

Minority rights - three years on

“**E**very democratic country has to work continuously to protect its minorities, enable expression, preservation and development of their identity and creation of an atmosphere of tolerance and cultural diversity,” said Justice Minister Vesna Skare-Obolt opening a conference organised by the Mission on the Constitutional Law on the Rights of National Minorities (CLNM). Three years since its adoption, the conference was held in Zagreb on the 18th of October to review the implementation of the CLNM – its achievements and areas for improvement.

and the low minority voter turnout. “The process of collating voter lists should be reformed, so that they can serve the purpose of updating census data for electing minority representatives, in line with the Constitutional Law,” said Radin.

Three workshops followed the plenary session to discuss:

- (1) The political rights of national minorities;
- (2) Representation of national minorities in state administration and the judiciary; and
- (3) The cultural and linguistic rights of national minorities (education and media).

The right to specific minority representation in Parliament and to proportional representation in local councils and assemblies was assessed as a positive achievement of the Constitutional Law. The participants raised the need to clarify, as part of electoral reform, the basis for calculating minority quotas in local assemblies.

Positive marks were also given to the establishment of consultative and advisory mechanisms between local authorities and minorities, through the creation of local Councils of National Minorities (CNMs) and a national Council for National Minorities. The discussion identified that more attention in the future needed to be given to the status, functioning, financing and capacity-building of the CNMs.

Participants stressed that particular attention was needed to ensure minority representation in state administration and judicial bodies, especially at local levels and in return areas. They welcomed the recent adoption by Parliament of a law on local self-government addressing the issue.

Recognition of the right to education in minority language and script within the CLNM was commended, although the need for minorities to learn Croatian language and script was also stressed.

The agreement between the Education Ministry and Serb representatives to introduce a common history textbook for all pupils was highly praised. Concern was expressed over the physical separation of Serb and Croat pupils in some schools in Eastern Slavonia. It was recommended that this should be ended as quickly as possible.

All participants agreed that the public broadcaster, HRT, covered minority issues well. However, they recommended more focus on the benefits of minority integration and on the problems they faced.

Overall, the conference raised some very important issues and recommendations. It is hoped that these will be reinforced at the three regional conferences to be held in Rijeka, Split and Osijek in the upcoming two months. The process will culminate in a national conference to be held in Zagreb early next year.



Photo: Slavka Jureta

Ambassador Fuentes, alongside Justice Minister Vesna Skare-Ozbolt and other authorities, welcomes participants to the conference.

The Justice Minister was one of over 100 participants at the conference, representing not only the different minorities living in Croatia, but also state institutions, political parties and civil society. She pointed to the difficulties related to minority representation in the state administration and judiciary, and the need for more consistent efforts to ensure the full implementation of the Constitutional Law.

Ambassador Jorge Fuentes, the Head of the OSCE Mission, said the CLNM could serve as a model in the region in many aspects – political, socio-economic, cultural and educational. “The only remaining problems relate to its implementation,” he said.

Chairman of the Parliamentary Committee for Human Rights and the Rights of National Minorities, Furio Radin, stressed that the autonomy of minority MPs in Parliament was one of the main achievements of the CLNM. He nevertheless advocated a specific election law and transparent voter lists to address the deficiencies in the model of electing minority representatives

Dinka Zivalj

National Political Affairs Officer, MHQ

Calendar

7 November - Ambassador Fuentes speaks at the Igman Initiative Meeting in Sarajevo.

7 November - Regional seminar on advancing the work of councils and representatives of national minorities held in Rijeka.

10 November - Director General of Croatian Radio and Television, Mirko Galic, visits Mission Headquarters.

15 November - Croatian Minister of Foreign Affairs makes a presentation before the OSCE Permanent Council in Vienna.

17 November - Ambassador Fuentes makes his presentation on Croatia before the OSCE Permanent Council in Vienna.

29 November - Three-day conference on crime prevention held in Varazdin with Swedish experts.

30 November - Official launch of the Public Awareness Campaign on Refugee Return – Zagreb press conference with the Ministers of Foreign Affairs and Sea, Tourism, Transport and Development.

30 November - Regional seminar on advancing the work of councils and representatives of national minorities held in Osijek.

4 December - Six Croatian police officers begin OSCE-sponsored week-long study tour of Sweden to exchange policing practice and methods.

5 December - Ambassador Fuentes visits Zagreb University at the invitation of Rector, Helena Jasna Mencer.

7 December - Regional seminar on advancing the work of councils and representatives of national minorities held in Split.

8 - 9 December - Certificates awarded to participants at the end of the OSCE-sponsored Good Governance project in Gospic.

10 December - Human Rights quiz for secondary school students in Gospic.

13 December - Joint OSCE/Croatian Government roundtable on the draft Law on the State Electoral Commission.

Activities

Sustainable return: The realities on the field

Amb. Fuentes leads a tour of the Zadar hinterland for diplomatic corps

“Serbs, Croats, we are all the same, we have hundreds of last names in common and we need to build on these good relations,” said Stojan Drca, president of the Kasic village’s Initiative Board, at the start of the tour of organised by the OSCE Mission in mid-October of Zadar and its hinterland .

Over 30 ambassadors and representatives of the diplomatic corps in Zagreb participated in the tour, which encompassed the return villages of Kasic, Smilcic and Smokovic as well as a visit to the County Court in Zadar.

The village of Kasic was the first stop, with Mr. Drca leading the delegation through the village while explaining its history as a fertile and abundant area. Today, the land is mined and only 23 families, around 50 people, live there. Stanko Janic, from the Development Ministry, explained that 250 of the 280 houses in Kasic were completely destroyed during the war. About 100 houses still needed to be reconstructed, with Mr. Janic informing the delegates that all remaining reconstruction permits would be issued by the end of the year, allowing more families to return. Mr Drca also boasted that soon the village would welcome its first newborn in 15 years.

In Smilcic, just a few kilometers away from Kasic, a group of Bosnian Croat

settlers discussed their experiences as well as their needs, which differed considerably from those of Serb returnees. Some 20 families with about 40 children, coming from the areas of Zenica, Travnik and Zepce in Bosnia and Herzegovina, live in a newly built settlement. Having decided not to return to Bosnia and Herzegovina considering the atrocities of the war there, the families in Smilcic are very grateful to the Croatian authorities for having provided them with a house and social welfare. However “we would need a clinic, a school, and kindergarten” said Jelena Jurisic who came to Croatia from Zenica in 1996.

Smokovic was the last village visited in the Zadar hinterland. The Mayor of Zemunik, Josip Marusic, explained that Serb returnees were not able to satisfy even their most basic existential needs. Houses, still unfinished, have no electricity and water supply and the land around them is still mined. “We wanted the ambassadors and diplomats to become aware of the progress made in the reconstruction of certain areas, which still suffer from war consequences, as well as realize that work still has to be done” Ambassador Fuentes said concluding the visit.

Antonella Cerasino
Spokesperson



Photo: Eugen Kogoj

The tour of Zadar organised by the Mission was a great success with over 30 ambassadors and diplomatic representatives attending.

30 YEARS ON

Celebrating 30 years of the 1975 Helsinki Final Act

The OSCE Mission has done a great job in Croatia

Address by Croatian President Stjepan Mesic during the Mission's anniversary celebration

Ambassador Fuentes, distinguished Ambassadors, ladies and gentlemen,

I did not hesitate for one moment in accepting the invitation to attend the marking of the 30th anniversary of the Organization for Security and Co-operation in Europe. The Summit that evolved into a permanent conference and subsequently into an organisation left a mark on the European political scene in the last three decades that one cannot overlook.

I can well recall the time of preparations for Helsinki. At the time it was said that one of the major goals of the conference would be to make the final reckoning of the Second World War.

The European Conference did exactly this but it reached far beyond. I do not think I err when I say that its initiators thirty years ago could not have fully comprehend the significance of the project they brought into being, or the role that the European Conference, today the Organization for Security and Co-operation would play in defining the political space of the Old Continent, as well as rules that are valid in this area.

At the time when the Cold War was reaching, admittedly, its final stages and when one could discern a new era in international relations looming through the policy of détente, security and co-operation were something highest and greatest to which Europe, divided by Bloc barriers and split along ideological divisions, could aspire to at all. Security and co-operation were counterpoints to confrontation and conflicts, this was something needed both by Europe and the world.

Thirty years ago, I would say, a pioneer undertaking was launched. It was in the first place important for Europe, but by the virtue of its power as a role model and example, it was important for the whole world. One of the most important lessons of the Helsinki process, that is embodied in the Organization for Security and Co-operation in Europe, was the conclusion on the inviolability of frontiers. Of course, I do not neglect all other items contained in the well-known "baskets", however, inviolability of frontiers is, in addition to human rights, the foundation upon which the structure of present-day Europe rests.

These two aspects are vital for Croatia. I do not think it is necessary to additionally explain the reasons for this to this circle of people. We have been co-operating with the Organization for Security and Co-operation in Europe practically from the very beginning of our independence as a state. That co-operation has not always been ideal, there were pe-



Photo: Tomislav Pavlek

President Mesic says the time of monitoring is drawing to a close.

riods when in Croatia, naturally I speak of the government level, one perceived the Organization almost as our enemy, there were times when some thought that our most pressing foreign policy task was to secure the completion of OSCE monitoring in Croatia.

May I, in connection with this, place things where they belong. The Republic of Croatia is highly appreciative of the role that the Organization for Security and Co-operation in Europe has been playing in the broader European framework. However, equally so, we also appreciate the role that this Organization played and is still playing here in Croatia, and in the broader region. I am aware of some who were not pleased with its monitoring, I am also aware that today there are some who do not like us being warned of things that are not good here and of things that should be changed.

I think differently. I firmly believe that we badly needed the monitoring and am equally grateful to those who turn our attention to phenomena or trends that are not in line with European practice and European principles and standards. I will repeat today too what I have said many times so far: all the reforms that we have been undertaking have been implemented for our own sake and for the sake of our future. However, there were times when not only monitoring but even pressure from outside was needed to bring about these reforms. In this context, the OSCE Mission has done in Croatia - and I would say for Croatia - a great job.

Thank you.

30 YEARS ON

East meets West

On 1 August 1975, with the process of détente gradually thawing the chill that the Cold War had cast over international relations, the Heads of State or Government of 35 nations gathered in Helsinki to sign the Final Act of the Conference on Security and Co-operation in Europe (CSCE).

Over the next 30 years, the CSCE would evolve from a diplomatic Conference that helped to break down the barriers of mistrust between East and West into an international Organization - the OSCE - whose numerous institutions and field operations proved vital to stability in the post-Cold War world.



Photo: Gerald R. Ford Library

East meets West: US President Gerald Ford and USSR General Secretary Leonid Brezhnev (with translator Viktor Sukhodrev at his ear) at Helsinki 1975. Flanking them are Secretary of State Henry Kissinger (l) and Foreign Minister Andrei Gromyko (r).



Photo: Office of the Ombudsman

Jurica Malcic, Croatia's Human Rights Ombudsman, was one of the 30 prominent people asked to give their opinion on the work of the OSCE. Here's an excerpt of what he said:

"By supporting our work, the OSCE helps to safeguard Croatian citizens against human rights violations and to restore faith in government institutions and the rule of law in this country."



Photo: OSCE

"The process of creating a whole, free and prosperous Europe is not yet complete. Peace in the Balkans is still fragile, while in parts of Europe, the reform process is only a few years old. It is important that we remain vigilant... We need to show the same political courage shown by the founders of the OSCE as we plot a future course for this great Organization and the ideals it stands for."

Dimitrij Rupel
Foreign Minister of Slovenia
Chairman-in-Office of the OSCE



Photo: Tomislav Pavlek

"The right path for Croatia is EU and NATO integration. The resolution of refugee return issues and reconciliation, as well as ICTY co-operation are steps on that path," said **Croatian Prime Minister Ivo Sanader** during his visit to Mission Headquarters. Thanking the OSCE Mission for the assistance it provided Croatia on its path toward the EU, the PM encouraged other embassies to visit OSCE offices in the field to see first-hand the problems on the ground.

30 YEARS ON

Celebrating 30 years of the 1975 Helsinki Final Act

The viewpoint of a founding member: The 1975 Helsinki Final Act

I was one of the participants at the Helsinki Summit of 1975, a significant event and an even more evident reflection of great changes of that time. Thirty-five heads of state from various countries in Europe and North America signed the Final Act that established the Conference on Security and Co-operation in Europe (CSCE).

It was a period quite different from the present and yet all the legendary statesmen such as Brezhnev, Ford, Giscard D'Estaing, Wilson, Schmidt, Tito, Moro and many others came to participate. Europe, being affected by the Cold War, was immersed in difficulties and the logic used by the two blocks made communication between East and West even more difficult.

It was the time of the Warsaw Pact, the Berlin Wall, the two Germanys, USSR, a time when communism was spread throughout almost half of the continent. It was also the time of the EEC with its nine member states, the time of a reduced NATO and the United Nations with half its current membership.

The CSCE joined all these organizations in an unpretentious, provisional and intermittent basis without a legal personality and without binding resolutions. The member states respected its decision based on their political will and their hope that the Helsinki Final Act would provide greater security within the borders created after World War II and that it would promote increased contact between the citizens of Eastern and Western Europe.

However, the International Community realized very soon that the Helsinki Final Act was indeed the political agreement that had never been signed in 1945 when the conflict ended. The document had the power to build bridges between states, enable mixed marriages, promote cultural exchanges, facilitate reforms in education, improve contacts between the media from both sides, render possible personal and family trips to take place between the East and West. All this, which appeared to be so simple and easy, contained power, which in the course of several years, undermined the foundations of the Iron Curtain and caused the fall of the Berlin Wall.

The CSCE, which in 1995 was transformed into a standing organization, the OSCE, with its Headquarters in Vienna and its institutions spread across different European countries, is beyond any doubt one of the most significant diplomatic legacies of the 20th century. Looking back on the second half of that century, we can say that no other organization had such an influence on the transformation of divided Europe in the sixties and seventies.

Today, the OSCE is active in Croatia, as well as in seventeen other countries in the Balkans, Eastern Europe, the Caucasus and Central Asia, in order to achieve full democratization and integration of these areas into the rest of the continent on an equal footing.

Today's Europe is made up of the European Union, comprising of 25 partners; of NATO, comprising of 27 allies; and of the OSCE with its 55 participating States. On 6 October, all of them, including the Croatian authorities, mark the 30th anniversary of the signing of that historical document which contributed immensely to the opening and democratization of present-day Europe.

It will not be easy for the OSCE to repeat its extraordinary performance from the 20th century. The world has changed tremendously in the past thirty years. The East and West do not exist any more as a political reality. In Europe, 22 new independent countries have emerged, including Croatia. The main international organizations are trying to accommodate themselves into the new political environment; that is the case with the UN, the EU, NATO, the Council of Europe and certainly, the OSCE.

Since 1995, when the original Conference was transformed into an organization, the focus of the OSCE gradually turned to the provision of support to the member countries which needed it because of their recently ac-

quired independence, their economic problems or due to the consequences of war some of them had suffered. With this purpose, five institutions were created and 20 missions were established in different countries to help them with their specific problems, such as the return of refugees, the reconstruction of houses, the democratization of society with respect to its political life, rule of law, media situation, policing and development of civil society.

What can we expect from the OSCE in the coming years? At this early point, at the very beginning of the 21st century, it is not easy to answer that. New objectives are yet to be defined and the main international actors are still trying to steer in the right direction. In spite of this, the OSCE should never disregard its main mission – the provision of assistance to the countries in the Balkans, the Caucasus, Eastern and Central Asia in order for them to be ready to benefit from the current modern times, the epoch of prosperity, peace and democracy.



Photo: Ivanka Gotic

Jorge Fuentes Monzonis-Vilallonga
Ambassador, Head of the OSCE Mission to Croatia

Field Office in Focus: Vukovar

FO Vukovar at a glance

- The Head of Field Office (FO) Vukovar is **Jean-Pierre Golubic**.
- FO Vukovar has one sub-office in Osijek.
- The total number of staff working at FO Vukovar and Sub-office Osijek is:
 - 5 International Mission Members
 - 3 National Professionals
 - 28 Local Mission Members
- FO Vukovar covers the region of Eastern Slavonia, which is the eastern-most part of Croatia. It is made up of two counties - Osijek-Baranja and Vukovar Sirmium.
- Geographically, the region borders Hungary in the north, Bosnia and Hercegovina in the south and Serbia and Montenegro in the east.

- Approx. half a million people live in Eastern Slavonia, constituting 12.5% of Croatia's total population of 4.5 million.
- The region hosts 22 different ethnic groups, which is the highest concentration of national minorities in Croatia.
- Once highly developed and considered the richest region in Croatia, it is now lagging behind other Croatian counties.

■ The region is still coping with the consequences of the '91 war when half of its territory, called The Danube Region, was out of the control of Croatian authorities.

■ The Danube Region and its population were peacefully reintegrated into Croatia in 1997/8 following the signing of the 'Erdut Agreement' in November 1995.

■ The region is renowned for the best farming land in Croatia. Agriculture is traditionally the most important industry, followed by forestry, food processing and small-and medium-sized businesses.

■ The city of Osijek, which is the fourth largest city in Croatia, is the economic, administrative, and political centre of Eastern Slavonia.



Photo: Ljerka Drazenovic

Ambassador Fuentès discusses minority issues with Osijek Mayor, Anto Djapic.

FO Vukovar taking Roma seriously

Almost six percent of the entire Baranja population are Roma, which is why a visit to the largest Roma settlement, Darda, was included in the recent tour of Vukovar by Mission Head, Ambassador Jorge Fuentes.

“The Constitutional Law on National Minorities is excellent; institutions are now taking Roma representatives seriously”, say Baranja Roma.

Finding solutions to the problems faced by the Roma minority is an important part of the work done by FO Vukovar staff. This assistance has developed over the years, from basic capacity building of newly-established Roma NGOs,

to the implementation of various projects. Some of these projects have developed beyond all expectations. A small pre-school education project, initially covering four Baranja villages, evolved into a large-scale project involving local authorities, state institutions, Roma Council of National Minorities (CNMs) and several NGOs. In another project, the Mission is providing Roma in the Osijek-Baranja County with legal aid.

According to Branko Đurđević, President of the Darda Roma CNM, the adoption of the Constitutional Law on National Minorities in 2002 cannot be underestimated. He said that the Law has given the Roma community an important boost. “For the first time, Roma are taken seriously,” said Mr. Đurđević, adding that they are now represented in the executive authorities in Beli Manastir and have set up one county and two municipal CNMs. “The Constitutional Law on National Minorities is excellent,” he concluded.

Aleksa Djokic
Programme Assistant, FO Vukovar

FO Vukovar's guide to minority education

A, B, Cs of minority education

The Vukovar-Sirmium (V-S) and Osijek-Baranja (O-B) counties are endowed with the highest concentration of students attending classes in minority languages. Of the 22 minorities in Croatia, seven practice education in respective minority languages, involving some 11,000 students.

For a better understanding of minority education issues, FO Vukovar is currently working on an *Education Catalogue*, in close co-operation with county education officials both in Vukovar and Osijek. The Catalogue will group minority education schools geographically, organizationally, statistically, as well as according to models of teaching and languages.

It is a little known fact that the Croatian education system offers three models of education in minority language and script. Model “A” means teaching in the language and script of national minorities, in addition to the compulsory teaching of Croatian language. The “B” model provides for social subjects in minority language and science subjects in Croatian. Finally, model “C” implies teaching in Croatian with minority language nurturing classes. On the whole, Serbs and Hungarians follow models “A” and “C”; Germans model “A”; while Slovaks, Ruthenians and Ukrainians have opted for model “C”.

Notwithstanding the positive results of Croatia's education-related laws, the OSCE maintains that the current state of affairs in some schools in this region could possibly lead to a certain form of self-isolation, with minority children remaining divided. Therefore, the question of balancing legal provisions on the one side, and integrating minority communities into society on the other, remains to be solved.

Jelica Lapcevic
National Field Program Officer, FO Vukovar

Visits

Top Croatian officials in relations with the OSCE



Photo: Tomislav Pavlek

Above: HOM discusses the reform of media legislation with Culture Minister Bozo Biskupic and State Secretary Jadran Antolovic, 5 September 2005.



Photo: Tomislav Pavlek

Above: Justice Minister Vesna Skare-Ozbolt highlights progress made in judicial reform, 21 October 2005.



Photo: Slavka Jureta

Above: The Mission farewells Assistant Foreign Minister Tomislav Vidosevic who left Croatia to take up the post of Croatian Ambassador in Rome, 29 September 2005.



Photo: Croatian Foreign & EI Ministry

Above: Croatian Foreign Minister Kolinda Grabar Kitarovic addresses the OSCE PC on 15 November 2005. That week was Croatia's in Vienna (more in the next Courier issue).



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