



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

**News in brief
24 May – 07 June 2005**

Relations between the ruling Croatian Democratic Union and the Independent Democratic Serb Party strained due to post-election coalition developments

The Croatian Democratic Union's (HDZ) announcements of new coalition partners in Knin (Southern Croatia) and Vukovar-Sirmium County (Eastern Slavonia) have strained relations with the Independent Democratic Serb Party (SDSS), a parliamentary partner of the Government of Prime Minister Sanader. On 17 May, HDZ President Dr. Ivo Sanader made public that he would follow a policy of "political subsidiarity," allowing the local HDZ branches to form coalitions with any other party acceptable to them.

On 3 June, the HDZ signed a coalition agreement with two far-right wing parties –the Croatian Party of Right (HSP) and the Croatian Bloc (HB)– and the centre-right Social Liberal Party (HSL) in Knin, the capital of the former "Republika Srpska Krajina." The earlier announcement of this coalition sparked off protests from SDSS, which won just short of an absolute majority of seats in the council and had supported the HDZ rule in the council since 2002. SDSS Vice-president Milorad Pupovac protested on 3 June against what he called a nationalistic coalition and said that its establishment "is not good for Knin or Croatia." He added that "for Serbs in Croatia (...), the policy towards minorities which is not implemented in places where minorities live is not a minority policy."

Vukovar-Sirmium County, one of six counties where HDZ and the HSP have agreed to form government coalitions, is the scenario of similar difficulties. Petar Cobankovic, the HDZ county leader –also the Minister of Agriculture– allegedly stated on 30 May that the Serbs did not have the right to the position of a Deputy Prefect since 2002, when the Constitutional Law on Rights of National Minorities came into force. SDSS reacted by means of a press statement that it would insist "on consistent application of the Erdut Agreement and (...) the Government's Letter of Intent directly stemming from the Erdut Agreement that guarantee two deputy prefect posts for the Serb community," one in Vukovar-Sirmium County and another in Osijek-Baranja County.

Speaking at a press conference on 3 June, President Mesic criticized the post-election coalitions in Vukovar and Knin because of their ethnic basis. Asserting that "no project based on ethnicity can succeed," he said that "we need coalitions that will solve existing problems, not ethnic coalitions."

SDSS Vice-president Pupovac has stopped short of indicating that such a coalition in Knin would cause SDSS to stop support to the minority Government of Prime Minister Sanader. SDSS has supported the Government in Parliament since December 2003 when SDSS and HDZ signed an *Agreement on Co-operation between the future Government of the Republic of Croatia and the Representatives of the Independent Democratic Serb Party in the Croatian Parliament*. The implementation of the Agreement, which contained extensive commitments to issues related to minority rights and refugee return, brought Government's added attention to the Mission's mandate in 2004.

Editor-in-chief of Monthly sentenced for libel

On 23 May, the Pozega Municipal Court (Eastern Croatia) sentenced editor-in-chief Milan Pavicic of the local monthly magazine “*Šilo*” to a six-month suspended prison sentence for libel. He was convicted because of deliberate insult and libel against the mayor of Pleternica. The verdict states that Mr. Pavicic is guilty of “committing a penal act against the honour and the reputation of another person based on Art. 200, item 2 of the Penal Code.” In November 2004, the mayor of Pleternica sued Mr. Pavicic because of an article the journalist had written in which he described the mayor in a satirical way and made allegations related to conflict of interest against him.

Mr. Pavicic has publicly complained that he was not given the opportunity to present his defence, allegedly in breach of the Criminal Law and the Law on Criminal Procedure and that the Judge refused to conduct hearings of six witnesses proposed by his lawyer.

The amendments to the Criminal Code on libel, which became effective in October 2004, allow for a more liberal regime, but without fully decriminalizing libel as was recommended by international experts from the OSCE Mission, European Commission and the Council of Europe.

The Mission has called on the Government to fully decriminalise libel by removing it from the criminal code.

In a second letter to the Minister of Justice on 6 June, the OSCE Representative on Freedom of the Media, Miklos Haraszti, expressed his concern about the decision of the Pozega Municipal Court to sentence Mr. Pavicic of the local monthly magazine “*Šilo*” to a six-month suspended prison sentence, and asked the Minister to “introduce a moratorium on application of the criminal libel provisions and, in the longer run, to decriminalize defamation completely”.