Suite 920  
 Washington, D.C. 20005  
 (202) 347-3507

I S S U E P A P E R

# YUGOSLAVIA TORN ASUNDER: LESSONS FOR PROTECTING REFUGEES FROM CIVIL WAR



U.S. COMMITTEE FOR REFUGEES

FEBRUARY 1992

### Table of Contents

I. Introduction: The Dimensions of Displacement .....	1
II. Voices from the Inferno .....	3
III. Serbian Refugee Experiences .....	9
IV. Refugees in Hungary .....	10
V. Refugees in Slovenia .....	13
VI. Refugees in Serbia .....	14
VII. Transfer of Serbian Displaced to Abandoned Croatian Homes .....	16
VIII. Conclusion I: Calling a Refugee a "Refugee" .....	18
IX. Recommendations I: Calling a Refugee a "Refugee" .....	24
X. Conclusion II: Addressing Root Causes .....	25
XI. Recommendations II: Addressing Root Causes .....	28
XII. Conclusions and Recommendations III: What To Do in the Meantime .....	28
Map of Yugoslavia in Transition .....	2
The Interview Sample Profile .....	4
A Day in the Refugee Camp .....	14
Asylum-Seekers in Yugoslavia .....	22

This paper was written by Bill Frelick, a senior policy analyst with the U.S. Committee for Refugees (USCR). It is based, in part, on a USCR site visit to Austria, Hungary, Italy, Serbia, and Slovenia in October 1991. It was edited by Virginia Hamilton and produced by Koula Papanicolas.

The U.S. Committee for Refugees operates under a three-part mandate:

- to defend the basic human rights of refugees, most fundamentally, the principle of *nonrefoulement*, no forced return of a person with a well-founded fear of persecution to his or her homeland;
- to defend the rights of asylum seekers to a fair and impartial determination of their status for refugee protection;
- to defend the right of decent and humane treatment for all displaced persons, the uprooted victims of human conflict.

The U.S. Committee for Refugees receives no government funding. USCR is grateful for the important support it receives from the Ford Foundation, the Pew Charitable Trusts, the John D. and Catherine T. MacArthur Foundation, the Joyce Mertz-Gilmore Foundation, and the John Merck Fund. USCR is also grateful to many individual contributors.

Cover photo: A Muslim resident of Virkovci, in eastern Croatia, leads his grandson from their home, which was destroyed by shellfire. AFP/Paul Jenks

## YUGOSLAVIA TORN ASUNDER: LESSONS FOR PROTECTING REFUGEES FROM CIVIL WAR

Civil wars are often termed "fratricidal". But the impact of the word--the murder of one's brother--and the depth of emotion and pain that it evokes become truly wrenching when walking among the survivors--refugees from that particularly vicious form of warfare.

Yugoslavia in 1991 was a picture of fratricide in action. Unlike the New World Order warfare of the Gulf War earlier in the year, these were not anonymous deaths, where buttons were pushed from a distance and the fatalities were not even counted, much less named. In Yugoslavia, it was political murder--personalized, the perpetrator and the victim neighbors with many shared ties not only of culture and language, but of friendship, even family.

The first half of this paper tells the story of this civil war from the point of view of the people--Croats, Serbs, and ethnic Hungarians--who have borne its brunt--the refugees in the midst of the fighting. As these words are being written, the military and political landscape is changing rapidly. At the moment, December 1991, the violence is escalating even beyond what was seen during a U.S. Committee for Refugees site visit to the region in October, but, if the most hopeful scenarios come to pass, a peace agreement could be forged even before this goes to press.

Because the situation is fluid and moving so quickly, this paper will pay less attention to the ebb and flow of displaced people currently taking place or to the political and military developments being covered in the daily news that have immediate impact on their lives. It will seek rather to do two things: first, to convey what it is to be a victim of such a war; then, in the second half, to reflect on nascent nationalism as the new, and fast-growing

cause of European refugees in the post-Cold War era, and on the preparedness of Europe to rethink its terms of reference for "the refugee problem." This study seeks ways to address more directly and effectively this new cause of refugee flight in Europe and thereby find solutions that will truly allow refugees to regain their security and resume their lives.

Although the case is of Yugoslavia, this is not likely to remain as the only European state to be consumed by full-scale civil war and to turn its former citizens into refugees. The passions that lay dormant in Yugoslavia are awakening throughout Europe and much of the rest of the world, as well. The world today looks at what once was Yugoslavia and recoils in horror at the unbridled hatred and the violence that have been unleashed. Perhaps learning more about the lives thrown into confusion and homelessness will have a cautionary effect elsewhere and deter others from stepping over the brink. But if such civil wars are to proliferate, a closer look at this first one might help us to find ways to begin piecing back together shattered lives and broken dreams.

### Dimensions of Displacement

Refugees from this conflict--at this writing, 557,000 and rising inside the boundaries of what has been Yugoslavia and 58,000 who have fled to Hungary, Austria, and Italy--speak almost in unison about going home. But when pressed, these same refugees acknowledge that there may be nothing to go home to.

Refugee emergencies are tracked not only by the number of persons displaced, but by the rate at which they become displaced. The faster and larger

**YUGOSLAVIA IN TRANSITION**



the movement, the more difficult it becomes to provide adequate assistance and protection. In this case, the pace of homelessness has been staggering. The appeals have hardly kept pace with the numbers. The international Committee of the Red

Cross (ICRC) launched its first appeal for 90,000 displaced persons in the Yugoslav civil war on August 23, 1991, a figure that shocked the international community because it doubled the number of displaced people from earlier that same month.

By the time of the USCR site visit in October, the number of internally displaced had exceeded 300,000, and the first tens of thousands had already crossed into Hungary. At the time of the USCR visit, the most hopeful aspect of the situation was the way in which host communities on all sides of the conflict were responding to the refugees. Well less than 10 percent of the refugees and displaced persons at that time were housed in public accommodations. The overwhelming majority were being cared for in private homes. This solidarity and genuine hospitality were truly remarkable. Although both Yugoslavia and Hungary have, until quite recently, been State-run economies in which the private sector—including voluntary charitable organizations—have been nearly absent, private response to the tens of thousands of refugees who had fled with little more than the clothes on their backs has been immediate and generous.

In many cases, this represented the support of personal friends and family. Most of the people fleeing dangerous areas have had relatives and close friends outside immediate conflict areas. Also, because of the nationalist nature of the conflict, others have been willing to open their homes at least in part as an expression of national and ethnic solidarity. Therefore it comes as no surprise that the largest numbers of internally displaced persons have gravitated from areas that had been mixed populations of Serbs and Croats to areas where their own ethnic group is more homogeneous. More than 300,000 displaced Croats—representing 55 percent of the total displaced population—have moved into solidly Croatian areas. The same picture emerges on the Serbian side, where 134,000 displaced Serbs have moved into Serbia, of whom 81,000 are in central Serbia, mostly in the Belgrade area. In fact, visits to the places that normally accommodate people in refugee emergencies—schools, churches, tourist hotels—were largely empty of refugees in and around Belgrade at the time of the USCR visit, when some 50,000 displaced persons had been registered as residing in the area.

It should also be noted that even in places where ethnic and nationalist solidarity was not such a factor—in Slovenia and Hungary—private support for the displaced was evident and an important reason why the burden of caring for this sudden and mass influx was not a complete disaster. Refugee camps generally ought to be

avoided. They have a way of making the refugees' condition more permanent, more dependent, and more hopeless. The Palestinian refugee camps are the model of how not to deal with a refugee situation. They are a recipe for stagnation, frustration, and failure. Therefore, the development of alternative means of keeping people out of camps—allowing them to keep their options open, making it more likely for them either to return to their homes or to lead productive lives that might quickly lead to their integration in the region—is in the interests not only of the refugees from the Yugoslav conflict, but might serve as a model for future refugee emergencies.

**...the development of alternative means of keeping people out of camps...is in the interests not only of the refugees from the Yugoslav conflict, but might serve as a model for future refugee emergencies.**

Maintaining this remarkable personal hospitality will be one of the greatest challenges the longer the conflict drags on, the larger the number of displaced persons in need of assistance grows, and the more crippled the economies of the area become.

With this in mind, it appears that the rate of arrival, the sheer numbers, and the duration of homelessness—six months for some at this writing—have already begun to erode the ability of local communities to sustain the displaced populations. Already at the time of the USCR visit, the first signs of this erosion could be seen. The first refugees were arriving in public accommodations after staying for a period of time with private families who could no longer support them. Estimates from sources in Yugoslavia in December suggested that the number of displaced persons being housed in public accommodations had grown to as high as 40 percent.

#### Voices from the Inferno

In addition to meeting with various governmental and private officials involved in refugee as-

### The Interview Sample Profile

In several respects, the USCR interview sample reflects the circumstances of the displaced population taken as a whole; in other respects, however, they are different. First, 29 out of 59 were interviewed in Hungary and 11—or 19 percent—were ethnic Hungarians, a larger percentage than in the displaced population as a whole. Second, because all of those interviewed were found in public accommodations at a time when the vast majority were privately housed, it could be inferred that this sample was more destitute, and perhaps had suffered greater losses than others who were displaced at that point in time. The percentage of elderly and handicapped among the camp population appears to be larger than among the displaced population generally. Third, the majority of the sample came from smaller towns and villages, in part because places such as Vukovar and Dubrovnik were under siege and many of the persons who would swell the ranks of the displaced in November were still trapped in their homes and unable to escape in October. Fourth, USCR did not travel inside Croatia where the majority of the displaced are located, since rail and air links were closed and the roads were insecure. Fifth, the sample of Serbs was small because of the near absence of public accommodations for them in the vicinity of Belgrade. Sixth, although children comprise a large segment of the displaced population, only two adolescents were interviewed, chosen because they appeared more articulate than their peers. In other respects, the sample group seemed similar to the larger population. Females comprised 71 percent of the interview sample; the female composition of the displaced population within Yugoslavia is estimated at 67 percent. Within Hungary, the population of adult women among the displaced is estimated to be twice as large as that of adult men and in Serbia women represent 58 percent of registered displaced persons. Husbands, sons, and fathers were overwhelmingly engaged in fighting. In only

two cases were intact families encountered in the refugee camps, and in both instances the husbands were briefly visiting and said that they would soon be returning to fight.

The interview sample was 25 percent elderly (i.e., age 60 and older), whereas the percentage of elderly among displaced in Yugoslavia is estimated at 10 to 15 percent and among refugees in Hungary at 9 percent. But the percentage of children and teens among the displaced in Hungary (estimated at about 30 percent) and in Yugoslavia (estimated as high as 50 percent) indicates that the percentage of elderly among the adult population is more comparable to the sample group.

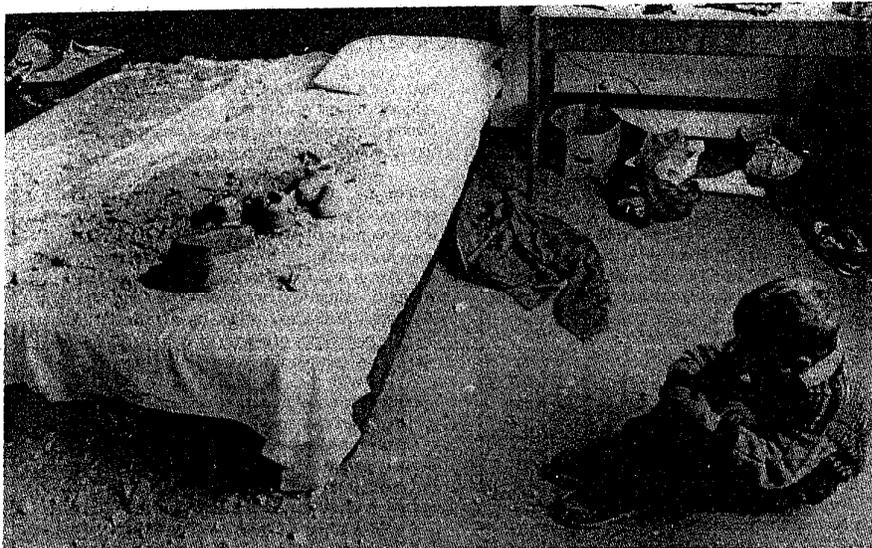
With the exception of the coastal area south of Split and from north-central Croatia from which forced movement had been in progress as of October, refugees were interviewed from all parts of Croatia that were accessible. Refugees from the heavily contested area bordering Serbia in Croatia's east, including the cities of Vukovar, Vinkovci, Osijek, and continuing along the Drava River to the Hungarian border represented 61 percent of those interviewed. Another 20 percent originated in the central part of Croatia in a triangle that would be created from Karlovac in the west to Zagreb in the north and Nouiska in the east, with the border between Croatia and Bosnia-Herzegovina making up the southern line of that triangle. The remaining 19 percent of those interviewed originated from the coastal region stretching from Rijeka to Šibenik and including Zadar.

The refugees came from all walks of life. Although a quarter of the total described themselves as retired or unemployed (in some cases as a result of disabilities) and another quarter described themselves as homemakers, the breakdown of those describing jobs that suggested a socio-economic profile was an almost even split in thirds among farmers, factory workers, and skilled and professional workers.

sistance, USCR visited 10 sites housing refugees and displaced persons in and around Yugoslavia and conducted 59 in depth interviews with refugees

chosen at random from those places.

Half of those interviewed had left their homes after September 20. Some had arrived in



A six-year-old boy sits amid the debris after sustained shelling in Dubrovnik hit the hotel where he was staying with about 1,300 other displaced persons, who had fled fighting elsewhere in Croatia. AP

camps only a day or two before being interviewed. However, the experiences described by those who left earlier in the conflict were generally as severe as those recounted by recent arrivals.

Among the Croats and ethnic Hungarians, 61 percent said they had directly experienced shelling. One of the refugees lived near a federal army base and witnessed the use of tanks shelling civilian areas. Nearly everyone said they had spent a period of days or weeks in the basements of their homes or apartment buildings prior to fleeing. Because they spent extended periods of time crouched in basements, most of the accounts were based on what they could hear (shooting, explosions) rather than what was seen. Many of the basements were described as dank and cold with a lack of water and electricity. Many mothers spoke of the effect of the shelling on their children. Children were frightened and had trouble sleeping. These problems were continuing in the refugee camps, and several moth-

ers commented that they were administering sedatives to their children to help them sleep. In answering a question about conditions at the Zbirni refugee center in Slovenia, the response of a 31-year-old Croatian woman from Osijek suggests the psychological trauma of both women and children separated from husbands and fathers:

*There is no problem here. They have fruit, fruit for the children. But it is terrible for me. I have left everything at home. My four-year-old child keeps asking me, "Where's Daddy? Where's Grandma? Where are my friends?" I can't explain to him. I can't explain to my child. I can't live without my husband. I think about him all the time. I want to join him.*

Half of the Croats and ethnic Hungarians said they heard shooting at some point in the time before they fled. One refugee, a furniture maker

from the Petarda village in the Baranja region about 3 kms. from the Hungarian border, said that a week earlier he could hear shooting. He recounted:

*I saw men walk up to the windows of houses and shoot inside. The Chetniks [the term Croats and Hungarians used to describe Serbian guerrilla forces] were shooting with rifles and automatic weapons. It was not the army, but the army helped them. I saw people injured and killed. Those who were doing the attacking covered their faces because they knew survivors would recognize them. They were local Serbs, people we know. These used to be our friends. We grew up together as playmates. I never want to see them again. I cannot understand how people who were our friends could do these horrible things. Everything fell apart in one week. Even some Serbs were killed by the Chetniks, massacred by Serbs. In the village, there were Serbs who were beaten too. No difference. The whole village was attacked.*

A refugee from another part of Croatia, the Uncani village in the Banja region near Dvor along the border between Croatia and Bosnia-Herzegovina, spoke about the combination of mortar and gunfire during some of the attacks, as well as the targeting of Croats in villages with mixed populations:

*Where we live now is part of the Serbian-declared autonomous region. It's a predominantly Croatian village, but from our house to the outside are the Serbian houses. Generally the Croats live in the middle of the village, the Serbs, on the outskirts of town.*

*Three days before we left [she left on June 29], the first massacre at the villages of Struga and Zamaca happened nearby. The terrorists attacked and slaughtered.*

*There was an attack. It started about 10:30 am. With small hand-held mortars that you throw a grenade into and it fires out, they attacked along that area. We could have been killed in our house because the mortars were so close. There was strafing on the roof and the walls of our home by snipers. We were hiding behind the cupboard, behind the stove. The place was surrounded. We heard our roof tiles*

*breaking. My mother, though, who is 80 years old and deaf, couldn't hear anything. I told her not to go out, but you couldn't actually see the soldiers. We heard later that they passed along the next street. It was impossible to leave.*

*The federal army arrived the same day about 6:00 pm. Three of us remained in the house. All the other houses had been deserted. Our house was the only Croatian home. The other houses were Serbian. The terrorists didn't attack the Serbian homes. Our house was the first to come under fire, but not the first house on the road. You come into the village and pass other houses before coming to ours. But they didn't attack the other houses.*

*Once the army came, we could flee. After the army came, the shooting stopped... They told us if we wanted they would give us safe passage to Kostajnica. We took a tractor. We had to put my mother in a small cage used for transporting cattle. The cage was pulled along by the tractor. It was very small, hardly enough for one person. The army wouldn't wait for anyone. In all, seven villages were evacuated at this time. A few invalids, such as my aunt, were too sick to be moved.*

Attacks were not limited to the ground. Of the ethnic Croatian refugees, 32 percent said that they had either seen, or felt and heard, the impact of bombing or strafing by airplanes. Bombing was more often reported from refugees originating in cities, such as Vukovar, Karlovac, Novska, and Zadar. The scenes of most intense fighting were often in the vicinity of army barracks, which are often located in the midst of residential areas. A 27-year-old woman from Daruvar describes such a situation:

*I live very close to the Yugoslav army barracks just outside our town. For ten days starting September 16, there was a battle for the barracks. Inside the barracks were the Chetniks and the Yugoslav army. Outside was the National Guard. On September 16, it was a real fight for the barracks, shooting all the time. Our house was badly hit. We stayed in the basement the whole time. By the end of the day, the National Guard had taken the barracks. As they escaped the barracks, the*

Chetniks and Yugoslav soldiers killed everyone on their way to the village. They stabbed five people on the way. Some of the Chetniks were neighbors. They would kill anyone who recognized them. Daruvar is mixed Serb and Croatian.

On September 17, airplanes bombed the barracks. Our home is close to the barracks. We could see and hear the attack. It was loud and the explosions caused bright lights. During the bomb attack, the windows were blown out of our house. Seven houses in the village burned down. I saw a dead National Guardsman lying in his blood for four days. They couldn't take his body away because of all the shooting. It started to smell.

There was a ceasefire from September 17 until September 26, but you could still hear shooting the whole time. Croats and Chetniks were shooting each other across two villages. We could not leave the village because the woods were filled with Chetniks. During the ceasefire, we tried to work in the field harvesting potatoes. In the field you could see the grenades and mines, some still not exploded. After the ceasefire, on September 27, [the day she left], the fighting started up again with airplanes and everything.

While the passions unleashed in the fighting in Croatia might harken back to an earlier era, the weapons are fully modern and lethal. A Red Cross worker commented: "The problem in Croatia is that it is very unsafe to go anywhere. Heavy weapons are being used. Quiet places become pure hell overnight."

The destruction described by the refugees is numbing. One said:

*My own village, Otok, has been completely abandoned. It's impossible for me to go back to my house. The village is in Croatian hands, but is being constantly pounded by artillery. It is completely flattened now, like a level table.... The planes have made the difference for the federal army.... Displaced people can take nothing with them. There will be lots of epidemics, diseases. There are already lots of dead cattle. No one has harvested the corn. There will be nothing to go back to.*

A quarter of the Croats and ethnic Hungarians said they knew or believed that their homes were completely destroyed. Another fifth of them said that they knew their homes had been damaged. Forty percent said they did not know the condition of their homes. Only eight percent said that their homes were still undamaged.

There may be an element of pride or false hope among refugees who said that their homes had not been destroyed. One of the refugees who said her home was undamaged, a 63-year-old Croatian woman from Zadar, held in her hand the fragment of an artillery shell during the interview:

*We went through a hard attack. We were attacked by sea, by air, by tanks and artillery. On Saturday [October 12, two days before the interview took place], the blockade of the town was lifted to allow women and children to leave. On Sunday, again, you couldn't leave. This [the shell fragment] hit in front of my home. I am still nervous from this.... Here, I am all right, satisfied. I only have to calm down, to get over my fear.*

A refugee from Vukovar whose house took a direct hit maintained that it was still habitable:

*I was with my family down in the ground hiding. We could not go outside the town. While I was there, there was shelling. One shell hit my house, went through the roof all the way down to the basement. The house was not destroyed though, but the hit went all the way to the basement, and broke all the glass, all the windowpanes in the house. It was an artillery shell. During the ceasefire, on August 30, I saw a building explode near my home and 24 people, including 8 children, were injured. My kids were on the street at the time, but not close to the explosion. But that explosion made my kids afraid. Because of that, I wanted to get my kids and go out from this town.*

Any hope that this refugee's home was still standing at the time of the interview in mid-October would be an illusion by November. In the aftermath of the fall of Vukovar, a group of journalists was permitted to enter the once-besieged city. In a November 19 dispatch, a *Washington Post* reporter observed:



*A cancer clinic in Szeged, Hungary has been converted into a refugee shelter that was housing about 150 people in October. These ethnic Hungarian women from Croatia were staying in one of the old hospital rooms. USCR/ B. Frelick*

*Not one roof, door or wall in all of Vukovar seems to have escaped jagged gouges or gaping holes left by shrapnel, bullets, bombs, or artillery shells—all delivered as part of a three-month effort by Serb insurgents and the Serb-led Yugoslav army to wrest the city from its Croatian defenders. Not one building appears habitable, or even repairable. Nearly every tree has been chopped to bits by fire-power.*

*Many also said that they believed their homes to have been looted. Since the looting would have taken place after their homes were abandoned, there was no way to substantiate such claims, which were heard often.*

*A factory worker from a village on the outskirts of Sibeni, a coastal city between Zadar and Split, talked about what he thought the current conditions were back home and what he expected would happen if his home fell into enemy hands:*

*My home is among four villages that are now surrounded by the Serbian army. There are still about 50 people in those villages. Yesterday, four men tried to get out. They were shot and killed. Their bodies still haven't been recovered. There's no food or water for those trapped there. We haven't heard anything from them for twenty days now.*

*What the army does is first they attack a village, that forces the people to flee. Then,*

*they come with trucks and loot the village. They take food, possessions, even collect food from the fields. They take the trucks back to Serbia. They sell our cars and collect the money. Everything Croatian goes to Serbia. Everyone here is robbed.*

This man added, "Now that I have found my wife and children, I will go back to the village and fight. I just arrived yesterday. It is difficult to leave my family. But I must."

While the dangers of staying are considerable, escape is also fraught with peril. Many modes of transportation were used to make the escape. Often two or three different types of vehicles would be used for a single journey. The most frequently mentioned were bus and car. Trucks and tractors were also frequently mentioned. Others traveled by train, bicycle, boat, and, in the case of several of the Serbian refugees interviewed, by plane. Several refugees—usually men—said that they made their initial escape on foot.

Passage along the roads was unsafe, whether the refugee was traveling as part of a convoy or spontaneously. Many of the refugees who fled from the Baranja region into Hungary said that they had encountered armed Serbs who questioned them before allowing them to pass. Some described them as border police, others said they were Chetniks. Refugees from other parts of Croatia more frequently mentioned attacks rather than roadblocks. A 28-year-old housewife who left spontaneously from Karlovac stated:

*On the Friday evening before I left, I asked a friend to pick me up Saturday morning. There was an air raid alarm when he arrived. He came and left. It calmed down on Saturday afternoon and I called him again. Sunday he came and took me and my two children in his car. Just then the attack started again. We drove through shooting and grenades. We were lucky not to be shot.*

A refugee from Zadar, who left in an organized convoy, spoke of the dangers they faced:

*We left in five buses. We left the town, but we didn't know where to go. We couldn't take anything with us, just a little bag. We had to wait because we were blockaded. Then, on*

*Saturday, we managed to cross the bridge out of Zadar. The bridge only had one lane that had not been destroyed. Everywhere we saw ruin. The buses were attacked. For three days attacks continued. Then, when there was a temporary ceasefire on Saturday, we could leave. I was afraid we would be bombed or strafed by planes. But it was raining [bad weather for flying], so it was not so dangerous.*

### Serbian Refugee Experiences

Because of the small number of Serbian refugees interviewed, a tabulation of their backgrounds and experiences could not be said to have any statistical significance. However, the individual testimonials stand in their own right. The Serbs displaced from Croatia who were interviewed were more likely than the Croatians to cite fear of massacre as a reason for having fled, and less likely than the Croatians interviewed to have had directly experienced shelling or bombing. A typical statement from a 70-year-old woman who had just arrived in the courtyard of the Red Cross in downtown Belgrade from a small village in Croatia, was that "we were afraid to be murdered. I heard about massacres, cars being cut off, eyes being gouged, children's fingers being made into necklaces." A 60-year-old farming woman from a village northeast of Zadar said:

*One of my friends was killed by the Ustashes [the name Serbs give to Croatian guerrillas]. They had long hair and wore big crosses around their necks. She was buried without a proper burial, her name couldn't be put on the cross.*

A 71-year-old woman from Sarva, a village about 9 kms. from Osijek, said:

*We were walking on the street in Osijek when a girl said, "They are slaughtering people in Sarva." They slaughtered six people [she proceeded to give the names of the six people and told a bit about them].... A man from Sarva led the Ustashes around pointing out the Serbs to them so they could kill them. Outsiders did the killing, but one local Croat told them who to kill.*

Among the Serbian refugees were also people who left after the violence had already reached them. A 38-year-old factory worker from Mirkovci, a town near Vinkovci in eastern Croatia, told of a mortar attack that occurred at the end of July:

*On that day [July 31, the day she left], shells fell for about eight hours. It had started the day before. We hid in our cellar for a day and a half. One man was murdered at work. He was a car inspector. The Croatian Republic police grabbed him. They killed him and threw him away. It happened on July 24. We were taken in army personnel carriers to Sld. They took two full truckloads of people—all women and children—about 30 people. No women and children are left in Mirkovci now.*

A 28-year-old dressmaker from Zadar said:

*We were under very great pressure. Some houses were mined. Some people would drive by in their cars and throw grenades at Serbian houses. Sometimes they would take distinguished people, beat them up and then release them. All the restaurants, all the stores were damaged. Not a single one remains. Twenty houses were ruined in one night. But this started months before, as early as April and May. The situation got worse the week before we left [she left on September 26].*

The Serbs were more likely than the Croats to cite specific instances of friends and relatives having been singled out for harassment or persecution. A 27-year-old housewife from Smokovic said:

*My brother-in-law had to walk 8 kms. to his workplace. One day he got about halfway there and the Croatian national guard caught him. They put handcuffs on him and took him in their car. They beat him and fired their guns around his head. They drove him to another village to see if he was known to be a member of some party or some other forces. But the people there recognized him and said good things about him. So after that they released him. But they drove to his working place and*

*took his car, his license, all his documents. He came home alive, but without his car or any of his documents. This is quite a common thing that happened to him.*

The typical refugee on either side of the conflict in Yugoslavia has not been targeted individually for persecution, but rather has fled war and generalized violence. However, among the Serbian refugees who were interviewed was a 42-year-old woman, the head administrator of the Red Cross in one of the communes of Rijeka, a city on the coast, who fit the classic refugee definition of a person with a well-founded fear of persecution.

The fact that she was married to an officer in the army, yet also had a responsible position in the Red Cross led some of the Croatian nationalists to suspect her. She had saved newspaper clippings from four successive days in September in which she was accused by name of being a Chetnik supporter and of diverting blood and cash donated to the Red Cross to the Chetniks in the Krajina region [a Serbian-populated area near the coast that has declared itself autonomous from Croatia]. "They threatened to murder me if I did not leave," she said. "The Croatian police told me they could not guarantee my safety."

### Refugees in Hungary

Within the span of a few years, Hungary has been transformed from a society that kept its borders closed to prevent the escape of its own citizens to one that insists on keeping its borders open to refugees seeking asylum within its territory. At a time when most governments are retrenching their commitments to refugees and asylum seekers, Hungary is responding to the flow from Yugoslavia with generosity and good will (although it must be noted that Hungary includes a geographical reservation to its accession to the Refugee Convention, excluding non-Europeans from its protection).

At the time of the USCR visit, the number of refugees entering Hungary from Yugoslavia was estimated at about 25,000 (with some estimates ranging as high as 35,000 and others as low as 15,000). By December, the number in Hungary was estimated at 45,000.

The majority of the refugees were

unregistered and staying with private families in Hungary's border region with Yugoslavia. There appeared to be a high level of sympathy for Croats, in particular. An estimated 80,000 ethnic Croats live in Hungary, concentrated in the frontier region, and have maintained close relations with the Croatian community across the border. Similarly, ethnic Hungarians from Yugoslavia often have close, established ties with friends and relatives in Hungary. Therefore, as few as 10 percent, about 3,300, were being housed in public facilities at the time of the USCR visit. Another 13,700 had registered for assistance. The Red Cross and church groups were supplying host families with food and hygiene packets to encourage their hospitality, but voluntary officials readily admitted that their assistance was not sufficient to cover the costs to members of local communities who had opened their doors to the refugees.

The Hungarian government was doing its part—with international assistance—to encourage Hungarian citizens to keep their homes open to refugees. These incentives included reductions in monthly heating bills for host families and providing food stamps to the refugees staying in private homes for use in local grocery stores.

Statistics on registered refugees from the Hungarian Interior Ministry in October showed 68 percent of the total to be Croats, 26 percent ethnic Hungarians, and 3 percent Serbs. Women represented 43 percent, men 24 percent, and children 32 percent of the total. The age breakdown was as follows:

AGE	
0-2: .....	5.7%
3-14: .....	20.0%
15-17: .....	4.9%
18-59: .....	60.5%
60 and over: .....	9.0%

Like the other former Soviet-bloc states, Hungary is struggling economically with the transition to a market economy. Unemployment, until recently nonexistent, now exceeds 300,000. Some of the hard-hit areas are in the south. Mohacs, the site of a refugee facility that held 267 on the day of the USCR visit, and with another 1,200 refugees registered and living in private homes in the town,

has 20,000 of its own citizens, about 10 percent of its population, unemployed. Yet the headmaster of the local school that is running an afternoon shift to instruct refugee children in the Croatian language, said, "The public attitude is completely positive. You could not hear any negative opinion about this situation. The local people are sorry for them. They want to help."

Although public attitudes have been positive, officials working in the government's Department of Refugee Affairs, who are sensitive to public opinion, note subtle shifts since the government bureau was created in 1988. One official in Budapest said:

*Our work started with the collapse of the Ceausescu regime. At that time, refugees were mainly of Hungarian origin. Hungarian society provided help, not just in a humanitarian way, but in a euphoric atmosphere. And this attitude was the same when the Hungarian population saw on television the situation in Yugoslavia.*

*But considering the whole four years, the economic situation is making people less tolerant. When a 30-year-old man suddenly becomes unemployed, he sees the refugee as a competitor for the same job.*

Most of the facilities visited were either nominally guarded by a single gatekeeper, but through which people could freely pass in and out, or not guarded at all. Of course, with the overwhelming majority of refugees not in public facilities at all, very little stands in the way—other than the state of the economy generally—of their trying to enter the local economy in the event of a more prolonged stay.

The exception to this open approach is the Nagytad camp, the largest facility, a former army barracks, which held 1,300 at the time of the site visit. Citing worries about the effect on the local townspeople, the camp administrator stated that refugees are not permitted to leave the camp. He said categorically that the refugees would not be permitted to work.

However, in Nagytad, as in the other Hungarian facilities, the attitudes of the camp administrators seemed genuinely humanitarian. They also operated in a well-organized, professional manner. Conditions in the camps were good. All facilities

were well-maintained and clean, with adequate recreational space. The buildings--no tents--were in good repair. Local schools were being used for school-age children. Hungarian doctors and nurses made regular visits. Hot meals were served.

Among refugees interviewed in six different facilities, few had complaints, and those were minor. Nearly everyone expressed gratitude to the Hungarian government and people. A 49-year-old Croatian housewife from Otok, near Vinkovci, now at the Nagytad camp, said, "It is okay here. I am not accustomed to Hungarian food. But I am grateful to Hungary for this place. But I'm homesick. I want to go home."

Camp administrators commented on the high number of elderly and infants, both of whom demand extra care. Providing education for school-age children also created strains on budgets. Although newcomers have generally arrived in decent health, the camp director at Mohacs said that he could tell which of the new arrivals had been living in cellars, because "their clothing and hair are full of lice."

Many of the new arrivals come with little more than the clothing on their backs and with very few resources. A Red Cross worker observed:

*They come running; they come with nothing. It is tragic to meet such people. Some arrive in a work suit, some were just feeding the animals and had to run, some in their pajamas, jumping out of bed. Most arrive like that.*

A new phenomenon was just starting at the time of the USCR visit. Previously, those coming to the refugee facilities had crossed directly from Croatia and sought assistance. However, some of the newest arrivals in the camps in October were of people who had already been in Hungary for a period of weeks, staying with local families, but whose money had run out. A factory worker from Vukovar said that he had been staying with his uncle, but that he had a small place that was already filled with other relatives from Croatia. After sleeping in the kitchen for a time, he left and was staying in a church shelter in Nagyharsany. Some of the refugees who were housed in public accommodations said that they initially paid for rooms in private homes until their money ran out.

Camp administrators most frequently cited baby goods, diapers, baby food as the most needed goods. Men's shoes were a particular problem at the time of the visit. Camp administrators were all looking anxiously ahead to the winter months, as well, and the added demands for warm clothing and adequate heating fuel.

Although there is no clear category in Hungarian law for war refugees--Hungary has signed the 1951 Refugee Convention, which defines refugees on the basis of a well-founded fear of persecution--the refugees from Yugoslavia have not been required to demonstrate their claim to refugee status before being assisted. Not a single refugee interviewed in Hungary reported having had any difficulty with Hungarian authorities at the border. Coming with or without passports, they were admitted and assisted. Hungary does not require visas for citizens of Yugoslavia. People entering at the border are given 30-day, renewable permission to stay as tourists.

In October, a Hungarian official from the government's refugee department said that since July only 140 persons from Yugoslavia had actually applied for political asylum under the terms of the 1951 Refugee Convention. "The others didn't apply because they see their situation as temporary. The police give them a temporary residence permit to legalize their stay." He said that the refugee office has negotiated with the police to extend the residence permits for Yugoslavs from one to three months, and that this procedure is the basis for assigning food and health assistance.

Although USCR interviews with refugees in Hungary confirmed that most indeed expressed an interest in returning home, even among this group, a significant number doubted that they could return anytime soon. Others clearly were seeking alternatives to repatriation. Among the Croats interviewed by USCR in Hungary, 85 percent said they wanted to return, while 15 percent expressed an interest in resettling in a third country. None of those interviewed said they wanted to remain in Hungary permanently. The typical Croatian response was articulated by a factory worker from Vukovar who said, "I will not go back into a Serbian state. In the case of an independent Croatia, I will go back. I would like to go back, maybe to build another house." The refugees' interest in repatria-

tion was qualified--political and security conditions had to be met before the Croatian refugees would consider returning. Many expressed pessimism about how long it would take for these conditions to be met.

Among the ethnic Hungarians in Hungary, a slightly smaller fraction, two-thirds, expressed an interest in returning to Croatia. They expressed the same reservations as the Croatians who wanted to go back. Among the third who did not want to return, most expressed an interest in resettling in Western Europe, principally Austria, Germany, or France. Only one person said categorically that she wanted to remain in Hungary.

It appeared that the authorities, not the refugees themselves, had made a blanket decision not to use the asylum system for individual refugee-status determinations. None of the refugees interviewed seemed aware of the possibility of applying for asylum individually, what that would entail, and what rights might accrue with a positive determination of refugee status.

#### Refugees in Slovenia

The legal status of refugees in Slovenia has been even more elusive than in Hungary, given Slovenia's own ambiguous legal status. Despite declaring its independence from Yugoslavia, issuing its own currency, and acting like an independent state, Slovenia's sovereignty had not been recognized by the international community at the time of the USCR visit. However, cushioned from Serbia by Croatia and without any significant Serbian minority, Slovenia has been spared the destruction currently underway in neighboring Croatia and provides an attractive refuge from the fighting.

Although Slovenia, like Hungary, has been generous and humane in its treatment of Croatian refugees, the offer of assistance is not universally extended to anyone fleeing Croatia. Slovenia's new leadership has entered into an agreement with the new authorities in Croatia to assist only persons meeting certain age and sex criteria intended to prevent able-bodied Croatian men from fleeing, as well as geographical restrictions limiting flight to those coming from the most severely endangered areas. The criteria are listed in two letters from

the Croatian government. The first, dated September 26, 1991, says that a person must fall within one of the following categories to be accepted as a refugee:

- 1) Children under the age of 14;
- 2) Mothers with children up to the age of 10;
- 3) Unaccompanied children until the age of 18;
- 4) Men over the age of 65;
- 5) Women over the age of 60;
- 6) People who are physically or mentally handicapped who cannot defend their country;
- 7) Exemption for those from the active population who, according to the opinion of an expert, have experienced extraordinary hardship.

A second letter, dated October 2, listed the areas within Croatia from which persons should be treated as refugees. Zagreb was absent from the list. Also, since the list originates with the Croatian authorities, there is no mention of Bosnia-Herzegovina. A local official with the Slovenian Red Cross said, "We accept people only for the designated areas, not for others. A lot of persons from Bosnia have come to Slovenia, but we have turned them down." He maintained that no one is turned away at the Slovenia border, but that only those meeting the criteria set out in the two letters from the Croatian government are registered as refugees and assisted. The remainder are considered to be tourists.

As of October 14, the date of the interview with the Slovenian Red Cross officials, the number of registered refugees in Slovenia was 18,728. They estimated that another 7,000--perhaps not meeting the refugee criteria--were unregistered. Despite these numbers, however, the number housed in camps was quite small. There are two camps in Ljubljana: One, the Zbirni Center, held 235 people (91 women; 20 men; and 120 children). The other, DOM SCT, held 202 (78 women; 36 men; and 98 children) on the days of the USCR visit. Neither camp was crowded. In fact, Zbirni had a capacity for 500, and DOM SCT for 700. There were empty beds, vacant rooms.

Conditions at both camps were good. The gates to the camps were open and unguarded. Refugees were given bus tokens to go into town. A doctor made daily visits to DOM SCT and twice a week to Zbirni. Hot meals were served.



#### A DAY IN THE REFUGEE CAMP

We get up early and eat breakfast. Before lunch we have playtime. Everyday is like this. It is quite monotonous. This is a day in the refugee camp. But what shall we do in a situation like this? There is almost no solution for the whole nation. We don't pay anything. We get toys without paying. So we don't pay even for fun. This is due to nice people here who give money. Other people don't have enough money themselves, but still give for us. But even though people help us and try to make our stay here comfortable, something is missing here. I miss MY home. I know that a home can never be replaced. But time will heal everything. I am sure that after some time I will forget about what is going on here now. But for the moment I know it is very hard to bear. It is the war.

This essay was written on the lid of a cardboard box by an 11-year-old Croatian boy in the DOM SCT camp in Slovenia. After coming upon the essay in his room, the USCR investigator went in search of the boy, who was outside

playing. Asked why he had left his home in Petrinje, southwest of Sisak, the boy, pictured here, said:

*We heard shooting, so we left. We were threatened all the time by the Chetnik people. They wanted the town empty. We left several times, but then went back. Finally, we decided to go to Zagreb.*

*The Chetniks threatened everyone to make us leave. The [Croatian] government told us to stay. We couldn't decide whether to stay or go. Probably our house is ruined. It has been damaged by bombs and mines and burning. From Sisak we could see the houses burning for several days. Our village is burned.*

*Those who left are alive now. The others are all killed. They hanged the educated people to make the others see. They stabbed people and put them in mass graves. My grandfather was killed at that time in Petrinje.*

His mother told USCR that she is divorced, and the boy does not know his father. He was raised by this grandfather who had been like a father to him.

Aside from complaints about the food, the refugees generally gave a positive assessment of camp conditions. One must bear in mind that only a relatively few refugees make it into the camps. From this can be inferred that they tend to be destitute (and often to have suffered great losses back home) and also grateful to have basic food and shelter. Typical positive responses about camp conditions reflect the lowered expectations of people who have suffered tremendous losses. "Here we have food and water," said a refugee from a suburb of Zadar. "We had neither before." Said another, "As far as food, it could be better. But never mind. We are here to endure. We have no other choice." Many, when asked about current needs, talked about the psychological toll. A 67-year-old farming woman from Glina, a town southwest of Sisak, said, "It's hard for the children. They were afraid during the attacks. We left everything at home. It's important that we have food, a place to stay."

A number of the refugees expressed their fear at having no money and at being completely dependent. This heightens their sense of vulnerability and loss. Many of the refugees wept during the course of interviews, particularly when asked about their homes and their hopes for the future. Although nearly all of the refugees interviewed said they would like to return, almost all also believe there will be nothing to return to and that it might not be possible to return at all. A woman from the Serbian-declared autonomous region in Banja, who fled after the home that she had built from her earnings as a guestworker in Austria was destroyed, expressed the impact of total loss:

*I might want to go back to my home, but they have destroyed it. All the houses have been burned and torn down. Nothing remains. We couldn't go back. The only thing that remains is to go to Austria. I worked there. But now, since my liver operation, I don't think I could find a job, and my husband has no passport and a mental disease.*

*I feel worthless. I have no hope. I have nothing left. We only started from nothing, from scratch. I don't know.... My husband...we are both invalids. We have tried to save. I lived in Austria. I made money. Twenty years have*

*passed in working, building. I saved every shilling to build a house in my home country. I lost my youth. I made a life for myself. Now others have taken everything. It is all gone now. All has crumbled. Now we are poor. Even more poor. Greater orphans than before. We have no money. We don't know what to do when the money runs out.*

*The Red Cross hasn't said they could provide money. We are also afraid of that, afraid we will stay without money. My husband needs cigarettes. I need things. We are afraid of the future. We are not able to shift for ourselves. We can't do anything.*

*Nobody has given me anything. Neither Croat nor Serb. I left at age 17 for Austria. I have never gotten any help from anyone. No help from Yugoslavia as a whole or Croatia. In the end, I am abandoned. I can't believe it myself. I can't believe I'll never see it again. When I remember how my mother took care of the fruit, I cry very often. I'm not conscious yet of what has happened. The government promises we will be able to go back. But to what? A naked land. There is nothing to go back to.*

The needs articulated by camp administrators and Red Cross personnel in Slovenia related mostly to that of warm clothing for the winter, blankets, and goods for babies.

The overwhelming majority of refugees in Slovenia were being hosted by private families. The Slovenian government was providing incentives to local families in the form of food packages, beds, blankets, and sheets, as well as a modest one-time cash grant, for them to host refugees in their homes. But, at the time of the USCR visit, the Slovenian authorities already felt that they had reached the limit of the number of refugees who could be absorbed by the local population and had reached the limit of their ability to subsidize private accommodations. They are conscious of the very fragile condition of their own economy. "The problem has reached a place where we can't handle any more," said one. They had planned for an influx of 10,000, and, at the time of the visit, were tripling that estimate. "Our greatest fear," said a Red Cross official, "is how to cope if this goes on for a long time. Funds for refugees are quite a burden."

### Refugees in Serbia

As of October 15, 120,953 displaced persons had been registered by the Serbian authorities. Most, about 70,000, were staying in central Serbia, of whom the clear majority, 50,157, were staying in Belgrade itself. Another 50,000 had fled to Vojvodina and about 1,000 to Kosovo. The displaced were 58 percent female, 42 percent male. Of that total, 38 percent were children under the age of 15; another 5 percent were over age 65.

The registration and placement of displaced persons in Belgrade is a sophisticated, computerized operation. Biographical data on registrants are entered on computers, as well as information about placement with families and levels of assistance. Of the displaced persons in Belgrade, a clear picture emerges about their areas of origin within Croatia, with the largest groups coming from the following cities and towns:

Vukovar .....	18,000
Osijek .....	12,000
Vinkovci .....	6,000
Beli Monaster .....	4,000
Sisak .....	2,500
Zadar .....	1,900
Zagreb .....	777

A Serbian Red Cross official said that the refugees came in waves starting as early as March 1991 with a group of about 1,500 who crossed the Danube River from Croatia into Serbia. "This first passage was a sign for us to undertake some preparations," he said. And it was a good thing they did. Soon larger numbers began to move from Croatia into Vojvodina and, by the beginning of July, the presence of displaced persons began to be felt in Belgrade. "Although in the beginning," he said, "the refugees were usually people living on the borders of the two republics, by the end of August large influxes began from Zadar, Split, Osijek, and Zagreb."

This official said that the motivations for leaving varied from person to person, but that he would broadly characterize them in two groups. First, were those who escaped from areas where the

conflict was going on. However, he said, the second group, representing the majority of refugees, "escaped because they were fired from their jobs, because their lives were threatened, or because they were living in areas where during World War II Serbs had suffered the crimes of genocide."

With the exception of a small group staying at the Rakovica Convent, none of the other Serbian refugees interviewed by USCR had actually been staying at a center of the type found in Hungary and Slovenia. Therefore, many of the questions asked in those places about conditions of refuge could not be asked of the Serbs.

### Transfer of Serbian Displaced to Abandoned Croatian Homes

The absence of any collective centers for the displaced in and around Belgrade was surprising and noteworthy. Outside Serbia, it was indeed remarkable how successfully the Hungarians and the Slovenes had managed to find private accommodations for the refugee population. But in both cases, public facilities were needed and used for those who could not be placed privately. But in Belgrade USCR had to search for refugees. On the day of the visit to the Red Cross center in Belgrade, the USCR investigator was told that 2,000 refugees had arrived the night before. Yet, about noon of the following day, there were only a few refugees to be found milling about the Red Cross courtyard. USCR was told that everyone had been placed.

USCR did meet with a variety of government (both Yugoslav and Serbian) and Red Cross officials in Belgrade who were generous with their time and information. They were not helpful, however, in facilitating direct contacts with the refugees themselves. Without official assistance, USCR visited empty tourist hotels and other locations where local people thought refugees might be staying. Only a few could be found. At the time of the visit, none of the officials interviewed divulged information about plans to resettle displaced persons in homes abandoned by fleeing Croatians. However, this information has come to light subsequent to the USCR trip.

In an article in the November 25, 1991 *Washington Post*, Blaine Harden writes about the first of a group of 20,000 Serbian displaced persons

who were being resettled in Croatian homes in the Baranja region, now fully under Serbian control. Serbs who had fled from farming villages in western Slavonia located between the towns of Virovitica and Daruvar were now being bused to the Baranja region, a triangle in eastern Croatia created by the Drava and Danube rivers and the Hungarian border. Harden reports that the borders of Baranja have been sealed by the Yugoslav army, effectively preventing the return of Croatian and ethnic Hungarian refugees.

"I am miserable. It is not good. It is bad luck to live in another man's house," Harden quotes a 42-year-old Serbian factory worker resettled into one of the abandoned Croatian homes as saying. "When the owner of the house comes back, I don't know what will happen."

In addition to reporting on the resettlement of Serbs into the Baranja region, Harden also casts doubt on Serbian media reports that the Serbs fled

their homes in western Slavonia after an all-out armored attack by Croatian militiamen. He cites European Community observers who visited the area and said there was evidence of fighting, but not of wholesale destruction of villages. He also cites testimonies of Serbian refugees appearing on television in Bosnia-Herzegovina saying that it was the Serbian-dominated Yugoslav army, not the Croatian militia, that gave them 48 hours to leave.

**"Those who were doing the attacking covered their faces because they knew survivors would recognize them... These used to be our friends. We grew up together as playmates."**

*This Serbian woman had just arrived at the Red Cross in Belgrade and was waiting for relatives to pick her up.*  
USCR/B. Frellick



## CONCLUSIONS AND RECOMMENDATIONS

As mentioned at the outset, this paper is being written both at a time of active fighting in Croatia and while intense peace negotiations are underway. Our recommendations must be viewed both in the context of the fluid and ongoing nature of the conflict, as well as our own particular mandate to respond to that dimension of the war involving forced migration. Therefore, while we will not engage in a detailed examination of peace plans, we nevertheless acknowledge the critical importance of arriving at a negotiated settlement that will resolve the cause of this massive, tragic displacement. Our conclusions and recommendations will be divided into three parts: first, a look at the adequacy of the legal frameworks for protecting refugees of war in Europe; second, an examination of the root causes of the conflict, the nationalities question, which has renewed relevance throughout much of Europe, and how new solutions ought to be sought to address new causes of displacement; and, third, interim recommendations to facilitate assistance and protection within the warring Yugoslav republics until such time as the conflict is resolved.

### CONCLUSION I: Calling a Refugee a "Refugee"

Until this point, this paper has used the terms "displaced person" and "refugee" interchangeably. Legally, however, these, and other terms, carry specific meanings. A "displaced person" is still within the frontiers of his country of origin. This has important significance because the mandate of the UN High Commissioner for Refugees covers only refugees who have crossed an international frontier. The "refugee" definition, in addition to requiring the person to be outside his home country, also describes a refugee as a person who cannot or will not return "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion." The "persecution standard," as it is often called, suggests that persons designated as refugees must be able to establish a plausible personal threat of harm related to one of the five specific grounds enumerated

in the definition. Therefore, persons fleeing war and generalized violence would not qualify per se as refugees under the 1951 Convention and its 1967 Protocol. Another term of importance is that of an "asylum seeker," a person claiming refugee status, whose case has not yet been definitively decided.

The crisis in Yugoslavia, the first full-fledged war in Europe since World War II, reveals the strains and inadequacies of the refugee definition as found in the 1951 Refugee Convention and the 1967 Protocol, whose definitions have been incorporated into the domestic laws of most West European states.

Officials in the bordering states of Austria, Italy, and Hungary were all quick to point out to USCR that persons fleeing the fighting in Yugoslavia could not be considered to meet the persecution standard of refugee law. One official used the term "externally displaced persons" to describe the situation of Yugoslavs who had crossed an international frontier in search of refuge.

While officials in all three countries appeared receptive and sympathetic to these "externally displaced persons," their assurances sounded somewhat hypothetical and casual. All said that Yugoslavs fleeing the fighting would not be turned away and would be given temporary accommodations. But without a legal framework to protect them, their status would remain ad hoc and subject to the whim of domestic politics.

As an example of this, in March 1991, Italy faced a sudden, mass influx of 28,000 Albanian asylum seekers. Although initially overwhelmed, the Italians finally dealt with this group in an orderly manner, dispersing them to reception centers throughout Italy, conducting refugee status determination interviews, and assisting in finding jobs. However, when another group of 17,000 arrived in August, the asylum seekers from this group were all summarily deported. None, including about a thousand who had been promised refugee status determination interviews, were given access to the asylum procedure. It is easy to be generous when the numbers are small or hypothetical, but what will be the response of West European states after tens of thousands have crossed their borders and when the prospects for repatriation anytime in the foreseeable future appear bleak?

Lacking a convention recognizing people fleeing civil strife as refugees, refugee law in Europe

has been limited to the definition of "refugee" from the 1951 Refugee Convention and its 1967 Protocol, which defines refugees exclusively in terms of persons fearing persecution. Therefore, Europe is legally ill-equipped to protect war refugees. Refugee claimants are entered individually into determination procedures for asylum in Western Europe. But there is little guidance for dealing with a mass exodus from war. When governments refer to these refugees as "externally displaced persons," are they in fact distancing themselves from their obligations to assist and protect them? As part of Western governments' increasingly restrictive asylum policies, even the persecution standard has become incrementally narrowed and rarified. We are in danger of defining many refugees out of existence.

While asylum approval rates throughout Western Europe continue to drop, most of these states have been reluctant, in practice, to deport war refugees. Often designating these "externally displaced persons" with terms such as "B status," "de facto status," or "humanitarian status," many who do not qualify for asylum according to the Convention definition of refugee—using the persecution standard—are not sent home when governments recognize that they could be harmed upon return. While this has prevented the deportation of persons to particularly dangerous or repressive countries, it nevertheless often leaves denied asylum-seekers in legal limbo. "B status" varies from country to country, but it essentially provides a minimum of protection from deportation without granting the rights—such as permanent residence—that would apply to a person found to be a bona fide Convention refugee.

Some have criticized the wide use of B status in Western Europe for allowing governments to deny larger numbers of refugees asylum, by creating a "second class" status. While in practice it does present governments with an inexpensive alternative to asylum, and therefore might be misused by governments as an attractive alternative to asylum even in cases involving a bona fide claim based on the persecution standard, B status has the value of recognizing that people legitimately flee and are in need of protection for a variety of reasons, and that the solutions for different types of refugees are not necessarily the same in all cases.

The more telling criticism of this approach has been its ad hoc—and sometimes politicized—nature. A number of European countries, includ-

ing Austria, Belgium, Denmark, Germany, and the U.K., grant some variant of B status without having a specific provision for doing so in their national law codes. France has no such provision, does not issue legal status to persons in such circumstances, but, in practice, does not appear to pursue deportation of rejected asylum seekers from certain war-torn countries.

In other cases, some form of B status is incorporated in domestic law. Countries such as Denmark, Finland, the Netherlands, Norway, Sweden, and Switzerland have laws that allow certain rejected asylum seekers to stay on humanitarian grounds.

For many years, the United States operated on an ad hoc basis, allowing the Attorney General to designate certain countries for "extended voluntary departure." During those years, the U.S. Administration was often criticized for designating EVD in an arbitrary and highly political fashion, extending blanket protection, for example, to nationals from Poland as late as 1989, while at the same time declining to grant EVD to those fleeing countries aligned with the United States, such as El Salvador, Guatemala, and Sri Lanka, where civil wars were raging.

Under the Immigration Act of 1990, Congress established criteria for the Attorney General to use in determining what nationalities qualify for "temporary protected status" (and mandated TPS for Salvadorans). The law states that the Attorney General can postpone deportation and grant work authorization if he finds "that there is an ongoing armed conflict within the state" that would "pose a serious threat to [the] personal safety" of nationals who would otherwise be deported to that state. Although TPS has been designated for nationals of El Salvador, Kuwait, Liberia, Lebanon, and Somalia, as yet, Yugoslavia has not been so designated.

At the end of 1991, the numbers of Yugoslavs fleeing the war outside Yugoslavia were not overwhelming. As noted above, the numbers in Hungary by year's end were estimated at 45,000, but only a relative handful were being entered into the asylum procedures. By December 1991, Austria was hosting an estimated 8,000, and Italy was hosting about 5,000.

At the same time, Yugoslavs have been one of the major populations seeking asylum in Western Europe for the past several years, including

thousands of persons from regions not engaged in warfare, such as Kosovo, where ethnic Albanians have been persecuted. In 1991, the number of asylum seekers from Yugoslavia rose dramatically. In Germany, 78,854 asylum applications were filed—three times the number of Yugoslavs who had applied for asylum in Germany the year before. Even for those whose flight might have been predominantly motivated by the war, the only available option for seeking refuge throughout most of Western Europe was to apply for political asylum, adding to the strains and backlog of already overburdened adjudication procedures throughout Europe.

**The reality that the West must confront is that being a war refugee is as legitimate a reason for fleeing one's homeland and seeking protection of another state as is the prospect of political persecution.**

Further complicating the picture is the presence of hundreds of thousands of Yugoslav "guestworkers" in Austria, Germany, and elsewhere, who legally reside as economic migrants, as well as an underground population of undocumented migrants staying without legal authorization. Some who left for economic reasons before the outbreak of war might now have reasons for not returning based on the insecurity of conditions at home.

For many of Yugoslavian origin who entered Western Europe for whatever reason, it has now become unsafe to return home. The war has created generalized conditions above and beyond particular fears of persecution that some Yugoslav asylum seekers might harbor.

With the exception of persons from regions such as Kosovo, and from other regions as well, who might have bona fide claims of persecution based on race, religion, nationality, membership in a particular social group, or political opinion, it doesn't make sense to enter Yugoslav war refugees into costly and protracted individualized asylum procedures based on the persecution standard. Their need for protection is obvious; that the violence that would likely harm them on return is

"persecution" is far less obvious, however.

If Yugoslavia were located in Africa or Latin America, this would not be an issue—the legal standing of war refugees as refugees would be solid. The inadequacy of the Convention refugee definition has been acutely felt in the Third World, where it has been superseded in Africa and Latin America by a more inclusive definition that more closely comports with the reality of forced migration in those parts of the world. Both the Organization of African Unity's (OAU) *Convention Regarding the Specific Aspects of Refugee Problems in Africa* and the *Cartagena Declaration* of the Organization of American States (OAS) include as refugees persons falling within the definition of the Refugee Convention and Protocol, but, in addition, extend protection to persons compelled to flee their country due to foreign aggression (OAU and OAS), occupation (OAU), foreign domination (OAU), internal conflicts (OAS), massive violations of human rights (OAS), or other circumstances that have seriously disturbed public order (OAU and OAS). Within Africa and Latin America, the UN High Commissioner acts in accord with the regional instruments and extends its protection mandate to refugees of war and civil strife. Western governments, led by the United States, willingly contribute to UNHCR for assisting OAU- and OAS-defined refugees in the Third World (though these same states are justly criticized for failing to contribute sufficiently to meet their basic needs), but have never seriously considered adopting these definitions within their own territories.

Until now, post-World War II Europe has not been faced with massive displacement due to war. The Cold War was named so precisely because it managed to approach the brink of all-out war without actually crossing the line that could conceivably have cost millions of lives and unprecedented destruction. But now, full-scale warfare has indeed come to Europe. Suddenly, the OAU and OAS formulations have new relevance.

The reality that the West must confront is that being a war refugee is as legitimate a reason for fleeing one's homeland and seeking the protection of another state as is the prospect of political persecution. Both should be considered as refugees, and the principle of *non-refoulement*—no forced return—should apply equally to both, as well. Since the definition of "refugee" itself is undergoing change, as seen in its expansion in Africa and Latin

America to include persons fleeing armed conflict, the Western, industrialized democracies can no longer be assured that the forced return of such refugees does not, in fact, violate international law, which forbids the return of a refugee to a territory "where his life or freedom would be threatened." The *nonrefoulement* provision of the Refugee Convention, Article 33, is based on the obligation not to return refugees to life-threatening conditions, but such a threat is posed to both types of refugees, not exclusively to those fearing persecution.

Guy S. Goodwin-Gill, former senior legal advisor for UNHCR and author of *The Refugee in International Law*, argues that the other category of refugees--those fleeing generalized violence from civil war and inter-communal strife--ought also to be protected by the principle of *nonrefoulement*, and that international customary law regarding *nonrefoulement* has, in fact, grown since 1951 to include them within its protection. In *The New Asylum Seekers: Refugee Law in the 1980s*, he writes:

*Those who have fled to escape violence, armed conflict or human rights violations are refugees of concern to the UNHCR and the international community and... should be protected against refoulement.... In any procedure relating to the grant, denial, or termination of refuge, those fleeing civil war or inter-communal strife should benefit from the presumption that their life or freedom would be endangered by reason of generalized violence, armed conflict, or massive violations of human rights.*

#### **Who is "Internally Displaced." Who a "Refugee" in Yugoslavia?**

Another issue related to the question of refugee status is how to consider those people who have fled from one former Yugoslav republic to another. With the break up of Yugoslavia into warring republics, some of whom have declared their independence, it is questionable to what extent the distinction between "internal" and "external" displacement can be maintained. When Slovenia declares itself independent, takes over border control, police, and judicial functions, and sets

criteria (as seen above) to determine which Croatian asylum seekers will be assisted and protected, can the Croatians be considered as "internally displaced persons" even if Slovenian independence has not been recognized by the UN General Assembly? Should Croatians seeking refuge in Slovenia be assisted by the ICRC as displaced persons or by UNHCR as refugees? If they are considered "internal," then interventions on their behalf will be complicated by regard for Yugoslavia's sovereignty and an unwillingness to interfere in her internal affairs. It therefore becomes difficult to address this issue as a refugee question per se, because it raises the more far-reaching political question of international recognition of the secessionist republics.

In the interim, UNHCR has begun to extend its "good offices" to displaced persons generally within Yugoslavia based on a request by the UN Secretary General. In December 1991, UNHCR opened liaison offices in Sarajevo and Zagreb, and upgraded its presence in Belgrade. In January 1992, it was due to open an office in Ljubljana. This method of operation on behalf of displaced persons in civil wars, where the internal boundaries have taken on some of the characteristics of international frontiers, has been used in other hot spots where the question of sovereignty has been ambiguous, such as Cyprus.

#### **Are Yugoslav Draft Evaders and Deserters Refugees?**

Draft evaders and deserters generally engender little sympathy in the asylum context. Men of military age who flee Yugoslavia are no exception.

Officials in both Italy and Slovenia indicated to USCR that they are inclined only to assist people coming from within conflict areas of Yugoslavia. A 20-year-old man from Belgrade, however, would not qualify as being in a conflict area. If he appeared in these or other countries, he most likely would be required to enter the asylum procedure. There, following guidelines laid down in the UN *Handbook on Procedures and Criteria for Determining Refugee Status*, he would need to establish that the penalties he would face upon return would constitute "persecution" as opposed to "prosecution".

#### ASYLUM SEEKERS IN YUGOSLAVIA

Although largely overlooked due to the monumental displacement of citizens of what has been Yugoslavia, there remain thousands of asylum seekers from a variety of other countries seeking refuge in Yugoslavia. Yugoslavia's treatment of these asylum seekers falls far short of the minimal standards for refugee protection.

Any asylum seeker who enters Yugoslavia without proper documents is subject to up to 30 days imprisonment for "illegal entry," usually served in small jails in border areas. Asylum seekers who are expelled from Austria after having transited through Slovenia fare no better; they face a possible prison sentence for having "illegally exited" from Yugoslavia. After completing their jail terms, they can be deported to their home countries. During the time of their imprisonment, asylum seekers have no access to legal counsel nor to the UNHCR. Yet during this period, some form of asylum pre-screening takes place.

Those who are not screened in are deported after they serve their sentences. Screened out asylum seekers are generally deported to Albania, Bulgaria, Hungary, or Romania, without ever having seen UNHCR officers. Up until June 1990, Albanians caught for unauthorized exit were subject to a minimum 10-year prison sentence or a maximum death penalty. In January 1991, 368 Albanians were forcibly returned to Albania without having had the option of presenting their refugee claims to UNHCR.

Little is known about the pre-screening procedures or authorities. One indication of their inadequacy, however, is that no person originating from Turkey has ever been screened in. Asylum seekers from Turkey, including those returned from Italy and Austria on the assumption that Yugoslavia respects the principle of *nonrefoulement*, appear to be subject to automatic deportation.

Those who are screened in are transferred to Padinska Skela, a federal detention center outside Belgrade, where they can be held indefinitely without legal recourse. Persons who have been incarcerated in Padinska Skela say that it is worse than the local jails. Former inmates report overcrowding, minimal accommodations, inadequate food, a lack of communication and recreational facilities, and brutality by guards. Some allege that they were beaten to force them to sign voluntary departure forms. Although Padinska Skela only has a capacity for about 150, it generally was holding about 400 during 1991. Consequently, several persons would be assigned to a single bed and were forced to sleep in shifts. In January 1991, 950 persons were being held in Padinska Skela.

From Padinska Skela, however, asylum seekers generally are given the opportunity to contact UNHCR. Although Yugoslavia has signed the 1951 Convention relating to refugees and the 1967 Protocol, the authorities refuse to take responsibility for finally determining refugee status or for assisting recognized refugees. These tasks are left to the UNHCR office in Belgrade. Those asylum seekers who are screened in during their month of detention for illegal entry or illegal exit are then referred to the UNHCR office. Asylum seekers with proper travel documents are also permitted to approach the UNHCR office directly.

Any refugees recognized as such by UNHCR must then be supported entirely by UNHCR. The government refuses to grant refugees permanent residency, insists that they be resettled in third countries, and refuses to contribute to their basic needs for food and housing. Recognized refugees are not permitted to work, are ineligible for government-subsidized health care, and are not allowed to send their children to school. UNHCR, therefore, bears all the costs for those it recognizes as refugees. UNHCR in 1991 was paying for seven centers to

accommodate up to 1,200 refugees at an annual cost of about \$4 million. No private agencies have been permitted to assist with the refugees.

During its visit in October 1991, USCR toured one of these centers, the Avala camp outside Belgrade, where third country nationals recognized by UNHCR as refugees were being housed. At that time, 130 refugees were living there. Conditions were adequate, but dreary. Adults who had attempted to leave the camp as day laborers had been arrested and deported. The refugees themselves were attempting to teach their children informally, since they were not permitted to attend Yugoslav schools. Refugees complained about the amount and quality of the food, about boredom and not being allowed to work or study, about lack of warm clothing, and, most of all, about the dim prospects for third country resettlement.

The remaining 600 or so UNHCR-recognized Albanian refugees in Yugoslavia are in a hopeless situation. They have almost no chance for third country resettlement. For example, the United States will only process those with ties to the United States, which is rare among Albanians who have been cut off from the outside world for decades. And they also have no chance to regularize their status in Yugoslavia.

The number of Albanian asylum seekers entering Yugoslavia tapered off somewhat during the last half of 1991 because of the heavy deployment of the army on the Albanian-Yugoslav border. In August and September, ten persons were shot and killed attempting to cross into Yugoslavia.

Although Albanians remained the largest group of asylum seekers in 1991, Iraqis represented the second largest group, as Yugoslavia does not require a visa from that country. Most arrived with valid passports. The Iraqi asylum seekers were about equally divided among Shi'ites, Kurds, and Christians. But this group, too, has had poor luck in being resettled. Many do have relatives in the United States, but U.S.

policy has been to designate Belgrade only as a processing post for East Europeans, thus excluding Iraqis, Sri Lankans, Somalis, and other non-European nationalities. The irony is that the United States has dropped all East European countries except Albanians with U.S.-ties from its list of countries of designated humanitarian concern for refugee processing, with the result that many bona fide refugees in need of resettlement are being excluded.

In 1991, 1,616 persons applied to the UNHCR office for refugee status. Of that number, 906, or 56 percent, were Albanians. Of the total, 53 percent were recognized under UNHCR's mandate as refugees. Of the 770 recognized refugees, 716, or 93 percent, were Albanian. Of the total, 51 percent were recognized under UNHCR's mandate as refugees. Of the 825 recognized refugees, 734, nearly 90 percent, were Albanian. In 1990, 2,462 applied for asylum with the UNHCR office in Belgrade; the number in 1989 was 7,112.

An exception to the general treatment of asylum seekers occurred in March and April 1991 with the arrival of two large groups of Albanians with ethnic ties in Yugoslavia. First, in March, a group of about 1,200 Albanians of Montenegrin origin massed on the border of the Yugoslav republic of Montenegro outside Titograd. Later, a group of about 600 ethnic Macedonians from Albania did the same thing. The two republics admitted the refugees directly and never referred them to UNHCR. The ethnic Macedonians were housed in relatively comfortable surroundings, but little effort was made to place them in jobs or to integrate them into Macedonia. After holding both groups in camps for a period of time, Yugoslavia recognized about 1,400 Montenegrins as refugees and indicated plans to resettle them in Kosovo, a heavily ethnic Albanian region of Serbia. Resettling them in Kosovo was seen as consistent with a Serbian strategy to tip the ethnic balance in Kosovo away from ethnic Albanians. By October, about 250 of the Montenegrins had voluntarily returned to Albania.



Croatian national guardsmen drag a Croatian man from the last refugee ship to leave Dubrovnik on November 14. The Croatian authorities prevent men between the ages of 14 and 65 from leaving Croatia as refugees.

Generally, the UN *Handbook* holds that states have a sovereign right to conscript their citizens, so that draft evasion or desertion per se could not be considered grounds for refugee status. There are certain circumstances, however, under which draft evaders and deserters can be so recognized. For example, if "the type of military action with which an individual does not want to be associated is condemned by the international community as contrary to the basic rules of human conduct," the UN *Handbook* says that "punishment for desertion or draft evasion could...in itself be regarded as persecution."

Perhaps the arms embargo on Yugoslavia could be interpreted as constituting the required international condemnation, but this has yet to be tested.

In the meantime, men of military age who flee the fighting are in particular jeopardy of being returned to a war that the international community solidly opposes.

#### RECOMMENDATIONS I: Calling a Refugee a Refugee

The U.S. Committee for Refugees recommends that

- 1) the U.S. Attorney General designate nationals of Yugoslavia and its breakaway republics residing in the United States for Temporary Protected Status;

2) European states protect Yugoslav nationals residing in their countries from deportation until conditions have improved sufficiently to ensure that the personal safety of returnees will not be jeopardized;

3) European states that have not already done so, incorporate into national legal codes humanitarian grounds for staying deportation based on generalized, unsafe conditions in home countries;

4) the UN General Assembly consider drafting a Convention on Refugees of War and Civil Strife, adopting language, as appropriate, from the Organization of African Unity's *Convention Regarding the Specific Aspects of Refugee Problems in Africa* and the *Cartagena Declaration* of the Organization of American States (OAS), that would universalize the recognition in these regional instruments of the need to protect refugees from armed conflict; and that

5) the UN General Assembly formally condemn the civil war in Yugoslavia as contrary to basic rules of human conduct, not only because of the atrocities that have been committed, but as a means of providing firm protection to Yugoslav men of military age outside Yugoslavia who might otherwise be at risk of forced return to a war that is opposed by the community of nations.

## CONCLUSION II: Addressing Root Causes

Europe is entering a new era. And it is not a "New World Order." The disorder unleashed by the crumbling of communist domination of Eastern Europe and the Soviet Union is of a type not seen since before World War I. European warfare explodes not between states, but among competing nationalities within multinational states that have lost their power to repress nationalistic drives. The "tribal" conflicts of Africa, the Middle East, and Asia that owe so much to borders drawn by imperial powers who failed to take national identity demographics into account are now beginning to look very familiar to Europeans.

As in Africa, concentrations of European ethnic groups with nationalist aspirations often cross international boundaries. A concentration of some 80,000 Croats living in Hungary provides an important nucleus of support for Croatian refugees fleeing Yugoslavia. Needless to say, the Hungarians greet ethnic Hungarians fleeing the conflict especially warmly, as they have done during the past several years for ethnic Hungarians fleeing Romania. Revealing a similar attitude of national solidarity crossing international frontiers, an Italian refugee official in Rome told USCR that special consideration would be made for several tens of thousands of Yugoslavs of Italian origin along the Dalmatian coast. While the hospitality of Hungary and other neighboring states has been praiseworthy, it should also be noted that their motivations are probably not simply humanitarian. History and ethnicity join to form spheres of interest. This may be expressed as humanitarian concern--and we are grateful when it is--but it would be naive to suppose that other interests, political and economic, are not present as well.

Throughout history, most of the surrounding states have been joined with some part of present-day Yugoslavia, and often harbor proprietary sentiments about these regions, particularly when cultural, linguistic, and ethnic similarities have remained intact, despite political divisions. Therefore, Hungary takes a particular interest in the heavily ethnic Hungarian populated Vojvodina region of Serbia; Austria, perhaps recalling its control of Slovenia and Croatia under the Hapsburgs, today strikes a protective stance towards those breakaway republics; Greece and Bulgaria keep a careful eye on Macedonia; and Albania makes no secret of its desire to unite some day with Kosovo.

Although the war in Yugoslavia is highly unlikely to draw surrounding states into actual combat, it must be remembered that World War I was touched off when a Bosnian Serb assassinated Austrian Archduke Francis Ferdinand, causing the Austro-Hungarian empire to declare war on Serbia. The history of World War II also casts a shadow on the present conflict. Serbs are extremely wary of Germany's role in pushing for the recognition of Slovenia and Croatia in light of Nazi Germany's control of Yugoslavia in 1941, when it established the fascist Ustasha regime in Croatia. For many Serbs--and Croatians too--the fifty years since are

but a blink of the eye; the negative emotions of hatred, fear, and bitterness, as well as the positive emotions of ethnic pride and national solidarity that had lain dormant, were revived with the collapse of the communist party's power to suppress them.

Within Yugoslavia's internal borders, the distribution of ethnic groups in the republics, for the most part, does not closely follow political boundaries. Before the civil war began, Serbia itself was 85 percent Serb; the region of Vojvodina (within Serbia), 56 percent Serb, 22 percent ethnic Hungarian, and 7 percent Croat. Kosovo (also within Serbia) was 78 percent Albanian, 15 percent Serb and Montenegrin. Croatia was 75 percent Croat, 12 percent Serb. Bosnia-Herzegovina, the most ethnically mixed republic, with a 39 percent Muslim, 32 percent Serb, 18 percent Croat distribution, was a tinderbox that had not yet exploded by year's end, but which, having declared its sovereignty in October, had potential for making the violence in Croatia look mild by comparison.

Just the opposite could be said of Slovenia, where a 91 percent Slovene population and geographic isolation (the only republic that does not share a border with Serbia) have combined to spare it from all but relatively minor warfare. Montenegro, which has stood steadfastly with Serbia in the present conflict, and Macedonia (which voted in favor of independence in September) are each comprised of about two-thirds of their respective ethnic groups with the rest a mixture of Muslims (13 percent), Albanians (7 percent), and Serbs (3 percent).

Although economic, ideological, religious, and other factors are part of the mix, the principal reason for the civil war was the unwillingness of Serbia—and the estimated 600,000 Serbs living in Croatia—to allow Croatia to break away from Yugoslavia and carry its Serbian minority along with it. The Serbian minority in Croatia remembers the hundreds of thousands of Serbs massacred during World War II in Croatia, and the new Croatian government failed to assure them of their rights and security in an independent Croatia. This prevented Croatia from peacefully breaking away from Yugoslavia, even though this was what was envisioned in the Brioni Treaty, signed in July, which called for a ceasefire, a delay in the independence of Croatia and Slovenia, withdrawal of the federal army from

Slovenian territory, and, most importantly, an agreement to forge a peaceful solution that would not involve violence in redrawing borders.

The Brioni Treaty did not stem the fighting, however. Serbs in heavily Serbian-populated regions of Croatia, such as the Krajina region, a 90-by-30 mile area along the Serbian and Bosnian borders, declared their refusal to live as a minority in an independent Croatia and began an armed struggle to carve out their own autonomous region, or, more likely, with the support of the Serb-dominated Yugoslav army, to redraw the map creating a "Greater Serbia" including heavily Serbian-populated areas of Croatia and Bosnia.

Because the conflict in Yugoslavia is essentially a resuscitation of dormant nationalism that had been repressed by the communist state for the past forty-five years, it might be worth a careful examination of pre-Cold War mechanisms for conflict resolution and refugee protection to see whether they might provide potential models for resolving the conflict and finding durable solutions for the plight of half a million refugees and rising. Howard Adelman in the forthcoming *1992 World Refugee Survey* proposes a reappraisal of refugee solutions from an earlier era, suggesting that they may be more relevant at the present time than the durable solutions turned to in the Cold War era:

*These three post World War II solutions to refugee situations (repatriation, local settlement, and resettlement) were very different from the three international responses most widely accepted before World War II, when ethnic conflict was considered the primary cause of refugee flows, rather than economic or political ideology. During that period, three very different permanent solutions were utilized: redrawing borders, exchanging populations, and securing international guarantees for minority rights.... They differ because the latter Cold War solutions are premised on the sanctity of national borders and on the integrity of sovereign states, a rationale arguably reflecting Western desires to resist the expansion of communist ideology.*

Adelman suggests that when displacement was caused by conflicts that were more nationalist in character and less ideological, solutions included redrawing boundaries, exchanging populations,

and instituting guarantees for minority rights. A closer look at such solutions by the international humanitarian community might be warranted not only by the situation in Yugoslavia, but by recent developments elsewhere as well.

Without endorsing aggression and the changing of boundaries by force, the solution to the plight of displaced persons nevertheless needs to be based on a realistic assessment of the situation, including demographic patterns as they exist. The post-World War II consensus internationally has been that borders are sacrosanct and, in the name of order and stability, should not be altered. But part of acknowledging reality is to recognize that maintaining the status quo no longer necessarily engenders stability.

Thus, the starting point in finding a solution to the refugee crisis in Yugoslavia is to address the root cause of refugee flight—the violent break-up of Yugoslavia. First, therefore, must come the realization and acceptance of the fact that Yugoslavia no longer exists. Yugoslavia not only has broken apart, at this point she has been torn asunder. But the worst could yet be to come. We have seen Croatia bleeding and prostrate. Must Bosnia and other parts of Yugoslavia seeking separation become soaked in blood as well before they are able to go their own way? The answer is "No"—further bloodshed is not inevitable; separation need not be violent.

Not only for Yugoslavia, the world community needs now to reject the presumption that existing multinational states should be maintained in all particulars and at all costs. Rather, we need to begin to think of ways to ease transitions of national groupings peacefully into statehood and other satisfactory arrangements, while at the same time maintaining full respect for human rights. Clear guidelines for the protection of minority rights in emerging nations need to be the *sine qua non* of their recognition by the community of nations. At the same time, the international humanitarian community, in particular, ought to take a fresh look at the concept of the peaceful and voluntary transfer of populations or democratically ratified border adjustments to see how those approaches might help to avert bloodshed while accoring with human rights principles.

We need to avoid a repeat of Yugoslavia where population transfers are compelled by

threats, massacres, and destruction. Following this general principle, the international community in the months and years ahead may well find benefit in turning to an international organization—such as the International Organization for Migration (IOM), which heretofore has been involved mostly in transporting individuals—to develop planned, orderly, and voluntary mechanisms for relocating populations as part of wider peace-making efforts. This should be approached in much the same way that UNHCR has been involved in mass voluntary repatriation programs, such as the one successfully completed in Namibia.

Repatriation programs provide a model as well as a warning. While it is true that repatriation, when voluntary, is the usually best durable solution for a refugee, if it is not voluntary, return to the home country is the worst outcome—in fact it is a violation of Article 33 of the Refugee Convention. We should examine population transfers in the same light. If based on completely voluntary and informed choice by the people being moved as well as

**We have seen Croatia bleeding and prostrate. Must Bosnia and other parts of Yugoslavia seeking separation become soaked in blood as well before they are able to go their own way? The answer is "No"—further bloodshed is not inevitable; separation need not be violent.**

with the consent of the people living in the territories into which they are being relocated, such transfers could provide an alternative to war and chronic displacement. If people are coerced to move, or if host communities do not consent to their arrival, population transfer becomes a serious human rights violation. Historically, such transfers have frequently been used by states to colonize, exploit, or suppress minorities. It need not be so. But history teaches us to be cautious, and to keep the welfare and wishes of the people themselves at the forefront of our consideration of this option.

In the specific case of Yugoslavia, resolving

the causes of conflict and displacement cannot begin until the guns are silenced. The peace plans put forward by the European Community and the United Nations address the essential principles to resolve this conflict—self-determination on the one hand, and guarantees for the rights of minorities on the other. The peacemakers, Lord Carrington and Cyrus Vance, have been fair and balanced in their approach. But the fighting has continued. And influential countries, in particular the United States, have held back, seemingly hesitant to consider solutions that have not been tried in many decades and which may have far-reaching consequences for other European states. But the need to move forward is critical. A recent *New York Times* editorial put it best:

*UN action is...complicated by the fact that the Yugoslav federation, though by now a political fiction, remains a member state. That makes the conflict nominally an internal affair...*

*At a minimum, the UN and its member states, including the United States, can drop the paralyzing pretense that federal Yugoslavia still exists. That would free the world body to stop what is already a shooting war between two states and threatens to involve more.*

#### **RECOMMENDATIONS II: Addressing Root Causes**

While it normally is beyond the mandate and competence of the U.S. Committee for Refugees to propose solutions of a political nature, and we do not intend to do so in any detail here, we nevertheless see in the Yugoslav situation the first of what could be many refugee disruptions of a kind not experienced in Europe for a generation. Bearing this in mind, the U.S. Committee for Refugees recommends that

- 1) the United States become engaged in the peace process in Yugoslavia to help break the logjam created in part by a reluctance to acknowledge that we have entered a historical moment when national borders in Europe are changing and that such change

may be in the interest of international peace and security.

- 2) member states of the UN, including the United States, recognize the independence of Yugoslav republics that democratically choose independence through plebiscites and who guarantee the rights of minorities on their soil, including the right against compelled migration;
- 3) the international humanitarian community determine whether it would be in the interests of peace and of solving the refugee problem for it to encourage and financially assist voluntary population exchanges (including compensation for lost or abandoned property), predicated on the informed consent of both the people being moved and the population at the site of relocation; and that

- 4) the international community assist in the reconstruction and rehabilitation of Croatia, which has been ravaged by war.

#### **CONCLUSIONS AND RECOMMENDATIONS III: What To Do in the Meantime**

Although our principal conclusions and recommendations have addressed certain far-reaching questions, there are other recommendations that address short- and medium- term needs in the absence of a durable peace.

##### **1) Support Private Accommodations for Refugees**

Accommodation of the overwhelming majority of refugees in private homes is one of the most noteworthy and positive aspects of this crisis. But the duration of the crisis and the dramatic growth in the number of people displaced have made it harder and harder to keep the displaced out of camps. Time and numbers are the key factors: How long can assistance be maintained? What is the absorptive capacity of host communities? For Croatians displaced within Croatia, who join family and friends, and likewise for Serbians fleeing into Serbia, national solidarity, ethnic and family ties are likely to hold for some time. However, what

about Croats in Slovenia and Hungary? In those places, humanitarianism appears to be reaching its limits. Private families will require subsidies.

Given the experience of Yugoslav history, Slovenia will be understandably reluctant to admit what could develop as a Croatian minority within Slovenia. These governments, as well as international humanitarian organizations, recognize the importance of accommodating the refugees in private homes, and have properly directed their assistance into channels that help subsidize families willing to feed extra mouths. Maintaining adequate levels of assistance in the months ahead to support the receptivity of local communities will be money well spent. If such assistance fails to meet this need, the alternative will be the construction and maintenance of camps that likely will be far more expensive in the long run; not least because the camp alternative tends to prolong and exacerbate refugee dependency.

## 2) Humanitarian Assistance Inside Yugoslavia

Providing humanitarian assistance in a highly politicized war zone is as dangerous as it is difficult. In the face of great odds, including attacks on vehicles bearing the Red Cross emblem, the International Committee of the Red Cross, once again, has done heroic service. Because it is true to its mandate, however, and provides assistance and services to civilians and prisoners on both sides of the conflict, the Red Cross has become suspect in the eyes of certain parties to the conflict and their supporters both within and outside Yugoslavia who cannot countenance any of their assistance being channeled to the "wrong side" in the war. While the ICRC should be proud of this "humanitarian taint," which confirms its true humanitarian neutrality, other mechanisms for assistance could profitably be explored as well that might satisfy partisans—who after all are the most likely to contribute the most—without at the same time compromising humanitarian legitimacy.

For example, it might be worth exploring a joint World Council of Churches/Caritas (or Catholic Relief Services) appeal that could utilize the Orthodox and Roman Catholic church structures for humanitarian assistance in the respective parts of the country where each has a pre-existing base. Thereby, displaced persons within Croatia could be

supported through Caritas and displaced persons in Serbia through the WCC. Appeals to donors could go out jointly or separately. But, coordinating appeals and aid-transfer logistics would establish the principle of humanitarian balance, while also making it possible in practical terms, to reach areas that otherwise might be inaccessible to agencies wrongly perceived as partisan because of their balanced approach.

By whatever means the aid arrives, there is no doubt that the need for assistance is unlikely to diminish anytime soon. An ICRC delegate who has been responsible for distribution of relief through the local Red Cross societies told USCR that the assistance is "getting more African." He said, "We're no longer distributing cacao and tooth-brushes. It's basic, cheaper food stuffs now, oil and rice."

The ICRC has recently been joined in its efforts on behalf of displaced persons by an interagency UN appeal. The appeal, launched on December 3, teams the UNHCR with UNICEF and the World Health Organization (WHO) in a \$24.3 million appeal "to assist 500,000 Yugoslavs displaced in their own country by war." UNHCR will be distributing food parcels in coordination with the ICRC and local Red Cross societies, UNICEF will provide health kits for women and children, and WHO will concentrate their efforts on rehabilitation for displaced persons suffering mental health problems as a result of post-conflict trauma.

Private, nongovernmental organizations have also contributed to the effort. In addition to the Red Cross and church-related organizations, both Serbian and Croatian diaspora organizations have been actively involved in fund-raising efforts on behalf of their respective communities in the homeland. Also noteworthy for delivering medicines, pharmaceuticals, and other relief items to Croatia has been AmeriCares, a private relief agency.

The U.S. Committee for Refugees encourages and supports such private humanitarian initiatives. But the need is clearly more than the private, charitable sector can handle. USCR therefore applauds the U.S. government for contributions it has made to the relief efforts. In September and October, the U.S. government contributed \$1 million to ICRC for use within Yugoslavia and \$1.8 million to UNHCR for assistance to Yugoslav refu-

gees in Hungary. Following the joint UN appeal in December, President Bush ordered a \$7 million drawdown from the State Department's Emergency Migration and Refugee Assistance fund to contribute to UNHCR, the ICRC, other international organizations, governments and governmental organizations, and private voluntary organizations assisting refugees and displaced persons from the conflict in Yugoslavia. This crisis is precisely the type of emergency envisioned when the ERMA fund was created, and its use in this case is a tangible demonstration of American humanitarian concern.

### 3) U.S. Refugee Resettlement Processing

In addition to the financial assistance that the U.S. government is already providing, the United States can also play a particularly constructive role for refugees from this conflict who may need the option of third country resettlement. To enable the United States to play such a role, the Secretary of State should designate Yugoslavia as a country of "special humanitarian concern" for purposes of the U.S. refugee resettlement program. Currently, Albania

is the only country in Eastern Europe so designated. The United States has established a regional ceiling of 3,000 refugee admissions for FY 1992. Especially in light of an improved human rights situation in Albania, it makes sense for U.S. refugee processing posts in Europe to take a close look at Yugoslavs who may be of particular concern.

In this regard, one group that should be noted is inter-ethnic married couples and their families, who in some cases have few prospects near home and for whom third-country resettlement may be the only tolerable and humane solution. There are an estimated 1.5 million mixed Croat and Serb marriages in Yugoslavia. USCR learned of cases in which families put considerable pressure on daughters and sisters to separate from husbands belonging to different ethnic groups. Intolerance has been exacerbated as the country's nationality groups have become increasingly polarized. For such families, it is no exaggeration to say that the civil war pits parents against children and brothers against sisters.



USCR/B, Frellek