



**Organization for Security and Co-operation in Europe**

**OSCE Mission to Croatia**

**News in brief**

**1 - 14 February 2005**

**Head of Mission visits returnee villages in Central Croatia**

During a visit to returnee villages in Central Croatia, the Head of Mission delivered winter aid items to returnee families and assessed the impact of the Mission's winterization project. The Adventist Development Relief Agency (ADRA) and the Croatian Red Cross are implementing this project across Croatia also with some funding from the Mission.

The project aims at improving the living conditions of new returnee families in the most vulnerable phase, i.e. immediately following return, through the donation of items such as beds, stoves, chain saws and food packets which contribute to alleviate suffering during the winter season.

With more than 1,000 returnee families as beneficiaries, the project has contributed to making return sustainable. As a result, an increasing number of returnees are staying along the winter instead of travelling between Croatia and Serbia and Montenegro as it is so common in this season.

The Croatian Red Cross and ADRA are among the last humanitarian relief agencies operating in returnee areas. They provide an important contribution towards ensuring basic living conditions for returnees by filling the gaps left by the State, especially in isolated areas without basic infrastructure. The housing repair assistance programme of ADRA provides a decent accommodation to several hundreds of returnee families who do not meet the strict requirements of the State reconstruction programme, not least to families whose houses were not destroyed by war action but by being exposed to the elements for several years.

**Prime Minister Sanader announces cabinet changes**

Following a meeting of the Presidency of the ruling Croatian Democratic Union on 14 February, Prime Minister Sanader announced that the ministries of European Integration and Foreign Affairs will be merged and the current European Integration Minister, Kolinda Grabar-Kitarovic, is the Prime Minister's proposal to lead the new merged Ministry. Foreign Minister Miomir Zuzul tendered his resignation in January amid corruption allegations by the media and the main opposition parties

In addition, the Prime Minister proposed Damir Polancec, a member of the management board of *Podravka* as Deputy Prime Minister in charge of the Economy, and the current Assistant Health Minister Neven Ljubicic as the new Health Minister. Deputy Prime Minister and Minister of Health Andrija Hebrang tendered his resignation in January due to health reasons.

**Criticism of court decision to uphold journalist's prison sentence for libel**

On 10 February, the Split County Court rejected the appeal lodged by a television reporter sentenced to a suspended two-month prison term for libel by the Split Municipal Court in July 2004. The reporter was convicted because of false statements against a local businessman in a TV show in 2003. The same court sentenced a journalist of the weekly *Feral Tribune* to a suspended three-month prison term for libel in November 2004.

National and International Journalist Associations widely criticized the verdict from the Split County Court.

Following the decision, Justice Minister Vesna Skare-Ozbolt pledged support for the reporter in case that she decided to appeal to the Supreme Court. The Justice Minister also stated that “the latest changes of criminal legislation decriminalized journalists’ libel, except in cases of proving clear intention. This verdict was passed after the amendments to the Criminal Code entered into force and it should have taken them into consideration. That law [as amended in October 2004] is more favourable for the defendant and it is evident that a motion for the protection of legality has to be filed now or the State Prosecutor’s Office should be requested to do so. The passing of a verdict without taking into consideration a more favourable law for a tried person is not legal.”

The amendments to the Criminal Code on libel, which became effective in October 2004, allow for a more liberal regime, but without fully decriminalizing libel as was recommended by international experts from the OSCE Mission, European Commission and the Council of Europe.

The Mission has voiced concern over the verdict and called on the Government to fully decriminalise libel by removing it from the criminal code.

### **Government’s National Human Rights Programme criticized by most parliamentary parties**

All parliamentary parties but the ruling Croatian Democratic Union (HDZ) criticized the Government’s *National Program for the Protection and Promotion of Human Rights for the period 2005-2008* (Programme) during a debate in Parliament on 11 February 2005. The programme was sent to Parliament in December, in the run-up to the Presidential election.

The Programme identifies 17 priority areas for human rights protection, includes a compendium of Croatia’s international obligations related to human rights protection and describes the historical development of human rights. The priority areas include national minority rights; family rights; rights of veteran, detained and missing people; the process of return and property repossession; gender equality; the right to work; and religious freedoms. The Programme foresees the adoption of an Implementation Plan by June 2005, which would set out concrete activities, deadlines and funding estimates in each of its priority areas.

The Programme envisages the protection of the rights of national minorities in Croatia and of the Croatian minority in other countries. The Programme contains specific provisions regarding the Roma minority, noting the need to implement the National Programme for Roma. It also sets general objectives, such as promotion of tolerance and respect for ethnic diversity in Croatia.

The Programme underlines the “Action Plan for the Implementation of Property Repossession by the End of 2002” as a key document in the return process. It sets two

objectives related to this issue: [i] to ensure the conditions for the return of property to owners, and [ii] to encourage the accelerated process of return, including the integration of returnees into society. The Programme does not contain details on how to implement the above-mentioned objectives.

The Committee for Human Rights and National Minorities, which reviewed the document before the plenary, had criticized the Government's intention to adopt an Implementation Plan as a separate document, expressing the view that corrective measures and deadlines should be included in the Programme itself.

In the plenary session, all but the HDZ Caucus disapproved of the Programme because it lacked specifics, and called it a "theoretical document" and "a list of good wishes." Some MPs invited the Parliament to reject the Programme and to ask the Government to submit a revised and more comprehensive plan; while other MPs argued that the Programme could be sufficiently improved prior to the conclusion of the Parliamentary debate.

The Parliament will resume debate on the National Human Rights Programme in mid-February.