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White Paper on the

February 2009 Visit to the United States by Cardinal Vinko Puljic of Bosnian and Herzegovina to Raise Awareness of the Political and Religious Plight of the Bosnian Catholic Church and the Croatian People Presently Residing in Bosnia and Herzegovina under Conditions set by the Dayton Peace Agreement of 1995

by

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A. Forward

His Eminence Cardinal Vinko Puljic, Archbishop of Sarajevo, visited the United States during the first two weeks of February 2009 for meetings in Washington, DC, and to deliver a lecture on "Peace, Dialogue, and Coexistence in Bosnia and Herzegovina" at Georgetown University. The Cardinal also conducted discussions in other U.S. cities with many Croatian Americans as well as other Americans. Representatives of the **National Federation of Croatian Americans (NFCA)** - including National Treasurer Zvonko Labas, National Secretary Anne Pavlich, Vice President Steve Rukavina, and NFCA Public Affairs Director Joe Foley - accompanied Cardinal Puljic, his aide Fr. Josip Knezevic and Fr. Ivan Sibalic, Pastor of the Croatian Catholic Mission in Washington, to meetings with representatives from the Bureau of European and Eurasian Affairs at the U.S. State Department and with several Members of the U.S. Congress. Those Members of Congress with whom we met during the first week of February included Rep. Chris Smith (R-NJ), Rep. George Radanovich (R-CA), and Senator Mark Begich (D-AK). It should be noted that Rep. Smith is a very senior Member of the House Foreign Affairs Committee and the current Co-Chair of the Congressional Bosnian Caucus. In addition, Rep. Radanovich is the Co-Chair of the Congressional Croatian Caucus, and Senator Begich is the first Croatian American elected to the United States Senate.

B. Current Situation of Croatians in Bosnia and Herzegovina

According to Cardinal Puljic, the Dayton Peace Agreement (DPA) of 1995 is all but dead due to its inability to be an effective form of governance over the political situation there. In a few instances the Office of High Representative established by the DPA tried to modify the agreement in an effort to balance the political power of the three constituencies. But each time it proved detrimental to Croatian Bosnians and therefore was not enacted. As a result, today the Croatian Bosnian national entity is practically powerless and subjugated by the other two constituencies - the Serbian Bosnians of the Republika Srpska (RS) and the Muslim Bosniaks of the Federation of Bosnia and Herzegovina (BiH).

It should be noted as an item of reference at this point that in BiH:

(1) The three main constituencies correspond nearly 100% with a particular religious allegiance – Croatian Bosnians are Roman Catholic, Serbian Bosnians are Serbian Orthodox, and Bosniaks are Bosnian Muslims of Slavic ethnicity.

(2) And, of these three constituencies, Croatian Bosnians are the oldest settlers of the current inhabitants in BiH.

Furthermore, the DPA-established eight-month rotating Presidency amongst the three Bosnian constituencies and the biannual elections process in BiH have kept this nation unsettled and in constant political turmoil. The civil and political disruptions in BiH are now considered significant enough by most observers and practitioners that the DPA is viewed to be broken beyond repair. It is believed that sixty-seven (67%) percent of Catholic Croatian refugees have not returned to their homes since the end of the war in 1995. Before the war 820,000 Catholic Croats lived in Bosnia and Herzegovina while there are only about 460,000 remaining today.

In Bosnia's Posavina region - which is in the northern part of the DPA-defined Republika Srpska statelet within BiH - 220,000 Croats resided in this region before the homeland war. Today there are only 13,000 Croatian Bosnians remaining, and they are constantly exposed to various local intimidations, threats, and robberies. Cardinal Puljic repeatedly emphasized during our meetings that there is no real personal or property security for Croatian Bosnians currently residing in the RS.

Within the Federation consisting of Muslims & Croats, matters are not much better. According to several observances of the DPA, Croats are outvoted on all levels - federal, county, and municipal. The concept of majority vote at the federal and county levels serves to keep Croats out of government decision-making and subjugated to majority Bosnian Muslim (or Bosniak) rule. Croats have few rights and no established, recognized, or practical capacity for redress of grievances. BiH was created as a multi-ethnic nation-state under the DPA, and it is currently proclaimed to be so to a fair degree by most elected Bosnian officials. However, in reality, Muslims politically and economically dominate all areas of BiH not considered part of the DPA-recognized statelet of RS. This is essentially the remainder of the country.

The Croatian Bosnian population is effectively dispirited, afraid, and leaving BiH in a continuous movement to the Republic of Croatia and points west. In the last two years, five hundred (500) Catholic families have left Sarajevo permanently. Cardinal Puljic made the point that various Bosniak leaders - both political and religious - have told him on occasion that: "You Croatians have your own country in the Republic of Croatia and this one is ours." The frankness of this statement further symbolizes possible intractable national difficulties in Bosnia.

At the same time, the influences of ultra-conservative Wahabi Islam are being imported from Saudi Arabia while fundamentalist Shi'a Islamic teachings and influences from Iran continue to flow into BiH uninterrupted. Together with money supporting the spread of Islam and the persistent building of mosques as a 'jobs program' in much of highly unemployed Bosnia, the influx of competing Saudi and Iranian funds and their respective Islamic cultural practices raises valid questions. What is behind these seeming Islamic sect rivalries and the probable nation-state political competitions currently playing out in BiH? NFCA representatives were not able to obtain sufficient answers to relevant questions regarding the apparent Saudi Arabian and Iranian political and religious influences and competition currently taking place in Bosnia and Herzegovina.

Cardinal Puljic provided a more micro-cosmic example of the related difficulties that he has faced in BiH since the end of the "homeland wars" that established the various successor states of the former Socialist Federal Republic of Yugoslavia. The Cardinal has been tireless in his attempts to obtain a permit to build a Catholic Church in a parish in Sarajevo where Catholic Croatians have been gathering for services in a machine shop for the last twenty-seven (27) years. His request for the permit to build was initiated nine (9) years ago with no results to date. During this same period of time, the Cardinal noted, approximately seventy (70) Islamic mosques have been built in Sarajevo.

Cardinal Puljic underlined other tangential problems. Currently there is no titular head of public decision-making regarding religious expansion, orderly appeals, and related concerns in BiH. For instance, Cardinal Puljic is most disheartened in that he must appeal to an Imam of the Muslim faith for official permission to build a Catholic Church in Sarajevo. He would rather seek permission at some governmental level within the Muslim-Croat Federation of BiH - or within the national government of Bosnia and Herzegovina in Sarajevo - versus currently being required to pursue specific Catholic Church developmental matters before certain quasi-appointed Imams. These problems are emblematic of the absence of a policy regarding Church land ownership and/or the return of lands to those BiH citizens who have decided to return to the country after the end of the Bosnian war in 1995.

Furthermore, in the region of Travnik, the Islamic institutions and all Islamic properties that had been confiscated during the communist regime have been returned. The Catholic Church went to the International Court of Human Rights in Europe and requested the same treatment. The court ruled in favor of the Catholic Church and ordered the property to be returned. This happened five (5) years ago, the Cardinal reported. To date, no action has been taken by the local government and no Church property has been returned. While in our meetings at the U.S. State Department and in the U.S. Congress, Cardinal Puljic cited several earlier State Department pronouncements regarding essential rights protections for minority Roma in Europe by the prior Principal Deputy Assistant Secretary of State for European and Eurasian Affairs, Rosemary DiCarlo. However, the Cardinal succinctly drew attention to the fact there have been no statements to date by the U.S. State Department regarding the many rights violations of Croatian Bosnians living in BiH.

C. Catholic Church (BiH) Constitutional Change Proposal

While he remains apolitical in regard to the final governmental or geographic structures, Cardinal Puljic proposed that a new Constitution in BiH should satisfy the following three (3) conditions to be practical and effective:

1. Equal rights and veto power to all three constituencies at the federal level.
2. On the regional entity levels: No constituency should have more than forty percent (40%) or less than thirty percent (30%) of participation in the government structures such as administration, police, education, etc.
3. On the local municipal level: 'One person - One vote' is appropriate because of the individual ethnic make up of each community unit. In Bosnia, the ethnicities tend to live together in the same villages and towns.

The Cardinal said these goals would be hard to achieve immediately because: "No one will relinquish power voluntarily and no political group will sacrifice what they already have." For example, Serb-Bosnian farmers are farming land in the RS that belonged to the Catholic Church before the 'homeland

wars' in the 1990s, while a former Trappist monastery in Banja Luka (the capital of the RS) has been transformed into an apartment and housing complex. The economic development of these particular properties, and the current de facto RS land use policies it illustrates, significantly blocks repatriation of these Church properties and others being affected in similar manner.

The Cardinal's present strategy is to push for equal religious and human rights for all in BiH and the return of Church properties. These properties include schools, churches, monasteries, and related lands that supported Church infrastructure in BiH. Achieving this would encourage Catholics to stay and fight for their individual equal rights. In short, a 'grass roots' political and legal movement by Bosnian Catholics of Croatian ethnicity could result.

Cardinal Puljic claimed that the DPA in its present form does not provide for actual political and equal rights reform in BiH. He noted that: "Dayton is like a 'straitjacket' for Bosnia. It may be similar to someone's broken hand that requires 're-breaking' before it can be set properly and actually heal correctly." These statements related to the problems with the DPA and the tangible evolutions of Serbian and Muslim domination (in the Republika Srpska and the Federation respectively) struck resonant chords of understanding at the U.S. State Department and on Capitol Hill with the Members of Congress and their staffs.

D. Conclusion

On February 20, 2009, a local magistrate in RS capital of Banja Luka ruled that significant reparations (\$42 million/29 million pounds) must be paid to the Islamic community in response to Serbian forces' destruction of 16 mosques within the Republika Srpska during the 1992-95 Bosnian war. The court ruling comes eight years after local Muslims filed the first case in BiH in which a religious community sought joint reparation for such wartime damages. Plaintiff attorney Esad Hrvacic noted the decision was of "historic importance." He told Reuters after the ruling that: "... most important is the fact that the Serb Republic has for the first time acknowledged the responsibility for the destruction of religious objects during the war. We expect that the authorities will meet their obligations in a dignified manner and take over the responsibility and correct the past mistakes." *

This very recent court decision in Banja Luka bodes well for meaningful religious, human, and property rights progress in BiH. It creates the possibility that the same legal assurances and civil courtesies could eventually be extended to the Croatian Catholic community and its Church. Supportive policy development and action by the U.S. and other countries - including Bosnia's neighbors in South Central Europe - are needed now. Progressive attention to these matters could contribute assistance to Cardinal Puljic and his Catholic Church's goals in BiH. These necessary objectives - as the **NFCA** views them - are obtaining the same religious, property, and human rights for Croatian Bosnians that the Orthodox religious already enjoy in the Republika Srpska and that the Muslims take advantage of throughout the remainder of the Muslim-Croat Federation. If properly met, these immediate objectives could be a starting point for a final reconciliation in Bosnia and Herzegovina. Success in these regards would assist the Bosnians themselves in the creation of a more stable nation-state for the immediate and extended future.

* Attorney Esad Hrvacic's quote source: "Bosnian Serbs Told to Pay for Burnt Mosques" Reuters - February 20, 2009

<<http://www.iht.com/articles/reuters/2009/02/20/europe/OUKWD-UK-BOSNIA-COURT-MOSQUES.php#>>