



**Organization for Security and Co-operation in Europe
OSCE Mission to Croatia**

**News in brief
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PM Sanader remains committed to full cooperation with ICTY following the announcement of amendments to the indictment against Cermak and Markac

In the run-up to the local elections, critical reactions from the entire political spectrum followed the news that the ICTY Prosecutor Office's had proposed amendments of the indictment against Ivan Cermak and Mladen Markac.

The defendants Ivan Cermak and Mladen Markac are indicted on multiple counts of crimes against humanity and violations of the laws and customs of war as part of a "joint criminal enterprise", together with fugitive general Ante Gotovina, for their alleged ordering, planning and committing crimes against Serb civilians during and after the "Operation Storm" of the Croatian Army in 1995.

Following a request in March by the Trial Chamber to amend the indictment in several aspects, including further identification of the alleged participants to the "Joint Criminal Enterprise", the Prosecution proposed an extended indictment which allegedly listed former President Tudjman as well as a large number of officials from the military and political establishment at the time.

Many Croatian officials appeared to understand the proposed amendments of the indictment as qualifying "Operation Storm" as a joint criminal enterprise. In response to the extensive media coverage of critical reactions by Croatian political figures, the Office of the Prosecutor issued a statement indicating that the new indictment, in terms of the concept and participants of the Joint Criminal Enterprise, was "not fundamentally new or different from the old, existing indictment..." The Office also denied that the existing or the amended indictment criminalized the Homeland War.

In an address to the Parliament about the proposed amendments on 18 May, Prime Minister Sanader confirmed that his Government would continue to fully cooperate with the ICTY. However, he did not see reason for the recent proposal of the Prosecutor's Office to expand the indictment against the two generals. He stated that "Operation Storm was a liberating, legitimate and just action," and added that "Croatia will prove this everywhere necessary, including in the ICTY. If somebody committed a dishonourable deed or a crime during that Operation, he should answer for it, individually."

President Stipe Mesic voiced serious concerns about the broad approach of the amended indictment, because it dismisses the individualization of responsibility.

The opposition leader, the President of the Social Democratic Party Ivica Racan, regretted the proposal but added that it should be looked at in the context of the reduction of the term 'command responsibility'.

Croatia and Serbia and Montenegro remain committed towards normalization of relations following the cancellation of President Mesic's visit to Belgrade in protest against *Chetnik* gathering

Most media reported recently that President Mesic and President of the State Union of Serbia and Montenegro, Svetozar Marovic, agreed to continue the long-term normalization of relations between the two countries in a telephone conversation on 18 May over the recent cancellation of President Mesic's visit to Belgrade.

The normalization process experienced a setback after the Office of President Mesic announced on 16 May the cancellation of his planned visit to Belgrade (SaM), following a "gathering of *Chetniks* at Ravna Gora [Serbia], which was organized by and carried out with the active support of Serbian authorities and the participation of some Government officials."

Prime Minister Sanader said in Parliament on 18 May that Croatia would however continue to normalize relations with Serbia and Montenegro, as the country was interested in the political stability of the region. However, he added, Croatian authorities would continue to monitor developments in SaM and might, if necessary, reconsider the visa regime with SaM.

In early March, the Croatian Parliament had ratified the Agreement on the Mutual Protection of National Minorities signed during the historic visit of Prime Minister Sanader to Belgrade on 15 November 2004, the first post-war official visit of a Croatian Head of Government to Belgrade. On 20 May, the Parliament of Serbia and Montenegro ratified the Agreement. A number of outstanding bilateral issues (border agreements, succession issues, missing persons etc) are still under discussion.

Following the publicized commitment of the two Presidents for further normalization of relations between the two counties, it appears that the relations between Croatia and Serbia and Montenegro are expected to continue to improve, not least because regional cooperation is one of the political conditions in the European Union accession process.

Joint OSCE – UNITAR Conference "Ensuring the quality and quantity of fresh water in the Sava River Basin" takes place in Sisak

The OSCE Office of the Co-ordinator of Economic and Environmental Activities, the Mission and its Field Office in Sisak, and the United Nations Institute for Training and Research (UNITAR) organized a conference "Ensuring the quality and quantity of freshwater in the Sava River Basin," in Sisak from 9 till 11 May. The Conference brought together local authorities and civil society actors from counties and municipalities along the banks of the Sava River. The aim of the workshop was to encourage the creation of a network of local actors who would share their knowledge in tackling common problems such as access to fresh water and pollution prevention.

The OSCE and UNITAR representatives stressed the significance of projects that emphasise a regional approach to common problems. The Secretary of the Interim Commission of the Sava River commented on the framework agreement on the Sava River Basin that entered into force in December 2004.

From a Mission perspective, such efforts are crucial in fostering civil society development on important environmental issues. In addition, they may promote cross-sectoral and regional cooperation in a post-war context over the Sava River, which flows through four countries. Some participants noted that the quest for a regional strategy towards the Sava River may

however require national-level political solutions. A regional workshop is expected to be organized for October 2005.

The first good governance project successfully launched in Lika-Senj County (Central Croatia), a heavily war-affected area

On 23 May, the first of a series of workshops of the “Strategy and Capacity Building for Sustainable Refugee Return, Social Development and Economic Revitalization in Lika –Senj County” project, that the Mission is supporting, took place in Gospic. In a Mission-organized inaugural presentation of the project on 26 April, the DHoM encouraged direct participation in this good governance project among local representatives and civil society actors. He also emphasized that the project goals of improving the economic, social and institutional framework were also preconditions for the sustainable return of refugees.

The NGO “Center for Peace Studies” of Zagreb is implementing this project, which also counts on the support of four Ministries. The Mission acts as a catalyst for cooperation between the national and local authorities, and between governmental and non-governmental actors. County officials expect the project to improve the overall effectiveness of the local administration, as well as its capacity to access European Union funds.

The first workshop, where the NGO team introduced the methodology of activities, in particular strategic management planning, attracted an encouragingly high participation of officials from all municipalities throughout the county.

This project is the first good governance project to be implemented in the area, which was very much affected by the war. The project may demonstrate how the international community can facilitate cooperation between ministries, local self-governments units and the civil society in a return area.