



**Organization for Security and Co-operation in Europe
OSCE Mission to Croatia**

News in brief

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Reactions in Croatia to the ICTY verdict on the “Vukovar Three”

Reaction in Croatia by political and government leaders, the press and the public to the ICTY verdict on the “Vukovar Three” was universally strong, and negative, because the November 1991 massacre of nearly 200 wounded and convalescing Croatians by Serb paramilitary sits particularly deep in the psyche and soul of the country. The Mission has prepared a separate Spot Report on this issue.

Mission roundtable examines minority employment in judiciary

On 27 September, the Mission and the Ministry of Justice co-organized a roundtable on employment of national minorities in the judiciary, as guaranteed by the 2002 Constitutional Law on the Rights of National Minorities (CLNM). The roundtable focused on implementation of the CLNM’s minority employment guarantee by the State Judicial Council and States Attorneys Council, which are responsible for the appointment of judges to high and local courts and state attorneys, respectively. The discussion also covered the implementation of the 2007 Civil Service Employment Plan and its minority hiring goals, as applicable to the Ministry of Justice, including the prison service.

This was the third Mission roundtable dedicated to employment of national minorities in the public service. The second focused on State administration while the first focused on administration in local and regional self-government. The roundtable was opened by the Minister of Justice, President of the Supreme Court, a representative of the Chief State Attorney, and the Head of Mission. It included presentations by the Presidents of the State Judicial and States Attorney Councils as well as the Assistant Minister of Justice, all of whom highlighted that some minorities do not invoke their minority status, which would entitle them to “priority under equal conditions” during the appointment process. The Minister of Justice noted the importance of the participation of national minorities in the judiciary and State Administration, highlighting, however, that minorities had the right to invoke their minority status, but could not be obliged to do so. She urged minorities to exercise their rights and apply for public-sector posts.

The President of the Supreme Court observed that the protection of minorities and their integration into the judiciary was positive for both minorities and society as a whole, adding that the CLNM provides the legal minimum for minority rights not a maximum. The Head of Mission stressed that CLNM implementation was important for the integration of all minorities, including refugees, and for promoting respect for State institutions. The President of the State Judicial Council explained the procedure for consideration of minority candidates who invoke the CLNM’s priority. In the past year, four minority judges have been appointed.

The President of the State Attorney Council noted that only one candidate invoked minority status during the recruitment process, but was not hired. The Assistant Minister of Justice noted that one of 31 civil servants employed so far in 2007 was a national minority, although this individual did not invoke minority status during recruitment. No comprehensive statistics were provided with regard to the current representation of national minorities in the judiciary.

However, Ministry of Justice statistics from May 2007 indicate that representation remains approximately the same as in 2002 i.e., nation-wide all minorities together constitute four per cent of judges and states attorneys while Serbs comprise 2.5 per cent. This compares to a national percentage of 7.46 percent for all minorities and 4.54 percent for Serbs.

The President of Parliament's Committee for Human and Minority Right commented that while the legal framework for minority employment in the public sector had been established, minorities were still fearful of invoking their minority status during recruitment. He highlighted the need to establish a positive atmosphere, both in general and in the recruitment process, which would encourage minority applicants. He also called for a minority employment strategy or Action Plan to implement this aspect of the CLNM. A Member of Parliament representing the Serb minority pointed out that minorities are underrepresented in courts in refugee return areas, highest courts, and in trainee positions.

The Minister of Justice welcomed the proposal that an annual Plan with minority hiring targets be developed for the judiciary, similar to that developed for the State administration.

Closure of Field Office Gospic and Sub-Office Pakrac

Following the indicators in the 2007 budget and in line with the overall effort to downsize the Mission to reflect positive developments in Croatia's implementation of mandate related tasks, the Mission closed on 30 September Field Office Gospic and Sub-Office Pakrac.

The OSCE office in Lika-Senj County was first established in Korenica in autumn 1997 and moved to Gospic as part of the Mission's internal restructuring in 2002. Lika-Senj County is regarded as a post-conflict troubled area where reconciliation of the major ethnic groups has been particularly problematic. Accordingly, during these years, the field offices in Korenica and Gospic focused on the issues related to return and integration of refugees and displaced persons, rebuilding of housing and infrastructure, the rule of law, missing persons, minority issues and war crimes prosecution. At the time of its closure it was manned by two international and four national staff members.

A closing ceremony took place in the office premises on 20 September. "The closure of the Field Office Gospic is feasible due to progress observed in areas of the Mission's mandate," stated HoM to officials from the town and county and mayors from surrounding municipalities as well as minority representatives, NGOs and local and national media. The Head of the FO, Sandra Horina, stressed that the excellent cooperation with the regional and local authorities has contributed to speeding up the complex process of return and integration within the County. "The Office has worked closely with local and national officials, representatives from the judiciary, notably from the ODPR, HEP, including County Offices for Reconstruction, NGOs, as well as minority groups and their representatives, assisting returnees, settlers and displaced

persons of all ethnicities in the economically deprived return area of the County,” she said.

Sub-Office Pakrac, which opened as a Field Office in 1997 has been linked to FO Sisak for several years, but has always had the main responsibility for following up mandate issues in four counties. At the time of its closure it was manned by five national staff members. A closing ceremony, hosted by the Mayor, is scheduled to take place in Pakrac Town Hall on 12 October. The Mission’s Headquarters in Zagreb will continue to observe and assist in issues of interest and concern to the Mission’s mandate in both regions.