



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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Yugoslavia/Serbia/Croatia: The issuance of Yugoslavian, Serbian and Croatian passports; specifically, eligibility for a Yugoslavian passport between 1989-1993; until when were Yugoslavian passports issued and what were they replaced with; the date Serbian and Croatian passports began to be issued and the requirements of entitlement  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

### Background

The Socialist Federal Republic of Yugoslavia (SFRY), which began disintegrating in the 1990s, consisted of Serbia, Montenegro, Slovenia, Croatia, Bosnia-Herzegovina and Macedonia (BBC 5 June 2006). By 1992, Slovenia, Croatia, Bosnia-Herzegovina and the Former Yugoslav Republic of Macedonia had declared independence (US 1 Jan. 2002). The two remaining republics (Serbia and Montenegro) declared a new Federal Republic of Yugoslavia (FRY), although many in the international community refused to recognize the FRY (US Feb. 1993, 897).

### Socialist Federal Republic of Yugoslavia

With respect to the availability of passports within the Socialist Federal Republic of Yugoslavia (SFRY), a 1989 report by the Helsinki Watch Committee states that ordinary Yugoslavs could obtain passports with ease, adding that about half the country's population held passports (1989, 43). However, the report further explains that citizens who had a record of being politically active were sometimes denied passports (Helsinki Watch Committee 1989, 43). The Helsinki Watch Committee report further adds that the SFRY security police could legally withhold a passport for any reason without having to justify their decision (1989, 43). The report goes on to list several cases in which dissidents, including Croatian dissidents, were denied passports (Helsinki Watch Committee, 43-44).

*Country Reports on Human Rights Practices for 1991* corroborates this information, indicating that "passports are routinely available to most Yugoslavs" (US Feb. 1992, 1319). However, the report also notes that draft-eligible men, particularly men from Serbia, were required to obtain special permits for travelling abroad (ibid.).

### Federal Republic of Yugoslavia (Serbia and Montenegro)

*Country Reports for 1992* states that passports "are available to most citizens of Serbia and Montenegro" [Federal Republic of Yugoslavia] but adds that until May 1991, citizens "subject to mobilization" could not obtain a passport without first getting permission from military authorities (US Feb. 1993, 904). *Country Reports for 1993* similarly states that "most citizens of Serbia/Montenegro" could obtain a passport, although some Kosovar Albanians faced travel restrictions (US Feb. 1994, 1046).

In 1992, the Consul at the Embassy of Yugoslavia in Ottawa stated in an interview conducted by the Research Directorate (then known as the Documentation, Information and Research Branch, DIRB) that the FRY honoured all passports issued by the former SFRY (Yugoslavia 13 May 1992). The Consul further stated that all Yugoslav passports could be renewed and could be used by the holder regardless of which republic he or she lived in (ibid.). In contrast, the Albanian Telegraph Agency (ATA) reported in 1993 that Serbian authorities were refusing to issue passports to "Albanian leaders and intellectuals" (8 Nov. 1993, 41). However, the ATA reports Albanians who seemed unlikely to return to Kosova (also known as Kosovo) could readily obtain passports (8 Nov. 1993, 41)

In a 1994 interview conducted by the Research Directorate, a representative of the FRY in Ottawa reiterated that all passports issued prior to 27 April 1992 - the date the FRY was declared - were still considered valid (Yugoslavia 4 Jan. 1994). The Representative stated that subsequent to 27 April 1992, Serbian authorities issued passports only to residents of Serbia and Montenegro (ibid.).

No information that would corroborate interviews conducted by the Research Directorate in the 1990s could be found among the sources consulted in January 2008.

Information on the requirements for obtaining a passport between 1989 and 1993 was not found among the sources consulted. However, information pertaining to identity documents was found. In 1995, an official at the Embassy of the Federal Republic of Yugoslavia commented in an interview conducted by the Research Directorate that in the SFRY, all citizens were issued an ID card, which was a standard identification document of Yugoslav citizens (Yugoslavia 15 Mar. 1995). The Official stated that SFRY citizens were also issued a certificate of citizenship (ibid.).

## **Croatia**

*Country Reports for 1991* states that the Croatian government required all draft-age men to obtain permission before leaving the area where they live (US Feb. 1992, 1319). The report does not specify who they must obtain permission from (ibid.).

A Legal Affairs Counsellor for the Office of Croatia in Washington, DC informed the Research Directorate in a 1992 telephone interview that Croatia was issuing its own passports (12 June 1992). However, the Counsellor stated that Croatia was also recognizing passports issued by the Yugoslav republic (Croatia 12 June 1992). According to the Counsellor, those holding Yugoslav passports could enter Croatia without a visa, including for the purpose of residence, regardless of their ethnic group or republic of former residence (ibid.). The Counsellor further stated that Croatia was expected to accept Yugoslav passports until October 1992, although the Counsellor qualified this statement by saying no firm decision had yet been made in this regard (ibid.).

An Act Respecting the Travel Documents of Croatian Citizens was adopted in June 1991 (Croatia 26 June 1991). The Act addresses the following travel documents: passports, group passports, diplomatic passports, travel certificates and travel documents issued on the basis of an international agreement (ibid., Art. 4). Travel certificates are issued to citizens living abroad who wish to return to Croatia but lack appropriate travel documents (ibid., Art 9).

The Act states that both individual passports and group passports are issued by the police department or the police station of the Ministry of Internal Affairs that is nearest to the applicant's home (ibid., Art. 19). In an emergency - for example in the event of illness - the Act states that a passport could be issued by a different jurisdiction from the one closest to the applicant's home (ibid.). The number of years for which a passport is valid can vary, as outlined in Articles 13-18 (ibid., Art. 13-18).

The following articles of the Act are relevant to the procedures involved in issuing a passport:

### **Article 27**

A request for the issue of a travel document shall be submitted on the prescribed form to the government body responsible for issuing travel documents.

A passport, group passport or travel certificate shall be issued at the request of an individual, but a diplomatic passport or an official passport shall be issued at the request of the appropriate government body.

... .

### **Article 30**

A personal identity card or other document that can be used to establish the identity and citizenship of the applicant shall be submitted along with the request for the issue of a passport, group passport or travel certificate.

### **Article 31**

Two photographs of the prescribed size that faithfully portray the applicant shall be submitted along with the request for the issue of a passport or travel certificate.

A passport of which the period of validity has expired or which can no longer serve its purpose shall also be submitted along with the request. ... .

### **Article 32**

A conscript (recruit) is also required to submit, along with his request for the issue of a travel

document, written permission for travel as provided for in the Statutes on Conscription.

### **Article 33**

The responsible body is required to decide on a request for the issue of a travel document within a period of 15 days from the date of its submission.

As an exception to the provision contained in Paragraph 1 of this Article, the responsible body is required to issue a passport immediately, at the latest within a period of 24 hours after the submission of a request, in emergencies (medical treatment abroad, the death or illness of a family member, an unpostponable business trip, or some other justifiable reason).

### **Article 34**

An applicant shall be refused a request for the issue of a travel document or a visa if there are grounds for suspecting that said applicant:

1. may avoid being present at criminal proceedings or avoid carrying out a judgement that has sentenced said applicant to prison for a period of longer than three months or the cautionary action of obligatory psychiatric treatment or custody in a medical institution - at the request of the responsible court.
2. may avoid fulfilling a due property-rights obligation resulting from marriage or from the parent-child relationship, a tax obligation, or some other property rights obligation as determined by law and for which there exists an order of execution - at the request of the responsible court; or,
3. may avoid conscription or if there are other reasons provided for by the regulations governing military conscription or service in the armed forces - at the request of the responsible military body.

A request for the issue of a travel document may be refused:

1. if there are grounds for suspicion that the applicant will contravene regulations respecting the export, import, conveyance, or distribution of narcotic substances, or contravene regulations relating to customs or external trade; or,
2. if required by reason of national security or the maintenance of law and order.

A request for the issue of a visa shall also be refused in cases when there is an epidemic of a communicable disease in the country for which the visa is requested. ... . (Croatia 26 June 1991)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

### References

Albanian Telegraph Agency (ATA) [Tirana]. 8 November 1993. "Prominent Ethnic Albanians Denied Passports." (FBIS-EEU-93-215 9 Nov. 1993, p. 41)

British Broadcasting Corporation (BBC). 5 June 2006. "Profile: Serbia and Montenegro." <[http://news.bbc.co.uk/2/hi/europe/country\\_profiles/1039269.stm](http://news.bbc.co.uk/2/hi/europe/country_profiles/1039269.stm)> [Accessed 4 Jan. 2008]

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Yugoslavia. 15 March 1995. Embassy of the Federal Republic of Yugoslavia, Ottawa. Telephone interview with an official.

\_\_\_\_\_. 4 January 1994. Embassy of the Federal Republic of Yugoslavia, Ottawa. Telephone interview with a representative.

\_\_\_\_\_. 13 May 1992. Embassy of the Federal Republic of Yugoslavia, Ottawa. Telephone interview with the Consul.

#### Additional Sources Consulted

**Oral sources, including:** Representatives from the embassy of Croatia in Ottawa, and the embassy of Serbia in Ottawa were unable to provide information within the time constraints of this Response.

**Publications:** *Amnesty International Report 1991, Amnesty International Report 1992, Amnesty International Report 1993, Breakdown: War & Reconstruction in Yugoslavia, Yugoslavia: A Country Study*.

**Internet sites, including:** Amnesty International (AI), Balkan Investigative Reporting Network (BIRN), Freedom House, government of the United States, Human Rights Watch (HRW), International Crisis Group (ICG), International Helsinki Federation for Human Rights, Radio Free Europe/Radio Liberty (RFE/RL), United Nations (UN).

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