



REPUBLIC OF CROATIA

Zagreb, 5 March, 2005

H.E. Mr. Christian Mejdahl
Speaker
Folketing
Kingdom of Denmark

Your Excellency,

We are addressing this letter to you at a crucial moment for Croatia - as a friend and outstanding supporter of our country, you will certainly understand the importance of our appeal.

The beginning of Croatia's EU accession negotiations set for March 17, 2005, is definitely the most decisive moment for the future of our country, our citizens and our future generations. Croatian independence and statehood now must be given its additional purpose and content - we have opted for the European idea and we are now expecting the confirmation of the choice we made.

We are confident you will understand the historical significance of the moment. But, we also recognize the importance of the unified stand of the Member States on the issue of Croatia's accession negotiations. Our progress in the direction of new Europe should be seen also as our contribution to the strength and unity of the Union.

Over the last period we have committed ourselves to democratic reforms. We have moved our country forward and transformed its political and social fabrics in order to be ready for EU negotiations. Like no other country of the Western Balkans recently, we have stepped out from the post-war zone into the *eurozone*. Croatia is now a reliable and indispensable EU partner in stabilizing our part of Europe. We believe this must be appreciated through the forthcoming decision on the opening of the accession negotiations.

The opening of the accession negotiations will further enhance our domestic reforms and our broader leadership role in the region. At the same time, as we witness some hesitations and discord among the Member States on the negotiation date, it must be foreseen that any fallback or postponement in the case of Croatia might have undesired reflections on the domestic political scene and certainly negative, if not devastating regional effects.

Although Croatia has achieved unquestionable political stability, the postponement of negotiations would strengthen the Eurosceptics and generally revive precisely those political forces we have marginalized by our reform and EU oriented policy. Anti-reformist and anti-European political options would gain ground. Furthermore, this would have a devastating wave-effect on the region. As the regional agenda is still burdened with open issues, blocking Croatia's accession in spite of all our undisputable achievements would send a fatally wrong signal. The countries of southeast Europe see Croatia as a model country which has successfully implemented reforms and drawn closer to the European Union.

Our message to the Croatian public and to our European partners is clear: we are aware of our responsibilities and we are ready to continue to fulfil them for the benefit of our country and in favour of EU stability and enlargement in our part of Europe.

This goes also for the case of Croatia's cooperation with The Hague Tribunal. ICTY cooperation is an unavoidable and legitimate measure of the post-war transformation of the countries of our region. We have proved to recognise and respect this, in all cases including 9 indictees in 2004. We will continue to prove it also in regard to the last remaining case of fugitive General Gotovina. We are undertaking without any reserves and intensively a wide scope of measures to resolve this last sticking point in our relations with ICTY, in order to determine the whereabouts of Gotovina, so as to apprehend him if he happens to be in Croatia and to extradite him to ICTY, but also to ascertain all the other circumstances of his escape, as indicated in the attached brief summary.

Bearing in mind the previous conclusions and decisions of the European Council and of the European Commission regarding Croatia, as well as the overall political assessment of Croatia's cooperation with ICTY, we strongly believe that the accession negotiations will be confirmed. We hereby confirm our commitment to continue full and unhindered cooperation with ICTY during the accession period, too.

Your Excellency,

Our commitment to the EU is genuine. We have no parallel or hidden agenda and no alternative policy. We are convinced that this goes for the Union also, as the Union could only benefit by appreciating the reform oriented achievements of Croatia, thus avoiding any negative internal or regional effects. With this in mind, we believe that you will lend support to the opening of accession negotiations with Croatia on March 17, 2005.

Sincerely yours,



Dr. Ivo Sanader
Prime Minister



Vladimir Šeks
Speaker of the
Croatian Parliament



Stjepan Mesić
President
of the Republic

Summary of Activities and Measures Undertaken by Croatia in Fulfilling the Requests of ICTY

1. Introduction

In line with the Croatian Government's proven full co-operation with the ICTY, the relevant state authorities and agencies are permanently conducting a series of activities essential for fulfilling the requests of the Prosecution of the ICTY.

In order to fulfil its obligations toward the Tribunal, the Ministry of Justice is co-ordinating all activities in this regard, whilst the State Attorney's Office is in charge of all activities by the police and security agencies related to the cooperation with the ICTY.

These efforts have led to tangible results in proving that Croatia has fully and unequivocally complied with all requests of the ICTY Prosecution.

The only remaining open case is the indictment against General Ante Gotovina – being fully aware of its legal and international obligations, the Government has openly called for his surrender to the Tribunal in order to stand trial. The arrest warrant was issued. The political leadership of the country comprehensively induced receptive domestic response to the legality of the ICTY cooperation issue. The President and the Prime Minister jointly ordered all law enforcement agencies to step up all necessary police and intelligence activities to locate Gotovina, apprehend him and transfer him to the Hague. The National Security Council is permanently coordinating, over viewing and directing the activities aimed to resolve this last remaining case in Croatia's relations with the ICTY.

This Summary is outlining all intensified activities of state agencies and authorities undertaken recently to the resolution of the Gotovina case.

1.1 The Ministry of Internal Affairs, Police Directorate

The Police Directorate, in co-operation with other security agencies, including the Interpol, is undertaking permanent and comprehensive measures to locate the fugitive General Gotovina. An official order has been forwarded to every police station in the country and all police officers are briefed and instructed to promptly act in order to locate and apprehend Gotovina. Police work also includes daily collection of all relevant information on the ground. Numerous measures have been undertaken against alleged members of the network of support. The Police Directorate is at the moment processing information concerning the criminal history of Gotovina in foreign countries. In fulfilling its own operational work and through cooperation with foreign agencies, the Police Directorate thus far does not have any information that would prove that General Gotovina is on the territory of the Republic of Croatia.

1.2 Counter-Intelligence Agency of Croatia

The Counter-Intelligence Agency has been conducting surveillance and monitoring of every possible trace of individuals or information which might be useful in discovering

the whereabouts of Gotovina. After analyzing the activities of persons suspected of assisting various Hague indictees in the past, the Agency has come across useful information and the investigation is underway in order to establish possible relation to the Gotovina case.

1.3 Intelligence Agency of Croatia

The Intelligence Agency of Croatia is in permanent contact with foreign security agencies in collecting relevant information on possible whereabouts of the fugitive General Gotovina. All verified information collected by the agency are immediately forwarded to the police. The Intelligence Agency of Croatia will continue, thoroughly and unreservedly, its own activities and cooperation with foreign agencies, in order to collect information on Gotovina's whereabouts and apprehend him.

1.4 Military-Security Agency of Croatia

The Military-Security Agency of Croatia has completed a detailed documentation on all individuals closely tied to Gotovina. Collected and processed information led to opening of the investigation into the activities of individuals suspected of being accomplices to General Gotovina.

1.5 Ministry of Finance of Croatia, Internal Revenue Service

The Internal Revenue Service of Croatia, in accordance with its legal authority, has conducted a series of investigations concerning the assets of Ante Gotovina, as well as a financial investigation of any financial resources which could have been used in his hiding. Gotovina's assets and income are now fully known after the internal investigation by the State Attorney's Office and his property is being frozen.

1.6 Ministry of Justice, Division for Co-operation with ICTY

In addition to the regular co-operation between this Division and ICTY, the Ministry of Justice has directed special attention to fulfilling the requests of ICTY regarding the accessibility and handing over of documents. After receiving requests from the ICTY Prosecutor's Office, comprehensive documentation, which could be useful in determining the responsibility of Ante Gotovina and those who may have assisted him, has been declassified and released.

2. Summary

All reports of the Police Directorate, individual agencies, reports of the Internal Revenue Service and of the Government's office responsible for co-operation with ICTY, lead to the following conclusion.

2.1 Relevant agencies and state authorities have recently and, in particular within the last two months, directed their activities toward persons and groups suspected of being involved in any way whatsoever with the accused, or for having any knowledge (they themselves or persons closely linked to them) which could enable the Croatian authorities to determine Gotovina's possible location if in Croatia.

In order to achieve that objective within the available legal means, extraordinary measures have been undertaken toward a wide range of individuals, and a number of investigations have also been conducted by using traditional methods as has been outlined in previous reports.

2.2 In addition to operative measures directed at certain individuals, every indication of the possible whereabouts of Ante Gotovina, every press account and every fact relating to Ante Gotovina himself or persons closely tied to him, or suspected of being linked to him has been thoroughly analyzed.

2.3 All these activities resulted in the discovery of persons for whom there is reasonable doubt that they were accomplices of Ante Gotovina or any other Hague indictee, and brought about criminal proceedings against those individuals for assisting Hague indictees (Ivica Rajić – members of the «Ahmić group»). In this regard a criminal court proceeding is being conducted against Ljubo Česić Rojo, appropriate actions are being taken towards Ante Jelavić, a high-ranking official of the HVO at the time of the arrest and surrender of the «Ahmić group». The investigation of Ante Jelavić will be initiated very soon.

Regardless of the results achieved, the Croatian Ministry of Internal Affairs will continue to conduct intensive measures with the objective of determining the identity of individuals who are in any way linked to assisting Hague indictees.

The State Attorney Office is thoroughly investigating also the activities and motives of individuals presenting themselves as possible contact persons able to secure Gotovina's voluntary surrender. The credibility of one of these persons, Jure Kapetanović, is being investigated and the State Attorney has decided to initiate criminal proceedings against him.

Measures have been taken to block any financial and any other assistance to Gotovina including freezing of his assets.

2.4 The court ruling on February 25, 2005 against Hrvoje Petrač (fugitive as well) to six years in prison is also relevant to the Gotovina case as established through operative investigation. H. Petrač is considered a key figure of organized crime in Croatia, and there are indications of his direct and indirect material, financial and other support to Gotovina.

2.5 ICTY Office of Prosecution is granted direct access to requested documents, which are declassified and delivered to the ICTY.

2.6 Comprehensive search and detailed investigation of Croatia's police and secret service, in cooperation and with the assistance of foreign agencies so far does not confirm the location of fugitive General Gotovina, in particular not that he is on the territory of Croatia.

2.7 All Croatia's law enforcement agencies and the Administration will continue to use all legal measures in order to locate, apprehend and transfer General Gotovina to the Hague as this remains the Croatian Government's obligation according to Croatia's own law and its international responsibility.