

CROATIAN CIVIL MOVEMENT
Protection of civil rights association
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Zagreb, 14th of July 2008

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Honorable mr. prosecutor,

Your recent statement, which was given (8th of July 2008) at Higher terrestrial court in München, is extremely interesting and important for future of the Croatian state. According to some Croatian newspaper, You have made a conclusion (for example www.vecernji.hr) on that event that „Croatia is not willing to join the rest of the Europe, and that it is a country where ex-communists still have a great deal of influence, and also to jurisdiction“. And you started Your statement, of course, with Prates case, and hinting to Josip Perković.

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And speaking of Josip Perković, we also had certain experience with this gentleman. After arrest order were given for Josip Perković, which was published on their web site www.bka.de on 27th of October 2005 by Federal criminal office of Germany, Croatian civil movement, Protection of civil rights association, submitted on 3rd of November 2005 in Zagreb, based on accusations that he was participating in murder of Stjepan Đureković, following criminal denunciation (document number 1):

„Criminal denunciation concerning illegal activity of: Josip Perković also known as Tomo Novaković, participant in murder of Stjepan Đureković, from Zagreb, whose address is well known to Ministry of internal affairs, etc.

who had TOGETHER committed criminal act described in art. 90 of Criminal law, which is manslaughter, in art. 91 of Criminal law, which is second degree murder, in art. 127 of Criminal law, which is abuse in doing service or public authorisation, in art. 146 of Criminal law, which is espionage, in art. 149 of Criminal law, which is helping the enemy, in art. 161 of Criminal law, which is unlawful killing and injuring the enemy, in art. 163 of Criminal law, which are unallowed forms of fight, in art. 169 of Criminal law, which is international terrorism, etc., and in following way:

1 Description of criminal act

Federal criminal office of Germany published on 27th of October 2005 on their internet site www.bka.de arrest warrant for Josip Perković from Zagreb.

According to arrest warrant, German investigation has international warrant for arrest for Josip Perković and they are searching for 60-year-old Croatian citizen Josip Perković, also known as Tomo Novaković, under suspicion that he participated in murder of Stjepan Đureković. Also stands there that Perković, who was back then on leading position in Udba, where he worked until 1991, together with one more employee in Udba, tried in 1977 to persuade one Croat from Germany into murdering two of Croatian emigrants in Germany. Those two are Bilandžić and Goreta. His associate was Mihajlo Svilar, and they were persuading Josip Müller, who reported all to German police. Germans are also saying that it is concluded that he was in Croatia.

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2 Evidence

Newspaper article SEARCH FOR PERKOVIĆ, by Zvonimir Despot, „Večernji list“, Zagreb, 28th of October 2005, pages 4 and 5.

Newspaper article PERKOVIĆ IN SHOCK, by Zvonimir Despot, „Večernji list“, Zagreb, 29th of October 2005, page 8.

Newspaper article FROM POSITION OF CHIEF OF UDBA TO ESTABLISHER OF SIS, by I. Radoš, „Jutarnji list“, Zagreb, 28th of October 2005, page 4.

Newspaper article JOSIP MANOLIĆ: PERKOVIĆ WAS EMPLOYED BECAUSE HE WAS EXPERIENCED, by Vlado Vurušić and Ivanko Toma, „Jutarnji list“, Zagreb, 29th of October 2005, page 6.

Hearing of witnesses, whose addresses are familiar to Ministry of internal affairs of Republic of Croatia, and those are: Josip Manolić, Stipe Bilandžić, Ivan Jarnjak, Đuro Perica, Vice Vukojević, Nikola Štedul and Stjepan Mesić.

3 We ask immediate legal procedure against guilty party in this criminal denunciation.”

Of course, as it was expected, State attorney's office of Republic of Croatia didn't respond until this day regarding this criminal denunciation.

Considering I was expecting such reaction, and considering I was also prosecuted by Yugoslavian security and secret services for many years, just in case I have sent on behalf of Croatian civil movement on 4th of November 2005 following letter to ambassador of Federal Republic Germany in Croatia (G.Juergen A.G.Staks):

„Honorable Sir,

We are following the effort of Federal criminal office of Federal Republic of Germany considering arrest warrant for Josip Perković from Zagreb with many interest. And we believe, as it is expected, that official Croatian party will do all possible to make this arrest not happen, also to unable the prosecution of mentioned gentleman (comrade).

We wish to prevent that and to help German government to accomplish this efforts. We submitted, along with our investigation project „Recent times“, on 3rd of November 2005, and because of it, to COUNTY STATE ATTORNEY'S OFFICE IN ZAGREB criminal denunciation against Josip Perković, which we are also sending to you by fax, and we also informed newspaper agency HINA, „Večernji list“ from Zagreb and „Jutarnji list“ from Zagreb.

We are at Your service.”

We had never received any replies to this letter. Croatian newspaper agency HINA, „Večernji list“ and „Jutarnji list“ also didn't find worthed to pay any attention to our denunciation against Josip Perković.

* * *

Just because State attorney's office of Republic of Croatia didn't start any investigation against Josip Perković, doesn't mean they didn't do anything. Instead, they made legal motion against me, and based on false report. Of course, proper explanation was given for it (I will say more about it later) „so that Vlachs don't remember“, but the point was completely clear and simple.

Even more because gentlemen (comrades) in State attorney's office of Republic of Croatia, probably were thinking about two possibilities:

1 Ljubica Prates, mother of Krunoslav Prates, was at on point of time (1965-1971) working with me in Communal social security office in Vinkovci. We were friends at work. At that time Krunoslav was little boy and I haven't seen Ljubica for a longer period of time. But, who knows, I suppose they thought that I might be aware of some activities of her son.

2 Stjepan Mesić was sponsor for well known company Solidum Žužić from Zagreb, company that was heading forward in business after Mr.President opened the door for quality wood delivered by Croatian woods, and also to Hypo-Alpe-Adria bank, and all that after Mr.President made possible for them to buy Slavonian bank from Osijek for minimal price. I am not financial reviser of Solidum Žužić company, but who knows what kind of information I managed to get in the time I was there.

3 Relation Stjepan Mesić - Josip Manolić - Josip Perković is no secret for Croatian citizens. Anyway, even Josip Perković's son, Saša Perković, is Stjepan Mesić's, the President of Republic of Croatia, advisor.

* * *

Therefore, County state attorney's office from Zlatar (!) started criminal motion on 30th of November 2005 at County court in Zagreb(!) **criminal motion** (number K-DO-115/05 - document number 2) against dr. sc. Tomislav Dragun, regarding the fact „that he was: in time period from 30th of June 2000 until **3rd of November 2005**, continuously, to different State attonrey's offices in Republic of Croatia, submitting written petitions called criminal denunciations

or investigation demands, and those documents by its contest represent criminal denunciations against large number of people regarding different criminal acts, even though he was aware that those people didn't commit any criminal act for which they are charged. Therefore he didn't give any description of those actions which should be alleged criminal acts, nor he gave any facts or circumstances which would give any suspicion in committing any criminal act."

Main discussion was held at County court in Zagreb on 16th of February 2006 regarding this subject. But there was no discussion about the contest of this motion, but judge mr.sc. Zorislav Kaleb only issued, on proposition of prosecutor, following warrant (V KO-3496/05 - document number 3):

„I Based on article 248, par. 1 and regarding article 266, par.1 of Criminal law Court is asking for psychiatric evaluation of accused Tomislav Dragun and which should be performed by dr. sc. Dragica Kozarić - Kovačić from Zagreb, Street of Republic of Austria 7, and regarding psychiatris state of mind tempore criminis and today, and also his business capability.

II During investigation it is necessary to establish, after the insight into documents and conversation to accused, his mental soundness today, and his mental state and also is he completely capable for business or it is necessary to make some security measure in form of psychiatric treatment from art. 75 of Criminal law. Court expert is obligated to take over the file immediately and to deliver his test results and opinion in three copies."

Of course, prof. dr. sc. Dragica Kozarić - Kovačić is one of the fans of Stjepan Mesić.

Psychiatric evaluation which was asked for, was performed in Clinical hospital „Dubrava“ in Zagreb in period from 29th to 31st of August 2006 (document number 4), and right after that it was concluded the following:

„1st Tomislav Dragun is a person with highly over average cognitive and brain abilities, who has possessed disorder which belong to paranoid-querulant type with elements of magnificence.

2 Considering the possessed contents which are dominating in his judgement, his activities are directed to “justice” demonstrating, and therefore his abilities tempore criminis in order to understand the meaning of his act and possibilities to control his own behaviour, are not existing, meaning he has no mental competence.

3 He is capable to attend the trial.

4 There is no need for forced placing in psychiatric institution according to the Protection of persons with mental disorders law, because he is not dangerous for his surrounding, meaning that his danger is related only to “proving justice with law suit” and it is possible to eliminate this danger with ambulance treatment. Also it is necessary to start the procedure for taking away his business ability, which should be partly determined (measures, actions and procedures which is this related to, are those considering legal actions and businesses, court representing, starting new court trials, law suits and criminal denunciations).

After mentioned psychiatric report, on 27th of October 2006 County state attorney's office in Zlatar informed County court in Zagreb with written statement that „they are stopping any criminal prosecution against accused Tomislav Dragun“, which was accepted

by judge mr.sc. Zorislav Kaleb and according to that he stopped law procedure on 30th of October 2006 (document number 5).

It was not possible for me to make any statement regarding medical result and opinion of court expert Dragica Kozarić-Kovačić, which became in this way *without proper court procedure valid*.

There was also second part of judge mr.sc.Zorislav Kaleb's motion, which was partial restriction of business capability, *even though the criminal motion against me was dropped, and judge stopped the procedure!* This was in domain of Social security centre in Zagreb.

Social security centre in Zagreb, Office in Dubrava, started right away in accomplishing „party“ assignment which was given to them. On the 17th of October 2007 it was suggested (document number 6) to County civil court in Zagreb „that County civil court in Zagreb should partially restrict business activity for Tomislav Dragun and it should be applied onto taking any legal actions and affairs, court representing, starting any legal procedures, motions and criminal denunciations“.

What was said, it was done. Who could confront them anyway?

County court in Zagreb sent me to new psychiatric evaluation and this time to Psychiatric hospital Vrapče in Zagreb. Centre for forensic psychiatry there, after *individual and consiliar* psychological and psychiatric evaluation gave following report and opinion on 14th of April 2008 (document number 7):

„1 Tomislav Dragun was never psychiatrically treated nor he has any psychiatric problems. Based on the available data, our opinion is that he is mentally healthy and there is no need for any kind of legal

guardian and this opinion is shared both by his family and his ordinarius which is not judgemental in diagnostic, but also it is not meaningless.

2 Based on our psychiatric exploration and examination and also based on psychological testing which was performed, we found no elements which would show any kind of psychopathological suspicions that would be equal to any paranoid or psychotic ideas, and we haven't found enough arguments to make diagnosis as paranoid-querulant disorder.

3 We also believe that Tomislav Dragun's case is case of paranoid-querulant disorder of personality with elements of magnificence.

4 His actions (which are mainly law ones) and actions against him, and which are connected to his personality without any doubt, could be harmful for other people, but this damage, from psychiatric (and especially therapeutic) point of view should be neutralized in some other way (by law suit, no matter civil or criminal ones), and not in a way to restrict his business capability for taking all legal actions and affairs, for court representing, starting court procedures, motions and criminal denunciations or any other business restrictions. He is able to understand the consequences of his actions, of course equally to characteristics of disorder which was diagnosed as paranoid-querulant type.

5 Mentioned mental disorders which were diagnosed (paranoid-querulant disorder of personality) aren't at that level that the examinee wouldn't be able to take care of his own needs, rights and interests nor that he would endanger rights and interests of other people, and even in case he does such thing, he is able to take the consequences (court procedure) for it and in such circumstances we find no arguments for business restrictions or legal guardian.

County civil court accepted the report and opinion of Psychiatric hospital in Vrapče, and on 5th of June 2008 he made resolution number I.R1-2050/07 (document number 8) by which suggestion of Social security centre in Zagreb was refused in which was requested my business restriction.

* * *

Of course I didn't plan to helplessly wait for another psychiatric report (Psychiatric hospital Vrapče) and resolution of County civil court in Zagreb, but I was searching for another option on the other side. I asked for political asylum in Slovenia, or better to say European Union (document number 9).

You see, I am very well aware of the communist prosecution methodology, because I used to live in that evil creation since 1945.

I was born on 5th of October 1938 in village Lokvčići near Imotski (Dalmatia, Croatia). When I was two years old, I got poliomyelitis. My parents took me to Zagreb for treatment, where my father managed to get a job as peeler scout. We were also in Bleiburg, and later we were deported to our home village. Since 1949 we lived in Vinkovci (Slavonia, Croatia). During Hungarian events (1956) I was on my first hearing in Internal affairs secretary office. I was wearing glasses, so it was a possibility for me to make camouflage. This procedure continuously repeated itself, and „informative“ conversations lasted around 2 or 3 hours, and sometimes even more. I was unable to get any decent job, even though I had master's degree and doctorate. I have spent Homeland war in Vinkovci (until Vukovar was occupied), and then I moved with my family (my wife and two daughters, my third - eldest - daughter was killed on 8th of November 1991 in Vinkovci, as Croatian war volunteer) to Zagreb (20th of November 1991).

I was unable to get any job in state service. Same as before, all doors were closed for me. I was forced to make my own living doing some private business, even though my Croatia became free and independent state, which was something I dedicated my whole life to. And also new attacks started.

All started with Ivo Pukanić and „nacional“ (newspaper that are directly controlled by Stjepan Mesić). I was marked as main person of Croatian transformation and privatisation. Me, who was never member of anything, not even the lowest state board. I knew very well what was about to happen, and I also heard that National security council (VONS) leaded by its president dr.Franjo Tuđman decided to start criminal prosecution against two or three person in each County in order to hide programmed (and realised) robbery („takeover“) of Croatian economy, and also national property. So it was.

Criminal motions and denunciations followed.. Over twenty only against me. With no reason. I also responded with denunciations, and for that cause I made over one hundred of them. Final response of my prosecutors was: he is insane, because he won't let go, so he should be put away in institution. They didn't know how to make any different response to resistance which they haven't expected, because it was once in non-camouflaged comunism.

I asked asylum from Republic of Slovenia, pointing out that I was refering to Slovenia as to member of European Union. I submitted my request on 7th of November 2007. My request was declined by resolution of Ministry of internal affairs of Republic of Slovenia (document number 2142-340/2007/5 (1352-12 dated on 11th of December 2007 - document number 10), because I was still in Republic of Croatia. It was true that I also received links of refugee advisors, in case I decide to run over the border.

* * *

Asylum, in its legal and regulatory meaning, is not really something I was seeking, and especially when it was about leaving Croatia. My age, my health condition (I was operated on 21st of October 2004 - colon cancer, and at the same time diabetes was diagnosed - all as stress consequence, caused by constant political and business prosecution), my financial state, and especially my patriotism, aren't allowing me to leave my homeland, where I managed to last 45 years of communist terror.

All I need is security protection, because I am in constant danger, which from time to time becomes actual life danger. I can't get any protection in Republic of Croatia, so therefore I am asking for one in European Union. I can understand the caution of Slovenian government, but Federal Republic of Germany most certainly has no such limits and reason not to comply to my request.

All of this was reason for my letter, as for my asking to meet You for official conversation. I am ready in return, to testify fully and with no holding back about all actual social, political and economical events in Republic of Croatia.

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What could I possibly testify about? All you want me to, with no holding back. A lot of things, because I was - I had to - working as private businessman on making an elaborate for transformation and privatisation got in touch with a lot of facts and realisations, which made me able to understand modern Croatian reality in which it is not allowed to talk about the term lustration of communist bodies, and there is no way to actually lustrate them from their leading state positions, which they still hold in their hands.

STATE TOP OFFICIALS

Your suggestion was probably long waited signal for actual start of Croatian leaving of communist ship and camp. Unfortunately, we are afraid, also not good enough, because it could be sabotaged same as all similar encouragements before this one. Communists, and it is true what you are saying, still „have great influence“ in Croatia in general, and especially in its jurisdiction, but not obvious enough. They are still rulling the Croatia and are divided in two main parties (HDZ and SDP = SKH = KPH), and after transformation and privatisation, without mercy and greedy, they took for themselves most of Croatian economy wealth, media and political positions. Through State attorney's office of Republic of Croatia and also through Croatian jurisdiction, they hold - as they say - „all under control“ and in such manner they keep their rulling safe based on endless anarchy, robbery and corruption. It can be said that even part of Croatian Interpole was involved in it!

To all this certainly one tragic fact should be added; that many other people joined to communists in Republic of Croatia, from many reasons, pragmatic opportunities, and those people were originally outside of communist circle, but any position suits them, even communist one, just to indulge their greedy ambitions. Therefore, positions of all those who aren't fan of communists, and there is a majority of them in Croatia, including myself, and who were prosecuted in time of Tito and post-Tito Yugo-communist rulling, was hard. Only old methods are good: false accusations, limiting the rights on honest work and individual economy, and of course, old „tried recipes“ in form of sending people to mental institutions, etc.

According to testimony of late prof.dr.sc. Šime Đodan, ex-minister of defense Republic of Croatia, Secret comitee rules Croatia, and its original members are: dr. Franjo Tuđman, Ivica Račan, Josip Manolić,

Josip Boljkovac and dr.sc. Dušan Bilandžić. The rest, as he said, who were in HDZ, were only raising hands in the air. Main state official is Josip Manolić, old and experienced member of Udba. Leading men of economy wing in Secret comitee, also known as „Hennesy Group“ are: Franjo Gregurić, Ante Todorčić (father of Ivica), Mladen Vedriš, mr.sc. Zlatko Mateša, Željko Čović and Franjo Luković. They have now in their personal ownership, and not in social as before, practically all Croatian economy potential. How was it done?

Taking over the government in the first place. SDP is only renamed KPH, or SKH. Without hiding and camouflage. It is well and timed organised party with rich logistical support and personell. HDZ is political movement in which from the beginning, all leading positions were taken by people like Josip Manolić, Stjepan Mesić and even Franjo Tuđman himself, and also some lower positioned forces like Josip Perković and some others.

Corruption and robbery were activities programmed in the state top officials, and not some side excess. These aren't some unknown procedures, but also the names are known. Why hide them?

ECONOMICAL TRANSFORMATION AND PRIVATISATION

Economical takeover of Republic of Croatia performed by communists and their non-communist servants, was done with specific methodology and it's consisted of following „tools“: apply of „Marković's privatisation law“ and all that before Transformation of public company law was voted, taking over banks and insurance companies from lawful privatisation, manager money support, internal recapitalization, coupon privatisation, „under the table“ business deals and other forms of corruption.

STATE ATTORNEY'S OFFICE OF REPUBLIC OF CROATIA

This is main criminal form of neocommunist government in Republic of Croatia. People are accused by them without any legal basis, and they were also covering up some criminal procedures which have legal basis.

Ministry of justice of Republic of Croatia is in this meaning only obedient executive service. Of State attorney's office of Republic of Croatia.

JURISDICTION

Croatian jurisdiction was making possible all demands made by Croatian neocommunist state top officials by prolonging law suits, and declining law motions based on „incomplete“ evidence, or „obscurity“ and „unperspicuity“ and all that through State attorney's office.

MEDIA

Newspaper, magazines, radio and TV are only ste up meanings for marking specific people, and for united support to actions made by those who rule. All done according to Staljin's short class of Sibirian way. Let's not forget to mention here also unions.

EUROPEAN UNION'S PRE-JOINING SOURCES

Financial support from them is only available to those people who are part of neocommunist Croatian government, and those who accept corruption criterias as their business rule.

I can be very specific here, and also I would come to any testimony with a lot of documents and facts.

* * *

This letter seems promising to us. But, we still need to be very careful. Croatian newspaper are saying that West thinks that Republic of Croatia is stable state according to them. It is also advised to all who try to criticize Croatian government not to address foreign countries because there is no one there who will hear them.

We also count on that and based on this „advices“, we started certain activities which should help final democratization of Croatian society, and we will point out on three of those:

LUSTRATION OF COMMUNIST PERSONNEL

European resolutions which are basis for lustration of communist inheritance, aren't valid in Republic of Croatia, nor they are applied. Croatian civil movement, therefore, formed Honorable lustration court which will start with its work this autumn (documents number 11, 12 and 13).

CONFIRMING THE CANCELLATION OF STOCK EXCHANGE CONTRACT IN COUPON PRIVATISATION

State revision office confirmed that stock exchange in coupon privatisation was performed in illegal way, in such manner that some people made profit practically with no cost at all - over 25% of Croatian economy real estates, and by this almost 230 000 Croatian defenders and refugees were directly affected by this (documents 14, 15 and 16).

Croatian civil movement submitted to Commercial court in Zagreb law suits for confirming the cancellation of stock exchange contract in coupon privatisation. But, law suits were prolonged, because Croatian privatisation fund doesn't allow the insight in specific agreements, because they were classified as *business secret*.

At this point, we asked for direct statement of state top officials: Luka Bebić, President of Croatian parliament, Stjepan Mesić, President of Republic of Croatia, and dr.sc. Ivo Sanader, President of Croatian government (document number 17).

REPLACEMENT OF MLADEN BAJIĆ

We also made a demand to the Government of Republic of Croatia and Croatian parliament in which we asked for the replacement of Mladen Bajić (document number 18).

Honorable deputy prosecutor of the Federal German Republic, that would be all we wish to inform you about at this point of time. In belief of your honesty and integrity, we humbly await your response.

Sincerely,

Tomislav Dragan, PhD
President