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INTERVIEW Jorge Fuentes Monzonís-Vilallonga, the new Head of the OSCE Mission to Croatia

IF CROATIA ENTERS THE EU IN 2009, SERBIA AND MONTENEGRO SHOULD ENTER BY 2014

It is my wish that Croatia be the first country of the Western Balkans to join the EU. However, that means that the interval between the accession of the first and the last country must not be large

By Boris Vlastic

You recently took over the mandate for Croatia. How does Croatia look to you?

Croatia is a very complex country. It is clear at first sight that it should have an epithet of heaven but there are also numerous problems. Croatia is in fact a country which only recently came out of war, even though this was some ten years ago. Historically, that is a very short period. A civil war in Spain took place seventy years ago and yet on a daily basis you can see in the newspapers the remnants of the former separation and conflict. Therefore, you should be prepared for the fact that the resolution of problems which emerged as a consequence of war would last for ten and more years, which can be considered as fast. Croatia is almost a West European country, by all means very developed, much more developed than several countries that are full-fledged members of the EU. You have approximately 10 million tourists annually, which is double the population of Croatia, and Spain is not able to achieve that. Due to all that, Croatia is in many ways a West European country, open to the world, with almost completed democratic processes and therefore it is understandable that people are in a way disappointed by the presence of a large monitoring in Croatia. People are saying – we do not need you anymore. Maybe they are right, but you have to trust me that there are still areas in which a lot needs to be done.

What are Croatia's biggest problems?

One of the biggest problems is the issue of refugees. You know yourself what is the situation like: people came back, they live in bad conditions and misery, are paying for such accommodation, and watch their property into which they cannot move back because, for example, Croats from Bosnia and Herzegovina live in it. The second frequent situation is years of living next to the house that was demolished during the war and waiting for the government to construct the house.

Rule of law also a problem

Yes, but isn't that a bit like a game of musical chairs in which there is always someone left standing when the music stops as there are not enough chairs? Croats from Bosnia often live in Serb houses in Croatia since they cannot return to their

homes in Bosnia because they are occupied by some other tenants. Isn't that problem related to the situation in the neighbouring countries, Bosnia and Herzegovina and Serbia and Montenegro?

Yes, of course this is a related problem and, honestly, we do not advance sufficiently. I refer here to the governments of the three countries since the government's assistance is needed for the resolution of the problem. Prime Minister Ivo Sanader said that he is willing to do everything to resolve this issue. For the resolution of the refugee return issue, several factors need to be conformed, amongst which skilfulness, capability, political will, and money are the most important ones.

Capability and political will should not be a problem, right? The return issue has been in the process of resolution for the last ten years, thus capability should have already been acquired, and it is hard to believe that Sanader does not want to resolve that problem. Therefore, the political will should not be disputable...

I would agree only in relation to political will. Capability and money are still a large problem since there are thousands of cases which need to be resolved. That is why I claim that this is one of the greatest problems. There is also the rule of law as a problem, whereby, I mostly refer to the war crimes issue. Therefore, we, as the most numerous organization, have close co-operation with the Hague Tribunal. Along with that, we also have the issue of the media, which underwent democratization to a great extent, yet not completely. I could say similar things for the police.

Croatia has done a lot to become an EU member and has its human rights protection instruments. Apart from the OSCE, there are also other ways of monitoring human rights, directly from the EU institutions. Does that mean that you do double work?

There are many other institutions, but we are the most numerous organization. We assist the UNHCR, ICTY, and others, as we are in fact the most capable ones to participate in the changes, rather than only observe and report on the situation. Of course, I am not authorized to talk about the EU; my job is to try to direct Croatia into a train which will take her to negotiations. I have faith in Croatia and I hope that we will soon do that.

The EU's plan for the entire territory

What does it mean soon?

I have to admit one thing and that is that the current moment is not the best one, not only for Croatia but for the entire EU. Of course, I refer to the consequences of referendums in France and The Netherlands. We do not know what we can expect and we have to wait for the situation to develop. We have to see how many more countries will say no, but even if there are no more such countries, France and The Netherlands are very important countries in the EU. Currently, there are talks again about the future of Bulgaria and Rumania which should become members on 1 January 2007. I hope that they will. It will be very difficult to determine a moment when Turkey could become a full-fledged member. Maybe it would start negotiations in October, but I do not believe that it will become a member in the next 10 to 15 years, maybe even 20. We have to see what the possibilities are for Croatia. It is my belief, and my wish, that Croatia would be the first

country of the Western Balkans joining the EU. However, that also means that the interval, or the time distance between the first and the last country to enter the EU from this area, must not be big. That means, if Croatia becomes a member in 2009, Serbia and Montenegro should become members in five, six years and not later. Otherwise, there would be some kind of a black hole left which would be very dangerous and historically unjust. I do not think it would be fair to leave Serbia and Montenegro, Macedonia, Bosnia and Herzegovina, and Albania outside the EU. I am not of course the person passing those decisions, but I think that the EU must have a plan for the entire territory and resolve the situation in that manner.

We attempt to put war criminals on trial in countries where the crimes were committed

The recent Brijuni Conference of the Ministers of Justice, during which the declaration was not signed since the Minister of Justice of Serbia and Montenegro objected to the text of the Declaration - that is, the possibility to extradite citizens of Serbia and Montenegro to other states for the purpose of war crime prosecution, whereby he invoked the constitutional provision which prevents extradition to other countries - made many concerned regarding that proposal. Do you really think that countries would be willing to extradite their citizens to other states for the purpose of war crime prosecution?

The Brijuni Conference was without any doubt a great success because, when you see at one place seven ministers of three countries, ready to jointly resolve the problem, then that conference is successful. We knew that it would be very difficult to achieve consensus on the joint document. What we are trying to achieve is that war criminals be brought back to the place where they committed the crimes so they would be put on trial there but, due to all circumstances, we need more time and more work.

Are you of the opinion that the situation of Croatia extraditing its citizen to be tried, for example, in Bosnia, is possible?

For the time being, no.

Ever? That is contrary to the Croatian Constitution.

Look at the situation with the Hague Tribunal. People surrender voluntarily. There are no pressures by the governments. I hope that this would be resolved one day at this level as well. However, for the time being, we are focused on the transfer of cases from the Hague Tribunal to national courts.