



**THE KONJIC CONUNDRUM:  
WHY MINORITIES HAVE FAILED TO RETURN TO MODEL OPEN CITY**

**ICG Bosnia Project - Report N° 35  
19 June 1998**

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>I. INTRODUCTION .....</b>	<b>1</b>
A. DEMOGRAPHICS.....	2
B. MUNICIPAL ADMINISTRATION.....	3
C. POLICE.....	3
D. RECEPTIVITY TO MINORITY RETURNS AND THE OPEN CITIES INITIATIVE .....	4
<b>II. CIRCUMSTANCES DISCOURAGING RETURNS .....</b>	<b>7</b>
A. PROBLEMS WITH RECLAIMING PROPERTY .....	8
B. OBSTRUCTION BY THE HOUSING DEPARTMENT AND DELAYS BY OTHER AUTHORITIES.....	10
1. <i>Double-Occupancy Cases</i> .....	10
2. <i>Other Obstacles to Reclaiming Homes</i> .....	11
3. <i>Delays: Particular Deterrent to Serb Returnees</i> .....	12
C. RETURN TO THE VILLAGES: LACK OF SECURITY AND BASIC SERVICES.....	13
1. <i>Security</i> .....	13
2. <i>Lack of Basic Services</i> .....	14
D. PRESSURE FROM SERB AND CROAT AUTHORITIES NOT TO RETURN AND LACK OF INFORMATION .....	14
E. WEAK ECONOMY .....	16
<b>III. PROBLEMS WITH IMPLEMENTATION OF THE OPEN CITIES INITIATIVE .....</b>	<b>18</b>
A. INADEQUATE MONITORING OF MUNICIPAL AUTHORITIES.....	18
B. POOR MONITORING OF UNHCR RECONSTRUCTION PROJECTS .....	20
<b>IV. CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>21</b>
A. PROBLEMS WITH RECLAIMING HOMES.....	22
1. <i>Homes Repaired by the International Community</i> .....	22
2. <i>Double Occupancy</i> .....	23
3. <i>Delays in Resolving Property Problems</i> .....	23
B. PROBLEMS CONCERNING RETURNS TO VILLAGES.....	23
C. PRESSURE FROM SERB AND CROAT HARD-LINE AUTHORITIES AND LACK OF INFORMATION ..	24
D. ECONOMY.....	24
E. PROBLEMS WITH UNHCR'S IMPLEMENTATION OF THE OPEN CITIES INITIATIVE .....	25
<b>ABOUT THE INTERNATIONAL CRISIS GROUP .....</b>	<b>26</b>
<b>SELECTED BALKANS PROJECT REPORTS</b>	
<b>LIST OF ICG BOARD MEMBERS</b>	



## THE KONJIC CONUNDRUM: WHY MINORITIES HAVE FAILED TO RETURN TO MODEL OPEN CITY

### EXECUTIVE SUMMARY

On 1 July 1997 Konjic became the first municipality in Bosnia and Herzegovina (Bosnia) to be officially recognised as an Open City by the Office of the United Nations High Commissioner for Refugees (UNHCR). At the time, the Open Cities Initiative was supposed to form the backbone of UNHCR's approach to minority return. To obtain Open City status Konjic had to demonstrate a willingness to accept the return of minority displaced persons. In return, the UNHCR endeavoured to reward the municipality with additional funding. However, despite large-scale financial assistance and although close to 2,000 minority families have formally registered their intent to return, reliable sources estimate that fewer than 300 minority returnees have made their way home to Konjic since the Dayton Peace Agreement (DPA) brought the Bosnian war to a halt.

Konjic has to date received more than \$14 million in aid. That represents nearly a quarter of the \$60 million disbursed or committed to the Open Cities Initiative by the end of April 1998. The Open City of Kakanj, by contrast, has received less than one-fourth of the economic assistance Konjic has but has accepted a greater number of minority returnees. International aid has paid for the reconstruction of 501 homes and several municipal buildings in Konjic. However, some two-thirds of the reconstructed homes remain empty because their owners, who signed contracts pledging to return to their homes, once rebuilt, have failed to do so.

Although the ratio between habitable dwellings and population is almost the same as before the war, the main hurdle facing potential minority returnees to Konjic town is the difficulty of re-claiming their homes. The principal obstacle is "double occupancy", that is, the occupancy of two or more homes by a family that before the war occupied only one home. Municipal authorities have dragged their feet on this issue and generally failed to evict families currently sitting on more than one property. Minorities also cite a lack of basic services, such as health care, in outlying areas and security concerns as obstacles to return. That said, Konjic has not been the scene of any serious ethnically-motivated violence.

Most displaced Serbs and Croats from Konjic currently live in areas controlled by hard-line nationalists of their ethnic community: Serbs in Trebinje and Visegrad, and Croats in western Herzegovina. They are thus targets of a mixture of propaganda, carrots and sticks to keep them where they are. The goal of the hard-liners is to maintain and re-enforce the ethnic separation caused by the war. The displaced Serbs and Croats are needed where they currently live to occupy the homes of other minorities to prevent their return. Konjic's weak economy is also a major deterrent to returns. This is especially the case for Croats, many of whom believe they have better employment prospects in the areas in which they currently reside.

Since UNHCR originally designated Konjic an Open City and itself put up much of the reconstruction assistance, it bears a particular responsibility to scrutinise the municipal authorities and their approach to minority returns. However, it has failed to take a pro-active approach; failed adequately to monitor reconstruction and housing issues; and failed to mobilise donors and agencies with a political mandate to exert pressure on the municipal authorities.

Despite the problems outlined above, Konjic remains one of the most promising municipalities in Bosnia for minority returns, and in particular for Serb returns. This is because of the relative availability of housing; the relative receptivity of the municipality to minority returns; and the amount of aid already given to the municipality. In addition, Konjic appears to be a safe destination for minority returnees; the police has a high proportion of officers from minority communities; and the municipality has already benefited from considerable international assistance. Konjic is not, however, a model for how best to spend scarce funds to support minority returns. The report ends with three pages of recommendations, including the following:

- Municipal authorities, NGOs involved in reconstruction, and UNHCR must take more effective steps before starting to rebuild homes to ensure that pre-war occupants and/or owners are genuinely committed to returning there.
- UNHCR's implementing partners, and ultimately UNHCR, should ensure that the pre-war owners have indeed been notified that repairs have been completed and that, if the families do not reclaim the home by a certain date, another family will be given the legal right to live in the home temporarily.
- Rather than reconstructing homes in areas that international monitors believe are attractive for return, international agencies should meet with displaced persons in groups, support the formation of associations, and take guidance from these meetings as to where returns are most likely to be successful.
- Municipal authorities must issue and implement eviction orders in cases of double occupancy immediately, and UNHCR, the Office of the High

Representative (OHR) and donors must make clear that international assistance projects will be suspended until they do so.

- UNHCR, OHR and the International Police Task Force should urge donors to provide additional funds, or else insist that funds already given be used, for essential police equipment such as cars and radios, and essential services in villages to which minorities are actually returning.
- Donors, the American Refugee Committee and OHR should support the formation of displaced persons associations, particularly in Visegrad and Trebinje, where most of Konjic's 6,000 displaced Serbs are concentrated.
- UNHCR should be more active in monitoring, and taking steps to unplug, the bottle-necks obstructing minority returns.

**Sarajevo, 19 June 1998**

# THE KONJIC CONUNDRUM: WHY MINORITIES HAVE FAILED TO RETURN TO MODEL OPEN CITY

## I. INTRODUCTION

On 1 July 1997 Konjic became the first municipality in Bosnia and Herzegovina (Bosnia) to be officially recognised as an Open City by the Office of the United Nations High Commissioner for Refugees (UNHCR). At the time, the Open Cities Initiative was supposed to form the backbone of UNHCR's approach to minority return. To obtain Open City status Konjic had to demonstrate a willingness to accept the return of minority displaced persons.<sup>1</sup> In return, the UNHCR endeavoured to reward the municipality with additional funding. Despite large-scale financial assistance and although UNHCR considers Konjic the most successful Open City, according to reliable sources fewer than 300 minority returnees have made their way home to Konjic since the Dayton Peace Agreement (DPA)<sup>2</sup> brought the Bosnian war to a halt.

This report, the latest in a series of ICG municipality studies, assesses Konjic's record as an Open City during the past year. It examines the current demographic position, the municipal administration, the police and the overall receptivity to minority returns. It assesses obstacles to return: the difficulties returnees face reclaiming their property; obstructionism by the municipal authorities; security concerns and the lack of basic services; the pressure of Serb and Croat authorities on displaced persons of their own ethnic group not to return; and the difficult economic environment. The report also considers problems with implementing the Open Cities Initiative. And it ends with three pages of considered recommendations which, if implemented, could help ease reintegration of minority communities and facilitate further returns.

---

<sup>1</sup> "Displaced persons" refers to refugees and internally displaced persons. "Refugees" are displaced persons who fled to other countries, and "internally displaced persons" are those who remained inside the country. "Majority" and "minority returns" are used to indicate whether the homes of origin of returnees lie in territory where their ethnic group is in the majority, or whether they would be returning to territory controlled by another ethnic group.

<sup>2</sup> The Dayton Peace Agreement or General Framework for Peace in Bosnia and Herzegovina was initialed in Dayton, Ohio, on 21 November 1995, and signed in Paris on 14 December 1995.

## A. Demographics

Konjic is the largest municipality in Bosnia comprising 1,102 km<sup>2</sup> and 165 villages. It is situated mid-way between Sarajevo and Mostar. During the war, Konjic was scene of two conflicts, first between the predominantly-Bosniac Bosnian Army and the Bosnian Serb Army (*Vojska Republike Srpske* or VRS),<sup>3</sup> and then between the Bosnian Army and the Bosnian Croat Army (*Hrvatsko vijece obrane* or HVO). By spring 1993, the Bosnian Army had gained control over most of the municipality, though the HVO maintained control over Zabrdje, a western pocket of the town of Konjic, which retains a Croat majority today. The VRS also held five villages in the municipality until the end of hostilities which, under the DPA, were transferred to the Federation. During the war Bosniacs forced out of Croat- and Serb-controlled areas began to pour into Konjic, and the Bosnian Army responded by expelling Serbs and Croats. The 2 March 1994 Washington Agreement ended the fighting between the Bosnian Army and the HVO.

As a result of the war, Konjic underwent striking demographic changes, as the following table illustrates:<sup>4</sup>

	Bosniacs		Croats		Serbs		Others		Total
1991	23,791	55%	11,354	26%	6,645	15%	1,846	4%	43,636
March 1998	30,489	93%	1,739	5%	728	2%	0	0%	32,956

The population of Konjic has dropped by about 25 percent, and Bosniacs, who made up slightly more than half of the pre-war population, currently form the vast majority. 18,352 pre-war Konjic residents fled the municipality as a result of the war: 6,098 (92 percent) of Serbs, 10,254 (90 percent) of Croats, and 2,003 (8 percent) of Bosniacs.<sup>5</sup>

Most of the Croats settled in Croatia and hard-line, HDZ-controlled regions to the south of Konjic, including about 5,000 in West Mostar. Most of the Serbs -- including some 600 who left after the end of hostilities -- fled to Visegrad and Trebinje in eastern Republika Srpska. Most of the Croats who remained in Konjic live in the town or south-west of the town

<sup>3</sup> The International War Crimes Tribunal in The Hague indicted three Bosniacs and one Bosnian Croat from Konjic for war crimes committed in the Celebici camp against Serbs in the summer and autumn of 1992.

<sup>4</sup> The 1991 figure is from the Yugoslav census and the March 1998 figure was provided by UNHCR. Cited figures are those supplied by identified sources. They cannot be precise given the vagaries of population registration.

<sup>5</sup> *Opcina Konjic, Plan povratka izbjeglica na podrucje općine Konjic* (Konjic Municipality, Return Plan), January 1998 (hereafter *Opcina Konjic Plan*).

in the villages of Zabrdje, Zaslavlje and Turija, all of which have Croat majorities.<sup>6</sup>

According to the Serb Civic Council (*Srpsko gradjansko vijece* or SGV) in Konjic, some 550 Serbs live in the municipality, including 350 in town (of 2,500 Serbs who lived in the town before the war). Approximately one-fourth are over the age of 70, and more than 100 are in mixed families. Some 16 families (50 Serbs) have returned, and in half of these cases a family member never left the municipality.

Some 8,000 persons are displaced in Konjic, most of them Bosniacs, including some 2,400 who lived in Konjic before the war but are no longer living in their own homes, and 5,000 to 6,000 who are from places outside Konjic (including 2,500 from the hard-line Croat-controlled areas of Stolac, Mostar, Capljina and Prozor, and 520 from Republika Srpska).<sup>7</sup>

## **B. Municipal Administration**

In the September 1997 elections, the Croat nationalist party, the HDZ (*Hrvatska demokratska zajednica*), won 5 of the municipal council's 30 seats. The remaining 25 seats were won by a mix of Bosniacs.<sup>8</sup> The council elected Emir Bubalo, a Bosniac considered to be moderate, as mayor and Ivo Andelic, a Croat, as council president. Andelic lives in both Konjic and West Mostar (a one-hour's drive from Konjic town). Of the seven municipal secretaries, all are Bosniac except for the Secretary for Reconstruction, Darko Andelic, a Croat who remained in the municipality throughout the war and now unflaggingly endeavours to promote returns. One Croat councillor has returned to live full-time in the municipality; the three others remain displaced. Less than half a dozen of more than a 100 municipal employees (other than police) are non-Bosniac, including two employees (one Serb and one Croat) of the Municipal Returns Office (MRO).

## **C. Police**

The police force has reserved positions -- based on locally-brokered agreements -- for 68 Bosniacs, 33 Croats, 18 Serbs and 5 others.

---

<sup>6</sup> *Ibid.*, p. 1.

<sup>7</sup> Figures from UNHCR and the *Opcina Konjic Plan*, p. 2.

<sup>8</sup> The SDA-led Coalition won 13 seats, the Social Democratic Party won three seats, and nine seats went to independent candidates.



According to the United Nations International Police Task Force (IPTF), the force currently employs a total of 86 officers: 55 Bosniacs, 30 Croats, and one Serb. The slots for Serbs and others, though advertised, are yet to be filled. One third of the Croat officers have returned to live in Konjic in the past few months, while the others remain in Mostar. The Deputy Chief of Police, a Croat, has stated that he plans to return to the municipality. According to IPTF, however, this is doubtful. Although UNHCR has provided him with accommodation in the municipality, he has showed up for work only one week in the past three months and then only worked a few hours a day.

According to IPTF, although the Police Chief, a Bosniac, and the (Croat) Deputy Chief of Police do not have much of a working relationship, most police officers are co-operative and Bosniacs and Croats patrol together.

#### **D. Receptivity to Minority Returns and the Open Cities Initiative**

Konjic's openness to minority returns has long been recognised by international organisations.<sup>9</sup> In March 1997 UNHCR launched the Open Cities Initiative, whereby participating municipalities declare their openness to minority returns in exchange for which UNHCR provides additional reconstruction assistance and encourages donors to do likewise.<sup>10</sup> Konjic was the first municipality to be recognised as an Open City on 1 July 1997. Konjic received assistance for housing repair relatively quickly, as well as for other projects including the construction of a primary school, a social services centre and the main out-patient clinic.

---

<sup>9</sup> In early 1997 the Office of the High Representative (OHR) described the municipality as tolerant. (OHR, *Municipality Handbook*, May 1997) The Organisation for Security and Co-operation in Europe (OSCE) noted that: "Cases of intimidation of national minorities within the municipality are rare." (OSCE, *Assessment of Current Human Rights Situation in Konjic*, 12 August 1997.)

<sup>10</sup> For a fuller discussion and assessment of the Open Cities Initiative, see the ICG report *Minority Returns or Mass Relocation?* of May 1998. According to UNHCR, the basic criteria for an Open City are: "Genuine and consistent political will demonstrated by the local authorities after declaring to be Open Cities; confirmation that minority returns are occurring or will take place without any abuse of these minorities; confirmation that local authorities are genuinely committed to consistent and equal support for all members of the population for which they are responsible... confirmation that these human rights criteria have been applied to minorities who remained in the community and who returned later; due recognition of the relative numbers of minority returnees...; the demonstrated impartiality and involvement of the local police, in co-operation with IPTF as needed, in ensuring that security, law and order prevail for all. The integration of returnees into the local police force is to be encouraged; confirmation that local authorities are genuinely committed to the removal of mines throughout the municipality; and a positive use of the media to prepare the resident community for the return of minorities, to invite minorities to return and to promote reconciliation. Inflammatory statements must be banned." The criteria are listed in all *Open Cities Status Reports* published monthly by UNHCR.

In April 1997, the American Refugee Committee (ARC) concluded that: "Conditions are more conducive for minority returns here than in most other areas of Bosnia."<sup>11</sup> This remains the case today. There have been no violent incidents against returning minorities. On numerous occasions the Mayor and/or Deputy-Mayor have met with displaced persons to welcome them back, and have appeared in the local media calling for tolerance. Most recently, on 16 June 1998, the Mayor and Secretary for Reconstruction visited hard-line, HDZ-controlled Capljina and met with between 200 and 300 displaced Croats to encourage their return to Konjic.

In early 1998 an Association of Citizens for Legal Assistance office was established in Konjic to provide information and legal assistance to people who cannot afford lawyers. It is expected that the Association will be of particular assistance to returning minorities who need help in reclaiming their homes. The Catholic school in Konjic town offers a moderate curriculum for children of all religions, and the director of another school is a Serb.

The number of minority returns, however, is disappointing. The following UNHCR figures show the number of returns registered with the municipality before and after Konjic was declared an Open City:<sup>12</sup>

	BOSNIACS	CROATS	SERBS	TOTAL
DPA to 1 July 1997	386	188	23	597
July 1997 to 31 March 1998	224	42	29	295
TOTAL	610	230	52	892

From the figures in the table, it may be calculated that, during the 18 months between the end of the war and 1 July 1997 when Konjic was recognised as an Open City, an average of 21 Bosniacs and 12 non-Bosniacs returned per month. In the nine months after recognition, an average of 24 Bosniacs and 8 non-Bosniacs returned per month. If the increased assistance Konjic received as an Open City served to attract returns, it attracted greater numbers of Bosniacs, and not minorities, as compared to the period before recognition.

<sup>11</sup> American Refugee Committee--Europe, Project Proposal, 30 April 1997.

<sup>12</sup> These figures were provided by the UNHCR Konjic satellite office in April 1998. The UNHCR Mostar Field Office stated that there had been 241 Serb and Croat returns to Konjic since the DPA came into force until the end of April 1998. The municipality claims that there have been 358 until the end of March 1998 and 640 until the end of April 1998. UNHCR uses the municipality's figures in its Open Cities Status Reports, but the UNHCR office in Mostar says that the municipality has inflated its return numbers and recommends use of the lower figures.

According to the above figures, while 30 percent of Bosniacs who fled during the war have returned, only 2 percent of Croats and 0.9 percent of Serbs have done the same. By contrast, 5,000 Bosniacs have, for example, returned to Croat-controlled Jajce (30 percent of the 16,000 who had left), and 2,500 Croats have returned to Bosniac-controlled Travnik (11 percent of the 23,000 who had left).<sup>13</sup>

From July 1997 when Konjic was recognised as an Open City through the end of April 1998, international donors spent or committed \$14,182,653<sup>14</sup> for reconstruction and reintegration projects in Konjic. According to the municipality and UNHCR official reports, some 640 minorities had returned since the end of the war (although ICG believes the figure to be closer to 240-280, based on information from UNHCR field offices). By the end of April, there were eleven Open Cities, six of which had been recognised for five or more months.<sup>15</sup> In its most recent status report, UNHCR estimated that, by the end of April, some 5,500 minorities had returned to their homes in these cities since the end of war, and that a total of \$60 million had been committed and/or disbursed for reconstruction and reintegration projects in these cities since their recognition. Konjic thus had received about 25 percent of the funds disbursed for Open Cities, but had accounted for only 12 percent of the minority returns according to the municipality's own inflated figures.

Despite Konjic's disappointing record on minority returns UNHCR considers the municipality a model Open City. Moreover, other international organisations as well as minority representatives in Konjic tend not to fault the municipality for the paltry number minority returns and there are mitigating factors outside the municipality's control that have hampered minority returns. However, there are also measures the municipality could have undertaken to boost returns which it has failed to take.

---

<sup>13</sup> See ICG report *A Tale of Two Cities: Return of Displaced Persons to Jajce and Travnik* of June 1998.

<sup>14</sup> Every time \$ is used it means US\$.

<sup>15</sup> As of the end of March 1998, the Open Cities in the Federation were: Bihac, Busovaca, Gorazde, Kakanj, Konjic, Vogosca (all recognised July-November 1997) and Zenica; and in Republika Srpska: Laktasi, Mrkonjic Grad, Srbac and Sipovo.

## **II. CIRCUMSTANCES DISCOURAGING RETURNS**

A variety of circumstances, common throughout the Federation, discourage minorities from returning. Those who previously lived in Konjic town face great difficulties in reclaiming their homes, most of which are now occupied by Bosniacs. Many of these are so-called “double occupants” who have habitable homes to which they could return, including hundreds which have recently been reconstructed by foreign donors (see section A). Some delays are understandable, but others are due to obstruction on the part of the municipal housing department and/or lack of political will of other municipal authorities (see section B). The UNHCR, which has declared Konjic a model “Open City”, and other

international organisations responsible for promoting returns, could likely reduce these delays by better monitoring and better co-ordinating political interventions (see section IV). For those minorities who previously lived in villages, security is a major concern (see section C).

Most Serbs and Croats displaced from Konjic took refuge in areas now controlled by nationalist hard-liners. Many lack information about circumstances in Konjic; hard-line authorities discourage returns, in order to reinforce the ethnic separations accomplished by the war (see section D); and many, in particular Croats, believe they have better economic prospects in the municipalities where they have sought refuge (see section E).

### A. Problems with Reclaiming Property

The main hurdle faced by minorities who want to return to their homes is the difficulty of re-claiming their property. Of the 934 Croat families who had registered to return with the Department for Reconstruction by the end of 1997, the homes of 475 were occupied, including 353 flats in town and 122 houses, most in villages. (The homes of the remaining 453 were substantially damaged.)

The difficulty in reclaiming homes is not primarily caused by lack of housing stock. Whereas in much of Bosnia, war damage and the influx of displaced persons has strained housing capacity, this problem is not as pronounced in Konjic. The municipality has even admitted that: "The housing situation appears difficult for returnees, but is not as serious as in other municipalities."<sup>16</sup> The following table shows how housing capacity in Konjic has not been significantly affected:<sup>17</sup>

	Habitable Housing	Population	Home:Resident
1991	11,596	43,600	1:3.8
January 1996	7,813	42,500	1:5.4
May 1998	8,314	33,000	1:4.0

Before the war, there was one home for every 3.8 people. 4,158 homes were damaged during the war, 3,783 of which were destroyed over 40 percent and thus considered uninhabitable.<sup>18</sup> According to the

<sup>16</sup> *Opcina Konjic Plan*, p. 1.

<sup>17</sup> The 1991 population figure is from the Yugoslav census; the January 1996 figure, from the UNHCR *Repatriation Information Report*, March 1996; and the May 1998 figure, from the UNHCR Konjic office. The housing figures are from the International Management Group, *Preliminary Report on Housing and Infrastructure*, November 1996.

<sup>18</sup> 1,146 homes were more than 60 percent destroyed; 2,637 between 40 and 60 percent;

Department for Reconstruction, 501 uninhabitable homes have been repaired so far and the current population stands at 33,000, shifting the housing ratio to one home for every four people.<sup>19</sup>

\$5 million had been spent to repair the 501 homes.<sup>20</sup> According to international monitors, fewer than a third have been occupied; according to the housing department, keys were not even picked up by 16 Bosniacs (6 percent of Bosniacs whose homes were repaired), 33 Croats (21 percent) and 9 Serbs (16 percent).<sup>21</sup> The professed housing crunch in Konjic is, thus, in part due to the use of scarce donor resources to rebuild homes for people, both Bosniacs and minorities, who fail to return.

A great obstacle to returning minorities is the problem of “double occupancy”, that is, the occupancy of two or more homes by a family, usually Bosniac, that before the war occupied only one home. In early 1998, ARC and UNHCR compiled a list of 101 double-occupancy cases, predominantly dealing with apartments in Konjic town occupied by families that hold a second home (either in town or out of town). ARC is currently compiling a list of cases of double occupancy involving houses. To date about 80 have been identified.

Many houses in the village of Donje Selo, just outside the town, are being occupied by people whose homes were rebuilt with donor funds in the village of Glavaticevo. On a high-profile trip in July 1997, US Ambassador to the UN Bill Richardson brought attention to these cases. Many of the houses now serve as weekend homes or only part of the family has returned. By March 1998 the occupants still had not moved back to their reconstructed homes even though the Mayor had told them that they had to have returned by then. The US Embassy even gave the municipality a van for transportation to and from the village since the temporary occupants cited the lack of transportation as a reason for not returning.<sup>22</sup> Finally, the Mayor reached an agreement, to the satisfaction of UNHCR, with the 37 families whereby they consented to return to their homes in Glavaticevo within 24 hours of the pre-war occupant’s declaration of intent to return. The municipality assumed responsibility for contacting the pre-

---

<sup>19</sup> 184 between 20 and 40 percent; and 191 less than 20 percent. International Management Group, *Preliminary Report on Housing and Infrastructure*, November 1996.

According to *Elektrodistribucija* in Konjic, there are 18 villages in Konjic with 515 houses that had electricity before the war but currently do not. Many of the homes in these 18 villages are more than 40 percent damaged and are thus already listed as uninhabitable in the above calculation. If all of the 515 houses were to be added to the figure of uninhabitable homes (thus counting some houses twice), the housing to person ratio would shift to 1:4.2.

<sup>20</sup> UNHCR, *Open Cities Status Report*, 31 March 1998.

<sup>21</sup> According to the Department for Reconstruction, of the 501 homes that were reconstructed, 286 or 57 percent were for Bosniacs, 157 or 31 percent for Croats and 58 or 12 percent for Serbs.

<sup>22</sup> The municipality uses the van for its own purposes; most of the time it can be seen parked outside of the municipal building.

war occupants, which supposedly took place in late March 1998. Two families were indeed evicted from homes they were occupying in Donje Selo when the Serb owners returned. On a 25 April 1998 assessment visit of Serbs displaced from Donje Selo, the Mayor of Konjic publicly promised the displaced persons that their homes would be vacated within 24 hours of their return. Most displaced persons are, however, sceptical of promises and according to one non-governmental organisation (NGO), as of 1 June 1998 none of those involved in the visit had yet submitted a request to return.

Clearly, return to Konjic town could begin by eliminating double occupancy and relocating displaced persons to empty homes outside of the town. Many homes that were rebuilt by reconstruction agencies are unoccupied even though the owner signed an agreement to return which stipulates that if return does not occur the homes can be used to house a needy family.

## **B. Obstruction by the Housing Department and Delays by Other Authorities**

### **1. Double-Occupancy Cases**

Of the 101 cases of double occupancy UNHCR presented to the housing department, 54 could be resolved immediately and would allow for the return of minorities.<sup>23</sup> Housing authorities claimed that by the end of May 1998 there had been 31 evictions but, according to UNHCR, as of 30 April 1998, there had been only one eviction. By the end of May 1998, the housing department could provide UNHCR with written confirmation of only 10 evictions.

The secretary of the housing department has stated that he fears a negative reaction if he enforces evictions, and has claimed that he is already viewed as not defending Bosniacs. Clearly, the proper response is not to refuse to enforce evictions but to take measures, including “a positive use of the media, to prepare the resident community for the return of minorities,” as required by the Open Cities Initiative criteria.

International monitors note that housing officials have raised the bogus issue of reciprocal returns, stating that minorities can return to Konjic when Bosniacs displaced in Konjic can return to their homes in Croat- and Serb-controlled areas. They have also questioned why those seeking to return left Konjic in the first place. Moreover, the Mayor continues to call

---

<sup>23</sup>

These 54 cases were compiled by UNHCR, OSCE, ARC and IPTF.

for the construction of “buffer accommodation” as a solution to the housing shortage, a wholly unrealistic proposal, given the cost, and unnecessary, given the availability of habitable housing. In addition, the municipal housing department has failed to conduct a survey of double occupancy in Konjic despite UNHCR’s desire for such a study.<sup>24</sup>

## 2. Other Obstacles to Reclaiming Homes

Shortly after the municipality was recognised as an Open City, the Konjic housing authorities assured international monitors that minorities would be able to return to their currently occupied homes after the temporary occupancy rights issued to displaced persons during the war had expired. The municipality, however, reneged on this promise and continued to issue occupancy rights upon the expiration of temporary rights, including to apartments to which returnees wished to return. The OSCE reports that the Konjic court has since stopped the permanent cancellation of occupancy rights. Yet the court has continued to discriminate against minorities, according to the OSCE, by taking a long time to decide claims from minorities for return of property while deciding much more quickly the claims of companies to cancel the occupancy rights of minorities who left their homes.<sup>25</sup> According to international monitors, the Konjic housing authorities have also directed clients to the Municipal Returns Office (MRO), established in February 1998, in order to avoid having to solve housing return requests, which are its responsibility and not that of the MRO. At the request of UNHCR and OSCE, the housing department has recently begun to submit weekly reports on its activities so that its work can be more closely monitored. The OSCE, however, notes that these reports are “sparse”.

At the time of Konjic’s recognition as an Open City in July 1997, 18 cases presented to the Federation Ombudsmen by Serbs and Croats from Konjic dealing with property rights (all but one of which were filed in 1996 and half of which had been filed more than a year earlier) had not been resolved. During the remainder of 1997, the Federation Ombudsmen received an additional 17 cases dealing with property, all of which involved Serbs or Croats. By early 1998, in only 9 of the 35 cases had the pre-war occupant or owner been able to return home. Of the 18 cases filed in 1997, in only 10 has the pre-war occupant or owner returned home. Thus far in 1998 six property-related cases have been filed and

---

<sup>24</sup> Without a detailed housing assessment NGOs cannot fully define what the housing needs are. The American Refugee Committee was interested in making such an assessment, but did not receive funding to do so and no donor has been found to support such a project.

<sup>25</sup> Most flats in Konjic, and indeed in Bosnia, are owned by companies. Employees acquired “occupancy rights”, pursuant to contract, following employment for a certain number of years.



only two have been resolved whereby the pre-war occupant or owner has returned home. The Ombudsmen's office in Mostar has noted that the Konjic municipal authorities have not been entirely co-operative and "considering the fact that Konjic has been declared an Open City... it is necessary for the municipal authorities to resolve these cases in accordance with the laws".<sup>26</sup>

### 3. Delays: Particular Deterrent to Serb Returnees

The housing department was, until the establishment in February of the MRO, in charge of administering the registration of returnees. It had no organised system for doing so, individuals were not provided with a receipt and the department did not record phone numbers or addresses in order to contact potential returnees. The municipality also insisted that returnees had to register with and return to the municipality before they could reclaim their homes and be officially considered as returnees. In one such case, a Serb family returned from Republika Srpska to Konjic and registered as required. Despite this, the family remained homeless for five months while haggling with authorities to return to their home, even though the temporary occupant lived with her father most of the time in another home.<sup>27</sup>

Another example of returns not properly facilitated involved the attempt of eight Serb families in Republika Srpska to return to their homes in the formerly Serb village of Donje Selo. In late summer 1997, houses belonging to four of the families were vacated, while one was destroyed and temporary occupants remained in the other three. The four families that were able to move back were reticent to do so in such a small group, and awaited the resolution of the accompanying four cases. In mid-March 1998 three of the families finally returned, while another three were slated to return in April, but did not. The remaining two have reportedly lost interest in returning even though their homes have been emptied. In mid-June 1998 one more Serb returned to Donje Selo without his family.

Failure to facilitate the speedy return of Serb families that express the desire to return usually results in the loss of the opportunity. According to one international observer, "Owing to the intense pressure that these potential returnees are subjected to by the Republika Srpska authorities, who oppose any Bosnian Serb returns to the Federation, it is even more important that all return movements made by the courageous few result in durable solutions."<sup>28</sup>

---

<sup>26</sup> Institution of the Ombudsmen of the Federation of Bosnia and Herzegovina, Mostar Office, *Assessment Report*, 15 August 1997.

<sup>27</sup> In mid-February the temporary occupant was found alternate accommodation and the family was able to return. International monitors note that municipal authorities were not pro-active in finding a solution.

<sup>28</sup> Open Cities Status Report, 15 August 1997.

## **C. Return to the Villages: Lack of Security and Basic Services**

A feeling of insecurity and an absence of basic services are additional obstacles to return to villages.

### **1. Security**

Although the municipality has not experienced any serious ethnically-motivated incidents, vulnerability to attack remains one of the major obstacles to return cited by minorities from outlying villages. This vulnerability is largely caused by the police department's lack of resources. There are only five police cars, none of which are four-wheel-drive vehicles necessary to manoeuvre the difficult terrain in the villages. Indeed, the Chief of Police uses his own private vehicle. Potential Serb returnees have identified security as their major concern. Many are from outlying villages such as Celebici and Brdani which are presently occupied by Bosniac displaced persons from Eastern Herzegovina.

The municipality has noted that in the villages, Croats are returning only to areas where they make up the majority. For instance, the Neretvica region, where many houses are vacant and habitable and Croats made up more than half of the population before the war, has been scene of Croat return, even without the support of UNHCR. Returns to non-majority areas, however, are considerably stifled by security concerns. The region measures 400 km<sup>2</sup>, about one third of the municipality, and had a pre-war population of 12,000, 55 percent Bosniac and 45 percent Croat. The pre-war population shrunk by half as all but 50 Croat families, mostly elderly couples, fled during the war. Eight hundred Bosniac displaced families have found refuge in the area. Incidents of intimidation have been reported, but the sub-station in Butrovic Polje, which covers the region, does not have a police car and all of its seven officers are Bosniacs.<sup>29</sup> IPTF visits the villages on a weekly basis, but does not respond to incidents that take place at night which is when most occur.

The police force is woefully under-supplied. In addition to automobiles, it also lacks enough night flack jackets, flashlights, handcuffs and radio sets. The police force does not have a single first aid kit, investigation box in which to store evidence, rubber gloves, magnifying glass or even a breathalyser.

---

<sup>29</sup> There are four police stations in the municipality. Only the police station in the town has Croat police officers.

The IPTF station commander has lobbied donors for support and highlighted the dire situation at the Open Cities Working Group meetings, but to no avail. Despite the considerable amount of funds the municipality has received for reconstruction, the police force has received virtually nothing. The role of the police in realising the goals of the Open City Initiative has repeatedly been emphasised.<sup>30</sup> Donors have, however, failed to earmark funds given to the municipal authorities to equip the police adequately.

## **2. Lack of Basic Services**

Several villages lack electricity and water throughout or in some areas. Most of the villages in the municipality lack adequate health care. For instance, only one doctor covers the entire Neretvica region (400 km<sup>2</sup>). Until last January a doctor visited the area once a week under a programme run by the Danish Refugee Council. The programme will be re-launched if funding permits. The region reports much higher rates of health disorders such as tuberculosis, cancer, anaemia and coronary diseases than other areas of the municipality.

## **D. Pressure from Serb and Croat Authorities Not to Return and Lack of Information**

Most minorities displaced from Konjic are now living in areas controlled by Serb and Croat hard-liners and are thus targets of a mixture of propaganda, carrots and sticks to keep them where they are. The goal of the hard-liners is to maintain and re-enforce the ethnic separation caused by the war. The displaced Croats and Serbs are needed where they are to occupy the homes of minorities and prevent their return. According to the American Refugee Committee (ARC), with such manipulation in conjunction with "the very nature of displaced communities -- which are alienated, lost, scared, and vulnerable -- it is no wonder that they are not returning".

According to the Office for Displaced Persons and Refugees in Konjic, about one-fourth of those who fled the municipality live in displaced persons collective centres. Although return to Konjic would seem the most appealing to these individuals, they are also the most susceptible to hard-line propaganda. According to one displaced person in Croat-held Domanovici, Croat uniformed soldiers have visited the collective centre

---

<sup>30</sup> See, for example, Humanitarian Issues Working Group, *Bosnia and Herzegovina Repatriation and Return Operation 1998*, 17 December 1997, Geneva, p. 17. The importance of a capable, responsive and integrated police force was stressed at an Open City Working Group meeting with Konjic municipal authorities held on 22 January.

and told its inhabitants that they would build homes for them in Croat-controlled areas. Many displaced persons believe these promises, and even those who do not have other reasons not to return home. In the collective centres, displaced persons are at least entitled to free meals; many fear returning to isolated villages where basic benefits and social services are scarce or non-existent.

Most Serbs from Konjic live in Trebinje, Visegrad and surrounding areas in eastern Republika Srpska. Although many live in miserable conditions they are reluctant even to explore the possibility of returning because of threats from hard-line Serb authorities and the fear of being labeled as "bad Serbs" and losing benefits. For instance, Serb women displaced in these areas refused to participate in an OSCE-sponsored forum with other Konjic women. Serb authorities have also delayed travel permission for UNHCR-organised assessment and graveyard visits. On one visit organised by UNHCR and the Association of Serbs in July 1997, only 23 of the more than 50 Serbs who applied for the visit were able to participate as a result of such delays. The visit was, nevertheless, considered a success. The Mayor's office along with the OSCE prepared roast lamb for the visitors and the Deputy Mayor personally welcomed them back. As the bus left the municipality, many residents came out of their homes to wave farewell, and at times the bus stopped so that friends could meet.

Some displaced minorities from Konjic actively discourage returns. One woman from Konjic who heads a collective centre in Tasovcici asked international organisations to build new homes in Capljina for Croats displaced from Konjic. There are even Croat residents of Konjic who discourage returns. One member of the Association of Croats has told potential Croat returnees that the international community is not reconstructing any homes in Konjic this year even though 200 are slated for repair. The Croats who do work for minority returns are not welcomed in Croat-controlled Herzegovina. According to one high-profile Konjic Croat who stayed in the municipality throughout the war, former Konjic residents do not approve of his efforts to promote returns because they have more pleasant lifestyles in homes from which Bosniacs have been expelled in Croat-controlled Western Herzegovina where they are closer to the Adriatic Coast, the weather is milder and they can grow food all year long.

To counter the anti-return propaganda and facilitate returns, the American Refugee Committee (ARC) established an Information Centre in mid-March, sponsored by UNHCR, to provide potential returnees with information (on such matters as reconstruction and micro-credit), record their desire to return and direct them to the competent authorities. The Centre has a "Mobile Team" which consists of a lawyer and another

individual who travel to collective centres where displaced persons from Konjic are housed to gather and dispense information and handle requests. ARC also runs a Liaison for Return programme sponsored by the US Bureau for Population, Refugees and Migration. This project was launched in May 1997 and its two liaison officers and Konjic project manager work closely with beneficiaries to identify their needs.

UNHCR, ARC and OSCE have also organised a number of assessment visits to Konjic by displaced Croats and Serbs. UNHCR has described the interest of Serbs in assessment visits as "huge".<sup>31</sup> Following the return to Konjic of three Serb families from Visegrad in March 1998 (the first official returns of Serbs), the UNHCR facilitated an assessment visit on 21 March 1998 which it considered "very promising", and the bus for the next assessment visit on 25 April 1998 was full.

Clearly, there is interest among minorities to return. The Association of Croats in Konjic and the Association of Serbs in Konjic, as of the end of May 1998 had registered over 1,500 Croat families and 350 Serb families, respectively, that want to return. The Municipal Returns Office (MRO) has received some 350 requests to return from Croats families (about half of which also registered with the Association of Croats) and 100 from Serb families. The Catholic priest in Konjic, Ivan Mladina, who visits displaced Croats from the municipality an average of three weekends a month to invite them back, claims that 90 percent of those with whom he speaks wish to return. There are, however, no organised groups outside of Konjic of displaced persons from Konjic, owing to the pressure of hard-line authorities and a dampened interest in return for the reasons identified in this report. Support for displaced persons wishing to form such associations could well reverse the tide of mis-information and open channels for return.

## **E. Weak Economy**

Konjic's weak economy is a major deterrent to returns, and indeed may be the main deterrent to Croats displaced in Mostar, Stolac and Capljina, who at least receive basic benefits where they are currently living. Many also believe they have good prospects of getting jobs from Croat authorities or companies.

The Catholic priest in Konjic, Ivan Mladina, contends that Konjic's poor economy is the greatest deterrent to return, as does the Mayor. The municipality suffers an unemployment rate of over 50 percent. The Konjic economy was in a poor condition even before the war and many of the 11,000 people employed held jobs in factories that often could not offer

---

<sup>31</sup> UNHCR, Open Cities Status Report, 31 March 1998, p. 1.

them any work. Many employees were on waiting lists and continued to receive salaries while the companies sought contracts.<sup>32</sup> Many factories were totally destroyed during the war, and those that are currently in operation suffer from a lack of materials, scarce markets and poor machinery. The Igman company, the largest pre-war employer in Konjic with 1,300 workers, produced ammunition for the Yugoslav Peoples' Army, a market that is now lost. Now there are only 690 employees. The other major company in Konjic, Sipad, produces lumber but is having difficulties competing with the Croatian and Slovene timber industries. The 15 main companies in Konjic, which had 4,685 employees before the war, now employ only 1,958 people.<sup>33</sup> There is, however, a shortage of skilled labour. Two Konjic firms have recently signed contracts with companies from abroad but cannot fill two shifts because of a lack of skilled personnel. Many of those registered with the unemployment bureau come from rural areas and lack the necessary qualifications. Meanwhile, much of the land in the villages lies idle.

There have been some economic revitalisation programmes in Konjic, but all are small-scale projects and not nearly enough to breathe life into the economy. The Danish Refugee Council (DRC) and Catholic Relief Services have been involved in agricultural support, and DRC has provided vocational training to some 90 people so far. *Movimiento Por La Paz, El Desarme Y La Libertad* (MPDL), a Spanish NGO with an office in Mostar, has been dispensing donations and equipment of up to 10,000 DM, and has been actively seeking minorities who qualify for their assistance. The International Catholic Migration Commission has just launched an Economic Revitalisation for Return Project to provide ten small and medium businesses with technical assistance and training, as well as machinery and equipment. The programme will also subsidise on-the-job training for businesses in need of skilled labour and assist the employment bureau with job counselling and placement.

---

<sup>32</sup> UNHCR, Bosnia and Herzegovina Repatriation Information Reports, March 1996, p. 24.  
<sup>33</sup> *Opcina Konjic Plan*, January 1998.

### **III. PROBLEMS WITH IMPLEMENTATION OF THE OPEN CITIES INITIATIVE**

Given UNHCR's designation of Konjic as an Open City (indeed its praise in 1998 for Konjic as "the most successful" Open City), and its provision of substantial reconstruction aid, it bears a particular responsibility to monitor the authorities' efforts to facilitate minority returns. However, it has not taken pro-active steps, such as urging donors to provide adequate assistance to the police force or to direct more aid to job-creation projects rather than housing construction (see recommendations, section V). More importantly, it has failed adequately to monitor the authorities' efforts to resolve housing problems, and has been particularly remiss in failing to mobilise political and donor pressure to ensure that they do so (as discussed in section A). It has not even adequately monitored the reconstruction projects for which it is directly responsible (see section B).

#### **A. Inadequate Monitoring of Municipal Authorities**

UNHCR's weak monitoring of Konjic illustrates a major drawback of its implementation of the Open Cities Initiative generally.<sup>34</sup> The Konjic authorities were not obliged to achieve or even define concrete goals. UNHCR was slow to compile information about double occupancy and demand that authorities evict temporary occupants in order to make room for returnees.

After Konjic was declared an Open City, the Konjic Open Cities Group was set up to co-ordinate the work of international organisations in the municipality, gather information and monitor the municipality's progress as an Open City. In late November a Human Rights Working Group was established to "verify the degree of compliance and commitment of the Municipality of Konjic to the principles of the Open City Initiative". The Open Cities Working Group then became a Programmatic Working Group

---

<sup>34</sup>

See ICG report *Minority Returns or Mass Relocation?*, May 1998.

focused on co-ordinating reconstruction projects and programmes of international agencies. In early 1998 the Human Rights Working Group was reconfigured to cover the municipalities of Jablanica and Prozor and not just Konjic,<sup>35</sup> and bi-weekly Open City Working Group meetings were set up with OSCE, UNHCR and Konjic municipal authorities to assess Konjic's progress as an Open City.

The bi-weekly meetings with the OSCE, UNHCR and municipal authorities provide a necessary forum to assess the behaviour of the municipality. However, identifying critical issues is only half the battle; the real challenge is to hold local authorities accountable for ensuring the success of returns and adhering to the Open Cities criteria they pledged to support. Although the OSCE has been active in attempting to resolve problems obstructing returns at these meetings, it cannot offer Konjic funding and thus lacks leverage. The UNHCR has not been sufficiently active either in monitoring what the authorities are doing or in pressing them to take effective measures to resolve the property claims, particularly of minorities.<sup>36</sup> In light of the UNHCR's weak presence, OHR's vigorous participation is all the more necessary.<sup>37</sup> While Konjic authorities are finally beginning to get the scrutiny they deserve in light of their Open City status and corresponding benefits, the meetings would be even more effective if attended by donors who must make clear to the authorities that they are co-ordinating their efforts and will withhold funds if authorities do not make progress towards resolving double occupancy and other housing problems.

A policy of economic conditionality, pursuant to clearly stated terms and even if involving relatively small sums, is currently being attempted by the US Government's "Open Cities Support Initiative", managed by the US Embassy and implemented by US NGOs.<sup>38</sup> The US Embassy has demonstrated its willingness to continue to provide funding only if commitments are met, and to withdraw funding if they are not.<sup>39</sup>

---

<sup>35</sup> Members are OHR, UNHCR, IPTF, UN Civil Affairs, SFOR, ARC, OSCE and ECMM.

<sup>36</sup> It was not until January 1998 that UNHCR opened a satellite office in Konjic, which reports to the Mostar Field Office. At the same time, however, UNCHR closed its Jablanica Field Office. According to one NGO in the region, by reshuffling the offices in this way UNHCR lost considerable leverage in Konjic.

<sup>37</sup> For instance, In February OHR Mostar told ICG that: "Konjic has not been on our radar screens until now."

<sup>38</sup> The programme is active in Konjic, Busovaca, Vogosca, Ildiza, Kakanj, Vares, Bihac, Martin Brod, Bugojno, Kotor Vares, Sipovo, Mrkonjic Grad, Jajce and Brcko.

<sup>39</sup> The standard Letter of Intent to municipal authorities includes the following statement: "Should the commitments undertaken above by the authorities of [name of the municipality] be carried out in good faith, the US Embassy shall actively encourage further assistance for the municipality's unmet needs from the international donor community."



## **B. Poor Monitoring of UNHCR Reconstruction Projects**

Last year, UNHCR spent 1.2 million DM to finish construction begun before the war on a new apartment complex, known as Pleha and Orasje, which consists of 84 apartments. It was intended to be used as “buffer” accommodation to house returnees waiting for their uninhabitable homes to be repaired, vulnerable displaced persons vacating homes of returnees and other protection cases. However, once the apartments were finished UNHCR discovered that, before the war, companies had claims to many of the apartments. According to the Commission on Real Property Claims, more than 50 apartments were to some degree purchased. International monitors note that only about a dozen of the apartments could be used as buffer accommodation, although the municipality claims that 45 returns have been facilitated by the Pleha project either directly or indirectly.

UNHCR has committed other housing oversights. The Project Implementation Unit (PIU), a UNHCR implementing partner, has technically certified homes that have not been completely repaired. According to one international monitor, a PIU inspector admits that there are almost 40 homes that have been falsely declared ready for habitation and lack the fitting of certain utilities. UNHCR financed these projects and is therefore responsible for monitoring them. According to one NGO involved in housing reconstruction in Konjic, 15,000 DM is needed, on average, to properly repair a heavily damaged home, but UNHCR provides the PIU with only 10,000 DM per home. By comparison, UNHCR spent an average of 14,000 DM per unit to repair the Pleha and Orasje complex.

#### IV. CONCLUSIONS AND RECOMMENDATIONS

UNHCR regards Konjic as the “most successful” of the 11 Open Cities and has given it the most aid -- one-fourth of the \$60 million disbursed or committed by the end of April 1998. Yet the actual number of minority returns has been small, probably between 240 and 280 (less than 2 percent of the minorities who fled, and 12 percent of minority returns to all Open Cities). Moreover, this compares to, for example, 5,000 minority returns to Jajce (30 percent of those who fled), and 2,500 to Travnik (11 percent of those who fled). The Open City of Kakanj has received more minority returnees than Konjic, but less than one-fourth of the economic assistance.<sup>40</sup> Given Konjic’s track record and the relative cost of a single minority returnee, donor funds may be better deployed elsewhere in Bosnia.

In 1998, UNHCR plans to direct a substantial amount of its \$87 million budget appeal to Open Cities and potential Open Cities. Elsewhere, ICG has advocated that UNHCR should hold a greater percentage of its funds in a flexible account that could be disbursed quickly to support minority returns wherever breakthroughs occur.<sup>41</sup> Here ICG makes several complementary but more specific recommendations, including urging that UNHCR and other donors suspend reconstruction projects in Konjic (those that are not past the point of no return) until the municipal authorities resolve double occupancy and other housing problems detailed in this report. To the extent that donors continue to provide assistance to Konjic, a greater percentage of funds should go towards job creation and training programmes.

Konjic stands out as one of the most promising places in the Federation for Serb returns (outside of Sarajevo and the Drvar area, to which substantial Serb returns have already begun). This is because of the relative availability of housing, the relative receptivity of the municipality to minority returns, and the amount of money pumped into Konjic (which to date has primarily benefited Bosniacs and thus should reasonably be

---

<sup>40</sup> See the UNHCR Open Cities Status Support, 31 April 1998. According to the UNHCR Field Office in Zenica, a total of 360 minorities returned to Kakanj since the DPA until February 1998.

<sup>41</sup> See ICG’s report, *Minority Returns or Mass Relocation?*, 14 May 1998.

expected to have bought some good will). Moreover, most of the 6,000 Serbs displaced from Konjic are concentrated in Visegrad and Trebinje and living in depressed circumstances, which should make it attractive and easier for them to organise into associations. Of these 6,000, more than 2,000 lived in town before the war, including some 170 families that have registered to return. International agencies should devise a co-ordinated strategy to address housing, security, employment and education in order to make Konjic a breakthrough in orderly Serb return.

Konjic could be a model for other Federation cities, given the absence of violent or organised opposition to minority returns. It is not, however, a model for how best to spend scarce funds to support minority returns. To this end ICG recommends the following:

## **A. Problems with Reclaiming Homes**

### **1. Homes Repaired by the International Community**

Of 501 homes repaired by the international community by the end of March, about two-thirds remain unoccupied. *Municipal authorities, NGOs charged with reconstructing homes, and UNHCR must take more effective steps before they start reconstruction to ensure that pre-war occupants and/or owners are genuinely committed to returning to the repaired home. The international community cannot afford to squander scarce resources on homes to which pre-war residents do not want to return.*

The poor occupancy record of these repaired homes is of course not solely due to lack of adequate preparation and monitoring by the NGOs. The owners of all reconstructed homes signed agreements in advance of repairs being started declaring that they would return once repairs were completed and agreeing that if they did not return, the homes could be used temporarily to house needy families. *UNHCR's implementing partners, and ultimately UNHCR, should ensure that the pre-war owners have indeed been notified that repairs have been completed and that, if the families do not reclaim the home by a certain date, another family will be given the legal right to live in the home temporarily. If they do not make clear their intent to return promptly, the municipality should move needy families into their homes, preferably of the same ethnicity.*

The experience of areas such as Travnik and Jajce that have received back 7,500 minorities in the past two years shows that returns are most successful where neighbourhoods (20+ families) move back together.

*Rather than reconstructing homes in areas that international monitors believe are attractive for return, international organisations should meet with displaced persons in groups, support the formation of associations, and take guidance from these meetings as to where returns are most likely to be successful.*

## **2. Double Occupancy**

In early 1998, UNHCR presented to the housing department 101 cases of double occupancy involving apartments in Konjic town. As of 30 April 1998 there had been only one eviction, and only a dozen by the end of the next month. *Municipal authorities must issue and implement eviction orders concerning these properties immediately, and UNHCR, OHR and donors must make clear that international assistance projects will be suspended until they do so.*

## **3. Delays in Resolving Property Problems**

The OSCE has documented delays by the Housing Department and the Konjic court in resolving property claims from minorities. In less than half of the cases filed with the Federation Ombudsmen in 1997 and 1998 has the pre-war occupant or owner returned home. Such delays have a strong impact on discouraging returns, especially by Serbs, because they fear reprisals from Serb hard-line authorities once they indicate their desire to return to the Federation.

- *The Konjic authorities must resolve these cases expeditiously.*
- *UNHCR, OHR and donors must make clear that international assistance will be conditioned on their taking immediate, concrete steps.*

## **B. Problems Concerning Returns to Villages**

In addition to property issues, additional obstacles deter minority returns to villages. No minorities serve on the police forces in the villages; the police forces do not have vehicles to patrol the villages; and many areas lack electricity, water, health care and/or other basic services.

- *Some of the 30 Croat police and the sole Serb police officer should be deployed in the villages; and redoubled efforts should be made to hire Serb police.*

- *UNHCR, OHR and IPTF should urge donors to provide additional funds or else insist that funds already given be used, for essential police equipment such as cars and radios, and essential services in villages to which minorities are returning.*

### **C. Pressure from Serb and Croat Hard-line Authorities and Lack of Information**

Most minorities displaced from Konjic are now living in areas controlled by Serb and Croat hard-liners and are objects of a mixture of propaganda, carrots and sticks to keep them where they are. Nonetheless, some 1,500 Croat families and 350 Serb families have registered to return. The American Refugee Committee has been one of the most active organisations in facilitating the return of persons displaced from Konjic, including by getting information to them and arranging assessment visits, along with UNHCR and OSCE.

- *Donors should increase support for programmes of the American Refugee Committee to facilitate returns.*
- *Donors, the American Refugee Committee and OHR should support the formation of displaced persons associations, particularly in Visegrad and Trebinje, where most of the 6,000 displaced Serbs are concentrated.*

### **D. Economy**

Many representatives of international organisations as well as Konjic minorities consider that Konjic's poor economy is one of the major deterrents to return. This is especially for Croats who are now displaced in more congenial climates where they believe they have prospects of jobs and other benefits from Croat hard-line authorities. Given that the housing density in Konjic is about the same as before the war (four people per home), and that some 300 recently reconstructed homes remain empty, *donors should shift their assistance from housing projects to job creation and training programmes.* The small-scale projects already launched have had promising results.

*UNHCR and the American Refugee Committee should work to identify skilled displaced persons from Konjic who wish to return to bolster the needed skilled working force in the town. The Open Cities Human Rights Working Group should closely monitor these returns and any incidents of discrimination, employment or otherwise, should be promptly addressed.*

## **E. Problems with UNHCR's Implementation of the Open Cities Initiative**

Given that UNHCR considers Konjic its "most successful" Open City, to which it has committed at least one-fourth of its Open City funds to date, *UNHCR should be much more active in monitoring and taking steps to unplug the bottle-necks obstructing minority returns.*

- *It should monitor the municipality's tracking of minority returns.*
- *It should closely monitor double occupancy cases and the promises of municipal authorities to carry out evictions in such cases; it should not rely on papers presented by the authorities but should take responsibility for either itself making field checks or else ensuring that another international organisation does so.*
- *It must ensure that NGOs that receive UNHCR contracts to repair homes (a) make the homes fully habitable, and (b) take all reasonable steps to notify the pre-war occupants upon completion that they must return or else the municipal authorities will be entitled to house needy families in the homes temporarily.*
- *It should assess where donor assistance would be most useful in promoting minority returns, and advise donors accordingly. For instance, given that some 300 homes repaired with foreign assistance remain empty, UNHCR might determine that assistance is now better directed towards job creation and training programmes and/or equipment for the Konjic police.*

**Sarajevo, 19 June 1998**

## ABOUT THE INTERNATIONAL CRISIS GROUP

We want to head off crises before they develop,  
rather than react to crises after they happen.

Senator George Mitchell, ICG Board of Trustees Chair

The International Crisis Group (ICG) is a multinational organisation committed to strengthening the capacity of the international community to understand and respond to impending crises. Teams of political analysts based on the ground in countries at risks of crisis, gather information from a wide range of sources, assess local conditions and produce regular analytical reports containing practical policy recommendations targeted at key international decision-takers.

ICG's reports are distributed widely to officials in foreign ministries and international organisations, to journalists and others. The ICG Board - which includes prominent figures from the fields of politics, diplomacy, business and the media - is closely involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG's advocacy efforts are reinforced by a media strategy designed to increase press coverage of key issues identified in ICG's analyses.

ICG currently operates field projects in eight countries worldwide: Bosnia and Herzegovina, Albania, Macedonia, the Federal Republic of Yugoslavia, Algeria, Burundi, The Democratic Republic of Congo and Cambodia.

ICG's budget for 1998 is \$ US 3 million (ECU 3.3 million). The organisation raises approximately 50 percent of its funds from charitable foundations, companies and individual donors, and the balance from governments. The following governments currently have funding agreements with ICG: Austria, Canada, Denmark, Finland, Ireland, The Netherlands, Norway, Republic of China (Taiwan), States of Jersey (Channel Islands), Sweden, Switzerland and the United States.

