



Organization for Security and Co-operation in Europe

OSCE Mission to Croatia

News in brief

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Debate over registration rules for local elections continues

The debate over the registration rules for the local elections has continued during the past two weeks. In particular, a Government proposal to introduce more stringent residency requirements on all voters generated strong protests from the Croatian Serb community, GONG (Croatia's leading election monitoring and support NGO), as well as expressions of concern by the Mission, as it could have disenfranchised many voters who temporarily work or live away from their permanent residence, such as refugees, returnees, other displaced persons and minority voters. There were also concerns that the double residency requirements would open the way for systematic police checks of the residency of voters.

A double residency requirement, meaning that voters should not only be registered residents to vote in a certain constituency, but also actually reside there, had already been introduced for ethnic minority voters through the amendments to the Law on the Election of Members of Representative Bodies of Local and Regional Self-Government Units in 2003. The draft amendments of 3 March included a Government proposal that this requirement be extended to all voters.

Following the criticism, the Government withdrew the proposal to extend the double residency requirements to all voters on 17 March and proposed to cancel the same requirement for minority voters introduced by the amendments to the Law in 2003. The Government sent modified draft amendments to the Parliament accordingly, which were adopted on 23 March.

All parliamentary parties voted for the amendments except for the three Serb Minority MPs of SDSS. They abstained because the Parliament had turned down a proposal from the Committee for Human Rights and National Minorities that the local elections not be held in municipalities and towns which have not adjusted their statutes to the Constitutional Law on the Rights of National Minorities. The Law guarantees proportional representation to minorities in the Assemblies and the Governments of municipalities, town and counties. The Law prescribes that, prior to each election, the exact minority quotas shall be established in accordance with the number of members of minorities as per the 2001 census adjusted by the last confirmed voters' list.

The Government also declared its intention to regulate the residency issue in relation to electoral rights by instead amending the Law on Permanent and Temporary Residency. The amendments were discussed by the Parliament on 23 March, but were not put to vote, allegedly because the three Serb Minority MPs of SDSS opposed the changes.

Mission expresses concerns about unilateral renaming of streets in Serb-governed Municipality of Plaski

The issue of how Croatia's multi-ethnic character should be reflected in the names of places and streets has come under the spotlight following the decision of the Serb-majority Municipal Council of Plaski on 21 March. According to the Council's decision, the names of 12 streets of a total of 20 streets in the town, commemorating Homeland War military units and Croatian cultural and historical figures would be replaced, largely by names with Serb connotations. Croat councillors, representing the minority, walked out of the session.

Plaski, situated some 120 kilometres south-west of Zagreb, has a majority population of Croatian Serbs due to the high number of returnees, and has a Mayor of the Independent Democratic Serb Party (SDSS) since the local elections in 2001. Many of the current street names were given in the mid-1990s after the exodus of the Serb refugees.

The national leadership of SDSS has shown reservations regarding the timing and the way of making the decision. Vice-President Milorad Pupovac recommended that the decision be postponed until after the forthcoming municipal elections. The county leader of the ruling Croatian Democratic Union condemned the renaming of the streets because allegedly it would not contribute to co-existence in the multi-cultural and multi-ethnic community of Plaski.

In a press release issued on 25 March, the Head of Mission expressed concern that the renaming of places and streets in commemoration of people and events could prove divisive and undermine reconciliation efforts in Croatian society. The Mission advised that all decision-makers exercise moderation in renaming places and streets. The Mission observed that it is reasonable that the multi-ethnic and multi-cultural character of Plaski and similar towns should be reflected in the street names, but no action should be taken without careful consideration. In addition, the Mission noted that many names with Serb connotations have been changed throughout Croatia over the course of several years, in some cases replaced by names that the Serb Community would find offensive.

Parliamentary Committee for National Security concludes that there is ground to suspect that the Counter-intelligence Agency (POA) violated the human rights of five journalists

On 15 March, the Parliamentary Committee for Internal Affairs and National Security concluded that there existed ground to suspect that the Counter-intelligence Agency (POA) had violated the human rights of five journalists by placing them under surveillance in 2004, since no evidence was found proving that the journalists had collaborated with British intelligence, as alleged by the former Head of POA, Franjo Turek. On 21 March, the Parliamentary Committee decided to transmit the files relating to the so-called "Turek" presentation to the Chief State Prosecutor.

In early February 2005, the Parliamentary Committee opened an investigation over the alleged wiretapping of five journalists by POA in 2003 and 2004, following a joint protest letter from the five journalists. The allegations refer to a presentation by the former Head of POA to the President, Prime Minister, Minister of Interior and Minister of Justice in March 2004, in which he accused the five journalists of colluding with foreign diplomats and institutions over the 'Gotovina case' with the purpose of spreading disinformation and giving Croatia a bad image through the media. The weekly GLOBUS echoed this information in its 4 February edition.

The Croatian Journalists' Association has expressed satisfaction with the Parliamentary Committee's conclusions but reiterated that the security services should be reformed in line with democratic standards. Some media commentators have concluded that the investigation did not result in any concrete proposal for a change of the rulebook of POA or the Law on Security Services.

The debate on how to reconcile the work of the secret services with an effective protection of fundamental human rights and journalistic freedom has been in the spotlight since late 2004. At that time the Parliamentary Committee for Human Rights and the Rights of Minorities concluded that the constitutional rights of the journalist Helena Puljiz had been violated by POA, and requested that the rulebook of POA be harmonized with the Constitution and the law. Following this affair, the President and the Prime Minister dismissed the Head of POA.

New war crime investigations continue as indicated by arrest of Serb returnee

A 49-year-old Serb returnee was arrested in Glina in Central Croatia on 7 March on suspicion of war crimes. The returnee, who like a significant number of Serb returnees has citizenship of both Croatia and Serbia and Montenegro, was arrested a few days after returning. The arrest took place immediately after the returnee made a routine visit to the local police station for purposes of obtaining identity documents. The local prosecutor requested an investigation on 8 March, and the Sisak County Court extended detention for one month.

In 2004, a total of 19 Serb returnees were arrested on suspicion of war crimes, most were subsequently released when the charges were abandoned for lack of evidence, false identification and other similar reasons. This is the first such arrest in 2005, but it immediately raised concerns among some observers that it follows a pattern of detentions and later releases of newly returned Croatian Serbs, which in turn could have a deterring effect on Serb returns in general.

Prior to the visit of Prime Minister Sanader to Belgrade on 15 November 2004, the Croatian authorities provided the authorities of Serbia and Montenegro with a list of persons against whom war crime proceedings had been initiated or completed. This was done to make information available to refugees in order to alleviate fears of arrest upon return to Croatia. The list does not, however, limit the initiation of new proceedings by the Croatian authorities if new evidence is forthcoming.

Civil Society Forum issues an Opinion critical of the work of the National Foundation for Civil Society Development

On 17 March, the Civil Society Forum – an NGO umbrella organisation – sent an Opinion on the work of the National Foundation for Civil Society Development to the Government, the Parliament and major international donors. The Opinion was signed by twelve non-governmental organizations, including prominent civil and political rights NGOs such as GONG (Croatia's leading election observation and support NGO), B.A.B.E. (an NGO working on promoting women's human rights), and the Serb Democratic Forum.

The Opinion includes objections of the NGOs to the work of the Foundation, a public body responsible since its establishment in June 2004 for the promotion and development of civil society in Croatia and for the allocation of public funding. The Opinion expresses dissatisfaction with the procedures and results of the regular annual review of applications for funding for 2005, released in January 2005. The criticism centred on the lack of expertise of

the Foundation to communicate and establish quality dialogue with the NGOs, and the general lack of transparency of tender procedures. In addition, the Opinion cites four instances of conflict of interest, including two instances where members of the management board of the Foundation were affiliated with NGOs which were given grants. Finally, the Opinion contains a set of recommendations to reform and strengthen the Foundation, including ways to avoid conflict of interests in the Foundation's management board; to establish clear criteria for funding NGOs; and to improve communication with NGOs. The recommendations were presented by the Civic Society Forum at a session of the Parliamentary Committee for Human Rights and National Minorities on 22 March.