

to 10,712 people who were sentenced for offences — such as armed rebellion — committed during the war. Other problems noted included unreasonable delays in war crimes trials throughout Croatia, and failure of the authorities to address adequately the violations reported during the 1995 Croatian military operation known as “Storm”.

The reports note that the Constitution guarantees freedom of thought and expression, including free media outlets, and states that the government holds a virtual monopoly on broadcast outlets and distribution networks for printed media. Croatian Radio and Television (HRT) is technically under the supervision of the Parliament but is, in fact, directly controlled by the ruling party, the Croatian Democratic Union (HDZ). The few private radio and television stations lack sufficient resources to produce their own news programmes and rebroadcast those from HRT. The reports note that certain independent newspapers have been overwhelmed with civil and criminal lawsuits by members of the government and those close to them. The reports cite *Globus*, *Feral Tribune* and *Nacional* — three independent weeklies — as having been especially heavily targeted. Cases have also been filed against *Novi List* at Rijeka and *Vecernji List*. All were sued under legal provisions related to the criminal prosecution of journalists or others who insult the President, Prime Minister or Supreme Court President, among others. Journalists, against whom slander charges could not be proved, were nevertheless sentenced for inflicting “emotional anguish” on those they were deemed to have criticized. The SR stated that litigation by those in power against newspapers appears to constitute one of the largest threats to freedom of expression in Croatia, with many journalists reported to impose self-censorship in their articles for fear of giving offence and bringing about lawsuits against their newspapers.

The reports recall that, with regard to freedom of assembly, a ban on public gatherings in the Danube region was instituted in March 1998, to remain in force until 1 August 1998. The ban was regarded as a response to the activities of the Croatian Party of Rights (HSP) but the SR stated that it was questionable whether such a restriction on peaceful gatherings conformed to article 21 of the International Covenant on Civil and Political Rights (ICCPR), even if intended to curb racist activities. A second reading of a draft bill that would ban gatherings in national parks, near hospitals, kindergartens, primary schools and certain cultural monuments, and on motorways and roads was expected in Parliament in September 1998.

The actual number of missing persons remains in dispute, with the State Commission for Detained and Missing Persons, the European Community Monitoring Mission, and the International Committee of the Red Cross citing different figures. The reports note that there have been accusations from the Serb community of ethnic bias in the search for missing persons in the Danube region. With regard to religion and reconciliation, the reports refer to several acts of vandalism against

religious buildings and objects belonging to the Catholic and Orthodox churches. The SR stated that the Catholic Church could play a positive role in the process of reconciliation, noting the appointment of Josip Bozanic, a firm supporter of reconciliation, as Archbishop of Zagreb.

Concerning gender issues, reference is made to the new Criminal Code, which came into force in 1998 and contains provisions that are not adequate to protect certain rights of women. Specifically, provisions referring to the prosecution of cases of domestic violence, the criminal act of inflicting physical injury and the criminal act of rape state that when perpetrated within the family (except against children) or among partners, these acts will be prosecuted only following a motion by the victim. Under the new law neither physicians nor the police are legally obliged to report severe physical injury to the state attorney. The SR stated that these changes in the Criminal Code are reason for serious concern, especially in the context of information received from women’s NGOs that domestic violence is on the rise in Croatia. The SR also noted: women face unequal representation in public, political and economic life; women’s participation in the national Parliament and in regional and municipal political structures has dropped significantly since 1990; and this trend was confirmed in the 1997 municipal, regional and parliamentary elections.

The reports recommend, *inter alia*, that:

- ♦ steps be taken to ensure close cooperation and coordination between the international institutions in Croatia;
- ♦ the international community concentrate its efforts on strengthening the legal system, in particular to ensure an independent judiciary; on training the police, to ensure a professional police force; and on supporting the development of free media;
- ♦ international assistance to restore the economy be coordinated and concentrate on infrastructure and other conditions for the development of private initiative (for example, demining);
- ♦ the government simplify the procedures to be followed by Croatian Serbs residing in the FRY and Bosnia and Herzegovina who wish to return to Croatia; ensure that people who have returned do not suffer discrimination in housing, social welfare, the supply of essential services or employment;
- ♦ with regard to the fate of missing persons, exhumations be conducted without regard to the nationality of the victims, and attempts to locate the whereabouts of all persons still missing in Croatia not be subject to ethnic bias; and
- ♦ the government take urgent steps to reduce the backlog of cases in the courts at all levels; ensure that the administration of justice is transparent; make available information about the results of prosecutions of those charged with human rights violations in connection with Croatian military operations in 1995;