

THE GOVERNMENT OF THE REPUBLIC OF CROATIA

**REPORT ON THE IMPLEMENTATION
OF THE FRAMEWORK CONVENTION FOR THE PROTECTION
OF NATIONAL MINORITIES IN THE REPUBLIC OF CROATIA**

March, 2004

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INTRODUCTORY REMARKS

Since the First Report submitted by the Republic of Croatia in February of 1999, and answers to the additional questions of the Advisory Committee on the Framework Convention for the Protection of National Minorities submitted in June 2000, four years have elapsed. During that period the legislative system of the Republic of Croatia pertaining to national minorities has been completed: in 2000 the Law on Education in Languages and Scripts of National Minorities and the Law on the Use of Languages and Scripts of National Minorities in the Republic of Croatia were adopted; in 2002 the Constitutional Law on the Rights of National Minorities and a range of by-laws were enacted, thus creating conditions for a systematic exercise of the national minority rights. These laws were adopted by consensus of the parties in the Croatian Parliament, which also ensures that there is political will to implement them.

After the general elections of 23 November 2003, the Government of the Republic of Croatia reached and concluded agreements with representatives of national minorities, and in its programme it undertook the obligation to develop specific measures whereby it would continually work on the protection and promotion of the protection of national minorities, and resolve the remaining open issues faced by national minorities. The Government also committed itself to fully implement the Constitutional Law on the Rights of National Minorities, and the laws that regulate education and official use of languages and scripts of national minorities.

Generally speaking, since the First Report on the implementation of the Framework Convention, national minority rights have been greatly improved, especially in the legislative sphere and in exercising their right to their own culture and language. Another important development has been the extension of the rights of members of national minorities to participate in the decision-making process. Along with the representation of national minorities at the national level, and in representative bodies at the local and regional levels, a new system of participation of national minorities in decision-making has been introduced – councils and representatives of national minorities. The number of national minority representatives to the Croatian Parliament has been increased, and the constituency has been extended to all national minorities in Croatia. Having mentioned this improvement in the exercise of national minority rights and in their legal regulation, it is worth mentioning that the Government of the Republic of Croatia is aware of difficulties that still exist and that are primarily the consequence of certain economic difficulties which affect all Croatian citizens, including members of national minorities. This especially regards the exercise of national minority rights in the war-devastated areas (employment, reconstruction), faster return of refugees and improving the living conditions for Roma. It should be mentioned that the National Programme for Roma was adopted by the Government of the Republic of Croatia in October 2003. The Programme includes a range of measures for improving the position of this national minority. The implementation of the Programme shall require considerable funds.

A particular improvement has been achieved in the democratic environment in Croatia which now enables the realisation of one of the fundamental beliefs of the Croatian Government – that national minorities constitute its wealth, and certainly not a problem. During the elapsed period various measures have been undertaken to strengthen the atmosphere of tolerance and intercultural dialogue. To illustrate these measures, one can mention the already traditional event “Cultural Creativity of National Minorities of the Republic of Croatia” that is held

every November in the Concert Hall Vatroslav Lisinski in Zagreb. The participants of this event are amateurs and members of national minorities and the festival provides them with an opportunity to get to know each other better, to engage in intercultural dialogue and to gain recognition for different minority cultures. This festival, as well as many other events, seminars, exhibitions, books, newspapers and magazines published by national minorities, financially supported by the state budget funds, enrich Croatia and establish it as a true multicultural society in which minorities participate with their cultures and other wealth.

The Republic of Croatia carefully considered the Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities, as well as the Committee of Ministers' Resolution on the implementation of the Framework Convention in Croatia, in relation to its First Report. In order to stimulate resolving of certain issues pointed out in the Opinion of the Advisory Committee and in the Resolution, the Office for National Minorities of the Government of the Republic of Croatia translated the Opinion and forwarded it to all national minority associations, as well as to relevant ministries and other government bodies whose competence includes the area of national minority rights. On 21 March 2002 the Government Office for National Minorities and the Advisory Committee of the Council of Europe organised the Round Table on the implementation of the Framework Convention for the Protection of National Minorities. The Round Table received good media coverage and turned the public attention to the role of the Framework Convention in the protection of the rights of national minorities. Representatives of ministries and other government bodies, representatives of national minority associations and numerous representatives of non-governmental organisations that deal with the protection of human rights all participated in the work of the Round Table. The opinions and proposals made at the Round Table served as an impetus for more efficient implementation of the provisions of the Framework Convention. Especially valuable were comments made by representative of the Advisory Committee which, besides a comparative analysis of the situation in some other European countries, provided useful advice for improvement of measures to implement the principles of the Framework Convention. It should be pointed out that the Opinion of the Advisory Committee and the Resolution of the Committee of Ministers influenced to a large extent legislative solutions and other measures aimed at the improvement of the position of national minorities in Croatia. It is also important to mention that throughout this period we have had good and continual co-operation with the Advisory Committee, both in monitoring the situation in Croatia and in encouraging more efficient exercise of national minority rights. The Advisory Committee and the Office for National Minorities of the Government of the Republic of Croatia jointly organised seminars (on the implementation of the Constitutional Law on the Rights of National Minorities and on the National Programme for Roma) which, we believe, made it possible to exchange useful information that regard promotion of the national minority rights.

The Second Report is a result of the joint work of relevant ministries and other government bodies, national minority associations and institutions, as well as councils and representatives of national minorities and the Council for National Minorities. They were all consulted in order for this Report on the implementation of the Framework Convention to be as complete and as objective as possible. The Report has been compiled in accordance with the Outline received from the Council of Europe – therefore, the information contained in the First Report is not being repeated, but the Report includes information and data relevant for the subsequent period of the implementation of the Framework Convention.

INTRODUCTION

The latest census was carried out in the Republic of Croatia in 2001. Here are some data that regard demographic and ethnic structure of the population of Croatia, whereby we would like to update the data contained in the First Report of the Government of the Republic of Croatia, that reflected the 1991 census results.

Population by nationality, the 2001 Census

	Total	%	men	women
The Republic of Croatia – in total	4 437 460	100.0	2,135,900	2,301,560
Croats	3 977 171	89.6	1,912,953	2,064,218
National Minorities in total	331 383	7.5	158,990	172,393
Albanians	15 082	0.3	8,653	6,429
Austrians	247	0.0	100	147
Bosniacs	20 755	0.5	10,896	9,859
Bulgarians	331	0.0	157	174
Montenegrins	4 926	0.1	2,738	2,188
Czechs	10 510	0.2	4,930	5,580
Hungarians	16 595	0.4	7,482	9,113
Macedonians	4 270	0.1	2,018	2,252
Germans	2 902	0.1	1,254	1,648
Polish	567	0.0	116	451
Roma	9 463	0.2	4,777	4,686
Romanians	475	0.0	203	272
Russians	906	0.0	174	732
Ruthenians	2 337	0.1	1,125	1,212
Slovaks	4 712	0.1	2,180	2,532
Slovenians	13 173	0.3	4,215	8,958
Serbs	201 631	4.5	97,481	104,150
Italians	19 636	0.4	9,210	10,426
Turks	300	0.0	183	117
Ukrainians	1 977	0.0	832	1,145
Vlachs	12	0.0	7	5
Yews	576	0.0	259	317
Others	21 801	0.5	11,267	10,534
Have not declared their national affiliation in total	89 130	2.0	43,537	45,593
regional affiliation	9 302	0.2	4,757	4,545
Unknown	17 975	0.4	9,153	8,822

Note:

In the 2001 Census 19,677 citizens declared that their nationality was Muslim.

Population by religion, the 2001 Census

	Total	%
the Republic of Croatia – in total	4 437 460	100,0
Roman Catholics	3 897 332	87,8
Eastern-Rite Catholics	6 219	0,1
Old-Catholics	303	0,0
Orthodox Christians	195 969	4,4
Muslims (Islamic)	56 777	1,3
Jews	495	0,0
Adventists	3 001	0,1
Baptists	1 981	0,0
Evangelicals	3 339	0,1
Jehovah's Witnesses	6 094	0,1
Christ Pentecostal Church	336	0,0
Other Protestants	4 068	0,1
Other religions	4 764	0,1
Agnostics and non-declared	132 532	3,0
Atheists	98 376	2,2
Unknown	25 874	0,6

Population by mother tongue, the 2001 Census

	Total	%
the Republic of Croatia – in total	4 437 460	100,0
Croatian	4 265 081	96,1
Croato-Serbian or Serbo-Croatian	7 015	0,2
Serbian	44 629	1,0
Macedonian	3 534	0,1
Slovenian	11 872	0,3
Albanian	14 621	0,3
Czech	7 178	0,2
Hungarian	12 650	0,3
Romani	7 860	0,2
Ruthenian	1 828	0,0
Slovakian	3 993	0,1
Italian	20 521	0,5
Ukrainian	1 027	0,0
Other languages	18 942	0,4
Unknown	16 709	0,4

Note: Data provided by the Central Bureau of Statistics

Number of members of national minorities in Croatia

According to the census carried out by the Central Bureau of Statistics in 2001, in the Republic of Croatia there were 331,383 members of national minorities, which make up 7,47% of the total population.

Italians

19,636 members of the Italian national minority were registered in 2001. Most Italians live in the County of Istria (14,284), Primorje-Gorski Kotar (3,539) and Požega-Slavonia (788).

Czechs

10,510 members of the Czech national minority were registered in the Republic of Croatia in 2001. The biggest number of Checks live in the County of Bjelovar-Bilogora (7,098) and Požega -Slavonia (775), as well as in the City of Zagreb (813).

Slovaks

4,712 members of the Slovak national minority were registered in the Republic of Croatia in 2001. Most Slovaks live in the County of Osijek-Baranja (2,155), Vukovar-Srijem (1,338) and Sisak-Moslavina (243).

Hungarians

16,595 members of the Hungarian national minority were registered in the Republic of Croatia in 2001. Most Hungarians live in the County of Osijek-Baranja (9,784), Vukovar-Srijem (2,047) and Bjelovar-Bilogora (1,188).

Ruthenians and Ukrainians

2,337 members of the Ruthann national minority and 1,997 members of the Ukrainian national minority were registered in the Republic of Croatia in 2001. The largest number of Ruthenium's live in the County of Vukovar-Srijem (1,796) and Osijek-Baranja (127). Most Ukrainians live in the County of Vukovar-Srijem (476), Zagreb (330) and Slavonski Brod - Posavina (320).

Serbs

201,631 members of the Serbian national minority were registered in the Republic of Croatia in 2001. The largest number of Serbs live in the County of Vukovar-Srijem (31,644), Osijek-Baranja (28,866), Sisak-Moslavina (21,617) and Karlovac (15,651).

Germans and Austrians

2,902 members of the German national minority and 247 members of the Austrian national minority were registered in the Republic of Croatia in 2001. Most Germans live in the County of Osijek-Baranja (964), Zagreb (288) and Split-Dalmatia (260). Most Austrians live in the City of Zagreb (53), the County of Primorje-Gorski Kotar (36) and Istria (26).

Jews

576 members of the Jewish national minority were registered in the Republic of Croatia in 2001. Most Jews live in the City of Zagreb (368), in the County of Split-Dalmatia (44) and Primorje-Gorski Kotar (27).

Slovenians

13.173 members of the Slovenian national minority were registered in the Republic of Croatia in 2001. Most Slovenians live in the City of Zagreb (3,225), in the County of Primorje-Gorski Kotar (2,883) and Osijek-Baranja (2,020).

Albanians

15.082 members of the Albanian national minority were registered in the Republic of Croatia in 2001. Most Albanians live in the City of Zagreb (3,389), in the County of Primorje-Gorski Kotar (2,063) and Istria (2,032).

Bosniacs

20,755 members of the Bosniac national minority were registered in the Republic of Croatia in 2001. Most Bosniacs live in the City of Zagreb (6,204), in the County of Istria (3,077) and Primorje-Gorski Kotar (3,021).

Roma

9,463 members of the Roma national minority were registered in the Republic of Croatia in 2001. The largest number of Roma live in the County of Medimurje (2,887), the City of Zagreb (1,946) and the County of Osijek-Baranja (977).

Montenegrins

4,926 members of the Montenegrin national minority were registered in the Republic of Croatia in 2001. Most Montenegrins live in the City of Zagreb (1,313), the County of Istria (732) and Primorje-Gorski Kotar (643).

Macedonians

4,270 members of the Macedonian national minority were registered in the Republic of Croatia in 2001. Most Macedonians live in the City of Zagreb (1,315), the County of Primorje-Gorski Kotar (489) and Istria (454).

Bulgarians

331 member of the Bulgarian national minority were registered in the Republic of Croatia in 2001. Most Bulgarians live in the City of Zagreb (110), the County of Split-Dalmatia (37) and Primorje-Gorski Kotar (33).

Russians

906 members of the Russian national minority were registered in the Republic of Croatia in 2001. Most Russians live in the City of Zagreb (250), the County of Primorje-Gorski Kotar (88) and Split-Dalmatia (85).

Poles

567 members of the Polish national minority were registered in the Republic of Croatia in 2001. Most Poles live in the City of Zagreb (133), in the County of Primorje-Gorski Kotar (68) and Split- Dalmatia (62).

Note: Data provided by the Central Bureau of Statistics.

PART I

Upon drafting the Constitutional Law on the Rights of National Minorities (*Narodne novine* /Official Gazette, no. 155/02), the provisions of the Framework Convention for the Protection of National Minorities were employed, as stated in the general provisions of the Law, as well as other international documents. The intention of the sponsors was to turn the principles contained in the Framework Convention into specific measures of the Constitutional Law. It should additionally be noted that Article 140 of the Constitution of the Republic of Croatia stipulates that “International agreements concluded and ratified in accordance with the Constitution and published, and which are in force, shall be part of the internal legal order of the Republic of Croatia, and they shall take legal precedence over national legislation.” Article 2 of the Constitutional Law explicitly states that the Republic of Croatia, besides the human rights and freedoms recognised by constitutional provisions, also recognises and protects all other rights foreseen by international documents.

From the report of the Ministry of Justice:

With reference to Articles 3 and 4 of the Framework Convention

Equality and Right to Declare

Concept of national minority

The Constitutional Law on the Rights of National Minorities introduces the definition of a national minority as a group of Croatian citizens whose members traditionally reside in the Republic of Croatia and who have linguistic, cultural and/or religious traits that set them apart from other citizens and who are dedicated to the preservation of such traits.

All citizens of the Republic of Croatia have the right to freely declare that they are members of a national minority in the Republic of Croatia, and as such they are entitled to exercise - either individually or in community with others - the rights guaranteed to national minorities in the Republic of Croatia by: the Constitution, the Constitutional Law on the Rights of National Minorities, the Law on the Use of Languages and Scripts of national Minorities, and the Law on Education in Languages and Scripts of National Minorities and other legislation that protects the interests of national minorities and secures their rights.

The right to declare one's national affiliation is strictly a personal right. No one may in any manner whatsoever influence how another individual intends to declare. Everybody in the Republic of Croatia has specific rights and freedoms, regardless of race, skin colour, gender, language, faith, political or other beliefs, national or social origin, property, birth, education, social status or other characteristics. Everybody is equal before the law.

In 2003, the Republic of Croatia enacted the **Law on the Protection of Personal Data**, according to which the purpose of the protection of personal data is to protect the privacy and other human rights and fundamental freedoms during the collection, processing and use of personal data.

Protection of personal data is guaranteed to all natural persons regardless of citizenship or domicile, and regardless of race, skin colour, gender, language, faith, political or other beliefs, property, birth, education, social status or other characteristics. Article 8(1) of the Law prohibits the collection and further processing of personal data pertaining to race or ethnic

origin, religious or other beliefs. Personal data may be collected and processed only with the consent of the individual or in cases foreseen by law.

The members of national minorities are entitled to use their names and surnames in the language that they use and to have them formally recognised for them and their children through entry in a register of births and other official documents pursuant to law (Article 9(1) of the Constitutional Law). According to the **Law on Personal Name**, each person is obliged to use his or her name and surname, and is entitled to change his or her personal name for justifiable reasons. If a member of a national minority is not exercising the right to use his or her name and surname (in his/her own language), then he or she may change his/her personal name. Since this is a strictly personal right, no other individual besides this personal him- or herself may effect this change.

Besides the Law on Personal Name, there is also the Law on Mother Countries and the Law on Personal Identity Card which regulate the rights of national minorities to exercise their rights as stipulated in these laws (bilingual personal identity cards and bilingual extracts from registers).

With reference to Article 10 of the Convention

Use of minority languages

Like the right to declare oneself a member of a national minority, and to use one's name and surname in one's native language, the Republic of Croatia also guarantees members of national minorities the right to use their own language.

In Article 12(1), the Constitutional Law stipulates the equal official use of languages and scripts used by members of national minorities in the territory of a local self-government unit when members of an individual national minority account for not less than one third of the population in such unit, which accords such minorities a more favourable status.

This provision reflects a shift in the threshold for the mandatory equal status of a minority language in official use which was established by Article 4(1) of the Law on the Use of Languages and Scripts of National Minorities (whereby members of national minorities should account for a majority of the population in the local governmental unit), which ceased to be valid upon entry into force of the Constitutional Law.

According to the census of 2001, national minorities account for a third of the population in the following local governmental units (note: each respondent was entitled to withhold a response to the question on national and religious affiliation or native language):

Sisak-Moslavina County– Municipalities of Dvor and Gvozd; Serbs

Karlovac County – Municipalities of Krnjak, Plaški and Vojnic; Serbs

Bjelovar-Bilogora County – Municipality of Koncanica; Czechs

Primorje-Gorski Kotar County – Town of Vrbovsko; Serbs

Lika-Senj County – Municipalities of Donji Lapac, Udbina and Vrhovine; Serbs

Zadar County – Municipality of Gracac; Serbs

Osijek-Baranja County – Municipality of Bilje, Hungarians; Municipalities of Erdut, Jagodnjak and Šodolovci, Serbs; Municipality of Punitovci, Slovaks; Municipality of Kneževi Vinogradi, Hungarians

Šibenik-Knin County – Municipalities of Biskupija, Cijljane, Ervenik and Kistanje; Serbs
 Vukovar-Srijem County – Municipalities of Borovo, Markušica, Negoslavci and Trpinja;
 Serbs
 Istria County – Municipalities of Brtonigla and Grožnjan; Italians

Equal official use of the language and script of national minorities is exercised:

1. in the work of representative and executive bodies of municipalities, cities/towns and counties,
2. in proceedings before administrative bodies of municipalities, cities/towns and counties,
3. in proceedings before state administrative bodies of first instance, organisational units of central state administrative bodies of first instance, judicial bodies of first instance, public prosecution offices of first instance, notaries public, and legal entities vested with public authority which are authorised to operate in the territories of municipalities or towns which have introduced a minority language and script for equal official use.

The aforementioned bodies shall allow the use and recognise the validity of private legal documents drafted in the territory of the Republic of Croatia even when they are composed in the language and script of a national minority.

As a rule, the equal official use of the language and script of a national minority is introduced throughout the territory of individual municipalities or cities/towns.

By way of exception, the equal official use of the language and script of a national minority may be introduced only in one portion of the territory of a municipality or city/town (settlements in which national minorities live) when a narrower extent than the rights established by the Law may be foreseen by the charter of the municipality or city/town. However, the right to use one's own language in proceedings before state administrative bodies of first instance, organisational units of central state administrative bodies of first instance, judicial bodies of first instance, public prosecution offices of first instance, notaries public, and legal entities vested with public authority, and the right to obtain public documents in the language and script of a national minority may not be infringed.

In municipalities, cities/towns and counties in which the language and script of a national minority are accorded equal official status, the work of municipal and town/city councils and municipal and town/city governments, as well as the work of county assemblies and governments, shall proceed in the Croatian language and Latin script and in the language and script of the national minority which are in equal official use, and the following shall be secured, either bilingual or multilingual:

1. the text of seals and stamps in lettering of the same size,
2. the name-plates of representative, executive and administrative bodies of municipalities, cities/towns and counties, and of legal entities vested with public authority, in lettering of the same size,
3. the titles of ordinances in lettering of the same size.

A councillor, city government officer or citizen in a municipality, town/city and county shall be entitled to receive, either bilingual or multilingual:

1. materials for sessions of municipal or town/city councils and governments, and county assemblies and governments,
2. minutes and published conclusions,
3. official notifications and summons to representative, executive and administrative bodies of municipalities, towns/cities and counties, and materials from sessions of representative and executive bodies.

These units of local self-government shall additionally: 1. issue public documents, 2. print forms used for official purposes.

Municipalities and towns/cities in which the language and script of a national minority are accorded equal official status are to have, in lettering of the same size, bilingual or multilingual:

1. traffic signs and other written notifications in road traffic,
2. street and square names,
3. place and geographic site names.

The charter of a municipality or town/city in which the language and script of a national minority are accorded equal official status shall stipulate whether the right to bilingual signs is to be exercised throughout its territory or only in individual places, and whether traditional names of settlements and localities are to be used and where.

The charter of a municipality or town/city may stipulate that legal and natural persons engaged in public activity are to write their titles, bilingual or multilingual, in territories in which the languages and scripts of national minorities are accorded equal official status.

The implementation of the Law on the Use of Languages and Scripts of National Minorities in the Republic of Croatia is monitored by the state administrative body entrusted with supervision over the application of laws governing national public administration and local public administration. When executive or administrative bodies of municipalities, towns/cities and counties which have accorded equal status for the use of national minority languages and scripts violate the provisions of this Law, the head of the aforementioned body shall request that the relevant representative body deliberate the situation and undertake measures to ensure the compliance of executive and administrative bodies and undertake other measures pursuant to law.

If a municipality, town/city or county does not regulate by its charter the use of a national minority language although obliged to do so pursuant to the provisions of this Law, or alternatively, if such use is regulated in a manner contrary to the provisions of the Law, the head of the central state administrative body will halt the implementation of such a charter or individual provisions thereof, mandate the direct application of the Law and submit a proposal to the Government of the Republic of Croatia to launch proceedings for a review of the constitutionality and legality of the charter or other general act of the municipality, town/city or county pursuant to law.

Right to association

With reference to the right to freedom of association as a novelty in relation to the First Report on Implementation of the Framework Convention for the Protection of National Minorities, we can state that in 2001 the new **Law on Associations** was enacted which signifies, in comparison to prior legal solutions, the liberalisation of association in the sense of reducing the number of persons who can establish an association to only three members. The articles of association contain far fewer mandatory elements (Article 11(3)) whereby the possibility of expression of the free will of association members is enabled. The only limitation is that the internal organisation of an association must be based on the principles of democratic representation and democratic expression of the will of its members.

According to the provisions of the Law on Associations, the registration of associations has been lowered to the local level, so that registration is carried out with state administrative bodies which have their offices in every county, and this eases the procedures for association or the registration of associations.

Additionally, pursuant to the Constitutional Law, minorities can establish foundations and trusts, and institutions to disseminate information to the public and engage in cultural, publishing, museum, library and scholarly activities.

Associations of national minorities may cooperate by organising guest appearances and various encounters, and they may receive from the bodies of the country with which they share the same linguistic, cultural and/or religious traits and from the legal entities of that country a limited number of newspapers, magazines, books, films, etc. exempt from payment of customs duties, to distribute to their members.

Councils and representatives of national minorities

The Constitutional Law on the Rights of National Minorities also introduces two new institutes for national minorities, and these are the councils and representatives of national minorities. The criteria whereby national minorities exercise the right to elect councils or representatives are stipulated in Article 24 of the Constitutional Law. The right to elect national minority councils shall be exercised in self-government units in which members of a national minority account for not less than 1.5% of the total population or in which over 200 members of an individual national minority live, and in regional self-government units in which over 500 members of an individual national minority live. Ten members shall be elected to municipal councils, fifteen members to town/city councils and 25 members to county councils.

If none of the aforementioned criteria are met in the territory of a self-government unit, and not less than 100 members of a given national minority live in such unit, then they shall be entitled to elect a representative who shall have the same rights and obligations as the national minority councils.

The right to nominate candidates for council membership or for national minority representative shall be exercised by national minority associations or not less than 20 members of a national minority in the territory of a municipality, 30 in the territory of a

town/city and 50 in the territory of a county. The council members and representatives shall be elected in a direct secret ballot for a term of four years.

In this vein, on 18 May 2003 the first elections for councils and representatives of national minorities were held. As a result, 207 councils and 42 representatives of national minorities were elected. The elections were held pursuant to the **Amendments to the Law on Elections for Members of Representative Bodies of the Local and Regional Self-government**, Article 59a, whereby the entire unit is deemed a single electoral unit for the elections of members of national minority councils elected in self-government units pursuant to the provisions of the Constitutional Law on the Rights of National Minorities. The list of candidates shall contain the names of all validly nominated candidates in alphabetical order. The candidates who receive the most votes of the voters who turned out shall be elected to the councils of national minorities depending on the number of members in the council being elected in a given unit.

The councils so formed shall have the status of legal entities and, together with representatives of national minorities, they shall have the following rights and obligations pursuant to the Constitutional Law:

- propose measures to self-government bodies to improve the status of national minorities in the country or in a specific region, including submitting draft general regulations governing issues of importance to national minorities to the bodies authorised to enact them,
- nominate candidates for duties in state administrative bodies and self-government bodies,
- be informed of any matter to be deliberated by a working body of a self-government representative body concerning the status of minorities,
- provide opinions and suggestions for broadcasts on local and regional radio and television stations intended for national minorities or broadcasts pertaining to minority issues.

On the other hand, when preparing draft regulations, the executive authority of a self-government unit is obliged to consult with the councils of national minorities established in its territory and seek their suggestions for provisions governing the rights and freedoms of national minorities. If such a council deems that a general regulation in a self-government unit or individual provisions thereof are contrary to the Constitution or the Constitutional Law or any special legislation governing the rights and duties of national minorities, it is obliged to immediately notify the relevant general administration body, which will then—if any irregularities are ascertained—suspend application of such a regulation within a period of eight days. This same body will forward the decision to suspend application of said regulation to the Government of the Republic of Croatia accompanied by a proposal to initiate an assessment of its constitutionality and legality before the Constitutional Court of the Republic of Croatia and inform the self-government unit thereof. The suspension of application of the general regulation will be lifted if the Government of the Republic of Croatia does not initiate the above procedure within a period of 30 days after the date on which the decision is received.

Self-government units in the same territory in which councils or representatives operate shall secure funds for the work of these bodies, including funds to perform necessary administrative tasks and specific tasks established by the programme of said council which must be adopted. Funds for certain programmes can be secured from the central state budget

and from other own revenues, such as donations, etc., but only for the use of minorities only. Councils of national minorities are to be registered with the state body in charge of general administration.

In the interest of coordinating or advancing the common interests of all national minorities, elected minority councils may form *coordinating bodies* whereby national minorities can more easily solve specific matters of essential importance. They may also transfer some of the aforementioned rights to such a body with the objective of better communications between minorities and more effective exercise of their rights.

Since national minorities did not elect all of the councils in the first elections for councils and representatives of national minorities, because the minorities did not nominate candidates for election or did not elect a sufficient number of members, the Government of the Republic of Croatia called by- or renewed elections for councils of national minorities and renewed elections for representatives of national minorities on 15 February 2004, at which they had to elect or supplement an additional 290 councils and 101 representatives.

Besides this, the Constitutional Law on the Rights of National Minorities introduced the Council for National Minorities at the national level, which was established to ensure the participation of national minorities in the public life of the Republic of Croatia, particularly to consider and propose the regulation and settlement of matters pertaining to the exercise and protection of national minority rights and freedoms. The members of the Council are appointed by the Government of the Republic of Croatia for a period of four years: seven from among the ranks of persons proposed by councils of national minority, and 5 from among the ranks of distinguished persons in public life proposed by minority associations, citizens, minority representatives, religious communities and legal entities. National minority representatives to the Croatian Parliament are also simultaneously members of the Council.

Representation of minorities at the local and national level

Article 20 of the Constitutional Law on the Rights of National Minorities guarantees members of national minorities the right to representation in representative bodies in local and regional self-government units. If at least one member of a national minority which accounts for over 5% but less than 15% of the population of a local self-government unit is not elected to the representative body of that local self-government unit on the basis of universal franchise, the number of members in that representative body shall be increased by one, and that member of a national minority not elected first, based on the proportion of success of each list of candidates, will be considered elected to this post – unless the special legislation governing the election of members to the representative body of the local self-government unit specifies otherwise.

If the number of national minority members in the representative body of a regional self-government unit in which a given national minority accounts not less than 5% of the population is not proportional to their share in the population after elections based on universal franchise, the number of members in this representative body shall be increased up to the number necessary to secure such representation, and those members of a national minority shall be deemed elected who were not elected in the order of their proportional success on each list of candidates, unless the special legislation governing the election of members to the representative body of the local self-government unit specifies otherwise.

Self-government units in which national minorities do not form a majority of the population can stipulate, in their charters, that national minority members may be elected to their representative body or a greater number of national minority members than follows from their share in the total population of the unit.

Just as they are entitled to representation in the representative bodies of self-government units, members of national minorities are also entitled to representation in the executive bodies of local units.

In order to secure the right to representation of national minorities in the representative bodies of self-government units in which they are entitled to representation, but in which there was no possibility of enlarging the number of members in the corresponding local or regional governments pursuant to the provisions of the Constitutional Law, the Government of the Republic of Croatia called by-elections for national minority members in representative bodies in local and regional self-government units on 15 February 2004.

The procedure for these elections were governed by the aforementioned Law on Elections for Members of Representative Bodies of the Local and Regional Self-government and its amendments.

According to the provisions of the **Amendments to the Law on Elections for Members of Representative Bodies of the Local and Regional Self-government**, national minorities in the Republic of Croatia are entitled to elect eight deputies to the Croatian Parliament who are elected in a special electoral unit that corresponds to the entire territory of the Republic of Croatia. The Serbian national minority elects three deputies, the Hungarian and Italian minority elect one deputy each, and Czech and Slovak minorities jointly elect one deputy. The Austrian, Bulgarian, German, Polish, Roma, Romanian, Ruthenian, Russian, Turkish, Ukrainian, Vlach and Jewish minorities jointly elect a single deputy. Additionally, the Albanian, Bosniac, Montenegrin, Macedonian and Slovenian minorities jointly elect a single parliamentary deputy. In this manner the number of national minority deputies in the Croatian Parliament was raised from five to eight. National minorities elect their deputies in special electoral units pursuant to the law that governs parliamentary elections which may not curtail the established rights of national minorities.

Besides representation of national minorities at the national and local level, meaning in the national parliament and in local assemblies, national minorities are entitled to representation in state administrative and judicial bodies.

According to the data from October 2003, the *Serbian* national minority was represented in courts in the Republic of Croatia in the following percentages:

Municipal courts	2.7%	other minorities	2.8%
County courts	3.8%	other minorities	4.4%
Commercial courts	0.0%	other minorities	0.7%

In the Supreme Court of the Republic of Croatia, the Administrative Court and the High Commercial Court of the Republic of Croatia, members of the Serbian national minority account for 2.6% of the judges, while other national minorities account for 3%.

In municipal public prosecution offices, Serbs account for 1.7%, while other national minorities account for 1.2%.

In county public prosecution offices, Serbs account for 3.8%, while other national minorities account for 2.3%.

In the Attorney General's Office, 2.4% of the state's attorneys belong to the Serbian national minority, while 1.4% are members of other national minorities.

At the Ministry of Justice, the Centre for Education of Judges and Other Court Officials has begun functioning, while at the newly-formed Central State Administration Bureau preparations are under way for the commencement of work in the Centre for Education of Officials and Civil Servants, wherein the importance of protecting human rights, particularly the rights of national minorities in the Republic of Croatia, will be impressed upon those undergoing education and training.

Upon its entry into force, the Constitutional Law on the Rights of National Minorities advanced the rights and status of national minorities in the Republic of Croatia. By means of the aforementioned legal solutions, national minorities have obtained even greater possibilities for active participation in the political and social life of the Republic of Croatia. It is the right of every individual who wishes to do so to declare oneself a member of a national minority and to exercise the corresponding rights guaranteed to national minorities by the Republic of Croatia. To be sure, there are some shortcomings or irregularities, but there are also legal avenues to solve these problems. It is precisely the newly-formed councils and representatives which should facilitate better communication in the protection and exercise of the rights of national minorities.

From the report of the Office for National Minorities of the Government of the Republic of Croatia

With reference to Articles 5, 6 and 9 of the Framework Convention

Pursuant to the provisions of the Constitutional Law on the Rights of National Minorities, the Republic of Croatia secures special rights and freedoms for members of national minorities, which they exercise either individually or jointly with other persons who belong to the same national minority, such as the right to cultural autonomy (preservation, development and presentation of their own culture, preservation and protection of their cultural treasures and traditions), the right to organise and associate to achieve common interests, and the right to access the media and the right to disseminate information in their own language.

The Government of the Republic of Croatia directly conducts policies concerning national minorities through its Office for National Minorities, its ministries and other state-level bodies.

In the First Report it was noted that national minorities exercise a majority of their ethnic rights through the offices of regular institutions of the Republic of Croatia just like the majority Croatian nation, whereby they are protected from assimilation and ghettoization and can develop their cultural and ethnic identities with the objective of integration into Croatian society while simultaneously contributing to multiculturalism and the wealth of society as a whole.

In the ensuing period, the financing of programmes by national minority associations and institutions operating in the Republic of Croatia continued, but their activities were expanded.

Pursuant to the criteria for financial assistance, funds were allocated and remitted for various programmes of national minority associations and institutions for projects involving information, publishing, amateur cultural activities and cultural events aimed at preserving the culture, language and customs of national minorities. Over and above these, financing was also secured for programmes based on bilateral treaties, civic trust-building programmes and programmes aimed at securing Roma cultural autonomy. The latter are meant to help the Roma national minority secure the conditions for their own cultural development.

During the period from 2000 to 2003, HRK **77,534,076** were secured from the state budget of the Republic of Croatia for the aforementioned programmes. The funds for programmes conducted by national minority associations and institutions were allocated by the Government of the Republic of Croatia at the proposal of the Office for National Minorities, while as of 2003 the Decision on allocation of funds is made by the Council for National Minorities of the Republic of Croatia, whose members are exclusively members of national minorities.

It should be emphasised that the funds allocated from the state budget for programmes conducted by national minority associations and institutions, despite certain budgetary constraints, are growing, so that the Decision of the Government made in 2000 called for HRK 19,738,076, HRK 18,000,000 in 2001, and HRK 19,796,000 in 2002, while in 2003 the Decision of the Council for National Minorities allocated HRK 20,000,000.

The financing of programmes conducted by non-governmental national minority associations and institutions operating in the Republic of Croatia continued, as did financing of new programmes conducted by national minority associations and institutions aimed at disseminating information, publishing, amateur cultural activities and cultural events that were not financed in the preceding period.

Additionally, financing was provided for programmes based on bilateral treaties, expert assistance programmes in the process of civic trust-building and programmes to set the preconditions for the achievement of cultural autonomy.

Pursuant to established criteria, during the 2000-2003 period funds were secured from the state budget of the Republic of Croatia for the programmes of the 63 associations and institutions of 19 national minorities, as follows: four associations of the Italian national minority – the Edit Newspaper Publishing House, Rijeka; the Historical Research Centre, Rovinj; Italian Drama, Rijeka; and the Italian Union, Rijeka; two associations of the Czech national minority – the Jednota Newspaper Publishing House, Daruvar; and the Union of Czechs in the Republic of Croatia, Daruvar; one association of the Slovak national minority – *Matica slovačka*, Našice; two associations of the Hungarian national minority – the Democratic Union of Hungarians in Croatia, Osijek; and the Union of Hungarian Associations, Zagreb; two associations of the Ruthenian and Ukrainian minorities – the Union of Ruthenians and Ukrainians in the Republic of Croatia, Vukovar; and the Ukrainian Culture Society, Zagreb; six associations of the Serbian national minority – the Prosvjeta Serbian Culture Society, Zagreb; the Serbian National Council, Zagreb; the Serbian Democratic Forum, Zagreb; the Joint Council of Municipalities, Vukovar; the Information Support Centre, Zagreb; and the National Council of Serbs, Zagreb; the unified association called the Union of German-Austrian National Minority Associations (Osijek) under which the German National Union (Osijek), the Union of Germans in Croatia (Zagreb), the Union of Austrians in Croatia (Zagreb) operate, and two independent associations: the Union of Germans and

Austrians of Croatia, Osijek central office, and the National Union of Germans in Croatia; the association of the Jewish national minority under the name Jewish Community, Zagreb, under which Miroslav Šalom Freiburger Culture Society (Zagreb), the Lira Mixed Choir (Zagreb), and the Bejihad Jewish Culture Scene (Zagreb) operate; one association of the Slovenian national minority – the Union of Slovenian Societies in the Republic of Croatia (Zagreb); two associations of the Albanian national minority – the Union of Albanian Associations in the Republic of Croatia (Zagreb); and the Shkendija Albanian Culture Society, Zagreb; two associations of the Bosniac national minority – the Preporod Culture Society of Bosniacs in Croatia (Zagreb), and the Bosniac National Union of Croatia (Zagreb); two umbrella organisations of the Roma national minority – the Council of Roma Associations (Zagreb), and the Network of Roma Associations (Zagreb) and 11 other independent Roma associations; the Union of Macedonians in the Republic of Croatia (Zagreb), two associations of the Montenegrin national minority – the National Union of Montenegrins in Croatia (Zagreb), and the Alliance of Montenegrin Associations (Zagreb); the National Union of Russians in Croatia (Zagreb); the National Union of Bulgarians in the Republic of Croatia; and the Fryderyk Chopin Polish Cultural Association (Rijeka).

In comparison to the preceding period, more Roma national minority associations have been organised and their programmes have received assistance from the state budget of the Republic of Croatia. Programmes aimed at disseminating information, publishing, amateur cultural activities and cultural events were implemented by 26 Roma associations through the Council of the Roma National Minority, the Network of Roma Associations, and a number of independent Roma associations which operate in the territory of the Counties of Zagreb, Medimurje, Vukovar-Srijem, Virovitica-Podravina, Bjelovar-Bilogora and Sisak-Moslavina.

In 2003 the financing of three new associations began and these represent the Bulgarians, Russians and Poles: the National Union of Bulgarians in the Republic of Croatia carries out an information programme; the National Union of Russians in Croatia carries out amateur cultural activities and the Fryderyk Chopin Polish Cultural Association carries out a programme of cultural events.

Italians

As noted in the previous Report, the Italian Union in Rijeka is the central association of the Italian national minority, which brings together the Italian community and carries out cultural programmes with the objective of preserving and developing their national and cultural identity. The Italian Union has expanded its activities through the establishment of new Italian communities in Lipik, Kastel, Mošćenicka Draga, Kastelir, Oprtalj and Krk, so that currently 45 Italian communities are operating in the Republic of Croatia.

During this period, associations of the Italian national minority also received financial assistance based on a bilateral treaty between Croatia and Italy. These programmes are of particular significance to the entire national minority because they contribute to cooperation and unity among the members of the Italian minority. The financing based on the bilateral treaty with the Republic of Italy has been approved for the programmes of three associations of the Italian national minority: Italian Drama, Rijeka, the Historical Research Centre, Rovinj and the Italian Union, Rijeka.

Czechs

The Czech Union in the Republic of Croatia, Daruvar, as the central organisation of the Czech national minority, unifies the work of the Czech cultural organisations (known as *beseda*) that carry out programmes of amateur cultural activities and cultural events conducted by drama, folklore, choral and musical groups. During this period, new *beseda* were formed in Treglava and Virovitica, so that the Alliance of Czechs today encompasses 24 *beseda* financed by the state budget.

Slovaks

As mentioned in the preceding Report, the Alliance of Slovaks in Našice implements its programmes through four culture societies and eight Slovak cultural/literary organisations (*matica*). The Alliance of Slovaks in Našice has expanded its cultural activity through the establishment of new *matica* organisations in Zovkov Gaj and Radoš, which have been encompassed in financing from the state budget.

Hungarians

For members of the Hungarian national minority, programmes of amateur cultural activities and cultural events are implemented by the Democratic Union of Hungarians in Croatia, Osijek. Six county associations and eight cultural-artistic societies operate under the Union's auspices, while additional fourteen cultural-artistic societies operate under the Union of Hungarian Associations, Zagreb.

In the preceding period the Osijek-based Democratic Union of Hungarians in Croatia received financial assistance under a programme based on a bilateral agreement between Croatia and the Republic of Hungary. Under this programme, the Union's branches, which have no formal legal status were financed and these are as follows: the branches in Laslovo, Osijek, Bilje, Kopacevo, Vardarac, Lug, Darda, Kotlina, Suza, Zmajevac, Batina, Novi Bezdán and Karanac, as well as societies and clubs assisted by the Union. Pursuant to the aforementioned programme, in 2002 a project dedicated to information activity commenced in Osijek. Under the "Dravataj" Project, 15 half-hour magazine-type broadcasts were aired in the Hungarian language on Slavonian Television in Osijek. The Union of Hungarian Associations, also based in Osijek, began with its own information programme in 2003 by publishing the newspaper *Horvathorszagi Magyar Naplo*. During this period 11 issues of this periodical have been published.

Ruthenians and Ukrainians

During this period, the Union of Ruthenians and Ukrainians in the Republic of Croatia based in Vukovar, which carries out amateur cultural activities and cultural events through folklore, music and choral groups, was joined by the newly-established Ukrainian Culture Society based in Zagreb. The latter is dedicated to the promotion, preservation and enrichment of the identity and culture of the Ukrainian national minority. The Ruthenian and Ukrainian Culture and Education Society in Zagreb marked the important 80th anniversary of "Prosvita" and the 30th anniversary of its own work.

Serbs

Over the course of the preceding period, the Prosvjeta Serbian Culture Society based in Zagreb intensified its amateur cultural activities and cultural events which are vital to the preservation of the culture, traditions and language of the Serbian national minority. Over this period, Prosvjeta established new sub-committees in Vukovar, Beli Manastir, Borovo naselje, Bobota, Borovo, Bijelo Brdo, Garešnica, Bršadin, Dalj, Gvozd, Jagodnjak, Knin, Mali Gradac, Mirkovci, Markušica, Krnjak, Korenica, Negoslavci, Ostrov, Petrinja, Vera, Trpinja, Pacetin and Plaško. Prosvjeta currently unifies the operations of 43 sub-committees.

Within the ranks of the Serbian national minority, besides the four already-organised associations (the Prosvjeta Serbian Culture Society, the Serbian Democratic Forum, the Serbian National Council - all based in Zagreb, and the Joint Council of Municipalities in Vukovar), two new associations have been established: the National Council of Serbs and the Information Support Centre, both based in Zagreb. The Serbian National Council is an umbrella organisation for the Serbian national minority, which implements programmes aimed at building civic trust and culture, and regularly publishes a weekly newspaper, *Novosti sedam dana*.

In 2000, the financing of the Technical Assistance Programme for the Joint Council of Municipalities in Vukovar continued, in the process of building civic trust which improves mutual understanding and trust through dialogue in the system's institutions. Between 2000 and 2003, funds in an amount of HRK 3,800,000 were remitted for this programme.

Besides these programmes, the Government of the Republic of Croatia has secured funds from the state budget for this organisation in an amount of HRK 500,000 to purchase the former technical school building in Vukovar, which will provide a permanent solution to the problem of operating premises for the Joint Council of Municipalities.

The Information Support Centre in Zagreb is a non-governmental association of the Serbian national minority which carries out an information programme by publishing the weekly magazine *Glas*. Over this period 65 issues have been published.

The National Council of Serbs in Zagreb implemented an information programme by publishing 9 issues of the bulletin *Naša stvarnost*.

Germans and Austrians

Members of the German and Austrian national minorities established the Union of German and Austrian National Minority Associations in Osijek with the goal of implementing joint programmes of interest to their communities as a whole. This Union brings together the Union of Germans in Croatia (Zagreb), the German National Community (Osijek) and the Union of Austrians in Croatia (Zagreb), which conduct programmes of amateur cultural activity and cultural events, promoting the culture, customs and language of the German and Austrian national minorities.

Jews

The Jewish Community in Zagreb carries out cultural activities for the Jewish national minority, and within this framework the Miroslav Šalom Freiburger Culture Society, the Lira Choral Society, and the Bejihad Jewish Culture Scene (all based in Zagreb) also function. Besides exhibitions, anniversaries and events such as "Culture Week" and "Bejihad," amateur cultural activities are performed by dance, music and choral groups.

Slovenians

The Union of Slovenian Associations in the Republic of Croatia (based in Zagreb) oversees the implementation of cultural activities for the Slovenian national minority, and within this framework the "Slovenian Home" Culture Society (Zagreb), the Bazovica Culture and Education Society (Rijeka), the Triglav Slovenian Culture Society (Split) and the France Prešern Cultural Association in Šibenik also operate.

Albanians

The financing of cultural activities for the Albanian national minority continued through the central Albanian organisation, the Union of Albanian Associations in the Republic of Croatia and the Shkendija Albanian Culture Society, both based in Zagreb. The programme of amateur cultural activities is being conducted through county-level Albanian associations in the following counties: Zagreb, Istria, Primorje-Gorski Kotar, Zadar, Šibenik and Varaždin.

Bosniacs

Cultural activities for the Bosniac national minority are carried out by the Preporod Culture Society of Bosniacs in Croatia (Zagreb). It is within the framework of this association that the Bulbuli Drama and Choral Group and the Bosniac National Community of Croatia (Zagreb) operate. The latter also has a folklore group that engages in amateur cultural activities. In addition to annual exhibitions in Zagreb, these associations have also organised the cultural events known "The Bosnian Word" and "Simposium Bosniensis".

Roma

For members of the Roma national minority, amateur cultural activities and cultural events have been conducted by the two joint (umbrella) organisations: the Network of Roma Associations and the Council of Roma Associations (both based in Zagreb) and independent associations operating in the territory of several counties: Medimurje, Zagreb, Bjelovar-Bilogora, Sisak-Moslavina, Vukovar-Srijem and Virovitica-Podravina. The most important traditional event is World Roma Day, which was organised jointly by all Roma organisations. In the preceding period, besides Roma Culture Days, the First Roma Congress in the Republic of Croatia was organised in Zagreb, with representatives of all Roma associations participating.

Montenegrins

The National Union of Montenegrins in Croatia and the Union of Montenegrin Associations (both based in Zagreb) carry out cultural activities for the Montenegrin national minority. Besides exhibitions, the National Union of Montenegrins in Croatia celebrates the traditional holiday of the "Assembly of St. Peter" dedicated to St. Peter Cetinjski, and the St. Luke's Day Encounters.

Macedonians

As noted in the previous Report, the Union of Macedonian Associations in the Republic of Croatia (Zagreb) implements amateur cultural activities and cultural events through the work

of the following Macedonian culture societies: Ilinden (Rijeka); Braca Miladinovci (Osijek); Krste Misirkov (Zagreb); Koco Racin (Pula); Makedonija (Split); and Biljana (Zadar). Besides exhibitions and marking Ilinden (Feast of St. Elias) and other important anniversaries in Macedonian history, all cultural associations organise Macedonian Culture Days.

Bulgarians

The National Union of Bulgarians in the Republic of Croatia, based in Zagreb, was established with the aim of preserving and promoting the cultural, linguistic and national identity of the Bulgarian national minority. In the interests of establishing the best possible relations between the Croats and Bulgarians and their respective countries, the Union initiated the publication of a periodical in both the Croatian and Bulgarian languages under the title *Rodna rec.*

In 2003, state budgetary funds were secured for the first time for the National Union of Bulgarians in the Republic of Croatia in an amount of HRK 30,000 to print four issues of *Rodna rec.*

Russians

The National Union of Russians in Croatia (Zagreb) began operating in 2003. As a part of its regular activity the Union has planned the publication of books, journals, brochures and the organisation of cultural events and exhibitions with the goal of promoting the language, culture and traditions of the Russian national minority.

In 2003, the National Union of Russians in Croatia received funds in an amount of HRK 15,000 for the activities of a choir and for organisation of an exhibition.

Poles

The Fryderyk Chopin Polish Cultural Association in Rijeka is an organisation which gathers members of the Polish national minority with the objective of promoting Polish national and cultural traditions, fostering the Polish language and culture and organising celebrations, exhibitions and lectures.

In 2003, the Fryderyk Chopin Polish Cultural Association received funds to mark the National Holiday on 11 November – Liberation Day, and to organise a concert.

Joint cultural programmes of national minorities

In the interests of promoting the cultural creativity of national minorities and their joint activities, and validating minority cultures, the Office for National Minorities has, in cooperation with national minority associations, continued the organisation of the event known as “Cultural Creativity of National Minorities in the Republic of Croatia.” Within the third such event in 2000, the Office organised the exhibition “Traditional Musical Instruments of National Minorities,” which was held in the Klovicevi Dvori Gallery in Zagreb from 25 November to 10 December 2000. This event presented and gained recognition for traditional instruments of national minorities in the Republic of Croatia for the first time. A catalogue showing all of these instruments was also produced.

In the following years the fourth, fifth, and sixth events were held in the Vatroslav Lisinski Concert Hall in Zagreb, and each year several hundred performers gathered (700 performers in 2002) from among the ranks of national minorities to encourage amateur creativity among

national minorities and to preserve their cultures, languages and customs. Since 2003 the event has been organised by the Council for National Minorities.

This event is important and very useful to all national minorities, because it encourages intercultural cooperation and tolerance in Croatian society, and validates and promotes minority cultures.

Seminars

Over the course of the past period, the Office for National Minorities organised several seminars with the objective of exercising and advancing the rights of national minorities. Most of the seminars were organised in cooperation with the Council of Europe.

In Zagreb on 4-5 December 2000, an international seminar was held as a part of the Stability Pact's programme on "Legal Aspects of National Minority Rights: Participation in Decision-making Processes and Bilateral Treaties as a Form of Protection of National Minorities." The seminar encompassed 102 participants and 3 observers from 14 countries. The funds to organise the seminar were provided by the Government of the Kingdom of Denmark under the auspices of the Stability Pact.

In cooperation with the Council of Europe, the Round Table on the Draft National Programme for Roma was held in Zagreb on 18-19 February 2002 for representatives of government bodies, Roma associations and international experts.

In cooperation with the Council of Europe, a round table was organised in Zagreb on 21 March 2002 on the implementation of the Framework Convention for the Protection of National Minorities.

In cooperation with the Council of Europe, a round table was held in Zagreb on 11 March 2003 on the implementation of the Constitutional Law on the Rights of National Minorities.

In cooperation with the Council of Europe, a round table was held in Zagreb on 12 March 2003 on the draft text of the National Programme for Roma.

National Minority Information and Publishing Programmes

Italians

During the period in question, financing for the Italian national minority continued for the publication of the daily newspaper *La voce del popolo*, the bi-weekly *Panorama*, the children's paper *Arcobaleno*, and the literary review *La batana* published by the Newspaper Publishing House Edit from Rijeka.

Czechs

During the period in question, financing for the Czech national minority continued for the publication of the weekly newspaper *Jednota*, the monthly children's magazine *Detsky koutek* and the annual *Prehled* and *Cešky lidovy kalendar*, published by the Jednota Newspaper Publishing House in Daruvar.

As a part of its publishing activities, Jednota also published the following books: *Prehrady I i II* by Žofie Krasko, *Samomluvy* by Bohumil Krejci, *Kouzelne stravice* and *Povidky z lesa* by Vladimir Danek.

Slovaks

During the period in question, financing for the Slovak national minority continued for the publication of the monthly magazine *Pramen*, published by the Union of Slovaks in Našice. Within the framework of their publishing activities, the following were also published: *Narodna kultura Slovaka u Hrvatskoj* (National Culture of Slovaks in Croatia), the brochure *10. obljetnica Saveza Slovaka* ("10th Anniversary of the Alliance of Slovaks), *Slovaci u Iloku* (Slovaks in Ilok) by Andrija Kurice, *Uspomene iz Slovacke* (Mementoes from Slovakia) by Nevenka Nekic and *30. godina rada SKUD-a Franjo Strapac iz Markovca Našickog* (30 Years of the Franjo Strapac Slovak Cultural-Artistic Society in Markovac Našicki) by Vesna Baksa.

Hungarians

Besides the weekly *Uj Magyar Kepes Ujsag*, the monthly *Horvatoszagi Magyarsag*, the quarterly children's magazine *Barkoca* and the annual *Rovatka* that are published for the needs of the Hungarian national minority by the Democratic Union of Hungarians in Croatia, all of which were mentioned in the previous Report, the financing of another weekly *Horvathorszagi Magyar Naplo*, published by the Union of Hungarian Associations in Zagreb, also commenced.

Within the framework of its publishing programme, the Democratic Union of Hungarians in Croatia published the new books *Školstvo Madara u Hrvatskoj* (Education of Hungarians in Croatia) by Ferenc Faraga, *Istenek nepei a Dravaszigben* by Karol Labadi, and *40 godina u službi madarske nacionalne manjine* (40 Years in the Service of the Hungarian National Minority) by Imre Taus, while two other books are being prepared for publication: *Vizbe Veszo Nyimokon* (Traces That Vanished in the Water) by Julia Baranaya and *Kigyobornyakek* (A Snake Around the Neck) by Lydia Sheuermann-Hodak.

Ruthenians and Ukrainians

For the needs of the Ruthenian and Ukrainian national minorities, financing continued for the publication of the quarterly magazine *Nova Dumka* and the popular children's magazine *Vjencic*, which is published by the Vukovar-based Union of Ruthenians and Ukrainians in the Republic of Croatia.

Within the framework of its publishing activities, the Alliance published the anthology *100 godina doseljenja Ukrajinaca u Hrvatsku* (100 Years Since the Arrival of Ukrainians in Croatia), *Zbirka poezije* (Poetry Collection) by Ljupka Folc, *Trideset godina Nove Dumke* (Thirty Years of Nova Dumka) by Vlado Kostelnik, the almanac *Dumki z Dunaju* for 2000, 2001, 2002, and 2003, *Ukrajinci u Hrvatskoj* (Ukrainians in Croatia) by a group of authors and *Kronika Mikluševaca - 150 godina pod srijemskim nebom* (Chronicle of Mikluševci – 150 Years Under the Skies of Srijem) by Đuro Ljekar.

Serbs

Financing for the Serbian national minority continued for the publication of the weekly *Novosti* published by the Serbian National Council (Zagreb), the monthly *Identitet* published

by the Serbian Democratic Forum (Zagreb), the bi-monthly magazine *Prosvjeta* and the monthly children's magazine *Bijela pcela* published by the Prosvjeta Serbian Culture Society (Zagreb). Besides these publications, during 2002 and 2003, 65 issues of the weekly *Glas* were released, published by the Information Support Centre (Zagreb) and 9 issues of the bulletin *Naša stvarnost*, published by the National Council of the Serbs (Zagreb).

As a part of its publishing activities, the Prosvjeta Culture Society published the following books during the period in question: *Artefakti* (Artefacts), *Ljetopis SKD Prosvjeta za 2000., 2001., 2002., i 2003. godinu* (Almanac of the Prosvjeta Serbian Culture Society for 2000, 2001, 2002 and 2003), the Prosvjeta calendar, *Srbobran 1903-1914* by Ranka Gašić, *Izabrane pjesme* (Selected Poems) by Luka Šteković, *Prozor kroz koji Dunav teče* (The Window Through which the Danube Flows) by Đorđe Nešić, *U paukovoju mreži* (In the Spider's Web) by Mirko Andrić Gudžulic, *Novi roman* (New Novel) by Mirko Đemčić, *Sudbine i ljudi* (Destinies and People) by Milan Kašanin, *Spomenica srpske pravoslavne crkve u Vukovaru* (Memento for the Serbian Orthodox Church in Vukovar) by Jovan Kozobaric, *U tjesnu vremenu* (In Precarious Times) by Dušan Marinković, *Srbi u Hrvatskoj 1985-1999* (Serbs in Croatia, 1985-1999) by Bosiljka Milinković, *Nova zbirka pjesama* (New Collection of Poems) by Nikola Vujčić, *Popis Like i Krbave 1712. godine* (Census of Lika and Krbava in 1712) by Karl Kazer, *Sve, sve, sve* (Everything, Everything, Everything) by Milko Žicin, *Zlocin i kazna* (Crime and Punishment) by Jovan Mirić, *Zaharija Orfelin* by Lazo Curčić, *Traženje ljepote* (Seeking Beauty) by Branislav Zeljković, *Antologija poezije Srba u Hrvatskoj* (Anthology of Poetry by Serbs in Croatia) by Nebojša Devetak, *Da, gospodo* (Yes, Sirs) by Simo Mraović, *Srpski zastupnici 1881.-1892. godine* (Serbian Parliamentary Delegates, 1881-1892) by Nives Rumenjak, *Pod sumnjom* (Under Suspicion) by Đorđe Očić, *Glas iz goruceg grma* (Voice from the Burning Bush) by Niko Bartulović, *Hrvatska i Srbi od 1945.- 1950.* (Croatia and the Serbs, 1945-1950) by Cedimir Višnjic, *Cudne siluete* (Strange Silhouettes) by Stevan Galogaža, *Ilija Dede Janković* by Milorad Savić, *Buna u Klasnicu* (Rebellion in Klasnic) by Đorđe Petrović. The following are being prepared for publication: *Album karikatura* (Album of Caricatures) by Borivoje Dovniković, *Đavolov šestar* (The Devil's Callipers) by Miloš Kordić, *Glinske tužaljke* (Glina Dirges) by Dragan Božić, *Studij iz povijesti političke kulture* (Studies in the History of Political Culture) by Drago Roksandić, *Autobiografija* by Borivoje Dovniković, *Lament nad Crnjanskim* (A Lament for Crnjanski) by Miljenko Jergović, *Jadovno* by Đuro Zatezalo and *Ogledi* (Essays) by Drago Roksandić.

Germans and Austrians

During the period in question, financing for the German and Austrian national minority continued for the publication of the bilingual newspaper *Deutsches Wort*, published by the German National Community (Osijek).

As a part of its publishing activities, *Zbornik – Jahrbuch* has been published each year, as well as the following books: *Essekerske price Luje Pleina* (Esseg Stories by Lojo Plein) by Branka Kolčić and Lydie Scheuermann Hodak, *Znameniti Nijemci i Austrijanci u Hrvatskoj* (Notable Germans and Austrians in Croatia) by Mira Kolar, the anthology *Nijemci u sjeverozapadnoj Hrvatskoj* (Germans in North-west Croatia), *Švapski kuhinjar* (German Cuisine) by Nives Rittig-Beljak, *Folksdojceri pod teretom kolektivne krivnje* (The Volksdeutsch Under the Burden of Collective Guilt) by Vladimir Geiger and the biographic lexicon *Nijemci, Austrijanci i Hrvati* (Germans, Austrians and Croats) by Goran Beus Richembergh.

Jews

During the period in question, financing for the Jewish national minority continued for the publication of the bi-monthly *Ha-kol* and the annual *Voice*, published by the Jewish Community (Zagreb), and the bi-monthly *Novi omanut*, published by the Miroslav Šalom Freiberger Culture Society (Zagreb). During 2003, assistance was provided for the publication of an issue of the magazine *Bejihad*. The following books were also published: *Židovska kuhinja* (Jewish Cuisine) by Sonja Samokovlija, *Židovska općina u Cerniku i Novoj Gradiški (1800-1940)* (The Jewish Community in Cernik and Nova Gradiška, 1800-1940), *Rebeka u nutrini duše* (Rebecca Inside the Soul) by Jasminka Domaš, the monograph *Rafael Talvi*, and *Židovske narodne pjesme* (Jewish Folk Songs) by Žigo Hiršler. The following are being prepared: *Priručnik za učenje hebrejskog jezika* (Hebrew Learning Manual) by Laila Šprajc Boduljak, and *Židovska filozofija i praksa* (Jewish Philosophy and Practice) by Kotel Da-Don, Croatia's chief rabbi.

Slovenians

Financing for the Slovenian national minority continued for the publication of the Slovenian-language quarterly magazine *Novi odmev*, published by the Slovenski dom Culture and Education Society (Zagreb). In 2000 this publication has been accompanied by the monthly *Planika*, also in the Slovenian language, published by the Triglav Slovenian Association (Split).

Albanians

Financing for Albanian national minority continued for the publication of the monthly bulletin *Informatori*, published by the Union of Albanian Associations in Croatia (Zagreb). Also published were the following books: *Kultovi i religija Dardanaca i Dardanje u antici* (Cults and Religion of the Dardanians and Dardana in Antiquity) by Zef Mirdita, *Hrvatski isusovci u albanskom narodu* (Croatian Jesuits Among the Albanians) and *Mihael Summa nadbiskup Skopski /1728-1777/* (Mihael Summa, Archbishop of Skopje, 1728-1777) by Frok Zefi.

Bosniacs

Financing for the Bosniac national minority continued for the publication of the bi-monthly *Behar*, the monthly *Preporodov journal* (which was earlier published under the title *Behar journal*) and the semi-annual children's magazine *Jasmin*, published by the Preporod Bosniac Culture Society (Zagreb), and the quarterly journal *Bošnjačka pismohrana*, published by the Bosniac National Community of Croatia (Zagreb).

As a part of its publishing activities, the Preporod Society published the following books: *SS Handžar divizija – istine i zablude* (The SS Handzar Division – Truths and Misconceptions) by Zija Sulejmanpašić, *Tajna zagrebacka prica* (A Secret Zagreb Story) by Edin Hadžić, and *Na istoku zapada* (To the East of the West) by Faris Nanis. The following books are being prepared for print: *Islam i muslimani od 1878. do 1948. godine* (Islam and the Muslims from 1878 to 1948) by Zlatko Hasanbegović, *Arabicki rukopis u Bošnjaka* (Arabian Manuscripts among the Bosniacs) by Muhamed Ždravčić, and *Putopisi* (Travelogues) by Faris Nanis.

As a part of its publishing activities, the Bosniac National Community of Croatia published the following books: *Tarih ljubavi* (History of Love) by Emsud Sinanovic, *Prazne ruke* (Empty Hands) by Zijad Durakovic, *Prorok u našem vrtu* (The Prophet in Our Garden) by Sead Begovic, *Vjeciti putnik* (Eternal Traveller) by Mehmed Mašić, *Jedanaesta ploca* (Eleventh Tablet) by Asaf Durakovic, *Sokrat na Pegazu* (Socrates on Pegasus) by Gordon Sinanovic and *Bistricka svitanja* (Bistrica Dawn) by Nusret Idrizovic.

Roma

For the Roma national minority, besides the informative bulletin *Romengo cacipe* mentioned in the previous Report, financing was also provided for new publications, encompassing the children's magazine *Mladi za mlade*, published by the Roma for Roma Association (Zagreb) and the Romani newspaper *Anglunipe-Buducnost*, published by the Romani Women's Association Bolja buducnost (Zagreb), which was launched in 2003.

Also published were the book *Potrebe – problemi romske nacionalne manjine* (Needs and Problems of the Roma National Minority) by Ivan Rumbak, and bilingual (Croatian-Roma) children's book *Mirikle – perle* (Pearls) by Sejdo Jašarev.

Montenegrins

Financing for the Montenegrin national minority continued for their programmes of information dissemination and for the publication of the new bi-monthly newspaper *Crnogorski glasnik* and the annual *Ljetopis crnogorski*, published by the National Community of Montenegrins in Croatia (Zagreb).

Also published were the following books: *Kroatisticke studije* (Croatian Linguistic Studies) by Vojislav Nikcevic, the proceedings *Peroj između prošlosti i sadašnjosti* (Peroj Between Past and Present), *Kao covjek* (Like a Man) by Jelena Knežević, *Diplomatske misije akreditirane na dvoru Knjaževine i Kraljevine Crne Gore* (Diplomatic Missions Accredited to the Court of the Principality and Kingdom of Montenegro) by a group of authors, *Život i djelo akademika prof. dr. Vladimira Brajkovica* (The Life and Work of Dr. Vladimir Brajkovic), *Poslanice Petra I Petrovica Njegoša* (Epistles of Peter I Petrovic Njegoš) by a group of authors, and *Ljetopis Popa Dukljanina* (Chronicle of the Priest of Duklja) by a group of authors. The following are being prepared for publication: *Monografija crnogorske državnosti* (Monograph on Montenegrin Statehood) by Nikola Lucic, *Grbovi gradova i palaca Crne Gore* (Coats of Arms of the Citadels and Palaces of Montenegro) and *Državni grbovi Crne Gore* (State Coats of Arms of Montenegro).

The Union of Montenegrin Associations (Zagreb) is prepared to print the book *Crnogorske dijagonale* (Montenegrin Diagonals) by Drago Kastratovic.

Macedonians

During the period in question, financing for the Macedonian national minority continued for the publication of *Makedonski glas*, published by the Union of Macedonians in the Republic of Croatia (Zagreb).

Also published were the following books: *Prometej Makedonski* (Macedonian Prometheus – reprint), *Beli Mugri* by Koco Racin – reprint, *Hrvatsko-makedonski odnosi kroz stoljeca* (Croatian-Macedonian Relations over the Centuries) by Blagoje Jovanovski, *Dani Dimitrija i Konstantina Miladinova* (Dimirije and Konstantin Miladinov Days) by a group of authors, *Zbirka makedonskih epskih narodnih pjesama i pripovijedaka* (Collection of Macedonian Epic Folk Poems and Stories) by Giacomo Scotti, and *Kalinka* by Ratko Dimovski.

Financing for special broadcasts in languages of national minorities on Croatian Radio-Television and other local broadcasting stations

In order to provide information in languages of national minorities, an amount of HRK 900,000 was secured from the State Budget of the Republic of Croatia in 2003 for special national minority broadcasts on radio and television. This amount was allocated by the Council for National Minorities as follows:

Croatian Television

broadcasts in languages of national minorities and training of minority journalists	HRK 370,000
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Cakovec Television, Cakovec

broadcasts in the Bayash language for the Roma minority	HRK 240,000
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Radio Daruvar, Daruvar

broadcasts in the Czech language	HRK 120,000
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Radio Daruvar, Daruvar

broadcasts in the Serbian language	HRK 70,000
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Radio Danube, Vukovar

broadcasts in the Serbian language	HRK 100,000
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From the report of the Commission on Relations with Religious Communities

With reference to Article 8 of the Framework Convention

The provisions of the Law on the Legal Status of Religious Communities (published in Croatia's Official Gazette *Narodne novine* on 16 July 2002, no. 83/02) stipulate the following:

- a) organisation of records on religious communities in the Republic of Croatia, which are today maintained by the Central State Administration Bureau. Data on religious communities are still being gathered, and so far a total of thirty-one churches or religious communities have been recorded;
- b) religious education and instruction in educational institutions;
- c) spiritual assistance in health-care institutions and social welfare institutions, in prisons and other correctional facilities, and in the Armed Forces and Police;
- d) social rights for religious officials and students in religious schools;
- e) parochial schools and academies;
- f) possibility of regulating issues of joint interest to the Republic of Croatia and one or several religious communities by concluding an agreement with the Government of the Republic of Croatia.

Note:

More details on the agreements concluded between the Government of the Republic of Croatia and individual religious communities can be found in the response to question 6 of Advisory Committee in Part II of this Report.

Media

With reference to Article 9 of the Framework Convention

Croatian Radio-Television***From the report of Croatian Radio-Television***

According to the report submitted by the News Department (National Minorities Section) of Croatian Television, the National Minorities Section operates within the News Department. In 2003, the Section produced:

- 52 weekly editions of the multinational magazine *Prizma*, (55 minutes) covering approximately 20 minorities;
- 80% of the reports aired in *Prizma* are also aired in regional Panorama broadcasts for specific counties, although in shorter form; thus total minutes of reporting on minorities is increased 50% annually;
- the 30-minute documentary broadcast entitled *Cušpajz* on Italians, Czechs, Germans and Hungarians;
- 42 reports in daily news broadcasts: News, Evening News, *Meridijan 16* (late night news magazine) – (duration runs from 1 to 3 minutes).

In 2003, the Culture Department's Folk and Traditional Culture Section produced:

- the 30 minute documentary *Ceške žetvene svečanosti* (Czech Harvest Celebrations)
- the 30 minute documentary *Cas medved'a - Slovaci u Hrvatskoj* (Slovaks in Croatia)
- the 120 minute concert "Minority Creativity," part of the International Folklore Festival
- the 30 minute studio broadcast: folklore creativity of the Roma, Bosniacs and Albanians

Croatian Television's Education Department produced:

- a 30 minute documentary on the language of the Roma
- a 30 minute documentary on Polish customs

Croatian Television's Children's Programming Department produced:

- 28 minute documentary *Prvi put na more* (To the Seaside for the First Time) about the Roma summer school
- two 5 minute reports on minorities.

From the report of Croatian Radio

Croatian Radio airs programmes for national minorities on Croatian Radio 1 and on regional stations (Rijeka, Pula and Osijek), and it provides financial support for broadcasts for the Czech national minority on Radio Daruvar (a station not in the Croatian Radio system). Croatian Radio's international broadcast "Voice of Croatia" also airs several programmes

intended for minorities in Croatia on medium and short wave, and via satellite and the Internet.

Croatian Radio 1 airs the National Minorities Programme every Saturday from 4:00 to 5:00 p.m. (editor V. Sikorski), and once a month on Tuesday it airs the programme *Agora* from 9:00 to 10:00 a.m.

Radio Station Rijeka has had an Italian department since its establishment, which airs news in Italian for the local indigenous Italian population within its range.

The 10 minutes news bulletins are aired every day at 10:00 a.m., 12:00, 2:00 and 4:00 p.m. The central news broadcast aired at 4:00 p.m. lasts for 15 minutes. The Radio Station Rijeka also airs the 15 minute programme *Etnoteka* every Wednesday, which deals with the activities and problems of national minorities and ethnic communities in Primorje-Gorski Kotar County.

Radio Station Pula airs broadcasts in the Italian language every day: news bulletins at 11:00 a.m. and 2:00 p.m. (5 minutes) and a longer central news broadcast at 4:30 p.m. (30 minutes), with news from Istria, Croatia and the world, and reports on the culture and traditions of the Italians of Istria.

Radio Station Osijek features regular broadcasts for the Hungarian and Slovak communities in fixed slots: the Hungarian programme has been aired for over 50 years from 6:30-7:00 p.m. This programme covers news items important to the Hungarian minority, pertaining to politics, economy and culture, the fostering of traditions, music and customs, which provides a comprehensive picture of this community's activities. The programme for Slovaks was launched on 2 September 2002 and is aired every Monday from 5:45 to 6:00 p.m. under the title *Slovaks in Croatia through Songs and Words*. It features news, announcements, music and activities of the Slovak community. Radio Station Osijek also regularly covers activities of the Association of Danubian Germans, which does not have a regular slot; their work is normally covered on Mondays during the broadcast called *Iz prve ruke* ('At First Hand') or in other slots tied to specific events.

“Voice of Croatia”

- a variety show on current events in the lives and work of minorities – Wednesdays from 12:30 to 1:00 p.m. (rerun at 10:00 a.m. and Sundays 02.03),
- programme for the Italian minority and Italians in Croatia and abroad called *Mezz'ora italiana* from Radio Station Pula – every day from 4:30 to 5:00 p.m.,
- programme for the Hungarian minority and Hungarians in Europe from Radio Station Osijek – every day from 6:30 to 7:00 p.m.,
- programme from Radio Daruvar for the Czech minority and Czechs in Europe – every week day from 10:00 a.m. to 10:10 a.m.,
- rebroadcast of the weekly National Minorities Programme from Croatian Radio 1 on Sundays from 9:00 to 10:00 a.m. (rerun on Mondays),
- direct broadcast of the News Department's *Agora* from 9:00 to 10:00 a.m. every fourth Tuesday in the month (run on Wednesdays from 6:00 to 7:00 a.m.).

These programmes are produced by full-time journalists and contractors, as follows:

Croatian Radio 1's National Minorities Programme and *Agora* are produced by two full-time editors and contractors as needed.

Radio Station Rijeka, Italian Department has four full-time reporters/editors (university-level qualifications) and three associates (secondary school qualifications). Contractors are engaged occasionally.

Radio Station Pula employs two professional journalists full time and four contractors.

Radio Station Osijek has two full-time employees (secondary school qualifications) and during the weekends two contractors and two speakers come in. The Slovak programme is edited on a voluntary basis by the president of the Alliance of Slovaks in Croatia.

Cooperation with national minority associations:

During the preparation of broadcasts for **Croatian Radio 1**, all national minority associations in Croatia participate in the areas in which they are interested.

Radio Station Rijeka - Italian Department has established strong cooperation with the Italian Union, the Union of Italians of Rijeka and the Italian Consulate General in Rijeka, as well as the Trieste National University. They cooperate equally well with all Italian institutions in Rijeka: Italian Drama at the Croatian National Theatre and the Edit Publishing House. Sometimes contacts are established with the Italian media, particularly from border zones, and with Slovenia's Radio Station Kopar.

No association nor institution participates in the creation of the programme intended for the Italian minority at **Radio Station Pula**.

Radio Station Osijek has strong cooperation with the Hungarian Culture Society Nepkor, but other institutions do not participate in the creation of its programmes.

Note: Local media experience difficulties in providing news in national minority languages, mostly due to financial reasons. To overcome this problem, at the end of 2003 the Council for National Minorities allocated funds for this purpose, which was covered in some detail above.

From the report of the Central State Administration Bureau

With reference to Article 15 of the Framework Convention

Since there was a reorganisation of the ministries and other government bodies after the formation of the new Government, a central register of all civil servants and officials has not yet been compiled, and therefore it is not possible to provide data on the share of national minorities in state administrative bodies.

According to the incomplete and not necessarily current data at the disposal of this Bureau, the share of national minorities in state administrative bodies is up to 15%, depending on the location of the body's headquarters.

Bilateral co-operation

With reference to Articles 17 and 18 of the Framework Convention

From the report of the Ministry of Foreign Affairs

In the bilateral activities of the Ministry of Foreign Affairs due attention is paid to the results achieved so far in the return of refugees. The responsible authority for this entire process in the Republic of Croatia until now was the Department of Displaced Persons, Returnees and Refugees in the Ministry of Public Works, Reconstruction and Construction, while the

diplomatic/consular offices in Bosnia-Herzegovina and Serbia-Montenegro participated in facilitating and accelerating the process of return, coordinating their activities with the relevant ministries.

Note: More details on bilateral cooperation and visa regimes can be found in the response to question 7 of the Advisory Committee in Part II of this Report.

From the report of the Ministry of Science, Education and Sports

With reference to Articles 12, 13 and 14 of the Framework Convention

The right of national minorities to education in their own language and script is exercised pursuant to the Constitution of the Republic of Croatia, the Constitutional Law on the Rights of National Minorities and the Law on Education in Languages and Scripts of National Minorities.

National minorities can be instructed in their mother tongue at all levels of education, from pre-school to higher education.

Languages of instruction can be placed into two groups: so-called territorial or minority languages, and non-territorial, based on the European Convention on Regional or Minority Languages, and the Decision to Ratify the European Convention on Regional or Minority Languages.

Regional or minority languages of instruction are:

- Italian
- Serbian
- Hungarian
- Czech
- Slovak
- Ruthenian
- Ukrainian.

The territories in which languages are used in various forms of education are:

- | | |
|---------------------------------|-------------------------------------------------------|
| 1. Istria County | - Italian |
| 2. Primorje-Gorski Kotar County | - Italian, Serbian |
| 3. Bjelovar-Bilogora County | - Czech, Slovak |
| 4. Osijek-Baranja County | - Serbian, Hungarian, Slovak |
| 5. Vukovar-Srijem County | - Serbian, Hungarian, Ukrainian,
Ruthenian, Slovak |
| 6. Lika-Senj County | - Serbian. |

Non-regional or minority languages of instruction are:

- German
- Hebrew
- Roma

1. Models and forms of education in languages and scripts of national minorities

Members of national minorities exercise their constitutional right to education by means of three basic Models and special forms of schooling.

- 1. **Model A** - instruction in languages and scripts of national minorities
- 2. **Model B** - bilingual instruction
- 3. **Model C** - fostering language and culture
- 4. Instruction in which the national minority language is learned as a language of the local community
- 5. Special educational forms: summer school, winter school, correspondent/consultative instruction
- 6. Special programmes to incorporate Roma pupils in the educational system

Model A – all instruction is carried out in the language and script of the national minority with mandatory learning of Croatian. As a rule this instruction Model is implemented in special institutions, but it can be implemented in standard, Croatian-language institutions in special classrooms with instruction in the national minority language and script.

Model B – instruction is carried out in Croatian and in the national minority language and script; so-called bilingual instruction. The natural sciences are taught in Croatian, while social or national curriculum is covered in the national minority language. This form of instruction is implemented in a Croatian-language institution but in special classrooms.

Model C – fostering language and culture is a special curriculum implemented through five school hours each week with the entire instruction being held in Croatian. The programme encompasses instruction on the language and literature of the national minority, its history, geography, music and arts. The curriculum is verified by the Ministry of Science, Education and Sports at the proposal of experts from the relevant minority group.

National minorities propose and select the Models and programmes themselves in accordance with existing legislation and their possibilities to carry out programmes.

All Models and educational forms are offered in the standard educational system of the Republic of Croatia.

2. Application of models and forms

Model A

2.1. – This Model is available to the Italian, Serbian, Czech and Hungarian national minorities.

Model B

2.2. - This Model is available to the Serbian, Hungarian, Czech, German and Austrian national minorities.

Model C

2.3. – This Model is available to the Hungarian, Serbian, Slovak, Ruthenian, Ukrainian and Czech national minorities.

The special summer school programme was organised for the Ruthenian-Ukrainian, Serbian, Montenegrin and Roma national minorities.

Special programmes for inclusion of children in the educational system are intended for the Roma national minority.

Instruction in which the minority language is taught as the language of the local community is available to the Italian national minority.

3. Overview of the participation of national minority children in the educational system of the Republic of Croatia

Introduction

The total number of pupils of all minorities encompassed in all forms of instruction is approximately 11,000 (not including the Roma population), of which 9,000 are participating in Model A, 800 in Model B, and approximately 1,250 in Model C. Approximately 1,570 Roma children participate in the educational system from pre-school to higher education.

Italian national minority

- 30 pre-school groups – 624 children
- 17 primary schools – 2,140 pupils
- 4 secondary schools attended by 786 pupils – 148 (127) teachers

Total – 3,643 participants.

The Teachers Faculty in Pula has 3 departments (studies of classroom instruction, Italian language and pre-school instruction). About 50 students attend these studies.

The publishing house Edit is engaged to meet the needs of this minority – it publishes newspapers, magazines and other publications, and there is a special department that prints textbooks and bilingual instructional documentation.

Czech national minority

- 2 kindergartens – 145 children, 13 educators
- instruction in the Czech language is carried out in 4 primary schools with 454 children, while the programme of fostering of language and culture is carried out in 7 elementary schools and attended by 463 children.
- 1 classroom operates in the Daruvar general high-school and encompasses 37 children.

A total of 954 pupils and 64 teachers.

The publishing house Jednota is engaged to meet the needs of the Czech national minority.

The Faculty of Arts and Letters in Zagreb has a department for teachers and instructors of the Czech language, while teachers also attend seminars in the Czech Republic and Croatia.

Slovak national minority

Pupils of the Slovak minority attend classes in the Croatian language and receive additional instruction in the Slovak language, history and culture. This instruction is carried out in 4 primary schools, attended by 454 pupils. Teachers are educated in Croatia and Slovakia, and each year they attend seminars in Slovakia, as stipulated by a treaty between the two countries. The instruction encompasses 29 teachers.

Hungarian national minority

- 2 kindergartens (Osijek, Zagreb) attended by 46 children
- bilingual instruction in Hungarian and Croatian is carried out in 3 primary schools – 117 pupils; 424 pupils attend programmes to foster Hungarian language and culture while their instruction is carried out in the Croatian language in 17 primary schools in 42 classrooms.
- bilingual instruction is carried out in 4 primary schools with 60 pupils.

The Hungarian Education and Cultural Centre's elementary school has 36 pupils, and 70 pupils receive secondary education, while 52 children are in its kindergarten.

Total pupils: 707

There are 143 teachers, while all instruction is carried out by 99 teachers.

There is a Hungarian language department at Zagreb's Faculty of Arts and Letters.

Serbian national minority

- 6 kindergartens with 410 pupils
- 19 primary schools with approximately 3,100 pupils and 510 teachers
- 7 secondary schools with approximately 1,250 pupils and 182 teachers
- fostering language and culture – 302 pupils, 27 teachers

57 students are being educated at the Teachers Academy.

The total number of participants in all forms of instruction is 5,105.

The Prosvjeta Serbian Culture Society is participating to meet the needs of this minority.

A law is currently being implemented that stipulates the establishment of Croatian schools offering instruction in the Serbian language in Vukovar-Srijem and Osijek-Baranja County.

German and Austrian national minorities

- kindergarten with approximately 26 children

Bilingual instruction in the Sveta Ana Primary School in Osijek has also been organised for this minority. There are 54 pupils and two teachers.

Ukrainian and Ruthenian national minorities

- Instruction to foster language and culture has been organised in Lipovljani, Šumece, and Vinkovci, with 167 pupils and 12 teachers.

Summer school has been organised again this year for 100 participants.

Jewish national minority

- The Mirjam Weiler Kindergarten – 25 children.
- A course for learning Hebrew and religious instruction for primary and secondary school pupils has been organised in the Jewish Community Zagreb.

Albanian national minority

- instruction in the Albanian language and culture in Zagreb, Rijeka and Osijek organised by the association itself. It has not been systematically monitored during this academic year.

Roma national minority

Special programmes to incorporate Roma children in the educational system of the Republic of Croatia are being conducted. There are also pre-school institutions (kindergartens and workshops organised by Roma). The total number of pupils attending primary schools is approximately 1,700, with 200 in secondary schools.

Scholarships have been secured for secondary school and university students. 10 university students have enrolled at the proposal and recommendation of the Ministry of Science, Education and Sports and have received scholarships for teacher training courses.

Roma assistants have been introduced in primary schools pursuant to a special Decision of the minister—the objective is to improve the education of the Roma minority.

Montenegrin national minority

Summer schools based on Model C have been organised for the Montenegrin national minority.

4. Textbooks

Primary schools textbooks are being translated and printed for the Serbian, Italian, Hungarian and Czech national minorities; while secondary schools textbooks are generally imported from the mother country to cover the national curricula, and textbooks from the mother country and Croatia are used to cover the natural sciences. As for the Roma, a dictionary of the Romani Chib language is being prepared for print, while preparations for a Bayash dictionary will commence in the second half of the year.

5. Finances

Funds from the state budget have been secured to print and translate textbooks, purchase textbooks for the Roma population, grant scholarships for Roma pupils in student's dormitories, organise special forms of instruction, participate in national minority kindergartens and for Roma assistants.

Besides regular monthly and annual allocations of funds for instruction in minority languages from pre-school to higher education, special funds are secured for textbooks and special forms of instruction in the national minority languages in an amount of HRK 3,500,000.00 annually.

6. Curricula

New curricula have not yet been developed, so instruction is carried out on the basis of the previous curricula. New curricula have to be developed by the end of the school year, while approvals for curricula and instruction in national minority languages and scripts need to be renewed.

7. Direct application of the law

The law is being implemented gradually. Instruction on fostering language and culture has been organised for the Serbian national minority in Lika-Senj County, while the same courses are being prepared in Šibenik-Knin County, i.e. in the town of Knin. A new decision on the organisation of language and culture courses has been proposed. A draft decision on curricula and programmes has been developed for all forms of instruction in minority languages. The appointment of supervisors from among the national minorities for minority language instruction has begun. Almost all schools with instruction in national minority languages and scripts have aligned their charters to comply with the new Law.

The approvals for all minorities which organised instruction in fostering language and culture since 1997 based on curricula which included only the minority language instruction (Hungarians, Ruthenians, Ukrainians, Slovaks and Czechs) have been revised, and over the past two years this form of instruction has incorporated a larger number of persons who belong to the relevant national minority, and it includes fostering of language and culture based on the Model C curricula.

Note: Each request by a member of a national minority to organise any form of instruction is processed and generally positively resolved in all cases when the professional instruction can be secured. This particularly pertains to instruction on fostering language and culture.

The issue of supervisors and advisors has been only partially resolved (Hungarian, Italian and Czech minority), while other requests that regard this matter are still being analysed and processed.

The request to establish institutions that would operate in the Serbian language and script is still being processed.

PART II

ANSWERS TO THE QUESTIONNAIRE OF THE ADVISORY COMMITTEE

1. Please provide information on the implementation of the new Constitutional Law on the Rights of National Minorities, adopted in 2002, and of the related provisions in the 2001 Law on the Elections of Members of Representative Bodies of Local and Regional Self-government Units (as amended) and in the 2003 amendments to the Law on Elections for Representatives to the Croatian Parliament.

Answer (Office for National Minorities):

With reference to Articles 3 and 4 of the Framework Convention, Part I of the Report contains a detailed explanation of the two new institutes for members of national minorities introduced by the Constitutional Law on the Rights of National Minorities – councils and representatives of national minorities. The right to elect national minority councils can be exercised in self-government units in which members of a national minority account for not less than 1.5% of the total population or in which over 200 members of an individual national minority live, and in regional self-government units in which over 500 members of an individual national minority live. Ten members are elected to municipal councils, fifteen members to town/city councils and 25 members to county councils.

If none of the aforementioned criteria are met in the territory of a self-government unit, and not less than 100 members of a given national minority live in such unit, then they are entitled to elect a representative who shall have the same rights and obligations as the national minority councils.

The rights and obligations of councils and representatives of national minorities have been dealt with in Part I of the Report.

With the goal of introducing members of councils of national minorities and their representatives to the ways in which they can exercise their rights, and preparing, on the other hand, self-government units for their obligations ensuing from the establishment of these new bodies, the Office for National Minorities has organised, in cooperation with the Ministry of Justice, Administration and Local Self-Government, four seminars in 2003 (in Zagreb, Rijeka, Osijek and Vukovar), attended by approximately 400 council members, representatives of national minorities, and representatives of local and regional self-governments. In 2004 the Office shall continue to organise training seminars for councils and representatives (20 such seminars shall be organised).

Funds for the work of councils and representatives, including funds to perform necessary administrative tasks and specific activities established by the programme which the said councils must adopt, shall be secured by self-government units in the territory in which these bodies operate. Funds for certain programmes can be secured from the state budget and councils can also have their own revenue, such as donations etc., but only for the use of national minorities.

The Government of the Republic of Croatia has secured funds for the work of councils and representatives in the areas of special state concern and in mountainous areas for the first three months of this year.

Pursuant to the Law, municipalities and cities/towns were obliged to amend their charters in order to secure representation of national minorities in representative bodies.

On 16 April 2003 the Government of the Republic of Croatia called elections for councils of national minorities and representatives of national minorities. The elections were held on 18 May 2003. A number of minority associations complained about the short period of time between the call and the election date (that also included some public holidays), and the insufficient awareness of members of national minorities as regards the role of the councils. On 11 June 2003 the Government adopted the decision to authorise establishment of councils. 207 councils have been established thus far, from the elected 209 councils and 42 representatives. Since only about 50% of councils were elected in the first elections, the Government of the Republic of Croatia called by-elections for councils of national minorities and representatives of national minorities. These elections were held on 15 February 2004. Additional 290 councils and 101 representatives were to be elected. However, during the candidate nomination, only one-third of the possible council members exercised this right, and the estimate is that following the first elections and the recent by-elections some 60% of the possible number of councils will be elected. This, however, can be viewed as a good result if we take into consideration the fact that these were first elections of this kind and that members of national minorities are still insufficiently acquainted with the real role of councils in the decision-making process. The table below shows council members and representatives of national minorities that ought to be elected in by-elections.

**TOTAL NUMBER OF COUNCILS MEMBERS BY MINORITY
AND REPRESENTATIVES BY MINORITY
For the renewed elections or by-elections on 15 February 2004**

<i>NATIONAL MINORITY</i>	<i>TOTAL NUMBER OF COUNCILS MEMBERS</i>	<i>TOTAL NUMBER OF REPRESENTATIVES</i>
<i>ALBANIANS</i>	184	27
<i>AUSTRIANS</i>	21 (1 council)	
<i>BOSNIACS</i>	221	7
<i>BULGARIANS</i>		1
<i>MONTENEGRINS</i>	25	7
<i>CZECHS</i>	122	3
<i>MACEDONIANS</i>	18	8
<i>HUNGARIANS</i>	53	3
<i>GERMANS</i>		5
<i>ROMA</i>	185	5
<i>RUTHENIANS</i>		1

<i>SLOVAKS</i>		4
<i>SLOVENIANS</i>	327	14
<i>SERBS</i>	1 971	9
<i>ITALIANS</i>	395	6
<i>UKRAINIANS</i>		1
<i>IN TOTAL</i>	3 522	101

On 15 February 2004 **3 522** councils members and 101 representative ought to have been elected.

Councils are elected: for 15 counties and the City of Zagreb, for 64 cities/towns and 132 municipalities. 291 councils need to be elected or supplemented.

It is important to point out that the establishment of a council is not an obligation, but a right that members of all national minorities can exercise.

In the interest of coordinating or advancing the common interests of all national minorities, elected minority councils may form *coordinating bodies* whereby national minorities can more easily solve specific matters of essential importance. They may also transfer some of the aforementioned rights to such a body with the aim of achieving a better communication between minorities and more effective exercise of their rights. Thus far the coordinating body of the Hungarian national minority has been established, as well as the coordinating body of all the councils and representatives of national minorities in the City of Zagreb, while several other coordinating bodies are being set up.

The elections were also called for members of representative bodies of local and regional self-government units, in order to secure representation of an adequate number of members of national minorities. In the local self-government units in which national minorities account for over 5% of the population, they are entitled to one member, and if they account for more than 15% of the population, their proportional representation must be secured. The elections for these bodies were held at the same time as the elections of members of councils of national minorities on 15 February 2004.

Pursuant to the Decision to Call By-elections of national minority members to representative bodies of the local and regional self-government units, the elections were called for 20 representatives of the Serbian national minority and 3 representatives of the Roma national minority. Two representatives of the Serbian national minority were to be elected councillors in county assemblies, three were to be elected councillors in city/town councils and 15 councillors in municipal councils. All three representatives of the Roma national minority were to be elected councillors in municipal councils. Since the final election results have not yet been published, no information can be provided as regards the elected candidates.

The Constitutional Court of the Republic of Croatia adopted the Decision to appoint members to the State Electoral Commission and their substitutes.

The State Electoral Commission adopted the mandatory instructions and sequence of election activities, and forms for candidate nomination. The Council for National Minorities warned that besides the candidate's name and surname, the ballots should contain the name of the association that had nominated each candidate. The State Electoral Commission could not accept this proposal, because the Law does not provide such a possibility. Therefore, this proposal will be incorporated into provisions of the Law to be applied in the next elections.

With the aim of correcting certain problems that occurred during the first elections for councils in May 2003, special attention was paid during the by-elections in February 2004 to ensure that members of national minorities have access to the electoral rolls and an opportunity to change their nationality if they wish to do so. This particularly regards Croatian citizens registered in the electoral rolls as Muslims (given that such a nationality no longer exists in their mother country), and they were invited to change their nationality by 1 February 2004.

The Government of the Republic of Croatia secured HRK 14.865.845 for the elections. According to the information received thus far, of the total number of 228,984 voters in counties, cities/towns, municipalities and the City of Zagreb, 8.12% cast their ballots, while in the first elections for councils and representatives of national minorities held on 18 May 2004 a total of 13.29% of voters exercised their right to vote. The biggest turnout of voters was recorded among the ranks of the Bosniac and Roma national minorities.

Since members of national minorities complained that on the occasion of the previous elections held in May 2003 their candidates' expenses related to their election campaign were not reimbursed, this deficiency was corrected when this year's elections were called and the candidates who will be elected to representative bodies will be appropriately reimbursed. Given the large number of candidates for members of councils of national minorities an adequate reimbursement could not be secured and with the aim of preventing the situation in which candidates would have to pay for forms that must be submitted, the Government of the Republic of Croatia covered the cost of the Narodne novine printing company so that candidates can receive necessary forms for free.

2. Please provide information on the elections, activities and role of the Councils on National Minorities, including at the local level, as well as on interaction and co-operation between these councils and other bodies dealing with the protection of national minorities at the central, regional and local level.

Answer (Office for National Minorities):

More details on the elections can be found in the answer to the previous question.

Following the first elections held in May 2003, the newly established councils and representatives of national minorities encountered certain difficulties in some local and regional self-governments, given that they had to establish cooperation with municipal and county assemblies on the issues that are of interest for national minorities. Certain problems occurred because the Register of councils and representatives of national minorities was not

developed on time. Numerous problems also occurred in relation to financing of councils and representatives of national minorities as newly established bodies.

With the aim to overcome the recognised difficulties in functioning of councils and representatives of national minorities, the Office for National Minorities organised, in cooperation with the Ministry of Justice, four seminars attended by chairpersons of the councils and representatives of national minorities, as well as representatives of local and regional self-governments. The seminars were held in late 2003 in Zagreb, Rijeka, Osijek and Vukovar. In 2004 the Office for National Minorities shall continue, in cooperation with the Ministry of Justice and the Council for National Minorities, to provide training for councils and representatives of national minorities. 20 training seminars for members of councils and representatives of national minorities and representatives of local and regional self-governments shall be organised in 2004. The seminars shall encompass most members and the method of work shall provide the participants with as many information and specific examples as possible, so as to enable them to participate in the decision-making process in the best possible and most efficient manner.

With the intention to overcome problems that regard financing of councils and representatives of national minorities, it has already been mentioned that the Government of the Republic of Croatia adopted the decision to secure funds for financing of councils and representatives of national minorities in the areas of special state concern and in mountainous areas of Croatia.

The establishment of the Council for National Minorities at the national level is an important novelty in the Croatian legal system introduced by the Constitutional Law on the Rights of National Minorities. The Council is established in order to consider and propose, regulate and resolve issues in relation to the exercise and protection of rights and freedoms of national minorities.

The Council shall have the right to:

- propose to the bodies of state authorities to discuss certain issues of significance for a national minority, propose to the bodies of state authorities measures to improve the position of a national minority,
- provide opinions and proposals about the programmes of public radio stations and public television intended for national minorities .

Since 2003 the Council for National Minorities allocates funds (instead of the Government of the Republic of Croatia) for the programmes of national minorities in Croatia. With this the decision-making in this important segment of the exercise of minority rights has been transferred entirely to the national minority representatives.

Pursuant to the Law, members of the Council for National Minorities are appointed by the Government, exclusively from among the ranks of national minorities: seven members from among the candidates proposed by councils of national minorities, five members from among the ranks of distinguished cultural, scientific, professional, religious persons nominated by national minority associations and other minority organisations, religious communities, legal entities and citizens who are members of national minorities. Members of the Council are also representatives of national minorities to the Croatian Parliament.

In 2003 the Government of the Republic of Croatia appointed five members of the Council for National Minorities from among the candidates proposed by national minority associations and other authorised sponsors. These are representatives of the Jewish, Serbian, Albanian, Bosniac and Montenegrin national minorities. Minority representatives to the Croatian parliament are *ex officio* members of the Council. The representative of the Jewish national minority has been appointed the Council's chairman, one of his deputies is the representative of the Serbian national minority, while the other deputy chairman will be selected from among the candidates proposed by councils of national minorities. Out of the remaining seven members to be proposed by councils of national minorities, the Government of the Republic of Croatia has thus far appointed two members of the Council, one from the Slovak and one from the Macedonian national minority, and the remaining members will be appointed following the by-elections for councils and representatives of national minorities.

3. Please provide information on the census results published in 2002 and on the ensuing debate regarding in particular the number of Serbs.

Answer:

Table 1: Ethnic composition of the Republic of Croatia according to the Census of 1991 and 2001

Ethnic affiliation	1991		2001	
	Population	%	Population	%
Croats	3,736,356	78.1	3,977,171	89.63
Serbs	581,663	12.2	201,631	4.54
Muslims	43,469	0.9	*	-
Bosniacs	-	-	20,755	0.47
Italians	21,303	0.4	19,636	0.44
Hungarians	22,355	0.5	16,595	0.37
Albanians	12,032	0.3	15,032	0.34
Slovenians	22,376	0.5	13,173	0.30
Czechs	13,086	0.3	10,510	0.24
Roma	6,695	0.1	9,463	0.21
Montenegrins	9,724	0.2	4,926	0.11
Slovaks	5,606	0.1	4,712	0.11
Macedonians	6,280	0.1	4,270	0.10
Germans	2,635	0.1	2,902	0.07
Ruthenians	3,253	0.1	2,337	0.05
Ukrainians	2,494	0.1	1,977	0.04
Russians	706	0.0	906	0.02
Jews	600	0.0	576	0.01
Polish	679	0.0	567	0.01
Romanians	810	0.0	475	0.01
Bulgarians	458	0.0	331	0.00
Turks	320	0.0	300	0.00
Austrians	214	0.0	247	0.00
Vlachs	22	0.0	12	0.00
Yugoslavs	106,041	2.2	-	-
Greeks	281	0.0	-	-

Others declared	non-	73,376	1.5	79,828	1.80
Others		3.012	0,1	21.801	0.49
Regional affiliation		45.493	0,9	9.302	0.21
Unknown		62.926	1,3	17.975	0.41

Source: For 1991 Census results: The Census of 1991 – National composition of population by settlement, The Republic Bureau of Statistics, Zagreb, April 1992; for 2001 Census results: Web-pages of the Central Bureau of Statistics at www.dsz.hr

* In 2001 Census 19,774 citizens declared that their nationality was Muslim.

In the Republic of Croatia members of national minorities¹ live in the territory of numerous cities/towns and municipalities. Large numbers of national minorities are concentrated in the territory of Istria, northern Dalmatia, Lika, Kordun, Banovina, western and eastern Slavonia and Baranja. If a comparison is drawn between the 2001 Census results and several previous censuses, all national minorities – with the exception of Albanians, Roma and Germans – have experienced a decrease in the number of their members. The most rapid drop can be observed among the most numerous national minorities, that is the Serbian, Hungarian, Czech and Italian national minorities. The reasons for the decreased number of members of national minorities can be found, although not exclusively, among the following:

a) their territorial dispersion, which contributes to the weakening, and eventually breaking of ties within one national minority;

b) movement of population to cities/towns and urbanisation which causes the weakening of village communities, breaking of ties based on an indigenous economic activities and breaking of ties with minority cultures;

c) population migration, not only from villages to towns, but also the interregional and overseas migration, especially during and immediately after the war of 1991-1995;

d) higher level of education which allows higher social mobility of members of national minorities;

e) mixed marriages as an institute that polarizes the ethnic component of the society – this is very typical for members of the Serbian national minority who live in cities/towns and in areas that were not affected by the war;

f) weakening of cohesive elements of the ethnicity which are being replaced by identification with one's professional or social group or regional affiliation (citizens of Istria, Lika, Kordun, Dalmatia, Slavonia, Gorski Kotar);

g) consequences of the war that was waged in Croatia between 1991 and 1995.

Following the break-up of former Socialist Federal Republic of Yugoslavia and the establishment of the independent Republic of Croatia, it remained a multiethnic state in which, alongside the majority Croatian population, there are members of over 22 national minorities. Their representation in the ethnic structure of the population has been considerably reduced during the last 13 years due to large-scale population migrations caused by the war in

¹ In its Constitutional Law on the Rights of National Minorities, the Republic of Croatia has for the first time clearly defined the concept on a national minority. According to the Constitutional Law, "a national minority shall be a group of Croatian citizens whose members have been traditionally settled in the territory of the Republic of Croatia and who have ethnic, linguistic, cultural and/or religious characteristics which are different than those of other citizens and who are guided by the wish for the preservation of those characteristics". Constitutional Law on the Rights of National Minorities, the Official Gazette (*Narodne novine*) no. 155/2002, Article 6.

the region. The Census was carried out in the Republic of Croatia in the period between the 1st and 15th of April 2001, in compliance with the 2001 Law on Census of Population, Households and Dwellings². The official data on the ethnic composition of the population show a significant decrease of the number of members of certain national minorities. The portion of national minorities in the overall population dropped to 7.47%.

The largest decrease of minority population was experienced by the Serbian national minority: the number of 581,663 citizens in 1991 was reduced to 201,681 citizens in 2001. This means that the number of Serbs was reduced by two-thirds in comparison to their number in 1991. However, other national minorities also experienced a reduction of number of their members. The number of Bosniacs and Muslims was decreased by 3000, Hungarians dropped from 22,355 to 16,595, Montenegrins from 9,724 to 4,926 and so on. The conclusion can be drawn that the reduction of members of national minorities was primarily caused by emigration during the war. This is undoubtedly true in the case of Serbs, although there are no precise data on how many members of the Serbian national minority emigrated during 1990s. The rough estimates mention between 300,000 and 350,000 people.

However, the number of Croats registered in the two censuses brings us to the conclusion that numerous members of national minorities changed their ethnic affiliation and in 2001 census they probably declared that their nationality was Croatian. The reason for such a conclusion lies in the increased number of Croats in the 2001 Census. While in 1991 there were 3,736,356 Croats, by 2001 their number grew to 3,977,171, which is an increase of 240,815 persons of Croatian nationality. Such an increase cannot be explained solely by an increased birth-rate among the Croats during the ten years in question (1991–2001), given that negative birth-rate was dominant during that period³. The increased number of persons who declared themselves as Croats can partly be explained by the immigration of Croats during 1990s from Bosnia and Herzegovina and from abroad, and by the immigration caused by the war in Bosnia and Herzegovina. However, more precise data in relation to these movements have yet not been published. The increase can also be explained by the fact that a certain number of citizens of the Republic of Croatia who come from mixed marriages (Croatian-Serbian, Croatian-Bosniac etc.) declared themselves to be Croats in the 2001 Census. Also, one should not forget that in the 1991 Census as many as 106,141 persons declared their nationality to be Yugoslav⁴, and such an option was not provided in the 2001 Census. Besides all the above reasons for the increase in the number of Croats in the Census of 2001, the possibility should not be excluded that a certain number of Serbs, Bosniac Muslims, Hungarians, Montenegrins and members of other national minorities changed their national affiliation in the period between the two censuses.

One of the main consequences of the significant drop in the number of members of national minorities in the Republic of Croatia is an increased public awareness of the need to set up additional mechanisms for the protection of national minorities. This resulted in the adoption of the Constitutional Law on the Rights of National Minorities in 2002 and in the development of the new, pro-minority policy that the current Government of the Republic of

² The following census units were covered by the Census: 1) persons, that is, citizens of the Republic of Croatia, foreign citizens and persons without citizenship who are usual residents of the Republic of Croatia, irrespective of whether, at the time of the Census, they were present in the Republic of Croatia or were abroad as well as persons who, at the Census moment, were temporary residents of the Republic of Croatia, 2) households of such persons and 3) conventional dwellings and other occupied premises.

³ According to the demographic estimates, more people died during that period (approximately 45,000 more) than were born.

⁴ Although in the 1991 Census the option to declare oneself as Yugoslav in the formal legal sense was not considered to be a national affiliation, it actually did function as a national affiliation.

Croatia started to implement. The intention behind all the measures is to stop any further decrease in the number of members of national minorities and to enable the completion of the process of return of refugees, which will undoubtedly result in an increased number of members of national minorities, especially of the Serbian national minority.

Out of 201,631 Serbs who live in the Republic of Croatia today, most live in the County of Vukovar-Srijem – 31,644 or 15.45%. In the County of Osijek-Baranja there are 28,866 Serbs or 8.73%. The third place is held by the County of Zagreb where alongside 297,868 Croats (96.18%) there are also 2,720 Serbs (0.88%). The population of Zagreb, capital of Croatia, is 91.94% Croatian and 2.41% Serbian. There are 4,926 (0.11%) Montenegrins in Croatia, and in the capital Zagreb there are 1,313 Montenegrins or 0.17%. The first reactions to the 2001 Census results show that the Serbian community in Croatia finds these results devastating. According to the 1991 Census, 12.2% of the population of Croatia were Serbs, and the Serbian National Council in Zagreb believes that at least half of those members of the Serbian national minority still live in Croatia. They also believe, however, that these Serbs are not recognised by the statistical data and many public discussions that followed regarded the methodology of the population census.

The Head of the Central Bureau of Statistics of the Republic of Croatia explained that the 2001 Census did not encompass people who had lived away from Croatia for more than one year. He claimed that the Census was carried out in accordance with the United Nations recommendations. Thus, the refugees from the Republic of Croatia were not registered in their former homeland, but rather in the country in which they resided at the time. On the other hand, the Republic of Croatia had the international obligation to register refugees from other parts of former Yugoslavia who resided in its territory, and this caused a further increase in the number of Croats and a decrease in the number of members of national minorities.

4. Please provide information on the developments regarding education of Roma pupils, in particular in the Medimurje County.

Answer: Ministry of Science, Education and Sports, Department for public education

The education of pupils of the Roma national minority is organised within the Croatian public education system and their instruction is held in the Croatian language and script. Roma pupils must meet the same requirements for enrolment in primary and secondary schools that apply to all other students, pursuant to the Law on Elementary Education and the Law on Secondary Education.

The pre-school programme for children of the Romani national minority is carried out in accordance with the Law on Preschool Education and Instruction.

Pursuant to the Law on Education in Languages and Scripts of National Minorities, members of the Roma national minority are not instructed in their own language and script because the pedagogical requirements for such instruction are not satisfied and there is no demand for it by members of the Roma national minority.

In the school year 2003/2004 an increased number of children enrolled into primary schools has been observed and their schooling is being monitored. It is difficult to talk about an exact number of Romani children in Croatian primary schools because children's nationality is not registered upon their enrolment, unless the instruction needs to be organised in the language

and script of a national minority. The number of enrolled Romani pupils can be determined in the communities and counties in which a large number of members of the Roma national minority live, that is, where the Roma minority makes up nearly 90% of the overall population. The number of pupils can also be determined on the basis of reports by various Roma associations that deal with educational issues. According to such data, most Roma primary and secondary school pupils attend schools in the Medimurje County and in the Varaždin County, which corresponds to the large number of Roma who live there.

Due to a number of difficulties that accompany the enrolment of Roma children in primary schools, in the school year 2003/2004 most attention has been devoted to the pre-school education and instruction, and the implementation of special programmes in form of pre-school workshops, as well as to the organisation of the "small schools" (during the final pre-school year), especially in the Medimurje and Varaždin Counties. 150 children participated in these programmes.

In the Medimurje County and Varaždin county all primary schools have employed a Roma assistant, in accordance with the Minister's decision.

"Affirmative measures" have been applied during the enrolment procedure for the secondary schools and institutions of higher education, because Roma students are enrolled even if they do not have a sufficient number of points.

The Ministry co-finances students' dormitories for all Roma secondary school students who are accommodated in dormitories, and secondary school students and university students also receive scholarships.

A total number of approximately 2000 students attend educational institutions of all levels. In the past two years several books and picture books have been translated into Romani language and published. Books on Roma history and culture, as well as dictionaries of Romani language, are being prepared for print.

5. *Please provide information on the portrayal of Roma in the media.*

In order to have complete insight into the portrayal of Roma in the media, research was undertaken into the coverage of all national minorities in the daily press, to gain comparative data.

The research was carried out during the period from 1 September to 1 December 2003.

Coverage of national minorities was analysed in the following weekly magazines: *Globus*, *Nacional* and *Feral Tribune* and daily newspapers: *Vecernji list*, *Jutarnji list*, *Vjesnik*, *Slobodna Dalmacija* and *Novi list*.

Annex: An analysis of print media: Perceptions of national minorities in the Croatian press during the election campaign for the Croatian Parliament in 2003.

Comparison of the press analysed

The analysis of articles relating to national minorities in 5 Croatian daily newspapers demonstrated that the issue of minorities is not dealt with consistently. The exception is *Novi list*, in which the number of articles that regard minority issues was approximately the same in each analysed month. In relation to the other daily newspapers, *Novi list* published the most articles in the time period analysed (204). The next in terms of the number of articles published was *Jutarnji list* (169), then *Vjesnik* (145), *Slobodna Dalmacija* (93) and *Vecernji list* (92).

In almost all sections and topics, the most frequent mentioned minority was the Serbian national minority, followed by minorities in general, the Roma national minority, then the Italian, Jewish and Bosniac national minorities. In the culture sections the Jewish and Italian national minorities dominated, whilst in the crime pages the Albanian and Roma national minorities were mentioned most often. However, it should be pointed out that the number of articles published in that section is very small in relation to the total number of articles, which may be seen as a positive phenomenon. Other national minorities received significantly less space, and are mainly mentioned only incidentally.

The largest number of articles was published in the domestic affairs section, from which it follows that political subjects were dominant. The discussion on the way minority representatives are elected to the Croatian Parliament and on their influence on the formation of the future Government contributed to this, as well as the intensified election campaign in November, which was accompanied by a large increase in the number of articles published on national minorities in all papers, except *Novi list* (which covers national minorities continually) and *Vecernji list*, in which the number of articles published increased only slightly. Other topics such as cultural autonomy, respect of minority rights, participation of minorities in local government and the media were far less represented, indicating that they are on the margins of interest of the daily papers. In the case of the Serbian national minority, refugee issues were mentioned in connection with election issues, and a great deal of attention was given to them.

In all the daily papers, short articles prevailed (news and reports) where minority issues were dealt with superficially, without delving into the core of the problem. There were very few reportages or interviews, although the number of analyses was somewhat greater, primarily due to the discussion on the methods of election of minority representatives to the Croatian Parliament.

In *Novi list*, *Slobodna Dalmacija* and *Jutarnji list* most articles were placed in a clearly visible position on the page, with a considerable number of articles published on most of one page, the entire page or several pages, whilst in *Vecernji list* and *Vjesnik* this was not the case.

The headlines of the articles were mainly informative and neutral, and only *Slobodna Dalmacija* and *Jutarnji list* had a larger number of sensationalist headlines.

As regards the weeklies, it was also established that national minorities are not covered continually. 20 articles were published in *Nacional*, 17 in *Globus* and 12 in *Feral Tribune*.

As with daily papers, it was established that in the weeklies the Serbian national minority received the largest coverage, followed by the minorities in general, whilst other minorities were mentioned in significantly fewer articles.

Most articles were published in the domestic affairs section, followed by columns, commentaries, reviews and sketches. The most common subjects were the representation of minorities in the Croatian Parliament, the elections in general and refugee issues, exclusively relating to the Serbian national minority, which again indicates the dominance of politics in the Croatian press.

In terms of journalistic forms, analyses and commentaries prevailed, followed by reviews, columns and sketches, but within the forms that deal with subjects in more depth, minorities were mainly only mentioned incidentally, as part of a broader topic.

Headlines were mostly neutral and informative and most articles were considered to be neutral.

Supplement:

An analysis of the media portrayal of the Roma national minority

Having analysed the total number of articles published in the Croatian daily and weekly press, the conclusion was reached that the Roma national minority was the third in terms of the number of times it was referred to – it was mentioned in 68 articles. Most articles which deal with Roma were published within in the domestic affairs section, while in the *crime pages* Roma were mentioned only slightly less than members of the Albanian national minority (Albanians – 9 articles, Roma – 6 articles). These are the two national minorities most frequently mentioned in this section.

Most articles, to be precise 28, emphasized negative examples of discrimination against members of the Roma national minority, whilst there were noticeably fewer positive examples of inclusion (9 articles), which clearly leads to the conclusion that a great deal of measures need to be undertaken to enable members of this minority to exercise their rights in the society. This is further supported by the fact that within the context of “existential problems” Roma were more frequently mentioned than all the other national minorities, and they were also mentioned as perpetrators of criminal activities (5 articles, third in terms of frequency after Serbs and Albanians. As positive examples, we would point out some articles that dealt with respect for minority rights, in which the Roma national minority was mentioned, but these were relatively few in comparison with the total number of analysed articles. They were mentioned very rarely in the context of political issues (representatives of minorities in the Croatian Parliament), apart from the occasional statement by representatives of the Roma national minority, of which there was a total of 10.

This analysis dealt almost exclusively with daily papers, since in the weeklies very little space is given to minority issues in general, and so to the problems of Roma in particular. In all three analysed weeklies each had one article mentioning members of the Roma national minority, emphasizing examples of discrimination and intolerance such as: “*Anti-Roma*

• **Translator’s note:** this is a reference to *Crna kronika* (literally: ‘black chronicle’), a standard section in all Croatian newspapers (for which there is no direct equivalent in English-language media) that features news on traffic accidents, robberies, murders and other crimes, arrests of criminals, suicides, natural disasters and other matters with a tragic or ‘dark’ character.

graffiti in Zagreb's Trnje neighbourhood” (Globus, 5 September 2003 and “Biggest bullies are spoilt children” (Nacional 18 November 2003).

From all the above the conclusion emerges that the media pay most attention to the everyday problems encountered by members of the Roma national minority, whilst their inclusion into the political life of the community, the election of their representatives to the Croatian Parliament and the election campaign received very little attention.

6. *Please provide information on the 2002 law on religious communities and on the agreements between the Government of Croatia and certain religious communities as well as on possible plans to sign such agreements with other religious communities.*

Answer: (The Commission on Relations with Religious Communities)

More details on the Law on the Legal Status of Religious Communities are provided in Part I with reference to Article 8 of the Framework Convention. The Government of the Republic of Croatia has concluded agreements with the following religious communities:

- the Agreement between the Government of the Republic of Croatia and the Serbian Orthodox Church in Croatia on issues of common interest,
- the Agreement between the Government of the Republic of Croatia and the Islamic community in Croatia on issues of common interest
- the Agreement between the Government of the Republic of Croatia and the Evangelical (Lutheran) Church in the Republic of Croatia and the Christian Reformed Church in Croatia on issues of common interest
- the Agreement between the Government of the Republic of Croatia and the Pentecostal Church in the Republic of Croatia and associated churches under this Agreement: The Church of God, the Union of Pentecostal Churches of Christ, The Adventist Church in the Republic of Croatia (with the Reformed Movement of Seventh Day Adventists associated under this Agreement), the Baptist Union of the Republic of Croatia (with the Churches of Christ associated under this Agreement) on issues of common interest
- the Agreement between the Government of the Republic of Croatia and the Bulgarian Orthodox Church in Croatia, the Croatian Old Catholic Church and the Macedonian Orthodox Church in Croatia on issues of common interest.

These Agreements regulate issues of common interest, the recognition of marriages solemnized in religious services with the same effect as civil marriages and the regular financing of the church or religious community from the State Budget.

On 10 October 2003 the Government passed a conclusion to accept the Agreement between the Government of the Republic of Croatia and the Jewish Community in the Republic of Croatia. The Jewish community is willing to sign this agreement after the issue of the return of the Jewish building in Amruševa Street in Zagreb is settled. Proceedings are underway to return alternative property.

7. Please provide information on developments in the visa regime and bilateral cooperation on issues concerning the protection of national minorities with Serbia and Montenegro and other neighbouring countries.

Answer (Ministry of Foreign Affairs)

The Agreement between the Government of the Republic of Croatia and the Serbian Democratic Independent Party is the first concrete step regulating an entire range of property issues and legal issues and the exact pace of their solution: return of property, administrative processing of all submitted requests and reconstruction and completion of buildings. The pace set by the Government of the Republic of Croatia is well-known: the process of return should be completed within the next four years.

Croatia has undertaken several measures to initiate the return of refugees to neighbouring Bosnia and Herzegovina, especially to the Bosnian Posavina (the Sava River Valley) region and Banja Luka. Since 2001 the Croatian Government has supplied building materials for a total of 1,233 returnee families (4,560 persons) for reconstruction of houses destroyed or damaged during the war in neighbouring Bosnia and Herzegovina. For this purpose a total of HRK 60 million was provided from the Croatian State Budget. Cooperation has been stepped up with the competent ministries in Bosnia and Herzegovina, especially through the exchange of information, and the process of return to Bosnia and Herzegovina and from Bosnia and Herzegovina to Croatia is being additionally encouraged. At the end of 2001 an Agreement was signed with Bosnia and Herzegovina on the return of refugees. Alongside the intensive cooperation with Bosnia and Herzegovina, the Republic of Croatia has also initiated cooperation with Serbia and Montenegro in relation to the exchange of information on refugees who are still living in Serbia and Montenegro.

It is particularly important to speed up the return of members of national minorities. In ten months of 2003, 10,978 returnees were registered, of which 80% were members of national minorities.

Thus far four meetings have been held on the Draft Agreement on the protection of the Croatian minority in Serbia and Montenegro and the Serbian and Montenegrin minorities in the Republic of Croatia. The basis for the negotiations is a Draft Agreement which the Government of the Republic of Croatia proposed to the Socialist Republic of Yugoslavia in 1996. Representatives of the Ministry of Foreign Affairs have participated in the course of the bilateral negotiations between expert groups from the Government of the Republic of Croatia and the Government of Serbia and Montenegro.

- The visa regime

Bosnia and Herzegovina – from 5 December 2003 citizens of the Republic of Croatia or Bosnia and Herzegovina are permitted to enter, exit and transit through the territory of Bosnia and Herzegovina or the Republic of Croatia with a personal identity card for a duration of 90 days within the period of six months.

Serbia and Montenegro – on 31 May 2003 entry and residence visas for up to 90 days for Serbia and Montenegro were abolished for citizens of the Republic of Croatia. Citizens of the Republic of Croatia may enter and reside in Montenegro with a passport or personal identity card. Tourist passes, valid for 30 days, will be issued at border crossings.

On a temporary basis, until 30 June 2004, citizens of Serbia and Montenegro do not need entry visas for the Republic of Croatia for tourist visits lasting up to 90 days.

PART III

OPINIONS, PROPOSALS AND COMMENTS BY NATIONAL MINORITY ASSOCIATIONS, COUNCILS AND REPRESENTATIVES OF NATIONAL MINORITIES, THE COUNCIL FOR NATIONAL MINORITIES AND THE OPINION OF THE GOVERNMENT OF THE REPUBLIC OF CROATIA ON THE COMMENTS AND PROPOSALS BY NATIONAL MINORITY ASSOCIATIONS AND COUNCILS AND REPRESENTATIVES OF NATIONAL MINORITIES

During the drafting of this Report, all associations of national minorities and councils and representatives of national minorities on the local level were asked to respond to the questions of the Advisory Committee and provide their proposals and comments in the interests of improving the position of national minorities in the Republic of Croatia. The draft report was sent to the Council for National Minorities for consideration, and their opinion was included in this Report. It should be pointed out that in accordance with Article 37(3) of the Constitutional Law on the Rights of National Minorities the Government of the Republic of Croatia is obliged to present a report on the implementation of that Law to the Croatian Parliament and all the opinions of the associations and councils of national minorities will be included in this Government report. Therefore only a brief summary is given below.

This part of the Report includes the most important proposals, opinions and comments made by national minority associations and by councils and representatives of national minorities (in summarised form) and the entire text of the opinion given by the Council for National Minorities.

On the Constitutional Law on the Rights of National Minorities

The Serbian National Minority Council for the City of Rijeka: On the legislative level the Republic of Croatia satisfies all international standards in the field of the protection of rights of national minorities. The Constitutional Law on the Rights of National Minorities is an especially good quality piece of national legislation, and Croatia and its national minorities now need to face the challenge of implementing it consistently. However, at the parliamentary elections on 23 November 2003 the minorities were not permitted to make use of the right to a dual vote and the application of the principle of "positive discrimination", regardless of the fact that this is in line with the existing electoral legislation and the Constitution of the Republic of Croatia. The Constitutional Court did not make use of its right to assess the constitutionality of this and the minorities lost this right solely on the basis of a decision adopted by the Croatian Parliament just before the elections themselves.

The Council of the Bosniac National Minority in the County of Dubrovnik-Beretta: The new Constitutional Law on the Rights of National Minorities adopted in 2002 was accepted in the City of Dubrovnik and the County of Dubrovnik-Beretta with understanding by the Bosniac national minority, who have lived in this region for more than 5 generations. The legal provisions accepted and regulated by the 2001 Law on the election of members of

representative bodies in local and regional communities were also met with complete acceptance.

The Union of Albanian Associations in the Republic of Croatia: In passing the Constitutional Law on the Rights of National Minorities, the Republic of Croatia achieved a high level of the realisation of rights of national minorities in the Republic of Croatia. The Constitutional Law is very good and makes the equality of the national minorities in the Republic of Croatia possible, regardless of their size or number. However, the same cannot be said for the Law on the Election of Representatives to the Croatian Parliament, so that a new model of representation of national minorities in the Croatian Parliament is proposed (if possible the representation of all the national minorities, and a two year mandate for members).

The Union of Slovenian Associations in the Republic of Croatia: In its basic provisions and the provisions relating to the rights and freedoms of national minorities in the Republic of Croatia (apart from Article 19) the Constitutional Act is comprehensive, since it allows in a democratic manner each member of a national minority, as an individual or part of a community, to freely express the national values of the mother country to which he/she belongs.

The Community of Macedonians in the Republic of Croatia: We have been regularly and comprehensively informed about the implementation of the new Constitutional Law on the Rights of National Minorities of 2002, and the election of members to representative bodies in units of local and regional self-government, as well as the election of Members of Parliament (2003). We believe that our rights are represented at the level of the local and in regional self-government, in accordance with this Law, but unfortunately we are not sure that our voice will be heard in Parliament.

On the Law on Education in Languages and Scripts of National Minorities

The Czech Union of the Republic of Croatia: All members of the national minorities realise their right to education in their native language, respecting all the valid laws in the realm of education, including the members of the Roma national minority. Local communities and educational establishments should cooperate more with minority associations which do not wish to become a “ghetto” but to be integrated into Croatian society, which does not in any sense mean become assimilated. It is precisely the education in the native tongue which enriches the multi-ethnic and multi-cultural nature of Croatia, and of Europe.

The Serbian Democratic Forum: Pre-school establishments for national minorities or those in which a minority language is used are practically non-existent for most national minorities.

The Italian Union: We believe that the competent ministry should be fully involved in the complete application of the Law, and this primarily implies:

- adoption of new curricula that regard the special nature of the national minorities (mother tongue, literature, history, geography and cultural creativity) on the basis of the proposed new curricula that were submitted to the Ministry by the Italian Union,
- printing of the necessary number of textbooks for members of national minorities, that is, the provision of sufficient financial means to the Ministry for this purpose,
- provision of financial means to schools for members of national minorities on the basis of different criteria than those applied for majority schools (that is according to the number of classes and pupils).

The Association of Roma Bayash of the County of Medimurje: The escalation of interest in the issue of the Roma and mixed classes, their knowledge or lack of knowledge of the Croatian language and so on is well known. In Držimurac-Srelac the problem is continuing to escalate, with two petitions signed by local people, members of the majority nationality. The first petition was for an extension building of the school, that would provide space for separate classrooms, and the second against the building of a school in Držimurac-Strelac, signed by many more local people than the first petition. Thanks to the consistency of the Head of the County of Medimurje, the school is being built and the cost is covered by state funds.

The Union of Roma of Croatia: According to the Law on Education, Roma can receive instruction in their native language from the pre-school education on, but thus far members of the Roma national minority have not been included in a systematic manner in any model of education in their own language. Additional efforts are needed and measures must be taken to provide Romani children with equal conditions to participate in all educational establishments.

On the media

The Network of Roma Associations, Zagreb: The Roma are shown once a week in the television programme *Prizma*, whilst they take up more space in the daily press. More space should be provided for the media coverage of the position of Roma.

The Serbian Democratic Forum: The newly formed national minorities (following the break-up of the Socialist Federative Republic of Yugoslavia: Albanians, Bosniacs, Montenegrins, Slovenians, Serbs...) do not have any broadcasts on local radio or television stations in their own languages.

The Italian Union: As regards the public media, we are witnesses of a lack of any independent existence or activity of journalists in the Italian language on Radio Station Pula or Radio Station Rijeka. We believe it is necessary to ensure the right to cultural autonomy of all institutions founded by the Italian national community and institutions that primarily work to preserve and promote cultural and national identity of the Italian national community.

The Association of Roma Bayash of the County of Medimurje: We are satisfied with the local media in all forms. Local papers (weeklies) regularly write about the Roma population and following our intervention through a press conference, they no longer mention that a troublemaker was a Roma alongside his/her initials. In this way Roma and members of the majority nationality are completely equal.

The Union of Roma of Croatia: The media most often ignore the Roma national minority, and insofar as editors do decide to report especially about Roma, the reports are characterised as follows:

- in a negative context, full of tragedy, crime, violence etc.
- members of the Roma minority are presented as different, dangerous and irrational, with frequent use of prejudice, generalisations and stereotypes.

On the elections of councils of national minorities and the work of the councils

The Network of Roma Associations, Zagreb: Although the time was short, people did go to vote, 34% of the Roma minority voted and elected members of their councils.

The Council of the Serbian National Minority for the City of Rijeka: The elections for councils of national minorities were poorly organised and members of minorities were poorly or completely uninformed.

The Union of Slovenian Societies in the Republic of Croatia: The implementation of the provisions of Articles 23 to 34 inclusive of the Constitutional Law was made extremely difficult due to the unreasonably short time limit set by the Government of the Republic of Croatia. The Slovenian national minority in the Republic of Croatia succeeded in carrying out the prescribed candidature activities and elections for the councils in the City of Zagreb, Rijeka, Pula, not fully in Split, and for the representative in Šibenik (that is only in cities in which there is an active Slovenian cultural society). In other municipalities, towns/cities and counties the elections did not take place, because the Slovenian national minority did not have the opportunity to be adequately informed and to organise the prescribed candidature procedure. The present grouping, whereby several national minorities may elect one representative to the Croatian Parliament, is founded exclusively on the numerical size of each national minority. This sensitive issue has broader implications and it is vital to discuss it, primarily bearing in mind the many elements which give value to each national minority.

The German National Community: The elections for councils of national minorities were badly organised, with tight time limits and with insufficient support from the authorities and the media. It is only thanks to the enormous efforts and enthusiasm of volunteers in national minority associations that these elections were to some extent successful. The German national community voted in significant numbers (35-50%).

The Union of Slovaks: The elections for councils of national minorities were not very well organised and the time limits were too short to do all the work necessary.

The “Golden Cobra” Roma Association: Following the adoption of the Constitutional Law and the accompanying legislation, for the first time the Roma as a national minority had the right to elect a representative to the Croatian Parliament. Although the time limits for the elections of members of councils of national minorities were short, Roma still voted and elected members to their councils.

The Council of the Slovak National Minority of the County of Osijek-Baranja: The elections for councils of national minorities were conducted according to the law, but the councils of national minorities have still not attained the importance they deserve in local and regional self-governments. They will not be able to attain this without the recognition and support of the legal bodies of the majority local and regional self-government. Another reason for this is the short time that elapsed since the elections.

The Association Roma Bayash of the County of Medimurje: We are very satisfied with the way in which the elections for councils of national minorities for the Roma population were carried out. We expressed this at the press conference called after the elections in May 2003. The involvement of the councils at the local level is also very good, and their cooperation has already begun with the municipal councils (for example with the Municipal council of Mala Subotica).

The Union of Ruthenians and Ukrainians of the Republic of Croatia: The role of councils of national minorities in the elections was not significant.

The Czech Union of the Republic of Croatia: The elections were not well prepared. The local authorities and bodies responsible for conducting the elections were not sufficiently and timely informed as regards the procedure for candidate nomination and drawing up lists, to be able to inform members of national minorities, by means of the public media, on this new type of organised activity.

The Council of the Czech National Minority of the County of Bjelovar-Bilogora: The elections for councils of national minorities were organised with many flaws, especially in terms of informing the members of national minorities, and in terms of time limits.

The Council of Bosniac National Minority of the County of Istria: We would have had a great deal more voters if we had been able to ascribe automatically to Bosniacs the persons who had previously declared themselves as Muslims and if we had had the right to a dual vote. If that had been the case, today we would have had our own representatives at the county, city/town and municipality levels, in accordance with the size of our population.

The Council of the Hungarian National Minority of the County of Istria: The councils of national minorities participated as much as they could in the pre-election activities both on a regional and local level.

The Council of the Hungarian National Minority of the County of Osijek-Baranja: The most important fault of the elections for councils and representatives of national minorities organised in May 2003, was the insufficient time limit for preparation and the lack of funding for the preparatory activities. The other failing of the elections was that alongside the names and surnames of candidates on the ballot papers neither the addresses nor the title of the association/independent list were given for which the person was standing. The state should oblige the units of local self-government to include in their charters and rules of procedure as soon as possible amendments relating to the obligation to inform members of councils and representatives of national minorities of the agenda of sessions and that the council chairperson or his proxy should be invited to the sessions of the representative and executive bodies of the units of local self-government, even if it is without the right to vote. The third flow of the Law, in relation to the elections for representatives and members of the councils, is indirect but becomes obvious when coordinating bodies of individual national minorities on the state level are being formed. The Law prescribes that these coordinating bodies be made up of representatives of 50% + 1 of the total number of councils established and representatives of that national minority in the entire country.

The Bosniac National Community of Croatia in Zagreb: The national minority associations were not adequately prepared for the elections for councils and representatives of national minorities held in May 2003, since this is a complete novelty in Croatian legislation. The Bosniac national minority had particular problems arising from the fact that the Bosniacs changed their name from Muslim to Bosniac and it was not a case of a new nationality. According to the census of 2001, 20,755 persons in the Republic of Croatia declared themselves as Bosniacs, but additional 19,677 people declared themselves under the previous name as Muslims.

The Union of Albanian Associations in the Republic Croatia: The Union and its associations approached the elections for councils of national minorities in accordance with the Constitutional Law on the Rights of National Minorities. The cooperation between the Union and the associations with the councils is good at all levels (central, regional and local).

The Council of Montenegrin National Mnority: The cooperation with the County of Istria establishment and registration of the council was good.

The Serbian Democratic Forum: Almost all members of the councils and representatives of national minorities are unanimous in saying that the units of local self-government have not provided funds for the work of the councils, nor did the municipal and city/town councils seek the opinion or proposals of the councils of national minorities in relation to the rights and freedoms of national minorities or any other minority issue.

The Council of Serbian National Minority of the County of Primorje-Gorski Kotar: The experience we have had thus far, after six months of the constitution of the council, shows that the council has remained only within the framework of the provisions of the Constitutional Law on the Rights of National Minorities, since state institutions have not taken the important steps to implement the Constitutional Law. That is to say, the council as a new institution of minority self-government, comes down to the work of the chairperson of the council, who does all the work related to the beginning of the council's activities from his own flat, without any vital communication with the local self-government unit.

The Joint Council of the Municipality of Vukovar: It is necessary to make the work of these councils professional, not because of national minority rights, which are universal and equal for all, but because of the different needs of various national minorities which depend to a large extent on their numbers in specific areas (regional or county territories). It is necessary to urgently secure sufficient funds to enable the chairperson of the council to do this work full time (professionally) with between one and three employees who are necessary for the administrative functioning and quality work of the council in all of its competencies, and especially in the sphere of cultural and educational autonomy, the media and information, and the protection of civil, human and minority rights. The decision on the financing of the programmes of the councils and the representatives of the national minorities of 11 December 2003, in section 2 points out that funding in the amount of HRK 5,000 shall be provided for the programmes of each council for the first quarter of 2004, and this is not enough.

On the elections for representative bodies

The Czech Union in the Republic of Croatia: Members of the Czech national minority were elected to representative bodies in units of local and regional self-government even before the adoption of the Constitutional Law on the Rights of National Minorities in Daruvar, Grubišno polje and municipalities in the County of Bjelovar-Bilogora. They do not have data available as to whether this right was respected in all units of local and regional self-government where members of the Czech national minority live. The election for representatives to the Croatian Parliament in 2003 for the Czech national minority was conducted according to the valid legal provisions.

The Council of the Czech National Minority of the County of Bjelovar-Bilogora: In 2001 the elections for representative bodies of local self-government were conducted according to the regulations valid at the time. As far as is known there were sufficient numbers of Czechs in these bodies, and no intervention was needed, in the sense of the provisions of the Constitutional Law of 2002. A representative was elected for the Croatian Parliament according to the valid provisions.

On visa regime and bilateral cooperation

The Council of Montenegrin National Minority: It is necessary to abolish visas and improve relations.

The Union of Albanian Associations in the Republic of Croatia: The Government of the Republic of Croatia has taken the positive step of temporarily abolishing visas for citizens of Serbia and Montenegro, but in making this decision insufficient account was taken of the citizens of Kosovo who have been put in a disadvantaged position.

On the census

The Network of Roma Associations, Zagreb: Unofficially there are 30-50 thousand Roma, but officially, according to the last census, there are only 9,463.

The Joint Council of the Municipality of Vukovar: The Serbian community still suspects that the census carried out in 2001 and published in 2002 was incorrect, and that the results of the census published are part of the political games being played by the authorities.

***The opinion of the Government of the Republic of Croatia
on the comments and proposals made by national minority associations
and councils and representatives of national minorities***

The Government of the Republic of Croatia has carefully considered the comments and proposals made by associations of national minorities and councils and representatives of national minorities. The Government of the Republic of Croatia recalls that it is committed to work continuously through concrete measures on the protection and promotion of national minorities and to resolve the remaining open questions faced by national minorities, as well as to endeavour to apply in full the Constitutional Law on the Rights of National Minorities, the laws regulating education and the official use of languages and scripts of national minorities.

It is however necessary to point out that some of the opinions expressed in the comments of councils and representatives of national minorities do not conform to the facts of the situation. This is particularly true of:

- the implementation of the elections and by-elections for councils and representatives of national minorities. In order to present in a comprehensive manner measures that the Government of the Republic of Croatia took in relation to these elections, it is necessary to point out that all the necessary measures were taken for the elections to take place in accordance with the regulations prescribed for general elections, and that significant funding was invested in their implementation. Thus, for example, for the first elections held in May 2003 more than HRK 20 million were spent, and for the by-elections held in February 2004 more than HRK 15 million were spent. At the request of the minorities themselves and the State Electoral Commission, the elections were held separately from the general elections for the Croatian Parliament, which were held in November 2003. Members of the national minorities were invited through the media to take part in the elections. Moreover, the Office for National Minorities approached in writing all national minority associations for both the first elections and

the by-elections for councils of national minorities, asking them to encourage their members to take part in the elections. After the first elections, the Government Office for National Minorities, together with the Ministry of Justice, organised four seminars for representatives of the councils and local and regional self-governments to ensure the members of the national minorities were as well informed as possible about the role of the councils in the decision-making process. During the first elections and the by-elections, the NGO “Gong” invited and explained the elections to members of the national minorities every day through the media.

- In relation to the comments of national minorities about dual voting rights, that is the possibility to vote at general parliamentary elections for the minority list and for one of the lists of the political parties, the reference should be made to the opinion of the Government of the Republic of Croatia, the competent body of the Croatian Parliament and the Constitutional Court of the Republic of Croatia. The introduction of such changes into the existing electoral system would demand much more far reaching changes to the entire electoral system to ensure equal representation of all groups of citizens. It could also lead to unequal representation since there is a possibility that members of national minorities could run as candidates on the lists of individual parties proposed for specific electoral units, which has already been observed in practice. There are also political parties organised within some national minorities, which, according to the existing electoral system, may promote candidates regardless of their nationality for election of Members of Parliament in the electoral units. We would also like to point out that according to the information available to us, in no other country do members of national minorities have dual voting rights.
- The comments by the Bosniac national minority that all citizens who are registered in the census as Muslims should be automatically recorded as Bosniacs cannot be accepted, since one of the fundamental human rights is that citizens themselves decide on their own nationality. We would also like to point out that at all elections, members of this national minority were able to examine the electoral rolls and where necessary change their nationality. The Government of the Republic of Croatia will continue to take measures to enable citizens who declared themselves to be Muslims and belong to the Bosniac, Roma or any other national minority, to change their nationality as easily and quickly as possible.
- In relation to the comments on the application of the Law on Education in Languages and Scripts of National Minorities we accept the comments about the inadequate cooperation with local communities. The competent ministry, however, is taking constant measures to improve the system of education in languages and scripts of the national minorities.
- The comments that regard the presence of national minorities in the media should be accepted, especially when they refer to the Roma national minority. It should however be pointed out that measures are already being taken to ensure the greater presence of national minorities in the media. Thus the Council for National Minorities, from funds provided from the state budget at the end of 2003, secured means for special broadcasts on a local television station in Medimurje, where the Roma minority is most numerous, in their native Bayash language. Funds have also been earmarked for special broadcasts on Croatian television, presented and edited by members of the national minorities themselves. From year to year the funds provided from the state budget have increased for national minority publishing and information programmes.

The opinion of the National Minorities Council

The basic assessment of the Council for National Minorities is that the position of national minorities in the Republic of Croatia has improved since the beginning of the political, administrative and social changes which have been going on in Croatia over the past four years. This has also been achieved because the new legal and political conditions give the national minorities themselves greater responsibility for their own position. In this sense, besides the appropriate activities to improve some legal regulations and implement the laws regulating the position of the national minorities that should be carried out by government bodies and bodies of local and regional self-government, it is necessary to define the common basis for social action by the councils and representatives of national minorities and minority organisations, to strengthen the position of national minorities in the future.

Efforts should be made above all to strengthen the role of councils and representatives of national minorities and NGOs and to secure their greater involvement in the work of the bodies of state authority at national, regional and local levels. Joint action by national minority associations and their mutual cooperation and cooperation with NGOs protecting human rights is important in the promotion of democracy and civil society. In Croatia it is vital, more than ever, to undertake activities aimed at the general public to eliminate the existing stereotypes that regard national minorities (or particular national minorities).

It is important to undertake activities to build a political culture and raise the level of tolerance, so that sensitive issues related to life in a multi-ethnic and multi-cultural society may be discussed without national passions and euphoria. In this context it is vital to incorporate principles of multi-cultural and inter-cultural society in all aspects of educational activities.

In relation to its surroundings, the Republic of Croatia should complete the already initiated process of signing bilateral agreements with all neighbouring countries, with those it has not yet done so, and develop friendly good-neighbourly relations, which would most directly have a positive effect on the position of national minorities. In assessing the exercise of rights of national minorities in the Republic of Croatia, it should be pointed out that the right to cultural autonomy is most fully exercised by members of national minorities who had that right before the establishment of the independent Republic of Croatia, due to their high level of organisation and tradition. Members of the nations of the former Socialist Federal Republic of Yugoslavia who lived in the Republic of Croatia, and who by the fact of its international recognition became members of national minorities, are still getting organised with the aim of exercising their rights as minorities.

With the adoption of the Constitutional Law on the Rights of National Minorities, the possibilities to exercise rights of national minorities have been formally extended, especially upon the adoption of adequate implementing legislation and the ratification of fundamental international documents relating to the protection of national minorities. Here the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages have a special place.

The overall political and social situation in Croatia has been made ever more favourable for the exercising of minority rights, through the activities of the Government of Prime Minister Ivo Sanader. In this context the possibility has come into sight of a final solution of the greatest problems relating to some national minorities, as regards the return of refugees and their status (the Serbian national minority) and social and integration issues (the Roma national minority). It is to be expected that with the advances the Republic of Croatia is making in the direction of European integrations and all the positive aspects that this process brings, the conditions for the realisation of national minority rights will further improve. In creating the favourable environment for the realisation of rights of national minorities, the Republic of Croatia has created important conditions for strengthening of its international position, and the Council for National Minorities will continue to contribute to this in the future.

In assessing the Report on the implementation of the Framework Convention, the Council for National Minorities considers that the Report taken as a whole objectively presents the legislative solutions and their implementation. The Council, however, points out that in some parts of the Report some data are lacking.

- The interpretation of the data showing a drastic reduction in the number of members of minorities (the Serbian national minority, the Bosniac national minority etc.) between 1991 and 2002 is incomplete, and it is necessary to obtain a scientific analysis of these censuses.
- Parts of certain laws regulating the rights of national minorities are being implemented relatively slowly, especially as regards the return of refugees, implementation of the Law on the use of languages and scripts of national minorities and representation of national minorities in bodies of state and judicial authorities.
- It is necessary to improve the conditions of work for councils and representatives of national minorities, that is, to secure necessary funding and facilities for their work by local and regional self-governments
- Topics related to national minorities receive insufficient media coverage, since the media presentation of national minorities is extremely important for their inclusion in public life, as well as for making the public aware of the problems of national minorities.

Finally, the Council expresses its satisfaction with the progress the Republic of Croatia has made in the implementation of the Framework Convention for the Protection of National Minorities in the period from 1999 to the present, and we believe that in the coming period, with the application of all the legal provisions relating to the rights, freedoms and position of national minorities and the solution of the existing problems, the Republic of Croatia will achieve a high level of protection of national minorities.