



Recommendation 1405 (1999)¹

Honouring of obligations and commitments by Croatia

Parliamentary Assembly

1. The Assembly refers to its [Resolution 1185 \(1999\)](#) on the honouring of obligations and commitments by Croatia in which it:

1.1. welcomes the progress made by Croatia in honouring its commitments and obligations, since its accession to the Council of Europe on 6 November 1996, in particular as regards the ratification, within the fixed deadlines, of all the Council of Europe conventions it committed itself to, the ongoing consultation with Council of Europe experts on bills or laws, and the co-operation between the Constitutional Court of Croatia and the European Commission for Democracy through Law ("Venice Commission");

1.2. notes that Croatia is still facing the consequences of the war and, against this background, expresses satisfaction with progress in the implementation of the Dayton and Erdut Agreements, in particular with regard to co-operation with the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (Untaes) and the peaceful reintegration of the Danube region into Croatia since the expiry of its mandate (15 January 1998); the ongoing negotiations on land and sea borderlines; the normalisation of relations with the Federal Republic of Yugoslavia; agreements on special relations with the Federation of Bosnia and Herzegovina and on free passage of the nationals through each other's territory and use of the Croatian port of Ploce by Bosnia and Herzegovina;

1.3. acknowledges that Croatia was among the first states to institutionalise its co-operation with the International Criminal Tribunal for the Former Yugoslavia and has mediated the surrender of some indicted Croats to the tribunal, but notes that the Croatian authorities have failed fully to honour their commitment to "co-operate with, and actively assist" the prosecutor of the tribunal;

1.4. refers to its [Recommendation 1406 \(1999\)](#) on the return of refugees and displaced persons to their homes in Croatia, in which it welcomes the adoption of two fundamental programmes, one on return and one on reconstruction, and urges the Croatian authorities to take concrete measures to fully implement them;

1.5. proposes a series of measures to be taken by the Croatian authorities with regard to other obligations related to the consequences of the war, in particular application of citizenship legislation, validation of documents issued in the former United Nations protected areas, amnesty procedures and reconciliation;

1.6. calls on the representatives of the Serb ethnic community to take concrete action to promote reconciliation;

1.7. underlines that the international community must assist Croatia in its efforts for mine clearance and reconstruction and, in this context, welcomes the approval by the Council of Europe's Social and Development Fund of two loans totalling US\$ 33.7 million for the financing of two projects in Eastern Slavonia and encourages further similar initiatives;

1. Assembly debate on 29 April 1999 (14th Sitting) (see [Doc. 8353](#), report of the Committee on Honouring of Obligations and Commitments by Member States of the Council of Europe, rapporteurs: Mr Jaskiernia and Mrs Stoyanova). Text adopted by the Assembly on 29 April 1999 (14th Sitting).



Recommendation 1405 (1999)

1.8. regrets that little progress has been made by Croatia in honouring commitments and obligations related to the fundamental principles of the Council of Europe (democracy, the rule of law and human rights), notably in the fields of electoral reform, local self-government, administration of justice, the revision of the suspended provisions of the 1991 Constitutional Law on Human Rights and the Rights and Freedoms of National and Ethnic Communities and Minorities, in compliance with recommendations made by the Venice Commission, and freedom of expression, including freedom of the electronic and printed media;

1.9. calls on the Croatian authorities to take, before the end of October 1999, a series of measures in the areas mentioned in the above sub-paragraph.

2. Therefore, the Assembly strongly recommends that the Committee of Ministers:

2.1. address the Assembly's concerns, as summarised above and illustrated in more detail in [Resolution 1185 \(1999\)](#):

a. in the Programme of Activities for the Development and Consolidation of Democratic Stability for Croatia to help the country overcome the above-mentioned problems;

b. in its own monitoring procedure;

2.2. reiterate its appeal to member states:

a. to increase their financial assistance and expertise for mine clearance;

b. to offer financial aid for reconstruction and development in the war affected areas of Croatia.