

APPENDIX II

COMMENTS OF THE REPUBLIC OF CROATIA ON THE REPORT OF THE COMMITTEE OF EXPERTS OF THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES ON THE IMPLEMENTATION OF THE CHARTER BY CROATIA

The authorities of the Republic of Croatia have carefully considered the Report of the Committee of Experts of the European Charter for Regional or Minority Languages on the implementation of the Charter by Croatia, elaborated pursuant to Article 16 of the Charter. In this view, they would like to express the overall satisfaction with the quality of the Report, its balanced character and relevant recommendations for possible improvements in the field of legislation and practice.

However, as it is mentioned in the introductory part of the Report, important legislative changes have occurred in Croatia, since the end of the period to which the Report applies (end of October 1999). Therefore, Croatian authorities would like to take this opportunity to submit a few information on some important legislative developments, which are of particular relevance in respect of some previously existing shortcomings pointed out in the Report.

In May 2000 the Parliament adopted amendments to the Constitutional Law on Human Rights and the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia. At the same time, the new Law on the Equal Official Use of Language and Script of National Minorities in the Republic of Croatia, as well as the Law on the Education in Minority Languages have been adopted, providing for a distinctively new legal framework concerning the use of and education in minority languages in Croatia.

By virtue of the provisions of the new Law on Equal Official Use of Language and Script of National Minorities in the Republic of Croatia, great majority of the obstacles concerning the use of minority languages in the bodies of public administration and judiciary, which have been pointed out by the Expert Committee in its Report, ceased to exist. Furthermore, the Law on the Education in Minority Languages enables the inscription of children which are not members of the respective minority in the educational institutions or classes established for the purposes of education in minority language, while the lack of such possibility has clearly been pointed out in the Report as a serious shortcoming in the application of the Charter at the national level.

Further positive developments concerning the official use of minority languages in Croatia are expected in the very near future, while pursuant to the provisions of the new Law, the official use of language in municipalities and regions is mainly linked to those units of local self-government where persons belonging to minorities represent a majority of the population. In this view, it should be noted that the first statistical results of the population census, which will be the main criteria for the application of the Law are expected in the very near future.

Following the Conclusions of the Parliament, the Government of the Republic of Croatia is currently preparing the Draft of the new Constitutional Law on the Rights of National Minorities, which aims at the thorough and systematic regulation of the

rights of persons belonging to national minorities. The Draft Constitutional Law is being elaborated in close co-operation with the European Commission for Democracy through Law (the Venice Commission), and is expected to be adopted in the near future.

As regards the publication of the Initial Report of Croatia on the Implementation of the Charter, it should be noted that the said Report was published at the web site of the former Ministry of Public Administration, which ceased to exist after the general reconstruction of the public administration system. The Ministry of Justice, Public Administration and Local Self-Government, which took over the responsibilities of the former Ministry of Public Administration, is currently in the process of the establishment of its web site. It is intended that the Croatian Initial Report, the text of the Charter and the respective legislation concerning the use of minority languages will be published at the respective web site in the forthcoming months.

Finally, Croatian authorities would like to inform that the more detailed information concerning the content of the new legislation in the field of the use of minority languages as well as the evaluation of the practice will be provided in the next Croatian periodic report on the implementation of the Charter which is due in the course of 2002.