

Human Rights and Democracy Report
Croatia, May 2016

TOWA RDS_IL LIBERAL ISM



YOUTH INITIATIVE FOR HUMAN RIGHTS
INICIJATIVA MLADIH ZA LJUDSKA PRAVA
NISMA E TË RINJVE PËR TË DREJTAT E NJERIUT

ABOUT

YIHR

Vision

To live in responsible and accountable societies that have learned the lessons of the past and strive towards a positive future based on the respect of human rights, civic values and the rule of law.

Mission

The Youth Initiative for Human Rights is a non-profit, non-governmental organization, convinced that the sanctity of human life is the sole foundation and fundamental value of every open and prosperous society.

Mandate

Dealing with the past, addressing its legacy in the present, and learning its lessons to build a better future; Support victims of human rights violations and contribute strategically to establishing an institutional framework to prevent [the repetition of massive] systematic human rights violations in the future; Develop capacity and cooperation among young people to lead and drive the creation of peaceful societies in which civic values and human rights are fully respected.

Values

YIHR is a value led organization. YIHR's mission is defined by its values, and its work aims to embed these values in society. **Responsibility and Accountability**; YIHR advocates for responsibility and accountability in society and believes these values are central to society's positive future development. **Truth**; YIHR advocates for truth and for the clear establishment of facts about wars in the former SFRY because we believe that the crimes of the past should be recognized and named. **Justice**; YIHR advocates for justice because we believe that dignity must be restored to victims and that victims' suffering must be recognized and addressed through reparations and prosecution of perpetrators. **Co-existence**; YIHR believes that citizens of different ethnic, religious, racial, social, sexual and other affiliations can and should live together in peace and with mutual respect. **Human life and dignity**; YIHR strives for human life and dignity to become the foundation of democratic development for the whole region of the former SFRY.

The main objective of YIHR Regional Network is to prevent recurrence of wars from 1990's.

INTRO

YIHR publishes this report to inform the relevant human rights and democracy mechanisms in the nation and abroad on the concerns arising from illiberal policies of the new Croatian Government (since January 2016).

At YIHR, we fear that the social and political tendencies of the new Government's policies are systematically undermining freedom of expression and thus deteriorating the country's democracy and human rights situation.

Unlike reports that YIHR usually publishes, this does not offer an in-depth legal human rights analysis. Rather, this is an urgent appeal to relevant stakeholders, made with an aim to alert them on the systematic and rapid degradation of the country's human rights and democracy situation.

PART I

Attacks and Obstructions Against
Critical Media and CSOs

Pressure on the Electronic Media Agency

Electronic Media Agency is the regulatory body for electronic media in Croatia. The Agency's main governing document is its Statute which is confirmed by the Croatian Parliament and is based on the Law on Electronic Media, where part VII of the Law defines the mandate, scope and purpose of the Agency.¹ The Agency is governed by the Electronic Media Council, which is made up of seven members elected by the Croatian Parliament for 5-year terms on the basis of the proposal by the Government. Article 2 of the Agency's Statute defines it as an independent legal entity with public authorities. Its independence serves as a guarantee that the Agency will not misuse its regulatory authorities for political purposes, but rather to guarantee the respect of democratic values. This principle is reinforced in the Statute's Article 10, paragraph 2 which defines that the members have to be persons recognized as advocates of democratic values, rule of law, freedom of expression, highest constitutional values, human rights and liberties and civil society development.²

On 19th January 2016, the Zagreb-based television 'Z1' broadcasted a political TV show 'Markov trg' (eng: 'Mark's square – named after St. Mark's square where the Croatian Parliament, the Government and the Constitutional Court are based). The show's host, Mr. Marko Jurič, concluded the broadcast with the following statement: *We do not know if the priests of the Serbian Orthodox Church... Two priests of the Serbian Orthodox Church were named saints in 2005 and there are a lot of slaughtering elements in their biographies... Albeit, many witnesses (say) that these Chetnik... One was called Maca, that is short for Macola (macola is a type of a hammer) and the other Pop slaughterer... that they did, that they have blood on their hands, but are nonetheless named saints. We don't know if the Serbian Orthodox Church will continue with such actions, so I hereby warn the people of Zagreb who walk around Cvjetni square, especially mothers with children... take care when passing by the Church there of the Holy Transfiguration that someone with a knife doesn't run out and execute his bloody Chetnik-type deed.*³⁴

The Agency received over 400 complaints by the viewers and studied the content of the TV show, concluding that these words violated Article 12 of the Law on Electronic Media that prevents the encouragement and spread of discrimination and violence. Thus, the Agency decided to sanction the 'Z1' television by disabling them to broadcast their program for 3 days (72 hours).⁵

¹ See: zakon.hr, last accessed April 4, 2016

² See: e-mediji.hr, last accessed April 8, 2016

³ See: e-mediji.hr, last accessed April 8, 2016

⁴ Translated to English by YIHR

⁵ See: e-mediji.hr, last accessed April 8, 2016



Protest against the decision of the Agency
Photo: net.hr

In response, a Croatian veterans' association HVIDRA organized a protest on January 26th in front of the Agency.⁶ The protesters were cheering nationalist chants and threats during the march and during the protest in front of the Agency. According to the police information, around 5.000 people participated in the protest, while the organizers claimed the turnout to be between 8.000 and 10.000 people.⁷

An especially worrying occurrence is that Mr. Ivan Tepeš participated in the protest.⁸ Mr. Tepeš is now the Deputy Speaker in the Croatian Parliament and a representative of one of the parties that form the governing coalition.

The Agency's director, Ms. Mirjana Rakić, invited the representatives of protesters to the Agency's office for a meeting. Mr. Jurič, alongside another host at the same TV station, Mr. Velimir Bujanec, who is closely linked to the current political establishment, came into the offices and gave Ms. Rakić a Chetnik uniform hat.

In March, the Government gave a negative assessment on the report of the Agency, which was seen by many as the continuation of the campaign to pressure independent members of the Council. The Government then started a procedure to recall the Council's members before the end of their terms. Minister

⁶ See: fairpress.eu, last accessed April 10, 2016

⁷ See: telegram.hr, last accessed April 10, 2016

⁸ See: hr.n1info.com, last accessed April 10, 2016

of Culture, Mr. Zlatko Hasanbegović, was especially vocal in advocating the recall of Ms. Rakić and other members of the Council.⁹

The Croatian Society of Journalists and many other stakeholders in the civil society expressed concerns about the pressure directed at the Agency.¹⁰



Ivan Tepeš speaking to journalists during the protest
Photo: vijesti.rtl.hr

Apart from the reactions by the Croatian Society of Journalists, a group of opposition MPs wrote to the European Commission warning about what they called *illegal recall procedure* with a goal of politically influencing the Agency.¹¹

Dunja Mijatović, an OSCE Representative on Freedom of the Media, also expressed her concern over *a sudden decision by the Croatian government to reject a regular report of the Croatian Agency for the Electronic Media, to terminate the Agency's mandate and to dismiss its director*. She also added: *These actions by the authorities raise serious concerns about the overall media freedom situation in the country*,¹² Mijatović said. *"I call on the authorities to take immediate action to reverse this trend and to do their utmost to preserve independence of the public broadcaster and the broadcast regulator."*¹³

As a response, Ms. Rakić claimed to be unable to stand the pressure alone, and decided to resign from the position of Agency's director.¹³

⁹ See: net.hr, last accessed April 10, 2016

¹⁰ See: slobodnadalmacija.hr, last accessed April 10, 2016

¹¹ See: vecernji.hr, last accessed April 10, 2016

¹² See: osce.org, last accessed April 20, 2016

¹³ See: tportal.hr, last accessed April 10, 2016

Pressure on the critical journalists and editors at HRT

According to UNESCO, Public Service Broadcasting (PSB) is broadcasting made, financed and controlled by the public, for the public. It is neither commercial nor state-owned, and it is free from political interference and pressure from commercial forces. Through PSB, citizens are informed, educated and entertained. When pluralism, programming diversity, editorial independence, appropriate funding, accountability and transparency is guaranteed, public service broadcasting can serve as a cornerstone of democracy¹⁴.

The HRT is a national public service broadcaster in Croatia, mainly financed by viewers/listeners, license fees and advertising. It has well exceeded a million radio and television listeners/viewers. HRT working bodies are General Manager, HRT Management, Supervisory Board and HRT Program Council. In Article 1 of Croatian Radio Television Act it is said that *'When carrying out its activities, Croatian Radio and Television is independent of any political or commercial influence and pressure'*¹⁵.

On 4th March, 78 out of 151 MPs of Croatian parliament voted in favor of the decision to dismiss the Director General of Croatian Radio-Television Goran Radman, and to appoint Siniša Kovačić as acting General Manager¹⁶. The Law on Public Broadcasting, as amended by the former Croatian Government, only requires a simple majority in Parliament to appoint HRT managers, instead of the qualified majority as was previously the case. Along with the former Director General, more than 15 media workers have been removed from their posts at HRT, since the beginning of March 2016. On 14 March 2016, three program editors were replaced: Maja Sever, Mirna Zidaric and Tatjana Munižaba¹⁷. Also, on 18 March 2016 new Director General discharged Dean Šoša, editor of HRT's third television channel, primarily used for culture, films and documentaries. This was described by the media as the elimination of the most progressive television programming in the country¹⁸.

On 29 February, 2016, the procedure for the dismissal of Goran Radman, the previous General Manager, was initiated by the HRT Supervisory Board, saying that the HRT had violated the law by not keeping separate accounts for public

¹⁴ See: unesco.org, last accessed April 14, 2016

¹⁵ See: zakon.hr, last accessed April 4, 2016

¹⁶ See: nacional.hr, last accessed April 4, 2016

¹⁷ See: tportal.hr, last accessed April 8, 2016

¹⁸ See: novilist.hr, last accessed April 8, 2016

and commercial revenues¹⁹. Katarina Periša Čakarun, Acting Program Director at HRT, in an interview for the daily *Jutarnji List* said that there are no significant changes in the public broadcaster. She claims the shifts were not politically driven but necessary and motivated by the need for program refreshment²⁰. The Croatian Journalists Association (HND), in a written statement published in the media, has said that this is a new step towards seizing full political control of the media. According to them, the acting HRT General Manager has *publicly demonstrated that he sees journalism as service for election winners*.²¹



Screenshot of Jutarnji List website

Platform 112, an association of 60 civil society organizations described replacement of Croatian Radio and Television General Manager Goran Radman with Siniša Kovačić as a *Blitzkrieg against media pluralism*²².

The public broadcaster must not be a toy in the hands of the political majority, and that is where the continuation of the incumbent government's anti-media offensive is headed. With its Blitzkrieg against HRT, the parliamentary majority is actually showing that it does not understand and does not support HRT's mission, which is, let us recall, to promote the foundations of democracy and

¹⁹ See: index.hr, last accessed April 12, 2016

²⁰ See: jutarnji.hr, last accessed April 8, 2016

²¹ See: hnd.hr, last accessed April 8, 2016

²² See: cms.hr, last accessed April 20, 2016

civil society, tolerance, knowledge and education, Platform 112 said in a statement and continued: *The purpose of Radman's urgent replacement is not to punish him for his failures but to politically punish the professional work of HRT journalists who, in spite of an unfavorable management climate at HRT, have striven and managed to produce - over the past years and not only over the past month since the HDZ has been in power - socially relevant, good and politically independent programs*²³.

Independence of public broadcaster and broadcast regulator must be respected, says OSCE Representative following events in Croatia

VIENNA 10 March 2016



OSCE Representative on Freedom of the Media, Dunja Mijatović at the conference on shaping policies to advance media freedom on the Internet, Vienna, 14 February 2013. (Colin Peters)

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Screenshot of OSCE website

Following these events, the OSCE Representative on Freedom of Media Dunja Mijatović expressed great concern about the decisions of Croatian authorities. *These actions raise serious concerns about the overall media freedom situation in the country* Mijatović said and added *I call on the authorities to take immediate action to reverse this trend and to do their utmost to preserve independence of the public broadcaster and the broadcast regulator.*²⁴

²³ See: cms.hr, last accessed April 8, 2016

²⁴ See: osce.org, last accessed April 20, 2016

Defunding of Non-Profit Media

In Croatian Electronic Media Act, not-for-profit media service providers, not-for-profit electronic publications providers and not-for-profit producers of audiovisual and/or radio programs may be institutions, councils and associations of national minorities, educational, health care and other institutions, religious communities, student organizations, school associations, civic associations and other non-governmental organizations. Not-for-profit media shall use the profit only for the improvement and development of their own activities²⁵.

Non-profit media in Croatia arose as an oasis of critical and professional journalism, focusing on topics ignored by most other media outlets, bolstering the freedoms and rights of threatened minority groups, and promoting democracy, tolerance, multiculturalism and pluralism. This media is today the main guarantor of investigative journalism in Croatia, which has almost completely vanished from the mainstream media. This type of media has a goal to reach intercultural dialogue, gender equality, social inclusion, equal opportunities and encourage media literacy through its work. They are increasingly stepping in to fill a void in public information systems created by a decline in traditional media, serving the critical functions of educating, socializing and engaging people in local communities around the country²⁶.

Since not-for-profit media have virtually no advertising revenues, the main source of funds for the work of about 340 full-time employees and at least a thousand freelancers in the non-profit media are grants and donations. Funding for non-profit media is distributed by the Ministry of Culture through two calls: Public call for grants to non-profit media and public calls for contracting journalism in non-profit media²⁷. They are also financed through The Fund of the Electronic Media Agency for Promotion of Pluralism and Diversity of Electronic Media. The Fund shall stimulate audiovisual and radio programs production and broadcasting as well as the content of television and radio broadcasters at the local and regional levels, of non-profit broadcasters as well as non-profit media service providers²⁸. The Ministry of Culture distributed in October 2015, about three million HRK in grants to not-for-profit media for a period of one year. This decision was based on the opinion of the Expert Commission for the non-profit media²⁹. The task of the Commission, among other things is to monitor the work of non-profit media outlet, which received the

²⁵ See: zakon.hr, last accessed April 8, 2016

²⁶ See: kucaljudskihprava.hr, last accessed April 8, 2016

²⁷ See: hnd.hr, last accessed April 8, 2016

²⁸ See: zakon.hr, last accessed April 8, 2016

²⁹ See: hnd.hr, last accessed April 8, 2016

grant funding along with monitoring if the funds are spent in accordance with the attached editorial concepts and operational plans.

Brussels, 11 February 2016

Excellencies,

I write on behalf of the International Federation of Journalists, representing 600,000 journalists worldwide, to invite the Prime Minister of Croatia to review the decisions of his Minister of Culture, Zlatko Hasanbegović and his media policy announcing the abolition of state subsidies for non-profit media.

The IFJ strongly believes that the statement made by the Minister of Culture that 'media and media policy are burdening the work of the Ministry of Culture' is unacceptable in a true democracy and cannot go unchallenged.

We join our colleagues in Croatia in condemning the Minister's announcement that he will abolish state subsidies for nonprofit media, as well as his dissolution of the Expert Committee for Non-profit Media before the end of his mandate.

International Federation of Journalists, International Press Centre

Résidence Palace, Block C, 155 Rue de la Loi, B-1040 Brussels
Tel: +32 2 235 2200 Fax: +32 2 235 2219 E-mail: ifj@ifj.org

Screenshot of IFJ website

New Croatian Minister of Culture, Zlatko Hasanbegović, dissolved on 27 January this year, the Expert Commission for Non-Profit Media whose members were Mima Simić, Tonči Kursar, Hajrudin Hromadžić, Zdenko Duka, Biljana Romić, Damir Hainski and Suzana Kunac³⁰. He did it in spite of regulation and without any announcement or analyses of Committee's work, stating, falsely, that the need for the Committee to work ceased to exist. The Committee's mandate was supposed to expire in October this year and during that period its members were under obligation to follow media projects they gave financial means to. The very same Minister declared that the Ministry of Culture in future would not finance non-profit media, as they had been supported anyway with minimum money, and he announced the application of a new media policy. He added that there is no need for the continuation of financial support for any non-profit media under the Ministry's culture policy, and relatedly, there is no need for the commission for non-profit media, which he recently dissolved.

Croatian Association of Journalists emphasized that Culture Minister can dismiss members of the Council before the end of their term only if they do not unreasonably attend sessions of the Council, at their own request or if they are convicted of a criminal offense to unconditional imprisonment. It is clear that it

³⁰ See: hr.n1info.com, last accessed April 8, 2016

is necessary to meet certain requirements for dismissal but Mr. Hasanbegović did not take that into consideration. From the public reports it can be seen that there are no grounds for dismissal. The Commission performed its job professionally and responsibly. It also remains unclear who will now monitor the media that received funding for 2015/2016 for the remainder of the year because it was one of the functions of the Commission³¹.

Croatian Association of Journalists with the support of International Federation of Journalists condemned this decision, especially the statement made by the Minister of Culture that *media and media policy are burdening the work of the Ministry of Culture*. This statement according to IFJ is unacceptable in a true democracy and cannot go unchallenged³².

The state budget for 2016 showed that the means for promoting media activities are completely removed from the budget of the Ministry of Culture. Minister Hasanbegović also decided to deny the possibility of EU funding to non profit media. During 2016 the Ministry will not conduct the planned program "Community media" that should have distributed the 30 million HRK from the European Social Fund³³. This program would have enabled non-profit media to compete for grants in the amount of 170,000 to 1,500,000 HRK but was canceled by the Ministry, which clearly shows the targeted attack on non-profit media.

³¹ See: hnd.hr, last accessed April 8, 2016

³² See: ifj.org, last accessed April 8, 2016

³³ See: crol.hr, last accessed April 8, 2016

Defunding of the National Endowment for Civil Society Development and attacks on CSOs

National Endowment for Civil Society Development is a public institution founded in 2003 with the aim of networking, cooperation and financing the non-governmental organizations in Croatia. According to the Act³⁴, National Endowment financially supports NGO programs that foster the sustainability of non-profit sector, inter-sectorial cooperation, civic initiatives, philanthropy, volunteering and the programs that advance the democratic institutions of the society. The Goals of the National Endowment are: *stimulating citizens' inclusion in activism and local community development, building the capacity of civil society to participate in social development; developing public influence and visibility of NGO's; support to social innovations and employment in non-for-profit organizations*. The founding values of the Endowment are: *respect for human rights, public service, accountability of all stakeholders in community development, cooperation and dialogue between community stakeholders, tolerance, respect for diversity and peace*.

The primary financial sources of the National Endowment are the Government of the Republic of Croatia, (previously) European Commission Delegation to Croatia (CARDS Program), DFID (Department of International Development, Government of United Kingdom of Great Britain and Northern Ireland) and USAID (United States Agency for International Development). In 2014, National Endowment became the recipient of the donations from European Economic Area and Kingdom of Norway Funds (1,3 million EUR in 2014). According to the National Endowment's 2014 Annual Report³⁵, through the project and operating grants, NGO's were able to offer stable employment for 829 workers, while 7.637 volunteers were engaged through its grants activities.

The 2014 Annual Report was accepted by the Croatian Parliament on 5th of February 2016 with 111 votes in favor and 4 abstention votes. The same session (8th session) of the Croatian Parliament approved the 2016 National Budget according to which the funds for National Endowment are to be increased between 4% and 5% when compared to the previous year. Despite the accepted Annual Report, positive fiscal evaluation and 2016 National Budget, the Government decided to cut the Endowment's funding from 14% to

³⁴ See: zakon.hr, last accessed April 8, 2016

³⁵ See: National Endowment for Civil Society Development 2014 Annual Report, approved by Croatian Parliament (Hrvatski sabor) on 5th of February 2016

4,41% of the Lottery Funds for the current year, directly jeopardizing the work of Croatian non-governmental organizations. Not only that the government's decision was contradictory with the budget and reports, it is also incompatible with the Government's Strategic Plan 2016-2018³⁶ in which the funding for the National Endowment should be increased.

During the parliamentary session on 29th of January 2016, MP Ladislav Ilčić (president of far-right party, member of governing coalition) referred to Croatian civil society as *deeply sick* and continued *civil society is in the hands of those who support ideology of Social Democratic Party and Croatian People's Party – Liberal Democrats*. The president of non-for-profit organization *U ime obitelji* (In the name of family), Željka Markić, publicly disagreed with the Endowment's policy to finance the Croatian NGO's that are dealing with democracy and human rights issues. She also attacked the Endowment for spending more money on other civil society organizations and not those that are dealing with family and population issues. She accused the Head of Endowment for corruption because she has served on this position for nearly 15 years, as well as the members of the Endowment's governing board³⁷. MP Ilčić and Markić are known as the representatives of far-right conservative groups in Croatia. Ilčić supported the introduction of highly conservative curriculum on health education in Croatia, while Markić organized the referendum that inscribed the discriminatory article on marriage as the unity of man and woman into the Croatian Constitution in 2013.



Protest by CSOs against the decision of the Government
Photo: crol.hr

³⁶ See: Government of the Republic of Croatia Strategic Plan 2016-2018 (Strateški plan razdjela Vlade Republike Hrvatske 2016-2018).

³⁷ See: defactomedia.hr, last accessed April 8, 2016

Following the announcement of the government's decision on cutting the Endowment's funds without consultations with civil society organizations, the non-governmental organizations protested in front of the Government's building on St. Mark's Square³⁸ and resulted in the Government postponing the decision-making. Since the last general elections in Croatia, there were numerous attacks on media freedom and civil society organizations that promote democratization, human rights and civic activism. Taking into consideration that the attacks on freedom and civil society derive from the members of Croatian Parliament, which are the members of governing conservative coalition as well as from conservative groups' representatives, the announcements on cutting the Endowment's funds for 2016 are to be taken with serious caution. The alerting situation in the country's political processes could lead to the strong oppression of the civil society.

On 24th April 2016, the NGO representatives-members of the National Council for Civil Society Development (the advisory body of the Croatian Government) officially resigned after the Government officially decided on the changes of the financial support to Croatian civil society organizations. The same day, the resigning members, including the Chairwoman of the Council, released the following official statement³⁹:

Dialogue between civil society and state of Croatia has been constructed for more than 15 years and it became the example of the quality and inclusive social development, and as such it has been recognized as exemplary on the international level.

The Government's decision [on the changes in the structure of supports to civil society organizations] has directly undermined the fundamental schemes of civil society development, while on the symbolic level, it abolishes the democratic practices founded on procedures and stakeholders dialogue.

Unwilling to take part in this farce, the Chairwoman of the Council and members representatives of civil society organizations in the fields of social politics, youth, protection and promotion of human rights, culture, environment protection and sustainable development, democratization, rule of law, and education development, are hereby resigning their positions within the Council and are inviting other members of the Council to act in the same manner.

The statement was signed by: Željka Leljak Gracin, Chairwoman of the Council on Civil Society Development, in resignation, Jany Hansal, Mirela Travar, Cvijeta Senta, Igor Roginek, Katarina Pavić

³⁸ See: prvi.tv, last accessed April 12, 2016

³⁹ See: h-alter.org, last accessed April 20, 2016

PART II

Historical Revisionism, Denial
and Relativization

Dealing with the Past Policy of Tomislav Karamarko and HDZ

In 2014, on the 16th anniversary of the death of Gojko Šušak, the Defense Minister during the 1990s in Croatia, the Croatian Democratic Union (HDZ) held a ceremony. Party president Tomislav Karamarko made a statement at the gathering: *(When we win the elections) Everyone will be able to think what they want inside their houses, but in the public arena, that would not be possible, because everyone will have to respect the values on which the Croatian state is founded, namely: Homeland War, war veterans, political doctrine of Franjo Tuđman and the great work of Gojko Šušak*⁴⁰.

The same year, on the 15th anniversary of the death of the former Croatian president Franjo Tuđman, Karamarko said: *School textbooks must be unified and through them we are on the right way to verify the role and work of doctor Tuđman. And not only in textbooks, in Constitution we should introduce the concept Tuđmanism, a nice formulation about which we will agree how it will look like. We cannot let anyone mess with Tuđman*⁴¹.

On May 20th 2015, the Croatian weekly Globus made an interview with Karamarko in which he stated that leftist intellectuals should be lustrated and even insinuated that Social Democratic Party (he calls them disguised Bolsheviks) should be banned from the public arena⁴².

These were some of the first and most significant announcements of the nationalist political program that would be implemented very thoroughly after Tomislav Karamarko became a part of the governing coalition after the 2015 elections.

Shortly before the elections, Karamarko spoke at Croatian Democratic Union party youth meeting where he pointed out: *we are starting a new Homeland war for Croatia!*⁴³. Karamarko expressed many times that he aspires to rule the country in the manner of HDZ's founder and wartime president Franjo Tuđman. The authoritarian Tuđman set an example of how to suppress freedom of speech and media freedom, which was successfully followed by subsequent administrations to date. That is why Croatia has become a dangerous

⁴⁰ See: novilist.hr, last accessed April 8, 2016

⁴¹ See: novilist.hr, last accessed April 8, 2016

⁴² See: telegram.hr, last accessed April 8, 2016

⁴³ See: 24sata.hr, last accessed April 8, 2016

environment for opposing voices, independent media leaders, whistleblowers and emerging political parties.

SABOR ZAJEDNICE BRANITELJA HDZ-A »GOJKO ŠUŠAK«

Karamarko: Svi će morati poštivati doktrinu dr. Tuđmana i djelo Šuška

Autor: Zdenko Duka
Objavljeno: 4. svibanj 2014. u 13:22

Svatko će u kući moći misliti što hoće, ali javno morati će poštivati temeljne vrijednosti hrvatske države: Domovinski rat, branitelje, naše poginule, Franju Tuđmana i Gojka Šuška, kazao je Tomislav Karamarko

ZAGREB » Na 16. godišnjicu smrti Gojka Šuška, ministra obrane iz devedesetih godina, HDZ je jučer održao obnoviteljski sabor Zajednice branitelja HDZ-a »Gojko Šušak«. Najviše izaslanstvo stranke ujutro je položilo vijence na Šuškov grob, a potom je nešto više od 500 delegata prisustvovalo saboru u Westinu. Skupu su prisustvovali glavni političari HDZ-a, osim njih i udovica Đurđa Šušak, Miroslav i Stjepan Tuđman, tajnik HDZ-a Milijan Brkić u invalidskim kolicima nakon operacije a i oslobođeni haški uznik general Mladen Markač, koji je dobio ponajveći aplauz. Za predsjednika Zajednice branitelja izabran je general Miljenko Filipović koji je i bio jedini kandidat.



Tomislav Karamarko / Foto D. JELINEK

Pogledaj sve iz: Hrvatska >
Pogledaj sve vijesti >

Screenshot of Novi List newspaper website

Karamarko's greatest efforts were directed towards the revision of the image about the war in the Croatia during early 1990s. That is why Orešković also appointed Karamarko's suggestion for Minister of War Veterans, Mr. Mijo Crnoja. Right before Crnoja took office he promised to publish a register of traitors who betrayed Croatian national interests and another register of people who attacked Croatia during the 1990s war. *If someone violated the laws of the Republic of Croatia and if someone betrayed national interests, there is no reason not to be included in the register*, Crnoja said⁴⁴. This goes in line with promise given during HDZ's recent election campaign to prosecute, on criminal charges, anybody who criticizes Croatia's conduct in the Yugoslav wars⁴⁵.

Karamarko's public discourse about the war in Croatia represents biased construction of founding nationalistic myth which does not tolerate criticism or different opinions about the topic. *Positive* narrative about the defensive character of the war and the heroic role of Franjo Tuđman is totally ignoring the fact that Croatian forces also committed war crimes, and many of them are not being prosecuted before the national courts⁴⁶.

⁴⁴ See: balkaninsight.com, last accessed April 10, 2016

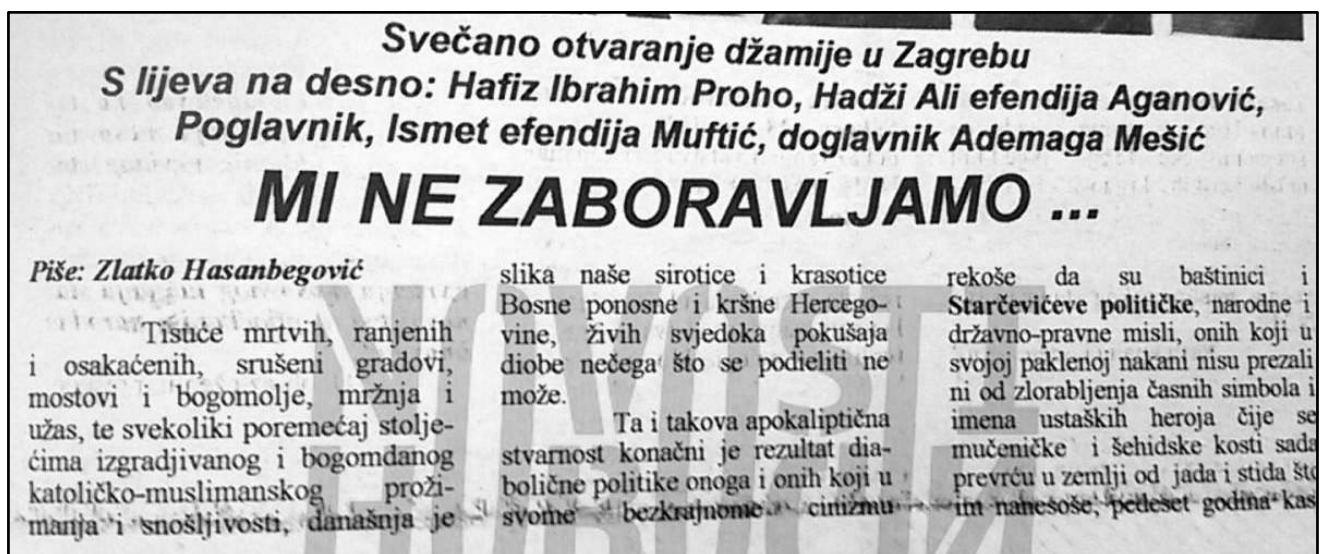
⁴⁵ See: novolist.hr, last accessed April 8, 2016

⁴⁶ See: snv.hr, last accessed April 8, 2016

Policy of Historical Revisionism by the Minister of Culture Zlatko Hasanbegović

In January 2016, the appointment of Zlatko Hasanbegović as Minister of Culture in the newly elected Croatian Government provoked significant reactions from part of the Croatian society including non-governmental organizations and cultural sector.

In 1996, Hasanbegović wrote for the far-right extremist newspapers entitled "Independent State of Croatia"⁴⁷ which was directed by Srećko Pšeničnik, the successor of Ustasha Poglavnik Ante Pavelić, on the function of the President of Croatian Liberation Movement, the Ustasha fascist political party. In the same newspapers, Hasanbegović wrote the following excerpt: *Because of those true heroes, martyrs and Shaheeds, who put their lives of the altar of the Homeland, from fields of Bleiburg to Foča and Fortress of Fazlagić, it is the duty of us, their worshipers and followers, authentic Croatian nationalists and supporters of Starčević's politics, ashamed, humiliated and cheated Muslims and Catholics, to bring down the masks of contemporary Serbian illusionists, hypocrites and moral freaks, and to show the way out of this dark tunnel, towards reconciliation, harmony and religious tolerance, and to the truly united Homeland from Mura, Drava and Drina to Adriatic Sea.*⁴⁸ Zlatko Hasanbegović was also the member of Croatian Liberation's Movement Youth during the 90's in Croatia. The weekly newspapers *Novosti* published the photograph of Hasanbegović wearing the HOS hat.⁴⁹



Screenshot of Novosti newspaper website

⁴⁷ The newspaper is named after the fascist puppet Independent State of Croatia

⁴⁸ See: portalnovosti.com, last accessed April 10, 2016

⁴⁹ See: portalnovosti.com, last accessed April 10, 2016

The day before the appointment of Hasanbegović as Minister in the Croatian Government the Youth Initiative for Human Rights and European Grassroots Antiracist Movement released an open letter to Croatian Prime Minister Tihomir Orešković, urging him not to propose Hasanbegović as his Culture Minister:

Dear Mr. Orešković,

The Youth Initiative for Human Rights as one of the leading human rights organizations in Croatia and the European Grassroots Antiracist Movement as a leading European network against nationalism, racism and other exclusive ideologies gathering non-governmental organizations in over 30 European counties wish to express our concern about the proposal to name Zlatko Hasanbegović and Mijo Crnoja members of the Croatian Government.

These two men are not fit to be members of Government in a democratic, open and tolerant society. Their views and ideological backgrounds are in direct collision with the standards of democracy and the human rights values that you and any public official in Croatia have to uphold and respect.

Naming them members of Government sends a message that the future Government – your Government – will systematically deteriorate the standards of respect towards human rights.

Mr. Hasanbegović very directly relativizes one of the main values on which Croatia and the European Union were built on – the civilizational struggle against Fascism and Nazism. Even further, he chooses to side with the historical proponents of an ideology that is responsible for some of the most gruesome and mass human rights violations in the history of Europe and the world. If you wish to start your mandate with respect towards the values inscribed in the Croatian Constitution, you must not allow that he becomes a member of the Croatian Government.

Mr. Crnoja announced that he will build a registry of national traitors. This is a mechanism of oppression that no democratic state should allow. Mr. Crnoja's announcement is a call to create a mechanism parallel to the Croatian justice system, but one that is not founded on the principles of justice. Rather, it is founded on the principle of exclusion and persecution. This would allow that anyone who is arbitrarily seen as opposing the Government's view of national interest is publicly denounced in a process that would resemble a witch-hunt. Again, if you do not wish to base your authority on fear and suppression of the opposition, you must not allow him to become a member of Government.

We urge you to reconsider and withdraw your proposal to name them members of the Croatian Government. Otherwise, you will choose to install fear and a

system of persecution on one hand and to disregard and violate the values of human rights, peace and justice on the other. Otherwise, Mr. Orešković, you will be directly responsible for turning Croatia into a pro-Fascist police state governed by fear and persecution.

Mr. Orešković, do everything you can to prevent Croatian citizens from becoming afraid to openly share their ideas and views. We urge you not to allow the installment of a system that takes us back to some of the darkest times of our history.

If you fail to do this, you will directly send a message that you stand against civic rights, liberty and democracy. You will become a leader of a repressive Government. We sincerely hope that this is not what you wish to do.⁵⁰

We have never received a response to the letter and Orešković proceeded with his proposal that was adopted by the Parliament, by which fact Hasanbegović took the post of the Minister of Culture.

The first decision made by Minister Hasanbegović was the dismissal of the Commission for Non-for-Profit Media, a decision-making body of the Ministry of Culture that allocates resources for the work of Croatian non-for-profit media. The commissioners received the official notification on their dismissal two days after Hasanbegović was appointed Minister. In 2015, the Commission distributed resources to 17 non-for-profit media that have the potential of media and social change, and to three organizations in the 'new media' category. The resources equal 3 million HDK. Apart from the mandate in resources allocation, the function of the Commission was to audit the non-for-profit media.⁵¹ According to Minister Hasanbegović *There were many controversies related to the Commission's work: from unclear measures for money allocation, to conflict of interest, but this is not relevant. It is relevant that the Commission's decisions were made for 2015, and now when we are entering new financial year, I will present the basics of my cultural policy that will clearly show that there is no need for such commission.*⁵²

It has become clear that this decision is based on the policy of suppression on those voices that critically assess and report on the work of the Government and that are not 'in line' with the narrative promoted by Hasanbegović. The relevant committee at the Croatian Parliament invited the Minister to testify and discuss his decision to dismiss the Commission, but the Minister proceeded with the decision anyway.

⁵⁰ See: yihhr.org, last accessed April 4, 2016

⁵¹ See: tportal.hr, last accessed April 20, 2016

⁵² See: hrt.hr, last accessed April 20, 2016

Croatian Journalist Society and Platform 112, a network that brings together Croatian NGO's dedicated to the rule of law, issued statements demanding from the Croatian Government to dismiss Zlatko Hasanbegović from the position of Minister for Culture.⁵³

A petition for the dismissal of Zlatko Hasanbegović was started in February 2016 by the group of prominent cultural workers and artists "Kulturnjaci2016" and is signed by thousands of activists and cultural workers from Croatia:

We, the citizens signed below, cultural workers, believe to be witnessing a moment when the field of culture is threatened and humiliated by the decision of the new Croatian Government to nominate Zlatko Hasanbegović, a scientist who is entirely incompetent to manage the system of cultural institutions and all segments of cultural production and lacks knowledge of all mechanisms of local and international collaborations as well as the use of the European cultural funds, as a person who holds completely unacceptable reactionary ideological positions.

We believe that culture has to be defended from any ideology that in any way introduces a regime marked with bigotry, narrow-mindedness, revisionism and nationalist concepts of cultural politics and production. A culture robbed of the principles of humanism and rolled in the mud of dictatorship is no longer a culture but only a medium for political pragmatism.



Protest by Kulturnjaci2016
Photo: h-alter.org

How can cultural workers trust the new minister knowing his previous public appearances when he, among other things, accused the third channel of the

⁵³ See: balkaninsight.com, last accessed April 20, 2016

Croatian Radio of “postmodern neo-Yugoslav deconstruction and dissolution of the Croatian national and cultural identity”?!?

This appeal is not directed against an individual’s right to hold positions and political views, rather it is an appeal to raise voice against the relativizing politics equivocation and the ideal of culture preserved from ideological misconceptions, conservatism, nationalism, intolerance and tribal traditionalism.

This public appeal has been compiled by a group of citizens, cultural works, and artists who believe that for the position of a minister of culture, as well as the entirety of culture, it is far more important to think outside of the national framework, understand the other and the different, respect the antifascist heritage, understand culture and society as a heterogeneous combination of diversity and openness for dialogue and language than to merely write research papers and other works, without underestimating the value thereof.

For all the above state reasons, we think that Zlatko Hasanbegović cannot and should not be the minister of culture and therefore, we demand from the president of the Croatian government, Mr. Tihomir Orešković, to undertake the subsequent steps.⁵⁴

The Israel-based Simon Wiesenthal Center urged Croatia's government on Friday to dismiss its Culture Minister, saying he took a disdainful attitude towards Croatian resistance to fascism during World War Two. *We urge the Croatian government to replace Hasanbegovic with a person suitable for the post of minister of culture who will bring honor and prestige to the post, rather than embarrass his country before the entire world, said Efraim Zuroff, the Director of Wiesenthal Center, Jewish human rights organization.⁵⁵*

Tomislav Karamarko, vice-president of Croatian Government and leader of governing Homeland Coalition publically defended Minister Hasanbegović reporting that this is the opposition’s attack on the governing coalition.⁵⁶

In May 2016, over 100 influential European intellectuals published an appeal against revisionism in Croatia, focusing on Hansabegović.

He remains in office to date.

⁵⁴ See: politicalcritique.org, last accessed April 24, 2016

⁵⁵ See: uk.reuters.com, last accessed April 24, 2016

⁵⁶ See: tportal.hr, last accessed April 24, 2016

Controversies around Death Camp Jasenovac Commemoration(s)

The Croatian Prime Minister Mr. Tihomir Orešković named Mr. Zlatko Hasanbegović to the post of Minister of Culture in January. Mr. Hasanbegović is a historian well known for his controversial views of the recent Croatian history. He relativizes and denies some of the worst atrocities committed during World War II by the Croatian Fascists in the Independent state of Croatia (NDH) and seeks to promote identification with those who committed them. He publicly claimed that the defeat of Ustasha in 1945 was the *greatest national tragedy in Croatian history*⁵⁷ and publicly labeled anti-Fascism an *empty phrase*⁵⁸. Hasanbegović also wrote articles for the far-right extremist newspapers entitled “Independent State of Croatia” praising Ustasha regime^{59 60}.

The Independent State of Croatia was founded on 10 April 1941, with the full support of Nazi Germany and Fascist Italy. During four years of its existence, the Independent State of Croatia was ruled by the Ustasha movement and its leader (Poglavnik), Ante Pavelić, who had made plans for the extermination of the Serbs, Jews and Roma. In August 1941 Ustasha established Jasenovac Concentration Camp, a place of imprisonment, forced labor and executions, primarily for the Serb Orthodox population which was, with the goal of creating an ethnically homogenous territory, to be completely eradicated from the Independent State of Croatia, as well as for Jews and Roma, who were discriminated against by racial laws. A large number of Croats was killed in the camp as well – Communists and Anti-Fascists, members of the People’s Liberation Army of Croatia, as well as members of their families and other opponents of the Ustasha regime.

Jasenovac epitomizes the horror of state-sponsored murder and racial laws on the territory of the former NDH from 1941–1945. According to the most reliable estimates and analysis, a minimum of over 83.000 people were brutally killed in the Jasenovac concentration camp⁶¹. At the place of the former camp now there is *Jasenovac Memorial Site*, with the Memorial Museum. This is an emotionally powerful site, surrounded by debates alongside historical and political manipulations. That is why the number of victims at the camp has fluctuated wildly over the years, from 2500 to 1 million⁶². Each year in April, a

⁵⁷ See: 24sata.hr, last accessed April 10, 2016

⁵⁸ See: hrt.hr, last accessed April 24, 2016

⁵⁹ See: portalnovosti.com, last accessed April 24, 2016

⁶⁰ See more in the text on Hasanbegović in this report

⁶¹ See: jusp-jasenovac.hr, last accessed April 24, 2016

⁶² See: ucis.pitt.edu, last accessed April 24, 2016

commemoration is held at the camp's memorial site, marking the last escape attempt by Jasenovac inmates in 1945, which is attended by top state officials and representatives of the Serb, Roma and Jewish communities in Croatia.

On April 4, a movie debut of the documentary entitled *Jasenovac - The Truth*, made by Croatian director Jakov Sedlar took place in Zagreb. The movie questions the number of killings at the camp. Director Sedlar told Croatian Radio Television HRT on 5 April that the number of victims was exaggerated as a result of *non-scientific Yugoslav historiography*. *According to those [victims] who were found, I think we're talking about around... between 20,000 and 40,000 is a number that would be somewhat real*, he said⁶³. In his movie Sedlar used counterfeited and false materials as an attempt to manipulate the story of Jasenovac, journalists quickly discovered that fake newspaper headlines, photographs and suspicious interviews can be seen in the movie⁶⁴.

Croatian Minister of Culture Zlatko Hasanbegovic, who has run into controversy in the past for his views about the NDH, attended the screening and praised the film. *Such films are useful because they speak about a number of taboo topics. This is the best way to finally shed light on a number of controversial places in Croatian history*, Hasanbegovic said afterwards. Slavko Goldstein, a prominent historian dealing with the Holocaust and Croatia during WWII, was also at the screening and said that Sedlar's film promotes the idea that *Jasenovac was not a death camp, but merely a labor or prisoner camp*⁶⁵.

Falsified history and claims that Jasenovac was not really a concentration camp, raised in this new documentary praised by minister Hasanbegović have angered representatives of the country's Jewish and Serb community, who saw this as the peak of the new Government's relativist and revisionist policies. Coordinating Committee of Jewish Communities in Croatia, which represents around 2,000 people, announced on 4 April that it will boycott this year's commemoration. It cited dissatisfaction with the permanent exhibition at the memorial site which tries to tell the personal stories of inmates' lives and the *daily political events that aim to relativize and revitalise the Ustasa legacy*. Disputed exhibition shown in Jasenovac depicts the camp more as a labor camp. According to what is displayed and how it is presented in the exhibition, it doesn't look like an execution site⁶⁶.

⁶³ See: magazin.hrt.hr, last accessed April 24, 2016

⁶⁴ See: lupiga.com, last accessed April 24, 2016

⁶⁵ See: balkaninsight.com, last accessed April 24, 2016

⁶⁶ See: novilist.hr, last accessed April 24, 2016



Former President Stjepan Mesić speaking on the commemoration organized by Ati-Fascists
Photo: novilist.hr

On 8 April, The Serbian National Council (SNV) in Croatia had also made a unanimous decision not to take part in Croatia's commemoration event for the victims of Jasenovac camp. The SNV stresses that is clear from a series of events and activities in Croatia that the country is trying to diminish and even deny the crimes that the Ustasha movement committed in Jasenovac⁶⁷. Controversial events and activities such as chanting of the Ustasa slogan *Za dom spremni* (*Ready for the Home(land)*) at a football match between Croatia and Israel in March this year and at recent demonstrations in Zagreb, without intervention from police represented the social atmosphere of fascism relativization.

These events caused that three separate commemorations were held in Jasenovac. First one took place on 15 April and was organized by the Jewish and Serb communities. The second was held on 22 April by the representatives of the State. Hasanbegović stated last year in a local TV show, before he was appointed minister that *the commemoration in Jasenovac is not commemorating the victims, does not condemn the perpetrators of the crime, but it is misused for the rehabilitation of Yugoslav communism, which in itself, in its basis, is a crime*,⁶⁸. He attended this year's commemoration supported by

⁶⁷ See: vecernji.hr, last accessed April 24, 2016

⁶⁸ See: index.hr, last accessed April 24, 2016

the Jasenovac Memorial Site Director Nataša Jovičić. Antifascist Fighters of Croatia organized their own separate commemoration on 24 April.

Events surrounding Jasenovac commemoration are clear example of how the state does not fulfill its positive obligations to protect and promote human rights which only increases hate speech, insults and intolerance against minority communities and their collective memory.

Symbols and slogans of fascist regimes are not systematically subject of sanctions and condemnation by authorities but are supported by the highest instances of the executive branch. The ideological showdown against all political opponents of the current Minister of Culture is done through manipulation of symbols and commemorative ceremonies, covering up and denying the crimes of the Ustasha regime, *nationalization* of victims and justification of crimes with other crimes. In such a context of rising nationalism, state does not prevent the physical and symbolic destruction of anti-fascist heritage and values. Instead, state representatives are supporting cultural production, which denies criminal and racist character of the Ustasha regime and victims it caused.



Hasanbegović and Jovičić in Jasenovac
Photo: Nikola Čutuk, pixell/vecernji.hr

Halt in Prosecution of War Crimes

Since Croatia joined the EU, the NGOs working in the field of transitional justice reported a decrease in prosecutions of war crimes. There are virtually no new cases starting related to the prosecution of crimes committed by the Croatian forces during the 1990s war.

The Youth Initiative for Human Rights regularly monitors the process of prosecution and other related transitional justice issues through its Justice Program. For the purpose of this report, we will elaborate on an example to show the Government's and the State Attorney's Office policy of prosecutions.

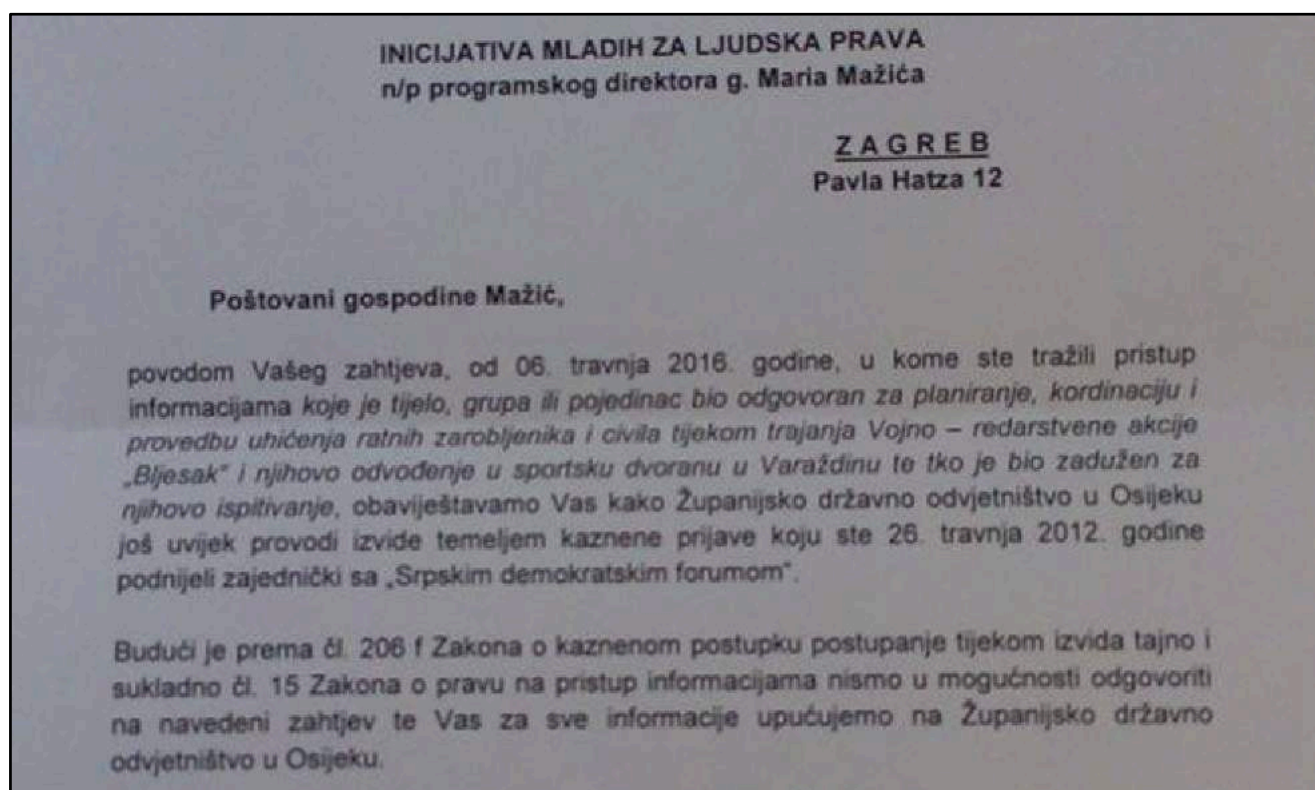
The operation Flash was implemented by the Croatian authorities on May 1st to May 3rd 1995 with the goal of regaining control over a part of Western Slavonia region. An area of 558 square kilometers was regained with this action that ended on May 3rd and 4th when most of the forces of the Republic of Serbian Krajina surrendered in the town of Pakrac. Some mop-up operations and battles continued for two weeks, as part of the RSK troops refused to surrender.

In 2012, the Youth Initiative for Human Rights and the Serbian Democratic Forum implemented a research into human rights violations committed by the Croatian forces after the operation. According to the information collected with statements from victims, the captured, surrendered soldiers and civilians were taken to different locations, most notably to the sports hall in Varaždin, where they were questioned and tortured. Due to the volume and gravity of allegations in the statements, YIHR and SDF pressed charges with the State Attorney's Office against the commanders of the operation, seeing these interrogations and torture as violations of international humanitarian law. Soon after the submission of the charges, YIHR and SDF were informed by the State Attorney's Office that the pre-investigation was started. Due to the limitations in the Law on Criminal Proceedings, YIHR and SDF are unable to request and receive any information related to the pre-investigation and investigation.

Since 2012, YIHR and SDF repeatedly requested an update on the pre-investigation, but the State Attorney's Office failed to provide any new information. YIHR and SDF did not ask for specific information on the course of investigation, but rather a feedback on whether an indictment could be expected.

The State Attorney's Office had to date failed to produce an indictment, even though YIHR and SDF provided not just the statements of victims, but also the exposé on the process of capture, transfer and interrogation of surrendered soldiers and civilians, as well as medical records and photographs of injuries.

In March and April 2016, YIHR in coordination with SDF started to research more on the operation to deliver additional information to the State Attorney's Office and had referred questions to the Ministry of Interior and Ministry of Defense. The questions were sent in accordance with the Law on the Right of Access to Information and related to the bodies and persons who were in charge of planning and implementing the capture, transfer and interrogation of surrendered soldiers and civilians. Both ministries refused to provide any information to YIHR, arguing that the information requested have to do with the ongoing investigation based on the charges pressed by YIHR and SDF.



Detail of a letter by the Ministry of Interior to YIHR
Photo: YIHR

However, this is entirely incorrect since the investigation is not lead by the ministries and the information requested have to exist in the records of the ministries. It is YIHR's assessment that the failure to provide this information has to do with the Government's attitude against the prosecution of perpetrators from Croatian forces.

CONCLUSION

PART I: Attacks and Obstructions Against Critical Media and CSOs

The report featured some of the main concerns expressed by the human rights and rule of law-advocating civil society as well as the concerns expressed by the critical (mainly non-profit) media. The featured concerns and examples lead to the conclusion that the new Government exercised disregard for democratic procedures and organized a crackdown on critical media and civil society organizations to create a hostile environment for their work. The most worrying issue is that the new Government is not hiding its policies in this regard. Actually, it leads the campaign of attacks on civil society and critical media. YIHR is concerned that the inaction of stakeholders such as the international human rights and democracy mechanisms in this atmosphere will leave the democracy-advocating forces in Croatian society in a situation where they will be unable to carry out their work. Having in mind the underdeveloped democratic political culture in the society, this will surely lead to a system today often referred to as *illiberal democracy*.

PART II: Historical Revisionism, Denial and Relativization

This report offered insight into main developments in regards to dealing with the past in Croatia. YIHR assesses that dealing with the past is one of the main policies of the current Government, second only to its focus on economy. However, the approach to dealing with the past by the new Government is not one of dialogue, not one based on the principles of transitional justice and on the principles of a critical assessment of the past. On the contrary, the new Government openly sponsors and actively promotes, even imposes, a single narrative based on nationalist myths. This is not a concern on a symbolical level. This policy leads to potentially grave issues and even brings into question the process of sustaining peace in the country and the region. We already see how this policy negatively reflects on the reconciliation potential in the region. The revisionism and denial causes tensions between ethnic groups in the country as well as among the countries in the region. The remaining issues in transitional justice having to do with violations and atrocities committed in the 1990s are in halt, since adequately responding to them tears down the constructed nationalist narrative.

As a post-war generation, we see the utmost importance in sustaining and investing in the development of democratic political culture and institutions on one hand and in addressing past violations and supporting reconciliation and lasting peace on another. The current Government's leaders are working directly against those principles, and doing so openly. Thus, we urge the relevant mechanisms and stakeholders to join us in protecting the liberal democracy in Croatia, which we strongly claim is now under attack by the Government.



YOUTH INITIATIVE FOR HUMAN RIGHTS
INICIJATIVA MLADIH ZA LJUDSKA PRAVA
NISMA E TË RINJVE PËR TË DREJTAT E NJERIUT

YIHR Croatia

Pavla Hatza 12, HR-10000 Zagreb
croatia@yihhr.org
yihhr.hr

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