

The Courier

Newsletter of the OSCE Mission to Croatia

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Head of Mission: Mission's goals shared with Government and EU

OSCE, EC and UNHCR to propose "Road Map" for refugee return to the governments of Croatia, Bosnia-Herzegovina and Serbia-Montenegro

As the Mission enters a new season of activities, we can look back to quite a few successes in the course of the last half year. But there is also a lot of work ahead.

In my last contribution to *The Courier* - immediately before the summer - I described the role that Croatia's European integration perspective has played in creating the much more positive environment on most of the issues within the Mission's mandate. Since then, Croatia's efforts have been recognized through the decision of the EU in June to give the country membership candidate status. This decision also stated that Croatia needs to make further efforts on refugee return, minority rights, judicial reform, etc. The tasks will be defined in more detail in the European Partnership which is scheduled to be adopted by the EU in September. And we should not forget that NATO, where Croatia also seeks membership, subscribes to largely the same criteria. All of this, together with the agreement between the HDZ and the minority representatives in Parliament, gives a very good basis for our work. In working on these tasks, we are acting in partnership with the Croatian Government and the EU. There may still be discussion on tactical issues and speed, but the goals have now been agreed and clearly defined.

Refugee return continues to be in the focus of our attention. The main criterion is that all refugees who have a desire to return should be able to do so under reasonable conditions, which means, most importantly, a secure environment and access to housing. Two important categories of refugees and displaced persons—those in need of reconstruction assistance and repossession of their properties—have recently benefited from more forceful Government action following the HDZ agreement with the Serb MPs.

One large category of refugees and DPs still do not have access to housing: those who lived in socially owned housing with occupancy/tenancy rights. The recent and widely debated verdict by the European Court of Human Rights in the case *Blecic vs Croatia* has not changed the humanitarian and political need to provide housing to refugees of this category who want to return. The Court decided on some legal aspects concerning the termination of occupancy/tenancy rights, but did not consider, in this case, whether the terminations were discriminatory from an ethnic point of view or what the effect was on refugee return.



Mission Head, Ambassador Peter Semneby presents Mission reports on war crimes trials to Croatian media with Justice Minister Vesna Skare Ozbolt. (Zagreb, 22 June 2004)

In fact, the court decision has served as an opportunity for the Government and the international community to confirm the need to implement the housing programmes for those former occupancy/tenancy rights holders who want to return.

The implementation of all housing programmes for refugees and DPs will also be the central point of a **Road Map** on refugee return that is being prepared by the OSCE, the European Commission and UNHCR in Croatia, Bosnia-Herzegovina and Serbia-Montenegro. The purpose of this Road Map is to give the governments in the three countries a perspective for closing the refugee file within a reasonable time frame. The Road Map will, roughly speaking, consist of two legs: on the one hand, the creation of reasonable conditions for all refugees and DPs who want to return, and, on the other hand, support for the local integration of those who decide to remain where they are. The principals of the three organizations in the three countries will send joint letters on the Road Map to the respective prime ministers in the early autumn.

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Chronicle

19 May

■ **HOM** met with Minister of Justice Vesna Skare Ozbolt to discuss the Mission's war crimes trial monitoring reports.

21 May

■ **HOM** gave opening remarks at "Croatian and International Criminal Law Seminar", organized by Ministry of Justice and ICTY.

27-28 May

■ **DHOM** visited Vukovar AoR where he gave a presentation on the "Process of Peaceful Reintegration and Sustainability of Peaceful Coexistence in the Vukovar-Srijem County". Around 100 local community leaders were in attendance.

31 May

■ **HOM** met with senior Ministry of Justice officials to discuss the Mission's war crimes trial monitoring reports.

1 June

■ **HOM** IC meeting with Minister Kalmeta (OSCE/EC/UNHCR/US Embassy).

2 June

■ **HOM** gave a presentation to the Parliamentary Committee for Human Rights and Rights of National Minorities on ECHR cases involving Croatia.

■ **DHOM** attended a ceremonial session of Osijek-Baranja County Assembly.

3 June

■ **DHOM** participated in the round table discussion on "Asylum in Croatia after 1 July, 2004", organized by UNHCR, Croatian Law Centre and Human Rights Centre.

4 June

■ **HOM** met with PM Sanader.

9 June

■ **DHOM** met with Canadian Amb. Denis Snider and David Allin, Deputy Director for SEE Division at the Canadian MFA, to discuss developments in Croatia related to the OSCE mandate.

10-12 June

■ **HOM** attended Wilton Park Conference in Dubrovnik on EU enlargement.

11 June

■ **HOM** field visit to Petrinja area with the then EC Commissioner at the time Chris Patten.

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In September, the Government and Mission will jointly launch the **Public Awareness Campaign**, designed to stimulate the creation of a positive atmosphere conducive to the return of refugees and DPs who wish to return home, but who need a clear signal that they are welcome and that they can return to their former homes in an atmosphere of security and acceptance.

Another issue that has generated a lot of media attention is the conduct of **war crimes trials** in Croatia and the role of the Mission in monitoring trials. The joint press conference that I held with the Minister of Justice in mid-June, where we presented two major Mission reports on war crimes in Croatian courts, has increased awareness of the problems and has stimulated a constructive public discussion of the issue. We will continue our discussions with the ICTY on what role the Mission could play in the monitoring of trials that may be transferred from the Hague, and will explore how we can give support to the Croatian Government and the judiciary on these issues. We will also investigate to what extent there is a need to improve inter-state legal co-operation on war crimes issues.

Media legislation continued to be an important issue in our portfolio in the last half year. Together with the European Commission and the Council of Europe, we gave advice on several pieces of legislation, of which one - the Law on Media - was adopted in a version that took most of the advice into account. We were engaged in an extensive discussion on libel legislation, and although libel was not entirely decriminalized, as we had recommended, the new Criminal Code contains much more liberal provisions on libel than before. In the autumn, there is likely to be a lot of attention and Mission involvement on two further important laws: the Law on Electronic Media and the Law on Croatian Radio and Television (HRT).

Together with the Office for Democratic Institutions and Human Rights (ODIHR) we plan to follow up the recommendations made by recent election observation missions on **electoral reform**. The first manifestation of these efforts will be a roundtable on electoral reform. This area of activity is particularly topical since Croatia will have, within the next year, both presidential and municipal elections.

Other issues where we will continue to engage are **minority rights**; the strengthening of domestic institutions for **human rights** protection, in particular a follow-up of last year's report on the Ombudsman and the analysis on cases involving Croatia in the European Court of Human Rights that we presented recently to Parliament; and **police reform**.

Finally, as we are becoming more focused on some core tasks, the role of our **democratization** programme will continue to change. As we start the planning for next year, it will focus even more on support for our core mandate areas. Good governance will increasingly be the catchword rather than civil society development.

As I described in my last article, these changes will be accompanied by a change of the **Mission's field structure**, involving concentration of our efforts to a smaller number of relatively large field offices or field units. By making these changes, we will improve our capability to interact with and support local and regional political authorities and to use our field staff in a more flexible and efficient way. I hope to be able to announce most of the changes by the time of the **Field Activity Training** in Sibenik in late September.

I am convinced that we have a very exciting and productive season ahead of us.

Ambassador Peter Semneby, Head of Mission

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In Focus

12th OSCE Economic Forum, Prague

Capacity Building for Economic Development and Co-operation

CSPM sent six good governance projects to the Office for the Co-ordinator of Economic and Environmental Activities (OCEEA) for possible funding

Having recently joined the OSCE Mission to Croatia as the Head of the Civil Society and Project Management Unit, in June I participated in the 12th OSCE Economic Forum in Prague. This five-day meeting on “New Challenges for Building Institutional and Human Capacity for Economic Development and Co-op-

In preparation of the Forum three seminars were organized by OCEEA (Office of the Co-ordinator of Economic and Environmental Activities). In my previous capacity as Deputy Director of the OSCE Democratization Department in Bosnia-Herzegovina, I participated in the first preparatory seminar in Yerevan



Gabriella Danza with her colleagues in Prague. Left-to-right: Gialuca Rampolla (EEA Officer, Italy), Gabriel Leonte (EEA Adviser, Romania), Kimberely Bulkley (Good Governance Officer, USA), Gabriella Danza, Helen Santiago-Fink (Sen. Economic Officer, USA), Annica Carlsson (Environmental Adviser, Sweden).

eration” gathered over 500 representatives from OSCE Participating States, international organizations, NGOs, academics, scientists and entrepreneurs.

Discussions highlighted the importance of improving the business environment through the promotion of good governance, rule of law and cross-sector co-operation (NGO – Government – Private Sector) throughout the OSCE region, in order to alleviate social tensions, promote inter-ethnic tolerance, cross-border co-operation as well as prevent future conflicts. Corruption was often raised as a continuing serious problem to be countered in many OSCE countries.

last November on “Supporting the Development of Small and Medium Enterprises”.

As requested by the organizers, I gave a presentation on YES (Youth Entrepreneurship Spirit project) which consists of a first introduction to entrepreneurship targeting young people, often within vulnerable groups. Subsequently, the project has been successfully replicated by targeting youth within minorities, returnee populations and victims of human trafficking. YES aims at supporting the economic transition to a market economy, countering the “brain

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13-16 June

■ DHOM presented a Programme Budget Outline presentation to ACMF, Vienna.

15 June

■ HOM met with CoE Human Rights Commissioner, Gil Alvaro Robles.

18 June

■ DHOM attended address by Albanian President, H.E. Alfred Moisiu, to Croatian MPs.

3-4 July

■ DHOM gave a presentation on the “OSCE and Monitoring of National Minority Rights” at a seminar on “National Minorities and European Integration”, Island of Sipan.

6 July

■ HOM presented the latest Mission Status Report to Croatian media.

8 July

■ HOM presented the Status Report to the OSCE Permanent Council.

9-10 July

■ HOM attended International Seminar organized by the Atlantic Council of Croatia, Island of Sipan.

16-20 July

■ HOM attended a series of meetings and consultations in MFA Paris and Foreign Office London.

22 June

■ HOM held joint press conference with Justice Minister to present Mission reports on war crimes trials in Croatia.

3 August

■ HOM met with Foreign Affairs Minister to discuss mandate-related issues.

4 August

■ Joint OSCE/UNHCR/EC/US Embassy meeting with Development Minister Bozidar Kalmeta to discuss the Government’s housing programmes for former OTR holders.

6 August

■ HOM visited Dubrovnik and met with Mayor Dubravka Suica.

19 August

■ HOM interview for HTV Dnevnik on the implementation of the government’s housing programmes for former OTR holders.

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drain” while empowering vulnerable groups to becoming productive members of their community.

From the first preparatory meeting, considerable follow-up has been made. The OCEEA has been praised for this by delegations from the US, Germany, France, Canada, Turkey and Russia. In addition, significant consensus has been built and concrete operational steps have followed, both regionally and across-regions (particularly between the Balkans and Central Asia/Caucasus) by intensifying existing initiatives or sharing good practices (especially related to good governance and public awareness for environmental protection and entrepreneurship projects).

Building on the interest of the OCEEA to be more operational in Croatia, our planned involvement

in this dimension relates to a few initiatives:

1. Two entrepreneurship projects (YES and SEED) in Areas of Special State Interest - along the economic revitalization concept;



Gabriella Danza with Marcin Swiecicki (EEA Co-ordinator, Poland) and Gianluca Rampolla (EEA Officer, Italy).

2. Some cross border environment or entrepreneurship related projects (such as the Sava River Basin initiative related to water resource management).

I have also sent six good governance projects prepared by CSPM staff in Croatia to the OCEEA for possible funding, as the US Delegation to the OSCE has earmarked some 350,000 Euro for such projects.

The theme proposed for the next Economic Forum is: “Demographic Trends, Migration and Integrating Persons belonging to National Minorities: Ensuring Security and Sustainable Development in the OSCE area.”

In order to learn more about these initiatives, please feel free to contact me should you need any further information!

Gabriella Danza, Head of Civil Society and Project Management Unit, MHQ

Field News

Revitalization of Plitvice’s rural return area: Weaving a future together

Empowering women through traditional weaving is the idea behind the project by the Citizens’ Association “Tara” (a weaving loom) from Licko Petrovo Selo. Financed by the Australian Embassy and sponsored by FO Korenica, the project will give returnees and settlers the opportunity to weave a new future for themselves by working and learning together.

By teaching these women traditional weaving techniques, the project will also enable the dissemination of this knowledge to new generations which, in turn,

will preserve the traditional heritage of the area.

The Plitvice National Park has also encouraged the idea of enabling these women to use their new skills in making woven souvenirs for the many tourists that pass through the area. This new-found economic self-sufficiency will not only raise their self-esteem but independence in an area which faces many economic hardships.

So if ever in the area, make sure you look out for woven handicrafts by “Tara”.

Velinka Ivanisevic, FO Korenica



KORENICA - The OSCE-organized English Discussion Club boasts yet another visit by an ambassador, this time Austrian Ambassador Hans G. Knitel.



VUKOVAR - Lecture by Ambassador Becker in Vukovar on the economic revival of the region: “Getting on with your neighbours makes good economic sense,” said Becker. The lecture was covered by all local media. Pictured being interviewed by a local TV station: Ambassador Becker, Vukovar-Sirmium County Prefect Nikola Safer and FC Vukovar RR Valeriu Florean.

Biljane Donje: Revitalization still hindered by lack of electricity: What it takes to sow the seeds of revitalisation

While there is much talk of the revitalisation of the Zadar hinterland, one project is finding it hard to get off the ground...

Zadar, June 2004 – Many images come to mind when writing of Biljane Donje - the destruction, the graffiti and the pure desolateness of the area. However, these images appeared on the verge of changing following the breaking of bread by Biljane Donje Serb returnee Sofija Skoric with PM Ivo Sanader and OSCE Chairman-in-Office Soloman Passy.

With one family (Skoric) returning to the area, it appeared that Biljane Donje was getting a new lease on life. But this may not be as soon as hoped. Though much is said by politicians of the “revitalisation of the Zadar hinterland”, the actual situation in the field bares little resemblance to the positive messages sprouted by local officials.

Milenko Marinovic, a middle aged postal office worker from Benkovac bought the adjoining property to Sofija Skoric in Biljanje Donje. His intention was to set up a fattening farm for goats and poultry. Ultimately, Marinovic would like to see 4,000 turkeys and 10,000 - 12,000 chickens fattened at his farm every year. To finance his business he received a loan from the Croatian Bank for Reconstruction and Development, worth HRK two million.

With construction completed back in September 2003, Marinovic believed he was finally ready to commence his business, but he was soon to face his biggest, almost insurmountable obstacle... Marinovic's farm is without electricity.

He has tried everything to resolve this problem. Letter after letter was sent to the Croatian Electricity Distribution Company (HEP) in Zadar, but to no avail. He then received the support of Benkovac Mayor Branko Kutija who sent a letter on his be-

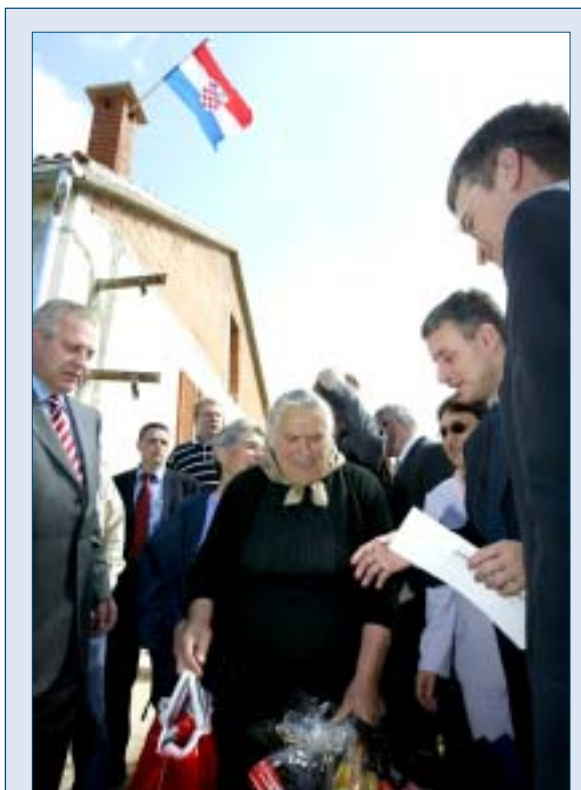
working day, FO Zadar pitched in to help, appealing to HEP Zadar to come up with an interim solution. Finally, HEP Zadar provided Marinovic with a generator to be used while awaiting further instructions from HEP Zagreb. The generator, which is awfully noisy, is the only source of power on the farm. For Marinovic, this generator is a blessing and a burden - fuel prices are three times more expensive than monthly electricity bills.

With expenses skyrocketing and despite all obstacles, Marinovic has decided to commence his business late August, starting off with a smaller number of animals. This, for the time being, will enable him to cover at least some of his costs. His goal is to eventually have 15 people employed at his farm, all returnees to the area. He has excellent relations with the neighbouring Skoric family and they are looking forward to working at the farm.

Disappointed by the lack of support he has received so far, Marinovic is considering suing the Town of Benkovac and the State. It is appalling that he is facing bankruptcy even before he has begun.

The question which needs to be asked is why authorities aren't doing more to help such initiatives? Marinovic, who has had the courage to go out on a limb to commence a new business in Zadar's “waste land”, appears to have been deceived. Is all the hype surrounding the “revitalisation of the Zadar hinterland” merely lip service? If so, it really is a shame.

Sibille Cuka, FO Zadar



High level visit to Biljane Donje, May 2004

half, urging that his farm be put on the priority list for electricity.

Marinovic's farm was placed at number 11 on the priority list for 2004. With a debt to repay and more money lost with every



SISAK - At the initiative of Rule of Law Officer Leos Javurek, a quiz on EU integration and new EU member states was organized at FC Sisak. To everyone's delight, plenty of food and local drinks, from the Czech Republic to Poland, were served to top off a very enjoyable quiz.



DARUVAR - The OSCE info-stand, professionally arranged by Vanja Levnaic, Senka Duper, Julije Katancevic, and other FC Sisak and FO Pakrac staff, attracted plenty of visitors during Europe Day celebrations in Daruvar.



Mission in the Press

Croatia and the OSCE Mission at a crossroads

The summer has once again proved that though politicians may be on leave, media coverage of the OSCE Mission is hotter than ever.

As usual, the pre-summer period is always marked by the release of the Mission's Status Report. All media, this time predominantly TV, reported on the findings of the latest report. The main message by Ambassador Semneby was that Croatia had made progress in meeting its commitments related to the Mission's mandate, however several areas still required plenty of work.

As the Mission's Report was the first since Croatia gained EU candidate-status, Spokesperson Alessandro Fracassetti was quoted by *Vecernji list* (5 July) as stating that the "harmonization of the Government's political positions and actions will continue to be monitored". The daily noted that the report warned however that the weakest point in that process was housing care for Serb citizens who wished to return to Croatia but had lost occupancy/tenancy rights (OTR).

Mission reports - reference material

Confirming that the Mission's reports were being used as reference material, *Vjesnik* (26 July) columnist Tihomir Ponos dedicated a separate article to the Mission's study on media freedom in Croatia as well as another article on the status report weeks following its release.

Independent political analyst, Nicholas White of the International Crisis Group (ICG) referred to the Mission's studies on *HTV Dnevnik* (20 June) on the occasion of Croatia receiving EU candidate status. Regarding refugee return he said that "the OSCE report was still expected."

Letica calls OSCE officials "drunkards"

One of the most eye-brow raising comments about the OSCE was by Party of Rights (HSP) presidential candidate Slaven Letica (17 and 18 July). In his opinion great mystification was built around representatives of the international community in Croatia for no good reason. "The fact is that third-rate clerks are being sent here, [people] who enjoy no respect and have no status in their own organizations," he said,

adding that "drunken OSCE officials were linked with local drunks and together were attempting to create the political agenda of this country".

Croatia to chair OSCE in 2007?

Another interesting statement was made by Foreign Minister Miomir Zuzul (*Jutarnji list, Slobodna Dalmacija*, 26 July). According to him, diplomatic circles were discussing the possibility of Croatia taking over the OSCE Chairmanship in 2007. "One should not be overly optimistic, but should such a

officials, gave an overall positive assessment for Croatia to take over ICTY war crime trials. Media noted that the Mission however advised that further work was needed to strengthen the judiciary, noting that OSCE criticisms related to all parts of judicial processes.

Blecic vs. Croatia

The verdict by the European Court of Human Rights (ECHR) in the Blecic case thrust the issue of occupancy/tenancy rights (OTR) into the spotlight. This topic will certainly be the focus of media attention for some time to come as the Government commences its public information campaign aimed at informing all former OTR holders on how they can apply for the government's two housing programs.

The fact that both the OSCE missions to Croatia and Bosnia and Herzegovina acted as third parties in the Blecic case aroused media interest. *Jutarnji List* (30 July) reported that the verdict in the Blecic case marked a precedent in that the Strasbourg Court ruled that OTR did not represent a form of ownership rights.

Vjesnik (9 August) columnist Miroslava Rozankovic and *Nacional* (10 August) were quite critical of the OSCE's involvement in the Blecic case. Rozankovic drew on the ECHR verdict to argue that the issue of OTR was once and for all resolved. "Strasbourg also defeated the OSCE, which has been claiming throughout all these years that OTR and ownership were the same category," she wrote.

Libel decriminalization

A Mission press release, expressing concern at a non-final two-month suspended prison term handed to a Croatian Radio reporter by Split Municipal Court, started an avalanche of media experts and journalists again called for the decriminalisation of libel. "The possibility of prison sentences being imposed on journalists may have a chilling effect on the freedom of the media," Mission Spokesperson Alessandro Fracassetti said.

Slavka Jureta, Senior PAU Assistant, MHQ



decision be adopted it would be the first time that the chair is given to a country with an active OSCE Mission. Croatia can do that, but intensive diplomatic efforts are necessary," Zuzul said.

War crimes reports spur media debate

The ICTY exit-strategy and war crimes trials were hot topics during June and July. This coincided with two reports on war crimes trials issued by the Mission.

Globus (22 July) reported that "foreign analyses" of war crime trials in Croatia were thwarting the transfer of ICTY trials against Croatian army generals to the Croatian judiciary. *Globus* referred to reports by Human Rights Watch (HRW) and the Mission, assessing that the OSCE reports were more positively intoned than the report by HRW.

Indeed, other media also reported that the two OSCE reports, made public a day before Justice Minister Vesna Skare Ozbolt travelled to The Hague to meet with ICTY

Social Corner

Alessandro's Farewell: The whole city was there!

The who's who of Croatian media bid Mission Spokesperson farewell



After three days of intensive calling, Alessandro's farewell was finally prepared. The who's who of Croatian media including journalists, commentators and spokespersons had gathered alongside government, embassy and OSCE staff to bid Alessandro farewell.

After four years in the Mission, the respect Alessandro had earned from all

those present was clearly visible. Sharing this sentiment, *Novi List* published a commentary on his departure. Attributing the level of media freedom Croatia had gained to both Alessandro as Mission Spokesperson and Mission Head Peter Semneby, *Novi List* concluded that filling Alessandro's shoes would be no easy task. ■



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OSCE in Action: A fire in FC Sisak's backyard Staff evacuated, fire extinguished

"Something is burning," cried out a woman in the corridor downstairs in FC Sisak. Running outside I saw both an amazing and horrible scene before me. Spiralling clouds of heavy black smoke and sheets of flames rolled over the sky from the warehouse in our backyard.

The fact that this was not a drill but reality ran through my mind as I quickly bounded up the stairs and informed my colleagues. They reacted in a second. Branko, Drago, Tony, Roman, Age



ran across the OSCE parking lot and immediately began moving OSCE vehicles away from the fire. Virtually the entire FC Sisak was outside, ready to help, when we heard the fire trucks screaming up the road towards our blaze.

Though the Fire Brigade had arrived only a few minutes after the start of the fire, the huge flames had already engulfed the entire warehouse. The firemen

quickly extinguished the rest of the fire to prevent it from spreading further.

Later we heard that two warehouse workers had started the fire by accident. Fortunately, no one was injured but the damage was huge, with police assessing it to be valued at over HRK 350,000.

Julije Katancevic, National Press and Information Officer, FC Sisak