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*INTERVIEW: Bernard Poncet, Head of the OSCE Mission to the Republic of Croatia, on the eve of presenting a document on Croatia:*

## **The Cover Up of Occupied Property Cases Should Be Punished**

*By Sanja Despot*

On the eve of last year's decision on the extension of the mandate of the OSCE Mission to the Republic of Croatia, the Croatian Government initiated the drafting of a special report which would comprise the period from the beginning of the Mission in April 1996 until today, which would provide an assessment of the achieved progress, i.e. on whether the mandate to the Republic of Croatia should continue and to what extent. In December, the OSCE Permanent Council passed a decision in which it requested from the Mission to Zagreb to prepare such an assessment by the end of June, therefore, in the middle of the current mandate. According to the Head of Mission, both the Croatian Government and the International Community "underestimated the difficult problems that the present Government inherited from the former authorities."

Poncet said that still a lot needs to be done before one can say that Croatia has fulfilled its international commitments, first of all, regarding the return of refugees, therefore, he continues to advocate the further strong presence of the OSCE monitors in the field. Apart from the return of refugees, the slow reform of the justice system and the necessity of conforming the Croatian laws to the international standards were also mentioned among the main deficiencies.

Poncet repeated that the decision on the future mandate cannot be adopted by him, that it has to be adopted jointly by the Government of the Republic of Croatia and the OSCE Permanent Council, but he emphasised that: "The sooner Croatia fulfils the remaining commitments, the sooner it will realise its aspirations towards the Euro-Atlantic organisations."

The Head of the OSCE Mission will present that document of about thirty pages today in Vienna. On the eve of the trip, he did not wish to predict the reaction of the ambassadors of the Permanent Council.

- **Which issues have been resolved during the 5-year period of the mandate, and which areas still contain the greatest problems?**

- A lot has been achieved in five years, and especially during the time of this Government. Progress has been achieved in four areas. Firstly, it is clear that the general atmosphere in Croatia is much more open. Linked to that, the freedom of the media and expression has significantly improved. Progress has also been confirmed in the reform of the police, and in the past period, we have also witnessed the peaceful reintegration of the Danube Region.

Insufficient progress was also noted in the area of sustainable return. Since 1995 to date, about 80,000 returnees have been registered, out of about 300,000 of those who fled from Croatia. An undetermined number of them, left Croatia after a very short stay again, and many of those who have returned still have problems with the return of property and the reconstruction of houses, with the resolution of the former occupancy rights and con-validation of documents. Since the beginning, this Government has declared that it supports the unconditional return of refugees and expellees, however, unfortunately, international and non-governmental organisations have registered numerous cases from which it is evident that people still have many practical problems. Without the appropriate administrative and legal framework, it will be impossible to resolve this long-lasting problem. This is not only our remark, this is a remark of the entire international community. We welcomed the thematic session of the Government in Knin, but it is only the first step that must be continued through the adoption of the appropriate legal framework.

- **Could it not be that a better solution to this problem also depends on the issue of the lack of money, and not only on the lack of will?**

- There is a financial problem, but it is not the only one. For instance, there have been only several positively resolved cases in the process of resolution of illegally occupied property. This is about obstacles on the local level, but the central Government should, in case of need, also apply disciplinary measures against those who are obstructing the process.

- **How do you comment on the outcome of the recently conducted local elections?**

- The electoral process itself was conducted without significant objections. However, we expressed concern about the fact that the declaration of ethnicity is still requested in the voters' registers. The Law on Citizenship is still unfair to those who are not Croats. We were also concerned since Croatian and Serb refugees in Croatia did not have the same rights in relation to going to the polls. That was a problem we had earlier as well.

As far as the political assessments are concerned, I can only state that these elections, as it seems, will result in some changes at the local levels, but we still have to see what they will bring. It is less important for us who will rule. We never considered elections as being a goal for itself. It is important for us, that no matter who is in power, that they seriously work on meeting the international commitments which Croatia took over.

- **Do you expect that you will be addressed in Vienna with a question on the stability of the Croatian Government?**

- In any case, the composition of the Government and its stability are an internal matter of Croatia. Of course that the instability of the Government could cause repercussions on the areas that we are interested in.

But the occurrences that we see currently are normal for every democratic country and do not have to lead into instability.

### **Bad Solution for Selection of Director of HRT**

#### **How satisfied are you with the current state of the media in Croatia?**

The global image of the media scene has improved; the former pressure and violations of rights of journalists do not exist to such an extent. However, I would like to say that the reforms of the media are taking place slightly slower than we expected.

#### **How satisfied are you with the new Law on HRT?**

We are satisfied with some provisions, such as the one on privatization of the Third Channel and the non-political composition of the HRT Council. But, we are of the opinion that the Law does not provide a proper solution when it comes to the selection of the director. This selection is still partly influenced by politics and does not correspond to the recommendations we made.