

REPUBLIKA HRVATSKA  
STALNA MISIJA REPUBLIKE HRVATSKE  
PRI OEES-U, UN-U I MEĐUNARODNIM  
ORGANIZACIJAMA U BEČU



REPUBLIC OF CROATIA  
PERMANENT MISSION OF THE REPUBLIC OF  
CROATIA TO THE OSCE, UN AND  
INTERNATIONAL ORGANIZATIONS IN VIENNA

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**ADDRESS BY**  
**H.E. DR. MIOMIR ŽUŽUL,**  
**MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF CROATIA,**  
**AT 495<sup>TH</sup> [SPECIAL] PERMANENT COUNCIL**  
16 FEBRUARY 2004

CHECK AGAINST DELIVERY

Mr. Chairman, Your Excellencies, Ladies and Gentlemen:

I know that this is not a usual day for Permanent Council meetings and that the majority of you had to interrupt your normal Monday afternoon activities to be here. I wish to thank you for the interest you have shown by agreeing to this meeting, and for giving me the opportunity to inform you about the Croatian Government's main policy goals, and the steps we have already taken to accomplish these goals.

Mr. Chairman: It is well known that the key foreign policy priority of my Government is to join the EU and NATO. Equally important is our objective to maintain and strengthen relations with our neighboring countries and within the wider region, and to participate actively in the joint efforts of the international community to combat terrorism, trafficking, and other serious offences of our time. In this regard, on the domestic level, we plan to strengthen our democratic security environment by decisively overcoming the problems we inherited from the past, particularly those remaining from the war period.

We are not doing this merely because we wish to realize our Euro-Atlantic ambitions. We are fully aware that respect for national minority rights, refugee return, judiciary reform, further development of the media, and many other actions are preconditions for the stable democratic development of our country. All of these actions are necessary to strengthen Croatia's economy, improve the well being of our population, and increase our presence in world markets. These goals enjoy a consensus in Parliament, as well as broad public support.

I would like to elaborate on some of these issues.

Mr. Chairman, on several occasions it has been stressed in this forum that the adoption of the Constitutional Law on Minority Rights was an important step for Croatia, but that there remains a need to see its full application. Let me assure you that our Government is sincerely committed to implementing the highest international standards in this field, as stipulated by the Constitutional Law; and we have already started to work on this issue. The elected representatives of our national minorities, who supported the Government in Parliament, have recognized our intentions. For example, you have been informed that we have signed an Agreement with the elected representatives of the Serbian minority in Croatia.

This agreement covers issues related to refugee return and property restitution, as well as appropriate representation of Croatian citizens of Serb ethnicity in the State administration: In an ongoing

process, the appointments of State Secretaries and Assistant-Ministers from the Serbian national minority are taking place. All relevant local government laws will be amended to this effect, following the stipulations of the Constitutional Law, within 3 months. Furthermore, elections of minority representatives to local government positions and minority councils were held yesterday.

Our Government and municipal representatives have invested great effort to ensure that the voids left after the previous round of minority elections will now be filled, thus ensuring full participation of minorities in public life and the exercise of their rights. In this context, at the top of our list of priorities, we have placed the unconditional return of all refugees, regardless of their ethnicity, and the return of their property. All those wishing to return must be able to do so. My Government will continue to promote favorable conditions in this regard, and to facilitate this process. The Public Awareness Campaign jointly launched by Croatia and the OSCE Mission is a case-in-point. From the very beginning of our mandate, our Government has been in close contact with the Mission. The meetings that our Prime Minister has had with Ambassador Semneby, whom I am very pleased to see here today, as well as meetings several colleagues from the Cabinet and I myself have participated in, make us confident that cooperation in many fields related to these issues will be successful.

To create the necessary preconditions for sustainable return of refugees, Croatia continues to implement a comprehensive program designed to provide alternative housing to temporary users of occupied property. Our efforts have so far resulted in the return of 15,770 housing units – out of 19,279 allocated in 1995 for temporary use – 82% of the total units allocated. Pursuant to the above mentioned Agreement, the remaining cases will be resolved in the coming months, through legal eviction proceedings, the construction of alternative housing, and the use of other available housing.

Our Government is also committed to assisting, to the best of our capability, another category of the refugee population: Previous holders of tenancy rights, in those areas not directly affected by war. Again, our Government will assist those refugees who want to return and make Croatia their permanent residence. We shall continue the fulfillment of social housing projects for those who wish to return.

The costs incurred so far in the return of displaced persons or refugees to their homes are substantial. Over the period of the last ten years, the Croatian Government has already spent some 3 billion USD for these purposes. This amount does not include infrastructure, de-mining, economic incentives, and other activities necessary for normal life in war-affected areas. Over 90% of expenditures are directly covered through the State budget. This far exceeds what some of our neighbors have received through post-conflict assistance or structural funds.

The progress made in this field is and will continue to be a contribution of my Government to the further strengthening of regional stability, thus accelerating the processes of normalization in the region and cooperation among the enemies of yesterday, at the bilateral and regional levels. Croatia will continue to work together with both our neighboring countries and the international community to develop this cooperation, with the aim of reaching stability, prosperity, and good neighborly relations in the region.

We have been very satisfied with the progress achieved in resolving various open questions with Serbia and Montenegro. We do hope that the outcome of actual post-electoral negotiations in Serbia will allow this country to have a stable and democratic Government, giving us the opportunity to continue this work of resolving the remaining open issues, in the interest of both countries.

As a sign of good will and support for the democratic forces in Serbia and Montenegro, my Government has decided to extend the suspension of visa requirements with Belgrade, at a time when citizens of Serbia and Montenegro are faced with more stringent visa requirements elsewhere.

The Croatian Government shall continue to lend its support to the efforts of the international community and the three constitutional peoples of Bosnia and Herzegovina, aimed at improving the constitutional framework that should ensure full equality and sovereignty of all three nations, and the country's political and economic sustainability. This is crucial for stability and prosperity in the entire region.

Our dialogue with Slovenia will continue on all open issues. A few weeks ago, I had an official meeting with the Slovenian Foreign Minister, and I believe that both sides have demonstrated readiness to resolve outstanding issues in a constructive manner. We have agreed to meet every two months, and even to hold joint sessions of our Cabinets.

Mr. Chairman, allow me now to return to some domestic issues. We are aware that if we wish to achieve the goals I mentioned before, we have to continue and even accelerate the reform of our judiciary system.

My Government's strategy on judiciary reform includes these immediate measures: Reform and staffing of the Ministry of Justice; professional training of judges; and the promotion of alternative avenues of dispute resolution. Moreover, our Government plans to invest significant financial resources for the comprehensive introduction of IT technology in the judiciary.

In January 2004, our Government sent into legislative procedure amendments to the Law on Courts – amendments aimed at reducing the civil case backlog. Also, the Witness Protection Act has been enacted, providing for the effective protection of all persons cooperating with investigating and judicial officials in prosecuting perpetrators of organized crime, corruption, and other complex crimes. The new Corporate Criminal Responsibility Act, due to take effect next month, for the first time regulates the criminal responsibility of companies in Croatia and aims to curb “white collar” crime and other corruption in the economy.

Additional anticipated reforms will complete the mechanism that will allow the ICTY to transfer the first war crimes cases to the Croatian judiciary. In the contacts my Government has recently had with the ICTY Chief Prosecutor Carla del Ponte, we received assurances that this will be done soon. We consider this step an important recognition of the independence and competence of our judiciary. The Chief Prosecutor has announced, as well, that new indictments will be submitted to my Government. I can assure you that our Government shall treat these indictments within the framework of the Constitutional Law on Cooperation with the ICTY: Indictments will be approached as a legal issue; they will be handled in the manner prescribed by the Law on Cooperation; and the final result will be one that meets the requirements of the Law. My Government is fully committed to fulfil both present and future requirements in this regard.

Reforms in other areas are under way, as well. Since our Constitutional Court has repealed the Law on Media for purely formal reasons, the Government will consider potential improvements of the law before sending it again through parliamentary procedure. Moreover, I would like to inform you of our intentions to pursue legislative amendments regarding the Law on Croatian Radio and Television. This will prevent even the remote possibility of the exertion of political influence on the body's Board of Directors, thus making HRT completely independent from any political control or pressure.

In the past two weeks, my colleagues from the Cabinet and other heads of administrative departments have had contacts with the OSCE Mission in Croatia. That makes me believe we will have a very fruitful cooperation in this field, as well.

Your Excellencies, and Distinguished Colleagues:

Before concluding, let me elaborate on some issues of common concern, issues that are very high on the OSCE's agenda.

Every day, terrorism is re-entering our lives in the most brutal way and it requires an effective and resolute response in all cases. The political perception of terrorist events and their perpetrators should not be the basis for judging what terrorism is, and what it is not. Terrorism cannot under any circumstances be justified. Confrontation with the political architects of terrorism is the only effective way to suppress this violence.

Croatia is fully committed to the implementation of anti-terrorism legislation and to contributing to the anti-terrorist activities of the international community. We are right now finalizing enhancements to our domestic legislation, related to international instruments for the suppression of terrorism, including relevant OSCE instruments. Croatia has adopted the Law on the Production, Maintenance and Trafficking of Arms and Military Equipment; and the Control of Export of Dual Use Goods Act is about to be forwarded into parliamentary procedure. The Croatian Government has accepted and is implementing the criteria contained in the EU Code of Conduct for Arms Exports, as well as our SALW obligations, and we are looking into complete implementation of MANPADS decisions.

We have contributed military forces to the United Nations' Afghani operation: our OSCE Partner for Cooperation. We are also proud to have achieved a level of success in suppressing the financing of terrorist activities by freezing four funds belonging to different entities that during the war period were registered in Croatia as humanitarian NGO's, but were later found to have links with terrorist organizations.

Another plague interrelated to terrorism is seriously threatening our societies: Transnational organized crime. Croatia has ratified the UN Convention against Transnational Organized Crime (UNTOCC) and its two additional Protocols; and we expect to finalize the third Protocol during 2004. One of those protocols deals with the prevention, suppression, and punishment of trafficking in persons, especially women and children, which brings me to another issue of great concern to the OSCE and, indeed, all of us.

In various recent reports concerning the trafficking of human beings, Croatia was recognized as a country that has made substantial progress in this field. Here I would like to express our satisfaction that the Ministerial Conference in Maastricht decided to treat this issue on an OSCE-wide basis, equally addressing this serious problem in the countries of origin and the countries of destination. If this Organization really wishes to combat this evil, we all need to give full support to the OSCE's Anti-Trafficking Mechanism. Croatia is fully ready to do that.

Before concluding, I would like to address one other issue you are starting to discuss these days. As you know, Croatia unfortunately has a wealth of experience dealing with the problem of landmines. For a decade now, we have been developing our own comprehensive model of mine action, which has served as a model for several other countries. From 1998 through 2002, Croatia spent €133 million on this, and only 10 percent of that amount was donation. The vast majority of these funds was financed, and continues to be financed, from our own State Budget.

We hope that through joint national efforts and international assistance, Croatia will once again be a mine-free country. In addition, we are willing and ready to support the efforts of this Organization with our know-how and experience. Our experts will participate in the March meeting and offer our experience and expertise, both in de-mining and in victim protection, to help eliminate one of the most devastating consequences of war.

Mr. Chairman:

As you can see, the policies of the Government in Zagreb will mark the continuation of our already well-established cooperation with the OSCE in the areas of common concern, as well as on issues within the Mission's mandate. We are confident that in the coming months, the Mission will be able to report to you a positive and irreversible trend in the implementation of all remaining issues. Let me assure you that we will support its efforts on this path, including in further nationalizing its seconded staff positions, thus ensuring that it leaves behind a legacy of expertise. We expect to accelerate this process this year, and I would like to ask for the understanding of the Permanent Council in this regard.

To conclude:

The Republic of Croatia shall continue with its support for the work of the OSCE Mission in Croatia hoping that jointly we will make this a success-story both for Croatia and for the Organisation. Equally, rest assured of our support for the work on the OSCE-wide issues, as well as of our readiness to contribute to the work of the OSCE field presences in general.

Thank you.