

# **The Continuing 'Plight' of Displaced People in Bosnia-Herzegovina**

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Response International have been operating in Bosnia since 1993, focusing mainly on traumatic injury, primary healthcare in emergency, psychosocial (sexual assault/ victims of torture) and health infrastructure reconstruction.

Where necessary, the names of people and places may have been changed to preserve anonymity.

The authors accept full responsibility for the content of this report, and welcome any feedback or comments regarding it.

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## Executive Summary

This report aims to expose the continuing plight of internally displaced people (IDPs) in Bosnia-Herzegovina. It explores the role of the international community and national and international legislation in the protection of the rights of displaced people who have unwittingly become pawns of hard-line nationalists politicians, and whose continued displacement has prevented the complete withdrawal of the Office of the High Representative (OHR). Using the United Nations Development Programme notion of human security, the report claims that although Bosnia has achieved much under the guidance of the international community, attempts to forcibly end displacement through arbitrary housing solutions are being done to the detriment of the IDPs welfare, freedom of choice and future well-being in society. To illustrate these points the report critically assess these issues through the seven domains of human security: economic, food, health, environment, personal, community and political. These indicators extend the notion of 'security' beyond the state/military model to encompass how they can impinge on the wider aspects of daily life.

Eight years after the end of conflict, many IDPs are still housed in temporary collective centres in and around the Tuzla Cantonment (Northeast Bosnia). Many feel neglected, forgotten and worried about their future – whether that will be to remain in the collective centres or to return to the Serb-administered Republika Srpska (RS). Living in extreme poverty without access to basic utilities, employment opportunities, and basic health care and education has left many families vulnerable and socially excluded. IDPs in Bosnia face a double burden: initially displaced from their homes after witnessing ethnic cleansing, genocide, the destruction of homes and villages, the loss of loved ones and overall decimation of their country; eight years on, they are once again being dislodged, this time from the collective centres and camps. This was by no means a sudden process, the impetus to return the IDPs was part of the peace agreement ostensibly to demonstrate that ethnic cleansing had not been successful but there is still a great deal that needs to be done to redress the issues of divisiveness. However, it should be noted that this divisiveness is not just based on ethnicity – though the ethnic 'card' is very often played – but also on economics and all other aspects of security.

IDPs cannot be guaranteed security in any of the areas where human security should be a human right. Of course, there are exceptions to this, but one of the biggest problems in the Tuzla region is that the remaining IDPs are often those most in need of continuing humanitarian aid and intervention. Whether this is a result of aid dependency or lack of welfare provision is debatable, but nevertheless, the fundamental issue of responsibility for these remaining IDPs continues. Each time another camp or centres closes, those unable to seek alternative measures are shifted into remaining ones. Gradually, these will become social welfare centres.

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## Part 1: Some Background to the ‘Problems’ of Displacement

Many of the issues surrounding internally displaced people (IDPs) in Bosnia-Herzegovina have been well documented in academic articles, country reports and other more policy-related articles.<sup>1</sup> However, what are remarkably absent in many of these articles are the voices of the displaced people themselves – especially the women.<sup>2</sup> Given that the vast majority of the remaining displaced populations within Bosnia are women, this seems more than a little remiss.<sup>3</sup> Moreover, several problems emerge from these perspectives: IDPs are seen as one homogenous mass of people with similar problems and issues, and are subsequently portrayed as having little or no agency or volition of their own. They are depicted as being at the mercy of the government, the international community, and indeed in some cases, members of their own communities.

Many of the problems and issues highlighted in this paper are by no means unique to Bosnia, and are comparable to those faced by the ever-expanding numbers of displaced peoples around the world.<sup>4</sup> What is unique to Bosnia, however, are the particular circumstances surrounding the displaced people and the political, legal, and social frameworks that have been set in place to facilitate the process of return. These particular circumstances arose out of the General Framework for the Agreement of Peace (GFAP), signed in Dayton, Ohio in 1995, to settle the conflict in Bosnia. This necessitated the division of Bosnia into two separately administered entities; the Muslim - Croat dominated Federation, and the Serb - controlled Republic (Republika Srpska - RS). These are sub-divided into ten administrative cantonments. It was part of the international mediators well-intentioned aims to redress some of the worst atrocities of the war – in particular the genocide that resulted in the ethnic cleansing of thousands of people from all three of Bosnia’s constituent ethno-religious groups – the Bosnian Muslims (Bosniaks), the Bosnian Catholics (Croats) and the Bosnian Orthodox Christians (Serbs).<sup>5</sup> Many of the survivors were sent to camps and collective centres in areas controlled by the dominant ethnic group, or rather, the army or political party representing that group. In effect this meant that unless these people returned to their homes, ethnic cleansing had been successful. Therefore, an essential part of the peace agreement was the return of the displaced – by whatever means necessary. This has led to a strong focus on property and legislation over and above people -

“The question of return is treated as an aspect of *rule of law* and thus PLIP promotes respects of *civil rights* over *ethno-political* issues.”  
(Fischel de Andrade and Delaney 2001: 321, emphasis added)

Consequently, a house has become a leitmotif for the return process – a material structure for the international agencies, organisations and local municipalities to focus on, a (potential) asset for the IDP, a quantifiable measure of the successes of the return process and redress of property rights. However, the corollary of this is the fact that the house then becomes the object by which these successes are measured, instead of the people. Complex ethno-political issues have therefore become subsumed by

questions of rights and equality as set down in statute law, or, put another way, more problematic issues can be glossed over by the imposition of laws that have as their outcome more definable, quantifiable, and above all, visible, results. These can then be measured in terms of numbers of returnees and the reconstruction of houses. These then become indicators of the success of the international community's legislations, and a visible demonstration of the 'success' of conflict resolution within Bosnia.

Though administered as two separate entities, the internationally appointed Office of the Higher Representative (OHR) has the ultimate power to veto decisions made by entity governments. However, this top-down approach to implementing law and policies has led to accusations of 'colonialism' approach to its rule.<sup>6</sup> In addition, the hierarchical nature of the political system, damaged infrastructure, and generally unstable economy has facilitated the perpetuation of links between politicians and criminal gangs fostered during the conflict. Nevertheless, it is speculative how long the tripartite government structure would survive without the involvement of the international community and its security forces.

The political situation remains a potential stumbling block to progress and sustainable development within Bosnia. A confluence of several factors led to the initial conflict: the gradual secession of the Balkan states, a concomitant rise in ethno-religious nationalism combined with a weakened economy and a collapsed communist structure. The influence of nationalist political parties grew stronger, playing on fears about economic insecurities, employment, housing and many other social problems through discourses of (racist) ethno-nationalism. Another often overlooked factor in the causes of the conflict is the emergence of the former Republics from forty years of apparent relative prosperity under socialist rule and transition to post-socialist states. The ensuing rise of ethno-nationalism and conflict meant there was little time for these processes to sediment.

David Chandler argues that many of the structures set up by the international community are in fact undermining political processes in Bosnia. He accuses the international community of shifting the goal posts with regard to what democracy means in Bosnia. The promotion of 'rule of law' – or human rights – has been at the expense of the democratisation of Bosnian society. Chandler argues that the impetus of the OHR to return proportional representation to pre-war percentages rather than 'cement' ethnic cleansing, is one of the biggest stumbling blocks to progress – "The 'human right' to put the pieces back together to the pre-war status quo is not one that has been decided upon by the people of post-war Bosnia".<sup>7</sup> However, as the head of an NGO specialising in women's rights commented - "democracy is a tool to work with as a project." Her point is that these terms are still conditional - while there are still economic inequalities, and issues of justice and reconciliation, notions of democracy, civil society and acceptance of pluralism and diversity will remain as just notions. This echoes Cynthia Cockburn, who notes "...[It] is not the growth of NGOs that weakens Bosnian democracy. The problem is the lack of a context that can enable them to be effective." (2001: 168).

Many in Bosnia inevitably view Tito's Yugoslavia (FRY) era with a certain sense of nostalgia –there was more economic security bolstered by the socialist economic structure, which included job security, and subsidised healthcare, education and state pensions. The DPA effectively returns people to their pre-war lives, without allowing for the progress that would have inevitably taken place in the intervening years in a transitional post-socialist country.<sup>8</sup> In many cases, people were actually in a much better position than they are now; for example, in terms of basic amenities and security. The conflict led to wide scale demographic changes, notably an increase in the number of female-headed households and a shift in the urban/rural divide, particularly for the younger generation, many of whom were experiencing urban life for the first time. These enormous population movements during and after the conflict have yet to be fully calculated. Prior to the war, FRY was a predominantly rural society, with an agricultural-based economy. Arguably the demise of the socialist power structure would have led to an inevitable decline in rural industry that had previously been bolstered by the state anyway. But little of this has been taken into account in the post-war planning. This means that the provision of social welfare - especially in a transitional, post-socialist country - remains an ongoing, but problematic, issue to an already financially over-stretched government.

The lack of an up to date census continues to impede systematic reform, and while the reasons for this are manifold, they are arguably political rather than logistical. Undertaking any kind of population census may face similar difficulties as electoral reform, which has variously been affected by voter apathy, conflicting accounts of numbers of displaced populations and refugees outside Bosnia and those who actually registered to vote. Moreover, the census may reveal conflicting accounts of the numbers killed as a result of the war on all sides. This has implications for not only the legislative structure of Bosnia but also housing allocation, employment, education, and ultimately social stability. Again, it is perhaps inevitable that all parties concerned will manipulate these statistics for political gain.

These multiple factors would be enough of a threat to peace and security without the added 'burden' of the displaced population. As the Minister for Refugees and Displaced Peoples in Tuzla told us: "the bottom line is that the canton can no longer afford to keep paying for these displaced people, yet they still need assistance." Indeed, it is one of the aims of this paper to demonstrate how displaced people have become pawns in a game of politics and power, and have come to represent many of the unresolved issues within Bosnia-Herzegovina. There are questions as to the moral, as well as the legal, responsibility for the displaced people. But in so vigorously pursuing the return process, has the issue of responsibility merely been passed from one entity to the other? It could further be argued that the displaced people are being exploited for political leverage – by leaving them in collective centres and highlighting their 'plight', then international focus remains on these people and their suffering. This in turn assists in funding campaigns to donors and gives credibility to already existing legislation. Moreover, it gives credence to the still-disputed issues of justice, war crimes and genocide - still by no means resolved in Bosnia.

Political in-fighting and power struggles continue to be couched in terms of ethnic identity, becoming both cause and effect – politicians use ethnicity to persuade voters to vote for their party on the grounds of ethno-religious affiliation. All parties concerned can then use these results to demonstrate how wide ethnic divisions are and ultimately the whole process becomes self-perpetuating. The amalgamation of economic problems with ethnic and political tensions has led to many welfare areas - especially education, healthcare, housing and employment - becoming fervently contested issues as each group seeks to protect its own self interests. In a country where the regular payment of state pensions and benefits is by no means guaranteed, the fact that the Missing Persons Compensation, Widows Pension, and pension for soldiers killed in action are, as a rule, on time, has led to the darkly ironic situation whereby many of the domicile population express envy regarding the welfare situation of these unfortunate families.

A similar problem exists in the allocation of housing. Many urban residents – of all ethno-religious affiliation - expressed resentment and anger that displaced people seemed to be so readily given housing and benefits.<sup>9</sup> Moreover, the nature of the dual entity system, with limited implementation of cross-entity agreements, has led to a system whereby people live in one entity – and claim benefits or returnee status in that entity – but seek education, healthcare or other basic entitlements in the other entity. This is in part for financial reasons, but also security. For many Muslim returnees in the RS the fear of a Serb doctor treating them, or a Serb-dominated education system, remains a strong incentive to continue close links within the Federation.<sup>10</sup> We will return to many of these issues in greater detail further on in this report, but it is important to note here that none of this helps promote any kind of justice, truth or reconciliation amongst the different communities. Deep resentment and psychological scarring are an impending disaster in terms of future peace.

### **i. IDPs as ‘victims’**

A large number of the remaining displaced populations are from areas that suffered the worst ethnic-inspired violence, including Srebrenica, Bratunac and Zvornik in what is now the Republika Srpska (RS). Many are female-headed households who suffered the loss of male family members during the conflict. A large number of the women are still waiting for verification of this loss. This is compounded by the fact that mass graves continue to be discovered in Bosnia, especially in the Republika Srpska.<sup>11</sup> As the mass graves and remains were used to accumulate evidence of genocide, especially in the early post-conflict phase, there was a tendency for a delay in identification (due to sheer volume of numbers) and a concomitant tendency on behalf of the living relatives to ‘disbelieve’ the evidence.<sup>12</sup> Until positive identification is made these family members are still classified as ‘Missing Persons’; therefore those still waiting for this confirmation live in an unhappy state of suspension - neither able to move on with their own lives nor to mourn their losses.

Several factors collude to exacerbate the problem of identifying the remains and subsequent burial and mourning process. These have always been political issues, but have been magnified by the recent allocation by the OHR of the site at Potočari– where the massacre of thousands of Muslim men took place – for a war memorial.<sup>13</sup> Memorials, mosques, churches and graveyards are all potent reminders of recent events, and often serve to perpetuate ethnic tensions and divisions. However, they may also act as reminders of what such divides and tensions can result in if rallied in the name of ethno-nationalism for political ends.

One of the biggest stumbling blocks to the development of the position of the displaced people is the widely continued perception of them as ‘victims’. This stems in part from the atrocities that many of the IDPs suffered during the conflict in Bosnia, but also from the unintentional subjugation of them in the aftermath of the war as beneficiaries of humanitarian aid. Uncoordinated humanitarian and relief work - especially in the immediate conflict and post-conflict phase led to many unintended consequences, including massive aid dependency. This is not to make light of what happened to many of the men, women and children, but an attempt to move beyond this focus to a wider perspective that will ultimately empower this population.

It is not our intention to disparage the work done by many of the NGOs within Bosnia-Herzegovina. Agencies are operating in politically inexpedient circumstances given the current state of affairs and criticisms of the OHR.<sup>14</sup> In addition to this there are also financial issues; many of the donor governments and agencies are in the process of withdrawing funding, which in turn may lead to a reduction in the number of peacekeeping forces on the ground. In many respects these actions are inevitable given the length of time passed since the cessation of conflict within Bosnia and the number of armed conflicts elsewhere in the world. It could be speculated that a reduced security force, decreased international funding and overall lack of democracy in Bosnia will lead to a weakened civil society and ultimately an unstable and fractious population.<sup>15</sup> But handing back power to Bosnian government and encouraging the country to become self sufficient may ultimately facilitate the reduction of aid dependency, as well as the corruption and apathy that a decade of international rule has perpetuated. However, it is our conjecture that a more likely scenario, at least in the immediate future, is an increase in poverty and social exclusion. Moreover, the people who will be most affected by this scenario are those now at the margins of society – in particular the internally displaced. It is also important to reiterate here that while many of these circumstances are particular to Bosnia-Herzegovina, the social instability and resentment that such exclusion fosters are not.

## **Part 2: Specific Problems Relating to Displaced Persons**

The complex political, social and economic situation in Bosnia-Herzegovina (BiH) has been exacerbated by the enormous numbers of people displaced by the conflict - around 1 million are still estimated to be living in camps, collective centres and private accommodation outside their home communities, and many have sought refuge abroad. A large number of these

IDPs have been in collective centres for over eight years, and, as mentioned above, many children have grown up in these centres. Living in these centres can confer something of a sense of liminality for beneficiaries, who neither want to remain in the centres forever, but nor do they quite want to return to the RS.

Nevertheless, return is becoming one of the only options left to the IDPs, as local municipalities are closing down the remaining collective centres and camps.<sup>16</sup> Space within the collective centres and camps is now at a premium, and as soon as one family leaves, another is ready to move in. This means that a for number of individuals and families who find themselves unable to remain in the RS, they no longer have a place in the (relatively) safe environment of a camp or collective centre and have to seek alternative (private) accommodation on their return to the Federation, or resettle elsewhere. These people are then effectively 'lost' to agencies, and indeed, statistical analysis. This also means that though numbers in the (remaining) camps and collective centres remain fairly constant, they do not reflect the flux of the population.

In Tuzla Canton anything up to 75,000 people remain displaced according to unofficial estimates.<sup>17</sup> Nonetheless, as of April 2004, a total of 26, 095 people have returned to their former homes in the Podrinje area (eastern RS) since the start of the conflict.<sup>18</sup> However, many of the remaining IDPs are still not in any position to return 'home' even if they want to, whether through fear, insecurity, financial incapacity, or lack of housing stock. These obstacles are exacerbated by donor fatigue in providing reconstruction money just at the point where more IDPs are considering return as their only durable option.

The most recent survey of 600 beneficiaries in the Tuzla Canton found that of these, 55 per cent expressed the 'will or wish' to return, 23 per cent wished to remain in the Federation, 13 per cent were 'undecided', and 8 per cent wanted to go abroad, or did not know what else to do.<sup>19</sup> Of the 600 IDPs interviewed, 82 per cent had their pre-war properties destroyed. Similarly, many of the people we spoke to said they would be willing to return to their former homes in the RS if certain conditions were met. This 'push-pull' factor consisted of pre-conceptual conditions, such as security, safety and issues of belonging. But these conditions also encompass more literal (living) conditions. Used to a certain standard before the war, many beneficiaries have refused to compromise. And, as we shall return to below, in many cases, these displaced people are perhaps right to refuse to compromise as only certain conditions are being met. While many families were not willing to return without certain basic living conditions, what determined these 'basic' living conditions varied according to the different agencies. Some reconstruction agencies defined them as access to basic amenities (running water, sanitation and electricity), while others (for example UMCOR) were more specific, including details such as minimum room size, number of floors, and fixtures and fittings. However, pre-war living conditions, or circumstances were rarely taken into consideration. Given that a house was one of the only tangible assets people had, it is perhaps understandable that they would try and hold out for the best arrangement possible.

But, in reality, what these “conditions of return” meant for many of the beneficiaries was a return to their pre-war lives. Thus, as several people told us, if they could have predicted that they would still be in the same situation almost a decade later they would have sought asylum elsewhere. It is often the brightest and fittest who go abroad - colloquially known as the ‘brain drain’, making community regeneration difficult as those with the skills and talents head abroad. Some resettle in surrounding towns and villages. But all these strategies vary according to ability, financial wherewithal, dependants, family commitments, opportunities and a whole host of other conditions. However, there is still a large portion of vulnerable people that appear to be “slipping through the net”. As many of the collective centres are gradually being closed, the remaining IDPs – those that have not yet managed to have their house reconstructed or have not settled in the host community – are being relocated to alternative centres. Those IDPs most in need – the elderly, the infirm, single women – are gradually being merged together into a few residual centres. This in effect will turn those centres into residential care homes or social housing. Such a move obviates the need for humanitarian assistance in many respects, but necessitates the need for state-provided social welfare.

Many reports have made similar recommendations as to the necessity for some kind of social assistance, in particular housing, for these more vulnerable populations, especially women and the elderly.<sup>20</sup> Little action has been taken regarding these, populations thought, whether through political inertia, lack of financial wherewithal, or a combination of these. Given that the majority of the displaced people we interviewed were women this seems particularly remiss, and our overall impression is that the remaining IDPs, in common with many long-term displaced communities across the globe, are becoming largely “forgotten”.<sup>21</sup> This in itself is breeding a whole new set of problems and issues.

### **Part 3: Human Security**

In the following pages we examine these issues in greater detail through the concept of ‘human security’. The UNDP (1994) has defined human security through seven separate, but related, domains. These indicators can be used as ‘bench marks’ through which to gauge the successes and failures of policies and practices toward long term displaced populations. The use of these indicators is not unproblematic; for example, education is deemed a basic human right, but is difficult to ‘slot’ neatly into any particular indicator. However, they are open to interpretation. We therefore propose to explore each of these domains in turn to examine the extent to which it can be said that the displaced populations in BiH have any kind of human security, given many of the legislation’s in place concerning the rights of displaced people. But we also propose to examine what each of these domains means to the people concerned; the displaced men, women and children living in the camps around Tuzla, and how they themselves define notions of ‘security’ in each of these aspects.

## **1. Economic security (assured basic income)**

Local and foreign investment in industry and infrastructure remains slow within Bosnia and Herzegovina and there is little prospect of the rapid economic change experienced by some former socialist countries. This is in part due to the unstable political situation, visible international security force, and the inability of the economic infrastructure to fully support such investments.<sup>22</sup> For IDPs income comes about through one of two main sources: employment and/or pensions and benefits. Neither may be termed 'assured'. While many people were forced to leave their homes on ethno-political grounds, it is economic reasons that are forcing them to return. Displaced people lose many benefits, allowances and rights if and when they return home. There is also the question of whether or not it is more politically 'acceptable' for families to return (and subsist) in rural areas, than to resettle families in urban areas.

### **i. Employment**

Unemployment rates across Bosnia-Herzegovina are currently estimated to be at around 40%, and are proportionally higher amongst IDPs. Very few beneficiaries or residents have any kind of full time employment.<sup>23</sup> Some do undertake intermittent, unregulated work, thus forfeiting any pension or insurance rights.<sup>24</sup> Many of the displaced people are offered the most menial jobs. This is especially true for women, who may have been forced into employment if they are the only members of their family capable or available to work. Even if women are offered training or micro credit scheme initiatives these are more likely to be in 'cottage industries' such as knitting, or small scale provision of livestock.<sup>25</sup> Though the women have to factor in circumstances such as childcare, and shifting labour market if they work full time then can usually earn enough to support their families. Many employees were full time housewives before the war and had little education, and consequently few employment prospects. Nevertheless, for some women, this opportunity to become 'self sufficient' may generate a degree of independence previously difficult to imagine, though this may also have other unintended or unexpected outcomes, which we will return to later in this report.

The lack of opportunities, disrupted education, high unemployment rates and weakened infrastructure has given rise to a particularly bleak outlook for the younger generation in Bosnia-Herzegovina. There is limited scope for any kind of (legitimate) entrepreneurialism - especially amongst the displaced communities. While some have assimilated into the domicile population they may face hostility and prejudice, particularly when seeking employment. The socio-economic conditions in the camps and centres can breed ennui or inertia, which in turn lead to social problems such as alcohol or drug dependency and violence. Conversely they may breed discontent, which becomes a focus for political parties to latch onto, fostering fundamentalism or increased nationalist sentiments. Many of the younger generation emigrated during and after the war, and continue to leave in large numbers to join relatives or to seek better opportunities abroad. It is precisely because of this

'loss' of a generation, and loss of potential skill base that there is a pressing need to return families with young children.

## **ii. Legislation governing pension funds**

Pension Law became entity driven after the fragmentation of the former Socialist Funds. The central fund was originally divided into three separate and ethnically divisive funds; the Mostar Fund, the Sarajevo Fund and the Republika Srpska Fund. An Agreement on Mutual Rights and Obligations in the Implementation of Pension and Disability Insurance was signed between the three funds to supposedly enable a pension beneficiary to continue receiving a pension in his/her place of return, as the previous administration behind each Fund was huge, discriminatory and complex often not allowing legitimate claims to be processed. In 2002 the RS Pension Fund withdrew from the Agreement on Mutual Rights and Obligations in the Implementation of Pension and Disability Insurance in 2002. In January 2003 the Mostar and Sarajevo Fund's merged, which allowed Bosniaks and Bosnian Croats to access to their financial entitlements in the Federation more easily. Attempts were made to sign further inter-entity agreements in 2003 in an attempt to coordinate legislation between the Federation and the RS. However, continued lack of harmonised legislation and lack of respect for the Agreement on Mutual Rights and Obligations in the Implementation of Pension and Disability Insurance meant that discriminatory practises has continued against pensioners, IDPs and returnees who have often been unable to access their full pensions or enjoy other benefits normally associated with it, such as health insurance, in the RS. The continued problems surrounding pension entitlements has proved fairly contentious. Sketchy application of pension law on the ground has been common, with some pension beneficiaries resorting to the judicial system in order to gain access to their legitimate entitlements.<sup>26</sup> Those who rely on the pension payments as their sole source of income consider the difficulty in registering their claim across entity lines as a major concern when facing the prospect of return. Moreover, with high unemployment rates and an unskilled female workforce these financial entitlements become a lifeline for those people who lost everything during the war.<sup>27</sup>

## **iii. Pensions entitlements**

There are different types of pensions that can be accessed and some provide higher payment entitlements than others. The financial entitlements include employment pension, military pension, missing person's compensation, and family pension. A widow can access the employment pension on behalf of her husband if he was in company employment before the war. This can be granted on top of missing person's compensation and a family pension. However, in rural areas many men worked in market farming activities and so for these claimants they must rely solely on one pension; family or missing persons compensation. For those who do not meet the requisite conditions for any of the entitlements must rely solely on social welfare assistance or humanitarian aid, which is all but drying up. In all cases the assistance or pension entitlements that they receive are not adequate to sustain consistent

and normal living conditions (provision of nutritious food, schooling and healthcare) for a family unit. If pension payments are not adequate to sustain day to day needs for a family unit then being required to make repeated trips to the RS in order to satisfy donor criteria in order to be considered for reconstruction assistance will put a further strain on the finances.

IDPs told us that the pensions paid, particularly for those receiving the lower category pensions (i.e. missing persons or family pension), are wholly inadequate to allow any progression out of poverty particularly as the pension payments are fixed and do not take into account increasing costs<sup>28</sup>. It has been assessed that the average four-member family needs 426 convertible marks for food and drinks alone when average pension entitlement only reaches 140 KM in the Federation and 84KM in the RS<sup>29</sup>.

The problem of pension, and subsequent health insurance, return and the lack of social assistance at present are so interwoven with tragedies of the war and the incoherent post-socialist transition that it is unsurprising that all these ramifications are so heavily embroiled in peoples feeling of helplessness. On one of our last visits to collective centres we met one elderly gentleman who seemed to epitomise some of the paradoxes of the pensions and benefits system in Bosnia-Herzegovina. The gentlemen had been a peasant undertaking agricultural work prior to the conflict, he was not entitled to any employment pension and as his sons were grown up therefore he didn't qualify for family pension. As he does not qualify for any form of pension entitlement he and his wife are deemed by the municipalities as 'social cases' and completely rely on intermittent social aid which can be as low as 20KM per month. The municipality gave some land to the collective centre and he farms a small plot but their overall income is meagre, and subsequently their life is very difficult. He would work more but he is beginning to suffer from health problems himself.

The war and post-socialist transition has created an unusual situation in Bosnia as not much time was given to those running the country to iron out problems that the transition would cause which combined with a civil war has left the country in economic tatters and institutionally incapacitated. Only now with sustained effort from international bodies is it beginning to reach a status quo although much still has yet to be done, particularly with many people living of pension payments or state handouts. The exceptionally high unemployment rate means a small minority of people are paying into pension funds to help support the majority. Without commercial growth and continued pressure from OHR in supporting industrialisation then this could continue for some time to come.

## **2. Food security (physical and economic access to food)**

Food aid, such as that provided by the World Food Programme, has long since been withdrawn from Bosnia. Beneficiaries in collective centres do not receive any specific food allowance or benefits. However, issues of cost and provision are obviously of paramount importance to the beneficiaries. It is worth reiterating that many of the beneficiaries remaining in these collective

centres are classified as 'social cases' and are living very much on or below the poverty line.

There is a reasonably good selection of produce in local shops and markets, but these may be some distance from the camps and many of the beneficiaries have infrequent or no access to public or private transport, or indeed the financial wherewithal to pay for it. Some camps have small privately run booths, which sell very little besides cigarettes, sweets and soft drinks. Traders did call at the collective centers to sell goods and produce. At some of the camps, beneficiaries had begun to cultivate the (donated) land, or some keep a small amount of livestock. However, such self-sufficiency implies a degree of permanence, which many of the beneficiaries are reluctant to submit to, given the precariousness of their position.

Another food-related issue is that of nutrition. It seems that for many of those still living in collective centres adequate nutrition remains a problem. Many of the elderly and infirm residents need advice about their diet and medications. Many suffer from common, but problematic, complaints such as anaemia or diabetes, and lack the knowledge or awareness, or indeed financial wherewithal needed to maintain optimum health through nutrition. This leads us into our next domain.

### **3. Health security (relative freedom from disease and infection).**

Overall, healthcare in Bosnia-Herzegovina continues to have a distinct focus toward curative rather than preventative medicine or primary health care facilities. This is in part a legacy of the socialist healthcare structure, but also because of donor funding criteria and essential reconstruction of hospitals, particularly in the urban areas. Outside the urban areas there is a marked lack of essential resources and a shortage of trained medical staff. Many of these problems are the result of a fractured healthcare structure in the aftermath of the war; increasingly segregated health insurance schemes in the Federation and the Republika Srpska and a subsequent reduction in insurance contributions given the generalised weakened state of the economy, and increasing difficulties on behalf of many sections of the population to access affordable, good quality health care.<sup>30</sup>

Returnees face an even more complicated process of claiming for healthcare expenses through an as yet poorly implemented 'cross-entity' health insurance scheme (see above). Previously, as long as displaced people were registered as living in the Federation they were entitled to health insurance, whereas if they returned to the RS but delayed transferring their registration, they were not covered under any scheme. Such a policy led to complications for IDPs, many of who were reluctant to transfer their registration to the RS for a number of reasons; including the reluctance to be treated by a Serb doctor - many respondents said they would rather travel back to Federation for treatment rather than be seen by a Serb doctor in the RS. The new scheme entitles people to get medical treatment outside the entity in which they have health insurance under certain conditions. Those eligible are returnees, those temporarily living in the territory of the other entity for the purpose of

education or training, or if the person concerned has been sent for medical treatment at a health institution in the other entity.<sup>31</sup>

This collusion of factors means that, overall, medical care in Bosnia is poor and not up to pre-1992 standards.<sup>32</sup> In particular, medical provision for the large numbers of displaced people remains inadequate and under funded. In addition to conflict-related medical problems such as disability and posttraumatic stress disorders, further demographic issues compound problems. These include an increasingly elderly population and consequently a shift in the nature of illnesses and diseases suffered.<sup>33</sup> These are often of a more long-term, chronic nature, and include hypertension, diabetes and cardiovascular disease. Many of these chronic conditions are exacerbated by countrywide discrepancies in types of treatment available, diagnosis and availability and prescribing of medications.<sup>34</sup>

In the immediate aftermath of the conflict there was a significant increase in the number of communicable diseases and epidemics due to the destruction of water and sewage systems during the fighting. Now, crowded and unsanitary conditions in some of the camps – especially those that had several families sharing bathrooms and washing facilities – have given rise to an increase in the number of gastrointestinal diseases, hepatitis, and, more seriously, tuberculosis. There is a WHO-led TB control programme in Bosnia-Herzegovina, which provides free anti-TB medications. Statistics for rates of infection are not necessarily reliable, as there is a degree of social stigma attached to being diagnosed and treated for TB. More critical is the problem of ensuring compliance and continuation of the prescription regime through education and advice. All the nurses and social workers we spoke to highlighted the necessity for health education, in particular the importance of completing prescribed courses of medications. Whilst medications were provided for free, people were willing and able to take them regularly, as prescribed.

## ***Vulnerable Groups***

### **i. The elderly**

For the elderly and infirm, the lack of state input or services from NGOs has become particularly acute. An example of the options available for social welfare is the Grapotoč Collective Centre. This innovative, purpose built residential home opened in March 2004, funded by a Dutch aid grant. The running and maintenance costs are picked up by the Banovići Municipality (Tuzla Canton). It plans to offer 24 hour residential care to elderly and welfare cases. Services are offered free of charge and include food, accommodation, medications, nursing care cover and (limited) access to physicians. It is planned that all those deemed 'welfare cases' in the district will be housed in the residential centre, but it was not running at full capacity (70 residents) by May 2004 due to lack of staff and equipment, and had only seven full-time residents from the neighbouring collective centre who were deemed welfare cases.

During our visits, many elderly IDPs complained about needing medications and medical checks. As they pointed out, even if they could get to a telephone to call for transport, afford the ambulance or transport to take them to the nearest health centres – still some distance away - they could ill afford the prescriptions they were given. In some cases, delays of up to three or four days between running out of medications and being able to collect repeat prescriptions were common; obviously such a delay can cause many health problems for those taking certain medications. In addition, the ministry of health only fully or partially subsidises some medications. However, people do not know usually in advance which ones are subsidised and which they have to pay the full price for.

## **ii. Women's health**

Bosnia was, and remains, a patriarchal society, where sex education, pregnancy and other issues are still very awkward topics to discuss, causing embarrassment and shame. Many of the problems the women face have arisen as a direct result of the conflict; many were victims of sexual violence. Rape and sexual violence were cynically used as political tools of ethnic cleansing – both to deliberately impregnate women and humiliate and emasculate the men. There are many factors to take into account in enabling women to seek treatment – whether for medical problems or violence and/or abuse - including issues of finance, shame, fear, and guilt. At *Visča* collective centre we met Meena, a fifty–eight year old woman who lived with her thirty-five year old unemployed daughter, and her widowed son, a thirty-three year old unemployed demobilised soldier. Meena's general health was not at all good; she suffered from hypertension, diabetes and 'nerves' – which she attributed to the menopause – and other stress related problems. She spent a large portion of her pension allowance on medications, and told us she was bitter about wasting the best years of her life in one room. Many women commented on how they had arrived at camps and centres in (reasonably) good health, considering all they had experienced, but over the intervening years they had become "unhealthy".

Women suffered from a variety of complaints, including depression, 'nerves' and other (somatised) pain symptoms, as well as problems related to stress, such as 'neurosis', high blood pressure 'syncope', and irregular heart beat. Many of the women had multiple members of their family officially still 'missing', and a number of them had testified at the ICTY at The Hague as representatives of the 'Women of Srebrenica' group. The women were quite dependent on the input of NGOs (like HMD), particularly at such times as the anniversary ceremony on July 11<sup>th</sup> in Potočari. Many in Bosnia do not feel justice has, or is, being properly administered. A number of women have had to re-live their experiences through testimonies and trials. Even after testifying, few of the women were offered any kind of witness protection. In these instances, they are even less likely to wish to return to the RS. The nightmare of war is perpetuated every single time a white truck pulls up outside of these centres. Women feel both fear and trepidation that it will be a representative of International Committee of Missing Persons (ICMP) to report a positive DNA testing.<sup>35</sup> Of the few visitors these families receive, the ICMP

are among the most poignant – in giving the women definitive verification, they are both bringing an end to uncertainty, but ‘confirming’ their suspicions.

These sensitive issues are not always handled well, resulting in misunderstanding, confusion and distress. One group of women from the Zvornick area who had reported missing family members between the ages of 16 – 18 years old, were asked to go along to local police stations in the RS to give statements concerning the events that led to their disappearance. Understandably, the women were upset and traumatised by having to relive these events, and could not understand why these boys were being treated as ‘separate’ Missing Persons from their fathers, grandfathers, uncles and elder brothers who were also missing. Nor did they feel they should have to go and talk to (uniformed) police in the RS about these events. Overall, the issue of Missing Persons continues to be high on both political and personal agendas, and many people feel there is a lack of information about it. Despite ‘good’ intentions such as these to facilitate identification processes, they do little to ameliorate matters. Returnee families have called for a more multiethnic police force, and continued psychological support from professionals in order to alleviate these concerns, none of which seem immediately forthcoming.

This confirmation - and a subsequent change in status to ‘widow’ for many of the women – thus comes about mainly through identification of the remains by DNA. The shift in status has financial consequences, in terms of benefits and pensions, as well as socio-cultural implications. These include bringing up children alone, housing (or lack of it), the ability and wherewithal to remarry, (un)employment, and the role the extended family plays. We met many families whereby the grandparents were left to bring up their grandchildren. Bosniak women’s identity is constructed through their husbands, families, and communities. Without these, a woman may lose her sense of self. Therefore being alone is an emotional loss as well as personal loss.<sup>36</sup> Visits from NGOs and local organisations therefore provided women with more than just medical care and social work, they offered a link to life outside the centres. They also gave them an opportunity to talk about their pains and problems, not necessarily removing them but perhaps alleviating them. Unfortunately, many beneficiaries were heavily dependent on medications; but this was a very psychological dependency – one woman told us “We take the pills anyway because they will make us feel better”. However, it has become increasingly difficult to break this cycle of dependency. Whilst returning “back to normal” may be the best treatment families could have, as one local healthcare worker informed us, it is questionable how easy it is to ‘return back to normal’ after all these families have been through, or indeed, what exactly “normal” is any longer.

### **iii. Mental health issues**

Especially worrying in terms of the long-term effects of conflict recovery are the rates of less ‘visible’ illnesses, specifically mental health problems and psychological damage as a consequence of trauma. Many of the men and women living in the collective centres suffered appalling tortures and witnessed indescribable horrors. This has led to many of them suffering some

form or degree of post traumatic stress disorder (PTSD). This may be experienced differently by each person, with varying signs and symptoms. There are many disturbing effects and worrying trends. Many of the men and women we spoke to admitted to be taking sedatives regularly as a result of their war experiences.

The diagnosis and treatment of post-traumatic stress relies on highly trained staff and specialist treatments such as therapy and counselling, which was practically non-existent prior to the conflict and is not widely available across Bosnia. Inevitably, those living in urban areas will have better access to such facilities, and there are NGOs attempting to deal indirectly and specifically with these issues.<sup>37</sup> However, displaced families often have additional issues and problems, such as the organisation and delivery of continuing care in such a transient population.

According to healthcare workers, the most difficult client groups to work with are the younger generation – especially boys. Yet this is often the group most associated with problems such as drug and alcohol dependency, violence and prostitution, depression and suicide. One counsellor outlines three possible reasons for this: poverty, unhappiness and the fact that Bosnia offered a new, untapped, market for drug dealers. Men were more likely to seek psychiatric help than women, but preferred to work with male counsellors given the stigma and perceived loss of masculinity associated with mental illness.

Concerns have been raised about the still relatively taboo subject of suicide. It has been speculated that overall suicide rates across Bosnia-Herzegovina, amongst both men and women, have risen incrementally since the end of the war.<sup>38</sup> We can only speculate as to some of the many complex and personal factors that lead a person to suicide, but without doubt many of the issues we have highlighted here – unemployment, fear, depression, PTSD, lack of social support, weak healthcare system – particularly psychiatric care, injury, are all interrelated and all contribute to unbearable pressure on susceptible individuals.

#### **4. Environmental security (access to sanitary water supply, clean air and a non-degraded land system)**

Much has been made of the poor economic state of the country, the institutional incapacity and the task of prioritisation of trying to repair the countries own political, economic, and social infrastructure, alongside the huge task of rebuilding the social fabric. All of these concerns have therefore made demands on all resources. So with the basic job of trying to increase economic prosperity and privatisation of industry, whilst working to oust hard-line nationalists and corruption, the reparation of infrastructure has been way down on the list of priorities. It could be argued that the slow progress of repairing infrastructure in the RS is being used by officials as a barrier to return for the Bosniaks.

However, the remoteness of many of the return villages and hard roads makes the provision of basic services difficult and in turn this can impact upon

one's right to environmental security. Although all houses that are reconstructed must have water supply it is not obligatory to have an electrical supply - all of which it must be iterated were available pre-war. The lack of access to electricity and discriminatory practises when returnees ask to be reconnected is the most pressing problem. The International Crisis Group (ICG) has reported that utility companies have claimed that there is a lack of technical or network capacity in order to deny re-connection to returnees. Returnees that want to be reconnected often faced arbitrarily and discriminatory high reconnection charges which demonstrate another barrier to return or to further demonstrate the fragile relationship between the two ethnic groups and the continued racial hatred that started the war. Aside from high reconnection charges some owners who have their properties repossessed find they have to clear the debts of previous illegal occupiers. This does not only apply to electrical lines but to other services such as telecommunication networks for exactly the same reasons. This problem particularly affects minority returnees in both entities.

Another cause for concern was the running costs of the camps and centres, a large proportion of which the residents now have to bear for themselves. The municipality often works this out so that they pay for the first 200 kilowatts (for example) of electricity used, and then residents pay for anything above that. However, in many centres, this is calculated on one house/two families; in effect, the 'house' owes the money, regardless of the 'household'. Many families do not comply with this payment structure, therefore, while some pay, others owe up to four years in arrears. Theoretically, this means the family can still have its supply cut off.

Other problems include waste disposal and rubbish collection. Due to severely restricted finances paying for rubbish collection is not a luxury IDPs can afford. Therefore at some IDP Centres piles of rubbish collect, which has caused an increase of wild animals and vermin. In the summer months many IDPs are obviously concerned about the health implications that this can have. The right to environmental security is not fulfilled in both the collective centre and return areas. Lack of basic facilities such as electrical networks, telecommunication networks or intermittent water supply leaves a vulnerable population even more marginalised. This in effect means that many people are returning to a situation worse than before the war. To lack more than one critical facility makes coping with day to day life hard and compounded with their everyday stresses the situation begins to effect erode further coping strategies and more importantly their health.

#### **i. Mines/UXOs**

Another outstanding post-conflict problem in Bosnia-Herzegovina is land mines and unexploded ordinances (UXOs). From 1996 to November 2002 1,423 persons have been victims of mine accidents (out of which 480 have been fatal). Recent ICRC figures demonstrate that there have been 27 mine-related injuries in the first four months of 2003 - 14 of whom were returnees.<sup>39</sup>

Understandably, fear of land mines remains a deterrent to return and ultimately prevents the safe return of IDPs and hinders their chances of economic opportunity.

BiH is the most heavily mined county in South Eastern Europe. The BiH Mine Action Centre conducted a systematic survey in 2001 and it indicated that 670,000 mines and 650,000 UXOs roughly remain in 10,000 sites. They further reported that 12% of those sites are located in zones of everyday use, reconstruction and economic activity<sup>40</sup>. Fear of land mines is a very real particularly for potential returnees who may rely on their agricultural land as an essential food supply. At times returnees must cultivate land at their own risk or leave the land uncultivated. Moreover, the lack of electricity forces people to head in the forests to collect wood where it is known that the Serbian forces heavily mined them. Whilst land remains mined and whilst there continues to be a lack of financial input into de-mining activities complete reconstruction of the country is impossible and the regeneration of agriculture and livestock farming difficult<sup>41</sup>.

## **5. Personal security (security from physical violence and threats)**

As members of nationalist movements and those known to have committed war crimes are gradually removed from positions of authority and influence, political stability is slowly occurring and personal fears are being allayed. However, until this has been fully achieved at all levels mutual distrust and insecurity will remain between all ethnic groups. Of course, it would be difficult to say whether some of these incidents are part of average countrywide crime levels, but it must also be highlighted that a lot of fear is felt because the majority of returnees are female-headed households. These women, both young and the elderly, return, often reluctantly, to remote parts of the RS where the terrain and living conditions are difficult enough without a male family member to help out. The women often have no choice but to face their memories, which may lead to feelings of either perceived or real threats to their safety. Economic pressures and the desire to extrapolate themselves out of their current situation means that in many instances IDPs are sometimes 'forced' to go back through the lack of any other feasible alternative, despite the many fears that they face.

Therefore though the number of IDPs returning 'home' has been significant, their actual situation when they return, for example access to jobs, healthcare and schooling, continues to be liable to discrimination from a number of perspectives – including ethnic and economic.<sup>42</sup> Recent reports indicate that though the overall security situation is improving, there are still some sporadic outbursts.<sup>43</sup> In the RS, house burglaries are more common amongst returnees, yet despite reporting these incidents to the police, returnees told us that no one has yet been prosecuted. Returnees felt neither safe nor secure given such episodes; a problem compounded by the fact that many of the returnees are single female headed households who perceive themselves as (and indeed are) more vulnerable

A recent UNHCR report stated that from January to May 2003 there were 155 incidences affecting returnees, IDPs and other persons of concern to UNHCR, with the highest number of cases reported in the Zvornik, Bijelina and Bratunac areas of the RS.<sup>44</sup> This means that on average, since 2002, incidences of ethnic-related violence have decreased from 35 – 31 per month. The report noted, however, that it was not clear from the figures how many of these incidences were return-related or ethnically motivated.<sup>45</sup> There were also alleged incidences of antagonism and sporadic incidences of violence between Bosniak and Serb populations during Memorial Day in March 2003, when the burials of the 600 bodies found in the first mass graves took place.

Incidents towards returnees can manifest in many different guises. The most common incidents are acts of verbal harassment, and/or damage to a religious site or returnee property. Mutual distrust remains between all ethnic groups, and we were told of several incidents that happened to both beneficiaries and staff in the region (including graffiti on houses, violence, physical intimidation, and murder). In an attempt to alleviate such incidents, the OHR are actively trying to increase the recruitment of minority (Bosniak) police officers to the force in RS. Many return related incidences that are reported are never dealt with by the (mainly Serb) police force in the RS, and inadequate and poorly managed investigations of return related incidences have demonstrated local Serb police officers reluctance to investigate legitimate claims, prosecutors reluctant to act on them, and judges reluctant to punish the perpetrators despite the seriousness of the incidences.

### **i. Personal security, mines/UXOs and weaponry**

Explosive remnants of war (ERW) do not only affect the return process and agriculture. The presence of land mines acts as a continued deterrent towards a successful and sustainable return process, not least because of the costs involved for medical treatment and therapeutic care, as well as the psychological costs and loss of income that can arise out of mine injuries. The injuries that can occur have devastating long-term effects of a patient.<sup>46</sup> Further to the presence on mines and UXOs is the amount of weaponry rumoured to be in circulation by ex-combatants and civilians around the country. Not only are they a potential source of income - from their sale - but also a threat to personal security. One beneficiary from the Bratunac area told us that if SFOR looked for weapons “they would find them from Zvornick to Visegrad”. There have been few weapon amnesties, and, as in many other post-conflict zones across the globe, the easy availability of guns and weapons means that local and domestic incidents can readily escalate, resulting in violence and lethal injuries.

### **ii. Gender based violence**

Surveys of women have demonstrated that male violence against women is endemic in Bosnia-Herzegovina (Cockburn 2001). Research has found that displacement can lead to a shift in gender and familial roles which may result in men becoming demoralised, depressed and feeling ‘emasculated’ as women take on more remunerated work and extended roles. The conflict,

and ethno-nationalism it espoused, has resulted in increasing incidences of alcoholism and domestic violence among families as men are often unemployed, bored, and frustrated with their social circumstances. Add to this the dehumanising effects of the war, then it is perhaps unsurprising that domestic violence is on the increase across Bosnia-Herzegovina. The loss of husbands, sons, fathers and brothers has left many women in a vulnerable position, but also has led to a shift in gender relations as men have to seek alternative roles if they are unable to work or provide a home for their families. There was little in the way of support or provision for victims of domestic violence pre-war, and even now, for women who have escaped violent domestic situations there are still very few organised support groups. There are also cultural issues around 'honour and shame' - and whether or not a family will accept their divorced or separated daughter back, especially if she has children. There is also the question of money, and whether the natal family is willing and able to look after additional family members given the dire economic circumstance of many families. Women also felt that villages in the RS were overall much harder for women to live in as they had to live a more 'traditional' way of life.

This shift in women's position raises the whole issue of trafficking of women and prostitution. Though we did not hear of any specific examples of these problems in any of the camps we visited, the traffick of women has become endemic across the Balkans, given the loss of infrastructure and increased criminality in the aftermath of the conflict. Bosnia-Herzegovina has become something of a 'hub' for the transport and sale of women, given its position, and associated factors such as the large military and international presence, and related drug trafficking.<sup>47</sup>

## **6. Community Security (security of cultural identity)**

Notions of cultural identity have become deeply entwined with issues of ethnicity, nationalism and religion in the post-conflict phase. These issues have impacted on many welfare concerns, including education, housing and healthcare, which in turn raise issues of prejudice and inequality. In addition, as we have highlighted, people are being returned to areas where they feel less than secure, both from fear of reprisals, violence, or injustice, given the ethnic make up of the police, hospital staff, teachers and many other areas of civil society.

Ethno-religious divisions have been both alleviated as well as exacerbated by the reconstruction of mosques, churches and memorials, as both powerful religious symbols and a way to 'mark' territory. The reconstruction of religious sites therefore had a meaning beyond the purely symbolic, but initial lack of interest, or impetus, in rebuilding important religious sites and memorials paved the way for other interested parties to gain a foothold.<sup>48</sup> This raises the question of fundamentalism, and what the beneficiaries are expected to provide in return. The continued threat of economic, political and cultural insecurities may lead to the rise of fundamentalism on behalf of any of the constituent ethnic groups. For Bosnian Muslims, global issues such as the war on Iraq reiterate a sense of solidarity with fellow Muslims world-wide.<sup>49</sup>

The reconstruction of religious sites brings other problems; it is both enshrined in the DPA, and intimately connected to the return and repatriation process. Reconstruction of religious monuments and memorials ensure memories are kept alive, but they also serve to 'reassure' people that the territory is 'safe' for return. However, these memorials can also become targets for religious and ethnic-inspired abuse and crime. This problem can be particularly acute in areas that were ethnically cleansed during the conflict. A recent UNHCR report notes: "The high number of violent acts targeting religious facilities is sadly illustrative of the divisions engendered by the war, and of the will of certain individuals or groups to maintain these divisions and discourage return." (UNHCR 2003b: 3).

### **i. Community regeneration**

Partly as a result of the conflict, and also increasing urbanisation, many rural families now no longer follow traditional patriarchal structures, whereby the extended family either all lived together in the same house, or very close by in the same village. Rural women usually married out, going to live in their husband's village. One of the effects of the conflict has been the shift to a predominance of female-headed households, especially women over the age of thirty. This has led to difficulties with return applications, compensation, pensions, and rights. Many women complained that they did not want such responsibilities, as it often led to tensions with other family members and financial and childcare difficulties. The shift in family dynamics lends the possibility that parents in law are dependent on daughters in law for their well-being, or indeed vice versa. It also raises the problem whereby one (extended) family has to live off one sole income, whether from pension, benefit or wages. Lack of men also affects the return process. In one village in the RS, there was not one single man out of 450 successful applicants. Women therefore faced the prospect of cleaning, rebuilding and moving alone and many were simply unable, or too afraid, to undertake this alone.

The noticeable absence of men of marriageable age is an often-overlooked factor that could contribute to the regeneration of communities. Many men were killed or injured during the conflict, others have simply left to start a new life abroad. In one collective centre we met a group of young single women. These girls joked that what they needed most was husbands, but behind this were very real concerns that there is now a significant deficit of men between 30 – 50 years of age. For many of these girls, marriage would have been a way to leave the natal home and begin a new life. Amongst Bosniak families, women still tend to marry and have children at a younger age - often in their late teens. Nevertheless, pregnancy outside of marriage is still a social stigma. In addition, the lack of privacy in collective centres for young couples, married or not, remains problematic and puts additional strain on familial relationships. A number of displaced women have remarried both within the domicile population and with other displaced people. Of course, women remarry for any number of reasons, including out of necessity, but several of the more cynical comments made to us intimated that the war widow's pensions made them a more 'attractive' proposition.

The situation in the RS may be even worse; many young people who went to university never returned to their villages, and sought employment in urban areas. The few that managed to go abroad rarely sent any kind of remittances back to the villages.<sup>50</sup> A recent UNHCR survey (2003b) demonstrated that men under the age of 20 living in camps in Tuzla were one of the groups most amenable to return. However, this group has had remarkably little voice, or profile, when discussing issues of displacement and return. This is all the more remiss given that many of them have grown up in camps and collectives centres, attended school in the Federation, yet may still be expected to return to their family homes in the RS. Young people may well be more resilient and adaptable to changes in their circumstances and environment than other age groups. However, most of the factors that made young people wish to stay in the Federation hinged around education and employment opportunities. Unemployment continues to be an enormous problem for both returnees and IDPs. Many of those remaining in collective centres and camps are young school leavers without jobs. Most of the boys interviewed said that though they were aware of the lack of employment opportunities in the RS, they felt they would be able to get some kind of agricultural work. Of course, how much of this is rhetoric is debatable, and some of the young men reported that they felt they had no future in the Federation, so would return 'home' to the RS, despite having little experience of agricultural work, and, as they said, their prospects could not be any worse there than in the camps in the Federation.

Increasingly, young people seem to be dividing along gendered lines about the will or wish to return – and increasingly, begin to see little other option for their futures. The young men we interviewed were pragmatic about reverting to an as yet unknown rural lifestyle, while the girls continued to pin their hopes on education to gain opportunities. However, once married, women revert back to having little voice or choice about these decisions. Ultimately, there is little hope for regeneration of many of the return villages in the future as many of the returnees are elderly, or single women with no children. There are few jobs, and very few young people want to remain living there. Ethnic cleansing may have been successful after all.

## **ii. Neighbourliness and community**

For those that have not returned to their villages, whether through fear, lack of donor funding, or apathy there is little other choice than to either remain in a collective centre, or move to private rented accommodation. In contrast to many of the villages, collective centres are mono-ethnic. They are also geographically and socially isolated, with little community interaction or participation. The duration of time that many of the beneficiaries have now been living in these camps means that they have created a different sense of community and fostered different kinds of social relationships. Most of the beneficiaries lived in cramped, chaotic conditions, with little in the way of privacy, welfare provision, and with little hope or optimism about the future. One man told us this was because each family felt their own particular circumstances to be as bad, if not worse, than their neighbours. Who could offer to help someone when they themselves had very little to give? If they

return to their villages, the situation may be even worse. Firstly they have to complete the selection process for the Return and Repatriation Task Force (RRTF),<sup>51</sup> once they have got through that, they then have to deal with their own neighbours, who may have perpetrated crimes against them, or vice versa, during the conflict.

After the demise of socialism, nationalist politicians both within Bosnia and outside soon found the only way to destroy bonds of neighbourliness and trust was to promote distrust and destroy communities.<sup>52</sup> As is often the case, by playing on people's fears about the state of the economy, lack of jobs, inequalities in housing, healthcare and education, politicians promoted civil unrest and gained credibility. Whilst this does not fully explain how neighbours could indeed turn on each other, it goes some way to explaining the processes. Given this, it seems almost incredulous then that as part of the RRTF selection process, people were allegedly expected to tell officials if families are illegally occupying a house, or have illegally reapplied for reconstruction. Such practices hardly promote bonds of trust and neighbourliness and may perpetuate ethnic divisiveness. The continued discovery of mass graves in this area of the eastern RS serves to reiterate all the traumas the families have suffered and does little to promote forgiveness. Many said they would refuse to be treated by Serb doctors, or have their children taught by Serb teachers. Yet others said they felt that the healthcare and education systems in the RS should reflect the ethnic diversity of the area.

### **iii. Education and other issues regarding children**

It remains unclear as to what effect the conflict and its aftermath has had on children as they have grown up in collective centres or camps, and have been surrounded by angry, bereaved women. As many of the women now are single parent families, the issue of raising children has become a priority. It is inconceivable that the war and living in collective centres and camps for over eight years will not have affected the children who experienced it. Children are an already vulnerable group, and the poor living conditions and surroundings of the collective centres and camps, disrupted education and social circumstances compound this. The women have understandably become very apprehensive about their children, often channelled their fears and anxieties onto them.

Despite the importance of education touched on above, a number of factors impede access and availability of schooling and education. As children were entitled to access free education in their parents area of displacement, many parents, even after returning to their homes, continued to send their children to school in the Federation, even if this meant leaving their child behind with friends or relatives. This system of "dual registration" had both advantages and disadvantages in terms of benefits and eligibility; but in terms of their children's education, it ensured their children could still go to school in the Federation. Until the framework Law is enshrined in the constitution, it seems highly likely that this arrangement will continue.

Though schooling is free, parents are expected to pay for transport costs, books and materials. Many camps and collective centres are situated some distance away from schools, and many of the returnee villages have poor transport links. These additional expenses are a burden on already financially over stretched families with several school-age children. There is a shortage of qualified teachers across Bosnia, though there are more teachers in the Federation where there are better salaries and prospects. Very few Bosniak teachers apply for posts in the RS. In addition, as school buildings were often targets during the war, even if there are teachers available, there may not necessarily be a building in which to house the school.

Sectarianism within the education system has perpetuated community divides, serving as a deterrent to return as it has meant that 'minority' children in schools in return areas are taught according to the 'dominant' ethnic groups curriculum. This in practice means that in the Federation, lessons were either in Bosniak or Croat (in Herzegovina region), with 'offending' parts removed from school text books, and in the RS, they are in Serbian, using the Cyrillic alphabet - which returnee children have little or no understanding of. Educating children can also be a means of facilitating peace and reconciliation across communities shattered by violence and conflict. Education fosters community spirit. It is therefore unsurprising that reform of the education system in Bosnia was high on the OSCE list of priorities. Prior to the implementation of such a law, the three main constituent ethnic groups hotly contended issues of curriculum, language, security, and even which political leaders picture should be hung on the classroom wall. It remains to be seen how effective these reforms will be.

Getting a good education is valued highly amongst all the people we spoke to, for all the above reasons. As many of the collective centres are isolated, so school is often one of the very few points of contact; not just between the different ethnic groups but between different social groups, as well as between the sexes. There are now a number of examples of 'mixed' schools reopening in the RS, which bodes well for future projects. More pragmatically, education enables young people to seek employment, or even travel abroad. Women collecting Missing Persons pensions are entitled to continue claiming for this until their child is twenty-six, provided they remain in full time education. Nevertheless it is our conjecture that very few of the children in collective centres, or returnee areas, remain in further education until that age, as many would be expected to try and seek employment to alleviate their families financial burdens, or be expected to marry.

## **7. Political security (protection of basic human rights and freedoms)<sup>1</sup>**

Issues of return and reconstruction have become the main focus of the international community, often masking other issues. From the outset we have defined the issue of return as one of political security – the legislation's in place are, in theory, set up to protect the basic human rights and freedoms of the displaced population. The guiding principle behind this was the General Framework for the Agreement of Peace (GFAP, also known as the Dayton Peace Accords), in particular Annex VII.

## **i. Brief outline of the legislation protecting the rights of IDPs**

The issue of the right of people to return to their pre-war properties was the driving force behind the signing of the DPA and subsequently behind national legislation and international humanitarian assistance mandates<sup>53</sup>. Annex VII of the DPA consecrated the status, rights and obligations of internally displaced peoples by ensuring providing the rights of refugees and IDPs in Bosnia to return to their pre-war property voluntarily, without being compelled to move by political, economic and social pressures or exposures to a safe areas with basic infrastructure necessary to resume normal life<sup>54</sup> without *'discrimination or intimidation particularly on account of ethnic origin, religious belief, or political opinion'*. In order to expand on the status, rights and obligations of IDPs set out in the DPA the *'Law on Refugees from BiH and Displaced Persons in BiH'*<sup>55</sup>, governing the entire country was passed in 1999 and further separate laws were passed in the BiH<sup>56</sup> and RS<sup>57</sup>. The success of the of implementation of Annex VII is widely seen as the defeat and reversal of ethnic cleansing.

## **ii. The return process and the implications of 'forced' return**

The desired 'durable solutions' and 'cessation of IDP status' are therefore seen as voluntary return or resettlement, with particular emphasis placed upon security of tenure, whether this be the permanent ownership of a property or the provision of subsidised alternative accommodation.<sup>58</sup> However, our research showed that whilst IDPs recognised that permanent housing would be seen, in part, as a durable solution to their current situation, they need the "means" to live; means which they enjoyed in the pre-war socialist state. For example, IDPs expressed that adequate space in the home, infrastructure (adequate sewerage, electricity, access to water etc), non-discriminatory access to education, healthcare, social welfare assistance and self-sustainable economic opportunity should be included in any return and repatriation programme in order to ensure their survival. (Access they freely get in the Federation albeit with some level of difficulty due to the remote location of some IDP centres). Furthermore, potential returnees also hoped for other conditions to ensure their safety and security in return areas, conditions such as justice for return related violence and justice for war criminals still at large in the RS (although this hasn't actually prevented return or the idea to return per se for all, it can make the whole process more unpleasant and stressful).

## **iii. Cessation of IDP Status**

It is necessary to define in legislation the cessation of IDP status in order ensure continuation of legitimate claims to aid, therefore, within Article 7 of the BiH legislation the cessation of IDP status implies that a solution has been found to end an IDPs displacement.<sup>59</sup> However, even with this protection clause in national and international legislation problems have been foreseen as the definition could open doors to abuses and the premature discharge of responsibility towards the IDPs welfare with the arbitrary ending of IDP status. For example, if an IDP refuses offers of reconstruction assistance in the RS,

unless it is deemed there are compelling (humanitarian) reasons to do so, it will be inferred that an IDP has found their own solution to their housing needs. They then can be served an eviction notice, stripped of their IDP status and the subsequent benefits associated with it.<sup>60</sup> Bosnian law does, however, provide clear guidance as to limitations on presumption in specific cases for alternative solutions, particularly for those who experienced serious trauma in their areas of return even if there are adequate conditions of safety and dignity exists in the area of origin. Another problem is the amount of backdated taxes villagers have to pay – depending on the amount of land they owned – if they transfer their household registration to the RS. Few families had enough money to do this, and many have not yet transferred their registration.

#### **iv. The search for durable solutions**

Significant, albeit slow, progress has been made since 1995; the harmonisation of legislation, the subtle expulsion of hard-line nationalist from key entity positions, the battle against general corruption practises and illegal trade and the progression of unifying school curricula. All of which has led, over the last couple of years to a breakthrough in the return process and offered a glimmer of hope towards inter-ethnic integration, economic growth and political stability. Long-term strategies are very much needed alongside 'quick-fix' solutions of property repossession, property reconstruction, access to schooling and healthcare and food security<sup>61</sup>. The OHR continue to push local authorities to plan for extreme social welfare cases within their budget and they hope the cost will come from the closure of the collective centres. Further, they feel that the most pressing needs for the IDPs is to get them out of the collective centres as soon as possible so they can be supported by the return process whilst they are still overseeing it, thereby ensuring that every IDP has been offered an end to their displacement. With this in mind the RRTF aimed for 5,000 IDPs to have returned to the RS and 2,000 houses to be reconstructed in RS by the end of 2003. The Mayor of Srebrenica seemed to have little faith in this being achieved, as the practical constraints and financial dire straits experienced in the RS may prove to be the major obstacle to this ambitious plan.

#### **v. Return and repatriation**

The process of returning people back to their pre-war properties that have been illegally occupied since the war is seen as a 'fundamental' first step to enshrining Annex VII and the right of all citizens of BiH, displaced during the war, to return to their homes. In order to implement the fundamentals of Annex VII of the DPA the OHR set up the RRTF in 1997 to tackle the first of obstacle to return, which was the destroyed or damaged housing stock. Therefore, all the International agencies have encouraged return through the provision of reconstruction assistance for properties in return areas or through property repossession (discussed below). The return and repatriation issue is more pressing than ever as the international contracts for managing the collective centres have now expired leaving local municipalities to take over the financial responsibility.

The RRTF have been tasked to bridge the gap between BiH financial resources and costs accrued by the management of the collective centres, costs which included rental subsidies, heating and utility costs and basic food items and other costs associated with the IDP status, was proving difficult to absorb in the budget that the Entities were allocating for the task. OHR hope to have “closed” the collective centres by the end of 2003 (not completed by May 2004) but to do this alternative housing needs to be provided to those that will not be able to repossess their property or will not receive reconstruction assistance. For this, social housing needs to be provided, but with limited financial resources and zero housing stock this would have proved costly and lengthy. So instead the present collective centres are being closed so they can be re-opened as social housing and the cost currently accrued by displaced person status can be ended and replaced with benefits received for social aid.

#### **vi. Mandates governing reconstruction assistance**

Although there has been some degree of success with application of the reconstruction assistance, the mandates governing the process can be unduly harsh on the most vulnerably displaced people. The physically disabled or infirm, the elderly, and single female headed households are clearly excluded from the ideology for gaining assistance. Consequently, many NGOs have experienced immense difficulties with the implementation of and fulfilling of criteria for beneficiary selection, as the two categories for assistance favour able-bodied men or families with able-bodied men in them. For the for ‘self-help’ category materials are provided to the beneficiaries so they can reconstruct their own house. For the ‘helping hand’ category, builders are hired by the NGOs to reconstruct certain parts of the house to set specifications. The majority of the funding is for ‘self-help’ as more return can be seen on invested money. Furthermore, the onus is entirely on the potential beneficiaries to show their intent to return by beginning to clear the rubble of their demolished house. The problems that arise from these stipulations are two-fold. Firstly, the majority of the potential beneficiaries do not have the capacity to carry out such physical work and secondly many beneficiaries live in remote or minority areas where there is often nowhere to sleep over night with only the option to sleep on their land where there is no water, electricity and no secure shelter. This not only exposing them to real security fears but also means they have to pay for travel expenses out of their meagre pensions.

It appears that criteria attached to mandates set by individual donor organisations do not match the IDP population demography and appear to be set around what is financially efficient rather than real humanitarian need and consequently many NGOs feel that the selection criteria are unrealistic and cruel, and the process lengthy and cumbersome. Therefore the amount of houses built versus the apparent need has been small, particularly as NGOs have to work to restrictive mandates with onerous stipulations that include completing the entire project cycle within 12 months. Within this timeframe the agency concerned must fulfil beneficiary selection, gather documentation and contracts, source construction materials, and undertake reconstruction and

resettlement procedures. Further stipulations include an expected 90 per cent occupancy rate once the reconstruction of a house is completed with selected beneficiaries having to sign a tripartite agreement with themselves, the NGO and RRTF department in the OHR. The agreement is signed to try and enforce residency in the newly reconstructed property and to try and defer the immediate selling of the house once completed. This has meant that the agencies try only to select those beneficiaries deemed to be 'genuine' applicants.<sup>62</sup> It also means that projects can fail over the slightest glitch such as if the project end date is in December when winters are notoriously cold, the beneficiary is still expected to return and be living in this property, even though it is more than highly likely that there is no electrical supply. The project will be deemed to have failed even if the beneficiary returns a couple of months later when the weather has improved. Agencies therefore focus on spontaneous returnees for their main catchment group in order to be able to easily satisfy set donor criteria. The vetting procedure for suitable applicants deemed to be 'genuine' becomes time-consuming and cumbersome. Further problems arise, for example, an elderly female IDP had her house reconstructed and when she returned to her remote village where she realised only one other family had returned, she began to feel an enormous sense of isolation and fear and consequently returned back to the collective centre and now fearing eviction from it.

### **Vii. Applying for reconstruction assistance**

The majority of IDPs that were interviewed had applied several times over the last five years for assistance with no success. As time passes many realise this maybe their last chance to receive or gain access to reconstruction assistance and consequently ownership / residence of their own house once again. Many say that they wish to return to minority areas despite their fears of return and of return related intimidation and/or violence. It would be true to say that many want their pre-war home reconstructed because it represents a sense of pre-war normality or fulfils their desire for their old life. It was common to hear that many who would return would be returning to neighbours that are responsible for atrocities against their families and who had wanted them killed during the war. For example, one gentleman that we met in a collective centre was a soldier during the war from 1992. After the fall of Srebrenica he and five other soldiers, like many others, fled through the forests to reach the UN designated 'safe-areas'. However, the soldiers became surrounded by Serb police, they were arrested, accused of the murder and imprisoned from 1996-1997. Even though he was imprisoned, badly tortured, witnessed his father being led away to his death by a Serb neighbour in his village, and faces the threat of re-arrest should he enter the RS he has still applied for reconstruction assistance. In his view he sees that the ownership of his house as providing him and his family with financial options that would effectively enable them to sell in the RS and buy in the Federation so they can all start their lives afresh. He sees the ownership of a house as an acceptable form of compensation for him now.

The above story is not unique and highlights the plight of those who will fall through the cracks. It is clear that the reconstruction assistance criterion does

not take into account the realities of social cases, psychological trauma, or expression of other reason, such as fear. One NGO representative quoted unofficially that 25 per cent of potential beneficiaries are too severely traumatised to ever return, whilst 75 per cent applied for reconstruction assistance without any real intention of returning. It further highlights that those who have been able to repossess their property under PLIP are fortunate that they are able to gain back a financially valuable asset. For those applying to have their property reconstructed must be assessed under stringent application procedures and must be deemed to be 'genuine' applicants in order to qualify for assistance, the provision of assistance to those who may have intentions of selling is forbidden and therefore unable to gain any form of compensation clearly stipulated in Annex VII of the DPA.

### **viii. Illegal occupancy of pre-war properties**

The Human Rights department of the OSCE is the agency that oversees the implementation of laws for repossessing property. Property Law Implementation Plan (PLIP).<sup>63</sup> PLIP has been a success due to the sustained effort in applying the *“same pressures, demands, and expectations...(to) all officials and municipalities of BiH”*. This cohesive and standardised management style served to institutionalise PLIP methodology in the politicians thereby succeeding to *“undermine the narrow collectivism and nationalist exclusion that has prevailed in Bosnia and Herzegovina”*. The result being that after four and a half years and with the right to property repossession now enshrined in Entity Law, a total of 224,263 claims across 140 municipalities throughout BiH have implemented PLIP and allowed the displaced people to regain access to their property through this legal mechanism.<sup>64</sup> With the need for durable solutions to housing problems ever more pressing, the continued effort to harmonise and standardise non-discriminatory national legislation is a valid achievement, with the success of it moving toward the goal of achieving a rule of law.

Whilst these projects started with great enthusiasm funding for return and repatriation, (including reconstruction assistance), they are now declining in line with the overall withdrawal of monies invested in BiH. However, eight years after the end of the conflict, a large majority of IDPs are now willing to return to their former homes and villages. International donors have spent EURO 608 million to date on repairing war-damaged houses and infrastructure but there is now an estimated funding gap of EURO 599 million between what is available in 2003 and what UNHCR and OHR believe is needed to re-build the 66,500 housing units required by pre-war occupants seeking to return.<sup>65</sup> Therefore there are now more potential returnees than offers of donations.

The onus has been to ensure the return process for political and economical reasons but without thought of personal experiences of ethnic cleansing in the areas they have to return to. Those who do return are sometimes the most desperate social cases who feel that they have no other option. If they return they may have their house reconstructed, possibility of gaining some agricultural land back and they could be offered various economic incentives

through targeted international aid projects (through loans, grants, employment programmes and inclusion in micro-credit programmes) - assistance that they do not receive back in the Federation, although it is just as desperately needed. The implications of forced return take away a certain freedom of choice. How much choice are these people given in terms of their future in terms of support they deserve? And who deems an area to be dangerous, is it the very people that could be exposed to return-related violence or the powers that be that have decided the fate of the IDPs since the war ended? Political pawn playing continues whilst the welfare of innocent people are being bounced around entity authorities. The problem began when the new RS entity was drawn up affectingly displacing many for good. The international authorities expect people to go back to a country that's very fabric has changed from that they once knew in order to satisfy the desire for "dis-homogeneity".

## **Part 5. Conclusions**

Almost a decade since the signing of the Dayton Peace Accords, some 330,000 people remain displaced within Bosnia-Herzegovina, contributing to the estimated three million IDPs within the OSCE area.<sup>66</sup> Despite being within the OSCE sphere of protection, without acceptable solutions to the causes of their displacement, these people are increasingly forgotten and ignored.<sup>67</sup> We set out to highlight the 'plight' of IDPs remaining in Bosnia-Herzegovina. We have argued that, in part because the vast majority are women, elderly or infirm, they feel "forgotten" by the rest of the world, whilst they themselves have not forgotten. They continue to languish with their memories in collective centres and camps, still suffering the consequences of the conflict. Many women lost not only their husband, sons and fathers, but also their identities, families and communities. The war seemed to be the point where many had ceased to function. The raw grief and emotions expressed by them, and the daily struggles experienced, demonstrate that there has been little or no recourse for their anguish. As Rehn and Johnson Sirleaf have noted, "The harm, silence and shame women experience in war is pervasive; their redress, almost non-existent. The situation of women in armed conflict has been systematically neglected" (2002: 1).

The issue of return to the Eastern RS – to places such as Srebrenica, Zvornik and Bratunac - has become a legal process above and beyond any political, or even human, rights. In many respects, this may be because the (remaining) IDPs are not considered politically 'important' enough to warrant a great deal of domestic duty of care or continued international intervention any longer. As mainly middle aged and elderly women, they are not considered to have a significant amount of political leverage as a group. While "everyday issues" remain at the forefront of the concerns of the IDPs, they continue to be used as 'bait' in the deals made between local and international players.<sup>68</sup> Put differently, addressing these concerns has become a matter for negotiation, rather than, as the seven UNDP security indicators may suggest, rights.

The events of the conflict in Bosnia proved to be a 'testing ground' – both for allied militaries and international responses. Therefore there is an impetus for international missions to succeed in Bosnia, even if this may be at the expense of the will or wish of the people concerned. Given the vast amounts already spent and number of mismanaged funds, results have been weaker than intended. This has impeded handing over to local and national agencies and parties take control. But after eight years, and numerous other disasters and conflicts around the world, international aid is needed elsewhere. The problems of aid dependency within BiH are an unintended consequence of the duration of involvement. However, it is debatable when would have been the right time to cease levels of support, or, put differently, facilitate the shift from humanitarian aid to long term, sustainable development.

The extent to which it can be said that Bosnia remains a strategically important country is also questionable. Whilst the international security forces and agencies are such a visible presence, then irridentist concerns about the RS becoming part of 'Greater Serbia' may be an unlikely scenario in the near future. However, they may become more of a possibility once the international security forces and the OHR pull out. In the immediate future, the economic situation of the country is more pressing. Nevertheless, many issues surrounding the conflict, and resulting from it, have been repressed and there has been little in the way of any kind of formal reconciliation process as yet. This is in part because a number of war criminals, including Radovan Karadić, remain at large. There is also very little in the way of dialogue between the different 'ethnic' groups at local level. This leaves the way open for nationalist politicians to once again blame growing economic disparities on ethnic tensions, which in turn, may ultimately lead to the proportioning of 'blame' onto IDPs.

Returnees face additional dilemmas; no longer eligible for any subsidies and benefits they were as IDPs, they are returning to their previous existence. Except there have been many changes in the interim period. Therefore, on the one hand, return represents the chance to resume one's life as it was, but on the other, the conditions in the RS, not only the infrastructure, but the fear and hatred that remains, means that the decision to return is fraught with push/pull factors. IDPs ultimately have to weigh up the decision to remain in semi-permanent collective centres of camps in the Federation, paying rent and utility bills, or to apply for reconstruction assistance, return to the RS and register as living there with all the attendant difficulties that entails. The process of return, in theory, suits all parties concerned – beneficiaries get their land – and home – back (with the caveat that they may have little alternative), and a focus on housing detracts from other issues, such as addressing ethno-political concerns, unemployment, and the problem of social welfare.

Issues around the provision and reconstruction of housing also raise questions about culpability, religion, ethnicity and security, as well as economic and social problems. Even after reconstruction of four walls, other factors serve to tie people to their 'homeland', including the reconstruction of churches, mosques and monasteries, and memorials to recreate a sense of

community. Attachment to homeland is not however solely about memorials or burial sites. Many of the remaining IDPs, especially those from Eastern RS, are from rural communities with an agricultural-based economy. Such a basis means a strong focus on the land. Families need to feel they can literally “put down roots” – farm land, grow crops or build houses, in safe and secure environment. Given the continuing insecurities and uncertainties, many felt unwilling to invest any money, energy or time in either the camps or their homes.

Being an ‘IDP’ becomes an identity in itself, one that requires a certain (expected) type of behaviour, and necessitates a co-dependency between NGO worker and beneficiary.<sup>69</sup> Even the terms used to describe the processes that IDPs undergo are loaded. ‘Dislodging’ (in much the same way as ‘displacement’), is the term used by all concerned to refer to the process whereby displaced people are removed, either by eviction or by termination of contract, or by simply being in the process of return, from their accommodation, and (ideally) returned to the RS. However, this seems to imply another sense of dislodging; to dislodge someone is to fundamentally uproot them from their current circumstances and their sense of identity and place. It also implies a sense of forcing someone out of his or her present position.

IDPs in Bosnia face a double burden; initially displaced from their homes after witnessing ethnic cleansing, genocide, the destruction of homes and villages, the loss of loved ones and overall decimation of their country.<sup>70</sup> Eight years on, they are once again being dislodged, this time from the collective centres and camps. This is by no means a sudden process, the impetus to return the IDPs has been in place since the commencement of the OHR, but while this was ostensibly to demonstrate that ethnic cleansing had not been successful, apart from the material reconstruction of a house, there is still a great deal that needs to be done to redress the issues of divisiveness. However, it should be noted that this divisiveness is not just based on ethnicity – though the ethnic ‘card’ is very often played – but also on economics. Unsurprisingly, economic wherewithal underplays all other aspects of security.

By exploring these seven domains of human security, it would seem from the above examples that IDPs cannot be guaranteed security in any of the areas where human security should be a human right. Of course, there are exceptions to this, but one of the biggest problems in the Tuzla region is that the remaining IDPs are often those most in need of humanitarian aid and intervention. Whether this is a result of dependency or lack of welfare provision is debatable, but nevertheless, the fundamental issue of responsibility for these remaining IDPs continues. In the meantime, these IDPs are increasingly forgotten, or at least, out of mind. It is part of our remit to ensure that they are not ignored or forgotten and to find ways to continue highlighting their problems and needs long after media glare has died down.

## Notes

1A comprehensive overview of the current situation can be found in the Bosnia and Herzegovina profile of the Global IDP Project (2003). Accessed on URL: <http://www.db.idpproject.org/Sites/IdpProjectDb/idpSurvey.nsf/wCountries/Bosnia+and+Herzegovina>

<sup>2</sup> There are of course exceptions to this; see UNHCR 2000b; Rehn and Johnson Sirleaf 2002.

<sup>3</sup> Rehn and Johnson Sirleaf 2002: 2. Recent estimates are that one in every five households (20%) in Bosnia is female-headed (UNHCR 2000b; based on 1998 EC estimates).

<sup>4</sup> Internally displaced peoples (IDPs) now outnumber conventional refugees by two-to-one. Current estimates are that there are some 25 million displaced people around the globe. However, due to the shifting nature of these populations, figures are notoriously difficult to measure (Global IDP Project 2003).

<sup>5</sup> After WWII, Tito carved Yugoslavia into six constituent 'nations' all under the umbrella of the Republic. Bosnia was unique in that Tito divided it equally between the three dominant ethnicities – Muslim, Croat and Serb. There is much debate about the historical antecedence of these ethnic groupings, but Bosnian Muslims were recognised as a constituent nation in 1971 and enshrined in constitution in 1974 (Glenny 1992). In Bosnia, religion therefore defines ethno-nationality. However, it is important to note that ethnicity and religion are not mutually inclusive, for example, not all Croats are Catholic. It was such assumptions, however, that led to many of the problems in the first place.

<sup>6</sup> Knaus and Martin (2003).

<sup>7</sup> Unpublished paper 2003: 11. Quoted with kind permission of the author.

<sup>8</sup> Neighbouring countries from the FRY, including Slovenia, and other surrounding countries such as Albania and Romania, have made extensive progress following independence. Moreover, FRY was already heavily in debt due to extensive borrowing from other Western countries.

<sup>9</sup> See also Fine 2002: pp 8-9. However, given the situation of many refugees in this country, it seems this resentment is by no means unique to the Balkans.

<sup>10</sup> What the ICG report calls "hedging their bets" (2002: 4).

<sup>11</sup> A large mass grave was recently discovered in the Zvornik area of the RS. Reports estimate there may be up to 600 bodies buried – making this one of the largest sites in Bosnia. However, many of these sites were exhumed and the mortal remains redistributed by the Serbs in an attempt to prevent discovery (see BBC News 28/03/03, 28/07/03 and Sky News 08/07/03).

<sup>12</sup> See especially Stover and Shigekane 2002 pp 854 – 856.

<sup>13</sup> See Pollack 2003a. Bill Clinton officially opened the memorial site at Potočari in September 2003.

<sup>14</sup> See especially Knaus and Martin (2003)

<sup>15</sup> A view supported by those who acted as part of the international negotiating community (see especially Reid 2002 pp 149).

<sup>16</sup> If an IDP already has a 'contract' with the Ministry of Refugees, then they are obliged to rehouse them if they close the collective centres or camp they reside in, however, if the displaced person has no such contract, the Ministry is under no such obligation.

<sup>17</sup> In May 2003, in Tuzla Canton alone, 54 713 people were officially registered as displaced (source: UNHCR 2003b).

<sup>18</sup> Data from UNHCR Zvornik.

<sup>19</sup> Of this 55%, 75% stated they had nowhere else to go. The survey encompassed 31 collective centres, 5 collective settlements, 14 donated houses, and 230 private addressees; of these 293 were female-headed households, and 54 were single

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women. In total of 426 women and 174 men were interviewed. (source: UNHCR May 2003b)

<sup>20</sup> UNHCR 2000; Rehn and Johnson Sirleaf 2002: 4

<sup>21</sup> 'Protecting internally displaced persons in the OSCE area: A neglected commitment' Report by the Global IDP Project presented to the OSCE Human Dimension Implementation Meeting, Warsaw, October 2003: 6.

<sup>22</sup> There are exceptions to this, notably Brcko District in northern Bosnia. However, Brcko is a particular case, as it under an entirely separate administration than both the Federation and the RS. To attract investment into the area (long a trading point in Eastern Europe) preferential trading laws and tax schemes have been implemented. There are of course problems with this structure – not least the fact that the (international) supervisor of the district will eventually have to complete this mandate. Moreover, there are various voices of discontent within Bosnia as to the 'fairness' of such a system (see in particular ICG 2003), despite it being successful in many of the East Asian countries. However, condition for workers in many of these zones are often little better than 'sweat shops'.

<sup>23</sup> The UNHCR survey found only 25 people out of 600 had any kind of permanent employment (2003: 5).

<sup>24</sup> As is common in many (former) socialist countries, Bosnia employs a waiting list system whereby people are not technically *unemployed* – and thus not eligible for the same benefits as those who are – but neither are they actually working, but merely on a list of those 'waiting to work'.

<sup>25</sup> See especially Rehn and Johnson Sirleaf 2000: 127.

<sup>26</sup> Doko Kličković, Anka Pašalić and Duško Karanović v. Bosnia Herzegovina, the Federation of Bosnia and Herzegovina and the Republika Srpska. Human Rights Chamber for Bosnia and Herzegovina Press Release Jan 2003

<sup>27</sup> Payment to pensioners is being paid out Canton by Canton, and not simultaneously. This means that some persons will be forced to wait longer than other for payment. Information provided by Sarajevo Fund, 7<sup>th</sup> February 2000.

<sup>28</sup> Quoted in *Report On the Situation of Human Rights and Freedoms in the Federation of Bosnia and Herzegovina* in 1998 The fact is the same in the RS quoted from *Daunting Prospects Minority: Obstacles to Their Return and Integration* UNHCR

<sup>29</sup> Quoted in an article titled *The Role of Pensioners in Bosnia's Bankruptcy* Simic D AIM Sarajevo Sept 2000 [www.aimpress.org/dyn/trae/archive/](http://www.aimpress.org/dyn/trae/archive/)

<sup>30</sup> Average life expectancy is 69.3 years for men and 76.4 years for women (WHO <http://www.who.int/country/bih/en>). In 1995 there were an average of 1.8 inpatient beds per 1000 population and 0.5 physicians per 1000 population (World Bank 1995 - quoted in DFID 1999).

<sup>31</sup> Inter-Entity Agreement on Health Insurance

<sup>32</sup> Though there are legislation's underway to reform the healthcare structure (see UN Common Country Study (2001) and UNHCR 2001 sec.10).

<sup>33</sup> In part due to increased life expectancy, but also the death toll of young males during the war (UNHCR 2001).

<sup>34</sup> UNHCR 2001; Of the 600 IDPs interviewed by the UNHCR this year, 50% stated they had some kind of health concern (2003b: 12).

<sup>35</sup> International organisations such as ICRC and ICMP assist with the identification of missing persons. In particular, ICMP offer a service by which teams carry out DNA testing on remains found in mass graves around BiH, which they then attempt to match to samples taken from relatives. Once a positive identification is recorded, the family is informed.

<sup>36</sup> Mary Kay Gilliland (1995)

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- <sup>37</sup> For example, in Tuzla canton HMD Response and Viva Zena Viva Zene worked with traumatised and/or abused women and children from collective centres and camps.
- <sup>38</sup> IOM (personal communication). See also 'Suicide rates double in post-war Bosnia' ABC Online May 26<sup>th</sup> 2003. Accessed online at: <http://www.abc.net.au/news/newsitems/s848492.htm>
- <sup>39</sup> OHR Press Briefing 28/07/03. From 1996 to November 2002 1,423 persons have been victims of mine accidents
- <sup>40</sup> UNHCR's Concerns with the Designation of Bosnia and Herzegovina as a Safe Country of Origin July 2003
- <sup>41</sup> It is estimated by the BiH Mine Action Centre that it will take around ten years to demine areas deemed to be a priority, this figures is excluding the clearance of UXOs
- <sup>42</sup> See 'Protecting internally displaced persons in the OSCE area: A neglected commitment' Global IDP Project October 2003, and UNHCR 'UNHCR's Concerns with the Designation of Bosnia and Herzegovina as a Safe Country of Origin' (2003a).
- <sup>43</sup> UNHCR 'UNHCR's Concerns with the Designation of Bosnia and Herzegovina as a Safe Country of Origin' (2003a).
- <sup>44</sup> UNHCR 2003a. These are all in the Prodrinje area of Eastern RS, which is also where most of the IDPs we interviewed are from.
- <sup>45</sup> UNHCR 2003a
- <sup>46</sup> Beavis (2001).
- <sup>47</sup> See especially Rehm and Johnson Sirleaf (2002).
- <sup>48</sup> This was perhaps because the reconstruction of houses, schools and hospitals was deemed more important by donor agencies.
- <sup>49</sup> Bringa 2002.
- <sup>50</sup> An increasingly common means of income in transitional rural economies as villagers migrate to urban areas to work.
- <sup>51</sup> The RRTF has acted as the co-ordinating agency for all international actors dealing with return and reconstruction throughout BiH.
- <sup>52</sup> Marková 1997.
- <sup>53</sup> The Return and Repatriation Task Force has the task within the OHR to co-ordinate the mechanism to bring all relevant actors together, whether members or not, unifying mandates regarding return and repatriation criteria's and mandates. [www.ohr.int/ohr-dept/rrtf](http://www.ohr.int/ohr-dept/rrtf)
- <sup>54</sup> The General Framework Agreement: Annex 7 Agreement on Refugees and Displaced Persons, Ch : Protection Annex Article I: Rights if Refugees and Displaced Persons
- <sup>55</sup> (unofficial translation) *Official Gazette of BiH Federation No.23/99*
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- <sup>58</sup> Cessation of IDP status see Article 7 of BiH Legislation
- <sup>59</sup> Law on refugees from BiH and Displaced Persons in BiH (unofficial translation) *Official Gazette of BiH Federation No.23/99*
- <sup>60</sup> Beau C 2003:16-18.
- <sup>61</sup> Population displacement in the South-Eastern Europe: Trends, Problems, Solutions. Committee on Migration, Refugees and Demography - Recommendation 1588 (2003) {1}

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<sup>62</sup> RRTF OHR report that 30-40 % of applications are rejected due potential beneficiaries lying about double occupancy and RRTF also reported that there have been problems ensuring legitimate applicants.

<sup>63</sup> Property Law Implementation Plan was developed from collaborative relationships between OHR, UNHCR, OSCE, UNMIBIH and CRPC

<sup>64</sup> Figure from [www.ohr.int/plip](http://www.ohr.int/plip) July Statistics 2003 – However, there are still around 30,000 claims unresolved

<sup>65</sup> The Continuing Challenge of Refugee Return in Bosnia and Herzegovina executive Summary and Recommendations International Crisis Group Report No137 Dec 2002

<sup>66</sup> 'Bosnia and Herzegovina: 330,000 people still displaced eight years after the peace agreement' ReliefWeb 30 January 2004

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<sup>67</sup> 'Protecting internally displaced persons in the OSCE area: A neglected commitment' Report by the Global IDP Project presented to the OSCE Human Dimension Implementation Meeting, Warsaw, October 2003: 6.

<sup>68</sup> Cockburn, Cynthia (2001) "*Women Organizing for Change*" Open Society Institute: Zenica

<sup>69</sup> See also Colson 2003: 10

<sup>70</sup> In fact, as we have noted above, many IDPs may have had to move numerous times after the conflict. The UNHCR survey revealed that 485 out of 600 people had moves three times or more since initial displacement in 1992 (2003b: 8).

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