



**Organization for Security and Co-operation in Europe**

**OSCE Mission to Croatia**

## **News in brief**

**12 July – 25 July 2006**

### **Prime Minister Sanader visits Serbia**

On 21 July, Croatian Prime Minister Ivo Sanader paid his second official visit to Serbia, further intensifying bilateral relations between the two countries. Prime Minister Sanader made his first visit to Belgrade in November 2004, followed by a reciprocal visit to Zagreb by Serbian Prime Minister Vojislav Koštunica in November 2005.

Prior to their meeting in Belgrade the two Prime Ministers officially opened the newly renovated border crossing between Croatia and Serbia in Bajakovo, Eastern Croatia. At the ceremony attended by representatives of both governments and the diplomatic corps from Zagreb and Belgrade, the Croatian Premier said that "today we are opening the future of new relations between our two countries." Echoing this sentiment, Prime Minister Koštunica added that both the "Serbian and Croatian governments will work to heal wounds from the past and build a new future for the two states in a united Europe".

Later, following talks in Belgrade, both Prime Ministers declared that Serbia and Croatia have a joint objective, to join the European Union, and that strong bilateral relations between the two countries should be the foundation of political security in the region. Prime Minister Sanader commended the efforts both governments had made towards improving the position of minorities in line with the bilateral agreement on minority protection signed between the two countries in November 2004. He went on to stress his cabinet's wish to see the Serb minority fully integrated into Croatian society. Tackling still outstanding issues between Croatia and Serbia, Prime Minister Sanader mentioned the fate of missing persons, the return of items of cultural heritage and the precise demarcation of borders. He also voiced support for proposals to cancel the visa regime currently in force between the two countries.

After a meeting with the Serbian President Boris Tadić, Prime Minister Sanader visited Subotica in northern Serbia to meet representatives of the Croatian National Council and the Democratic League of Croats in Vojvodina. He expressed satisfaction with the development of Croatian-Serbian relations, including the "treatment of minorities", but added that he expected the Croat minority to finally be provided with direct representation in Serbia's parliament. The Croatian media noted that Prime Minister Sanader was the first Croatian Premier to visit the 76,000-strong Croat minority in its headquarters in Subotica.

### **Ethnically motivated attack in Dalmatia unanimously condemned**

In the early hours of 25 July, four men were apprehended by police after having stoned three Serb returnee houses and set light to the surrounding land in the village of Biljane Donje in northern Dalmatia. The incident also involved verbal assaults and anti-Serb graffiti. The four

perpetrators come from the neighbouring village of Škabrnja, where 41 Croatian civilians were massacred by Serb paramilitary forces in 1991. Two of the four men are reported to be war veterans and one a former police officer. All four men have been remanded in custody and face criminal charges.

In May 2004, Prime Minister Ivo Sanader accompanied by the then OSCE CiO, Solomon Passy visited the village of Biljane Donje, where he famously ‘broke bread’ with Sofija Škorić, one of the victims in the recent attacks. Since her return to Biljane Donje in 1998, Mrs. Škorić has been physically assaulted six times and her reconstructed house damaged once prior to the most recent attack.

In a statement issued promptly after the incident, President Mesić condemned the event as a “direct attack on the [official] policy of promoting co-existence and creating safe conditions for the return of all who left Croatia during the war.” The Government of Prime Minister Ivo Sanader also condemned the incident, stating that the perpetrators should be appropriately punished. Both Offices praised the swift reaction of the police in dealing with the incident. The Mission issued two statements on successive days, condemning the attacks, calling for an end to the violence and offering to support conciliation efforts between the villages.

Visiting the scene the following day, MP and Vice-President of the Independent Serbian Democratic Party (SDSS), Dr. Milorad Pupovac, characterized the incident as an act of ethnic hatred and warned that “the Zadar hinterland must no longer be the black hole in Croatia.” He criticized the police for their lack of preventive measures despite warnings from returnees in Biljanje Donje that they were subject to frequent threats.

In a follow-up visit to Biljanje Donje also attended by Deputy Prime Minister Jadranka Kosor and the DHoM, President Mesić made it clear that the Republic of Croatia will function according to European standards and would not tolerate people taking the law into their own hands. Addressing a gathering of local Serb inhabitants the President stressed that, “the crime in Škabrinja is an unspeakable crime, but it cannot be taken as the justification for such attacks. Those who committed crimes in Škabrnja must answer for it.” Prosecution of those most responsible for war crimes committed in Škabrnja and elsewhere in Croatia is frustrated by legal barriers to inter-state co-operation with neighbouring states. The Mission continues its efforts with the State as well as the EC Delegation and the ICTY to lower these barriers.

### **Controversy over new appointments to HINA Steering Committee**

On 13 July, Parliament approved four Government-proposed candidates for the five-member Steering Committee of the State news agency HINA, despite strong protests by the opposition and the Croatian Journalist’s Association (HND), who claimed that three of the selected candidates lacked proper qualifications. President Stjepan Mesić subsequently said that in future the parliamentary opposition should be consulted about appointments to the Steering Committee of the State news agency.

The newly appointed Steering Committee held its first session on 21 July despite the fact that the fifth member, who must be a HINA staff member, is yet to be appointed. A candidate proposed by HINA’s trade union was not endorsed by the Government, which claimed the nomination had breached procedural regulations. The Steering Committee is shortly due to appoint the new HINA General Director and Editor-in-Chief.

In a press release issued prior to Parliament's vote on 13 July the Mission encouraged politicians to be responsible when electing members of the national news agency's Steering Committee. The Mission stressed that Committee members should be competent and independent of political influence in order to guarantee that the news agency functions objectively and according to the highest journalistic standards.

The controversy over HINA fits into a wider pattern of actions by the Government and ruling Croatian Democratic Union (HDZ) which are seen by many journalists and the opposition as attempts to exert greater political control over the media. The State-run public broadcaster, Croatian Radio and Television (HRT), was the subject of fierce debate over the course of last year. Inter-party conflict characterised Parliament's election of five members of HRT's public oversight body, the Programme Council. There were also several incidents in which HDZ parliamentarians publicly criticized HRT television journalists for their coverage of sensitive issues related to the 1991-1995 conflict.

### **Parliament adopts new intelligence service law**

On 30 June, Parliament adopted a new Security and Intelligence System Law regulating Croatia's intelligence service, which will come into force in mid August. Amended following a parliamentary debate in response to criticism from civil society organisations, the law provides for significant civilian oversight, largely curtailed in the Government's original proposal. The law's adoption fulfils a commitment included in the Government's Action Plan for the apprehension of fugitive Ante Gotovina.

Among other reforms, the new law merges Croatia's previous multiple domestic intelligence agencies into a single unified service, the Security and Intelligence Agency (SOA). The law requires different levels of approval for domestic surveillance depending upon the level of intrusiveness into the sphere of personal privacy. For example, photographing in public places will be approved by the agency director, but recording telephone conversations and concealed indoor surveillance will require prior approval of the Supreme Court.

The SOA remains subject to the supervision of the National Security Council, whose members include the President, the Prime Minister, relevant Ministers and other national security officials, the Parliament's National Security Committee, and the Council for the Civilian Control of Security Services. The latter body, comprised of human rights advocates and experts, serves as a mechanism for receiving and addressing citizen's complaints.

### **ECHR finds excessive administrative delays violate right to property**

In late June, the European Court of Human Rights (ECHR) determined that *Vajagić v. Croatia*, a 30-year delay in deciding a compensation claim for property expropriated by the State violated the right to peaceful enjoyment of possessions. This latest ECHR judgment against Croatia builds on other recent decisions finding that similar administrative delays violate the right to a fair hearing in a reasonable time and the right to an effective domestic remedy.

The ECHR noted that a twelve-year delay in administrative proceedings, during which time the Ministry of Justice remitted the case four times for a new decision, indicated a "deficiency in the procedural system." The ECHR further observed that the compensation claim is still pending before the administrative authorities and that a separate request for review of the expropriation law has been pending at the Constitutional Court for four years.

## **Threats against journalists continue**

Threats against journalists, including death threats, continue to be a problem directly undermining media freedom in the country. The latest incident occurred when Ladislav Tomičić, a reporter for the Rijeka-based daily *Novi List*, received an anonymous death threat through the post. The letter is believed to be in connection to articles written by Mr. Tomičić on the alleged involvement of former intelligence agents in organised crime. Police are currently investigating the incident.

According to Mission estimates, in the past year alone 17 journalists were verbally threatened, four journalists/photo-reporters were physically assaulted while two journalists were given 24-hour police protection after receiving numerous death threats. Anecdotal evidence suggests that the real number of threats is much greater, with the majority of threats going unreported. Many of the incidents reported by journalists implicate mayors, Croatian Army officials and leading political figures. In the past year alone, a former judge and two elected officials have been sentenced to prison or fined for trying to suppress media reports on immoral or criminal activities. Not only are journalists that report on corrupt practices the target of such threats, journalists that report on sensitive topics such as war crimes are also open to abuse.

Victims and media organisations claim that the response to such threats by law enforcement agencies, Government officials and political figures has so far been inadequate. The Zagreb-based anti-corruption NGO *Partnership for Social Development* claims that media reports of illegal activities conducted by well-connected individuals rarely, if ever, result in serious investigations or criminal charges. In addition, there are few political repercussions for elected officials who are found to have threatened a journalist. Of seven incidents involving local politicians this year, only the Croatian Social Liberal Party (HSL) voted to exclude a member from their Split branch after he physically attacked a photo-journalist.

## **The Serb National Council expands focus to economic development**

The Serb National Council (SNV), an umbrella organization for Serb associations in Croatia, held its second national co-ordination assembly in the municipality of Vojnić, Central Croatia, on 15 July. Among the 200 strong gathering were, Branko Vukelić, Minister of Economy, Labour and Entrepreneurship, the Serbian Ambassador to Croatia, Radivoj Cvetičanin and the DHoM.

At the assembly, entitled ‘No Equality without Development,’ SNV President, parliamentarian and vice-president of the Independent Democratic Serb Party (SDSS) Dr. Milorad Pupovac, announced that representatives of the Serb minority would no longer focus on politics as the primary means to exercise their rights, but turn instead towards economic and social development, without which political rights had no future.

Accordingly, the SNV amended its statute to provide for the creation of a Zagreb-based Development Centre which will encourage development projects in areas of refugee return. The Centre is intended to act as a resource focal point, a mediator between local self-government units, State bodies and international funds/agencies and coordinate investment initiatives. Minister Vukelić stressed that the rights of national minorities were a priority for the current Government. He underlined the importance of equal development opportunities for all, particularly in the Areas of Special State Concern, so that all Croatian citizens are able

to exercise the right to work. He assured the gathering that the Development Centre's projects would be seriously considered.

The DHoM highlighted the constructive nature of the gathering which testified to the progress that has been achieved in terms of reconciliation between the Croat majority and Serb minority. Recalling that Vojnić is jointly governed by the Croatian Democratic Union (HDZ) and the SDSS, the DHoM stressed that joint development projects would help ensure that ethnicity ceases to be an issue.

### **Deployment of Serb minority police cadets in return areas**

In line with Ministry of Interior attempts to bolster minority representation in the police force, particularly in Serb returnee areas, three Police Academy cadets of Serb ethnicity will be conducting part of their training in areas with substantial returnee populations. Two male cadets are shortly to spend three months in Knin Police Station, northern Dalmatia, while one female cadet will spend her three-month traineeship in Donji Lapac Police Station, Lika-Senj County. Neither local self-government unit has had a serving police officer of Serb ethnicity for over 11 years. Upon graduation all three cadets are expected to be deployed professionally in these same police stations.

### **Technical meetings to accelerate progress on return related issues commence**

As a way of streamlining monthly discussions between the Minister for Maritime Affairs, Tourism Transport and Development (MMATTD) and IC Principals (the Mission, the EC Delegation, UNHCR and the US Embassy), technical meetings between working level representatives are now being held in parallel with ministerial meetings. These meetings will deal with those issues that for technical or other reasons are not suitable for talks at the Ministerial level. Any issue that cannot be solved at the lower level will be forwarded for discussion to the senior level.

At the first meeting on 11 July, the issue of occupied agricultural land, an issue discussed within the framework of the Sarajevo Declaration, was addressed. State Secretary Špančić informed IC representatives about a Programme for the Allocation of Municipally-owned Agricultural Land through public tender, currently being considered by local authorities. If adopted, the Programme would enable alternative plots of land to be allocated to temporary occupants of agricultural land.

It was also announced that two Directorates within the MMATTD – the Directorate of Expellees, Refugees and Returnees (ODPR) and the Directorate for Reconstruction of Family Houses – had agreed to compare their databases in order to better prioritize the allocation of housing care to reconstruction applicants with negative decisions. This would help resolve the high number of second instance appeals for reconstruction and is in line with IC recommendations to intensify the exchange of information on refugee related programmes between Government agencies.

Following the Government's July 2005 Conclusion on the Repair of Devastated Properties while under State Administration, ODPR was able to share a draft application form, which will enable the owners of repossessed but damaged properties to apply for repair assistance, even in cases where the damage was not officially registered at the time of repossession.