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Ambassador Peter Semneby, Head of the OSCE Mission to Croatia

The Bobetko Case Will Not Send Croatia Backwards

By Borna Keserovic

We talked with Ambassador Peter Semneby, the Head of the Mission of the Organization for Security and Co-operation in Europe (OSCE) on the Bobetko case and Croatia's co-operation with The Hague, as well as about other international commitments and conditions for Euro-Atlantic integration.

- **The co-operation of Croatia with The Hague Tribunal is a part of the mandate of the OSCE Mission which monitors the fulfillment of conditions for the accession to Euro-Atlantic integration. Minister Picula informed you, as well, about the Croatian standpoint in the Bobetko case. How will the decision on non-extradition of general Bobetko reflect on Croatia's position on the international scene?**

- Croatia, like other countries, has to fully co-operate with The Hague Tribunal. I would particularly like to mention that the attitude of the Croatian Government in the Bobetko case is carefully followed by Croatia's international partners as well. I cannot speculate what will be happening, but I am convinced that the Government will find a reasonable solution for resolving the current difficult situation.

- **The Hague is probably the most painful international commitment of Croatia which, however, has to fulfill a set of other conditions for Euro-Atlantic integration. How much has been achieved in that direction?**

- The political conditions are at present the most important ones for Croatia's membership in the European Union. Until Croatia is not officially invited to negotiations on the membership, the so-called Copenhagen criteria are the priority. That includes the development of the political system, civil society, judiciary, and what is especially important for Croatia, is the return of refugees and the creation of a legal framework for the protection of national minorities in compliance with European standards. I hope that national consensus will be reached with regard to these issues.

Satisfied with the Draft Law on National Minorities

- **The Constitutional Law on Minorities is still in the parliamentary procedure, and the High Commissioner of the OSCE, Rolf Ekeus, was informed about it these days in Zagreb. How satisfied are you with the content of the Law and how much with the promptness with which it is being passed?**

- The current Draft Law is rather good. There are certain aspects which could be improved, such as the working conditions for the national minority self-governments.

Naturally, individual details are not the most significant here, but to what degree this Law mirrors the consensus and whether the Law is generally acceptable to the minorities. It is my belief that this act will be adopted soon and that it will be a good law. I am of the opinion that this will be a big step forward for Croatia and that Croatia will gain positive ratings with it.

At the same time, we are extremely concerned with the failure to hold by-elections at the local and regional levels, which were supposed to be held 90 days after the announcement of the census results. There are currently 74 local councils and 9 regional councils in which the national minorities are underrepresented. The deadline for holding by-election expired two weeks ago. The under-representation of national minorities cannot be allowed as something permanent.

- **The Law on Minorities is one of the preconditions for the return of refugees, which is the main concern of the OSCE Mission to Croatia, and property repossession is emphasized as the key thing for that. Are you satisfied with what has been done so far?**

- Apart from the Law on Minorities and the repossession of property, there are some other important conditions for the return of refugees, such as security measures and economic environment. There are also problems with bureaucracy that returnees are faced with. The key issues for return are still housing care and property repossession. There are positive developments with regard to that and we welcome the Government's subsequent adding of final deadlines for the return of temporarily occupied property. At the beginning of August there were approximately eight thousand homes which were still occupied.

- **The set deadline for the repossession of property is the end of this year, but that process could last longer.**

- That is an ambitious goal and we are glad that the Government sets such goals before itself. Even if it is not reached, pursuant to the law, the Government will have to pay compensation to the owners for as long as their homes remain occupied. It is important that the law contains such a commitment in the case that the deadline for the repossession of property expires. There are also other forms of property with regard to which we were not able to see some progress. Those are agricultural land and business premises, which are important for the lives of people who wish to return. We expect new legislative solutions which will cover those issues. I would also like to emphasize the problem of returnees who are holders of occupancy/tenancy rights and who do not have anymore a place to live in Croatia. For those who wish to return, a suitable accommodation has to be found and a special programme has to be established for them, regardless of which part of Croatia they come from. The return of refugees is a condition for the return of Croatia to Europe.

Media legislation to be put in conformity with European legislation

- **The issue of transformation of the HRT into a public television has also not been resolved yet. How do you assess the media situation in Croatia?**

- There is progress in that area, but I am of the opinion that we are only half way there. This issue is also very important for Croatia, that is, the media legislation has to be in conformity with the European legislation. It would also be good to set safeguards against a direct political influence on the media. I do not say that this is happening today, but it is important that such a mechanism exists.

- **You pointed out the status of resolution of all those issues in your first bi-annual report on the situation in Croatia. What will you report on to the OSCE Permanent Council in Vienna at the end of this year?**

- I will acknowledge that Croatia made progress with regard to repossession of property, and I will be very happy if I can report that the Constitutional Law on National Minorities was adopted. I will emphasize that a lot of efforts still need to be invested in order to enable the sustainable return of all those who wish to return.

- **Pursuant to that, is it realistic to expect that this bi-annual report will be the last report of the OSCE Mission to Croatia, which is what the Croatian authorities wish for?**

- One of our main goals is to provide support to Croatia in its accession to the Euro-Atlantic integration in a manner to assist it to fulfill the conditions necessary for joining them. Therefore, I believe that there are several issues in which we could assist also in the next year.

- **There are rumors that the Bobetko case could bring about new elections and destabilize the country and that this could, as a part of public is afraid of, bring some of the initiated integration processes back to the beginning.**

- I believe that we will avoid backsliding and I am convinced that we will succeed in it. I also believe that the majority of political forces in Croatia view the Euro-Atlantic integration as a strategic goal.

Judges of Serb ethnicity have difficulties in getting jobs in the towns affected by the war

- **Many of the problems are the result of a messy and overwhelmed legal system which is considered to be the main obstacle for Croatia's accession to European integration.**

- A thorough reform of the judiciary is needed. One should get rid of entire categories of court cases as well as invest significant efforts in the training of employees in the judiciary since there is a lack of judges in the rural areas. At the same time, we continue receiving reports that some well-qualified judges of Serb ethnicity do not get working posts in war-affected areas.