

The Balkans: Trouble in the Return of Refugees

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Europe awoke from its dream of stability and well-being on that day in 1992 when families and neighbours on its Balkan threshold declared cruel war on each other. Nothing like it had happened for almost fifty years on that side of the continent, and what was taking place was unimaginable for those of us who had never lived through a war, a war, moreover, in which the opposing factions were just like us, with children and lives exactly like ours. The oldest amongst us, who had lived through a war, remembered the words of their grandparents, who used to refer to that part of the world as the «hornet's nest of Europe» in the opening years of the twentieth century. All the great and evil wars were linked, so it was said, to some event in the Balkans, and our politicians, working to build Europe, came finally to realise this, though only after some delay, a considerable amount of difference of opinion and the odd few serious errors. Whether the «multilateral» solutions imposed with the purpose of putting an end to the various conflicts in the Balkans between 1991 and 1999 were or were not correct has been the subject of exhaustive analysis. In this essay, I propose merely to look at how they affected the refugees and displaced people who found themselves obliged to return to their homes once a so-called peaceful situation had been restored to the region.

The question that remains unanswered

is whether the dismembering of the former Yugoslavia in 1991 and the subsequent wars could have been avoided. How was it possible for the most progressive nation in the Communist bloc, the most modern nation where the citizens enjoyed considerable economic stability, a high standard of education and freedom of movement, to end up destroying itself in one of the cruellest massacres in Europe in the second half of the twentieth century? Former Yugoslavs from any of the now mutilated republics look back on distant and yet unresolved historical events in order to explain this bottled up hatred that seemed to turn them overnight into bitter enemies. How is it possible that the builders of Europe possessed neither the political vision nor the historical memory to anticipate what was about to happen? Because it was thus that we all embarked, in trepidation and astonishment, on a voyage whose final destiny remains as yet unknown.

First, the war between Belgrade and Zagreb, which spread to Bosnia and Herzegovina in 1992, resulted in 3.5 million refugees, internally displaced people and others who though not refugees were equally in need of humanitarian aid. Of these, 700,000 people took refuge in Europe, in particular in Germany, and more than 1.5 million were forced to become internal displaced people. In addition, it is estimated that at least 200,000 people were assassinated in Bosnia. The economic infrastructure of this small country was destroyed: little was left of its industries, roads, bridges, power stations and water treatment plants. Between 1992 and the signing of the Dayton Peace Agreement in November 1995, sixty percent of homes, fifty percent of

schools and thirty percent of hospitals were destroyed. The Office of the High Representative (OHR) was created by Dayton, as an external authority, representing the European Union, whose objectives were to lay the foundations for peace and to restore harmonious co-existence in Bosnia. Nevertheless, the view has always been that these objectives will not be achieved until the hundreds of thousands of refugees and millions of displaced people are able to return and be re-integrated into their places of origin. The question, eight years on, is whether Dayton has achieved its objectives and whether the conditions surrounding the return of the refugees have abided by and continue to meet the minimal rules on «security and dignity» that govern voluntary repatriation. The war in Kosovo in 1999 further complicated the delicate stability in the region. The NATO military intervention and the subsequent establishment of UNMIK (United Nations Interim Administration Mission in Kosovo), a UN mission to keep the peace, have copied the mechanism of the «protectorate» in the disputed territory of Kosovo, which is very similar to the OHR in Bosnia. Both initiatives have been described by external observers as neo-colonial structures aimed more at containing the violence than at building peace or promoting harmonious co-existence. In the context of this precarious stability, European countries, especially from 1998 onwards, have encouraged the return of several hundred thousand refugees from their territories. However, it is not always possible for refugees to return to homes, or even to the area of origin, that they were forced to abandon in fear of violence. The local authorities themselves, which for the most part are

the same authorities as those in power prior to the fighting, endeavour to sabotage returns with the use of delaying tactics and bureaucratic obstacles. In 1999, a UNHCR official declared that «the bureaucratic warfare was proving to be more effective than guerrilla warfare. The official went on to comment further that when administrative manoeuvring failed, terror became the option to which to resort».¹ The situation seemed not to have changed: in the first fortnight of March 2003, eight refugees who were returning to their homes in Bosnia were murdered. Such serious incidents not only prevent the few directly concerned from returning, but also spread the fear of return amongst the many who are still displaced people *sine die* in other parts of the region.

In the seminar «Conflict and Post-conflict in the Balkans»,² former refugees and victims from all the countries involved in the fighting concluded that the peace accords may have halted the war, but that they had not resolved the problems that were underneath the conflict. In the case of Bosnia, Dayton carved up the country and consolidated the ethnic divide, so that the violence remains latent; in the case of Kosovo, Resolution 1244 did not resolve the problem of the final status of the area, so there are no prospects for a restoration of normal peaceful co-existence, at least in the short and medium term.

In June 2003, the president of the Migration, Asylum, Refugees Regional Initiative of the Stability Pact for South Eastern Europe recognised that there are still more than a million refugees and displaced people in the region for whom a solution needs to be found.³ Nevertheless, we need to ask ourselves how a development plan can be implemented in a context in which the black market and organised crime are at the reins of an illegal but thriving economy, while sixty percent of the population have no employment and two-thirds of young people want to leave the region but are trapped there by the impossibility of emigrating legally to anywhere else.

TABLE 14 Main destinations of refugees from the Balkans

Origin	Refugee population (end of 2002)	
	Total	of whom: assisted by the UNHCR
Bosnia-Herzegovina	371,570 (121,449 in Serbia and Montenegro) (92,293 in the United States) (53,435 in Sweden)	129,758
Croatia	269,733 (228,655 in Serbia and Montenegro) (22,016 in Bosnia-Herzegovina) (6,258 in the United States)	228,662
Serbia and Montenegro	161,277 (28,727 in Sweden) (20,171 in Germany) (18,880 in the UK)	4,847
Albania	8,757 (4,534 in the United States) (1,186 in Canada)	39
Macedonia	4,909 (3,614) in Serbia and Montenegro	3,660
Slovenia	723	650
Total	816,969	367,616

Source: UNHCR Population Statistics 2002, www.unhcr.ch

Investing in the Balkans ought to entail factors that would make it possible to improve the «quality of the peace», which is still unsatisfactory due to the fact that the fundamental problems have not been tackled, and because those who instigated and directed the war are still present in the country's authority, and in some instances still in positions of power as officials or policemen. The fragility of the system has created the perception that there are no adequate democratic means for removing these individuals from power because beneath the semblance of democracy, a form of corruption has emerged which is controlled by the political and criminal factions that promoted and implemented the war. In addition, there is the impunity and arbitrariness that prevails throughout the region, since the national judicial systems, which are inherited from the past, are neither operative nor do they guarantee justice. Civil society perceives that the mechanisms of justice are failing, which complicates any seeking of initiatives to establish normal democracy. Furthermore, the action of the International Criminal Tribunal for the Former Yugoslavia has angered important sectors of society that do not

recognise its legitimacy. As a result, far from contributing to restoring peace, the national justice/international justice binomial would seem to constitute a source of frustration for some and of provocation for others.⁴

It is doubtful whether return initiatives, promoted or instigated by many European countries where most of the refugees who fled between 1991 and 1999 have settled, meet the minimum guarantees established by international law on refugees. It is not surprising, therefore, that a high level of insecurity should reign even now in places where more than a million people remain, still displaced and with no resources. Nor is it strange that a desire to emigrate by any means possible should be the most commonly-held aspiration for the future.

In this context, the former «refugees», who are now the «returned», in the Balkans, as well as the internally displaced people and those members of civil society who managed to stand their ground and avoid exile, all face a future that is both discouraging and unpromising, trapped as they are between their memories of the past and our disregard of their tragedy.

¹ Comments by V. Turk quoted in Wilkinson, Ray, «A decisive year», in *Refugees Magazine*, no. 114 (1999).

² Summary of the seminar «Conflict and Post-conflict in the Balkans», Granada, 4th to 6th April 2003, Spanish Committee of the UNHCR and Globalitaria-Peace Building Initiatives, www.globalitaria.net

³ BBC World News, Sarajevo, 24th June 2003, «Bosnia: Stability Pact official presents regional programme for refugee issues», www.bbcnews.com.

⁴ Reflections taken from the summary of the Granada seminar, op. cit.

TABLE 15 Asylum seekers, refugees and internal displaced people in the Balkans

Destination country ¹	Refugees (country of origin)	Asylum- seekers	Returned refugees	Other affected people			Total population of UNHCR concern
				Internal displaced people (IDP)	Returned IDPs	Various ²	
Albania	17	52	3	-	-	-	72
Bosnia-Herzegovina	28,022 of whom: 22,016 from Croatia 5,999 from Serbia and Montenegro	457	41,705	367,491	70,775	-	508,450
Croatia	8,392 of whom: 7,672 from Bosnia-Herzegovina	52	17,287	17,100	6,302	-	49,133
FYR Macedonia	2,816 of whom: 2,765 from Serbia and Montenegro	62	10,767	9,442	6,929	2,130	32,146
Serbia and Montenegro	354,402 of whom: 228,655 from Croatia 121,449 from Serbia and Montenegro 3,614 from Macedonia	37	14,242	261,826	-	85,000	715,507
Slovenia	390	193	-	-	-	1,279	1,862
Total	394,039	853	84,004	655,859	84,006	88,409	1,307,170

The data are usually provided by governments, based on their own definitions and data collection methods.
A hyphen (-) indicates that the value is zero, unavailable or not applicable.

¹ Country or territory of asylum or residence. In the absence of governmental data, UNHCR has estimated the population of refugees in the most industrialised countries on the basis of the most recent refugee arrivals and the recognition of asylum seekers.

² People who are a cause for concern for the UNHCR and who are not included in the previous columns, including forced immigrants (Russian Federation) stateless persons (Belarus, Kuwait, Macedonia, Kazakhstan), local residents-at-risk (Kosovo, Serbia and Montenegro), Sahrawis (Mauritania), Afghan asylum seekers (Russian Federation, UNHCR, etc).

Source: UNHCR Population Statistics 2002, www.unhcr.ch