

**Interview: Ambassador Peter Semneby, Head of the OSCE Mission to Croatia**

## **Croatian Government's policies for the first time mirror the benchmarks of the work of the OSCE Mission to Croatia**

by Damir Maričić

*The provision of access to accommodation for all former holders of occupancy/tenancy rights who wish to return to Croatia is one of Croatia's most important remaining commitments and will definitely represent one of the main benchmarks in the process of closing the refugee file in the region. At this point, there are still more than 1,100 occupied housing units in Croatia.*

We spoke with the Head of the OSCE Mission to Croatia, Ambassador Peter Semneby, at a time when Croatia expected a decision on its European future, which would obviously largely depend on ICTY Chief Prosecutor Carla del Ponte's position. In any case it is certainly important to know the standpoint of the OSCE Mission on the events and situation in Croatia.

**In our last conversation you clearly stated that Croatia's place was in the EU. Do you believe that this would occur in the forthcoming period? How do you estimate Croatia's hopes and efforts to enter the EU before the end of this decade?**

I am not in a position to speculate when Croatia will join the EU but the country has certainly made remarkable headway in reforming and meeting the criteria to join the Union.

Euro scepticism is still quite strong in Croatia, but there is also a consensus among the major political parties that Croatia's future is within the EU. There are still some outstanding issues related to the past, but the vision of the future is quite clear – and that is the most important thing. When Croatia received from the EC a positive *Opinion* on its EU membership application and a decision by the EC on 18 June 2004 to grant Croatia the formal status of an EU candidate country, the Council stated that Croatia must maintain full co-operation with the ICTY, and do more *inter alia* to support minority rights, refugee return, judicial reform and regional co-operation, areas where the Mission is active in providing advice and assistance to the Government.

**How do you estimate the co-operation with the present Government since it was elected [a period less than one year]?**

Our relationship with the Government is very good. In fact, for the first time the government's agenda mirrors the benchmarks set by Mission in its work. Both in terms of policy statements and actions, efforts by the incumbent Government of Croatia to fulfil the mandate of the OSCE Mission to Croatia were particularly significant since it came into office. With clear Euro-Atlantic aspirations, this Government has committed itself to achieving greater progress on remaining post-conflict issues, in particular with regard to promoting the reintegration of Serb refugees, minority rights, co-operation with the ICTY and regional co-operation, all of which are encompassed in the OSCE Mandate. Recognizing this senior Government

members, including the Prime Minister Ivo Sander, stated that it looked upon the OSCE as a partner, which is the way we view ourselves. We are here to help and advise Croatia.

## **Assisted Croatia to reach the EU's doorstep**

### **How important is your Mission in the very process of Croatia's drawing closer to the EU and to what extent the EU uses the OSCE insight in its assessments?**

The Mandate of the OSCE Mission to Croatia is synonymous to some of the political criteria Croatia needs to fulfil for EU membership, such as judicial reform, refugee return and minority rights. For this reason our work is very important to Croatia's process of Euro-Atlantic integration. The OSCE will not be here in this country forever, but I believe there are still areas in which we can be useful and assist Croatia for some time. We have gained experience through our long stay here and we can act as a mediator in the resolution of problems which still exist within the society. It is our task to assist Croatia and we have contributed a great deal to help Croatia to come to where it is at the moment: at the doorstep of entering the EU.

### **Where do you see the progress in Croatia, and this area, in the realization of tasks related to the process of reconstruction, return, property repossession, trust building and co-existence?**

Undoubtedly, progress has been made but we are still not in a situation when all refugees can freely return and repossess their property. However, now for the first time, we have a regional approach to resolving this issue. The governments of Croatia, Serbia and Montenegro, Bosnia and Herzegovina adopted a joint declaration to end the refugee process by the end of next year. This declaration represents the beginning of hard work. Free choice of every individual must be respected – all war victims must be able to return to a safe environment and have access to their homes. The wish of those who want to stay where they are also needs to be respected. The greatest problem for Croatia is the provision of housing care to former holders of occupancy/tenancy rights. Apart from the humanitarian aspect, there is also a political aspect here – the refugee issue needs to be removed from the political agenda once and for all in order not to reappear as a problem in many years. This can only be done through agreement of the countries based on a fair deal for all refugees. .

### **What are the shortcomings in those processes?**

One of the main issues of concern regarding the process of return in Croatia remains the provision of housing care to refugees who were holders of occupancy/tenancy rights prior to the war. Although housing care programs have been provided for this category of refugees by the Government, at the moment they remain largely unimplemented.

A recent case in Korenica has also highlighted the very real danger of unjust legal regulations being applied by biased courts regarding the repossession of private property. Courts have sometimes ordered owners to pay compensation for alleged investments made in properties by the temporary occupants. The owner of the "Sara" pizzeria in Korenica was ordered to pay 30,000 euro in compensation, regardless of the fact that the temporary occupant used the house to run a successful business and did not compensate the legal owner. The owner is unable to pay such an amount of money, so he is forced to sell his house at an auction only two hours after he is expected to repossess it. Such practice is impermissible.

Following the repossession of property, owners sometimes face further obstacles such as temporary occupants looting and damaging their property before they vacate and a lack of communal utilities. There are a large number of villages that still don't have electricity, even 10 years after the war.

## **1,100 houses, apartments and properties still occupied**

**How do you estimate the final activities related to property repossession [end of year] and have the OSCE and Government found an acceptable solution for the issue of former OTR holders?**

The Government has invested extensive efforts in the resolution of the **property repossession** process during 2004. Currently a little more than 1,100 properties remain occupied at the national level and the timing of their resolution depends very much on the provision of housing care by the Government to eligible occupants. In several municipalities of Central and Southern Croatia, the process will be accomplished only at the end of this year.

The provision of access to housing to all former OTR holders wishing to return to Croatia is one of the most important outstanding commitments of Croatia and will certainly constitute one of the main benchmarks for the resolution of the refugee chapter in the region as it was recently agreed at the Sarajevo Ministerial Conference. At the moment, the two housing care programs for former OTR holders remain largely unimplemented, with the deadline for housing care applications by former OTR holders that lived outside of the Areas of Special Concern fast approaching. Following an extension by Minister Kalmeta, the deadline for applications for the housing care program applicable to former OTR holders in towns like Zadar is 30 June 2005.

**According to our information the OSCE Mission to Croatia is increasing, i.e. enlarging [its presence in Croatia]. Is that true? How to explain that, taking into account the expectations in Croatia that, with Croatia's drawing closer to the EU, the OSCE Mission would downsize its activities and personnel in Croatia?**

The OSCE Mission to Croatia has not increased in size. In fact toward the end of last year the Mission downsized and streamlined its structure and consolidated its field presence to a smaller number of relatively larger field offices. The Mission's field presence is now concentrated in six Field Offices in the major political, economic and administrative centres – as it is the case in Zadar. This restructuring reflects Croatia's progress toward fulfilling the OSCE Mandate as well as the changing nature of the Mission's work. The focus in the coming year will be on partnership with the local authorities to address mandate-related issues for the benefit of the local populations and Croatia as a whole as it progresses toward Euro-Atlantic integration.

## **Zadar leads in economic growth but a lot still needs to be done in building a tolerant society**

**How do you assess the economic activities in this area? To what extent are the OSCE and other international institutions aware that economic development in the return/reconstruction areas is crucial for further progress in the processes of return and reconstruction?**

In the Zadar county big efforts have been made to boost the economy. Unfortunately, the situation is much less encouraging in the hinterland areas. Economic development is one of the most important factors for the further progress of return and reconstruction, as well as re-integration. Conversely, the return of the population belonging to these areas is a prerequisite for them to develop and prosper. Therefore, the EU, OSCE Mission, and other international institutions actively support all initiatives to develop the economy in the whole county, in particular, war-affected areas. A part of these efforts are directed to boost the establishment of small and medium enterprises in the area, including education for the youth and women.

**What are the key unresolved problems you have spotted in Zadar County?**

A reintegrated and thriving society is a goal not only for the Zadar County, but for all of Croatia. While Zadar leads Croatia in economic growth, there still remains a lot to be done in regards to building a tolerant, reintegrated society. For this reason, the Zadar County was chosen as the backdrop for the first ever visit of a Croatian PM to the home of a Serb refugee. In May last year, Prime Minister Ivo Sanader, alongside the OSCE Chairman-in-Office, symbolically broke bread with a returnee to the village of Biljane Donje. In November, I accompanied the US Ambassador Minikes in a visit to Skabrnje where we witnessed progress, not only in the rebuilt houses but also in the attitude of the people. Welcoming us in Skabrnja, the Archbishop of Zadar, Monsignor Prendja, highlighted the need for forgiveness, reconciliation, co-existence and tolerance.

## **Structure of the Mission in Croatia**

- Headquarters in Zagreb
- Six Field Offices in: Split, Gospic, Karlovac, Sisak, Vukovar and Zadar
- Field Office Zadar has been moved into a larger premises on Put Murvice 14-16 (former *Vinilplastika* premises), telephone: 250 556

## **Semneby for *The Guardian*: EU and Croatia cornered**

Peter Semneby recently commented for London-based newspaper *The Guardian* about the delay in the negotiations due to the Gotovina case. Asked to comment on the new situation, Semneby said: “Both, the EU and Croatia are in a corner from which there is no good way out, just a choice between bad and worse.”