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**THE APRIL 1997
PARLIAMENTARY, COUNTY
AND MUNICIPAL ELECTIONS
IN CROATIA**



**A Report Prepared by the Staff of
the Commission on Security and Cooperation in Europe**

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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 of approximately 15 persons 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.

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SUMMARY

On April 13, 1997, Croatia held its fifth set of elections since political pluralism was introduced in the former Yugoslav republic in 1989, and the fourth since achieving independent statehood in 1991. These were the first elections, however, held throughout the entire country in 7 years, signaling Croatia's normalization after years of conflict, displacement and uncertainty. Seats were contested for the upper chamber House of Counties of the parliament, or Sabor, and for municipal and county councils.

The very holding of elections in Eastern Slavonia—the one region forcibly taken by Serb militants in 1991 and yet to be reintegrated into the country—produced positive signs for reintegration through peaceful means and without another tragic mass exodus of ethnic Serbs. The results countrywide set the stage for presidential elections later in the year, and indicate Croatia's overall political trends as the country moves beyond the turmoil associated with Yugoslavia's violent disintegration, including the massive displacement of the population as territory was taken in 1991 and then retaken in 1995. The turmoil served to narrow the country's overall political spectrum with a nationalist tinge, and the ruling Croatian Democratic Union (HDZ) has relied on this situation to enhance its power. The fundamental question now is whether the party will accept defeat at the ballot box if the support of the population shifts as priorities change.

As with previous elections in Croatia, the degree to which these elections could be considered free and fair was limited by the clear bias of the state-run broadcast media in its news coverage and by the effect of regular attempts to limit the diversity of the print media. Some administrative decisions regarding the elections seemed to be designed to benefit the ruling party, although the nature of these elections precluded the blatant stretching of what is legally permissible which had been evident in earlier elections. One decision prevented a domestic, civic-oriented non-governmental organization (NGO) from observing the polling, even from outside the confines of the polling station. People were generally permitted to vote freely and privately throughout Croatia on election day, except in Eastern Slavonia. There, a surprisingly strong turnout combined with the inadequate delivery of ballots and documents to polling stations, among other problems, causing the voting to be extended for an extra day.

While there were some improvements over prior elections, these elections fell short of Croatia's potential, especially as the country should now move more rapidly toward democracy. As more critical elections approach, it remains unclear whether the Croatian authorities will permit elections that could be considered free and fair if the result threatens their rule. The HDZ did retain its comfortable majority in the House of Counties and won most of the county and town councils, but opposition coalitions won outright, or at least enough to challenge the HDZ, in some of the bigger cities. The results in Eastern Slavonia, meanwhile, produced victories for a Serb coalition in just over one third of the municipalities, with the HDZ taking the remainder, a fairly predictable result that advances the issue of the region's reintegration into the rest of Croatia. Croatia's willingness to reconcile with its Serb population and to respect the human rights of its members, however, remains an open question.

BACKGROUND

As political pluralism swept the Communist world of East-Central Europe in the late 1980s, Yugoslavia's six republics each held their own first multi-party elections in 1990, with results that doomed their federation. Perceiving itself to be more like Slovenia to the north, Croatia is prosperous and western-oriented relative to the republics and provinces to the south and came to resent its confinement in a Yugoslav state since 1918. Again like Slovenia, it voted in a new, nationalist leaders who moved toward confederation and, failing to achieve that, independence in 1991. President Franjo Tudjman and his ruling Croatian Democratic Union (HDZ) undertook to remove Yugoslav authority from the republic and, in so doing, largely ignored the sensitivities within Croatia's sizable Serb community,¹ where the traumas of victimization at the hands of Croatian fascists during World War II were still very much alive. This situation permitted the President of Yugoslavia's largest republic, Slobodan Milosevic of Serbia, to instigate a conflict combining his Serb nationalist supporters with harder-line Communists intent on preserving the federation. This conflict began in the second half of 1991, using Croatia's declaration of independence as a pretext,² during which nearly 9,000 persons were killed and another 400,000 displaced as one quarter of Croatian territory was seized by Serb militants with the active support of the Yugoslav military.

From early 1992 until mid-1995, the occupied regions of Croatia remained outside of Zagreb's control as U.N. peacekeeping efforts³ kept a relative peace but failed to return what had been taken by force. Frustration over the timid U.N. attempts to compel militant Serb cooperation was not limited to just those Croats who were displaced. A fairly nationalistic, and certainly anti-Yugoslav, polity developed in Croatia as a result, to the detriment of those opposition parties which would otherwise prefer a more politically liberal agenda. Meanwhile, the Serbian orchestrators turned the conflict toward Bosnia-Herzegovina with even greater ferocity. Croatian policy, which the Bosnian Croats residing in western Herzegovina generally followed, fluctuated between joining Bosnia's attempt to stop militant Serbs and accepting hundreds of thousands of Bosnian refugees on the one hand, and cooperating with Serbia and its militants in dividing Bosnia-Herzegovina along ethnic lines on the other.

Intervention by the United States in early 1994, mostly of a political nature but with a limited military effort through NATO against Bosnian Serb militants, halted the war between Bosnian forces and militant Croats. Croatia's policy turned to retaking its own Serb-occupied areas, which it did militarily with relative ease in May and August 1995. The Serb population was coerced by its own leadership to flee en masse to Serb-occupied Bosnia, Serbia or the still-occupied eastern Slavonian region of Croatia, although harassment by vengeful Croats as they departed, with the tacit support if not involvement of the military, and the subsequent looting and burning of property,

¹ Almost 600,000 persons, or 12 percent of Croatia's total population, according to the 1991 census. While spread throughout the republic, and consisting of many who came during the Communist period since World War II, this community had concentrations, though not necessarily the majority of local populations, in the "Krajina" region with the fortress city of Knin as its center, as well as in parts of western and eastern Slavonia.

² Slovenia actually led the way in declaring independence at the same time, but that republic's final confrontation with Yugoslav authority was brief and with relatively few casualties.

³ Known first as the U.N. Protection Force (UNPROFOR), which actually was deployed in Bosnia-Herzegovina and Macedonia as well. In early 1995, the deployments were separated, creating the U.N. Restoration Operation in Croatia (UNCRO) with a new mandate that focused more heavily on the occupied areas' borders with Serb-occupied regions of Bosnia-Herzegovina and with Serbia itself.

gave credibility to Serb propaganda. In all, the 1995 exodus included between 150,000 and 200,000 Serbs, about 60,000 of whom settled in Eastern Slavonia and largely took the houses of the more than 70,000 Croats and others displaced by the conflict in 1991.⁴ Croatia's military effort created momentum for a joint Bosnian-Croat push which retook significant portions of Serb-occupied Bosnia. Combined with robust NATO air strikes against them, the Bosnian Serb militants that seemed invincible only months earlier were forced to accept their losses and a settlement negotiated for them by Serbian President Milosevic in late 1995 that is popularly known as the Dayton Agreement.⁵

Croatia's first elections as an independent state were held in the context of these dramatic events. Those for the House of Representatives, and the first direct elections for President, were scheduled for August 1992 in order to capitalize on the nationalist sentiment in the months following the war and the recently won recognition as an independent state. The highly unusual timing of elections at the height of summer and the shortest campaign period legally possible reflected the HDZ's clear attempt to take every advantage. While every party in power has the right to seek advantages within the confines of the law, it must also be acknowledged that doing so in this case is not conducive to the healthy public debate of a campaign which is important in a developing democracy. Moreover, there were more blatant problems in terms of overt favoritism toward the HDZ in state-run television and radio, and the lack of transparency in the electoral system. In addition, while Croatia was complying with promises to grant Serbs and other minority groups representation in parliament, the granting of formal residency and citizenship in the newly independent state, while bureaucratically slow all around, seemed particularly difficult for non-Croats, many of whom were unable to vote as a result. In any event, HDZ power was enhanced by the results.⁶ The first elections for the House of Counties in February 1993, this time scheduled to follow the popular first attempt to retake territory,⁷ also produced an HDZ majority, but local elections produced some victories for candidates from other political parties.

The October 1995 elections for the House of Representatives similarly were called in the immediate aftermath of changed circumstances, namely the retaking of most occupied territory. Problems from 1992 which remained were the limited transparency of the electoral system, to the detriment of confidence in the process and in the media, where broadcast media remained biased and some of the more critical newspapers had been brought under HDZ control under the guise of privatization. The HDZ also had the ability to use billboards during the campaign, while opposition parties had to scramble to keep their posters on the top of endless layers covering walls and trees. There was no presidential race, but the ballot for proportional party seating listed Franjo Tudjman as the head of the HDZ, another manipulation that is not necessarily wrong but nevertheless de-

⁴ A few Serbs did remain in Croatia, mostly elderly persons, some of whom were harassed and even killed as Croats returned to the area.

⁵ The agreement was negotiated at Wright-Patterson Air Force Base in Dayton, Ohio, and was formally brought into effect when signed by Bosnian President Alija Izetbegovic, Croatian President Franjo Tudjman and Serbian President Slobodan Milosevic in Paris, France on December 14, 1995.

⁶ For greater details on these elections, see: Commission on Security and Cooperation in Europe, *Presidential and Parliamentary Elections in an Independent Croatia*, August 1992.

⁷ In January 1993, a Croatian offensive sought to retake the areas around Maslenica bridge near Zadar, and the Peruca dam to the south.

signed to maximize the ruling party's chances. Similarly, while the massive Serb exodus was used as a pretext to cut that community's number of designated seats, 12 new seats—almost one-tenth of the chamber—were set aside for Croatia's "diaspora," which in effect granted voting rights to Bosnia's Croat population. While the intent—to gain 12 additional seats for the HDZ—was successful, in effect this also swayed the loyalties of people who were actually citizens of a neighboring country. While overall HDZ control of the parliament was further strengthened, the party fell just short of the two-thirds majority needed to make constitutional changes alone, and the HDZ was surprised by the result of an election for Zagreb's city council, in which other parties together won a majority of the council seats.⁸ Subsequent efforts to install a new mayor were stymied by President Tudjman on four occasions,⁹ and the Constitutional Court blocked his efforts to dissolve the council, leaving the political struggle in deadlock.

Shortly after the October 1995 elections, negotiations commenced leading to the Dayton Agreement formally settling the Bosnian conflict. Efforts were underway at the same time to resolve the situation in Eastern Slavonia. Local Serb leaders, calculating that Serbia would not defend them if Croatia resorted to retaking the territory by force, were more cooperative, and Croatian authorities found their interests in a gradual but certain agreement to the region's reintegration and the return of the displaced population.¹⁰ The result was the Erdut, or Basic Agreement on Eastern Slavonia, Baranja, and Western Sirmium,¹¹ adopted by the local Serb leadership and the Croatian Government under the mediating efforts of U.S. Ambassador to Croatia Peter Galbraith and U.N. mediator Thorvald Stoltenberg. With agreement of the Security Council in January 1996, a U.N. Transitional Administration for Eastern Slavonia (UNTAES) was established to be led by Jacques Klein, an American, who in effect runs the region. With the deployment of about 5,000 peacekeeping troops, the region was demilitarized, and limited crossings to and from the rest of Croatia were developed. Part of the U.N. mandate is to oversee local elections, which gave added impetus to scheduling similar elections throughout the rest of Croatia. The UNTAES mandate was for 1 year, but, in November 1996, was extended for another 6 months, with an additional 6 months to complete its withdrawal.

While there have been problems, a settlement regarding Eastern Slavonia that could be implemented fully without a conflict or a mass exodus and humanitarian crisis as was experienced elsewhere in Croatia and in Bosnia-Herzegovina. In addition to developing links, including a highly successful market, between the administered area and the rest of Croatia, as well as cooperative

⁸ For more on these elections and the context in which they were held, see: Commission on Security and Cooperation in Europe, *1995 Parliamentary Elections in Croatia*, February 1996, and OSCE Parliamentary Assembly, *Report on the Elections to the House of Representatives in the Republic of Croatia*, November 1995.

⁹ The President of the Republic does have legal authority to reject the nominee for the capital city's mayor.

¹⁰ The pre-war population of Eastern Slavonia was about 194,000, 44 percent of whom were Croats, 33 percent Serbs, and the remaining 21 percent Hungarians, Slovaks, Ruthenians, Yugoslavs and others. Today, the number of persons displaced from the region stands at about 80,000, while the population inside the region is generally believed to be about 140,000, almost evenly divided between Serbs originally residing there and Serbs who fled the retaking of the Krajina region previously held by militant Serbs.

¹¹ Erdut is a small town in Eastern Slavonia just across the Danube from Serbia. Baranja and Western Sirmium are regions within Eastern Slavonia which, for the purposes of this report, are considered part of Eastern Slavonia. Croatian officials will often use "Danubian region" to describe Eastern Slavonia, in order to stress the artificial and temporary existence of the region as a distinct political entity.

arrangements in the police force, continuous dialogue produced results regarding citizenship and property issues. Displaced Croats still could not return permanently, and some Croatian police were harassed when brought into the region. On the other side, sudden visits by senior Croatian politicians, including President Tudjman, irked local Serbs, and those Serbs currently in Eastern Slavonian region who might want to return to their original homes elsewhere in the country found Croatian authorities less accommodating. Croatian authorities also complicated matters with lists of persons wanted for committing war crimes during the conflict in Eastern Slavonia, starting with a long list that was subsequently whittled down at the request of UNTAES. The list has always excluded persons who would be subject to arrest for crimes committed elsewhere. This effort had a chilling effect on whatever Serb enthusiasm for reintegration existed.¹² Still, as elections approached, at least 90 percent of the Serbs who had been residing in the region remained; the massive exodus feared had so far been avoided.

THE ELECTIONS

On February 12, President Franjo Tudjman formally proclaimed that elections for the House of Counties of the Croatian Sabor and for country and municipal councils were scheduled for April 13. Political parties seemed to have had ample time to prepare for the elections, especially since a preliminary announcement more than a month earlier had indicated election day might be as early as March 16. In addition, it was clear early on that elections had to be held in Eastern Slavonia, and Croatia would want countrywide elections at the same time to make clear that Eastern Slavonia was not a separate political entity within Croatia, but a U.N.-administered area consisting of two, preexisting counties.¹³

The House of Counties has 63 elected seats, with each of the 20 counties given 3 seats and the city of Zagreb 3 seats. For each county and municipal council, one quarter of the seats would be filled by candidates running in a majoritarian system, with the one getting the most votes winning.¹⁴ The remaining seats would be selected according to a proportional system of votes for political parties. This meant that, across the country, voters would have five ballots, except in Zagreb, where local elections were only for the city council and voters would therefore only have three. Those persons who were displaced would receive all the ballots for their original locality at specially designated polling stations, while those in the military or merchant marine would be entitled to vote only for the House of Counties. No absentee balloting was permitted, avoiding the great controversy which occurred in both 1992 and 1995.

This method of balloting, and the ballots themselves, seemed to be clear to the voters, and the Central Electoral Commission seemed intentionally to choose colors for the ballots, which avoided any appearance that the voter's choice was being influenced. The only real complaint from political parties regarded the proportional ballots, where each political party's name was accompa-

¹² For a critical review of the lists of war crime suspects, see: Human Rights Watch/Helsinki, *Croatia: Human Rights in Eastern Slavonia During and After the Transition of Authority*, April 1997.

¹³ Eastern Slavonia's Serb leaders had sought to establish Eastern Slavonia as a political entity, but Croatian authorities steadfastly refused to abandon the principle that the region consisted of two counties that were occupied by force in 1991.

¹⁴ Elsewhere, such races are complicated by requiring the winner to receive over half the votes, forcing a second round between the two leading candidates one or two weeks later,

nied by the name of the head of its list. Freedom to choose that name permitted the HDZ to place the name of the country's president, Franjo Tudjman, on the ballot, which opposition parties claimed would confuse voters into thinking they were voting in a presidential race. Election officials claimed that the purpose was really to clarify for the voter which party was which (since many parties have similar names and are often referenced only by their acronym). While the opposition's claim may be exaggerated and that of the election officials may have some validity, it was clear by the campaign that voters were being swayed into viewing their choice for local councils as a referendum on the country's leadership.

A lesser complaint regarded alleged gerrymandering. The Croatian authorities were accused of gerrymandering to the benefit of the HDZ around the Dalmatian port city of Split, while the Croatian authorities accused the UNTAES of doing this to the benefit of the Serb voting population. Whether or not these claims were actually true, neither was raised with forceful objections.

Croatia, like other countries in the region, suffers from a plethora of political parties. There are over 60 registered, and almost one-third of them participated in these elections to one degree or another. Even among the major political parties, there are several whose actual ideological differences seem negligible. Stemming the confusion, the major opposition parties coalesced into two main coalitions for the House of Counties races, and virtually all major parties, to varying degrees, jointly supported specific candidates in local elections. The most prominent were:

The Croatian Democratic Union (HDZ): The ruling party in Croatia since 1990. Starting more as a mass movement under the leadership of Franjo Tudjman to defeat the League of Communists of Croatia which for over 4 decades held a monopoly of power, the HDZ's power has been enhanced by the struggle to achieve independence. This, in turn, has helped the HDZ avoid rifts which have broken up similar mass parties elsewhere in the region, although its success to some extent has relied on its ability to develop a type of patronage system which rewards loyalties with desired economic and political positions. As a result, the HDZ has almost supplanted the government in its influence in Croatian society. The only major split occurred in 1994, when Stjepan Mesic and Josip Manolic, two powerful figures in their own right, broke from Tudjman over the latter's acceptance the year before of policies which encouraged a conflict between Bosnian republic forces and militant Bosnian Croats. While united, today the HDZ seems to consist of two distinct groups, nationalists and technocrats, which could lead to further splits as the political situation in the country normalizes.

The Croatian Social Liberal Party (HSL) and the Croatian Peasants Party (HSS): Leading opposition parties that formed a coalition for the 1997 elections. The HSL has been the leading party in opposition to the HDZ in recent years but has failed to make a major challenge except in certain local elections. Its members, led by Vladimir Gotovac, include many of the politically liberal intellectuals in Croatia, but the conflict and occupation of parts of the country compelled them to adopt certain nationalist stands to maintain credibility with the population. The HSS, led by Zlatko Tomcic, is a smaller and more conservative party, with a solid base among the rural population. Its anti-Communist positions helped prevent a wider coalition which would have included the former Communists.

The Social Democratic Party (SDP), the Croatian Peoples Party (HNS), and the Croatian Independent Democrats (HND): Another principal coalition in opposition to the HDZ. The SDP is the direct successor to the League of Communists which held absolute political power from 1945 to 1990. In many respects it has genuinely reformed as a party under the leadership of Ivica Racan, especially as many abandoned it to join the HDZ to save their careers. Its undemocratic heritage, however, has been difficult to overcome, especially as the major purge of liberals from its ranks and the crackdown on the “Croatian Spring” in 1971 by Yugoslavia’s Communist dictator, Josip Broz Tito, remains a vivid memory. Perhaps more negative than its ideological past is its Yugoslav past, which prevented it, during the period of conflict and occupation, from making a comeback similar to former Communist parties in other East-Central European countries. With growing normalization, however, it is experiencing a resurgence, drawing new supporters especially from younger voters. The HNS, led by Savka Dabcevic-Kucar, previously vied with the HSLs as the leading party in opposition to the HDZ, with personalities keeping the two apart more than ideology and therefore simply dividing those willing to vote for alternatives to the HDZ. It has since become much less influential. The HND is the party formed by Stjepan Mesic and Josip Manolic, colleagues of President Tudjman who broke from the HDZ in 1994. While the founders are respected personalities, the party has failed to draw many supporters from the HDZ or other parties, making a coalition the most logical path for gaining power.

The Independent Serbian Democratic Party (SDSS): For the elections in Eastern Slavonia, various political parties among the Serb population cast aside their differences and united in a single party for the elections, so as not to divide their ethnic vote and hence lose more power to the displaced Croat vote (most likely for the HDZ) than necessary. The SDSS, led by Borislav Stanimirovic, represented the dominant position of the Serbs to cooperate in the elections and seek some accommodation with Croatia, rather than resist reintegration and face a new military confrontation they likely would lose.

A few other parties, though less important nationally, held the possibility of making gains in some of the local races. They include the Action of Social-Democrats of Croatia (ASH), the Croatian Christian Democratic Union (HKDU), and the Croatian Party of Rights (HSP), which generally represent more definite positions to the left and right of the political spectrum than the larger parties. Certain regional parties also are of importance and popularity in their promotion of local autonomy, including the Istrian Democratic Assembly (IDS), the Primorska-Goranska Assembly (PGS), and the Christian Democrats of Medjmurje (KDM).¹⁵ A Serbian Peoples Party (SNS) also participated, especially seeking support of Serbs outside of Eastern Slavonia.

During the campaign period, there were few problems for political parties wishing to hold rallies or engage in other events designed to generate support. Even in Eastern Slavonia, Croatian political parties, including the HDZ, were permitted to have public events, albeit with specific rules, and the rallies were conducted without major incidents. The Croatian Party of Rights, how-

¹⁵ Istria is a large peninsula and county on the northeast Adriatic coast. Primorska-Goranska is a region and country next to Istria and the border with Slovenia. Medjmurje is a region and county in the far north near the border with Slovenia and Hungary.

ever, campaigned among Croats displaced from the region using an inflammatory flier that claimed each vote for it meant one fewer “chetnik” in Croatia.¹⁶

Opposition parties seemed to have slightly improved access to billboards for larger campaign posters than was the case in 1995, with a private company erecting many new billboards. Payment for such advertising was expensive, and the HDZ had more funds to devote to their use. Campaign posters appeared on building walls, trees and other public spots, although seemingly in fewer numbers than previously. Some party supporters advertised by driving around in decorated cars, and the Croatian Peasants Party used an airplane to carry its banner in the air around Osijek. The HDZ, fearing loss of popularity, engaged in negative campaigning that would not likely have been permitted for other political parties. Included among its posters, for example, was a picture of a young college student being hauled away by two disheveled police officers, in black and white except for the bright red star on the officer’s caps, attempting to smear the SDP by insinuating it advocates a return to the days of Yugoslavia and Communist rule.

The media was more problematic. Legally, the state-run television and radio are obligated to grant equal time to all political parties, and did. Coalitions, however, were originally treated as one party, in effect limiting the message of their constituent parties as a result of their decision to work together. Lower courts sided with the decision of the Central Electoral Commission, but it was overturned by the Constitutional Court. Nevertheless, the attempt to dilute the stronger opposition parties in the mix of lesser parties indicated that election officials could not be counted upon to perform their duties impartially.

Beyond the campaign advertisements of the political parties, actual news coverage is usually where impartiality is more likely to appear. According to the Croatian Helsinki Committee for Human Rights, which has extensively monitored the media coverage of the campaign, the ruling HDZ received from 60 to 75 percent of the news reporting on the activities of political party candidates on the evening television news coverage, while the main opposition parties rarely received more than 2 percent. Other political programming indicated similar biases, albeit to a somewhat lesser degree. Watching British television coverage of the campaign taking place at the same time for national elections in the United Kingdom revealed how far Croatian media still needs to advance.

The same generally applies to state-run radio. There are alternative radio stations, including Radio 101 in Zagreb, but their range and number have been limited. Nevertheless, Radio 101’s broadcasts were sufficiently critical to cause the authorities to attempt to close it in late 1996, prompting a major demonstration in the Croatian capital. While the authorities withdrew, at the time of the April 1997 elections the station continued to face problems, such as being told to relocate its transmitter to a location where its broadcast range will be further circumscribed. This action was not specifically related to the media coverage of the campaign, but the continued attacks on those media outlets expressing criticism of the regime, both blatant and subtle, cannot help but give pause to those reporting on election developments.

¹⁶ “Chetniks” were Serb forces formed in the Serbian kingdom during the 19th century, as well as anti-fascist fighters supporting the reinstatement of the Serb monarchy to Yugoslavia during World War II who were subsequently defeated by the Communist Partisans of Josip Broz Tito. Today, some militant Serbs claim the name, but Croats, Bosniacs, and other non-Serbs in the region often use the term derogatorily for Serbs as a whole.

The print media has a greater degree of diversity, and editorial boards reflect different ideological views and political preferences. Some Croatian newspapers frankly admit that their articles reflect a government point of view. Croatian print media should not be viewed in a vacuum, however, as this would ignore the long-term effects of bringing newspapers and magazines critical of the government under the control of HDZ supporters. Several independent newspapers and magazines, most notably *Slobodna Dalmacija*, have been absorbed by HDZ supporters. Publications which have maintained their independence the longest are those that are less serious, of which the satirical tabloid *Feral Tribune* is the best example. The result is that, for the 1997 elections, only one newspaper, the Rijeka-based, *Novi list*, seemed to treat the ruling and opposition parties objectively. Newspaper coverage of opposition parties, however, is less severely biased than television news coverage.

All campaigning and campaign coverage was supposed to end 24 hours before the elections, but Radio 101 sources claimed there were three violations of the “election blackout,” two of which were television programs showing HDZ candidates or rallies, and one newspaper article attacking opposition party leaders.

For Eastern Slavonia there is not much diversity in political life, and the campaign period was less like an election than for a referendum, since voting was tantamount to accepting reintegration into Croatia. In short, even the international community was less interested in how free and fair the procedures were as in simply getting through the elections successfully, with an outcome that permits the process of reintegration begun by the Erdut Agreement to continue. Serb political leaders debated vigorously about whether to encourage a boycott of the elections or to encourage full participation. Even the week before the elections, it was not entirely clear what would happen. But, if the Serbs voted on election day, there were no real competing alternatives to the SDSS. While it is difficult to scrutinize the campaign period in Eastern Slavonia the same as elsewhere in Croatia, clearly future elections should allow for greater diversity among Serbs and tolerance of their parties and politicians by Croats as they reintegrate into Croatia.

On election day, the polls opened at 7:00 a.m., and were to remain open for 12 hours, after which the ballots were counted and sent, along with the tabulations and other information from the polling committees, to the local Electoral commissions. The local commissions would announce the results of the county and municipal races while the Central Electoral Commission was mandated to tabulate and announce the results for the House of Counties. In Eastern Slavonia, general confusion regarding changes in procedure caused delayed openings at many polling stations, and even on the second day, when voting was extended there, some opened late. During the night of April 13-14, polling stations were kept secure by UNTAES peacekeepers standing guard.

Polling committee members were selected from the local community and were not to be affiliated with any political party. One may reasonably be skeptical about this assertion, but those observed on election day generally performed in a highly professional manner. In addition, two party representatives—one from the ruling party and one chosen from among the opposition parties—were permitted to participate in the proceedings, almost to the point of being committee members themselves. Furthermore, any party fielding a candidate, or group of voters in the case of independent candidates, could have a party observer present at the relevant polling stations. This system was an improvement over that which existed for 1995, when only two observers could be present, although in practice it seemed as if party representatives and observers were not them-

selves entirely clear of their respective roles. Nevertheless, the additional openness seemed to give some added confidence to the system.

Non-partisan observers, however, were not permitted, except in Eastern Slavonia, where the U.N. Administrator set the rules. One domestic civic organization, Citizens Organized to Observe the Vote (“GONG” is its Croatian acronym), sought such permission for all of Croatia but was denied, despite urging from the National Democratic Institute for International Affairs, which was assisting the group, the Helsinki Commission and the U.S. Government. While OSCE States have an obligation to invite foreign observers for elections held for national offices, OSCE provisions only declare that domestic observers too “can enhance the electoral process.”¹⁷ Nevertheless, those who do not permit them are asked to explain, especially since the building of a civic consciousness among citizens is more difficult than the development of partisan ranks to the political parties in countries undergoing democratic development. The main reason given in this case was space at the polling station. The Chairman of the Central Electoral Commission, Ivan Mrkonjic, claimed that, with the permission given to party representatives and observers, as many as 40,000 individuals could claim the right to be at the polling stations for the entire day, and this figure does not include the polling committees. He added that permitting GONG to observe would open the door for any one of 1,800 non-governmental organizations to seek permission as well. Finally, the Chairman pointed to the law as permitting party observers, implying that other domestic observers would not be permitted, and that the party observers were sufficiently involved to permit adequate observation of the proceedings.

The reality of polling committee sites on election day bore little resemblance to that theorized by the Chairman. Rarely were more than three observers present, usually from the HDZ and one or two leading opposition parties, and space never became so tight that polling committees had to ask observers to leave. Even if such an occasion would arise, they could not reduce the number of monitors to less than five. Thus, there was plenty of space for non-partisan observers. Making matters worse, when GONG members sought to observe the elections from outside polling stations, police in Karlovac, Zagreb and elsewhere demanded that they leave and warned them that they could be detained even if found in front of the building. Since the polling committees made no complaint about the GONG member’s presence—and actually intervened with the police to say that they had no complaint—the act of the police entering a polling station site and removing a citizen on their own was the questionable act. At most, the police should respond when summoned by the polling committee or its chair, not on their own volition. The surprisingly hostile attitude of the authorities toward GONG and non-partisan domestic observers more generally was counter to Croatia’s OSCE declaration that such observers could enhance the credibility of the process.

The approximately 500 foreign observers experienced no difficulties in observing the elections, except for some obstacles entering Eastern Slavonia. Observers were present under the auspices of the OSCE’s Office for Democratic Institutions and Human Rights, the OSCE Parliamentary Assembly, the Council of Europe Parliamentary Assembly, and the Congress of Local and Regional Authorities in Europe. The United States had an official delegation of its own, and sup-

¹⁷ Copenhagen Document of the Conference on the Human Dimension of the CSCE (now OSCE), June 1990.

plied additional observers from American contingents to the OSCE election supervising effort in Bosnia-Herzegovina. UNTAES also received assistance from a U.N. pool of election observers. Foreign observers concentrated overwhelmingly in Eastern Slavonia and surrounding areas where displaced persons would be voting, somewhat to the detriment of observing the balloting taking place in other parts of the country. Indeed, many analysts pointed to Zagreb as the place needing the most observation, given the closeness of the contest for control of the city council and the implications of the results, despite the fact that capital cities are normally viewed as the least problematic on election day.

The number of voters in Croatia exceeds 3.6 million, and the 7,539 polling stations seemed generally adequate to accommodate voter turnout. Voter registration lists seemed much improved over previous lists, except in Eastern Slavonia, where a special situation prevailed. Excluding very rural areas where voters were few, each polling station had a list of about 1,000 voters, with variations between 50 percent smaller and 50 percent larger than that figure. Of the polling stations observed by the Helsinki Commission observer, the number of people who came to the polling station who were not on the list only once rose above 50 persons, and was actually much less at most other stations. These persons could not vote immediately, but did have the option of going to the municipal authorities—who were working on election day—to receive a certificate entitling them to vote. Almost all originally turned away were reported to have returned later in the day with such a certificate; the lowest return rate was 70 percent. The ease with which people seem to have received the certificate almost brought the process into question; only the vigilance of the local authorities seemed to stand between ensuring those that had a right to vote could do so and giving a certificate to a person already voting at one place permitting him or her to do so at another.

Eligible voters included persons originally from Croatia and Bosnian Croat refugees who had essentially resettled in Croatia, had all intentions of remaining, and had sufficient documentation permitting them to vote. There is nothing improper about this, except to the extent that ethnic Serbs originally from Croatia may have faced a far more difficult time in obtaining their documentation.

In many respects, the registration of Serbs in Eastern Slavonia to vote was a more important act than their actual choice on election day. The Serbs who lived in the occupied areas of the self-proclaimed Republic of Serbian Krajina, whether by choice or not, had refused to register themselves as citizens of Croatia, but the situation in 1997 was vastly different. Many of those who fled Croatia's retaking of occupied territory now wanted to return, and those originally from Eastern Slavonia took the same approach. Throughout 1996, Croatia had not been forthcoming in processing these people, and only a small percentage of people, primarily family reunification cases in which the Serbs did not return to what were the occupied regions, were given documentation allowing them to return. On January 13, 1997, however, Croatia issued a "Letter of Intent" regarding the Serb populations, offering a new chance for reintegration. Included in the Letter was the promise of documentation and an assurance of employment in areas relating to utilities, communications and education, as well as a broader representation of the interests of those from Eastern Slavonia in a Council of Municipalities. Twenty-one administrative offices of the Government of Croatia were established to process applications for documentation.

The total number of persons registered to vote for elections being held in the region exceeded 130,000; a majority—just under 70,000—were Croats and others who were displaced in 1991, and voted at special polling stations outside the region. Seventy-five polling stations were established in Croatia for this balloting. The remainder—over 60,000 voters—were mostly Serbs originally from the region, most of whom decided to register. About 8,000, however, were Serbs who entered the region before January 1996 and were eligible to vote for offices representing the region. Five times that number might have been eligible to vote but did not register. There were 193 polling stations in Eastern Slavonia. About 1,600 additional Serbs successfully registered to vote for offices in other regions of the country, and had 30 special polling stations available.

While voter turnout across the country was just over 71 percent, with the lowest for any one county being about 63 percent, the two counties which cover Eastern Slavonia had the highest turnouts, together averaging 81.5 percent. Displaced Croats and Serbs from within the region contributed to this figure, reflecting their interest in controlling local governments. The turnout of displaced Croats and other non-Serbs was a high 58,000, but the Serb turnout was exceptionally high at almost 73,000. Unfortunately, the lists of registered voters at polling stations within Eastern Slavonia were not accurate, and the requirement restricting voting only to those on the voters' list was dropped. Voting also had to be extended into a second day to accommodate the volume of voters. While this rightly franchised people who should have been on the lists, the extension created enormous organizational problems, especially in notifying the polling committees, and it also created a strong potential for double voting by individuals. Moreover, had the lists in the remainder of Croatia not been accurate enough to allow all eligible people to vote, allowing some to vote though not on the list while others were denied, would have raised a more general issue of fairness.

Most of the polling stations observed operated smoothly, except in Eastern Slavonia where inaccurate lists, the change in procedures and major shortages of ballots caused a major disruption on the first day. These problems even continued on the second day, including ballot shortages or polling stations receiving the wrong or misprinted ballots. U.N. officials blamed Croatian authorities for many of these problems, especially the insufficient or improper delivery of ballots, and local Serb leaders complained that the irregularities were about to undermine the legitimacy of the elections. Complaints by the Serb Party, the SDSS, about a county electoral commission elsewhere convinced Croatia's Constitutional Court to annul the elections for the city council of Pakrac in Western Slavonia, and new elections were scheduled for that city 2 weeks later.

At polling sites throughout the country, cardboard dividers were available, though not always maximizing privacy, to allow voters secret balloting, but in many cases, people chose not to use them. People were observed voting together as a group. As with previous elections in Croatia, there were no indications that there was an intent to manipulate the result. While Croatian authorities did not make a concerted effort to educate the population more about their right to secrecy, group or open voting was less prevalent than in previous elections. Similarly, the counting of the ballots was done in an organized manner, albeit with some differences at each polling station. Some polling committees divided ballots for counting instead of working as a committee, creating the potential for intentional alteration of the results or at least a greater likelihood of a miscount. Again, there was no sign that this was an intentional act to manipulate the results, and the practice was not widespread.

RESULTS

The 71 percent voter turnout was normal for Croatian elections, although the actual voting population had changed somewhat from earlier elections. For example, while 70,000 Serbs obtained documentation and voted for the first time in Croatian elections, the diaspora vote of 1995, which totaled almost 110,000 persons (mostly from Bosnia-Herzegovina), were not eligible to vote in this election, either because they had no permanent residency in a county and municipality in Croatia, or because there was no absentee voting for these elections. In addition, the issue of Eastern Slavonia's reintegration, and perhaps a new stress on local issues, encouraged voter turnout and compensated for the absence of nationwide contests.

The results for the House of Counties did not change party representation dramatically from that which has existed since 1993. Representation by the HDZ has increased, and the SDP and the HNS in coalition made a small but significant gain. Both advances came at the expense of the HSL and the HSS, who had a better combined showing in 1993 when they were not in coalition with each other. The HDZ, in any event retains its absolute majority.¹⁸

The new seats in the House of Counties are as follows:

The HDZ proved successful at the county and municipal levels as well. It won a majority of council seats in 14 of the 20 counties, plus the city of Zagreb, and received half the seats in another three counties. In municipal races, it won majorities in 57 councils, relative majorities in another 21, leaving only 21 others to the domination of other political parties and coalitions. The Zagreb city council was of particular importance, given the stalemate regarding the selections of a mayor which has existed since 1995. The HDZ won 24 of the 50 seats on the council, permitting them to obtain a majority by drawing in a smaller party with seats. Opposition parties effectively won or kept their majorities in Rijeka, Osijek, Split and Dubrovnik. In Eastern Slavonia, the HDZ won majorities in 17, and the SDSS in 11, of the 28 municipalities.

CONCLUSION

There were areas where improvements had been made in Croatia's electoral process in April 1997, including the transparency of the process, and the inclusion, really for the first time since 1997, of a large segment of the Serb population which had broken away in 1991. The efficiency of the system, particularly in terms of the voter registration lists, was also improved. That said, these improvements were marginal, and were sufficiently countered by a restricted media and stretching of the election rules to the advantage of the ruling party. In the end, the free will of the people, though strongly manipulated, was expressed.

The chaos associated with the balloting in Eastern Slavonia may have no serious long-term effects, as the results were satisfactory to both sides, and the enormous complexities of the accurate registration of very different populations, along with the provision of a secure environment for the

¹⁸ In 1993, the President of the republic was entitled to choose five additional members of the chamber. For 1997, this was cut to three, with the other two given to the Serb community to fill as part of the effort to reintegrate Serbs in the country's political life.

participation in the elections, cannot be ignored. Considering the problems with holding the elections in Eastern Slavonia, the international community should be cautioned about the potential for quick progress in further implementation of the Erdut Agreement, especially the return of displaced Croats to the region and the complementary voluntary resettlement of those Serbs not from Eastern Slavonia to their original homes.

Prior to the April 1997 elections, Vesna Pusic of the University of Zagreb and currently with Georgetown University, told an audience at a Helsinki Commission briefing that the elections are not for the most important positions, but they are important nonetheless “because they come at a time of Croatia’s second transition ... from wartime politics to peacetime politics ... and from more of an authoritarian kind of regime with limited pluralism and strong control over the media through ... a negotiated transition, to a democratic type of political system... By negotiated transition, I mean a political change that comes through some basic agreement among all the different political players, and the basic agreement would be that everybody would abide by the democratic rules of the game, that everybody would actually respect election results and democratic procedures... These elections will really show whether all the political players are prepared to enter the negotiated transition.”¹⁹

There is little doubt that this transition is taking place, and the ruling party, the opposition parties and the people generally seem to be conscious of it. Awareness, however, does not translate into preparedness, as Pusic notes, and the transition may in fact be slower than many outside analysts expect. First, the conflict has passed, but its remnants are very much apparent: the gutted buildings, the empty villages, the tens of thousands who continue to be displaced. The segment of the Croatian population that must live in this setting—or anybody who would have to face it daily—cannot engage in the enlightened analysis of who did what and why, and where to go from here, if the analysis ignores their own personal victimization. Issues like human rights for all citizens, and social reconciliation for the sake of a better future, are not yet popular campaign themes.

The HDZ, as a result, is undeniably still popular for all its faults, and despite the low opinion the public claims to have of it. Party controls over important aspects of Croatian society demonstrate its ability to sustain itself. The media, for example, regularly paints the process which is, in fact, the reintegration of Eastern Slavonia into Croatia, as one in which Zagreb makes one concession after another. The HDZ has been willing to cooperate in this process beyond most analysts’ expectations, but it knows that presenting dark images of the country’s Yugoslav past and the struggle for independence makes the present look brighter. The intentional portrayal of Croatian authorities as being pressured by the international community to be conciliatory indicates that the willingness of these authorities to cooperate with the international community is not necessarily genuine.

Perhaps the opposition that claims to want a transition in Croatian politics needs to be the first to make a transition of its own. As one Croatian newspaper commented, “These elections proved that it is still unknown which party is the second strongest. The HSLs has lost this position, the HSS has never had it, and the SDP has not yet managed to retrieve it.”²⁰ The SDP came out of the April 1997 elections with the greatest gains, a positive sign that its castigation by the HDZ as a

¹⁹ Commission on Security and Cooperation in Europe, *The Current Situation in Croatia*, March 21, 1997.

²⁰Mirjana Kasapovic, “HDZ Triumphant, SDP Successful, HSLs and HSS in Crisis, and HNS Disastrous,” *Globus*, April 18, 1997.

Yugo-nostalgic group of people responsible for denying Croats their rights and freedoms for decades is losing effect. Still, the SDP has a long way to go, with or without the other opposition parties, before it can successfully challenge the HDZ, and it could easily fail as well. There is a better chance that reformers within the HDZ, if they are not bought off, could do more in the short-term to move the country through the transition than the opposition.

The Serb population has little influence on the course of this transition, except to the extent that its own radicals believe they can resist reintegration and try to do so. As UNTAES prepares to leave, an existing OSCE Mission in Croatia is expected to fill the gap in the reintegration of Eastern Slavonia and its current population. This task will be difficult but also necessary for Croatia's transition to proceed.

In conclusion, as Croatia prepares for presidential elections, a political transition will continue. As the country grows more confident as an independent state and seeks integration into European institutions like the European Union and NATO, it should move closer to becoming a democracy. Croatia's obvious potential as a viable civil and democratic society, based on its Western orientation, is, in fact, what leads to so much disappointment by observers of the conduct of Croatian elections. The additional problems that will certainly arise on the way are less predictable. The international community must continue to watch the situation closely and to react as necessary to keep the situation moving positively and peacefully.