

*Glas Siska*, 28 September 2005

On the occasion of the visit of the Head of the OSCE Mission to Croatia, Jorge Fuentes Monzonis-Villalonga, to Sisak and Sisak-Moslavina County, a meeting with reporters was organized from which we bring interesting extracts:

## **WE ARE NOT SATISFIED WITH THE RETURN OF REFUGEES**

Jorge Fuentes Monzonis-Villalonga heads the OSCE Mission to Croatia since May 2005. He was born in Spain in 1940 and throughout his career held various positions in the Spanish Foreign Ministry. He was also in the Spanish Embassy in the former Yugoslavia (1976-1978) and his country's Ambassador to the United Nations. After 1990 he was an ambassador in Eastern Europe, first in Bulgaria, then in Macedonia. Before arriving in the OSCE he was the Spanish representative to the European Union. He arrived in Croatia five months ago with the personal wish to be the last OSCE Ambassador in Croatia, which would mean that during his mandate the OSCE Mission to Croatia would fulfil its aims.

**Although you arrived in Croatia only a few months ago, have you managed to gain an insight into the situation in Croatia? How do you assess the implementation of the return of property and all displaced and refugee persons to the whole of Croatia and Sisak-Moslavina County? What is the current situation in the field?**

The return of refugees and their reintegration were amongst the main problems that the OSCE Mission to Croatia together with the Government of Croatia observed in 1996, when we arrived in Croatia at the invitation of the Government. We cannot be fully satisfied with the situation concerning the return of refugees because even today, ten years after the war, we have very serious problems regarding this issue. In this sense, we continue to encourage the Government to accelerate the process and find solutions for the quick return of 350,000 Serbs who left Croatia since 1991. We are encouraging the Government to enable them to return to their homes, find jobs and reintegrate into society. So far 120,000 persons have returned to Croatia. However, of that number 40,000 left the country again because of the poor conditions they faced upon their return. Therefore, the real number of Serbs who actually returned to Croatia is about 80,000. The return of refugees is not satisfactory in any part of Croatia, including this region. For this reason, the Mission and the Government have joined efforts toward making progress on this issue. The Government has promised that the return of refugees would be completed by the end of 2006. The Mission will offer all its help. The return of refugees implies offering all those people who wish to return to their homes the opportunities to do so. This means working with the Government on the issue of reconstructing houses and returning property, as well as resolving the issue of the former holders of occupancy/tenancy rights (OTR).

## **Judiciary in Croatia capable of taking over certain cases from the Hague Tribunal**

**What is the real need for the OSCE monitoring the Republic of Croatia ten years after the war, considering that the end of the OSCE Mission to Croatia was announced several times?**

You are right here, but it should be taken into account that a ten-year period from a historical point of view is a short period for the war to be forgotten. We had a civil war in Spain 70 years ago and even today it is spoken and debated about almost every day. It will also take a lot of time to heal the wounds from this war. I hope not as long as in Spain's case, but certainly more time will be needed for all the problems to be overcome.

On the other hand we came here at the invitation of the Croatian Government with whom we have excellent relations. In every case I can say that we have no objections with regard to our co-operation with the Government. By all means the Government is also aware that the Mission to Croatia won't stay a day longer than necessary.

We are no longer functioning as a monitor, which we were at the start of our Mission to Croatia. We now have an advisory role and endeavour to contribute to the return of refugees and their property, and the resolution of the post-war problems. If we continue at this pace, the Mandate of our Mission could be realised by the end of next year or during 2007, which would also mean the end of our presence in Croatia. In any case, I hope that I will be the last Head of the OSCE Mission to Croatia.

**The OSCE Mission monitors war crime trials in Croatia. Do you believe that the Croatian judiciary is ready to take over cases from The Hague?**

The OSCE Mission's presence in the field allows us to follow war crime trials and we are very enthusiastic in this work. We have concluded that the Croatian judiciary is capable of taking over a limited number of cases from the Hague Tribunal. We also reached an agreement with the Tribunal according to which the OSCE Mission will monitor transferred court proceedings. Our recommendation is that Croatia not take over too many cases from the Hague Tribunal and to avoid cases that could provoke too many tensions in Croatia, including political tensions, which would not be good for the course of such trials.

It is important to say that the OSCE Mission has supported the education of judges and prosecutors, particularly those who have been involved in war crime trials, so as to create the possibilities for the Croatian judiciary to deal with such an important and delicate issue.

**What is the current assessment of the implementation of the Constitutional Law on the Rights of National Minorities? It has been shown that certain difficulties exist in its implementation, such as the employment of minorities' representatives in the**

**judiciary and local self-governments, as well as apparent electoral manipulations with certain provisions of the same Law?**

The Constitutional Law on the Rights of National Minorities is correct, but its implementation is not as it should be. The implementation of this law in practice is what needs to be done.

Croatia is rich with 22 national minorities. Some consider this as an advantage, others a handicap. The Croatian Government considers this fact as an advantage.

The main reason for the misunderstandings and different interpretations of the present situation is the lack of clear provisions which would regulate the implementation of minorities' representation in units of local and regional self governments. The OSCE Mission to Croatia is of the opinion that the only body that should deal with this problem is the central Office for State Administration. That office is the only body which should deal with that problem, as it is responsible for ensuring the correct implementation of that law, as well as for issuing instructions in the absence of clear legal provisions.

In order to help the local authorities and national minorities, our Field Offices have organized several workshops and debates specifically about the problems that the national minorities have faced. Those workshops and debates, intended for representatives of both the local authorities and national minorities, were very well received by both sides.

**Refugees see no real possibilities for returning to their own homes**

**How does the OSCE assess the situation of democracy and media freedoms on the local level?**

At the beginning of our Mandate, we agreed with the authorities that we will monitor six main issues in Croatia, and one of those was the democratization of the media. With regards to the media, the situation has sufficiently improved. However a great difference still exists between Zagreb-based and local media. We can consider that in Zagreb the privatization of the media was done well and in accordance with this the freedom of the media went in a positive direction. However, on the local level we have observed that there is a monopoly over media ownership by administrative bodies of local government. This is unfortunately a growing trend. We are concerned for this reason, as a monopoly over media ownership represents the loss of media freedoms and making it impossible to put forward diverse opinions.

**You mentioned that the return of refugees is not coming along as expected. Who is responsible for this?**

All parties involved share equal responsibility for the situation, beginning with us - the OSCE. Perhaps we did not deliver our message for the refugees to return to Croatia well enough. A part of the responsibility also lies with the refugees themselves, who were not

active enough in acquiring information about the possibilities for return. Finally, the Government is also responsible for not adequately utilizing its mechanisms and authority to resolve the issue of the return of refugees. The Government adopted the *Road Map* for the return of refugees. We hope this *Road Map* will be fulfilled and that by the end of the year all occupied properties will be returned, while the deadline for the return of refugees is the end of 2006.

In the last while we have been concerned by the incidents that are taking place in the Areas of Special State Concern (ASSC). We hope that they are not orchestrated but are merely the consequence of the devastating war.

The reality is that refugees are not deciding to return because they don't see realistic opportunities to return to their homes, find jobs, and live a peaceful life. This is currently the concern of some 250,000 refugees who are still living outside Croatia. We believe that indecision exists amongst the potential returnees because they are not content with the conditions for return and are afraid for their security. Together with the Croatian Government, we will do everything possible to eliminate their uncertainties about returning.

**The Head of the OSCE Mission to Croatia, Jorge Fuentes Monzonis-Villalonga, met with County Prefect Marina Lovric**

### **There are no ethnic tensions in Sisak-Moslavina County**

During his visit to Sisak-Moslavina County, the Head of the OSCE Mission to Croatia, Ambassador Jorge Fuentes Monzonis-Villalonga, also met with County Prefect Marina Lovric. The Prefect explained that the main problem in the Areas of Special State Concern (ASSC) is the shortage of electrical energy, while considerable resources need to be invested in the reconstruction of road infrastructure. "The solution to those problems would create the conditions for an accelerated revitalization of the economy and the strengthening of small and medium enterprises in those areas. Only through this kind of development can the local population be given a dignified life, employment, and at the end, the return of the youth!" the Prefect said during the meeting. Both sides expressed satisfaction that taking into consideration the fresh war traumas, no cases of conflicts based on ethnic tensions exist in the Sisak-Moslavina County and in the entire Areas of Special State Concern. Ambassador Fuentes expressed his readiness to assist the County within the frame of his possibilities.