



**STALNA MISIJA REPUBLIKE HRVATSKE PRI OESS-U,
UN-U I MEĐUNARODNIM ORGANIZACIJAMA U BEČU**
**PERMANENT MISSION OF THE REPUBLIC OF CROATIA
TO THE OSCE, UN AND INTERNATIONAL ORGANIZATIONS**

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**Statement of H.E. Ambassador Vladimir MATEK,
Permanent Representative of Croatia,
at the 704th meeting of the Permanent Council (Agenda item 1)**

Mr. Chairman,

This is the last time that I have to address the Permanent Council on the issue of the OSCE field presence in Croatia. Three months ago, when we discussed the accomplishment of the Mandate of the Mission in Croatia and the replacement of the Mission by the Office in Zagreb, I have expressed – on behalf of my authorities – the satisfaction of the Croatian side not only with the Decision adopted, but with the whole cooperation with the Mission and with the assistance received during the eleven years of the Mission's work in Croatia.

I have also mentioned the contributions of all the Heads of the Mission we worked with during those eleven years. I stressed also that the last period, when the Mission was headed by Ambassador Fuentes, was particularly fruitful and enriching. The close cooperation between the line Ministries and other institutions through the so-called Platform allowed us to come to the results you all know.

Ambassador Fuentes was not with us during that discussion. Therefore, Mr. Chairman, I would like to use this opportunity and the presence of Ambassador Fuentes today to thank him in front of the PC once again, on my own behalf and on behalf of my authorities, for everything he has done in his capacity of the Head of the Mission, as well as for what he was doing in the last months, during the transition from the Mission to the Office.

We have full understanding that such a transition is not very simple: the people who have been working several years under one mandate had to adapt themselves to new realities and to constraints of the new and different mandate. Therefore, and having in mind that Ambassador Fuentes did not have the opportunity to speak on this transitional period, my Delegation is not objecting his today's report from this point of view, although we still have some doubts about its length and its very detailed approach, particularly in comparison with the reports of the other OSCE field-presences we have heard in the last period. To be clear: we are not contesting the right of the OSCE presence in Zagreb to write such "in depth" reports – it can be helpful also for us. But if this is the case, we would wish to see the same standard applied at least in the reporting of similar field presences, what in general is not the case.

We would also expect that in future (the transition period being accomplished now) the fortnightly reports from Zagreb will remain in the mandate's framework, what – as rightly mentioned by our distinguished US colleague – twice was not the case, either.

Having said this, allow me to replay to some delegations' remarks and statements, particularly concerning the Sarajevo Declaration Process issues:

The representatives of the Serbian minority in Croatia concluded with the Prime Minister's party the Coalition Agreements whereby all the questions of their interest are very precisely defined, including the solution of the residual questions of the return and the housing care process for returnees. One of their representatives is appointed to the post of Vice Prime-Minister in charge of all those questions. The other representatives – i.e. Mr. Pupovac or Stanimirović – have declared publicly several times that all their files are advancing rather well. As far as I know, it implies also the convalidation question. This is, I believe, the best answer to at least one part of the remarks made by our distinguished Serbian colleague and some other delegations.

For the rest, may I also recall our Interpretative Statement concerning the Decision on the opening of the OSCE Office in Zagreb and to repeat that the Sarajevo Declaration contains obligations for all the signatories and not only for Croatia. In the Point 1 of the SD this is formulated as: "*facilitating returns or local integration of refugees and internally displaced persons in our countries, depending on their individual decisions" and in Point 3 as "refugees who have chosen not to return will be assisted by their new host countries to locally integrate...". Therefore, the requests not directly linked with the return (the convalidation issue, as well as the compensations for those who don't wish to return are belonging to this category) cannot be accepted as a Croatian obligation under SD Process. In this context, may I recall that Croatia – but not only Croatia - has made several proposals to discuss this question as a humanitarian question at bilateral level, what would allow the signatories to conclude the Sarajevo Declaration Process. We regret that all these proposals have been declined by Serbian side (not by the Croatian Serbs, but by the Authorities in Belgrade). May I also recall that the mandate of the Office in Zagreb is very clear on this point: the Office has to report on the realisation of the agreed Housing Care Programs for those who wish to return.*

Mr. Chairman,

Before concluding, allow me to address shortly the other item which is in the Office's mandate - war crime trials monitoring. We agree that the procedures and proceedings in these trials should not be influenced by the ethnic origin of the persons involved. We are not contesting that in some cases we have had such situations. But, it is also a fact that the superior courts have quashed those verdicts, as well as they are invalidating the verdicts where the accountability of the persons prosecuted in absentia was not proven. Therefore I am really surprised by the critical remark contained in the EU Statement concerning the fact that superior courts are reversing the verdicts: how else they could correct the possible mistakes made at the first level trials?

With this I am coming back to my earlier remark on the length of the reports: to many details – but however insufficient elaboration for the non-experts in the subject – are inevitably leading to the misunderstandings and to the reopening of the questions which have been closed before, as our today's discussion has shown clearly.

Thank You, Mr. Chairman.