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## SPECIAL REPORT 26

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# Dayton Implementation *The Return of Refugees*

## Key Points

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The war in Bosnia created one million refugees and an almost equal number of internally displaced persons, who were either forced from their homes or fled to avoid violence. The return of these refugees to their homes is one of the central promises of the Dayton Agreement. However, because of the political nature of refugee returns, humanitarian interventions by the international community have been met with persistent noncompliance by the parties. This report discusses obstacles to the return process and the larger political, economic, social, legal, and security-related implications of refugee returns.

## ***Problems Concerning the Return of Refugees***

- Participants characterized the Dayton Accords as "schizophrenic" in nature because they simultaneously advocate the political unity and military separation of the parties. This problem also permeates Annex 7, which details the rights of refugees and internally displaced persons and establishes the Property Commission. The desires to provide immediate compensation for loss while ensuring future returns to rebuild a multiethnic Bosnia seem mutually exclusive.
- As refugee returns are inescapably political in nature, the major impediment to returns has been political resistance by parties, ranging from bureaucratic stonewalling to violent attacks against returnees.
- A security gap not met by the local police, the Stabilization Force (SFOR), or the International Police Task Force (IPTF) prevents the establishment of a safe and secure environment for refugee returns, especially to minority areas.
- Participants noted that successful returns are less about the physical movement of people and more about the international community's ability to create conditions to facilitate such movement, such as housing and employment opportunities, infrastructure support, and legal enactments.
- The lack of a long-term vision, effective institutional coordination, and quick-release funds for local civic projects diminishes the ability of the international community to implement the Dayton Accords.

## ***Current Efforts to Resolve Refugee Issues***

- The United Nations High Commissioner for Refugees (UNHCR) has adopted a dual approach to meet the distinct needs of refugees returning to minority and majority areas. UNHCR initiatives such as the Open Cities program, funds for areas receptive to minority returns, and bus routes across the Inter-Entity Boundary Line (IEBL) emphasize positive conditionality. Punitive measures such as the Black List of Municipalities are employed against those resisting returns. The availability of quick-dispersal funds to build local support for Dayton implementation is crucial to the success of such initiatives.
- As most of the refugees in Europe are from minority areas to which they may not be able to return, UNHCR strongly encourages European governments not to initiate forced or premature returns.

## ***Looking Ahead***

- The group noted that "effective muddling" characterized current activities; and that nongovernmental organizations (NGOs) and policy makers should bear in mind the strengths and weaknesses of this approach. While not an optimal effect, "effective muddling" is perhaps a realistic assessment given the complex nature of the peace process and the need to maintain flexibility to address the day-to-day challenges of building a sustainable peace.
- Participants called for greater support for the Dayton peace process. They noted that it is possible to adjust the substance of the agreement at the margins, but that the Dayton Accords are the blueprint with which to work.
- Participants felt that the IPTF and SFOR are "underutilized assets" that have the ability to provide more effective security and support for Dayton implementation.
- Legal impediments and citizenship issues need to be seriously addressed to further Dayton implementation and help establish the rule of law in Bosnia.
- Greater support for the Property Commission is paramount. The commission has the potential to become a dynamic mechanism for creating the economic, social, and political conditions for refugee returns.
- Rapid implementation programs that target funds directly to areas where refugees prefer to return and a more integrated interagency planning process can greatly facilitate refugee returns.

## ***Conclusions***

- Many participants felt that the international community has the resources, and the citizens of Bosnia the willingness, to achieve sustainable peace. A clear statement by the international community regarding its long-term commitment to Bosnian reconstruction is imperative if it is to demonstrate the political will necessary to

- implement Dayton and establish a multiethnic, stable Bosnia.
  - Refugee returns are not simply a matter of humanitarian concern but are critical to the political outcome of the conflict. Thus, a comprehensive approach is required to address the political, economic, security, and legal implications of resettlement and return of refugees.
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## Introduction

The right of refugees to return to their homes is the central promise of the Dayton peace agreement, which considers rebuilding a united multiethnic society in Bosnia-Herzegovina the key to a sustainable peace. When the war ended, one million out of four million Bosnians were refugees in other countries, and another one million were displaced. Dayton provides a blueprint for the return of refugees and displaced persons based on the premise that all citizens are entitled to return to places of origin, regardless of ethnicity and current political demarcation lines.

The assumption at Dayton that the majority of displaced persons and refugees would return home is consistently challenged by the relatively low number of returns. UNHCR estimated 870,000 returns in 1996, but saw only about 250,000 resettlements--240,000 of which were to majority areas. The 1997 target was reduced to 200,000, but given the slow pace of returns from Croatia and Serbia, it may not be achieved.

Participants noted that, at Dayton, refugee returns were considered a matter of humanitarian concern. Yet, humanitarian interventions by the international community to create an environment conducive to return have met with serious resistance from the local leadership and persistent noncompliance by the parties. UNHCR and other institutions, which are in the business of encouraging returns, do not have the appropriate political and economic resources to overcome such resistance, nor deal effectively with larger economic, social, legal, and security-related obstacles. The premature repatriation of refugees from Europe, especially from Germany, will create further problems, since 70 percent are from minority areas to which returns may not be possible. Settling these people instead in majority areas opens up the possibility of manipulation of potential relocations to politically sensitive or strategically important areas to serve the political interests of the parties.

Thus, as this issue has evolved, it has become highly political and extremely volatile. Forced dislocation and ethnic cleansing were deliberate military and policy instruments of the war. In this sense, refugee returns are regarded as the only way to reverse the gains of war, making this issue inescapably political. If the international community is unable to implement its programs to facilitate voluntary or nonmilitary returns, some participants felt that the parties might in the future resume the war to accomplish this goal. At the same time, the political outcomes associated with the return of refugees have also turned

this aspect of the peace process into "war by other means."

This report describes the many obstacles to the return process and efforts to overcome them discussed by working group participants at the June 25 and July 2 meetings.

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## **Problems Concerning the Return of Refugees**

### ***Political Impediments to the Return of Refugees***

Annex 7 of the Dayton agreement fully details the rights of refugees and internally displaced persons and the commitments of the signatory parties. Participants noted that the Dayton Accords in general are "schizophrenic," and that this quality permeates Annex 7, which is dedicated to the issue of refugee returns. Chapter 1 of Annex 7 provides the script for returns, identifying the key actors and directing the various activities of the parties. Chapter 2, however, presents the back-up plan, outlining what should be done for refugees who cannot return. For those who have lost their homes or are too traumatized to return, Dayton has established a Commission for Displaced Persons and Refugees (known as the Property Commission) to ensure that victims are compensated for their loss. At the time of Dayton, it was felt that most refugees and displaced persons would opt for a chapter 1-type return, and only a small number would appeal to the Property Commission.

Yet as the peace process unfolds, the Property Commission has become the primary mechanism for (re)settling refugees and displaced persons. Participants discussed the current tension between ensuring future chapter 1 returns, while also providing those who cannot return home immediate compensation for their loss and access to property so they are able to participate in the current economic recovery. The desire to provide swift and just compensation for victims (chapter 2) while ensuring their future return to rebuild a multiethnic Bosnia (chapter 1) are equally important, but seemingly mutually exclusive.

Some participants also noted that the issue of refugee returns was not discussed during the Dayton negotiations; Annex 7 was included without sufficient consideration by the parties. These participants felt that, in hindsight, if the issue had been discussed more thoroughly at Dayton, a number of the current problems would have been identified and perhaps resolved. Further, an in-depth discussion would have brought home to parties the strong commitment by the international community to this issue.

### ***The Politics of Refugee Returns***

Political resistance to refugee returns at the highest official levels is due primarily to different assessments by the parties of the political impact of such returns. Bosniacs regard the current status quo of monoethnic entities as unacceptable and aim to reverse the consequences of the war by enabling Bosnian Muslims to return to their homes. Some working group members felt

that if returns cannot be achieved within the framework of the Dayton agreement, Bosniacs will accomplish it eventually through military means. Political parties in the Republika Srpska (RS), on the other hand, aim to preserve ethnic partition by outlasting the NATO troop deployment and, in the meantime, resisting implementation of returns. Unfortunately, as seen in Mostar, the resistance of one party to returns results not only in reciprocal resistance by others, but often engenders calculated reversals by all parties of progress already made.

Participants felt that the trend toward a Bosnian apartheid was reinforced by all three groups throughout much of 1996. In fact, the only major violence since the end of the war has been caused by refugee returns, in many cases sanctioned by political leaders who either provoked or blocked returns at local levels. House burnings, beatings, isolation, intimidation by local police, and attacks by paramilitary groups were some of the primary means of violent resistance.

Obstacles to return are not limited to physical intimidation, but extend to bureaucratic avenues, such as lack of cooperation by--and communication among--local mayors and governing authorities. For example, in places such as Brcko, agreements on returns reached between the Federation, the RS and international authorities are not communicated to subordinates, so policies are rarely implemented.

Of greater concern is the fact that, according to Western officials, local political leaders are rarely proactive in the implementation process and have never presented ideas of their own. In many cases, local leaders who might be otherwise inclined to cooperate with international organizations are discouraged from doing so by higher authorities. Under these conditions, efforts by relief organizations are described as painstaking: "punching small holes in the wall between the two political entities." These organizations note that confidence-building measures require time, and the June 1998 deadline for the withdrawal of SFOR troops hinders efforts to break down resistance.

The widespread perception of Brcko as a model for the international community's ability to deliver peace also has slowed progress because parties have adopted a wait-and-see attitude to peace implementation in general until they can gauge the results of the international effort in Brcko. With little political or military support and with enormous time constraints, the return of refugees has turned into a political tug-of-war, with local authorities determined to outlast the international community.

### ***Security problems***

At the local level, basic safety and security still remain problematic. For example, in Brcko the office of the administrator has no authority to use force to prevent house burnings and other acts of violence. There are also problems with police reform, which is crucial to the establishment of a secure environment. The struggle for power between the RS minister of interior and the RS president points to the influence the political leadership in Pale wields over local police. Even the nationwide effort to eliminate checkpoints is

hindered by Pale, which has ordered local police forces not to give up weapons to the SFOR or the IPTF when these agencies attempt to shut down nonsanctioned checkpoints. Such events reinforce among the people the belief that their physical and economic security are possible only within a community governed by their respective national groups, effectively discouraging many returns.

### ***Infrastructure Shortcomings***

Housing and infrastructure problems present one of the major challenges to the return of refugees. Ultimately, participants noted that refugee returns are less about the physical movement of people and more about the international community's ability to create conditions that facilitate movement. The war's torchings, shellings, minings, and bombings caused extensive destruction of housing, water and electricity supplies, and economic resources throughout Bosnia. There is a desperate need both for repair of existing buildings and construction of new housing. The U.S. Agency for International Development (AID) was able initially to revitalize 3,000 homes in a program managed by the Office of Foreign Disaster Assistance. With this initiative, families returned to rural areas, kick-starting the economy and relieving pressure on urban centers. Thousands were put to work. Some participants regretted recent congressional restrictions preventing U.S. assistance for housing.

Furthermore, the multiple dislocations of internally displaced persons throughout the region have created a severe housing gridlock in Bosnia. When people do return to their places of origin, they often find other internally displaced families in their homes, especially in the case of minority returns. In the RS, local authorities are faced with dislocating Serbian families to provide housing for Bosniac refugees--something they are simply not willing to do. In many cases, current Serbian occupants have been relocated several times and have no place left to go. The domino effect of displacements throughout the region creates tension-filled situations, that ultimately may lead to violence, especially when they involve people with no real options.

The increasing politicization of infrastructure further complicates the problem. In many instances, the disbursement of housing funds and the actual implementation of housing projects has, in the hands of local governing authorities, become a politically charged issue. Even new housing construction is used to discourage refugee returns. For example, in the Zone of Separation (ZOS) around Brcko, local RS authorities have built houses along a "biological belt" to create for Bosniac returnees an intimidating barrier of displaced Serbs. Such tactics make the "early, peaceful, phased, and orderly" return of refugees a challenge.

Most refugees returning from Europe have been resettled in majority areas. In these cases, the problems are not necessarily political, but a matter of infrastructure--most locations simply do not have enough available homes for returning refugees. Participants noted, however, that it is not enough to provide housing. Returnees must have opportunities for employment, and jobs are scarce in Bosnia and the RS. Coordinating refugee policies with European governments and dealing effectively with premature returns further strain

already sparse resources. It is crucial to channel funds especially to minority return areas so that people have economic opportunities to return to, and not just homes. Also essential is the revitalization of rural areas to relieve population pressures on cities.

### ***Legal Obstacles to Refugee Returns***

One of the basic legal instruments envisioned by the Dayton Agreement to deal with housing and property problems is the Property Commission. Property Commission certificates provide the displaced the opportunity to reconstruct or build new houses, receive compensation for lost property, obtain loans, or exchange homes with persons on the other side of the zone of separation. Absent the conditions required for people to return to their own homes, the commission--envisioned at Dayton as a "tidying-up operation" for dealing with the residual problem of a small number of refugees and displaced persons--has become the main venue for property claims throughout Bosnia. As a result, the commission is overburdened and slowly adjusting to its new role as the primary vehicle for compensation.

Another legal obstacle contributing to housing gridlock is legislative enactments on property ownership, voted into effect during and after the war. Unfortunately, these laws enable multiple ownership claims to the same house. Although the Property Commission has declared that it will not uphold such laws, it also has refused to decide cases governed by them. Such legislation presents an almost insuperable impediment to returns.

Furthermore, some participants felt that dual citizenship arrangements are necessary for the eventual reconstruction of a multiethnic Bosnia. One recent major point of contention among the parties in Brcko is the RS identity card that Bosniac refugees are obliged to carry. Negotiations on the questions of citizenship and dual citizenship will be a key issue for further refugee returns.

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### **Problems of Implementation**

There was consensus among participants that the inability of international officials to immediately reward or encourage compliance has made implementation of refugee policies extremely difficult. Participants felt strongly that quick-release funding for local civic projects, such as the rebuilding of schools and hospitals, would go a long way toward gaining the cooperation of local officials.

According to the group, implementation of the Dayton agreement also has been hurt by governments' "stovepipe approach," that is, a lack of coordination and a "big-picture" view, which has prevented the effective use of resources. For example, there is little effort to target money for housing and reconstruction to areas where refugees want to or are able to return. Participants indicated that NGOs and humanitarian agencies, which are able to act quickly, have seen their effectiveness eroded by short-term contracts

and a lack of long- term planning by governments. Furthermore, development agencies, which are involved in larger, longer term programs, have encountered and perhaps perpetuated a similar lack of vision. Thus, the infrastructure problems contributing to housing gridlock and unemployment endure. The uncertain level of political and military commitment by the international community and the deadlines imposed on the peace process also undermine the ability of humanitarian and development agencies to building a sustainable peace in Bosnia.

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## **Current Efforts to Deal with Challenges**

Realistic in their assessments of the multiple obstacles to refugee returns, participants pointed out the many positive, creative approaches international institutions and NGOs are employing to facilitate returns.

### ***The UNHCR Dual Approach***

- **Majority Returns:** UNHCR has identified a number of communities to which people can return where the obstacles are not of a political nature, but strictly a matter of infrastructure. Support from international donors, the World Bank and reconstruction agencies has been mobilized to build infrastructure in these specific areas to facilitate returns.
- **Minority Returns:** To encourage minority groups to return home, an incremental confidence building program has been adopted. Confidence building measures include visits by displaced persons and exiled mayors and other local leaders to their former communities, although visits by the latter have been blocked at the last minute by local authorities.

### ***"Carrot and Stick" Approaches***

- **Open Cities:** UNHCR has recently developed a program based on positive conditionality. Without making the list public, UNHCR has identified mayors who are willing to cooperate and has supported their economic and community-based programs. This effort aims to strengthen local capacities that may emerge as alternatives to the current leadership, many of whom led the war effort and yet are probable candidates for office in municipal elections. Although risky, such initiatives allow pressure for peace implementation to emerge from within, rather than being applied externally by international organizations. The availability of funds for quick dispersal is crucial to the success of programs such as Open Cities.
- **Buslines:** Freedom of movement is a component of the Dayton Accords that has yet to be implemented. UNHCR has been running buses across the IEBL to facilitate movement of people from one political entity to the other. As a result, more than 350,000 citizens



have crossed the IEBL.

- **Preventing Premature Returns:** As displacement and relocation issues are strongly intertwined, UNHCR last July initiated a comprehensive regional approach for returns. This approach has included lobbying European governments not to initiate or force premature returns, since most refugees in Europe are from minority areas. According to participants, such relocations encourage ethnic violence and could possibly reignite the war.
- **The Black List of Municipalities:** Last July, UNHCR provided the Organization of Security and Cooperation in Europe with a list of municipalities that consistently blocked returns. These municipalities were warned that, for their contempt of Dayton, they would be excluded from participating in municipal elections, and that local candidates would be disqualified from running for office. Although the municipal elections were, in the end, postponed, administering such a "stick" yielded short-term cooperation and compliance.
- **The "All or Nothing" Approach:** To support compliance at the community level, some programs channel funds to areas receptive to minority returns. The U.S. government has contracted with NGOs to identify such communities and fund their rehabilitation programs, especially in the RS. (When these efforts become known, however, the political leadership in Pale often has tried to prevent such cooperation.) Western institutions also have united to organize coordinated funding packages whereby local leaders who cooperate receive funding from multiple institutions, and those who obstruct Dayton implementation receive nothing.

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## Looking Ahead to Support Successful Returns

Working group participants suggested several approaches to improve and encourage cooperation on refugee returns and to eliminate many of the associated political, security, infrastructure, and legal obstacles. The unwillingness of the international community to come to terms with the level of its commitment to Dayton was identified as a major obstacle of the peace process. There was consensus that the international community has the resources, and citizens in Bosnia the willingness, to achieve a sustainable peace. However, the international community must reconcile its own various competing levels of commitment and overcome current impediments put in place by the parties.

### ***Political Options***

The working group felt it imperative that European allies and administration officials engage in a dialogue on what the international community is willing to accept as an outcome in Bosnia and how much time and resources they are willing to dedicate to achieve this outcome. They noted that Dayton is "schizophrenic" regarding a final outcome of the peace process, advocating both the political unity and military separation of the parties. It is generally

understood that to reach a peace agreement, negotiators had to adopt such an approach; however, it is now time to decide what the outcome of Dayton will be. The international community has the power to enforce either integration or partition as long as it is willing to accept the consequences of its choice. And the international community must decide what resources it is willing to bring to bear within the timeline designated.

The group used the term "effective muddling" to characterize current activities in Bosnia, but felt that such muddling was natural given the complex nature of the peace process, the July 1998 SFOR deadline, and the need to maintain flexibility to address the day-to-day challenges of building a sustainable peace. "Effective muddling" has both strengths and weaknesses that policymakers and NGOs should bear in mind. For example, the lack of long-term vision which characterizes this approach limits effective institutional coordination and leaves significant gaps in policy implementation that may lead to contradictory or counterproductive results. On the other hand, "effective muddling" allows the administration and the international community to test and determine successful policy options and build its commitment to the Dayton peace process slowly, while not moving ahead of the commitments of other capitals, or public and legislative support. At the same time, work on the ground continues to support the economic and political rebirth of a multiethnic Bosnia. Participants suggested that "effective muddling," while not an optimal approach, is perhaps the most realistic option under the current circumstances.

### ***Security Issues***

Security was identified as a key requirement for refugee returns, and there was consensus among the participants on the necessity for a longer term military presence. Furthermore, the IPTF must also become a longer term and more effective security resource. Participants in both meetings indicated that the SFOR has been an underutilized asset. The SFOR has considerable flexibility on the ground; in general, local commanders have the discretion to organize the day-to-day operations of their troops.

For example, SFOR troops have been very effective in Brcko, where the office of the administrator has worked closely with troops to enhance the security of refugees and freedom of movement in the ZOS. The SFOR works in close cooperation with the IPTF to monitor local Serb checkpoints and shut down those that have not been approved by the office of the administrator. Their work was described as both effective and courageous, given recent Serb instructions to troops not to surrender their weapons to the SFOR or the IPTF. The SFOR also has been used effectively in the civil reconstruction of Bosnia and may be able to facilitate the work of international agencies seeking support for quick-turnaround projects to encourage local cooperation.

It was suggested that SFOR troops, and especially civil military cooperation units, can work more closely with international organizations on refugee return issues. To coordinate such activity, participants suggested that the SFOR assign additional officers to offices and task forces of the Office of the High Representative (OHR).

### ***Infrastructure and Economy***

There was consensus by the group to fully support UNHCR efforts to promote the return of refugees. The group also identified the following additional opportunities for tackling infrastructure issues:

- The international community must work to prevent the "ethnicization of the public sector" whereby jobs, schools, and economic opportunities are reserved for citizens of the majority. This effort will be especially difficult given the high levels of unemployment in the entities.
- Attention must be paid to those who remained in their communities during the war; the flow of resources to refugees and the internally displaced should not exclude them.
- UNHCR has determined allocations of housing to various categories of displaced persons. However, these estimates must be flexible to meet the specific needs of communities for housing refugees, the internally displaced, and the war affected. For example, in Brcko, there must be greater housing allocations for internally displaced Serbs currently living in Bosniac homes.
- The economic integration of the Federation and the RS is necessary to encourage refugee returns. One possible solution is to build communities along the ZOS0 and IEBL to encourage stronger cross-regional economic relations and trade.
- Participants also discussed the importance of encouraging the return of displaced Serbs to their homes in the Federation. Such efforts will both bolster reciprocity, and undermine the perception that refugee returns are one-way, and increase communication, commerce, and travel across the IEBL creating more and stronger linkages between the two entities.
- The international community should be careful not to widen the current gap between the RS and the Federation. While reconstruction funds are a powerful tool in the effort to condition international aid to encourage Dayton compliance, participants underlined that the RS not be neglected. As a party to the peace process, the Bosnian Serbs must be engaged and not isolated.

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### **Legal Impediments to Returns**

Repealing local legislative enactments on housing is an important confidence building measure. Laws that unreasonably expropriate property or prevent return of rightful owners must be repealed. A concerted effort to condition financial assistance on the repeal of such laws also would set market mechanisms to work and undermine the legal basis of local resistance to refugee returns. Participants applauded a Brcko program that ensures anonymity for local Serbs requesting returns to places in the Federation to prevent Serbs taking sanctions against other Serbs.

Greater support for the Property Commission is an urgent requirement. Similarly, serious discussions with the parties on arrangements for dual citizenship also are necessary and must be pursued by the international community. Broadly applied and accepted rules on citizenship will help establish the rule of law in Bosnia.

### ***Implementation of the Dayton Agreement***

Absolutely critical to the success of implementation of the Dayton Agreement are mechanisms for the quick dispersal of funds and resources. The credibility of the international community with local leaders and populations would be greatly enhanced if such programs were available. Participants identified specific institutions which would benefit most from access to quick-release funds, such as the office of the administrator of Brcko, and by extension the OHR, and SFOR units that perform superb service in civilian implementation.

While greater integration is appropriate, participants debated the need for a fully centralized planning process to eliminate problems associated with the current "stovepipe" approach. NGOs in particular felt that such centralization might diminish the flexibility needed for the day-to-day implementation of local programs. Community task forces on specific projects such as building hospitals, bridges, and schools were emphasized as viable grassroots solutions to implementation problems. The task force approach has been very successful in Brcko.

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### **Conclusion**

Despite the problems associated with refugee returns, working group participants noted the first signs of potentially significant refugee returns to certain minority areas. Consensus was reached on six areas for improving the return process:

- Participants called for greater support for the Dayton peace process and the principles envisioned in the agreement. While possible to adjust its substance at the margins, the agreement reached at Dayton is the blueprint with which to work. Any effort to renegotiate the basic principles of the Dayton agreement would likely derail the peace process.
- "Effective muddling," although not the optimal approach, is perhaps the only option available for policymakers given the complex nature of the peace process, the July 1998 SFOR deadline, and the need to maintain day-to-day flexibility.
- Quick-release funds must be made available to international representatives to establish their credibility and develop a working relationship with local communities. Such funds would alleviate infrastructure problems, housing gridlock and unemployment, demonstrating to communities the immediate benefits of cooperation with international institutions. Such "quick" implementation programs

are necessary to overcome bureaucratic disconnects and target money directly to areas where refugees prefer to return.

- UNHCR has demonstrated through programs such as Open Cities the ability to implement refugee returns. However, participants recognized that returns were not simply a matter of humanitarian concern and support, and, therefore, not immediately resolvable by humanitarian institutions, despite their best efforts. Because refugee returns are associated with the long-term political objectives of the parties, a comprehensive approach is required to address the political, economic, security, and legal implications of resettlement and return of refugees.
- Addressing legal impediments and initiating serious efforts to resolve citizenship issues are necessary to accomplish refugee returns and establish the rule of law in Bosnia.
- Deadlines for SFOR withdrawal encourage parties to "out-wait" the international community. Furthermore, the identification of certain communities--such as Brcko--as models has encouraged parties to drag their feet, as they wait to see whether and what the international community will deliver there. A clear statement by the international community regarding its long-term commitment to Bosnian reconstruction would demonstrate that it has the political will to implement Dayton and create a multiethnic, stable Bosnia.

In the end, the working group recognized that Bosnia holds important lessons for managing refugee returns in the post-Cold War era. As seen in Bosnia, the mass displacement and eventual resettlement of refugees is intrinsically linked to the final political outcome of a crisis or war, and often decides the war's winners and losers, by determining territorial integrity, national identity, and sovereignty. With so much at stake, parties manipulate relocations to further their political interests and agenda.

Thus, the international community's response to these issues cannot be limited to international humanitarian organizations and their intervention; in many instances, these organizations do not have the political and economic resources to adequately address the politics of refugee returns. Peace settlements must incorporate a more comprehensive approach to the issue of refugee returns by addressing the political, economic, security, and legal implications of resettlement.

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## About This Report

The United States Institute of Peace has convened a working group to discuss the NATO mandate in Bosnia and the administration's recent policy review of the Bosnian peace process. The project envisioned four working group meetings on the Train and Equip program, the return of refugees, Brcko as a model for peace implementation, and the apprehension of war criminals.

The purpose of this working group is to encourage dialogue among representatives from the administration and Capitol Hill and policy analysts on how best to implement these critical elements of the Dayton Agreement. [John Menzies](#), former ambassador to Bosnia- Herzegovina and currently a Senior Fellow at the Institute, chairs the working group sessions. Participants are drawn from the administration, government agencies, the Hill, policy think tanks, and the academic community on the basis of their expertise on each specific issue.

This report, written by research assistant Burcu Akan with program officer [Lauren Van Metre](#), summarizes the June 25 and July 2, 1997, working group sessions on the return of refugees and the administration of Brcko--two issues that represent both challenges and opportunities for building a sustainable peace in Bosnia.

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