



# The COURIER

Newsletter of the OSCE Office in Zagreb March/April 2009



For Ever Croatia - OSCE Parliamentary Assembly - HoO in Vienna - NATO entry celebration - Meeting in the MoJ and NGOs report on war crimes procedures - HoO meets Zagreb County Court President - Interview with Kristijan Turkalj, Head of Department for European Union and Human Rights, Ministry of Justice - South Eastern Europe Regional Heads of Missions Meeting - Farewell reception for Ambassador Fuentes

One always has an impression that the moment to go, to say “see you later”, is something that only happens to others, that one is going to remain here forever. But, naturally, it cannot be like that, and on 10 May 2009, four years after arriving in Croatia, after a great many activities inside and outside the country, aiming to support the country on its path to democratization, I am returning to the Spanish diplomatic service to continue there my career, this time as Spanish Ambassador in the neighbouring Bulgaria.

Representing an International Organization such as the OSCE, with 56 Participating States from Europe and North America, and 11 Partners for Co-operation from the Mediterranean and Asian regions, is a much different and perhaps more complicated task than serving a single country, since, in the OSCE it is necessary to satisfy the diverse opinions of such a great number of countries among which there are the most powerful ones in the world such as all the EU members, the U.S., Russia and all the crucial neighbours of the Balkans, all of them represented in the Permanent Council in Vienna and, many of them, in Croatia itself.

In particular, it was necessary to keep a delicate equilibrium between Croatia and Vienna. Croatia, a newly born independent country that recently came out of a war and a centralized economy. Vienna, the Headquarters of the Council, of the Ministerial Troika of the CiO Representative, of the entire administrative apparatus of the OSCE, all of which offer their support to the countries that need it, such as those that basically emerged after the disintegration of the former USSR and the former Yugoslavia.

At the moment of my departure, my gratitude goes to all of them, to the members of the Secretariat of the Permanent Council, the Institutions, to the Ambassadors in Croatia and, in a very particular form, to the five countries that carried out the Chairmanship between 2005 and 2009: Slovenia, Belgium, Spain, Finland and Greece.

Gratitude to the hundreds, perhaps thousands of people that along the years formed part of the Mission (Office since 2008) in Zagreb. Many of them international, coming almost entirely from the Participating

States, from the U.S. and Canada to Russia, Uzbekistan and Japan. Most of them Croatian citizens, with cultural backgrounds derived from almost all the existing national minorities in the country, all united in the common effort to propel the country on its path towards democratic progress that facilitates its Euro-Atlantic integration.

Gratitude above all to the Government and the people of Croatia. Thanking the Government is an obvious, as well as a contradictory thing, since in reality the OSCE Mission was installed in Croatia to assist the country and therefore, in theory, it is the Government that should thank the OSCE for the services rendered. But it is evident that without the understanding of the Government, without its positive approach, without its decision to implement the mandate that we defined together in 1996, the work of the Mission, my work, would have been a lot more difficult if not impossible. So much gratitude to President Mesic and his team with his always kind advice, as well as to Prime Minister Sanader and his Government with whom we carry ahead the project of democratic progress of Croatia, basing ourselves particularly on the established political Platform, on the plenary meetings, on a great many conferences, roundtables, high level workshops held in Zagreb and throughout the entire country.

Gratitude to the kind, hospitable, friendly Croatian people. My work would not have been possible without the good reception by the country in general. Especially by all those who, in one way or another, were affected by the war and by the measures aiming to surpass its consequences and reintegrate the refugees, displaced persons and returnees. To war crime victims, those who considered the sentences excessive, to those who endeavoured to understand the good faith that guided our work, the search for neutrality in our support to all Croatian citizens in general and to the members of the national minorities in particular. A thank you to the politicians, to the judges, to the officials, to the prefects, to the mayors, to the police officers, to the journalists, to the teachers, to the members of NGOs, a lot of whom, in one way or another, were our partners and clients. But thanks once more to the common citizen, to our medical doctors, dentists, to the veterinary of our dearest “Dandy” who ended his career in Croatia at 16 years of

age, to our landlords, to the owners of restaurants and cafes that we frequent, to the waiters, to the merchants, to the box office clerks of concert halls, of theatres and cinemas, to the anonymous citizen we pass by in the street.

A thank you to Cardinal Bozanić, to the Archbishops and Bishops, to the clergy, to the novices and sacristans with whom I felt like home listening to their sermons in Croatian. To the nuns who grace the urban panoramas of the cities with their elegance. And here I should express gratitude for something no less indispensable: a thank you to my wife, Cristina Leja Stross, for accompanying me on this new course, a particularly meritorious task because of not finding herself this time warmly protected by the Spanish State but by the OSCE, a “non-family, non-career organisation”. My wife accompanied me and she enjoyed Croatia in these years, except in the months in which our son Javier needed her more than I did in the finalizing successful efforts of entering the Spanish diplomatic career.

Not long ago, I presented my last Status Report in Vienna. Seeking the usual equilibrium, I believe that in the document I left a clear reflection of a country that has worked, progressed and that is already prepared to confront on its own the responsibilities that signify its future. I would have wanted that this document was not only my last Report but the last one in the life of the Mission/Office in Croatia. I believe, nevertheless, that the Report reflects the situation of a Croatia which is mature, prepared to face its international obligations without serious declines and to occupy a noticeable place in the European and global settings.

My wife and I are moving some kilometres further in the region, to the appealing Bulgaria, an EU and NATO country, with which we have already been acquainted. There we await you with open arms and from there we will follow with great emotion the progress of our dear Croatia. Hasta siempre, Croacia!



Ambassador Jorge Fuentes  
Head of Office

## Calendar:

17-03-09 HC Plenary Meeting with DPM Uzelac and Minister Čobanković  
15-03-09 Meeting with Ambassador Radivoj Cvetičanin, Emb of Rep of Serbia  
18-03-09 Meeting with President County Court Zagreb, Mirjana Rigljan  
18-03-09 Meeting with Mr. Mario Zubović, Chairman of Foreign Policy Committee Croatian Parliament  
20-03-09 Diplomatic Outing to Lonjsko Polje National Park sponsored by the President of the Republic of Croatia  
24-03-09 CPC Director Ambassador Herbert Salber visited Zagreb  
25/26-03-09 Ambassador Fuentes presented the Office's Status Report to the Permanent Council in Vienna. HoO was offered farewell dinners by the Ambassador of the Greek CiO, Mara Marinaki, the Ambassador of Croatia, Neven Madey and the Ambassador of Spain, Marta Betanzos.  
30-03-09 Amb. Fuentes' Farewell Party in Muzeji Ivana Meštrovića-Atelijer Meštrović

Farewell dinners and cocktails offered to Ambassador and Mrs. Fuentes and attended by other members of the diplomatic community and Croatian authorities:

19-03-09 Ambassador of Korea, Dae-Ho Byun  
23-03-09 Former Minister of Foreign Affairs, Miomir Žužul  
01-04-09 Ambassador and Mrs. Salazar, Embassy of Spain  
02-04-09 Ambassador of Bulgaria, Ivan Sirakov  
02-04-09 Ambassador and Mrs Adamovich, Order of Malta  
06-04-09 Ambassador of Belgium, Marc De Schoutheete De Tervarent  
07-04-09 Ambassador of Brazil, Haroldo Valladao  
08-04-09 Ambassador Dr. Mate and Mrs. Rumjana Meštrović  
09-04-09 Ambassador and Mrs. Robert Bradtke, Embassy of the USA  
14-04-09 Ambassador of Poland, Wiesław Tarka  
22-04-09 Ambassador Mrs. Paulo Tiago Jeronimo da Silva, Embassy of Portugal  
23-04-09 Ambassador of the Russian Federation, Mihail Konarovski  
29-04-09 Ambassador of Serbia, Radivoj Cvetičanin  
30-04-09 Ambassador of Greece, Ourania Arvanaki

Farewell meetings:

07-04-09 Ambassador of Australia, Ms. Tracy Reid  
17-04-09 Archbishop Prenda, County Prefect Zrilić, Mayor Kolega and County Court President Klišmanić, Zadar  
27-04-09 President of Supreme Court. Mr. Branko Hrvatin,  
27-04-09 Minister of Culture, Mr. Božo Biškupić  
28-04-09 Ombudsman, Mr. Jurica Malčić  
02-04-09 Farewell ceremony by the Apostolic Nuncio, Dean of the Diplomatic Corps  
06-04-09 Cocktail and presentation of a painting donated by HoO to Croatian Museum of Naive Art hosted by its Director, Mr. Vladimir Crnković  
07-04-09 NATO flag raising ceremony, invited by Minister of Defense, Branko Vukelić  
14-04-09 Farewell for Mrs. Fuentes held at the OSCE Office in Zagreb  
16-04-09 Diplomatic Outing sponsored by President Stjepan Mesić to Lonja Nature Park  
29-04-09 HoO received by the Prime Minister, Ivo Sanader  
08-05-09 Ambassador's Farewell Visit to the President Stjepan Mesić  
08-05-09 Farewell lunch with the PM, Ivo Sanader

OSCE:

## Parliamentary Assembly in Dubrovnik



One of the tasks that I needed to carry out in the final stage of my stay in Croatia – a pleasant task indeed – was to meet once again with the Speaker of the Parliament, Luka Bebić, as well as with the Chairman of the Foreign Policy Committee of the Croatian Parliament, Mr. Mario Zubović, and the Chairman of the Physical Planning and Construction Committee, Mr. Jerko Rošin. It was not only a courtesy call and a farewell, as I also had an important message to convey to them.

As a result of a conversation I had in January, at the meeting of OSCE Heads of Mission with the new Greek Chairmanship in Vienna, with the indefatigable Secretary General of the Organization's Parliamentary Assembly, my good and old friend Spencer Oliver, I was to present to the Croatian Parliament a project according to which Croatia would host the main annual meeting of the Assembly in 2011.

Since this involves a big Assembly that gathers 360 representatives of 56 countries and so many other officials of the Organization and of the National Parliaments, the acceptance should be negotiated and obtained with sufficient advance notice. The year 2009 was already committed long ago to Lithuania and 2010 to Norway.

If Croatia accepts, it would be the first country of the Southeast Europe where the annual session would be held and it would, therefore, from the Parliamentary point of view, also support the cosmopolitanism and the Euro-Atlantic prospect that Croatia had already obtained from the perspective of the United Nations, owing to its presence in the UN Security Council in 2008-09, its integration in the NATO in April 2009 and the progressive negotiations for EU integration.

The Annual Session would be held in Dubrovnik for five days at the end of June and

beginning of July of 2011.

This forum, conceived at the 1990 Summit in Paris, perfected in Madrid and Berlin in 1991, and having had its inaugural meeting in Budapest in 1992, was seen reinforced in the successive CSCE/OSCE summits in Helsinki (1992), Budapest (1994) and Istanbul (1999).

Aside from the annual session, there is also a winter session held in Vienna each February and another one in the autumn that takes place every other year in a Mediterranean country.

The Speaker of the Croatian Sabor received the proposal very positively and we agreed that the President of the Parliamentary Assembly, Mr. Joao Soares, would send a written proposal with details of the meeting, whereby the Parliamentary Assembly would meet all the expenses of transportation, stay and interpretation and the host country would correspondingly provide for the security and social aspects as it deems appropriate.

The meeting in Dubrovnik would be the 17th Session of an important forum that has convened in many participating states (from the United States to Russia, from Canada to Belgium), now bringing to the SEE a reflection on the state of affairs in the Organization, its Summits, its Institutions and its Missions, the prevention and resolution of conflicts, the electoral processes and a long etc. And it will do so in a country in which an OSCE Office will predictably no longer exist, which will be found completely integrated and which will be a net contributor to the peace and security of the region and the continent.

Ambassador Jorge Fuentes  
Head of Office



Several days prior to the annual presentation of the Status Report by our Office to the OSCE Permanent Council on 26th of March, our Head of Office, Ambassador Fuentes, received the agrément from Bulgaria to become the new Ambassador of Spain in Sofia. Accordingly, he wrote the corresponding letter of resignation from his post as Head of the OSCE Office in Zagreb to the Chairmanship in Office.

In a kind letter, the CiO accepted HoO's resignation and rescheduled Ambassador Fuentes's agenda to use the opportunity of his presence in Vienna for the standard debriefing procedures for senior officials departing from field operations. Ambassador Fuentes also reorganized his visit to Vienna to use the opportunity for formal farewell activities and to say goodbye to his many friends in the OSCE headquarters. Ambassador Fuentes' agenda in Vienna became quite turbulent with the presentation of the Status Report, the final debriefing procedures and the farewell meetings, lunches and dinners.

The first goodbye visit was to the OSCE Secretary General, Marc Perrin de Brichambaut. He was travelling out of Vienna on that same day, but before leaving for the airport, he received Ambassador Fuentes for a formal farewell. Ambassador Fuentes also wanted to officially say goodbye to the Director of the CPC, Ambassador Salber, however he had flown precisely to Croatia that same day, where he had meetings arranged with several Ambassadors in Zagreb, as well as with the Croatian Deputy Prime Minister and the Minister of Development. Since Ambassador Salber will be chairing the SEE HoM's meeting in Dubrovnik, there will be a new opportunity to meet and say goodbye before

Ambassador Fuentes leaves Croatia.

Ambassador Fuentes was thereafter received by the Representative of the Greek CiO, Ambassador Marinaki, at her office in Grabenstrasse, to report to her and to discuss on-going field issues.

Our latest Office Status Report was presented first, informally, to delegations of the Participating States gathered at the Segmentgalerie and, then, formally, the following day, to the Permanent Council during a session held in the Neuer Saal of the Hofburg Imperial Palace. This double presentation is already a traditional practice of the OSCE when addressing status reports. It has the obvious advantage of permitting PS delegates to discuss the Report openly with the head of a field operation: detailed questions are posed and any remaining doubts are resolved. The delegates can then better prepare the draft formal interventions of their Ambassadors at the PC session the following day.

Following the PC session, the Ambassador of the Greek CiO, Mara Marinaki, offered to Ambassador Fuentes a formal lunch at her residence attended by the OSCE Ambassadors from Bulgaria, Czech Republic, France, Ireland, Portugal, Serbia and Spain, as well as by the EC Representative and the CPC Deputy Director.

The previous day, the Croatian Ambassador, Neven Madej, offered to Ambassador Fuentes a farewell lunch in one of the finest Dalmatian restaurant in Vienna. Ambassador Madej invited for the occasion the Ambassador of Slovakia, Juraj Macháč, the Deputy Permanent Representative of the Greek CiO, Dionyssios Kyvetos, and some close colleagues from the Croatian portfolio like Katarina Hodak from the Croatian

MFA in Zagreb, Christian Loda from the CPC and Enrique Horcajada from the Office in Zagreb.

The Loda couple, Mirna and Christian, met that evening with the Fuentes', Cristina and Jorge. They also invited me to join them. This cheerful dinner was a must after so many years of working cooperation both in Zagreb and Vienna.

The Spanish Ambassador to the OSCE also offered a farewell dinner at her residence in Prinz Eugen to the Fuentes'. This distinguished dinner was also attended by the OSCE Ambassadors of Austria, Bulgaria, Croatia, Sweden and European Commission, as well as by the Deputy and two other diplomats of the Spanish OSCE Representation.

During the last day, before going back to Wallnerstrasse for the final debriefing session with the CPC, Ambassador Fuentes paid a courtesy farewell visit to Ambassador Antii Turunen and to Mäki Leppilampi at their office in the Finnish Delegation. Ambassador Fuentes wanted to reiterate his appreciation of the support received from the former CiO during the intense year of 2008.

A debriefing session where the HoO presented his End-of-Assignment and Handover reports to representatives of the Secretariat sections, chaired by Jaroslaw Pietrusiewicz, CPC Director for Operations Service, took place at the OSCE HQ as a final activity of these busy days. A discussion and an interesting exchange of questions and answers followed the presentation.

Enrique Horcajada  
Head of Executive Unit



Croatia's entry into NATO on 1 April is probably the most important event that occurred to the country on the international scene after its independence in 1990. The Government celebrated the event adequately – a flag-raising ceremony at the Ministry of Defence, speeches and a concert at the National Theatre among other events – whereas the public opinion remained considerably apathetic, as was the case during the entire extended period involving the negotiations. A tremendous contrast with the enthusiasm shown in Albania, the second new ally of this Military Organization.

It is not easy to explain the reasons for this display of little enthusiasm among the Croatian population: perhaps the exhaustion af-

ter a long period of waiting, displeasure over the latest differences with Slovenia, distrust due to the level of demands for finances and troops exacted by the Club.

What is certain is that for Croatia there is a before and an after when 1 April 2009 is concerned. Suddenly, the country returns to security with regard to its immediate neighbours, as well as the distant ones. Croatia counts on 27 powerful members that will defend its sovereignty as if it were their own. The level of confidence that it grants is such that it invigorates the movement of capital towards the allied countries (in Poland, Czech Republic and Hungary the foreign investments doubled in the two years following the Atlantic Alliance integration).

Most of the European countries first joined NATO and then the EU. Although, one must recall that Sweden, Ireland, Finland, Austria, Malta and Cyprus opted not to join the Alliance and that Norway and Iceland have remained – up to now – out of the EU. The two new allies – Croatia and Albania – are in the same situation as Norway and Iceland, although, at least in the case of Croatia, the negotiations are already very advanced. With that in mind, it cannot be excluded that the recent NATO accession will prompt the country on its way to the EU.

Ambassador Jorge Fuentes  
Head of Office





Three judicial NGOs, “Centre for Peace, Non-violence and Human Rights” (Osijek), “Documenta” (Zagreb), and “Civic Committee for Human Rights” (Zagreb), organized a high profiled roundtable about War Crimes in Croatia on 24 March 2009.

This is not the first time these NGOs call for a public discussion on the ever sensitive issue of war crimes. The first of the already four gatherings happened back in 2006. However, this time, the round table was attended by the highest authority in the country, the President of the Republic, Stjepan Mesić. Apart from the Minister of Justice, the President of the Supreme Court and the Chief State Attorney, the NGOs also invited the Heads of the EC and ICTY delegations and the OSCE to participate in the gathering.

The high-profile attendance indicates that the Government and the Judiciary are prepared to address the strengthening of the system of war crimes accountability. The round table also showed the ever-growing importance given to the NGO’s findings by the authorities, clearly showing that both the Government and the civil society are much more ready to cooperate on all levels, than it was the case in previous times.

Due to different factors, the round table was not as fruitful as expected but it, at least, produced important statements and speeches. In any case, these open discussions, with a maybe slightly better organization next time, have to be encouraged since they are a sign

of social maturity that clearly shows that not only the Government, but also the Croatian society and public opinion, have become far more ready to discuss and to face judicial consequences of the war and deal with war crimes accountability in a civilized manner.

In a well-mannered atmosphere but not exempted from some tense exchange of arguments, the NGO’s freely presented their findings and their firm criticisms to the distinguished audience, without any hesitation and without omitting any of their concerns.

Vesna Teršelić, from the NGO “Documenta”, presented findings related to the reinforcement of judicial capacities for processing war crimes, in absentia convictions from the early 90ies and the application of amnesties, the inadequate enforcement of the present witness support services, issues related to investigations and the development of inter-State cooperation in criminal matters. The NGO’s also praised the positive developments they noted and especially pointed out the reduction of the backlog through the large number of cases processed since 2004, the increase in the openness of the State Attorney’s work, the encouraging start of application of the plans to revise defective in absentia verdicts and the clear improvement noted in the inter-State cooperation.

President Stjepan Mesić stressed that a nation or an ethnicity as a whole should not be held responsible and blamed for war crimes, “they must be individualized and measured with the same archine. Croatia should not be

proud of some monstrous verdicts from the nineties, of some trials held in an atmosphere that did not befit a courtroom, of trials in absentia in which sentences were handed down lightly, and of the fact that blatantly different sentences were pronounced to war crimes perpetrators depending on the ethnicity”, he said. He fully supported Croatia’s cooperation with the ICTY and called for removal of all Officials blocking the co-operation.

EC’s Head in Croatia, Vincent Degert, stated that addressing all war crimes was a key to reconciliation and justice for the victims. He recalled that the war crimes issue was important in Croatia’s accession negotiations to the EU within Chapter 23. He acknowledged reform efforts of the Government in this respect. In addition, he highlighted the OSCE staff’s good work on the war crimes agenda supporting the reform process.

The Minister of Justice, Ivan Šimonović, noted that the fact that such an open discussion could take place is an indicator that Croatia is ready to face its past and encouraged the NGOs to continue addressing this issue.

The President of the Supreme Court and the Deputy Chief State Attorney updated the conference participants on the recent developments regarding war crimes issues in their respective institutions.

Enrique Horcajada  
Head of Executive Unit

## MoJ’s presentation of the projects on the reform of the Croatian Judiciary (2009-2011)

On 28 April 2009, the Ministry of Justice invited the IC, at Ambassadorial level, to a presentation of projects in the justice sector for which it was seeking donors. Minister Šimonović and his team presented a broad selection of projects aiming at shortening the length of Court proceedings, rationalization of institutions, reducing

the backlog, improvement of Criminal Justice System, strengthening the prison sector, improvement of access to Justice and Education of judicial professionals, among others. € 74.1 to 114.1 millions is already approved in projects by the EC, MATRA, WB and CEB. € 41.7 is new proposals. During the question-and-answer period, Enrique Horcajada congratulated the Minister and

the President of the Supreme Court for the positive trend in the reduction of the backlog and welcomed the presence of projects to extend the war crimes witness and victim support services to the Courts that still lack them.

Nebojša Paunović  
Legal Officer



The Head of the Office in Zagreb, Ambassador Jorge Fuentes and three members of the trial monitoring unit, Laura Fernandez (Spain), Biljana Alavanja, and Romana Macesic (both Croatia) visited on 18 March 2009 the Zagreb County Court's President, Mirjana Rigljan and the Head of the Court's Civil Department, Darko Milkovic.

Ambassador Fuentes thanked the President for the positive reception of OSCE monitors and for allowing them to attend and monitor hearings in war crimes trials over the past two years. Zagreb County Court is one of the four special war crimes courts in the country (the others are Osijek, Rijeka and Split), but only a few war crimes proceedings have been conducted there. The most prominent war crimes trial conducted before the Court was the case against Rahim Ademi and Mirko Norac, which was transferred from the International Criminal Tribunal for the former Yugoslavia (ICTY) and is pending appeal before the Supreme Court.

The Court is currently trying a high-profile case against parliamentarian Branimir Glavas and five co-defendants. The trial, which started in October 2007, has been delayed in recent weeks due to the poor health of one of the accused. The prosecution has rested its case and the defence is now due to present their arguments.

Rigljan pointed out that the Court is the largest in Croatia, handling approximately one-third of all cases in the country. She underlined the complexity of the case of Glavas et al, noting that no judge wanted to be assigned as the presiding judge of such a trial.

Other issues discussed during the meeting were the witness support services, lists of ex-officio defense attorneys, the role of the judicial police, the continuous training of judges, and the fight against corruption, including the new office for the suppression of corruption and organized crime (USKOK) which has recently been established within the Zagreb Court, as well as at the other three special war crimes courts.

Regarding witness support services, the President praised their work and noted that since October 2008, the Victims and Witness Support Services have provided assistance in all first instance cases. On the question of the proper role of the judicial police, Rigljan noted that in theory they are under the Ministry of Justice's jurisdiction and are obliged to maintain peace and order in and outside the courtroom. However, she questioned whether this is applied in practice.

Although the President agreed that judicial training is vital, she also noted that judges' participation as lecturers and trainees overlaps with their judicial responsibilities and

causes delays, contributing to the backlog of cases which the judicial system is trying to promptly address. The newly established USKOK departments will deal specifically with corruption and organized crime cases, adding to the judges' already heavy load.

Laura Fernandez and Romana Maćešić,  
Legal Officer





**K**ristijan Turkalj, Head of the Croatian Justice Ministry's Department for the EU and Human Rights, is an important discussion partner for the OSCE Office in Zagreb in its regular meetings with the Ministry of Justice, particularly concerning the monitoring of war crimes proceedings. In this interview with Dorijan Klasnic, the Office's Public Affairs Assistant, Turkalj speaks about his work.

**OSCE:** You are a career diplomat. Please tell us something about your work history and how your current job is similar to or different from what you have been doing professionally so far? What were the most interesting moments of your career so far?

**Kristijan Turkalj:** My professional career began in 1995 in the Department of International Legal Affairs in the Croatian Ministry for Foreign Affairs. I dare say the fact that I was dealing with international law played a great part in channeling my further professional development. The most interesting moment of this part of my career was the preparation of Croatia's Memorial in the procedure against the Federal Republic of Yugoslavia (FRY) before the International Court of Justice regarding the FRY's alleged violation of the Convention on Genocide. After that experience, my professional orientation shifted entirely towards the EU. Working for the Croatian Mission to the European Community, I spent four years knocking at the doors of major EU institutions. That was a priceless experience for me as it enabled me to fully grasp the modes of

decision-making in the EU.

Upon my return to Zagreb, I took over the Department of [ED: name of department], which was responsible for following all EU policies and institutional activities, and I was appointed Secretary of the Committee for Stabilization and Accession. I would probably assess that period of my career as the most demanding one, since I had to be knowledgeable about practically everything of significance concerning any of Croatia's open issues with the EU, be it shipbuilding, cigarettes steel wool production, etc. At the same time, when I returned to Zagreb, I took part in the negotiating process for EU accession. As head of the working group on negotiation Chapter 24 "Justice, Freedom and Security". I achieved results which I believe were crucial for the Government's decision to appoint me as a negotiator for this Chapter and Chapter 23, "Judiciary and Fundamental Rights". After that appointment, it was somehow a logical step for me to transfer to the Ministry of Justice, since the legislation in Chapter 23 concerning the judiciary is the area in which the EU's expectations are the highest.

**OSCE:** How do you assess co-operation in Croatia with the OSCE and the international community in general? What, in your opinion, distinguishes the OSCE from other international organizations?

**Kristijan Turkalj:** Overall, I have to emphasize that in the past years, ever since I have been co-operating with the OSCE personally, the achieved results have been remarkable. In this respect, it was a great pleasure

for me to co-operate with the Head of the OSCE Office in Zagreb as well as with other representatives of the Organization. I personally believe that co-operation with representatives of the international community is excellent. However, that does not mean that those relations are always simple. By extension, this also goes for the OSCE: its mandate encompasses topics that are essentially very complex, so that even to talk about them is anything but simple.

**OSCE:** Croatia declared its independence in 1991. How were justice and diplomacy created from the old apparatus of the federative Croatia?

**Kristijan Turkalj:** Croatian diplomacy took over members of the former Yugoslav diplomatic corps who put themselves at its disposal. Croatian diplomatic staff were not numerous in the former Yugoslav diplomatic service. Many of them are still active today. They represent a singular asset and significantly influenced the emerging of a new generation to which I, myself, also belong. During the past 17 years, Croatia has made great efforts to recruit and train diplomatic staff and this has contributed to the fact that today we most probably have one of the youngest diplomatic services capable of dealing with the most complex issues.

Things in the judiciary developed similarly yet differently. The process differed insofar as the sizable corps of judges that existed at the time was suddenly reduced. Vacant positions were filled with young people. Until just recently, the inexperience of these judges



was the subject of major objections. But the inexperienced judges became experienced and have become the greatest asset of the Croatian judiciary, still young and motivated enough to carry the burden of the ongoing judicial reform.

**OSCE:** What has been the biggest achievement in the Croatian justice system over the last ten years? And where do you see need for improvement?

**Kristijan Turkalj:** What I consider to be the greatest achievement in the judiciary is the reduction of the backlog of cases. At the beginning of 2005, Croatian courts registered 1.6 million cases; at the beginning of 2009, we were down to 900,000 cases. The main challenges are the old cases which have been pending in the courts for more than 3 years.

**OSCE:** Since 2006, the OSCE, in co-operation with the Delegation of the European Commission (EC) and the International Criminal Tribunal for the former Yugoslavia (ICTY) Liaison Office, has been holding regular plenary meetings with the Ministry of Justice, amongst others with the Chief State Attorney, Representatives of the Supreme Court, the Judicial Academy and the Interior Ministry. Do you deem these meetings successful? What has been the most important achievement of these meetings?

**Kristijan Turkalj:** The so-called Platform has enabled a dialogue among all stakeholders within the judicial system. That is its most significant accomplishment. Every institution has been given the opportunity to present its own expert opinion and proposals for the resolution of the problems raised. This has allowed good quality dialogue to develop and has made possible the progress we have achieved in the past years.

**OSCE:** The OSCE's goal is to prepare NGOs to replace and continue its monitoring work in Croatia once the Office is gone. At what point will the time have come, in your opinion, when the Croatian judiciary will require no monitoring at all?

**Kristijan Turkalj:** As far as the OSCE's monitoring of the Croatian judiciary is concerned, I believe that time already came when Croatia began its accession negotiations with the EU. With regard to the NGOs, their monitoring role should never cease. Civil society is the corrective tool of the authorities – this is its role and in my opinion NGOs are more than crucial in performing it.

**OSCE:** How would you assess the Ministry of Justice's co-operation with NGOs on issues related to war crimes proceedings?

**Kristijan Turkalj:** The Ministry of Justice has a very open policy with regard to cooperation with NGOs, including those who monitor war crimes trials. It is our standpoint that NGOs have the right to know what the Ministry of Justice is doing in regard to war crimes. Of course, we would like to see more recognition for our activities from the NGOs. The only way to achieve this is through continued dialogue.

**OSCE:** The review of in absentia war crimes verdicts is the latest agenda item being addressed by the Ministry of Justice. What can you tell us about the review and the related action plans of the State Attorney and the Interior Ministry? The status of their implementation? Future steps?

**Kristijan Turkalj:** When talking about the in absentia judgments, one should not disregard the circumstances under which they were passed. It is difficult to remain impartial, to determine responsibility and utter a sentence, when your side is being shelled. Also, I think that with these judgments the judges of the time were sending the message that war crimes are punishable. Now that 17 years have elapsed, it is easy to spot mistakes committed in individual cases. However, Croatia, like many other states, possesses a legal instrument for the renewal of judgments rendered in absentia, which renders possible the correction of such mistakes.

To this end, the Croatian State Attorney's Office (SAO) produced an action plan in 2008 for reviewing war crimes cases. As foreseen by that plan, a review of all cases in which final judgments were passed in absentia due to the inaccessibility of defendants was completed in January 2009.

Croatia has been very attentive to war crimes trials and judgments since the early 1990s. The review of war crimes judgments has been on the agenda of the so-called Platform that has been in place for the last two years. The discussion on this issue was intensified at the end of last year, and we are extremely pleased that the OSCE recognized the progress achieved. All of this indicates that there is rule of law in the Republic of Croatia and that all people are equal before the law.

**OSCE:** The Zagreb, Osijek, Rijeka and Split County Courts have been given the status of

special war crimes tribunals. However, monitoring indicates that most war crimes continue to be tried in the communities where the crimes took place. Why, in your opinion, are these special tribunals not used more often? Moreover, how do the new Office for the Prevention of Corruption and Organized Crime (USKOK) departments established as a result of the latest judicial reform efforts affect the special war crimes courts' caseload and the work of criminal judges, who must now deal with new corruption cases in addition to pending or old cases. Will this affect which cases have priority over others?

**Kristijan Turkalj:** The SAO and courts at the local level are currently capable of performing the demanding task of trying war crimes in compliance with the best standards.

The four special war crimes courts have now been given the additional responsibility of dealing with cases that fall under the competence of the USKOK, cases which are very complex and demanding. If these courts had to deal with more war crimes trials, they would be overloaded.

The State Attorney's Office and the Supreme Court are extremely attentive to war crimes trials. Were any flaw to be detected in the handling of a case, it would immediately be referred to one of the four aforementioned courts.

**OSCE:** What are the latest statistics on the number of pending war crimes cases, including investigations and international arrest warrants?

**Kristijan Turkalj:** One should keep in mind that the data on identified and unidentified perpetrators are kept separately. According to the data of the SAO, there are currently 1051 unprocessed cases against persons suspected of war crimes acts. In addition, 597 cases have been instituted against unidentified perpetrators.

Regarding international arrest warrants: according to the SAO and the Ministry of the Interior, a total of 670 international arrest warrants (so-called "red warrants") have been issued against perpetrators of war crimes, 304 of which pertain to people who were convicted of war crimes *in absentia*.



On 4 – 5 May 2009, the Croatian coastal town of Dubrovnik hosted the annual South Eastern Europe Regional OSCE Heads of Missions Meeting. The meeting was organised by the Conflict Prevention Centre (CPC) and supported on location by the OSCE Office in Zagreb.

The two day meeting gathered HoMs from OSCE Missions in Bosnia and Herzegovina, Serbia, Kosovo, Former Yugoslav Republic of Macedonia, Albania, Kosovo and Croatia with their respective support staff. The sessions were chaired by Ambassador Herbert Salber, Director of the CPC, in the presence of high representatives of the Greek Chairmanship, Ambassador Louis-Alkiviadis Abatis, Deputy Head of the Greek CiO Task Force and Vasileios Zampalis accompanied by representatives of the two other Troika Participating States, Kazakhstan and Finland. Ambassador Salber was also supported by the CPC Deputy Director, the Director for Human Resources, the Director for Management and Finance and the Coordinator of Economic and Environmental Activities.

Addressing the meeting on Monday, 4 May,

Croatian Justice Minister, Ivan Šimonović commended the cooperation between Croatian authorities and the OSCE Office in Zagreb. Šimonović expressed satisfaction with very positive assessments from the latest OSCE report, notably those regarding war crimes trials and the implementation of Housing Care Programmes. He also expressed hope that the Government's achievements and efforts would lead to the OSCE Office completing its mandate and mission in Croatia.

The meeting continued with a tour-de-table, with each HoM presenting an overview on the implementation status of their respective mandates in the context of specific political developments in the host countries. The topic of the current financial crisis, the possible impact on host countries daily politics and how it affects the OSCE presences and staff was a widely discussed topic during this presentation.

The Head of the Office in Zagreb, Amb. Jorge Fuentes, and the Head of the OSCE Presence in Albania, Amb. Robert Bosch, opened the discussion and shared their views with the group on the topic of added value to the activities of OSCE field opera-

tions in South Eastern Europe vis-à-vis the growing EU operational engagement in the region.

The Head of the OSCE Mission in Kosovo, Amb. Werner Almhofer, and the Head of the OSCE Mission to Bosnia and Herzegovina, Amb. Gary Robbins, spoke about trends for the upcoming 2010 Programme Outline with a special focus on the need for a long-term strategy of downsizing and restructuring of field operations in South Eastern Europe.

The Head of the Spillover Monitoring Mission to Skopje, Amb. Jose-Luis Herrero, and the Head of the OSCE Mission to Serbia, Amb. Hans Ola Urstad, informed the participants on relations with the host country in light of the challenges of mandate implementation: between advocacy for reforms and progressive transfer of tasks to local authorities.

The beginning of day two saw the participation of the Secretary General of the Regional Co-operation Council (RCC), Amb. Hido Bišćević, who discussed the activities of the RCC in its core areas and possible synergies with the OSCE field operations in South



## ...Heads of Missions Meeting



Eastern Europe. Amb. Bišćević answered questions posed to him by the participants and some areas of mutual understanding were pinpointed.

Later on, the Head of Mission to Montenegro, Amb. Paraschiva Badescu, spoke about possible areas of continued or renewed co-operation of the OSCE field operations in South Eastern Europe in light of the regional efforts of respective host countries and the status of bilateral relations among them.

Towards the end of the meeting, the participants discussed policies and common instructions on the OSCE management and human resources. They were also given an update on activities and plans by the OSCE Institutions and by senior Secretariat and CPC staff. The Special Representative of the parliamentary Assembly on SEE, Roberto Batelli, took the floor on several occasions to point out information of high regional interest. Field Security Officer Mihailevschi reminded the group about the measures being taken against any possible H1N1 flu virus pandemic. Robert Adams, the Head of the Democratization Department of ODIHR updated the group on their on-going activities.

Ambassador Fuentes used the opportunity to repeat his compliments to all OSCE colleagues, to reaffirm his belief in the necessity of co-operation among countries in the region, to extend his compliments to all partners OSCE works with, especially in Croatia, and finally to praise the quality of work and human qualities of his staff.

Ambassador Fuentes has been appointed as the new Ambassador of Spain in Bulgaria and, accordingly, he is leaving the post of the Head of Office in Zagreb.

Another departure from the post of the Head of Mission was announced for this summer, the one of the HoM of Serbia. Ambassador Hans Ola Urstad will also re-join the bilateral diplomatic service of his home country after being three years at the helm of the OSCE Mission to Serbia.

All participants in this meeting, held in the nice and modern town of Dubrovnik, were very satisfied with the depth and wisdom of the practical discussions maintained in a very open and sincere atmosphere. Some assessed it as one of the most productive HoMs meetings ever.

The meeting was supported by a task-force

of OSCE Office in Zagreb staff, both on location – Biserka, Hrvoje and Dorijan, - and on duty station in Zagreb – Anka and Velimir - coordinating all events, paperwork, travel arrangements, local authorities and their respective offices, as well as dealings with the staff from the beautiful Hotel Villa Argentina who showed a great deal of last-minute problem-solving skills. Also, the meeting brakes were held at a superbly placed terrace holding a magnificent view on the Dubrovnik harbor and dinners organized at very acceptable rates at some of Dubrovnik finest eateries. A big thumbs-up for all those who supported the gathering.

Dorijan Klasnić  
Public Affairs Assistant





The Head of the Office in Zagreb, Ambassador Jorge Fuentes and Mrs Fuentes hosted a reception in Zagreb 30 March 2009 to mark the Ambassador's upcoming departure from Croatia. The event was held at the Mestrovic Atelier, which displays works of art by the famous Croatian sculptor Ivan Mestrovic (1883-1962) and is located near both the Croatian parliament and the government palace on St Mark's Square.

It was also attended by representatives of media associations, journalists, prominent cultural figures, county court presidents, the ombudsman, judges and other partners Ambassador Fuentes had met, worked with and visited during his term in office in Croatia. Prime Minister Ivo Sanader and his coalition partner, the President of the Croatian Peasant Party (HSS) Josip Friscic, also offered their congratulations to the Ambassador.



Apart from the Office's staff, the event gathered together ambassadors or representatives from most of the embassies accredited in Croatia, heads of international organisations in Zagreb, high level Croatian officials, ministers both past and present of culture, judicial, foreign affairs, development, reconstruction and heads of government departments and NGOs with whom the OSCE has worked closely in the past four years.

Portrayed on the photos are also the Minister of Justice, Ivan Šimonović and Minister of Development, Petar Čobanković and his team.

A group of Office staff involved with the organisation of the event with the Fuentes'

Dorijan Klasnić  
Public Affairs Assistant





As soon as our HoO knew that he could be assigned as the new Ambassador of Spain to Bulgaria, he requested to be received by the three highest Croatian authorities to formally inform them of the designation. He was received by the Prime Minister, Ivo Sanader, together with the Minister of Foreign Affairs Gordan Jandrokovic on 30 January; by the President of the Republic, Stjepan Mesic, on 11 February; and by the President of the Parliament, Luka Bebic, on 12 March. Once the agrément by the Republic of Bulgaria was accorded, the time of the formal farewells came and new audiences where requested.

In a warm atmosphere of great cordiality, the Croatian Premier, accompanied by the State Secretary for Foreign Affairs Bianca Matkovic, received Ambassador Fuentes, for the last time, on 29 April and thanked him for the assistance provided to Croatia by the OSCE during these four years. The

President of the Republic received Ambassador Fuentes again on 8 May for the last farewell. President Mesic accorded him a long and thoughtful interview during which the sound judgments of the Head of State were once again manifested.

That same day, Prime Minister Ivo Sanader treated Ambassador Fuentes to a very special offering: a lunch at the sumptuous banquet hall of the Government Palace at Saint Mark's square. The lunch was also attended by Deputy Prime Minister Jadranka Kosor, the Minister of Culture, Bozidar Biskupic, the Ambassadors of the United States of America, Robert Bradtke, the Kingdom of Spain, Manuel Salazar, the Kingdom of Sweden, Fredrik Vahlquist, the Foreign Affairs State Secretary, Bianca Matkovic, the PM's Head of Cabinet, Katarina Fucek, the PM's Advisor, Davor Stier, the Government's Spokesperson, Zlatko Mehun, and finally, by Enrique Horcajada, then a candidate to head the OSCE Office,

who accompanied the HoO to all six receptions.

Enrique Horcajada  
Head of Executive Unit



## "The Men and the City"

On April 2007 the Museum of Naive Art presented a month-long exhibition of Ambassador Jorge Fuentes' works, entitled: "The man and the city", an ironic and surrealist travel through the city of Zagreb.

The presentation saw an enormous response on the part of *tout Zagreb* – politicians, diplomats, intellectuals, members of the local society that packed the rooms of what is considered the best Naive Museum in the world.

On that occasion, the author, in gratitude for the generous organization of the exhibition for charitable purposes, donated the painting "At home" which has after that remained in the Museum's collection.

Now, two years later, in a more tranquil and intimate atmosphere, Ambassador Fuentes-Vilallonga as an artist – makes a second donation, the painting entitled "Building", at a moment of his farewell to Zagreb. The two paintings were displayed together for the first time on one of the fine walls of the Museum. Its Director, a brilliant art critic and essayist, Vladimir Crnković, and the Ministry of Culture's Director for International Cultural Cooperation, Ms. Jasminka Lokas-Strpić, presented this beautiful and heartfelt act.



**T**hanks to Yoga, it is now possible to “salute the sun” even during the short and dark days of Zagreb’s long winters. “Sun Salutation” (in Sanskrit: Surya Namaskar) is the foundation of all of the yoga postures (in Sanskrit: Asana). Asana is a kind of physical exercise in which breath and movement are combined together. It constitutes one of the main limbs of Yoga, and its practice is attracting more and more people nowadays, as an alternative way to keep fit and counteract stress. This is indeed a good start, which may then motivate one to deepen their knowledge of Yoga as a much more complex discipline, way of life, and philosophy.

The origins of yoga date back to some 5,000 years ago and are linked to the Indian sacred scriptures of the Vedas. Over the millennia, Yoga has turned from being a strictly initiatory practice into one suitable for a wider audience. Its main ideas travelled to the West since the times of Plato and Aristotle, and, later on, of Alexander the Great, up to our times, when the process of adapting Yoga to the needs and characteristics of the “western body and mind” has intensified. The word “Yoga” comes from the Sanskrit root yuj (pronounced as ‘yug’), which means “to unite”, “to yoke”. In one of its highest meanings, Yoga is about uniting the “individual Self” with the “Universal Self”. It is what is traditionally called a “liberation teaching”, as it seeks to liberate human beings from their limited notion of what they are. All of Yoga teachings aim at helping to realize this unity. Due to the fact that Yoga

is not a religion, the “Universal Self” may or may not be identified with God, depending on one’s creed. This is the reason why certain Yoga techniques, such as meditation, may be applied both to religious practice – including the Christian – and to non-religious, yet spiritual, ones. Because human beings have different strengths and weaknesses, over time the Masters of Yoga have designed various approaches, so that it can be helpful to everyone, depending on their emotional and mental capacities, preferences, and age. Some of them aim at liberation through meditation, others through physical transformation achieved by exercising, others through self-transcending service etc. This is why Yoga has been practiced by a wide range of persons, from the Mahatma Gandhi to famous pop singers and sportspersons. Also, through what is called ‘Yoga therapy’, it is now possible to cure certain kinds of disease.

As said, Zagreb provides several opportunities to practice Yoga under the guidance of qualified teachers. I came across Yoga during over four years of stay in Croatia and, after learning it for three years as a student, I felt motivated to start an International Yoga Teacher Training Program here in Zagreb, along with many other trainees from all over Croatia. Thanks to this course, I had the opportunity to meet a variety of persons who consider Yoga both as a means of personal growth and of changing attitudes in a post-conflict society like Croatia. As far as I am concerned, I am glad to have accepted the challenge of learning a discipline which

is both demanding and “entertaining”, and from which I am greatly benefitting in my everyday life.



**Ech Yoga practice usually starts and ends with both teacher and students pronouncing the word Namaste, while keeping the palms of one’s hands together and to the heart. Namaste is a traditional Indian way of greeting, and in yoga it symbolizes the union of the individual selves with the Universal Self: I honor the place in you in which the entire Universe dwells, I honor the place in you which is of Love, of Truth, of Light and of Peace. When you are in that place in you, and I am in that place in me, We are One.**

Agnese Andreucci  
Legal Officer



**O**n 12 February 2009 the Office staff organized what was immediately dubbed the “Fun Fair”, a gathering of all those who have special skills in areas mostly related to art or unusual activities to present them to their colleagues.

The “Fun Fair” was a success from its very start. We were able to taste home made honey and honey related products, to admire work of photographic arts, to find new ideas in the field of decorative

decorate Easter eggs or to use every day materials for our decorative or design purposes. People also had to learn the art of making knots and to learn about winter climb and alpinism equipment and bailey systems. A book sale was also organized. It was extremely interesting to learn more about certain topics and skills but most of all to learn more about ones colleagues and their other walks of life apart the everyday office activities.

Dorijan Klasnić  
Public Affairs Assistant





**O**n 27 April 2009, a group of 17 postgraduate students from the Jagiellonian University from Poland visited the Office's HQ in Zagreb. These, mostly international students attending their master's programme in European studies were greeted by the Head of Executive Office, Enrique Horcajada who also gave them a lecture on the political aspects of the OSCE presence in Croatia. The students also heard the lectures from Legal officer, Alan Švarc and National Programme Officer, Nena Lukin who presented their respective units and the activities of the OSCE in the country.

The students had ample opportunity for questions and used it in a perceptive and qualitative manner. They were mostly interested in the background of the issues that Croatia battles with such as refugee return, war crimes trials and judiciary, but also questions of wider knowledge and interests, such as interest in the democratization of the country, issues deriving from the recent conflict but also questions regarding practical aspects of the current EU negotiations and future practices once Croatia joins the Union.

It has been a great pleasure listening to this

group of young persons who despite their age and background were well knowledgeable on Croatia and the OSCE, showed great interest in both humanitarian and legal issues and were genuinely interested in processes that occur in this part of Europe.

The group left for Split and then for Sarajevo and we wish them all the best in their studies and always leave an open door for them, or any other interested student, hungry for knowledge on the OSCE in Croatia.

Dorijan Klasnić  
Public Affairs Assistant

### Farewell to dear friends:

**T**he OSCE is defined as a non-family organization. Accordingly, the spouses or life partners of our staff officially do not exist. However, the reality is obviously quite different. Not only that they exist but they also play an important role in supporting our job. A job that is often unnoticed and not recognized. Cristina Leja de Fuentes, our HoO's wife, was departing from Croatia after 4 years of providing continuous support to her husband's work. The Office decided to use this opportunity and, as a token of our appreciation for being a role model on how our partners should contribute to our performance, invite her to a simple and very symbolic farewell coffee in our premises. Her sophisticated good manners, savoir faire and attention to detail highly contributed in creating a distinguished atmosphere required at the receptions, cocktails and dinners that the Fuentes couple attended or offered to the diplomatic community in Zagreb. In reality, during all these years, she has been unofficially sharing her husband's great responsibility in representing the OSCE. Cristina also helped our HoO to maintain

cordial and friendly relations with his counterparts and associates which greatly facilitated HoO's meetings and discussions with the Croatian authorities and other Ambassadors in their home and throughout the country. Her personal charm and sincerity were often the source of the pleasant and relaxed ambience needed for smooth discussions conducted by her husband. She was the incentive to HoO's work and to a great extent to the work of us all.

Not only that Cristina enthusiastically accepted our invitation for a farewell coffee but she came to our premises with cookies and some bottles of champagne in order to share all that with us. Enrique informed her that she had been chosen as an example of the silent work being done by all our partners. On behalf of all of us he wished her the best of success in their new post in Bulgaria. The Office staff also wanted to pay a tribute to Cristina's love for Croatia and its landscapes that she manifested by her endless will to travel and familiarize herself with every corner of the country. They also wanted to show her their appreciation for the human

care and friendship she showed to every staff member who went through difficult times in their families by way of presenting her with a very humble souvenir from Croatia, a bracelet made of Croatian stones in her favourite colour. Cristina thanked the staff with very nice words about the importance of our work, renewing her invitation to any of us who wish to visit the couple in their new home in Sofia.

Enrique Horcajada  
Head of Executive Unit



### Farewell for Mrs Cristina Leja de Fuentes

# Gallery



President Stipe Mesić and the HoO during the diplomatic outing in Lonjsko Polje National Park, 16 April 2009



On the occasion of the SEE OSCE HoM's meeting in Dubrovnik, Amb. Fuentes took the opportunity to pay a farewell visit to the Mayor, Dubravka Šujica, 5 May 2009



Ambassador Fuentes and a number of other bilateral ambassadors in Zagreb hear the farewell speech delivered by the Apostolic Nuncio H.E. Msgr. Mario Roberto Cassari, 2 April 2009



The HoO and the OSCE staff in Zagreb in a "family photo" on the occasion of HoO's departure from Croatia, Zagreb 7 May 2009