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Interview with Bernard Poncet, Head of the OSCE Mission to Our Country:

Human Rights in Croatia Are Still ‘In Hiding’

- **Everyone is aware of the illegal, unlawful use of other persons’ property in the areas of special state concern, and the consequences of the benevolent attitude of the authorities towards that problem are that some people, your citizens, live like animals**

By Davorka BLAZEVIC

Generally speaking, what is the level of respect of human rights in Croatia today, especially in relation to previous years? Is it better, or possibly worse, i.e. not as good as you had expected?

I would certainly not say that the situation with that regard is worse than before. Improvement has been achieved at the level of democracy, individual freedoms and the media, but the situation is becoming more complicated and complex as soon as we touch upon the problem of return and of the areas caught by the war. Having visited the areas of special state concern, I became convinced that there is a significant lack of respect for human rights and laws. Everyone is aware of the illegal, unlawful use of other persons’ property in those areas and the consequences of the benevolent attitude of the authorities towards that problem are that some people, your citizens, live like animals.

Without electricity, water...

And this is definitely a situation which causes concern and a very delicate one for Croatia, but, unfortunately, it looks like no one wants to assume responsibility for adopting concrete decisions which would put an end to the abnormal situation that has been going on for years, and it is obvious that it does not depend on the election results, and that is a problem. I was here two years ago, as well, I am here again now, and I must say that I am disappointed with the realisation that there is not enough interest to resolve these problems.

You stated that there are situations where people live like animals. You certainly have in mind Serb returnees? Do you have concrete examples therefor?

If you would like to accompany me for the tour that I am about to take, you will see it with your own eyes and you will not need my comment. See for yourself.

Still, I am asking you to be specific about where you saw such cases and what it is about?

These days, I visited the places which could be very indicative examples in that sense. One of them is the village of Velika Popina, near Gracac, where I witnessed the conditions in which those people have been living for several years, without electricity, telephone, food... Those are mostly elderly people, and one of them is no less than 92 years old and his daughter is coming every week from Zagreb to bring him food.

There is also the case of a lady from Subotica, called Madjarica (the Hungarian lady), who came to Knin in 1996 and occupied 56 plots of other persons' land which belong to 32 families of refugees or returnees of Serb ethnicity. For me, it is scandalous, and, speaking among us, if I were a Croat, I would be ashamed of that. However, this situation is still ongoing, because no one wants to assume responsibility for the resolution of such cases.

You mentioned the example of Velika Popina, as an extreme one. How many people are living there and why is it, according to your knowledge, that they do not have electricity?

There are 70 persons living in the village, mostly of Serb ethnicity. The village used to have electricity, there is even a power supply network, but they are not connected to the HEP system, which is not interested in such an investment and claims they do not have the funds for it. If they have the funds for other villages, why would they not have them for this one, as well?

Advisers only

Do you inform the Croatian Government after your tours about the situation you have found in the field and the examples that are, according to your words, scandalous?

Yes, of course. I remember that some time ago we forwarded to the Government a list with 88 cases of multiple illegal use of other persons' property, first and foremost of houses and apartments. The list was verified, perhaps 15 percent of the examples have been resolved and it was estimated that some examples were allegedly unfounded. However, we accept even that, because we do not believe we are infallible. In any case, we are regularly warning the Government about urgent, even scandalous cases, but we cannot do more than that, because we are here only to advise and assist, and it is the matter of the authorities to finally assume responsibility for what is happening.

After the recent local elections, Serb parties are significantly participating in the authorities of some municipalities in the area of special state concern, and in some parts they even have the ruling majority. Do you expect that they will achieve better results in those communities in the process of return of people and property?

Yes, I do expect a bit more from them, but it is also certain that even those new local authorities will face obstacles. In any case, one will not be able to say that the Housing

Commissions in that area have no problems, but, at least, they will not be able to ignore them and it will be easier to identify who are the people who are obstructing that process.

You were in Croatia two years ago, as well, and in the meantime the government has changed. Do you think the new nomenclature has also maintained the continuity of the old policy with regard to return?

I would not put it exactly like that, but I suppose that, in any case, more could have been done. The state authority shows indecisiveness to get to grips with the issues that are not exactly popular in the public.

The problem of the current Croatian authority is the fact that there are many ‘unpopular issues’ to be resolved, which got concentrated exactly at the time of their coming at the helm of the state.

I agree and I can understand that their priorities differ from the priorities of the international community, but then you should not be surprised by potential consequences.

HDZ has become ‘softer’

Are you referring to the concrete consequences Croatia might soon face?

If there are no concrete positive steps in this area, that will definitely complicate the Croatian negotiating positions with the European Union. I am not referring to any concrete consequences which could already be possibly under preparation. It should be added that all members of the EU and NATO are at the same time members of the OSCE, and when the OSCE defends its standpoints, it also defends the standpoints of the EU and NATO.

Do you have the data on the number of Serb returnees to Croatia? How many of their requests for repossession of property have been registered and how many have been resolved so far?

A little bit more than 80 thousand returnees have been registered, but that does not mean that all of them have actually returned. Many are not able to return to their houses, so they reside with their relatives and friends, and some are returning to the FRY or the Republic of Srpska. We are not as focused on the numbers, as we are on the creation of the conditions for return. We are aware that not all of the people will return, because they already managed to get by, they organised their lives, got a job, either in the FRY, RS or in the third countries.

However, those wishing to return must be treated as the citizens of Croatia in all of their rights and they must not be discouraged in the return. Of course, the situation in towns is significantly different, and they do not have such problems there.

Although no particular progress has been achieved in the sense of repossession of property, it seems that one has to admit that the political climate has significantly changed, after all. Do you agree with this?

Yes, I agree, the tension has considerably decreased, and it is easier to establish dialogue, even with the people from HDZ. There is less nationalism and more realism. Politically, the situation is gradually changing and people are more focused on the future, than on the past.

Grandmother in a container

The issue of property repossession, especially apartments, to returnees of Serb ethnicity is evidently being resolved slowly, partially due to the problem of accommodation of the Croat settlers from B-H, but also due to the lack of money.

We understand that, but there are really drastic examples there, as well. Near Glina, we registered a really interesting case. One Serb returnee could not enter his house because it was in the meantime offered to a Croat settler from B-H for use. But, the stated settler very rarely resides in the village, and even when he does, he usually stays with his parents who have another house at their disposal, also the property of a citizen of Serb ethnicity, which they received for use.

*Last year, sometime in November, when the owner of the disputed house returned from the FRY, he saw that there was nobody living there, and, by the way, it was covered with posters of the HSP leader **Anto Djapic**, and he decided to move in. However, he was immediately reported to the police and arrested. And you know what the epilogue of this story is? The owner of the house is being sued because he wanted to enter his own property.*

However, that is still not the end. That returnee family has five members, and the grandmother is also with them. The entire five-member family is currently living in a barn, practically next to the cattle, and the grandmother is, you will not believe this, accommodated in a container for the collection of milk, the size of four square meters. And, of course, none of them have electricity. Many organisations have been informed about it, from the HHO to the Amnesty International, and they are monitoring the case.