

# Briefing on Pluralism and Tolerance in Croatia



May 13, 1998

Briefing of the  
Commission on Security and Cooperation in Europe

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## **ABOUT THE ORGANIZATION (OSCE)**

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

## **ABOUT THE COMMISSION (CSCE)**

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

# BRIEFING ON PLURALISM AND TOLERANCE IN CROATIA

WEDNESDAY, MAY 13, 1998

COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
WASHINGTON, DC

The briefing was held in room 340 of the Cannon House Office Building, Washington, D.C., at 10:12 a.m., Robert Hand, Helsinki Commission Staff Advisor, moderating.

Mr. **Hand.** Good morning, everybody. I would like to welcome you all here this morning to this briefing of the Helsinki Commission on Pluralism and Tolerance in Croatia.

My name is Bob Hand, and I am Staff Advisor at the Helsinki Commission, and we organized this briefing because we think it is a timely one.

Of course, in 1998, there has been much focus on the situation in south central Europe. There has always some focus on the situation in Bosnia, and in 1998, in particular, there has been increased focus on the very bad situation in Kosovo.

But, the fact that these major concerns are the focus of most of the people in Washington that follow the region it doesn't mean that the other countries in the region generally should not escape scrutiny, and, indeed, in Croatia there have been many developments in 1998, some positive, many of them negative, that deserve attention here in Washington, and that is why we convened this briefing this morning.

In addition, it is my personal view that in coming years Croatia will continue to knock on the door of Europe, seeking integration into Europe, and that is something that people here in Washington and in Europe will need to consider, and when considering it, of course, when you are knocking on the door to Europe the password should be democratization, and that will be one thing that will be examined closely in coming years in Croatia. As that country is now firmly established as an independent state, now for almost 7 years, rather than excusing the problems there due to the trauma of Yugoslavia's violent disintegration, or simply concluding, well, the situation is worse in other former Yugoslav Republics, Croatia will increasingly need to be examined in the context of international standards for human rights and democratization, standards that we at the Helsinki Commission focus on in particular in the context of OSCE.

At this point, I would like to introduce our panel of experts who will cover the various aspects of the situation in Croatia today. First we have Ivana Kuhar, who is the Director of the Croatian Service at Voice of America, and by definition follows about everything that is happening in the country and reporting on it as well. She will address the overall political scene in Croatia today, from the standpoint of democratization and political pluralism.

Next, we have Milorad Pupovac, who is head of the Serb National Council in Croatia. He is also, I believe, a member of the Parliament in Croatia, and has long been active on the issue of the Serb community in Croatia, its status and its treatment by the government.

Next, we have Davor Glavas, whom I have known for many, many years. An outstanding journalist from Croatia, he is currently is working with the *Feral Tribune*, which is one of the more prominent independent voices in Croatia.

Then, next we have Lisa Tepper, who is a Foreign Service Officer, and for the last couple of years has been the Croatian Desk Officer at the State Department. Lisa will raise human rights issues as they are taken into account in U.S. policy toward Croatia and U.S./Croatian relations.

Finally, we have Kresimir Pirsl, who is from the Croatian Embassy, and will provide some concluding thoughts on the situation in Croatia today, from the point of view of the embassy and the Croatian Government.

At this point, I will start with Ivana. Each panelist will speak for 5 to 10 minutes, and after that we will open the floor to questions from the audience. I will ask you to come up to the microphone, because this will be transcribed, it is for the record. I will ask you to introduce yourself and then to ask your question and direct it to one or more of the panelists.

At this point, Ivana, would you like to start?

If I could, I think you need also to click on your microphone.

Ms. **Kuhar**. Thank you, Bob.

I would like to say that the views expressed here are my personal views and do not reflect the policy or the views of the United States Government.

Croatia is at a crossroads today. In January 1998, Croatia resumed control over eastern Slavonia, its last enclave occupied by Serb militants since the fall of 1991. Before resumption of Croatian control, the area was under U.N. administration for the last 2 years. As sovereignty was reached on the entire state territory, priorities began to shift and the current Croatian Government came under strong internal and external pressure to allow acceleration of democratic development. Seeking to implement the Dayton Peace Agreement for Bosnia, international community has proclaimed 1998 the "year of refugee return" in the whole ex-Yugoslav region. So, in order for Bosniacs to be able to return to the Republika Srpska, it is necessary to provide return of Croatian Serb refugees to Croatia. Now the international community is looking at Croatia to put this important three-way process in motion.

Mere permission to return will not facilitate a lasting regional stability. It is necessary to ensure lasting integration of returning refugees into society. To facilitate substantial integration of any national minority—or, for that matter, of anyone thinking differently than the majority—, basic tenants of democratic society need to be established: an indiscriminate rule of law; free and open public discourse via independent media and autonomous civic organizations. The international resolve to settle the question of regional refugee return will inevitably speed up either the development of pluralism in the whole area or it will prove the ethnic cleansing to be an irreversible fact. Consequences of the latter would be catastrophic and would ultimately lead to the failure of the Dayton Agreement, which is a prospect that the international community is working very hard to prevent. These external factors combined with current internal stirrings, bring Croatia to a crossroads between choosing isolationism Serbian style or opening toward adoption of western democratic values with subsequent integration into western institutions. In that respect, 1998 will be a decisive year for Croatia.

An important element, an important and helpful element in this struggle is a genuine desire of the average Croatian citizen to become a part of the modern western world. However, 8 years after the first multiparty elections, the population still does not understand the functioning of basic tenets of democracy such as free media, political and legal transparency, independent judiciary, public accountability, nor civic responsibility.

While present Croatia does not meet the criteria that would warrant categorizing it as a

totalitarian state, its notion of democracy fall short of even a minimalist definition of formal democracy. Yes, its citizens are free to vote, but they cannot be sure that their elected representatives will take their political seats, as witnessed last year in crisis that resulted over governance of Zagreb. Commonly, even politics on a local level are micromanaged by the authoritarian regime of President Franjo Tudjman. The electorate in Croatia cannot be sure that adopted laws will be indiscriminately enforced. The judiciary is not independent of politics, laws are adopted or modified as needed and are enforced summarily to benefit the interests of the ruling elite. The latest example is the failure of a major bank, Durbrovacka Banka, owned by people of Tudjman's inner circle. The misappropriations amounting to 700 million German marks have not even warranted a thorough investigation, neither was a due process initiated. Law is not being uniformly and equally applied to all citizens.

The ``reserved domains" of power and privilege for certain political and social forces are still present in Croatia. A few individuals have quickly amassed immense wealth, not through work or investments, but rather through a murky privatization practice and obscure bureaucratic maneuvers that would in any accountable country be considered illegal. The result of this routine is an impoverished nation with a shrinking middle class that is not able to measure up to the coveted European standard of living. The new Croatian tycoons, guarded by their often corrupt political machines stay out of the realm of accountability for the electorate.

One of the most deeply rooted communistic legacies is the journalist who still sees himself as political workers, complacently serving the Party. Rather than representing the public, the average journalist in Croatia serves the political agenda of a party or the ruling party. ``Uncomfortable" topics are not being tackled. Unpatriotic questions are not being asked.

Such an unprofessional and often politically corrupt press has caused the present lack of openness in public discourse in Croatia. The lack of public dialog severely limits internal democratic forces to start a pluralistic evolution in Croatia. Neither should we expect the weak, ineffective and often fractious oppositional parties in Croatia to be the motor that pushes Croatia toward consolidation of democracy and consequently opens it toward tolerance and pluralism.

Tides have so far been changing in Croatia only after a push from the outside. The Europeans are still passive in insisting on democratization process. The U.S. has recently started to pursue seriously the issue of helping consolidate democracy in Croatia. The first prerequisite of that is establishing free media that is open to all aspects of public discourse. The ruling party's grip on media is tight that it is almost paranoid. It is even firmer than in Serbia, where more independent electronic media are allowed to function than in Croatia. For instance, in Yugoslavia there are currently more than 100 independent TV stations. Croatia had five up to yesterday, four since today. Currently, there are only two independent radio stations in Croatia that dare to broadcast the political programming, that is Radio 101 in Zagreb and Radio Maestral in Pula. However, their reach is limited. The rest have been stripped of their independence, either via direct threats, intimidation or financial manipulation. The ruling party controls daily newspapers as well. The few existing independent weekly publications are well out of reach of as much as 80 percent of Croatia's population. A cost of a weekly newspaper amounts to about 3 percent of the average monthly income, which is a prohibitive expense in these meager days in Croatia. So, consequently, most of the population relies on the state-run Croatian national TV network for their information. But, instead

of information they get a presentation of what some people term "virtual reality," HDZ style, HDZ being the ruling party.

Speeches unacceptable to the party are edited if they cannot be omitted. Such was the case of a highly critical Christmas message delivered by the newly appointed head of Croatian Catholic church, Archbishop of Zagreb Josip Bozanic. Apparently nervous over the possible content of the speech, the state TV network failed to broadcast his Christmas message live. It later reported on the message, but edited Bozanic's comments to soften his criticism of the governmental policy. In his speech, the Archbishop denounced official corruption as well as the state's "sinful structures, that have caused the quick enrichment of a few and the impoverishment of the many." This time the ruling party could not afford simply to dismiss such criticism by employing its usual tactics of labeling it "a talk of an enemy of the Croatian state." But, even more delicate than this criticism itself is the fact that the criticism came from the Nation's highest royal authority, which is the head of the Croatian Catholic church.

Mr. Bozanic did not stop there. His Easter message this year was titled "The Church Cannot Remain Quiet." It decried a spiritual void in Croatia caused by "empty promises and false expectations." Seen as the man beyond reproach, Mr. Bozanic is the most influential voice currently calling for reconciliation in Croatia. Seeing in reconciliation, a cure for fiscal and national ills, Bozanic is calling for dialog, tolerance and respect for democratic procedures. His authority cannot be questioned even by seemingly omnipotent current rulers, and his message does not need the state run media to reach devout Catholic Croats. Archbishop Bozanic recently received recognition from Secretary Albright and Ambassador Gelbard as well.

The Vatican appointed Archbishop Bozanic about 6 months ago. Around the same time "Forum 21," that is an association of the most respected Croatian radio and TV journalists was formed, in order to promote professionalism and independent journalism in electronic media. The key objective of "Forum 21" is the transformation of the National TV network, that is currently run by the governing council of the ruling party, the "Forum 21" wants to transform the TV network into politically unbiased public TV, so it is not surprising that Monsignor Bozanic invited the association to his personal audience. But, it is also not surprising that the ruling party does not want to engage in direct talks with that association. "Forum 21," by the way, received political support from key players of the international community, including U.S. Ambassador William Montgomery. The European Union has recently recognized that "Forum 21" raised an issue "crucial to the process of the democratization in Croatia," and pledged financial support. USAID announced a \$30,000.00 grant to "Forum 21," a gesture welcomed with cautious optimism, since it constitutes the first U.S. financial contribution to electronic media in Croatia. Now, many hope that this grant signals a new American realization that if there is to be peace in Bosnia the electronic media need to be helped in the whole region of ex-Yugoslavia. While visiting Zagreb, Ambassador Gelbard recently met with the Forum 21 delegation, as did Senator Bob Dole.

Now, such messages of support come at a time when Zagreb government is under pressure to facilitate the return of Serbs who fled Croatia during the Operation Storm in 1995. The process is proceeding at a painstakingly slow pace. This month the international community, led by the U.S., denounced a Croatian plan for return of Serbs as inadequate. Resorting to the usual tactics of carrots and sticks, western countries postponed indefinitely their participation in a donor's conference that was to be held for reconstruction of Croatia.

Now, the government promised to adopt a revised plan for refugee return. The adoption is due tomorrow and it is anticipated that the plan will meet Western demands after all. It remains unsolved, however, where the refugees will be housed, where the displaced Croats who presently inhabit Serb houses are going to be relocated and, above everything, how many Serbs are intent upon return. Right now, UNHCR estimates that around 32,000 Serbs have returned to Croatia. However, at the same time, Croatian Serbs are still leaving Eastern Slavonia region, although in a smaller number.

1998 will be a watershed year for development of democracy in Croatia. This is the year when the question of Serbian return will have to be answered, and the Croatian policy toward Bosnia will have to become more transparent. Bosnian HDZ is holding a convention this weekend and a change in leadership, as demanded by the West, is widely anticipated. There are all indications that the new leadership will be more willing actively to implement the Dayton Agreement, including to facilitate the return of Bosniacs and Serbs. Again, this action is a result of an American-led effort with the intent to remove obstacles standing in the way of the implementation of the Dayton Agreement. Replacement of hard-line Bosnian HDZ leadership would signal that international pressures on the Croatian president are bearing fruit. Coupled with this month's passing away of the fiercely nationalistic Minister of Defense, Gojko Susak, we might soon see a different Croatian policy emerge toward Bosnia. Changes seem imminent in the Croatian HDZ as well, where the already deep divides between hard-liners and moderates have been recently broadened by revelations of recent banking and corruption scandals, death of hard-line Susak, western pressures and internal power struggle. The HDZ might begin to dissipate over internal differences in policy toward return of Croatian Serbs, unity of Bosnia-Herzegovina and internal democratization, that are all the very issues that have brought Croatia on the verge of international sanctions, where it stands now.

Last, but not the least reason 1998 may be a breakthrough year for proponents of genuine democracy in Croatia is the arrest and the upcoming extradition of Dinko Sakic. He is the man who last month in a televised interview to Argentine television admitted running the Nazi death camp Jasenovac, and he is to be tried in Croatia. After initial hesitance and subsequent strong international reaction and intensive domestic demands, the Tudjman administration has finally requested Sakic's extradition. Archives made available by the U.S. Department of Justice show that by December, 1943, some 120,000 Jews, Serbs and others were put to death in that camp, run by the Ustashe-Nazi puppet regime of the Second World War Croatia. This trial offers a unique opportunity for Croatia and its citizens to begin an honest evaluation of their past. As Janusz Bagajski has said: "This trial will prove a landmark event for Croatia for at least four main reasons: identity, democracy, coexistence and international prestige . . . This trial--if it is open, fair, swift and vigorous--can decisively push Croatia forward to a democratic evolution. If a public discourse on the meaning and legacy of fascism and ultranationalism is made possible on a national level, then such a move might bring a political and identity catharsis. A fair trial may finally allow the Croatian Government to distance itself without any ambiguity from the fascist past ( . . . ) It will be difficult for journalists or policymakers, who hold negative prejudices about Croatia, to claim that the new state is simply a recreation of the Ustashe abomination." The trial would also enable Croats to understand the dark chapter of their history better. A swift, vigorous, open and just trial can also strengthen the rule of law in Croatia. This trial could hasten ethnic reconciliation and tolerance in modern Croatia. The Serbian minority would receive a posi-

tive signal that there is a place for them in the modern Croatian State.

Now, the question is, does democracy have a chance to succeed in Croatia? The answer seems to be a resounding yes, but the international pressure, guidance and support are essential in this process. There will not be a stable Bosnia without a democratic Croatia, nor without a democratic Serbia. So, a democratic Croatia is in our interest.

Thank you.

Mr. **Hand.** Thank you, Ivana.

Milorad?

Mr. **Pupovac.** Thank you, Bob.

Croatia, in 1998, is facing a challenge of reconstructing a plural and tolerant society. We started the process of democratization at the end of the '80s and the beginning of the '90s, and had a budding pluralism in the political sense, as well as ethnic and cultural.

During the war, and in "no war/no peace" periods in Croatia, this pluralism and tolerance has been strongly jeopardized. So, today, in 1998, after the successful end of the mandate--in Eastern Slavonia, and after the first successful implementations of the Dayton Accord in Bosnia-Herzegovina, for Croatia, the most important thing is to reconstruct its plurality and tolerance as a society.

One of the components of that plurality is ethnic plurality and ethnic composition. During the years of the war and the post-war period, Croatia lost many ethnic communities, mostly Serbs. About 350,000 to 400,000 ethnic Serb Croatian citizens left Croatia during these years of the war.

For Croatia it is a challenge to see how it is possible to enable some of those who would like to return to do so, and it is also very hard to prevent the disappearance of the Serb minority in Croatia. ... [Unintelligible] ... Not only in Croatian cities, but also in Eastern Slavonia when we had really successful realization of the mandate---if people like to stop the dangerous process of the departure of the Serbs from Eastern Slavonia, one of the best ways how we can do that is to open the doors for the returnees.

Of course, this return process should be controlled, organized and carefully done, because we have many people who suffered because of the war from the Croatian side, we have many ethnic Croatian refugees from Bosnia-Herzegovina who shared opposite interests with the ethnic Serbs returnees. So, because of that reasons, I think Croatia has to take it very carefully.

Unfortunately, the parts of the government in which mandate this issue is did not take the real activities. They tried to avoid the real activities. They tried to push it under the carpet. They tried to avoid their commitments to the international community, to the letter of intent of the Croatian Government and so on.

The real question is, what will the procedure for the return of the Serbs to Croatia look like, and what kind of program for the return of all refugees, including Serbs, will the Croatian Government complete in the upcoming weeks or months?

It is not only for the reconstruction of Croatian society, for the sake of one ethnic minority; it is the question, "How we can fight against the consequences of the war? How we can escape the risk of the ethnic cleansing that took place in many parts of the former Yugoslavia, and also that continues in other parts of former Yugoslavia?"

I think that seeing the return of the Serbs also as a reversal is important, a return to the tolerance that we had in the Croatian society before the war, during the centuries. It is not

only for the sake of the ethnic Serbs and for all the Croatian citizens, who, if you will--me to say, during all these years, not only because of the war and the suffering of the war, because of the character of the ideas launched by the ruling party, suffering because of the ethnocentrism, and this ethnocentrism is not welcome for any society. That is not the basis of the consensus of the civil society, that is a kind of basis for the consensus of an authoritarian regime.

The second problem is a problem of the property. Many returning people cannot get their property back, and the local authorities, and parts of the government responsible for addressing this issue, do not act accordingly, and do not help the people to get the property back.

Tomorrow or today we have in the parliamentary procedure abolishment of these new laws--the law of the temporary taking out and the law of the flats and apartments in the former occupied areas, so this is a first positive--one of the first positive steps that the government is thinking of taking.

But, we need also a program, how this property will be given back, and how those who use the property temporarily will be accommodated in other places and how we will escape and avoid the conflict between different groups of the refugees, who both suffer because of the consequences of the war.

Some people in the government would like to confront those groups, and I think we have to avoid it, and we have to send a clear message that there is no reason for the manipulation with the people who so highly and deeply suffered during the war. It doesn't matter Serbs or Croats from Bosnia, Serbs from Croatia.

The third important thing is the amnesty law. The amnesty law should be applied strictly, fully and consequentially, with no restrictions, misimplementations or any limits implementation, and not only to the regional peace in Slavonia, western Syrian and Baronia, then also for all entire Croatia, because if we would like to see any significant return, that means according to all estimations the minority of those left, if we would like to see those people back we have to see a strict, consequent and fully implemented amnesty law.

Unfortunately, it is still not a fact, even for eastern Slavonia. We are facing a power struggle within the judiciary in Croatia, and between the people who are preferred to respect the rule of law, and the right of law, but also the others who believe that ethnic belongings, that power position, is enough criteria for the taking position in judiciary and making the kind of decisions toward the citizens.

This is something that should be concerned very carefully from all who are following Croatian development, as well as who are taking part in this development within Croatia.

Minority institutions, particularly, minority institutions of the new minorities in Croatia, and the Serbs are a new minority in Croatia, but not only Serbs, then also Bosnians, then, of course, traditional minority would not settle position like Romas. This is something that should be regarded as one element of internal consolidation of the Croatian society.

We have had successes and positive moments, but at the same time the question of the status of the minority institutions of the Serbs in Croatia should be finally answered. The status of the Joint Council of Municipalities of Eastern Slavonia and Western Syrian, and the question of the Serb National Council as a minority institution of Serbs in Croatia--should be settled.

Also, the question of the proportional representation of the minorities within the Croatian

Parliament, according to the number of those people within Croatia should be also in the future, before the possible election should be held.

Then, the question of education and text books, unfortunately, some text books, particularly the text books of history, literature and possibly geography, but history and literature, are in many, many aspects questionable. First, the treatment of WWII, and the western alliances in the WWII, is something that is questionable, and some people are going to reverse the values of the Europe like antifascism, and some people are going to relativize the responsibility of this special regime and radical Croatian nationalists during the World War II and trying to minimize the character of that regime and, of course, the crimes that regime committed.

I think this is not only the question of ethnic minorities, it is a question of the real possibilities for the pluralism in Croatia.

Then, if you'll allow me just a few words more, what we can, and in what direction we have to do something to make a step forward in Croatia. First, I think it is necessary to strengthen publicity and the public opinion in Croatia and independent public voices in Croatia, particularly, in electronic media.

Then, second, we have to strengthen civil society institutions and the subjects of the civil society, like universities, academies of science, cultural institutions and so on, trade unions and so on, because without these civil society institutions we will remain in the framework of the ethnic discussions and the state discussions. So, we need kinds of real subjects in the institutions of the civil society.

Then, we need to strengthen the parliament and the parliamentary position in the Croatian political life. Parliament should become a real place of the discussion of the issues of interest to the Croatian nation. Parliament should be the place where after the discussions decisions should be made, and those decisions not only assigned, then also becoming an obligation for everyone in Croatian society.

Unfortunately, the place of power, and the place of the National consensus, is at the moment out of the parliament. We have to revise that situation and put it back into the parliament.

Thank you so much.

Mr. **Hand**. Thank you.

Davor?

Mr. **Glavas**. Thank you.

As a journalist, I will concentrate more on media. I have been a journalist since 1979, since my teen years. I started my career as Editor in Chief of a--paper, then as a Section Editor and columnist in the weekly Danas, probably the most important weekly paper in the region.

Croatian Government closed down this weekly in 1992, August, 1992. Since 1995, I have been writing for *Feral Tribune*, and since February I have been a consultant to Irikspermedia in Croatia. After almost 20 years of my career as a print media journalist, I am a frustrated journalist, that is, probably the most precise descriptions of my professional feelings, frustrated not only for the pressure and harassment of the free media in my country, but frustrated with the state of the facts on a more general level.

Let me give you some figures and some facts. According to reliable sources, less than 15 percent of the population in my country has the money to buy papers, to buy regular papers.

Total circulation of daily papers in Croatia is around 100,000, but three quarters of them government controlled papers.

In other words, less than 5 percent of population buys and reads independent or semi-independent papers, and this fact is the main source of my professional frustration. I do not consider government pressure harassment, I do not underestimate that, but I do not consider that as my biggest professional problem. My biggest problem is audience, passive or almost nonexistent public opinion in Croatia.

Unfortunately, as I mentioned before, Croatia does not have a public opinion, public opinion that is aware of its strength, and that is aware of the simple fact that politicians are responsible for their behavior.

At the same time, politicians have created an overall social climate in that it is almost perfectly normal that they should not bear the cross and crisis of their decisions. Recent events in Durbrovacka Banka, in that some top politicians who are up to the neck involved in illegal or at least immoral financial transactions, with no consequences at all for them, is a perfect example.

As a journalist, I have been writing hundreds of uncompromised articles and too often I have a feeling that I have been writing for the same group of people, that I am addressing and sending my messages to a certain segment of the public opinion, mostly urban intellectuals, but with no chances to reach the silent majority in Croatia.

On the other side, more than three quarters of public gather news from state TV, that is usually the only source of information for them, that is, extremely powerful weapon, I said weapon, not a tool, not a media outlet, but a weapon for ruling party.

No wonder that national TV is in the strict control of the ruling party, strictly apologetic and conservative. A friend of mine has a saying, ruling party claims that they control national TV because they are in power, but I say that they are in power because they are controlling national TV.

By the way, central TV news, they have an audience of roughly 2 million viewers each night, that is almost 50 percent of the total population.

Ruling party knows how important electronic media are. They cannot control radio stations, for example, in the way as they control national TV, there are too many radio stations in Croatia, 120, 123 as far as I know, but then they have invented different tactics of controlling radio waves as well.

Croatia is among the world countries that still have state telecommunication committees. This committee decides, which station will get licensed to broadcast, which won't get the license to broadcast. Members of the committee are not media professionals or experts, but, needless to say, they are members of the ruling party and the ruling party has a majority of the votes in this committee.

Let me remind you on the famous Radio 101 case, in late 1996 telecommunication committee took the frequency from Radio 101 and gave it to a new registered station. Under the public pressure, committee gave the frequency back to Radio 101. At that point, my dilemma was, was actually significant for all Croatian media, national TV broadcast it to its 2 million viewers, that city of Zagreb had only one available radio frequency, therefore, there were no room for two competing stations, that is the reason they took frequency of Radio 101.

I found out in International Telecommunication Union in Geneva that that was a pure lie, Zagreb, at that point, had 14 available frequencies, not two of them like state committee

claimed. So, of course, in better position to influence public opinion, national TV would lie, broadcast it to 2 million viewers, or me with the confirmed facts printed in 60,000 copies. That is not all. That is not the only example.

In the meantime, as I heard late yesterday evening from my colleagues in Croatia, harassment on radio stations has been going on. Recently, one of three important local radio stations has been fired because of their independent editorial policy.

21 is an important group of journalists from TV. I know that Croatian TV has been under the pressure from Brussels, from the European Community, but state TV in the shape again, after some turbulence, Monday evening, while I was packing my luggage, I heard a comment on TV news on *Feral Tribune*, the paper for which I am writing, fourth comments in the last month, same vocabulary as usually, we journalists in the *Feral Tribune* are traitors, we hate Croatia, and even hate the Croatian name. We are sick people.

Well, here I am, I am a journalist in *Feral Tribune*, I am sick, but I have jet lag and the flu.

Also recently, a Croatian media tycoon, his name is Kupla, some of you are probably familiar with his name, is very close to the ruling party, or at least one faction of the ruling party, he has said, I control 80 percent of media outlets in Croatia. I have to say that is not my vision what the media is in Croatia, or in any country should be.

Thank you.

Mr. **Hand**. Thank you, Davor.

Lisa?

Ms. **Tepper**. Hi. First, I would like to thank Mr. Hand and the Commission for the opportunity to be here today, and I would also like to thank my colleagues for the extensive catalogue of the problems that we do see in Croatia, and I would like just to comment that many of these are also included in our human rights report that the State Department prepares every year on the situation in Croatia.

The fundamental principle that I think is important to look at here is the fact that a Croatia that has a thriving democracy and a free and open market will be a reliable partner for the Euro-Atlantic community, and will be embraced as such. A Croatia, however, that is not democratic, does not uphold the rights of all its citizens on an equal basis, fails in its basic commitments under the Dayton Agreement, for example, and has an economy riddled with constant post-Communist problems and problems of unresolved issues of transition, is not going to be a Croatia that will be welcomed into Euro-Atlantic institutions, including the North Atlantic Treaty Organization.

This is critical to understand as we talk about human rights and democracy in Croatia, for these reasons as well as for the reason that there cannot be a stable peace, and there will be additional massive suffering in the region, if we cannot, in fact, see a Croatia that upholds all these principles.

We concentrate at the State Department on looking closely at these very issues that my colleagues here have raised.

I would like to note to begin with that the issue of ethnic Serb rights in Croatia is, of course, a very important one. There has been some progress in eastern Slavonia. As Mr. Pupovac has pointed out, the U.N. mandate there concluded with a good deal of success, but there are a great number of problems left to be resolved, and without resolving those issues, without laying the ground work for Serbs to participate as equal citizens in Croatia, without

ensuring that those ethnic Serb refugees with the right to Croatian citizenship can return to their homes, live there in safety, and participate as equal citizens in Croatia, there cannot be a stable peace across the region.

It's very important to understand that for the dynamics of Bosnian stability, stability between Croatia and Serbia, this is something Croatia, in fact, has to make progress in dealing with.

There is some progress even today, the Croatian Government yesterday presented in Zagreb some revisions to the procedures for refugee return that we believe, as Mr. Pupovac and Ms. Kuhar noted, we believe that these will greatly improve some provisions that were most objectionable, for example, the original procedures included a measure that outside all measures of the Croatian constitution sought to revoke the citizenship of anyone suspected of war crimes. That measure, for example, has been revoked. We think that is positive, but there are still issues outstanding.

What we hope will be the decision in Zagreb, the international community representatives there today are meeting, and will meet again will representatives of the Croatian Government, we hope to see this week instituted procedures that will open the door to the return of ethnic Serbs with the right to Croatian citizenship.

However, it is not enough to put the procedures in place, we want to see this happen, and it needs to happen quickly, this summer we need to see real progress. This is crucial to the stability of the whole region, and I would like to second the comments of Mr. Pupovac, what we are looking for is an organized, orderly return, we are not seeking anything that will be destabilizing, and that has often been criticism from the other side of the equation, that the international community is seeking, sort of open the flood gates and start mass chaos in return, that is not what we are looking to do. I would like to just make that clear.

Working with UNHCR, working with the OSCE, the Croatian Government can, in fact, ensure that ethnic Serbs return to Croatia in a way that will ensure the security and the safety of everyone involved, ethnic Croats and Serbs alike.

On the issues of property rights, security, amnesty, these are all issues that I must concur with my colleagues must be dealt with. Property rights in Croatia are not respected for all parties equally, and there are legislative issues that the Croatian Government simply must address. We are assured by our colleagues in the Croatian Foreign Ministry that this is happening, and we want to see in legislation the principles that all Croatian citizens, regardless of ethnicity, have the same rights to their own property. It is that simple.

On the issue of amnesty, this is a difficult area. We are of the mind that all potential war crimes must be taken seriously, but at the same time that is what the Hague Tribunal exists to do, to examine all these allegations and to maintain the highest legal standards as we look to prosecute people who may, in fact, have done unacceptable things during the war.

But, that said, there has been a decided lack of clarity on the part of the Croatian Government to make clear to the ethnic Serb people the terms under which this process will be conducted, and that is simply unacceptable, it leaves the door open to using war crimes as a political tool to discourage legitimate ethnic Croatian citizens who happen to be ethnic Serbs, from returning to their homes.

I am sad to say that in nearly 2 years we have made very little progress in clarifying what the terms of the amnesty are, and it is our contention and the international community supports our contention, that the amnesty in Croatia must apply to all ethnic Serbs, and

must be upheld fairly and fully, and I am afraid to say that is not the case today.

However, on that same issue of war crimes, I would like to note that the Croatian Government did substantially improve cooperation with the Hague Tribunal last October, I am sure you are all aware that ten indicted war criminals surrendered to the Hague Tribunal, and we believe that the government in Zagreb played a very helpful role in seeing that happen.

To speak to a side issue of Dinko Sakic, I would also like to note that we are very pleased that the Croatian Government has, in fact, requested his extradition. We understand from the Government of Argentina that is moving along quite rapidly, and very importantly I would like to note that in correspondence with the Secretary of State, Foreign Minister Granic has committed that the Government of Croatia will be open to the help of the United States in identifying resources and potentially helping to locate and provide witnesses for that case, and that Ambassador—here in Washington has also seconded that commitment and made clear that international observers will be welcome at the trial, and that a wide range of parties, including, again, the United States Government, will be able to provide information for that prosecution.

As Ms. Kuhar as already pointed out, the way that the Croatian Government handles that trial is going to be very important for the future of Croatia, and will represent an important milestone in the way that Croatia comes to terms with its World War II history.

I would like to note, as a side item, that the figure of 120,000 people killed at Jasenovac by 1943 is simply the first document that we have so far identified in our archives, that is a minimum number of people we believe to have been killed at Jasenovac by that date. I do not want to see that misrepresented as anything definitive, we are still seeking to identify more documents and will look to the Croatian Government to do the same, but at this time I would just like to make that clear.

In terms of the Dayton Agreement, it is unfortunate that we have at this time an increasingly cooperative Government in the Republic of Srpska, and increasing problems in the Bosnian Federation. This is an extremely broad topic that we could discuss in many respects, but I will stick to the fact that, for example, the Bosnian Croats simply failed to attend the Bosnian Donors Conference held in Brussels last week. This is a very important and very negative signal of the leadership of the Bosnian Croats desire to help their own people. If they do not want to show up for the reconstruction conference, then it is difficult for us to understand how it is we can work with them to help their people. Economic reconstruction is an important issue, specifically, in that returns of ethnic Croats to central Bosnia are in great part hindered by the lack of economic reconstruction in that area.

The security concerns, in our mind, are secondary, in fact, to the economic situation, so we were more than disappointed that the Bosnian Croat leadership failed to represent themselves there.

I will also note that the IMF agreement with Bosnia was held up largely due to the lack of cooperation from the Bosnian Croats to come to an agreement. This calls into question the commitment of the leadership to seek the best interests of the Bosnian Croat people served.

The nexus with Zagreb on this issue is that the government in Zagreb clearly provides a good deal of support to the Bosnian Croats. For those of you who are familiar with the subject, I am sure you know all of the range of issues in that there is great cooperation, from finance, to the armed forces, to Croatian companies that operate in Herzegovina areas and

employ Croats there. This is an issue that is going to continue to be a high priority on our agenda with Croatia, that is, asking for the full cooperation of the Croatian Government to see that the Bosnia Croat leadership fulfills their obligation to cooperate in seeing the Dayton Agreement fully implemented, and seeing that there is real integration of the police and the armed forces, in seeing that the separate ethnic institutions are dissolved. It is unacceptable that still today the Bosnian Croats maintain a nearly separate government in their areas of the Federation. These issues will continue to be high on our agenda with Zagreb.

Turning to the issues of economic liberalization and internal democratization, I can only second what my colleagues have already said about the issues that we are also concerned about, the lack of independent television, the problems that print journalists face on a daily basis. I would also like to draw attention to the problems that NGOs and trade unions and other types of organizations face in Croatia. It is extremely difficult for them to operate, to become legally registered, and once they are they often face a level of harassment that we think is unacceptable.

I would also point out that the OSCE and the EU and the Council of Europe have done a great deal of work to document the legal and procedural problems in Croatian democracy. The OSCE, in particular, did a tremendous study of the Presidential elections last June, and I would refer anyone interested to that report to look at the specifics of why, although the elections were fair, they do not meet minimal standards of freedom.

Again, just to close, I would like to draw back to the fact that all these issues will need to be addressed for Croatia to be embraced by the Euro-Atlantic community, and that is the direction we would like to go. The United States would like very much to be able to do more to help Croatia take its place in Europe. That is not going to be possible until we can overcome some of these problems.

Thank you.

Mr. **Hand**. Kresimir?

Mr. **Pirsl**. Thank you very much.

On behalf of the Croatian Embassy, I would like to thank first the Helsinki Commission especially for the opportunity to be at this briefing, and to the fellow panelists for their insights.

It is beneficial for us to hear different voices, different opinions, because we all become enriched by the experiences, and I feel that suggestions of concerns addressed here today are something that we all are aware of and will be very beneficial. Croatia is open to constructive criticism and to advice and help, but also we feel that this criticism needs to be well-intended, because we feel that sometimes Croatia is under pressure and is used as a victim to settle some wider issues in the region. I will try to disperse the notion that Croatia does everything under pressure. Croatia is trying to be a very active factor in the region, and trying to develop its institutions as such.

I will try to skip through my written remarks and maybe change some items because it was prepared in advance so you can read it, and it contains some issues with which we are concerned.

The development of pluralism and tolerance in Croatia, especially with respect to human rights, especially the rights of minorities, is all part of the democratization process in Croatia, and we welcome assistance in that process, but also we needed understanding at the same time because changing the system overnight is impossible. Therefore, we require pa-

tience because we needed to do a couple of things simultaneously: implement economic and social measures in Croatia that are part of the transition process from communist to the free market-style economy, and also deal with war damages estimated at around \$27.5 billion. So, this was going along with needs to build an independent country, to build a structure of a democratic country.

That's why we feel that we have to be regarded as a country that had more problems than other countries in the region, as such the Croatian transition process differs significantly from other countries of the central and eastern Europe.

Due to these changing priorities over time, we want to stress that we can be judged for democratization in Croatia and postwar reconstruction after or since Croatia really became totally independent in the sense that our government, Croatian Government assumed authority over the last piece of Croatian territory that was not covered before 15th or 16th of January of this year. So this is, I think, the note that should be taken into account because the change in priorities, of course, is something that is bringing now into light issues that we are discussing today.

I'll try to cover three main issues. One is Eastern Slavonia, because many problems with the return of refugees and economic reconstruction are directed to that area, and the peaceful integration of Eastern Slavonia is a result of a very successful cooperation between Croatia, the United Nations and the international community with the main leadership role by the United States. I think that process is the most successful peacekeeping operation taken by the United Nations, proved that Croatia is a very reliable partner and that our commitment to our international relations and obligations is sincere.

Today, the sincerity and the commitment of the Croatian Government are to stabilize the region fully and just to make sure that all people in that region can come back, so to make conditions for a secure and economically prosperous life for their citizens.

One has to bear in mind that they very much destroyed this area during the occupation, and as such Croatia is facing a challenge, an economic challenge, but also the main prerequisite for that is reconciliation, opportunity and possibility of people to live together again. The Croatian Government is committed to that and is trying to implement measures that will allow this return.

Of course, one thing that has to be remembered, that so far 110,000 refugees and displaced persons have returned to Croatia proper, 35,000 of them are ethnic Serbs, and as a point of reference, during the executive authority held by the United Nations, during UNTAES mandate about 40,000 Serbs left the region over 2 years. So, when we compare these numbers I think some issues should be clear.

Also, to emphasize further, and this is, I think, very important, is that in the initial period more Serbs have returned than have Croat refugees or displaced persons since the start of the war, so we have a discrepancy that I think shows up. Croatia is the only party in the region that enabled the return of people who took part in the aggression, also a part of—Lisa does not like the term "rebel forces," but that is, I think, a term that describes the state of the affairs.

We do not feel that this discrepancy is taken by its full value by the international community, and the complexity of the refugee problem has resulted in discussions that we heard a couple of different points on. The Croatian constitution guarantees every Croatian citizen a right to live in Croatia, and the Croatian Government is undoubtedly committed to return of

all those who want to return to Croatia. The issue is how many people really want to live in Croatia, and how many people really want to return. In discussions with, for example, Prime Minister Dodik of the Serb entity in Bosnia, out of 35,000,940,000 Serbs who fled Croatia and are now residing in the Republika Srpska, only a handful of them, a couple thousand maybe, really expressed their wish to return to Croatia.

Also, what is really forgotten is the refugee crisis in the region, that Croatia, as such, was the leading country in caring, not only for internally displaced persons and refugees, but also for refugees from neighboring Bosnia-Herzegovina. At the height of the refugee crisis there were more than a million people from Bosnia who temporarily resided in Croatia, or who went through Croatia while securing entrance visas to other countries. At that moment we cared for an estimated 483,000 displaced persons from Croatia and more than 700,000 altogether. There is data in the paper that we prepared that is very illustrative of the efforts that Croatian Government did.

Also, one thing that also has to be taken into account is that Croatia spent 95 percent of the expenses for all that, we had international assistance, there was a lot of food there, but many other expenses were just covered from the budget from Croatian Government, that is also the data that you can find.

One of the things concerning this refugee issue is a problem of two-way or three-way return, and the question of who is the first one or what is the prerequisite for certain people from one area to go to another. For example, there is now 180,000,920,000 refugees presently in Germany, and as you know Germany wants to send them back, although those people often cannot go back because there is nowhere to go back because their homes are destroyed and members of other ethnic communities have moved there. This is a problem that is too complex, I mean, just to try to say, well, to organize at the same time that kind of movement, because a return to their home, especially to the area that belong now to the other ethnic communities, am a very troublesome and complex issue.

For example, there are 460,000 refugees from the Serb entity, 70 percent of them Croats and Muslims, and they cannot return there, but it is not a problem, while there are 35,000,40,000 Serbs from Croatia living in this area, and so, Croatia, we feel sometimes, is just not understood, you do not condition return of number of Serbs to Croatia on the return of Croats to the Republika Srpska, because sometimes this issue cannot be put together.

Croatia is committed to Dayton Accords, and we hope that with the help of the international community, and especially with badly needed economic assistance, this issue will be easier to solve, and in agreement or in discussion with the international community Croatia is preparing a donor's conference on the reconstruction and development in Croatia, which will probably be organized later this year.

Regarding this issue of the governmental program for the individual return of refugees in Croatia, the government has been preparing a couple of different texts on this proposal. Croatia just needs to follow its own abilities to secure this return, also to give to those people living conditions that will enable them to return. I believe that the proceedings are not, by any means, intended to hinder anybody's return, its intention is just to make sure that we will have a respect for law and prevent abuses, which we feel if these proceedings are not structured the way that reflects Croatian interests, it will probably create many problems, and I think the entire process will be moved back instead of moving forward.

The final thing on that is that we, as Mr. Pupovac, as a member of Parliament, men-

tioned, we need to understand that the final word rests with Croatian parliament, so this is just a governmental proposal and as you know, parliamentary discussions can always produce different things, whether you agree or need some agreement with international community or not.

Concerning minority rights—and that is the issue that is so very important—it's often neglected that the Serbian minority is not the only ethnic minority in Croatia. In Croatia 31.9 percent of Croatian population are minorities; we have Hungarian, Italian, Czech, Slovak, German, Jewish and so forth, and Croatia has in its constitution, of which you have the two articles mentioned in the papers, guarantees all citizens the right, notwithstanding nationality, and there are a couple of other guarantees to the National minorities that we feel are following the high standard that is an issue there, and Croatia also is a party to the Optional Protocol to the International Covenant on Civil and Political Rights, as well as the Protocol of the Council of Europe on the Protection of National Minorities. Many western European countries are not, but it just shows our commitment.

Again, we have to take things as a process of democratization that you have to apply the rule of law, but you make preconditions for that by putting that in force, so we have always to keep in mind that you cannot just fulfill all your obligations overnight, you cannot just implement all the structures, because as somebody says about the communist legacy, there is a legacy in minds of people, who have lived 50 years under communism, so when you have a new system then that needs to be addressed.

When we speak about the rights of minorities, I not only mentioned that we have the Council of National Minorities, but we also have the parliamentary representation by the minorities. National minorities in Croatia have ability to, and the desire to have the special education that will respect first the language, then their culture, or the alphabet if that is different from the Roman one that is mainly used in Croatia. There are many measures that Croatian Government is undertaking concerning the education, and Mr. Pupovac mentioned some of them. There is an issue of, for example, the history from 1991-1997 that will be neglected for a couple of years because of a need to put it down as one reconciliation measure.

There's also a view—you can read it from the material—that Croatian Government made additional expenses to secure the education for the National minorities as part of the reconciliation process, especially in Eastern Slavonia, but also in other parts of Croatia. As the Serbian minority, because of the aggression, has been emphasizing their position, I think one should always bear in mind that 150,000 Serbs never took arms against Croatia, and that they fought as other Croatian citizens. It is expected from them to fulfill all the obligations as every other citizen of one country should.

Finally, concerning media freedoms, I think our data differs a little bit from the previously mentioned, but there are 1,421 newspapers and magazines published yearly in Croatia, and the fact is that the number of copies is significant, but there is also an issue of standard of living, but, again, with the economic improvement that becomes less and less an issue. The fact is that this transition and the war created economic needs—need for economic development, and I think Croatia, which hasn't been said yet, is economically doing, considering all these war damages, a very fine job in improving some prerequisites for a successful western style economy.

Besides the National television, there are ten local private stations, and 150 private radio stations, which are situated throughout Croatia. As one measure achieved through this

process, Croatian Government put forward the amendments to the Law on Croatian television. There is also a competition which will award national concession for a private television program. So, all of this is put in the proceedings, and this is the year of Croatia in peaceful times, so all this is a part of the process. There are, of course, some problems, but we hope they will result in bringing Croatia to those standards that we all hope will bring us closer to all the Western World and the Euro-Atlantic political, economic and security associations.

The media in Croatia faces many of the same challenges that it faces in all other transition states, and the thing that I would like to point out is what is really the substance of the expression, "freedom of the media." The paradox is that quite often the most ardent critics of media, or freedom of press in Croatia, appear frequently in the media and talk about that. The issue is that journalists in Croatia can present their views. They really act freely, sometimes the question might be whether this is the most responsible journalism or not, but, again, that is also a part of the freedom.

What we should bear in mind is the responsibility of the media as the social and public mouth piece; that is to create public opinion and just to be responsive in the ways in which it reports about different issues in Croatian society, because the media has a very strong influence on them.

I would like to end with something which will touch upon a couple of concerns, or critiques, or points emphasized earlier, and this is the following issue: When we talk about the judiciary and its independence, it was a lot of reports about the case in which the Croatian Government ministers sued a journalist for reporting or for just reproducing a report about the corruption in the Croatian Government. That case, which ended on the first level so far, is that the Zagreb Municipal Court acquitted the journalist, and it said, and this is something that I think should be a direct light for the development of legal standards on free media, that the public has a right to know about different views, and the journalist has a right to report about them freely and without being sanctioned. This decision by the Zagreb court has been welcomed by the Association of Journalists and by the western NGOs and other public opinion organizations.

What I am trying to say, the courts are the ones in Croatia that represent the sole bodies responsible for Croatian legal standards, but, again, how would we know what is the subject or what is the substance of the freedom if we do not let the courts decide that. I would just finish with the following, how would you know in this country whether you can burn your flag if you did not have a case, that's to let you know that this is part of the First Amendment and Freedom of Speech.

Thanks.

Mr. **Hand**. Thank you, Kresimir.

At this point, I will open the floor to the audience. If you would like to ask a question, just raise your hand and if I call on you, come up to the floor mic. The first one right there, if you could identify yourself again and direct your question to a panelist.

**Questioner**. I am Andrew Ivah, with the Washington Office for Bosnia, representing some citizens around the country who are concerned over U.S. policy for Bosnia. Just as a brief comment, some of our organizations have begun to lobby against further U.S. troop presence in Bosnia, just out of desperation or dissatisfaction with what the Dayton Accords are doing in Bosnia.

The question applies specifically to the Herzeg-Bosna issue, which no U.S. Government

official has ever mentioned publicly by name here in Washington over the last few years. The concern over that, even the most recent development of that issue, is that Ambassador Montgomery, when he brought the Bosnian and Croatian abuses up about a month ago in Zagreb, just it was done in such a superficial way that the Drugar the rampage of killing and burning of houses and Drugar took place after that, so we want to get the comment from Ms. Lisa Tepper on Herzeg-Bosna, what she mentioned publicly by name, and as a follow-up question to that, you mentioned orderly return of refugees as a priority, so far orderly return to places within the control of the ultra nationalist states of Srpska and Herzeg-Bosna has been murdering multiethnic Bosnia a few families at a time, and are we going to continue on the same orderly pace or are we going to step it up?:

Ms. **Tepper**. Well, first of all, I am confused by your comment that you have never heard a U.S. official talk about the separate ethnic Croat institutions in the Federation, because this is a pillar of our policy. So, I am not really sure what it is that you have not heard before.

**Questioner**. They do not mention by name.

Ms. **Tepper**. Well, I will put it in quotes, if that makes it any clearer for you, I do not know.

**Questioner**. Well, the people do not remember that it even existed—called the Federation.

Ms. **Tepper**. Right, and it is the Federation.

**Questioner**. And, recognize that there is no Federation, it's a—

Mr. **Hand**. And, if she could answer the question, and, you are not at the mic so you are not going to be recorded, but if you could just let her answer the question.

**Questioner**. OK, but maybe she misunderstood, that is all, and the idea is, there is an ultra nationalist statolith functioning in an area that the State Department calls the Federation.

Ms. **Tepper**. Well if you choose to call it an ultranationalist statolith that is fine, what we recognize are that there are separate institutions that continue to function. We do not call that a statolith. I would not refer to it in this context as a statolith, because certainly there are portions of the Federation that do function, and we are trying, in fact, to give as much support as we can to those portions of the Federation that are up and running, but that does not mean that everything is going as well as we would like.

There are items of administration that continue to be handled separately by ethnic Croats in their own institutions and the Bosniacs in their own institutions, and that is unacceptable. I am sure that my colleague, Mr. Pril, can testify to the fact that this is a constant theme in our discussions here in Washington with Ambassador—, and also in Zagreb, and has been for at least 2 years, if not longer.

We are concerned about this. I absolutely share the spirit of your comments that until we can have full cooperation at every level and integration of the Federation at all levels, we are going to continue to have problems in Bosnia, that is true, and we are working on it, we work on it through the Treasury Department's efforts to make sure that there is harmonization in the economic sphere. We are working on it in terms of the Train and Equip Program. We are constantly working with both parties, and I should emphasize it is both parties.

There have been instances in which the Bosniac Government has not fully cooperated either, but that is not the topic of this hearing, so we are working at all levels across the span

of functioning in the Federation to try to make sure there is full integration, but you are right to say that there is a problem, and we are well aware of it, and constantly working to ensure that we can address those problems.

As for the topic of orderly returns, there is a difference between zero returns and orderly returns, and something that some governments are afraid of, which we do not believe there is any real fear, of some type of mass horde returns. I simply made my comments, in support of what Mr. Pupovac has also said, that what we want to see is a basic framework under which the rights of citizens, whether it is Croatian citizens, Bosnian citizens, or citizens of Serbia, regardless of ethnicity, can return to their homes in security and enjoy their property, regain their property.

However, we need to see full coordination between the governments with UNHCR, with the OSCE, to ensure that those people can return in such a way that we can all work together to avoid any type of violence, as you have correctly pointed to, or any other type of situation that will, in fact, lead to a situation that discourages further returns.

All that I mean, all that we mean, when we talk about an orderly process, is that there is full coordination, everyone is informed, and in that way everyone knows that they are obliged. For example, today there is a return of ethnic Serbs to the Knin area to look at their homes, and we hope that they will return to them.

We have done leg work for weeks to ensure that the OSCE, Croatian Government, UNHCR in both Belgrade and Zagreb, are working together to make sure that everyone knows these people are coming en masse to see their homes, that local authorities on the ground know they are there and, therefore, have fulfilled their responsibility to provide adequate security. That is what we are talking about, is making sure this is organized.

You are right to be frustrated, we'd like to see faster returns in Bosnia as well.

Mr. **Hand.** OK.

In the back there.

**Questioner.** Hello, I am Tony Morgan with the National Federation. This question or questions are both for Lisa, Lisa Tepper.

On the issue of refugee returns, you stated during your presentation that you would like to see organized returns of Croatian Serbs to Croatia this summer. My question is, who is going to pay for that? Members of your agency have made it clear, quoting some of your supervisors to our organization, that there is no money. There is zero money from the U.S. Government. There is very little from the international organizations to facilitate returns of refugees to Croatia. In fact, statements have been made to our organization on the future of financial assistance, it is described that it lies more in trade and trade assistance, which really does not do anything to immediately help the Croatian Serbs to return to Croatia.

This recent conference that you referenced in Brussels, there was a mention of \$1.25 billion assistance for Bosnia, and there were some strong arguments made that about half of that should go to Republika Srpska, more than \$600 million, and my question is, there does not seem to be any funds or assistance going toward helping the return of Croatian Serbs to Croatia, it seems to be a little biased in that regard.

The other point I would like to make is, if you look at the actual implementation of refugees today, there have been tens of thousands of Serbs that have returned to Croatia, and I do not mean in the areas that have been formerly occupied, I mean other places, and also if you look in the areas under Bosnian Croat control in the Federation, there has been

over 2,000 Serbs that have returned to the Drugar area, and also, I do not know have the exact figure of Bosniacs, but several hundred certainly to Stolac and a few other areas. Yet, if you look at the other side of the equation, no Croats have returned to Republika Srpska, why is that?

Also, very few Croats have returned to Central Bosnia. There has been a few isolated cases in Conduce and Vales. There were some returns to the Travnic area, but there were a couple murders there last summer and no one seemed really to care very much about those murders of Croatians there. So, my question or my point, I guess, and question, is if you look at the evidence there seems to be some sort of a bias against the Croatian Government's and Croatians in Bosnia as far as financial assistance and also the actual number of returns.

Just finally, one other point, on amnesty, I would like to make a point that, as with the U.S. Government policy toward the bombing of the Pan Am jet, and its policy toward Libya, I think the Government of Croatia has a responsibility to the victims of war crimes during the war that were inflicted against Croatian citizens by officials of the so-called RSK, the Republika Srpska Krana.

If you look at many, many towns and villages around Croatia, the villages outside Zadar, Voitzin and Western Slavonia, two or three places in Vukovar, there are mass graves containing the bodies of Croatian Syrians, who killed these people? I suggest that the Croatian Government has a responsibility to the victims and their families, to argue for blank general amnesty, everyone, including the perpetrators of these crimes, is very unfair.

I was hoping you could address those points, please.

**Ms. Tepper.** Well, you have brought up a number of issues, and I am going to try to deal with them each briefly so that we can move on to any other topics.

First of all, I am not sure that Dorvar is a particularly good example of Bosnian Croat cooperation.

Right now, we have seen orchestrated a campaign of violence directed at the IPF, the U.N. Every other international presence in Dorvar, which was unacceptable, absolutely unacceptable, some of the worst violence we have seen yet.

That said, we are going to continue to press ahead on returns, and hold local authorities responsible for the security in those areas, including ethnic Croat police to be responsible for security in the areas that are under their authority, and we will try to keep moving ahead, and that includes pressing ahead on Bosnian Croat returns. Our policy, and the policy of the international community regarding returns in Bosnia, is that every person has the right to return to their home no matter where it is.

In the Republika Srpska, yes, there has been very slow progress, but in recent months, as I am sure we have significantly accelerated our progress with the Dodik government, and we have some very valuable commitments to move forward on multi-ethnic returns in Srpska. We would like to see that happen, but we feel that we have got some very good progress on that front.

Regarding the Travnic murders, we came out very clearly on that issue with the strongest statement and the earliest statement, noting that was absolutely unacceptable and pressing all of the authorities in the area to cooperate, to investigate and to bring the perpetrators to justice.

I cannot really say anything more than that we did, in fact, react to them, and we will react in every case of that type of violence to returnees.

Regarding the issue of reconstruction, yes, in fact, Croatia has a large task ahead of it in terms of rebuilding the Nation, but that said, there is a fundamental problem at this point that the international community cannot and will not support a reconstruction conference for Croatia until such time as the Croatian Government has issued acceptable refugee return procedures, again, which we think there is good progress this week, and issues a fair and equitable plan of national reconstruction.

Minister Shushat, when he was here in January, committed, on behalf of the Croatian Government, that such a plan would be released by the 31st of March. We have seen no evidence of it yet.

Yes, we know that Croatia needs help. Yes, we would like to help, but until we have some better information from the Croatian Government on how our efforts to help are going actually to affect the entire population, regardless of ethnicity, we are not going to move forward.

I would also note that Croatia's property legislation, which does not protect the rights of all citizens equally, makes it such that international financial institutions, including the World Bank, simply cannot enter into certain areas of reconstruction with Croatia. We have raised this repeatedly with the Croatian Government, we have so much as offered U.S. expert legal assistance to help to solve those problems, to get past them, so that international financial institutions and other assistance would be available to Croatia.

So that is about as much as I can say on that subject.

Regarding the issue of amnesty, regarding the issue of the mass graves that exist in Eastern Slavonia, we were some of the first observers in the world, Ambassador Galbraith, in fact, was among the first to decry the violence against Croats in that area in the early days of the war, and obviously terrible crimes took place there, and for that reason the Hague Tribunal has issued a series of indictments, including the infamous Vukovar three who have been indicted. Slavko Dakmonovich is right now on trial in the Hague for some of those very crimes, and should the Tribunal find more evidence more indictments will follow, and we will support the Hague Tribunal in prosecuting those people who are rightly being brought to justice for the crimes they committed against ethnic Croats.

However, as I stated, we believe that the process of war crimes is not something that should be politicized, it is not something that should be subject to the passions of individual local authorities. Rather, it is something that should be dealt with with great sobriety and brought to the highest international standards. That is why we expect the Croatian Government to uphold the terms of its amnesty and to bring to the attention of the Hague Tribunal any evidence that it cares to bring. We will also work with the Hague Tribunal to see that all people are treated fairly, in terms of the war crimes process.

Mr. **Hand.** Milorad, you had a comment?

Mr. **Pupovac.** First, the question who will pay, who will pay and for what is my question? Who destroys thousands and thousands of houses after the Operation Flash & Storm, and for what sake and purpose? Is it something that is a contribution to the Croatian refugees from Bosnia to the whole Croatian society, to the possible Serb refugees? Is it the question you would like that we raise, or you are really dealing with the question how we can provide money for this destroyed country, all of us, really all of us.

American Agency for International Development came to Croatia and the chief director announced that America Government will give \$13.5 million for the reconstruction and re-

turn, and we are still waiting for the municipality decisions and the government decision how this money will be spent.

Why so?

Then the question of the Farr Program, is it more than 3 million D-Marks, which can open the doors for many other financial lies, and not only financial, but some people believe that it is better to be without it, and to have unlimited control on the local level and on the level of the state than to open the door for the country for these important international financial institutions.

So, and then the question of the return, nobody is asking money for the reconstruction, the people are asking to be at their homes, to be at the ruins of their homes if necessary. It is a much more humanitarian question, because majority of those people would like to come to die there, nothing else, and somebody is going to develop a kind of history because of that fact that the couple or the thousands of the people that have come to their previous homes.

The question of the return of the Croats to Bosnia-Herzegovina, first, to Republika Srpska or Serb part of Bosnia-Herzegovina and Federation, yes, we support it strongly, but as all the people mentioned it is a complex problem and I know that tied in a different direction, but some people would like to prevent, and we have to say that would like to prevent the return of the Croats to central Bosnia and to possibly now Republika Srpska.

A couple months ago we organized a seminar politiza on the question of the return, and we invited the leaders of the Bosnian Croats refugee organizations and they did not come. Why? Is it because they do not want to see the people going back? I do not think so.

Then, fortunately, refugee ethnic Croat can go back to see their homes in Republika Srpska, and within a couple of weeks they will even more easily be able to go to see their homes, but the refugee Serbs, Serb refugees in Republika Srpska and in Yugoslavia, are almost 3 years without any paper, traveling documents, with no possibility to take part in elections and so forth, and this is something that we have to keep in mind.

They do not have representatives at the local level, as a Bosnia refugee Croat have in Croatia fortunately, and they appreciate it, so we have to say, those people who would like to go back, those people who would like to stay here to be reintegrated or integrated into Croatian society, but we have to see the kind of play with the refugees, and goes right on to the international institutions to say, OK, this is what we cannot settle without your help, but not try to build a curtain, a wall of isolation and mentalism toward international community that some people would like to see from the Croatian Government side.

Then the question of amnesty, first of all, the crimes committed by the Serbs are something that pressurize identity and souls of the Serbs living in Croatia, myself, too. I am very unhappy man because of Scrubchina, and because of Ovcara, and because of other places, and my children will be also, but I am happy mainly because I will be able to say that I am capable to live with the people who were suspected as responsible for the crimes against the Serb civilians in Gosbetch, in Pakratz and other places. I will not in any moment say this is a precondition that I will recognize Croatia, that I will make something in favor of my country, no.

If somebody who is a war criminal from the Serb side would like to go back to their homeland and to face a trial, I would like to say welcome. It will not be a contribution to the Serbs, but it could be contribution to the normalization of the relations between two nations.

There is no collective guilt, and the collective guilty is, of course, a bad legacy of the

Serbs and Croats, and mostly developed by the communists during the decades of the communist rule against the Croatian people, I know that, but now it is another time that we reverse that and to renew it, now is a time that we say, OK, we have to seize and we have to put the line after all these tragic events and to say we have Croatian state, we have Serb minority within this state, and we have to say that from this year and from this day we will go into new direction, facing responsibilities and punishing the criminals.

Mr. **Hand.** OK, thank you.

Ms. **Walsh.** Hello, my name is Maureen Walsh, and I am from the Helsinki Commission.

We've had much discussion today about property rights and property return in Croatia, arising out of the recent war. I would actually like to go back and look at some property restitution issues arising out of the communist fascist era confiscations, particularly, in 1996 when Croatia enacted a law that provided for the return of property nationalized by the communists between 1945 and 1990. I apologize, I particularly direct my question to Doctor Pril from the Croatian Embassy, the law enacted in 1996 provided for the return of Communist-confiscated properties between 1945 and 1990, and where actual restitution of the property was not available, compensation was to be provided.

I believe by passing this restitution law, Croatia recognized the moral justice of restoring communist confiscated properties, but to the best of my knowledge no similar legislation has been enacted regarding return of properties confiscated under the Ustache regime, and I would submit that returning fascist era confiscated properties would be morally just for Croatia to do, it would help Croatia develop its national identity and distinguish itself from its fascist era past, and provide a sense of justice for the victims of that regime.

Based on the 1996 law that provides for communist era confiscation returns, how can any plausible distinction be made that confiscations made during the fascist era should not also be returned? That would be my first question to you.

My second question regarding the same law is that it provided a restriction that only current Croatian citizens could apply for restitution of their property, and my understanding is that the provision bars only Yugoslav citizens who are not currently Croatian citizens from recovering their expropriated property. A similar provision in the Czech Republic's property restitution law has been deemed to be discriminatory by the Human Rights Committee under the International Covenant on Civil and Local Rights, and I understand Croatia has ratified that same convention, so that, it is conceivable that Croatia is then also violating the ICCPR by having a citizen's requirement in the property restitution law.

If you could please comment.

Mr. **Pirsl.** Well, to the best of my knowledge, the law of 1996, I think that we, because of the entry into force of the law we call it 1997, but, you are right, it was passed by the Sabor in 1996. Well, to the best of my knowledge, we call it the law of 1997 because that was when it was enforced by law; but, you are right, it was passed by the Sabor in 1996.

Concerning the Ustache regime, by indirectly this law applies to that, because the communist government, as such, confiscated or reconfiscated things from the former regime in 1945 and on, so the law, as such applies to that. You have to know that Croatia is a continuation or one of the successor states to the former Yugoslavia, so by that token we had to make a certain distinction as to what is the subject matter of the law, and who temporarily needs to be covered by it. The entire law as such is also part of that, and all it a temporary measure

to the largest degree, because it does not resolve issues of the state succession. So, this covers a wider issue.

But, really, concerning the so-called independent Croatia as the Nazi puppet state that existed on the territory of Croatia, modern Croatia is not a successor to that because, and that is written in the Croatian constitution, the Croatian state and republic as part of Yugoslavia was anti-fascist creature founded on the decision of 1942. So, that should be remembered, because many times when you speak about Croatia, and this is sometimes familiar, you hear like Croatia is a new form of that puppet state, a new government that is not distinguishable from the state that existed from 1941, during the World War II, which is not correct, so I would like to dispel that belief.

There is no difference then in whether the returned property or whether we are remedying the confiscation done during the war or after the war, so that is the answer to your first one.

The second one about the discrimination as to the citizenship, there are two different issues. One is the property by itself. The other is the assets. More questions as far as the Embassy is concerned, regards the assets or the foreign savings that people had in the banks of the Yugobanka network, and Croatia passed in 1994 a regulation that was aimed on protecting interest of Croatian citizens, with the understanding that the measure relates to the bank that was not headquartered in Croatia, the Yugobanka, Croatia did not have any access to those assets, they were taken to Belgrade. As such, we took as a distemping measure—the balance of Croatian citizens savings in the banks of the Yugobanka in Croatia as a public debt.

Why it is applied only to Croatian citizens is because we expect that the other successor states to former Yugoslavia will do the same, but then we will have to see how will the succession issue move forward, because, for example, if Croatia would be the only country to guarantee to everybody the return of those moneys, then everybody from all over the territory of the former Yugoslavia will come to Croatia and we will be left the only country to get that money in the future.

As there is no agreement between the successor states as to what would be the way to address this issue, Croatia wanted to protect their own citizens and we passed that measure.

It is not discrimination in the sense that this is the final decision that will harm interests of non-Croatian citizens, it is a measure that had to be taken in anticipation of a final solution to the succession issue.

Mr. **Hand.** OK, thank you.

If I could actually ask Ivana question, you commented somewhat on the opposition in Croatia, and I was wondering, is the problem with its effectiveness or ineffectiveness simply a coincidence of the personalities involved, their egos, they cannot cooperate, they cannot get their act together, or is it a reflection of the fact that, perhaps, the silent majority, with Davor had referred to, is not made aware of their presence, or actually disagrees with them and supports the party in power now?

I was wondering if you could sort of comment a little bit more on the opposition and its woes, and whether you see any hope for them overcoming their woes in this period of crossroads.

Ms. **Kuhar.** Well, I think sooner or later they will have to overcome their woes. The general view is that the opposition is not united on anything, or, well, except maybe a few

things like Bosnia. Croatian opposition was 95 percent of opposition was against the governmental agency, politic—in Bosnia, or at least what they made out to be.

The problem of egos, I guess, goes more to a mentality of the whole region, so I guess doesn't encompass oppositional leaders, it encompasses probably many spheres of the society. It definitely plays itself out there.

It is funny, for instance, when we interview various party leaders or officials when the elections are approaching and so forth, and when we ask them for their agenda, they all say the same thing, democratization, free market, this and that, but then we go more into detail and we really do not get any specific answers.

I do not know, is it their desire to be on top, because the agenda seems more or less the same, and yet, what we have seen here on this end as a media outlet is that, for instance, the press releases by the oppositional party do not reach the people here. I know from my contacts in Croatia that some parties are more organized, like SDP which has been now getting more success and reaching more people and so forth, but they are really making an effort. It seems that they are really far ahead of anybody else as to organizing, except for HDZ, of course.

That is one of the big problems of Croatian opposition, the fact that they are not organized, the fact that there is not enough knowledge of how to deal with the public, how to present themselves, how to organize, not only campaign, but regular daily political routine of a party

Again, I think that sooner or later with time that Croatia, as a country and as—Croatian opposition as a segment of the country and a society, will have to come—will have to make progress, and probably will make progress, it is a matter of time.

The communist legacy, as Doctor Pirsl pointed out, is, indeed, very long, and it takes for everybody, not for the opposition, it takes for the average citizen, for every journalist, for everybody to get used to the new way of doing things.

**Mr. Hand.** Milorad had asked, and then Davor.

**Mr. Pupovac.** Well, I think that we have to avoid any risk of the unity of a position, because we will get into the same trouble that was established by the ruling party. It is the myth of the Nation. There is no possibility to see all oppositional parties and belonging to the opposition to see all of them united, that is also not democracy.

They have to try to find its own way to get more power, or on the elections to defeat the ruling party, if possible.

What I can see from inside, from the Parliament, and from the public discussions on Croatia, that the importance of the oppositional parties in Croatia is rising, and that the consciousness of the ruling party, the power of the opposition is also rising there. So, the ruling party is sending messages for the possible power sharing and oppositional parties are going to see coalitions before the elections and after the elections. That is a process in Croatia that encourages everybody, and particularly, that we are step by step, slowly but surely are getting out of this niche of United Nations as a precondition of democracy and, of course, that we are going to more practical pragmatism type of political life.

The people would like to see as soon as possible some changes, many people in the country, and because of that they are dreaming about the niche of united opposition, but I think we will see in the future possible alternatives, either sharing the power with the ruling party or a stronger position, if not ruling position, of the oppositional coalition.

Thank you.

Mr. **Hand.** Davor?

Mr. **Glavas.** Yes, opposition parties, as well as opposition leaders, have a limited access to the media, especially to TV, and TV is the most important media in Croatia.

I do not want to go back, this 5 percent of the population who reads the paper, briefly, during the last Presidential campaign the opposition Presidential candidate, he got 3 percent of the coverage on the state TV, 97 percent of the coverage went to President Tudjman. I think that is an illustration of the access of the opposition to the most important media outlet in Croatia.

Let me add, this 3 percent is mostly because the opposition candidate, he was attacked during one of his election rallies by a soldier.

Thanks.

Mr. **Hand.** In the back. This will be the last question.

**Questioner.** Adrian Doherty of the AFL09CIO Solidarity Center. I promised the teachers of Podonavlia that I would ask this question for them.

Recently, we were there with Gloria Johnson, the President of the Coalition for Labor Union Women, and Executive Vice President of the AFL09CIO. We discussed and met with about 25 workers, truckers, teachers, agricultural workers, all who were previously Serbs and Croats covered under Croatian trade unions, altogether multi-ethnic union before the war. It is very sad to see the deterioration of that relationship, but the Serbs there in that union are fighting hard to be represented by the Croatian unions, who I think are seriously trying to move forward on this.

There were serious reports of management discrimination against these people, and also about the Croatian Government choosing not to register the schools in Podonavlia, and, therefore, the teachers who were in this meeting who were Serb, along with their Croat brother trade unionists, reported that they were being denied their pensions and vacation benefits, and they were not being paid.

The gentleman from the Croatian embassy, I would like to direct this question to you, sir: What do you think about this problem, and will they receive books and materials next year in Serbian language, that they are not receiving this year? What is the position of the Croatian Government on that?

Mr. **Pirsl.** Concerning the education on the language of minorities, and this is especially important in Podunavlje (Eastern Slavonia), or Croatian (Danubian) region, the Ministry for Educational and Sport is responsible for that, and they had numerous meetings with the Serb representatives or the representatives of the educational system that was in place in that area, and the members of the Serb minority expressed their intention to have the education in Serbian language and use of Cyrillic, with the obligation to learn Croatian language 4 hours a week. There were some members and experts from the United States, and the results are that they started to translate and print text books for special needs of the Serbian ethnic minority. The Croatian Government recognized all the diplomas issued from 1991091997, so all those students who went to school in Eastern Slavonia region did not have to pass any additional exams or did anything, their diplomas are recognized so they can continue their education under the new system.

The thing that happened was that the educational system in Eastern Slavonia needed to be reintegrated into Croatian educational system, as anything else became reintegrated back

to Croatia.

There is also an issue that there are some measures that are undertaken as a sign of reconciliation. For example, the schools in these areas have neutral names, it goes to this, nothing that will revive animosities that are still there.

There is also, as I told you, the moratorium on teaching about the history from 1990 to 1997, in all history programs for the Serb ethnic minority, and, and that is one of the things for you, is that whoever was working in 1991 to 1992 in that area got labor agreements, labor contracts with individual teachers.

But, again, the thing that you are addressing, why the multi-ethnic trade union before the war is now only a maybe ethnic trade union is that Croats were expelled from that area and they are coming back, and, again, it is part of the process that will result, we hope. That is the intention, in creating unions that will not care, about ethnicity. There are measures undertaken, some implemented first, some of them are implemented more slower, and there is also a lack of teachers from Croatian side who go there. These are all the problems that we are facing and trying to solve.

There is a push and intention to create a part of the educational system that will not be in any way different from the system, in other regions of Croatia, with this addition of the special education as a result of special needs and requests by the Serb ethnic minority.

**Mr. Hand.** Milorad, you had something?

**Mr. Pupovac.** Well, this is a complex and sometimes sensitive issue, because it is touching identity on the both sides, and because the identity of the Croatian and Serbian people is so close to each other, particularly, linguistic identity.

Sometimes, it is very sensitive from the scientific, as well as from the political point of view. So, the process of translating of the books into the Serb language started, but it was canceled in one moment because we found out that the content of the book was inappropriate. Again, it is the principles of the reconciliation and against some standard—regarding first of all anti-fascist—of the Ustache puppet states.

Then, we started again to translate the books, and now we are waiting for the Serbian translation, and after that I think that the books will go to printing houses, and that we, from the next year, we will have the books for all the region.

In the meantime, we prepared a Serb culture society process, got together with Ministry of Educational Support, we prepared the hand books and text books for additional educational program for Serb minority in other parts of Croatia. It is for the first time after the Croatian independence, and it is actually for the first time after the 1941, after the Ustache, and then after the communist power, and only text book that still is not out of print is the Serb language, that means the text book I wrote for that purpose, because we have a discussion about that issue. But, we will settle it.

My concern is much more oriented to the question of the bilingual and biscriptal signs on the roads and the cities. In that area we have somewhat neglected the rights of the Serb minority in Eastern Slavonia and elsewhere in Croatia, because some people would like to say Cyrillic script is the script of aggressors, of the enemy of the Croatian people, and we cannot allow that, and it is a matter of the reconciliation from one side and from other side it is a matter that the local authorities should act accordingly to the laws and the status of the municipalities and cities.

Then the question of the trade unions you raised. Yes, this is a question that success-

fully started to be solved in the area of education, and in some other areas, but because of stupidity, I have to say, of some local leaders, and first of all the mayor of the Vukovar city, we had a problem particularly with kindergarten people and those who organized itself because of the salary and other things, but we have a group cooperation, I mean, the Serbian branch offices, or the offices in which Serbs were organized, with two trade unions organizations. The first is the Independent Alliance of Trade Unions, and the second is Confederation of Trade Unions, both of them are doing very fine, and contributing into the process of the reconciliation.

I think it is not so big a problem that we cannot solve before the end of the school year.

Moratorium regarding this issue of the war in Croatia is something that is a part of letter of intent and agreement between—and Croatian Government. Unfortunately, this is ethnically separated. The Serbs enjoy moratorium, but the Croats not. So, this is not something that I can—so the Croatian pupils, the ethnic Croatian pupils have, let us say, unrevised text books, and the Serb ethnic pupils have revised text books. So, one of them enjoys, let us say, this moratorium, and the others not, so we would like to see from the next year, we would like to see entire Croatia included in this process of rethinking, if not revising, that we are evaluating some elements of the text books, particularly with history and other parts of the humanity subjects.

Mr. **Hand.** All right. At this point, I think I will close the briefing. I come away with this, as someone who has always been very positive about Croatia's longterm future, that, indeed, we are at a crossroads in Croatia.

I think part of the problem has been that last year we had a briefing before the local elections in Croatia, where it was also noted that Croatia is in a time of transition, and it is a question of how long is this going to take place. I think part of the problem is that there is a realization that a transition is going to take place, and there seems to be quite a bit of resistance to it.

I have found myself, the times I have been in Croatia, that it is a very sophisticated country. I have only been able to meet with a few people, and I do not speak the language, but I have found that there is not one mind among the Croatian population, and that, indeed, there is reason to be optimistic.

But, I think there is also an understanding of what democratization means, and some people are not too happy with what it may mean, whether it is in regard to ethnic pluralism or political pluralism. My hope is that the transition will continue to proceed. I think that it will, and as a concluding remark from the Helsinki Commission, it is something that we will continue to look at, and to cover, and to urge to continue.

At this point I think I will close the briefing. If anybody has any additional questions, all the panelists have to get through that door, and you will have the opportunity to grab them on the way.

I would like to thank the audience for their questions, the comments that accompanied them were also very good, and I would like to thank especially the panelists for what was an excellent presentation. I think we covered very comprehensively the issues that need to be covered in Croatia today.

Thank you very much.

(Whereupon, the above-entitled matter was concluded at 12:12 p.m.)

