



Strasbourg, 14 January 2003

MIN-LANG/PR (2003) 4

EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**Second Periodical Report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

CROATIA

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INTRODUCTION

1. The Republic of Croatia came into being as an independent sovereign state in 1991. By the Constitution of the Republic as the basic legal act (*Narodne novine* ("Official Gazette", No. 41/01 – consolidated text) it is defined as an integral and indivisible democratic and social state which functions on the principle of separation of powers between the legislative, executive and judicial powers, limited by the right to local and regional self-government guaranteed by the Constitution. The territory of the Republic of Croatia consists of 20 counties and the City of Zagreb and 547 units of local self-government (municipalities and towns). Executive power is divided between the Government of the Republic of Croatia and the President of the Republic of Croatia.

Everyone has rights and freedoms, independent of his/her race, skin colour, gender, language, religion, political or other beliefs, national or social origin, property, birth, education, social position or other characteristics. The Republic of Croatia is a community of free and equal citizens in which all are equal before the law.

For members of national minorities, as for all citizens of the Republic of Croatia, economic, social, cultural and other rights, exercised subject to the conditions established by law, are guaranteed by the Constitution.

As has been mentioned above, power is limited by the right to local and regional self-government. The laws which regulate certain fields of competencies give increasing rights to units of local and regional self-government.

The system of local and regional self-government and the powers given to local and regional units ensure the right of local units, in accord with the local situation and needs of the population, to regulate the way the rights of their population may be realised. Thus they introduce into official use minority languages in situations foreseen by the law, when the members of a minority do not make up the majority of the population and when this is not foreseen by international agreements.

The Republic of Croatia, before becoming independent in 1991, was throughout history part of various states within which the population moved, so that today in the territory of Croatia there are living members of other peoples with whom Croatia or some of its parts were previously in a common state. In the Preamble to the Constitution of the Republic of Croatia it is stated that it is founded as the national state of the Croatian people and the state of the members of autochthonous national minorities: Serbs, Czechs, Slovaks, Italians, Jews, Germans, Austrians, Ukrainians, Ruthenians and others who are its citizens, and who are guaranteed equality with citizens of Croatian nationality and the realisation of their national rights in accord with the democratic standards of the UN and the countries of the free world.

The provisions of Article 3 of the Constitutional Act On Human Rights And Freedoms And The Rights Of Ethnic And National Communities Or Minorities In The Republic Of Croatia (*Narodne novine* no. 51/00) state: "The Republic of Croatia protects the equality of members of national minorities: Albanians, Austrians, Bulgarians, Montenegrins, Czechs, Hungarians, Macedonians, Germans, Poles, Roma, Romanians, Russians, Ruthenians, Slovaks, Slovenes, Serbs, Italians, Turks, Ukrainians, Vlachs, Jews and other ethnic and national communities or minorities and encourages their comprehensive development."

- (note: members of minorities are given in alphabetical order)

According to the census taken in the Republic of Croatia in 1991, citizens declared themselves to belong to 23 different nationalities, but most of them do not have the status of a national minority. Members of individual nationalities immigrated into the territory of the Republic of Croatia as economic migrants or after the world wars (Russians, Bulgarians), whilst some of the members of autochthonous national minorities left this region (Italians, Germans after World War II).

Apart from short periods when there were some manifestations of intolerance regarding individual minorities as a result of the war (for example in relation to the Italians and Germans after the World War II, when they emigrated) members of minorities realise a significant range of rights on the territory of the Republic of Croatia.


Thus even before its independence, the Republic of Croatia protected minority rights by its Constitution, declaring the equality of members of minorities with the majority nationality and introducing the official use of minority languages.

Before independence in the Republic of Croatia in some municipalities Italian, Czech, Hungarian, Slovak, Ruthenian and Ukrainian languages were in official use, and education was carried out for members of minorities in their mother tongue or additional lessons were provided in language and culture, as well as the support in the realisation of cultural autonomy.

Regarding the protection of the rights of minorities in relation to bilateral agreements, the Republic of Croatia accepted the Osim Agreement signed between the former state and the Republic of Italy, which protects the position of the Italian minority, and itself initiated the bilateral regulation of minority rights, signing separate agreements with Italy and Hungary, and investing efforts to regulate this issue with other countries whose minorities live in the territory of the Republic of Croatia, just as Croatian minorities live in those countries.

The position which the Constitution of the Republic of Croatia and the Constitutional Act on Human Rights and Freedoms and on the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia guarantee members of minorities allows for the possibility of schooling in their own language or additional lessons in their mother tongue, history and culture, the foundation of minority associations with a variety of goals, cultural autonomy, the publication of newspapers, magazines and books in their minority languages, and various forms of use of a minority language before judicial and administrative bodies.

The signing of the European Charter for Regional or Minority Languages gave further support for the legal regulation and elaboration of individual minority rights guaranteed by the Constitution and the Constitutional Act on Human Rights and Freedoms and on the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia, and determined the direction for normative regulation of these rights.

 2. With respect to the definition contained in Paragraph a) Article 1 of the European Charter for Regional or Minority Languages, that is the use of regional or minority languages within a given territory of a state, we point out that in the Republic of Croatia it is not possible to precisely delineate a given territory, since members of national minorities are present throughout the entire territory, in greater or lesser numbers.

Members of the Italian minority are mainly concentrated in the territory of the Istarska County, members of the Czech minority in the territory of the Bjelovarsko-bilogorska County, whilst the members of the Hungarian, Slovak, Ruthenian and Ukrainian minority are in the territory of the Osjecko-baranjska County and the Vukovarsko-srijemska County. The Serbian minority mainly live dispersed throughout the entire territory of the Republic of Croatia, whilst a smaller number are concentrated in parts of several counties (Šibensko-kninska, Zadarska, Licko-senjska, Karlovačka, Sisacko-moslavacka, Vukovarsko-srijemska and Osjecko-baranjska Counties).

This situation changed during the war in Croatia when members of the non-Serb minorities together with Croats were expelled from the occupied area of the Bjelovarsko-bilogorska, Osjecko-baranjska and Vukovarsko-srijemska counties, and after the war when the members of the Serb minority partially left the area which had been occupied until that time, and settled in parts of the Osjecko-baranjska and Vukovarsko-srijemska counties which were being administered by the UNTAES.

In April 2001 a comprehensive census was carried out of the population in the Republic of Croatia. The census included a question about national affiliation, and thus on the territory of the Republic of Croatia there are inhabitants now living who are members of 22 nationalities, with the proviso that there was no obligation to declare one's national affiliation.

The demographic structure of the country according to national structure is as follows (according to data from the State Institute for Statistics):

NATIONAL STRUCTURE	NO. OF MEMBERS	PERCENTAGE %
ALBANIANS	15 082	0,34
AUSTRIANS	247	0.01
BOSNIACS	20 755	0.47
BULGARIANS	331	0.01
MONTENEGRINS	4 926	0.01
CZECHS	10 510	0.24
HUNGARIANS	16 595	0.37
MACEDONIANS	4 270	0.1
GERMANS	2 902	0.07
POLES	567	0.01
ROMA	9 463	0.21

ROMANIANS	475	0.01
RUSSIANS	906	0.02
RUTHENIANS	2 337	0.05
SLOVAKS	4 712	0.11
SLOVENES	13 173	0.3
SERBS	201 631	4.54
ITALIANS	19 636	0.44
TURKS	300	0.01
UKRAINIANS	1 977	0.04
VLACHS	12	
JEWS	576	0.01
OTHERS	21 801	0.49
REGIONAL AFFILIATION	9 302	0.21
UNKNOWN NATIONALITY	17 975	

Members of minorities are located in more significant numbers mostly on the territories of individual counties, and accordingly, for example in the Šibensko-kninska County there are 10 229 **members of the Serb nationality**, in the Osječko-baranjska County 28 866, Licko-senjska County 6 193, Zadarska County 5 716, Karlovačka County 15 651, Vukovarsko-srijemska County 31 644, Sisacko-moslavacka County 21 617, Požeško-slavonska County 5 616, Bjelovarsko-bilogorska 9 421. There are 14 284 members of the Italian national minority on the territory of the Istarska County.

■ 3. According to the population census, the list according to mother tongue, that is the list according to languages, looks as follows according to the declaration of the number of those who speak each language:

2001 CENSUS

➤ Croatian	4 265, 081	96. 12%
➤ Croatio-Serbian	2 054	0. 05%
➤ Albanian	14 621	0. 33 %
➤ Bosniac	9 197	0. 21 %
➤ Bulgarian	265	0. 01 %
➤ Montenegrin	460	0. 01 %
➤ Czech	7, 178	0.16 %
➤ Hungarian	12, 650	0. 29 %
➤ Macedonian	3, 534	0. 08 %
➤ German	3, 013	0. 07 %
➤ Polish	536	0. 01 %
➤ Roma	1 205	0. 03 %
➤ Russian	1 080	0. 02 %
➤ Ruthenian	1 828	0. 04 %
➤ Slovak	3 993	0. 09 %
➤ Slovene	11 872	0. 27 %
➤ Serbian	44 629	1. 01 %
➤ Serbo-Croat	4 961	0. 11 %
➤ Italian	20 521	
➤ Turkish	347	
➤ Ukrainian	1 027	
➤ Vlach	7	
➤ Jewish	8	
➤ other	2 824	
➤ unknown	16 709	

(CENSUS) 1991

LANGUAGE	NO. POPULATION	OF STRUCTURE PERCENTAGES %	IN
Croatian	3 922 725	81.99 %	
Croatian-Serbian or Serbo-Croatian	466 968	9.76 %	
Serbian	207 300	4.33 %	
Macedonian	5 462	0.11 %	
Slovene	19 341	0.40 %	
Albanian	12 735	0.27	
Czech	10 378	0.22	
Hungarian	19 684	0.41	
Roma	7 657	0.16	
Ruthenian	2 845	0.06	
Slovak	5 265	0.11	
Italian	26 580	0.56	
Ukrainian	1 430	0.03	
Other languages	11 480	0.24	
TOTAL	4 784 265	100	

PART ONE

■ 1. The following laws are relevant to the application of the European Charter for Regional Languages in the Republic of Croatia

– **The Constitution** of the Republic of Croatia, especially Articles 12 and 15 (*Narodne novine*, no. 41/01, consolidated text)

- **The Constitutional Act** on Human Rights and the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia (*Narodne novine* no: 1051/00 – consolidated text) especially Articles 7 and 8.
- **The Act** on the Use of Languages and Scripts of National Minorities in the Republic of Croatia (*Narodne novine* no. 51/00)
- **The Act** on Education in the Languages and Scripts of National Minorities (*Narodne novine* no. 51/00).

These are the basic laws through which the obligations taken on with the Charter are applied, and provisions on the use of languages and scripts of national minorities are also contained in other laws and regulations regulating the use of minority languages for the field to which they apply (examples of such provisions of laws are given in the Report).

■ 2. and 3. The following Ministries took part in the work on this Report:

1. The Ministry of Education and Sport, for the field of *education*
2. The Ministry of Culture, for the field of *cultural activities*,
3. The Ministry of Internal Affairs, for *issuing documents* in minority languages,
4. 4. The Ministry of Labour and Social Welfare, *for economic and social issues*,
5. The Ministry of Maritime Affairs, Transport and Communications, for the field of *the media*,
6. The Ministry of Health, for the area of *the use of minority languages in public institutions*,
7. The Ministry of Justice, Administration and Local Self-government as the one responsible for the making of the Report, for the other fields of the use of minority languages, Ulica Republike Austrije 14-16, Zagreb.

Each of these bodies wrote the part of the Report covered by its scope of work. Upon completion the report was sent to these bodies for their opinion with a request for comments and suggestions. It was also sent to the *Office for National Minorities of the Government of the Republic of Croatia* which was founded as a governmental expert body to care for the realisation of the rights of national minorities, and it was asked to give its opinion on the content.

The Office for National Minorities also implements the Program for Roma which is aimed at improving the overall position of the Roma in the Republic of Croatia. A major problem regarding the integration in Croatian society is the fact that most Roma do not speak Croatian or read the Latin script, but attempts are being made to ease the situation through the organisation of pre-school institutions, and various play groups for children, in order to create the conditions for better education for this population group.

The Human Rights Office has also been set up to monitor the overall system of the protection and promotion of human rights in the Republic of Croatia, and to monitor its efficiency. It is working on the National Program for the Protection and Promotion of Human

Rights and monitors its implementation, considers the situation of individual human rights in the Republic of Croatia and the compliance of domestic legislation with the provisions of the Constitution of the Republic of Croatia, the Constitutional Act on Human Rights and international instruments in the field of human rights.

The Act on the ratification of the European Charter for Regional or Minority Languages was enacted with the agreement and opinion of the Parliamentary Committee on Human Rights and its Minorities Sub-Committee whose members are Members of Parliament elected from the ranks of the national minorities.

4. The manner of informing the public about the rights and obligations arising from the Charter was through professional literature or texts dealing with an analysis of the application of the Charter, and through the organisation of round tables on the subject of the protection of the rights of members of national minorities, as part of which the right to the use of minority languages and scripts was also analysed along with all other rights arising from the articles adopted from the European Charter for Languages.

Recommendations of the Committee of Ministers of the Council of Europe

The Committee of Ministers recommended for the Republic of Croatia to take into consideration all the comments of the Committee of Experts, and as priority issues:

1. *To adopt and effectively apply legal acts and regulations needed for the implementation of the existing Constitutional and basic laws which have the aim of protecting and ensuring the use of regional or minority languages.*
2. *By legal means to set up the appropriate infrastructure for teaching in regional or minority languages and teaching those languages in accordance with Croatia's obligations under Article 8 of the Charter, and especially provide sufficient teaching materials and training for teachers in regional or minority languages.*

☛ In May 2000 the Republic of Croatia passed a packet of laws regulating the rights of members of national minorities regarding the use of their own language and script.

First of all, as has been mentioned, the Act on the use of Languages and Scripts of National Minorities in the Republic of Croatia was enacted and the Act on Education in the Language and Script of National Minorities. The Constitutional Act on Amendments and Supplements to the Constitutional Act on Human Rights and the Rights of Ethnic National Communities or Minorities in the Republic of Croatia was also enacted, which accepted the objections of some national minorities that they were not mentioned in the Constitution (Slovenes, Bosniacs) and amendments were made to the provisions which prescribed territorial autonomy for a smaller part of the Serbian minority and the suspension of the provision on the representation of minorities in Parliament was abolished.

☛ For now, in relation to these recommendations, we may mention the enactment of the Act on Education in the Languages and Scripts of National Minorities, which defines in more detail some existing institutions relating to the education of pupils at school and their teachers. The conditions are defined for the foundation of a minority language school, who can be a teacher in that kind of school, and its principal, how the public documents of the school should be written, criteria for the formation of classes and all other issues related to

the functioning of this kind of institution, or section, where members of a national minority are educated in their own language and script.

Funds for the work of this kind of institution are provided from the State Budget of the Republic of Croatia, as well as from other sources of course, but from these provisions it is clear that the Republic of Croatia also financially supports the education of national minorities and the promotion of minority languages as a specific characteristic of the country (a detailed presentation or the manner of implementation of these recommendations relating to education is given under Article 8, Education).

4. Establish the necessary legal basis for the official use of regional or minority languages in state and regional administration as well as in courts, and particularly to avoid allowing local authorities to chose whether they will apply Articles 9 and 10 of the Charter and 5. Re-examine the administrative division carried out in 1992 to overcome barriers to the promotion of regional or minority languages which were created by the newly established administrative divisions.

☘ The Republic of Croatia by legal regulations, makes it possible for units of local self-government to regulate various issues, in accord with the needs of the population living in a given territory. We believe that in this way we are on the way to overcoming the hindrances, not only to the promotion of regional and minority languages, but also the realisation of other minority rights (support for minority cultural institutions etc.).

As has been mentioned, power in the Republic of Croatia is limited by the right to local and regional self-government. Units of local self-government have not been given exclusively the right to decide whether in their territory a minority language will be spoken officially. This is just one of the options, since it is assumed that such a unit knows best the needs of its population. And precisely for the purpose of meeting the needs of the people to officially use the language and script of the national minority they belong to, the units have been given the possibility, insofar they assess that in their territory there is a need for the introduction of a minority language, to introduce that language by their statutes. These statutes are pieces of secondary legislation, the passing of which comes under the competence of the local units, but we emphasise that this is not exclusively their decision, but only one of the possibilities they may use if they feel it to be useful. (For example, a municipality where members of a minority live wishes to introduce their language into official use in its territory, but that obligation does not arise for it from other criteria, for the members of the minority are in relatively small numbers there, and the obligation does not arise from international agreements etc. Since it is a community where people are “bi-lingual”, in this case there is a legal possibility for introducing that language into official use in the area). The right to local self-government is a Constitutional right in the Republic of Croatia.

(Reply to **recommendation 3**: *build an institutional mechanism which will encourage the direct participation of people who speak regional or minority languages in planning, financing and organising cultural activities, and in the field of the public media.*)

With the starting point of the Constitutional right to local self-government which enables units of local and regional self-government to carry out tasks in their local competence which directly meet the needs of the people, and especially tasks relating to education, culture, physical culture and the possibility of citizens to form various forms of associations, created as interest groups with the aim of protecting and cultivating various

rights, including the right to the use of minority languages and scripts and cultural activities in these minority languages, we believe that there are legal and other mechanisms which promote and enable members of national minorities to organise various cultural activities in their own language and script. In many cases, units of local self-government provide support from their funds for the work of these cultural activities in various forms, if this kind of help is sought by the members of the minority, whether by the provision of facilities or direct financial help. In practice we find examples where precisely the local unit wishes to regulate by its statute the possibilities for this kind of support. Also various cultural organisations of members of national minorities realise their right to a certain amount from the state budget of the Republic of Croatia for their work.

For the issue of the use of minority languages in court, we mention that this possibility exists in laws in force which govern certain areas in the manner given in Article 9 Judicial Authorities, with the proviso that in this field, there has been no change in relation to the use of minority languages before judicial authorities, but the situation is the same as was mentioned in the previous report.

6. Strengthen the mechanisms for supervision of the implementation of the commitments and in that way guarantee more comprehensive information. 7. Publicise periodic reports on the application of the Charter to ensure that interested organisations and persons are informed of the rights and obligations confirmed in the Charter and its implementation.

☉ In relation to the above, the Republic of Croatia has, albeit after a long delay, prepared a web-site which will contain the Initial Report on the Application of the Charter.

This report, or the work on it, has been carried out in a different way, that is its contents have been made known to all the Ministries who took part in its completion, as well as the Office for National Minorities, and the associations of members of national minorities, and they were asked to give comments and suggestions on the content of the report.

The text of the Charter for Regional or Minority Languages itself since the time it came into force, has been available to anyone who wishes to become acquainted with what it contains through the official gazette of the Republic of Croatia *Narodne novine*. It is also emphasised that the adopted report was sent to all minority associations.

6 and 7. As part of acquainting the public with the Periodic Report on the Application of the European Charter for Regional and Minority Languages, the recommendations were presented at the same time. This form of presentation was chosen since the recommendations were sent towards the end of the period covered by this Periodic Report.

PART TWO

● **1.** In the Republic of Croatia from the time of the submission of the Initial Report on the Application of the European Charter for Regional or Minority Languages, there have been significant changes in the sense that the provisions of the Charter have been applied in the legislation of the Republic of Croatia, in the Act on the Use of the Languages and Scripts of National Minorities as a law, whose long procedure for enactment and adjustment to the present situation was speeded up by the application of the Charter.

The text of the new Constitutional Act is in the drafting phase. The Working Group of the Government of the Republic of Croatia is involved in the work according to the recommendations of the Venice Commission.

At same time as the amendments to the Constitutional Act, an Act was passed on the Use of Languages and Scripts of National Minorities in the Republic of Croatia. This Act comprehensively regulates the introduction of minority languages and scripts in all those regions where legal preconditions exist. The law regulates the functioning of administrative bodies, legal entities, that is life in general (including the existence of external hallmarks) in such a way that it is clear that members of a national minority live in a given territory, on the basis of laws or secondary legislation (the statutes of units of local self-government).

The application of this Act is supervised by the Ministry of Justice, Administration and Local Self-government and its provisions apply to the bodies of state administration in the first instance when they operate in the territory of a municipality or town where a minority language has been introduced into equal official use, as well as the local authorities and legal entities vested with public powers.

Article 4. of The Act on the Use of the Languages and Scripts of National Minorities regulates when a minority language is to be introduced into equal official use.

The equal official use of languages and scripts of national minorities is realised in accordance with the provisions of the Constitutional Act on Human rights and Freedoms and on the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia and the Act under the following conditions:

- “1. When members of individual national minorities in the territory of a municipality or town make up the majority of the population, in accordance with the Constitutional Act on Human rights and Freedoms and on the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia, the Framework Convention for the Protection of National Minorities of the Council of Europe and this Act,
2. When stipulated by international agreements to which the Republic of Croatia is a party,
3. When municipalities and towns have prescribed it in their statutes, in accordance with the Constitutional Act on Human rights and Freedoms and on the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia, the Framework Convention for the Protection of National Minorities of the Council of Europe and this Act,
4. When in relation to the work of its bodies, within the scope of its self-governing competence it is prescribed as such in the statute of a county in whose territory in certain municipalities and cities the languages and scripts of national minorities are in equal official use.

When the conditions are met for the introduction of a minority language in the territory of a municipality or town, then the use of two or more languages extends to the other spheres of life in these areas from the administrative bodies to the name of the locality (how this may be realised in practice will be dealt with below).

There follows the Act on *Education* in the Languages and Scripts of National Minorities, which regulates the conditions for the foundation and functioning of institutions for the education of members of minorities, and provisions on the teaching plans and programs for education which, along with the general part, must contain a part whose content is related to the specific characteristic of the national minority (mother tongue, literature, history, geography and cultural creativity). Educational work in the school with teaching in the language and script of a national minority is carried out by teachers from the national minority who are in complete command of the language and script of the national minority, or teachers who are not from the national minority who are in complete command of the language and script of the national minority. In the areas where the statute of the municipality or town mandates the official use of a minority language and script, the possibility will be offered to pupils taught in Croatian to learn the minority language, and those who attend the minority language school shall compulsorily learn Croatian and the Latin script. The funds necessary for the work of these institutions are provided from the state budget, and the application of the Act is supervised by the Ministry for Education and Sport, which as the competent body of central state administration is obliged to offer expert assistance to the work of these institutions (the manner in which the education of minorities is realised is presented under Article 8). The former Act on Education in the Languages of Minorities has been amended and brought up to date by this Act.

On the basis of Article 2, Paragraph 2 of the European Charter for Regional or Minority Languages, the Charter is applied in relation to the Italian, Hungarian, Serbian, Czech, Slovak, Ruthenian, and Ukrainian languages, namely the following provisions:

- from **Article 8** Paragraph 1
 - sub-paragraph a) point iii
 - sub-paragraph b) point iv
 - sub-paragraph c) point iv
 - sub-paragraph d) point iv
 - sub-paragraph e) point ii
 - sub-paragraph f) point ii
 - sub-paragraph g)
 - sub-paragraph h)
- from **Article 9** Paragraph 1
 - sub-paragraph a) points ii and iv
 - sub-paragraph b) points ii and iii
 - sub-paragraph c) points ii and iii
 - sub-paragraph d)
 - Paragraph 2
- sub-paragraph a)

from *Article 10*, Paragraph 1

- sub-paragraph a) points ii and iv
- sub-paragraph b)
- sub-paragraph c)
- Paragraph 2

- sub-paragraph a)
- sub-paragraph b)
- sub-paragraph c)
- sub-paragraph d)
- sub-paragraph g)
- Paragraph 3

- sub-paragraph a)
- sub-paragraph b)

- sub-paragraph c)
- Paragraph 5

from *Article 11*, Paragraph 1

- sub-paragraph a) point iii
- sub-paragraph d)
- sub-paragraph e) point ii

Paragraph 2

Paragraph 3

from *Article 12* Paragraph 1

- sub-paragraph a)
- sub-paragraph f)
- sub-paragraph g)

from *Article 13* Paragraph 1

- sub-paragraph a)

PART THREE

As has already been mentioned in the previous points, Article 7 of the European Charter for Regional or Minority Languages, that is its goals and principles, are realised through: the Constitution of the Republic of Croatia, the Constitutional Act on Human Rights and the Rights of Ethnic and National Communities or Minorities in the Republic of Croatia, the Act on the Use of the Languages and Scripts of National Minorities in the Republic of Croatia and the Act on Education in the Languages and Scripts of National Minorities, in the following ways:

In the Constitutional Act (Article 6) the Republic of Croatia obliges itself to guarantee members of national minorities:

- a) full respect of the principle of non-discrimination as foreseen in international instruments,

- b) the right to protection from any activity which may or which could endanger their survival,
- c) the right to identity, culture, religious confession, public or private use of language
- d) protection of equal participation in public affairs such as enjoyment of political and economic freedoms in the social sphere, access to the media and in the field of education and cultural issues in general,
- e) the right to decide which ethnic or national community or minority a person wishes to belong to, and enjoyment of all rights related to that choice, whether individual, or in association with other persons. This right especially relates to cases of marriage between persons belonging to different ethnic or national communities or minorities, with no harm to the person in question.

Education (Article 13) of members of national minorities takes place in pre-school institutions and schools in their own languages and script, according to special programs containing in an appropriate manner their history, culture and science as far as they wish. Under the Act on Education in the Languages and Scripts of National Minorities (Article 2, Paragraph 1), education in the language and script of the national minority takes place in pre-school institutions, elementary and high schools and other school institutions and other forms of education (seminars, summer and winter schools etc.) in the manner established by the law.

Members of all national minorities in the Republic of Croatia may freely use their own language and script in private and public life. In the same way they may freely organise informative and publishing work in their own language and script. The Republic of Croatia and bodies of local self-government support the realisation of these rights financially, in accordance with their means. If they are represented in the total number of the population with more than 8% then they have the right to representation in proportion to their share in the total number of the population. Insofar as their share is less than 8%, they have the right to elect at least five, and at most seven representatives in the Croatian Parliament.

With the aim of implementing the provisions mentioned on the rights of national minorities to education, access to the media and the realisation of their proportional share in public services and other institutions in this fields, the Government of the Republic of Croatia has the Office for National Minorities. For the areas where the number of members of national minorities demands, the Government of the Republic of Croatia shall set up Regional Offices for National Minorities. The Republic of Croatia shall co-operate with and take advice, directly or through mixed committees with governments and institutions of interested countries for the most comprehensive realisation possible of human rights and the rights of ethnic and national communities or minorities.

THE APPLICATION OF THE CHARTER

Article 8 Education

- Paragraph 1
- Sub-paragraph a) point iii,
- Sub-paragraph b) point iv,
- Sub-paragraph c) point iv,

- Sub-paragraph d) point iv
- Sub-paragraph e) point ii
- Sub-paragraph f) point ii
- Sub-paragraph g)
- Sub-paragraph h)

Education in the languages and scripts of national minorities in the Republic of Croatia is prescribed in the Act on Education in the Languages and Scripts of National Minorities which replaced the Act of 1979 when it came into force. Members of national minorities have the opportunity to be educated in their mother tongue from pre-school to higher education systems of training and education.

Minority languages in which education of members of national minorities is carried out are divided into two groups, that is the territorial or minority languages and the non-territorial languages, according to the European Charter for Regional and Minority Languages or the Act on its ratification.

The regional or minority languages used for teaching are:

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

The areas where *regional or minority languages* are used in teaching in the language and script of the national minorities are:

- | | |
|--------------------------------|--|
| 1. Istarska County | Italian |
| 2. Primorsko-goranska County | Italian and Serbian, |
| 3. Bjelovarsko-bilogorska | Czech and Slovak, |
| 4. Osječko-baranjska County | Serbian, Hungarian and Slovak |
| 5. Vukovarsko-srijemska County | Hungarian, Ruthenian, Serbian and Slovak |
| 6. Sisacko-moslavačka County | Ukrainian |
| 7. Licko-senjska County | Serbian |
| 8. Požeško-slavonska County | Serbian |

Non-regional minority languages used in teaching:

- German
- Hebrew

We also include in this group the Roma language, which is not used for teaching since the language is not standardised and pupils from the Roma population are included in the regular educational system in the Croatian language.

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

The members of national minorities realise their constitutional right to education through three basic models and several special forms of education.

MODEL A

All lessons take place in the language and script of the national minority with compulsory teaching of the Croatian language. As a rule this model is used in special institutions but may also be used in Croatian language institutions in separate departments in the languages and scripts of national minorities.

MODEL B

Teaching is carried out in the Croatian language and the language and script of the national minority, what is known as bi-lingual teaching. The natural sciences are taught in Croatian and the social science subjects or the national group of subjects are taught in the language and script of the national minority. This kind of teaching takes place as a rule with teaching in the Croatian language, but in separate class groups.

MODEL C

The cultivation of language and culture is a special teaching program which runs for five school hours a week with a complete program of teaching in the Croatian language. The program covers teaching in the language and literature of the national minority, history, geography, music and art. The plan and program are verified by the Ministry of Education and Sport, upon the proposal by experts from amongst the relevant minority.

Members of national minorities themselves propose and chose the model and program in accord with the existing laws and their capacity to realise the program. All models and forms of education are within the regular educational program of the Republic of Croatia.

The application of models and forms

Model A is applied by the Czech, Hungarian, Slovak, Serbian and Italian national minorities.

Model B is applied by the Czech, Hungarian, German, Austrian and Serbian national minorities.

Model C is applied by the Czech, Hungarian, Ruthenian, Slovak, Serbian and Ukrainian national minorities.

The form of teaching where the language of the national minority is taught as the language of the *environment* is used in the Istarska County, for the Italian language. Forms of *winter and summer schools* are used by the Ruthenian and Ukrainian national minorities and the Roma national minority. The *correspondence-consultative* form has been used since 2001 by the Serbian national minority.

2. Institutions in the languages and scripts of national minorities

Teaching in their languages and scripts is realized by national minorities in separate institutions when they fulfil the conditions laid down by law. On the basis of law, this right has been attained by the Czech, Hungarian, Serbian and Italian national minorities for the following levels of education:

- Pre-school and elementary school education for the Czech minority,
- Pre-school, elementary school and high school education for the Hungarian and Italian national minorities,
- The Serbian national minority realise this right in pre-school education, but their right to elementary school education in a separate institution has not yet been realised.

The other national minorities do not realise their right to independent institutions, since they do not fulfil the legal conditions for this, but education in their own languages and scripts are carried out in separate classes in Croatian language institutions, which is also one possibility. These classes and groups as a rule are formed with a smaller number of pupils than the number prescribed for teaching in the Croatian language.

Pre-School Education

Pre-school education is carried out in all locations where the members of minorities have submitted a request for the realisation of their rights and fulfilled the conditions for their realisation, in accord with the valid laws and regulations. The organisation of teaching in institutionalised pre-school education is within the competence of local self-government, and the programs are within the competence of the Ministry of Education and Sport.

This form of education is realised by: the Czech, Hungarian, German, Austrian, Roma, Serbian, Italian and Jewish national minorities.

Elementary Education

The obligation or right to elementary education is implemented in all locations where there is the opportunity to realise this form of education in the minority languages, in accordance with the laws in force.

Elementary school education is realised by the following minorities: Czech, Hungarian, German, and Austrian, Ruthenian, Serbian, Slovak, Italian and Ukrainian. Some of these minorities realise this education only through teaching to cultivate the language and culture, that is model C (Ruthenian and Ukrainian and Slovak in large percentages) .

High School Education

The obligation or right to high school education is carried out in all locations where a request has been made by the minority and where lessons may be organised in accordance with all the valid laws on education.

Minorities who have organised high school education realise their rights by means of all three models of education mentioned for teaching in minority languages, as follows: the Czech, Hungarian, Serbian and Italian minorities.

Technical And Vocational Education

Technical and vocational education in the languages and scripts of the national minorities is realised by the Hungarian, Serbian and Italian minorities according to models A and B, as part of their high schools.

University And Other Forms Of Higher Education

University and other forms of higher education are in the competence of the Ministry of Science and Technology. The Czech, Hungarian, Italian, Serbian and Ukrainian national minorities realise this right.

Adult Education And Continuous Education

There was no request for this form of education from members of national minorities in 2001. Members of the Roma national minority are attempting to realise this right by means of special programs, also in the Croatian language.

History And Culture Lessons

The history and culture of the minorities are included in the program of language and culture, or model C.

Basic Education And Further Professional Teacher Training

The Italian national minority realises basic education for teachers for pre-school and elementary school teaching at the **Pedagogic Academy in Pula**, and the Serbian minority through the **Teachers' Academy in Zagreb**. Further professional training is organised systematically through educational institutions for teachers, and members of national minorities have additional training by means of seminars in their mother countries.

There follows a table presenting the regional or minority languages in the educational system of the Republic of Croatia according to the number of pupils for the period from 1999 to 2001.

Key: CT : Croatian language teaching, LC: language and culture lessons, MLT: teaching in the minority language

MINORITY LANGUAGE	YEAR	PRE-SCHOOL EDUCATION			ELEMENTARY SCHOOL			HIGH SCHOOL			TOTAL
		CL	LC	MLT	CL	LC	MLT	CL	LC	MLT	
CZECH											
	1999.		-	138		424	279		-	47	888
	2000.		-	145		463	454	-	-	37	1099
	2001.		-	148		461	458		-	37	1104
HUNGARIAN		CL	LC	MLT	CL	LC	MLT	CL	LC	MLT	
	1999.		-	96		454	277		36	24	887
	2000.		-	46		430	117	-	30	63	686
	2001.		-	63		424	299		13	82	881
SERBIAN		CL	LC	MLT	CL	LC	MLT	CL	LC	MLT	
	1999.		-	425		154	3522		-	1639	5740
	2000.			418		279	3535		-	1487	5719
	2001.			410		302	3100		-	1334	5146
ITALIAN		CL	LC	MLT	CL	LC	MLT	CL	LC	MLT	
	1999.		-	511		-	2767		-	816	4094
	2000.		-	704		-	2206		-	820	3730
	2001.		-	716		-	2140		-	786	3642
SLOVAK											
	1999.					435	14				449
	2000.					424	16				440
	2001.					454	8				462
UKRAINIAN AND RUTHENIAN											
	1999.					80					80
	2000.					163					163
	2001.					167					167
GERMAN											
	1999.			32			61				93
	2000.			25			50				75
	2001.			26			54				80
ROMA National minority											
	1999.	112			1112			30			1254
	2000.	70			1083			117			1270
	2001.	58			1370			200			1628

1999

Total 12 281

Pre-school education 1 202

Elementary school: Total 8467

Models A and B 6920

Model C 1547

Total 2539

High School: Total 2 539

Models A and B 2526

Model C 36

Higher Education 50 students

2000

Total 11 975

Pre-school education: 1 338

Elementary school Total: 8137

Models A and B: 6378

Model C: 1759

High School Total: 2 337

Models A and B: 2307

Model C: 30

Higher Education 62 students

2001

Total 11 589

Pre-school education 1 363

Elementary school Total 7967

Model C 1908

Secondary school Total 2262

Models A and B 2249

Models A and B 6059

Model C 13

Higher education: 107 students

Members of the Roma national minority have not been added to the total number of beneficiaries in the individual numbers, as they are taught in the Croatian language and therefore they are seen as pupils and not as those using their own language.

Teaching for members of national minorities in accord with the laws is naturally carried out according to specific programs and textbooks, and the teachers are themselves either members of the national minority or they have a good knowledge of the specific language.

Teaching in the languages and scripts of national minorities in all models is carried out according to existing plans and programs. After the passing of the Act on Education in the Languages and Scripts of National Minorities, in co-operation with experts, representatives of national minorities, work on teaching plans and programs is in progress whose content is related to the specific nature of each national minority.

Textbooks: Some of the textbooks for members of national minorities are printed or translated every academic year on the recommendation of the minorities, in accordance with the financial means of the Ministry of Education and Sport. Publication and printing of textbooks in the languages of national minorities is more expensive in relation to the printing of textbooks in Croatian. The reason for this is the small print run. The difference between the production costs and sales price is borne by the State Budget of the Republic of Croatia. All pupils pay the same price for their textbooks. Most of the textbooks are translated from Croatian into the language and scripts of the national minorities, and some are original textbooks and handbooks. A small number are imported from the mother countries of the national minority. For members of the *Roma* national minority, textbooks are supplied free by the Republic of Croatia.

Staff: The Ministry of Education and Sport endeavours for teaching in all forms of education and training in the languages and scripts of minorities to be carried out professionally and in minority languages. The law prescribes the priority of employment of members of national minorities, and any deviations are only permissible where there is a lack of staff from the minority. In that case the conditions are a complete knowledge of the language and script of the minority as well as expertise in the appropriate subject. If in this way it is not possible to solve the problem of professional teaching staff, some minorities use their right to employ foreigners with a work permit. In 2001, the election of school supervisors and advisors began, for education and training in the languages and scripts of national minorities, taken from the ranks of the members of national minorities.

☛ We may link to the above recommendation no. 2 relating to the institutional infrastructure for teaching in minority languages and teaching staff. There are namely, the academies in Pula and Zagreb, as well as departments at universities, where the specific characteristics of national minorities are studied. Naturally it is always possible to do more and better, but for now it is as it is, and we believe that with a better financial basis we could improve the position of the teaching infrastructure and staff in the education of members of national minorities. With the decentralisation of education it is now amongst other things within the competence of the local authorities.

Article 9 Judicial Authorities

- Paragraph 1
- Sub-paragraph a) points ii, and iv
- Sub-paragraph b) points ii, iii
- Sub-paragraph c) points ii, iii

- Sub-paragraph d
- Paragraph 2
- Sub-paragraph a)

The work of judicial authorities in relation to the application of the European Charter for Regional or Minority Languages according to Article 9 and its selected provisions, is carried out as follows:

According to the Act on the Use of the Languages and Scripts of National Minorities in the Republic of Croatia, the equal official use of minority languages is regulated in proceedings before first instance judicial authorities. The State Attorney's Office, and the Public Prosecutor's Office in the first instance, are obliged to inform the party from the territory of the municipality or town which has introduced the language and script of a national minority of the right to use the language and script of a national minority in the proceedings, and enter into the minutes a statement as to which language and script the party is to use in the proceedings. If minutes are not kept of the proceedings, the party's statement on which language he/she wishes to use or the request for a bi-lingual document, shall be entered as an official note.

When the party in the proceedings chooses a language and script of a national minority which is in equal official use, the body running the proceedings shall, in accord with the procedural regulations, guarantee the participation of the party in the language and script used by the national minority. Dispatches of acts in cases where the parties chose to use a minority language and script shall be sent to the parties in the language and script of the national minority as well as in Croatian and the Latin script. All the first instance bodies mentioned above who have their seat in municipalities, towns and counties where alongside the Croatian language there is a language and script of a national minority in official use, issue public documents and print forms used for official business in two or more languages. They also in the same way write the text in two languages on their seals, inscription plates and the headings of acts in letters of the same size.

The bodies who run second instance proceedings use the Croatian language and Latin script. In exceptional cases if a party is directly participating in the proceedings before a second instance body who in the first instance used the language and script of a national minority which is in equal official use, the proceedings are run as in the first instance.

An accused is guaranteed the right to use his/her mother tongue and to the free assistance of an interpreter if he/she does not understand or speak the official language of the court (established in Article 6, Paragraph 3e of the European Convention on Human Rights).

Article 7 of the Criminal Procedure Act prescribes that in criminal proceedings the Croatian language and Latin script be used, if another language or script has not been introduced for use in individual areas of the courts by law. We believe that it is not necessary to regulate the use of another language or script in criminal proceedings by a separate law. This may best be seen in the use of minority languages in court in the Istarska County, where according to the Osimo Agreement the compulsory use of Italian has been introduced to the courts.

Briefs or evidence given to the court in writing or orally, will not be rejected by the court merely because they are written in a minority language. At the party's request, documents are

issued in minority languages and members or minorities or those who speak that language do not incur any extra costs.

1. Proceedings in civil matters and other proceedings

According to Article 6 of the Civil Procedure Act (*Narodne novine* nos. 53/91,91/92,112/99) it is prescribed that civil proceedings be run in the Croatian language and the Latin script, if another language or script has not been introduced by law in individual court. This obligation is fulfilled, parties in civil proceedings may use a minority language in accordance with the conditions described in Article 102 of the Civil Procedure Act. When the party addresses the court in person he/she may use his/her own language and script, without incurring any extra costs as a result.

The party may present documents and evidence to the court in a minority language or may do the same through an interpreter and translator. This right is guaranteed by Article 102 of the Civil Procedure Act.

2. Proceedings before courts which hear administrative cases

In the Republic of Croatia the Administrative Court hears administrative cases, in accordance with the Administrative Disputes Act. Proceedings before the Administrative Court of the Republic of Croatia are conducted entirely in written form in accordance with the Act mentioned. The parties in these proceedings also may use or furnish documents and evidence in minority languages, in particular if it is a unit of local self-government who has introduced the use of two languages in its territory and accordingly, these documents are permitted and accepted as valid documents before the Administrative Court of the Republic of Croatia.

We link this part of the text, relating to the realisation of the right to use minority language and script in cases when a member of a national minority appears as a party, to recommendation no. 4 of the Committee of Experts of the Council of Europe.

Buje Municipal Court guarantees the accused who are members of the Italian and Serbian national minorities the use of their minority language and on request issues documents in minority languages for which the party does not incur any extra expense. The parties are also allowed to use the Italian or Serbian languages before the court, without incurring any additional cost.

In the period between 1999 and 2001 criminal proceedings were run in Italian only once, as the accused was a member of the Italian minority.

At **Rovinj** Municipal Court in criminal proceedings accused citizens of the Republic of Croatia who are members of the Italian minority are guaranteed the use of their language in court, which also applies to witnesses and victims, and the translation and interpretation costs are regularly borne by the court.

In the same proceedings, the accused, as members of the Italian national minority, may furnish briefs and petitions and evidence in that language, and translation and interpretation costs are borne by the court. The decisions of this court, or judgements, rulings, orders, summons and correspondence are sent to the accused with a translation into the minority language. The same applies to complaints and indictments.

Witnesses and victims who are members of the Italian national minority are served orders, summons and correspondence with a translation.

In civil proceedings, in ex parte, inheritance and enforcement proceedings, this court proceeds as in criminal cases (in relation to the parties and witnesses in the proceedings). In cases where the party or another participant in the proceedings is a member of the Italian minority, the trial and other hearings are held in the presence of an interpreter for the Italian language. At the parties' request, documents are issued also in minority languages after they have been translated by a court interpreter, and the cost of the translation is regularly borne by the court.

3. Proceedings before courts which hear criminal cases

During **1999** Rovinj Municipal Court received 83 criminal cases, and four cases against accused parties who were citizens of the Republic of Croatia and members of the Italian minority. In **2000** 126 cases were received, 9 against accused who were members of the Italian minority. In **2001** 80 cases were received, one case against an accused from the Italian minority.

4. Proceedings before courts which hear probate cases

During **1999** 306 probate cases were received, in 35 cases heirs were called who were members of the Italian minority. In **2000** a total of 247 probate cases were received, of which in 27 cases the heirs were members of the Italian minority. In **2001** a total of 238 probate cases were received of which in 33 cases the heirs were members of the Italian minority.

In civil proceedings-

In 1999 a total of 432 civil cases were received and in 15 of these one party was a member of the Italian minority. In **2000** a total of 377 civil cases were received, and in 19 of these one party was a member of the Italian minority. In **2001** a total of 383 cases was received and in 34 cases one of the parties was a member of the Italian minority.

According to the data from the County Courts in Osijek and Vukovar and the Administrative Court of the Republic of Croatia, from 1999 to 2001 not one case was either received or heard in one of the minority languages.

Article 10 Administrative Authorities and Public Services

- Paragraph 1
 - Sub-paragraph a) points ii and iv
 - Sub-paragraph b)
 - Sub-paragraph c)
 - Paragraph 2
 - Sub-paragraph a)
 - Sub-paragraph b)
 - Sub-paragraph c)
 - Sub-paragraph d)
 - Sub-paragraph g)

- Paragraph 3
- Sub-paragraph a)
- Sub-paragraph b)
- Sub-paragraph c)
- Paragraph 5

As has been mentioned, the Republic of Croatia is divided into 20 counties and the capital city, which has the status of both city and county, but the need for the realisation of the right to use a minority language is not the same in all counties, for the simple reason that members of minorities in some of the counties are not represented in significant numbers in the population or simply there is no interest from the members of the national minority for the use of a minority language before administrative bodies or bodies of public services.

There follows a presentation of the counties where individual units of local self-government or cities and municipalities have regulated the use of a minority language in their statutes. We should point out that Italian as the official language has only been introduced by the Istarska County on a county wide level for tasks carried out by its administrative bodies. The reasons for this in this area are historical, traditional, based on international agreements and also the practicality of this kind of application for all members of the Italian minority in the Republic of Croatia. This minority is one of the better organised in the realisation of their rights in relation to their needs and specific characteristics.

Municipalities and cities regulate the question of the use of minority languages in their territory, amongst other reasons, (or in cases when they are obliged to on the bases of laws) as they assess the needs of their citizens. In the procedure for adjusting the statute of local units with the Act, a situation was noticed where certain minorities did not wish to introduce their language throughout the entire area of their local unit but only in those settlements where they were more numerous or formed the majority.

The Ministry of Justice, Administration and Local Self-government in these situations, showed a readiness to encourage the minority associations to seek for alternative solutions, but the attitude was clearly expressed that they were not making maximum demands, judging that for members of a minority it was more acceptable to ensure the use of their minority language in the procedures which directly affected them, and they did not feel it was necessary to seek the use of their language in signs, seals, stamps, the names of streets etc.

1. An overview of towns and municipalities on whose territory a minority language and script is in equal official use

Bjelovarsko-bilogorska County

On the territory of the Bjelovarska-bilogorska County, which as a unit of local, regional self-government has not introduced a minority language and script into its self-governing competence, only one unit of local self-government from its territory has done so.

The Municipality of Koncanica has prescribed the following rights for members of the Czech national minority:

- the official use of the Czech language and script in certain settlements

- the use of bi-lingual forms and the issuance of bi-lingual public documents,
- public signs are bi-lingual
- education is offered in the Czech language and
- the representation of members of the Czech minority in the Municipality bodies.

The Town of Daruvar also gives members of the Czech national minority the right to the use of their own language and script. The use of the minority language is not applied throughout the entire area.

The Istarska County

The Istarska County is the only unit of local or regional self-government which has introduced the *Italian language* in the field of self-government activity.

Apart from on a county level, for the Italian national minority, the Italian language has been introduced for equal official use together with the accompanying rights in the following units of local self-government:

The Municipality of Bale guarantees the members of the Italian national minority the following rights at a local level:

- the equal use of the Italian language and script
- the foundation of cultural and other societies and informative and publishing activities
- throughout the Municipality all public signs are bi-lingual
- work in the sessions of the Municipal Council is carried out in two languages, bi-lingual public documents are issued, the bodies of state administration in their work use bi-lingual seals and stamps,
- in the work of the bodies of the Municipality bi-lingual forms are used and proceedings are run in Italian
- a certain number of officials are employed who use both Croatian and Italian languages
- the organisation of teaching in schools is made possible in Italian in schools and pre-school institutions,
- they have the right to representation in the bodies of local self-government
- they have the right to use flags and symbols.

The Town of Buje guarantees the following rights to members of the Italian national minority at a local level:

- the Italian language and script are in official use
- it is possible to organise informative, publishing and cultural activities
- the public signs in the town are bi-lingual
- the work of the town's bodies is carried out in two languages, official bi-lingual forms are used in their work
- administrative proceedings are carried out in Italian, as are proceedings before bodies of state administration
- the town administration employs an appropriate number of worker who use Croatian and Italian languages
- it is possible for members of the Italian minority to be educated in their own language and script both in schools and pre-school institutions
- proportional representation is guaranteed in local bodies

- the town helps finance the Italian minority in the realisation of their rights.

The Town of Labin guarantees members of the Italian national minority the following rights on a local level:

- the right to use their language and script
- it is possible for members of the Italian minority to be educated in elementary and high schools and pre-school institutions
- the realisation of the equality of the Italian and Croatian languages is guaranteed:
- in proceedings before bodies of the town, by employment of a certain number of employees who use the Italian language
- at the party's request, bi-lingual forms, certificates and rulings are supplied
- councillors in the Town Council and members of working bodies are able to use bi-lingual material
- there is free use of national flags and symbols.

The Municipality of Ližnjan guarantees members of the Italian national minority the following rights on a local level:

- the use of their language and script
- in the territory of one settlement the public signs are bi-lingual
- the local bodies use bi-lingual forms, and in their work they use bi-lingual seals and stamps,
- a certain number of employees are employed who speak both languages,
- it is possible to organise cultural, informative and publishing activities,
- in the territory of the municipality the teaching of Italian is encouraged as the language of a social minority,
- there is free use of the flag and symbols of the Italian minority.

The Municipality of Motovun guarantees members of the Italian national minority the following rights at a local level:

- the use of their language and script
- the use of their flag and symbols
- public signs are bi-lingual
- a certain number of employees are employed who speak both languages
- representation in the local bodies
- the seals and stamps of the local bodies are bi-lingual
- the teaching of Italian is encouraged in elementary school and pre-school institutions.

The Town of Novigrad guarantees members of the Italian national minority the following rights at a local level:

- use of the Italian language and script on the territory of the town
- use of their national flags and symbols
- public signs are bi-lingual
- proceedings of the local bodies and bodies of state administration are run both in Italian language and script, and in their work bi-lingual seals and stamps are used,
- education in pre-school institutions, elementary and high schools also takes place in Italian

- proportional representation is guaranteed in local bodies for members of the Italian national minority
- the town financially supports the realisation of all the rights of the Italian national minority.

The Town of Porec guarantees members of the Italian national minority the following rights on a local level:

- use of their own language and script
- public signs in the town are bi-lingual
- the work of the bodies of local self-government is bi-lingual
- a certain number of employees are employed who speak both languages
- education in elementary and high schools and pre-school institutions is provided in Italian
- members of the Italian minority in the Town have the right to proportional representation.

The Town of Pula guarantees members of the Italian national minority the following rights on a local level:

- the use of their language and script
- education of members of the Italian minority in their own language and script in pre-school institutions, elementary and high schools,
- the work of administrative bodies in the City is carried out in two languages and for that purpose there are bi-lingual forms and all other written material and bi-lingual public documents are issued
- the public signs in the City are in bi-lingual written form
- bodies with public authority also have bi-lingual signs
- the representation of the Italian minority in the bodies of the City of Pula is guaranteed.

The Town of Rovinj guarantees the following rights to members of the Italian national minority on a local level:

- the use of the Italian language and script,
- public signs are bi-lingual
- in the work of the administrative bodies of the town bi-lingual forms, seals, and stamps are used and bi-lingual public documents are issued,
- the representation of the Italian minority in the bodies of the Town is guaranteed
- education in Italian is possible in elementary and high schools and pre-school institutions,
- it is possible to make use of the national flags and symbols.

The Municipality of Višnjan guarantees members of the Italian national minority the following rights at a local level:

- the right to use their language and script
- the teaching of Italian is encouraged
- in parts of the Municipality bi-lingual signs are in evidence
- representation is guaranteed in the bodies of the Municipality
- it is possible to make use of national flags and symbols.

The Municipality of Vodnjan guarantees to the members of the Italian national minority the following rights at a local level:

- the equal official use of the Italian language
- all public signs in the municipality are bi-lingual,
- in schools with a Croatian teaching program, Italian is taught as the language of the social environment, and in schools with an Italian program, Croatian is taught
- it is possible to organise pre-school institutions with programs in Italian
- members of the Italian minority in the Municipality are guaranteed representation in the bodies of local self-government,
- when the administrative bodies deal with cases where members of the Italian national minority are taking part as parties, the proceedings are conducted in Italian and decisions and public documents are issued in two languages. The same applies to court and public enterprises and institutions,
- in the work of these bodies bi-lingual seals and stamps are used,
- in administrative bodies a certain number of officials are employed who can speak Italian,
- members of the Italian minority may freely use their national flags and symbols,
- the municipality and other bodies give financial assistance for the realisation of the rights of the Italian minority in their territory.

The Municipality of Vodnjan guarantees the members of the **Montenegrin** national minority who live in its territory representation in local bodies and the realisation of all other minority rights.

The Municipality of Grožnjan guarantees members of the Italian national minority the following rights on a local level:

- the Italian language is in equal official use
- throughout the municipality traffic signs and other traffic markings, street names, the names of squares, places and geographical locations are written in two languages.
- The work of the Municipal Council is carried out in two languages, and bi-lingual seals and stamps are used in their work, as well as bi-lingual forms.
- In the municipality a certain number of employees are employed who can speak Italian,
- There is free use of the national flags and symbols,
- In accord with its financial capacity, the Municipality supports the work of cultural and other societies, and publishing and informative activities,
- Pre-school, elementary and high-school education are organised in Italian, and the teaching of Italian is encouraged as the language of the social environment.

The Osijecko-Baranjska County

The Osijecko-baranjska county as a unit of local and regional self-government has not introduced the use of a minority language within the scope of its self-government competence. Municipalities and towns in its territory have done this in the following ways for Serbian and Hungarian national minorities.

The Municipality of Darda has prescribed the following rights for members of the Serbian and Hungarian national minorities:

- official use of Serbian and Hungarian languages,

The Municipality of Erdut has prescribed the following rights for members of the Serbian national minority:

- the Serbian language and Cyrillic script are in equal official use,
- it is possible to organise publishing and informative activities,
- the education of members of the Serbian minority takes place according to a special program in children's kindergartens and schools.

The Municipality of Jagodnjak in its statute has prescribed the following rights for members of the Serbian and Hungarian national minorities:

- the official use of Serbian and Hungarian
- pre-school education in Hungarian and Serbian
- the use of national flags and symbols.

The Municipality of Kneževi Vinogradi has prescribed the following rights for members of the Serbian national minority in its statute:

- the official use of the Serbian language

The Municipality of Šodolovci has prescribed the following rights for members of the Serbian national minority in its statute:

- the official use of the Serbian language
- the text on seals is written in two languages with letters of the same size
- plaques and signs of representative and administrative bodies of the Municipality of Šodolovci and legal persons with public authority and the headings of acts are written in two languages in letters of equal size
- councillors are provided with materials for the sessions of the Municipal Council in Croatian and Serbian languages as well as the conclusions,
- official notices and summons from the Municipal Council and administrative bodies are also published in two languages,
- in the Municipality of Šodolovci the following are published in Croatian and Serbian:
 - public documents
 - official forms
- the right to display national flags is guaranteed
- the Municipality gives financial support to informative and publishing activities and the work of the cultural and artistic societies of the Serbian minority.

Primorsko-goranska County

The City of Rijeka guarantees the members of the Italian national minority the following rights on a local level:

- the right to the use of Italian language and script
- it guarantees and supports educational and cultural work of members of the Italian minority as well as members of other minorities,
- there is free use of national symbols and signs,

- it helps in the realisation of other rights which the Republic of Croatia guarantees to members of national minorities.

The Town of Cres guarantees members of the Italian national minority the following rights at a local level:

- the right to use the Italian language and script
- elective Italian classes in school, from grade IV elementary school to the end of elementary education
- financial support for educational and cultural activities of members of the Italian minority
- free use of national flags and symbols

The Municipality of Mošćenicka Draga guarantees members of the Italian national minority the following rights on a local level:

- the right to use the Italian language and script
- the possibility for equal participation in public affairs.

Vukovarsko-srijemska County

The Vukovarsko-srijemska county as a unit of local, regional self-government has not introduced a minority language within the scope of its self-government competence. The Municipalities of Trpinja, Markušica, Borovo and Negoslavci have prescribed in their statutes:

The Municipality of Trpinja has prescribed the following rights for members of the Serbian national minority:

- the official use of the Serbian language and Cyrillic script
- the work of local administrative bodies in the Municipality is carried out in two languages
- in their work, bi-lingual forms are used and public documents are bi-lingual
- administrative proceedings before bodies of the Municipality, and proceedings before bodies of state administration are also conducted in the Serbian language and script, bi-lingual seals and stamps are used
- education is provided in the Serbian language and Cyrillic script for members of the Serbian national minority
- it is possible to make use of national flags and symbols
- the Municipality gives financial support to informative, publishing and cultural activities organised by members of the Serbian national minority.

The Municipality of Markušica has prescribed the following rights for members of the Serbian national minority in its statute:

- the Serbian language and Cyrillic script are in equal official use
- throughout the Municipality traffic signs and other traffic markings are written in the Croatian and Serbian languages in letters of equal size, as are:
 - the names of streets and squares
 - the names of places and locations
- the work of the Municipal Council is carried out in two languages, councillors and the public are guaranteed provision of bi-lingual materials for sessions of the Municipal

Council, as well as the minutes and conclusions and publication of official announcements and invitations.

- In the work of the Municipality bi-lingual seals, stamps, headings, titles on inscription plaques are used, bi-lingual forms are printed to be used for official purposes.
- The population of the Municipality of Markušić are issued with bi-lingual public documents
- Proceedings before administrative bodies may be held in Serbian for members of the Serbian minority
- It is possible to display national symbols and flags, and in accordance with its financial capacity, the Municipality gives financial support to the informative, publishing and cultural activities of the members of the Serbian national minority

The Municipality of Borovo has prescribed the following rights for members of the Serbian national minority:

- the equal official use of the Serbian language and the Cyrillic script
- the Municipality gives financial support to cultural and other societies who work to preserve the Serbian culture and tradition
- pre-school education is organised and carried out in the Serbian language and Cyrillic script
- flags and symbols of members of the Serbian national minority may be freely displayed in the Municipality of Borovo.

The Municipality of Negoslavci has prescribed the following rights in its statute for the members of the Serbian national minority:

- the equal official use of the Serbian language and the Cyrillic script
- members of the Serbian national minority realise the right to education in Serbian and the Cyrillic script, according to a special program
- they have the opportunity to found cultural and other societies with the financial support of the Municipality
- there is freedom to display flags and symbols of the Serbian national minority in the Municipality.

According to the data from these municipalities in the Vukovarsko-srijemska County between 1999 to 2001, not one request was made for proceedings to be held in the Serbian language and Cyrillic script.

*Here we point out again that members of national minorities do not realise their right to the use of their own language and script exclusively by a decision of the local authorities. Their decision is one possibility in cases where they are not obliged to render these decisions on the basis of laws.

The Act on the Use of the Languages and Scripts of National Minorities in the Republic of Croatia prescribes the use of languages and scripts of national minorities in the work of administrative bodies and public services in all those cases where a need arises or when the local needs of the population so demand that in the work of those bodies the language and script of a national minority is used. When a language and script of a national minority is introduced in a municipality, town or county, for equal official use, then this relates to all aspects of life in those units.

The equal official use of the language and script of a national minority as a rule is introduced to the entire territory of the municipality or town, but it may also be introduced only in part of the area of some municipalities or towns, when the statute can prescribe a narrower range than the rights determined by the Act, but it may not exclude the right to the use of one's own language in proceedings before bodies of state administration in the first instance, before the organisational units of central bodies of state administration acting in the first instance, before first instance judicial authorities, the State Attorney's Office in the first instance, notaries public and legal persons with public authority, and who are authorised to act in the municipality or town where a minority language or script has been introduced for equal official use.

2. The equal, official use of the languages and scripts of national minorities before administrative bodies and public services

Municipalities and towns apply bi-lingualism in:

1. the work of representative and executive bodies of the municipality, town or county,
2. in proceedings before administrative bodies of the municipality, town or county, and in proceedings before all these bodies. In their work naturally the validity is recognised of all private legal documents drawn up in the Republic of Croatia, also when they are written in the language and script of a national minority.

The following are guaranteed, whether in two or more languages:

1. the writing of the text of the seal and stamp in letters of equal size
2. the writing of inscription plaques of representative, executive and administrative bodies of municipalities, towns and counties, as well as legal persons with public authority, in letters of equal size,
3. the writing of the headings of acts in letters of equal size.

A councillor, member of the local executive body or citizen in the municipality, town and county as in Paragraph 1 of this Article has the right to the provision, in two or more languages, of:

1. materials for the sessions of the municipal or city council and executive body, and the county assembly and county executive body,
2. the minutes and publication of the conclusions
3. publication of official announcements and invitations from representative, executive and administrative bodies of the municipality, town or county, and material for the sessions of the representative and executive bodies.

The municipalities, towns where a language and script of a national minority is in equal official use, shall guarantee the right of citizens for bi-lingual or multi-lingual:

1. issuance of public documents
2. printing of form used for official purposes

In these units of local self-government, the following shall be written in two or more languages in letters of equal size:

1. written traffic signs and other written markings in traffic,
2. the names of streets and squares,
3. the names of places and geographical locations, with a note that the statute may determine that this right is applied to the entire territory or to part of the territory, if so demanded by the needs of the population. Moreover, it may be prescribed that in the territory where the language and script of a national minority are in official use, legal and physical persons who carry out public work may write titles in two or more languages.

Members of national minorities whose language and script are in equal official use, have the same rights in first and second instance proceedings before administrative bodies of municipalities, towns and counties as in proceedings before the bodies of state administration in the first instance.

3. The equal official use of languages and script of national minorities in proceedings before administrative bodies in the first instance and legal persons vested with public authority

Bodies of state administration of first instance, organisational units of central bodies of state administration who act in the first instance, first instance judicial authorities, the State Attorney's Office in the first instance, notaries public, legal persons vested with public authority, who are authorised to act in the territory where, along with the Croatian language and the Latin script, there is a minority language and script in equal, official use, have the duty to inform the party from the territory of the municipality or town, who have introduced the equal official use of the language and script of a national minority, of the right to use the language and script of a national minority in the proceedings, and enter into the minutes a statement on which language and script the party is to use in the proceedings. If no minutes are kept of the proceedings, the statement by the party on the language he/she wishes to use or the request for the issuance of bi-lingual documents shall be recorded as an official note.

The first document in the proceedings is served on the party in the Croatian language and Latin script and in the language and script of the national minority which is in equal official use. The language and script in which the first filing is submitted or communicated, shall be taken to be the language and script which the party wishes to use in the proceedings.

When a party in proceedings chooses a language and script of a national minority, which is in equal official use, the body conducting the proceedings shall, in accordance with the procedural regulations, guarantee that the parties in the proceedings may participate in the language and script used by the national minority. Copies of acts in cases where the parties have chosen to use the language and script of a national minority, are delivered to the parties,

not only in Croatian language and script but also in the language and script which the party is using in the proceedings.

If the participants in the proceedings have chosen to use two or more language and scripts which are in equal official use, in the proceedings, along with the Croatian language and Latin script, the language and script shall be used on whose use the participants in the proceedings agree. Insofar as there is no agreement, the language and script of the national minority shall be used in the proceedings, which is used by the majority of participants in those proceedings, with the provision of an interpreter for the remaining participants in the proceedings. If it is not possible in any of these ways to ensure the use of the language and script of the national minority, which is used by the members of the national minority, the proceedings shall be held exclusively in the Croatian language and the Latin script, with the provision of an interpreter. The agreement between the participants on the language and script in which the proceedings will be held, along with the Croatian language and Latin script, shall be recorded in the minutes or entered into the file as an official note, if no minutes are kept of the proceedings. The party and other participants in the proceedings may present their briefs according to their own free choice in Croatian or the language and script which they use, and which is in equal official use.

The bodies of state administration in the first instance, the organisational units of the central bodies of state administration who act in the first instance, first instance judicial authorities, the State Attorney's Office in the first instance, and legal persons with public authority, shall serve the correspondence, briefs, and copies of other acts of second instance proceedings on the parties in the Croatian language and Latin script and in the language and script which was in use in the first instance proceedings. These bodies, where working in a municipality or town where two or more languages have been introduced (in Croatian and a minority language) in their work:

1. issue public documents
2. print forms for use for official purposes
3. write the text of the seal and stamps in letters of equal size
4. write inscription plaques
5. write the headings of acts in letters of equal size.

The proceedings of bodies of *the second instance* and communication of legal persons with public authority.

Bodies who carry out second instance proceedings work in the Croatian language and Latin script. In exceptional cases, if there are parties participating directly before the second instance body who in the first instance used the language and script of a national minority which is in equal official use, the proceedings are run as the first instance proceedings.

Legal persons vested with *public* authority for carrying out tasks for members of national minorities in interpersonal, direct relationships, may use only the language and script of the national minority.

Units of local self-government, that is towns, municipalities and counties, in the part relating to their self-governing scope of competence, may by their statutes as pieces of secondary legislation introduce some of the minority languages in their territory due to the fact that they are best acquainted with the needs of their population. As has been mentioned, the Republic of Croatia guarantees members of national minorities the right to the use of their

own language and script, to the organisation of informative and publishing activities, cultural autonomy, representation in the bodies of authority, the right to the use of their own national symbols and flags etc. These rights belong to members of national minorities whether the units of local self-government regulate them or not. Municipalities and towns only ease the realisation of these rights through their statutes on a local level, or where there is a need for the realisation of these rights.

The question of the use of languages and scripts of national minorities is also regulated in that according to the Act on the use of the Languages and Scripts of National Minorities in the Republic of Croatia, municipalities and towns are obliged to introduce the minority language in their territory when members of a national minority in their area constitute the majority of the population, in accord with the Constitutional Act on Human Rights, or the Framework Convention for the Protection of National Minorities of the Council of Europe, and when that is prescribed by international agreements to which the Republic of Croatia is a party. The legal requirement is given for units of local self-government, and they may decide to introduce a minority language for other reasons too, if they assess that there is a need for it amongst their population.

When units of local self-government or municipalities and towns whether from legal obligation or by their own decision, introduce in their statute a minority language into equal official use, then it is also reflected in the work of the administrative bodies of the municipality or town and in the work of all the bodies of state administration or other legal persons who operate in that area. The use of two or more languages is seen in these places by means of external signs (names of bodies, streets or squares) and internal functions (the running of proceedings in minority languages, the printing of bi-lingual forms, the issuance of public documents. As may be seen, examples of this exist.)

4. The proceedings of bodies of state administration in the languages and script of national minorities

In the period covered by this report the use of minority languages in proceedings before bodies of state administration has varied since the Act on the Use of the Languages and Scripts of National Minorities came into force in May 2000, and only after that were the bodies of state administration obliged to apply its provisions, except in cases of the application of bilateral international agreements.

As well as what has been said it is important to emphasise that the local units had a time limit of 3 months to adjust their statutes, which would, according to the law, also be binding to state bodies. The relevant regulations on the basis of which state bodies apply the law are primarily:

- the Personal Identity Card Act
- the Personal Name Act
- the State Registries Act

Istria Police Department

Year	Total no. of cases conducted (personal identity cares and residency certificates issued)	Cases conducted in Italian (bi-lingual personal identity cards and residency certificates)	Percentage
1999.	23 880	1 250	5.23%
2000.	26 422	1 017	3.84%
2001.	20 194	934	4.62 %

Primorsko-goranska Police Department

Year	Total no. of cases conducted (personal identity cares and residency certificates issued)	Cases conducted in Italian (bi-lingual personal identity cards and residency certificates)	Percentage
1999.	22 368	115	0.51%
2000.	21 700	101	0.46%
2001.	20 887	83	0.39%

Decisions issued on the use of the seal with the coat-of-arms of the Republic of Croatia containing text written in the language of a national minority (bi-lingual) for a legal person vested with public authority, bodies of local self-government and judiciary bodies.

1999

Istarska County

Public Services

1. Business school – Buje (Croatian-Italian)
2. Italian Elementary School, Novigrad, Novigrad (Croatian- Italian)
3. People’s Open University Ante Babic Umag, Umag (Croatian-Italian)

Local self-government

1. The Municipality of Brtonigla, Brtonigla (Croatian- Italian)

Justice system

1. The State’s Attorney's Office of the Istarska County, Buje Office (Croatian-Italian)

Osječko-baranjska County

Public services

1. Hungarian Cultural Centre in the Republic of Croatia, Osijek (Croatian-Hungarian)
-

2000

Istarska County

Public services

1. Rijeka University, Arts Faculty in Pula, Pula (Croatian-Italian)
2. Notary Public, Željko Krajina, Umag (Croatian-Italian)

Local self-government

1. The Town of Umag, Umag (Croatian-Italian)

Vukovarska-srijemska County

Public services

1. Korog Elementary School, Korog (Croatian-Hungarian)

2001

Istarska County

Public services

1. Dante Alighieri High School, Pula (Croatian-Italian)

Local self-government

1. The Town of Rovinj, Rovinj (Croatian-Italian)
2. The Municipality of Ližnjan, Ližnjan, (Croatian-Italian)

Justice System

1. The Municipal State Attorney's Office, Pula (Croatian-Italian)
2. The Municipal State Attorney's Office in Buje, Buje (Croatian-Italian)

Primorsko-goranska County

Public services

1. Gelsi Elementary School, Rijeka (Croatian-Italian)

Bjelovarsko-bilogorska County

Public services

1. Jan Amos Komenski Elementary School, Daruvar (Croatian-Czech)

Certificates issued in Croatian, Italian and International forms in towns and municipalities in Istarska County

For the period 1999 - 2001

Year	Town/municipality	Citizenship certificates	Birth Certificates Registry office	Marriage Certificates	Death certificate
1999	Buje	1 049	477	105	220
	Umag	1 266	582	207	313
	Novigrad	304		218	130
	Total:	2 619	1 277	442	662
2000.	Buje	1 065	491	124	325
	Umag	1 614	653	229	324
	Novigrad				383
	Total:	3 062	1 383	482	716
2001.	Buje	1 115	372	69	212
	Umag	1 083	507	199	300
	Novigrad	290	204	153	109
	Total:	2 488	1 083	421	621

* the forms used by these registry offices are bi-lingual – Croatian-Italian

Data on documents issued in Croatian:

Year	Municipality Buzet	Birth Certificates	Marriage Certificates	Death Certificates
	Registry office			
1999	113	642	344	
2 000	106	700	344	
2 001	102	676	334	
Total	321	2 026	1 022	

Data on documents issued using international forms:

Year	Municipality Buzet	Birth Certificates	Marriage Certificates	Death Certificates
	Registry Office			
1999	36	112	93	
2 000	25	79	53	
2 001	25	85	41	
Total	86	276	187	

Data on documents issued on international forms

B. Vienna

Year	Town of Labin Death Certificates Registry Office	Birth Certificates	Marriage	Certificates
1999		<i>358</i>	<i>240</i>	<i>225</i>
2 000		<i>355</i>	<i>183</i>	<i>181</i>
2 001		<i>317</i>	<i>134</i>	<i>171</i>
Total		1030	557	577

Paris

Year	Town Labin Certificates Registry office	Birth Certificates	Marriage Certificates	Death
1999	3	17	6	
2 000	4	38	4	
2 001	5	29	1	
Total	12	84	11	

Vienna

Year	Municipality Potpican Death Certificates Registry office	Birth Certificates	Marriage	Certificates
1999	29	66	42	
2 000	27	65	39	
2 001	29	66	33	
Total	85	197	114	

Year	Municipality Potpican	Paris		
		Birth Certificates	Marriage Certificates	Death Certificates
	Registry office			
1999		6	-	-
2 000		10	2	-
2 001		6	2	-
Total		22	4	-

International Forms

Year	Town of Pazin	Birth Certificates	Marriage Certificates	Death Certificates
	Registry office			
1999	100	231	157	
2 000	108	253	118	
2 001	103	266	147	
Total	311	750	422	

International Forms

Year	Town of Porec	Birth Certificates	Marriage Certificates	Death Certificates
	Registry office			
1999	114	357	158	
2 000	130	279	174	
2 001	170	241	165	
Total	414	877	497	

Croatian language forms

Year	Town of Porec Death Certificates Registry office	Birth Certificates	Marriage	Certificates
1999	427	1 638	899	
2 000	390	1 239	994	
2 001	403	1 115	1 017	
Total	1 220	3 992	2 910	

Data on documents issued from Rovinj Registry office on Croatian language forms

Year	Town of Rovinj	Registry office	:
	Birth Certificates	Marriage Certificates	Death certificates
1999	643	643	321
2 000	724	835	267
2 001	725	606	300
Total	2 029	2 084	888

Data on documents issued on Croatian-Italian forms

Year	Town of Rovinj	Registry Office	:
	Birth Certificates:	Marriage Certificates :	Death Certificates
1999	92	126	57
2000	100	159	45
2 001	75	75	38
Total	267	360	140

Data on documents issued on international forms

Year	Town of Rovinj Birth Certificates	Registry office Marriage Certificates	Death Certificates
1999	158	135	129
2 000	176	128	111
2 001	154	113	129
Total	488	376	369

*Istarska County State Administration Office
Croatian Forms*

1999

Town/Municipality	Birth Certificates	Marriage Certificates	Death Certificates
Pula	13 080	2 419	1 523
Barban	160	79	39
Krnica	133	46	28
Sveti Vincenat	139	78	40
Vodnjan	215	119	91
Fažana	147	44	27

Istarska County State Administration Office
Croatian Forms

2000

Town/Municipality	Birth Certificates	Marriage Certificates	Death Certificates
Pula	18 953	2 563	1 565
Barban	130	86	29
Krnica	108	60	27
Sveti Vincenat	96	75	24
Vodnjan	240	150	60
Fažana	121	83	35

Istarska County State Administration Office
Croatian Forms

2001

Town/Municipality	Birth Certificates	Marriage Certificates	Death Certificates
Pula	12 490	2 024	1 835
Barban	139	58	34
Krnica	73	26	16
Sveti Vincenat	111	50	27
Vodnjan	142	60	21
Fažana	74	41	18

Istarska County State Administration Office

1999

Town/Municipality	Birth Certificates	Marriage Certificates	Death Certificates
Pula	1 073	344	528
Barban	29	7	9
Krnica	31	10	13
Sveti Vincenat	22	17	13
Vodnjan	54	15	10
Fažana	4	2	3

Istarska County State Administration Office
International Forms

2000

Town/Municipality	Birth Certificates	Marriage Certificates	Death Certificates
Pula	1 057	310	504
Barban	24	13	10
Krnica	17	14	8
Sveti Vincenat	19	9	7
Vodnjan	49	25	13
Fažana	6	7	2

Istarska County State Administration Office
International Forms

2001

Town/Municipality	Birth Certificates	Marriage Certificates	Death Certificates
Pula	1 103	267	478
Barban	32	12	9
Krnica	31	10	3
Sveti Vincenat	28	9	7
Vodnjan	34	17	8
Fažana	3	2	2

Apart from the data on the number of documents issued from state registry offices in Croatian or Italian or on international forms, we also present data on the number of administrative and non-administrative cases by Municipalities: Buje, Bale, Grožnjan and the towns Rovinj and Novigrad, since in these units of local self-government these proceedings were conducted in two languages (Croatian and Italian), or only in Italian as the minority language.

Year	Buje	Novigrad	Rovinj	Bale	Grožnjan
1999	750 cases conducted bi-lingually	1 023 cases conducted bi-lingually	1 157 cases conducted bi-lingually	4 cases conducted in Italian	507 cases conducted bi-lingually
2000	713 cases conducted bi-lingually	7 cases conducted bi-lingually	1 254 cases conducted bi-lingually	1 case conducted in Italian	479 cases conducted bi-lingually
2001	700 cases conducted bi-lingually	7 cases conducted bi-lingually	4 190 cases conducted bi-lingually	2 cases conducted in Italian	564 cases conducted bi-lingually

In the town of **Umag** between 1999 and 2001, 8250 cases were conducted bi-lingually

Article 11 Media

Paragraph 1

- sub-paragraph a), point iii,
- sub-paragraph d)
- sub-paragraph e), point ii
 - Paragraph 2
 - Paragraph 3

In relation to the previous report, changes occurred in the 1999-2000 period since the Telecommunications Act was passed (*Narodne novine* nos.: 76/99, 128/99 68/01 and 109/01) and the new Croatian Radio and Television Act (*Narodne novine* no. 17/01), which brought progress to the area of the public media in relation to the protection of human rights and fundamental freedoms. A very significant change in this period was also the adoption of the Act ratifying the European Convention on Transfrontier Television, the Protocol on Amendments to the European Convention on Transfrontier Television, by which the Republic of Croatia confirmed its commitment to the principles of the free flow of information and ideas and independent television companies. This international agreement is primarily based on the freedom of expression and information, as one of the vital principles of a democratic society and one of the basic conditions for its progress.

As has been mentioned, the area of the media is regulated by the mentioned Telecommunications Act and the Croatian Radio and Television Act. We present the legal provisions which regulate the manner of distribution, production and broadcasting of radio and television programmes or regulate other issues related to the area of the public media.

The Telecommunications Act

The Radio and Television Council

The Radio and Television Council is responsible for giving concessions for carrying out activities of radio and television. The Council is independent in carrying out the tasks within its competence. It consists of nine members, who are appointed from public, educational, cultural and professional and religious workers. Members of the Radio and Television Council are appointed by the Croatian Parliament at the suggestion of the Government of the Republic of Croatia for a period of 5 years, and they may be re-elected. For the initial composition of the Council three members are appointed for 3 years, 3 for 4 years and 3 for 5 years. Members of the Council must be citizens of the Republic of Croatia with their residence in the Republic of Croatia. They must possess professional knowledge, ability and experience in the work of radio or television or publishing or cultural or similar work.

Members of the Council may not be owners, share-holders, members of boards of directors or supervising boards or members of managing boards or other similar managing bodies. Moreover, they may not be owners, shareholders, members of boards of directors or principals or other managers of the work of legal persons to whom the provisions of the Act apply, in relation to radio and television. A member of the Council may not be a member of the Croatian Parliament, a functionary in executive or judicial power, nor a functionary in a parliamentary political party designated by separate regulations. He/she may not be employed either under contract or in any other relation in any legal person or any service with any connection to radio or television. In the following circumstances persons may not be members of the Council, or shall be relieved of their function on the Council:

1. If it is assessed that they are incapable of carrying out the work of the Council in a regular manner
2. If any of the circumstances mentioned arises which is incompatible with the function of a member of the Council

The Council renders decisions by a majority vote of all the members of the Council.

1. The Right to Build and Use of Infrastructure for Broadcasting

Anyone who broadcasts radio or television programmes must have independently available the necessary capital and most of the necessary infrastructure, buildings, installations and equipment and business premises including independent use on the basis of a lease and have the concession from the Council and a concluded contract on a concession with the Institute. The area of concessions for broadcasting may be on a state or regional level of two to five neighbouring counties, and on a local level, that is a town or county. In exceptional circumstances a regional concession for radio and television may be given for

another limited area in accordance with the regulations on the use of radio frequencies, from the aspect of the distribution of radio frequencies, if no interference is caused to the work of radio stations whose work is organised on a domestic and international basis. A fee is paid for the concession to the Budget of the Republic of Croatia.

The Institute shall determine a frequency plan and with the agreement of the Council and in the appropriate manner and form, publicise it together with the plan for the awarding of concessions for radio and television, and changes to that plan. The Council gathers offers publicly and publishes a public tender for the award of concessions for carrying out the activities of radio and television, on a technical basis, given by the Institute in accord with the regulations on the use of radio frequency ranges and the award of radio frequencies. An offer or an application submitted for the public tender for awarding concessions for carrying out the activities of radio and television must contain the most detailed programme scheme in accordance with the conditions published. A concession for radio and television may be given to a legal person who offered in its bid convincing evidence that it is able to realize programme-related, technical, technological, spatial, financial and human resources conditions for the carrying out of activities of radio and television. Also, it has to be likely that the domestic program offered will satisfy public interest in the best possible way. A decision to award concession must contain the criteria and conditions which were the basis for its rendering.

Concessions are awarded for the period which may not exceed 10 years, depending on the level of the concession, and according to the Regulation. Based on the decision of the Council to award concession, the Institute concludes a concession agreement, if it is established by a technical inspection that the legal person concerned has met the conditions required. A concession agreement for radio and television must also contain the programme scheme offered, which becomes the condition for the realization of the concession. The concession may be renewed upon the concessionary's request before its expiry, if the activity has been carried out in accordance with laws and regulations and with the concession agreement.

2. Property Relations

A radio and television concessionary may be a company in which one member, a legal or a physical person, may have up to 1/3 of the share of concessionary's capital, in such a manner that one physical person may not participate with more than 1/3 in concessionary's capital. If some of the members of the company are family members among which, according to a separate law which regulates marriage and family matters, there exists obligation to pay support allowance, then they all together may not have more than 1/3 of the concessionary's capital. One legal or physical person may have a share in the capital of only one concessionary at the state or regional levels, but on different not neighbouring concession areas. The concession area of radio and television is the area on which the concessionary's transmitters broadcast electromagnetic field of prescribed force, in accordance with the Regulation on the Use of Radio Frequency Spectrum and Awarding Radio Frequencies.

The holder of the concession must have its seat in the Republic of Croatia. Members of the holder's company must be Croatian citizens and have their permanent residency in the Republic of Croatia, apart from foreigners and Croatian citizens who have their permanent residence abroad and have a certain amount of capital available. Also, the holder may only hold one concession for radio or television on a state or regional level, or at the most two

concessions, one for radio and one for television on a local level, but in different, not neighbouring concession areas. The Institute must be given data on the capital available and the share of foreign capital may be no more than 1/3 of the basic capital of the company. In exceptional cases, if the area covered by the concession has a population of up to 5000 people, the concession holder may have only one member, and if the area has a population between 5000 and 10,000 people, each member of the concession holding company may have no more than a ½ share in the capital of the concession holder. The area of the concession of radio and television on a state or regional level must cover no less than 60% of the population of the Republic of Croatia or 70% of the population of a certain region.

Political parties, bodies of state administration and advertising companies may not be concession holders or members of concession holders for radio and television. In exceptional cases, a legal person who is concession holder for a non-profit making radio or television station need not be a company.

For each two concessions for profitable radio and each two concession for profitable television, one concession may be granted for a non-profit making radio or one concession for a non-profit making television station at an appropriate level and in the appropriate concession area if there is a technical basis for this. The concession holder for a no-profit making radio or television station may broadcast advertising lasting no more than 5 minutes in one hour of programming and 7% of the total daily programme broadcast on a state or regional level, and ten minutes in one hour of programming and 15% of the total daily programme broadcast at a local level. The concession holder of a non-profit making radio or television company may not broadcast telesales nor sponsored programmes. If the concession holder of a non-profit making radio or television company makes a profit in its work, that profit may be used exclusively for the work and development of the work of the concession holder.

3. The Aim of Programming

The programme of the radio and television concession holders should:

1. respect human dignity and fundamental human rights, and contribute to respect for other people's opinions and beliefs,
2. contribute to the free formation of the opinion of comprehensively and objectively informed listeners and viewers, and their education and entertainment,
3. promote the Croatian cultural heritage and encourage listeners and viewer to take part in cultural life,
4. promote international understanding and a feeling in public for justice, defend democratic freedoms, serve to protect the environment, fight for gender equality and publication of the truth,
5. promote understanding for members of national minorities.

The overall programme may not unilaterally serve the interests of one party or world-view.

a) Programming conditions

The concession holder for radio and television should satisfy the following conditions:

1. events must be portrayed faithfully and with a variety of approaches and opinions represented appropriately,
2. the news must be truthful and correctly present the facts and events, it must be unbiased and professionally correct, and must promote the freedom of the formation of opinion,
3. opinions and comments must be easily recognisable as opinions or commentaries, and it must be clear whose opinion or commentary is being presented.

Furthermore, the concession holder has the obligation to promote impartiality in its programming, respecting differences in opinion on political or economic issues or in relation to current public policies.

The programming independence of concession holders.

State bodies and their representatives, union and various interest groups may not influence concession holders for radio or television regarding programming. No provision of the law may be interpreted in such a way that it gives the right to censor or limit the right to the freedom of speech or expression of opinion.

b) Special programming conditions

Programmes are not permitted which harm the defence, state security and Constitutional order. The programming of concession holders for radio or television may not be biased and may not show pornography, they may not emphasise violence or cause racial, religious or national hatred, they may not abuse the listeners' or viewers' gullibility. Concession holders for radio and television may not broadcast programmes which may have a detrimental effect on the physical, spiritual or moral development of children and young people up to 18 years of age. The programming of the concession holder for radio or television may not contain editing techniques using sound or pictures which in a very short duration or in any other way may transmit a message or influence the opinion or listeners or viewers without them being aware of it or not completely aware. It must without charge, for the protection of the public interests, immediately and without delay, broadcast warnings and other announcements of the Ministry of the Interior or other competent bodies of the state administration. If the concession holder for radio and television on a regional or local level takes for itself alone the right to broadcast programmes on events which are of interest for the entire population of the Republic of Croatia or for the population of other regions of other concession holders, it must cede the right it has leased to other interested concession holders for radio and television or Croatian Radio Television, under equal conditions with remuneration for the actual costs.

Programming criteria

A concession holder for radio on a state or regional level and on the level of a county and the City of Zagreb must broadcast at least 12 hours of programmes a day, and a concession holder for radio on the level lower than the county level, must broadcast at least 6 hours of programmes a day.

The concession holder for radio and television must keep a record of all the programmes broadcast and must keep recordings of the entire programme broadcast for at least one month after broadcasting and if there is any complaint or dispute, the recording of the programme relating to these disputes must be kept until the dispute is resolved. The concession holder for radio and television on a local level must devote at least 20% of the total programming weekly to the announcement of local news and announcements about local events in the concession area. On a state and regional level at least one informative programme must be broadcast daily.

During election campaigns the concession holder for radio and television must make available to all political parties the opportunity for commercial political promotion under equal conditions in accordance with the electoral regulations and directions of the competent bodies, who oversee and conduct the elections.

Provisions on the use of languages

The concession holder for radio and television must broadcast programmes in standard Croatian. If so provided in the programming schedule, programmes may also be broadcast in the languages of the national minorities. Informative programmes and service information may also be broadcast for the needs of foreign visitors in languages appropriate to the ratio of foreign visitors in the concession area. This does not of course relate to films and music, the broadcasting of religious, theatrical and musical events and educational programmes for students of foreign languages.

Advertising and Telemarketing

Advertising and telemarketing must be fair and honourable, and may not be misleading nor against the buyers' interests. These messages aimed at children, or where children take part, may not harm their interests and must take into account the sensitivity of children. Telemarketing may not encourage minors to buy or hire goods or services. Those who order advertising may not influence the content or production of the programming in any way which would decrease the independence of the concession holder and its responsibility relating to the programme.

The duration of advertising may not exceed 12 minutes in one hour of programming and 15% of the total daily duration of the programmes broadcast on a state or regional level, and 18 minutes in one hour of programming and 25% of the total daily programming broadcast on a local level. Advertising and telemarketing must be clearly recognisable as such and clearly separated from other parts of the content of the programme by visual or acoustic means. In principle advertisements should be broadcast in groups. Messages and telemarketing which influence the subconscious are not permitted.

Advertising and telemarketing may not, whether visually or audibly, be reminiscent of people who regularly read the news or head up current events programmes, the weather forecast, sport and the like. Advertising and telemarketing should be inserted between programmes in such a way as not to harm the integrity and value of the programme nor the rights of those who hold copyright. In programmes that consist of independent parts, or sporting or similarly organised events and presentations which include breaks, advertising and telemarketing may be inserted only in the parts or breaks.

Advertising and telemarketing may not be inserted into religious services. It is not permitted to advertise tobacco products, and messages and telemarketing for alcoholic drinks of all kinds must be in accordance with the following guidelines:

- they must not be aimed mainly at minors and no one in the advertisement or telemarketing linked to enjoyment of alcohol may not look like a minor,
- drinking alcohol must not be linked to physical activity or driving a car
- it must not be claimed that alcohol has any kind of therapeutic effect or stimulating or calming effect or that it may solve personal problems,
- excessive use of alcohol must not be encouraged nor abstinence or sobriety shown in a negative sense
- the alcoholic content of a drink may not be excessively emphasised.

Advertising and telemarketing are not permitted for medicines or medical treatment which are only available with a doctor's prescription. These advertisements for all other medicines and medical treatment must be clearly recognisable as such, honest, truthful and subject to examination, and must fulfil the demands of the protection of individuals from harmful consequences.

Sponsored programs

When a programme is broadcast which is sponsored whether in its entirety or in part, it must be clearly denoted as such at the beginning and/or the end of the programme. The content and schedule of the sponsored programme may not under any circumstances be influenced by the sponsor in any way that influences the responsibility and editorial independence of the concession holder in relation to the programme. During the course of the sponsored programme which promotes a product or service, a sign must be continuously displayed to show that it is a sponsored programme. The sponsor may not be a physical or legal person whose basic activity is the production or sales of products or offering services whose promotion or telemarketing is forbidden.

Respecting the provisions of Article 11, Paragraph 1 of the European Convention "the principle of the independence and autonomy of the media" in the Telecommunications Act the following are prescribed: the aim of the programme, the conditions of the programme, special programming independence of concession holders, such that the freedom of speech and expression of opinions is not limited in any way. Moreover, the provisions of Article 80 of the Telecommunications Act directly prescribe that state bodies and their representatives, and unions and various interest groups may not influence the concession holders for radio and television regarding the creation of the programme.

Regarding the provisions on the use of languages, the same Act prescribes the obligation of the concession holder to broadcast radio and television programmes in standard Croatian, with the exception of broadcasting in dialects of the Croatian language and the languages of national minorities if that is foreseen in the programme schedule.

We point out that radio and television work may only be carried out by companies whose owners are at least three legal or physical persons.

In the Republic of Croatia today there are **126** companies who carry out activities of the radio and **14** companies who carry out activities of television, and we consider that this is the best evidence of the direct inclusion of the influence of a large number of legal and physical

persons in the creation of radio and television programmes on a state, regional and local level.

4. The Croatian Radio and Television Act

Article 5, Paragraphs 1 and 2, Sub-paragraph 5.

Croatian Radio Television must in its programming satisfy the public interest on a state and local level, and take into consideration the equal representation of informative, cultural, educational and entertainment content. In the realisation of the programming principles, the CRT shall in particular: produce and/or broadcast specific programmes aimed at informing members of national minorities in the Republic of Croatia. Also, it has the obligation to respect and promote pluralism of political, religious, world-view and other ideas, and enable the public to be acquainted with these ideas. CRT may not in its programming, support the point of view or interests of individual political parties, nor any other individual political, religious point of view or similar attitude or interest. The use of the Croatian language is not obligatory in programmes aimed at informing members of national minorities or ethnic communities. In its work, CRT promotes the public interest, and takes care of the interests of the public and is responsible to it.

In the Croatian Radio and Television Act mentioned, the programming principles and obligations are prescribed, the content of the programmes, the public and independent nature of the concession holder, such that in no way are the freedom of speech and expression of opinion limited. In (Article 14, Paragraph 12, and 2, Sub-paragraphs 1 and 2) it states that CRT is independent in its work, which is particularly clear in the right to independently carry out the work for which it was founded, and the right, independently, in accordance with the law, to decide on the content of its programmes. Also in accordance with Article 11, Paragraph 1, Point iii of the European Charter for Regional and Minority Languages, according to which it is necessary “to make adequate provision so that broadcasters offer programmes in the regional or minority languages;” in the provisions of Article 2, Paragraph 5 of the Act the obligation of CRT is established to produce and/or broadcast programmes aimed at informing members of national minorities in the Republic of Croatia.

Croatian Television and Croatian Radio produce and broadcast programmes aimed at informing members of national minorities. The main programme on Croatian Television is *Prizma* and on Croatian Radio a weekly programme lasting 60 minutes on the First Programme.

There follows below an overview of programmes and items:

THE ORGANISATION OF "PRIZMA" IN TERMS OF NUMBER AND LENGTH OF
ITEMS ON EACH MINORITY
(for 1999)

<i>B. TITLE OF MINORITY</i>	<i>NO. OF ITEMS</i>	<i>MINUTES</i>
ALBANIANS	19	89.45
AUSTRIANS	7	18.45
MONTENEGRINS	12	36.15
CZECHS	44	130.35
HUNGARIANS	39	123.50
MACEDONIANS	32	98.30
BOSNIACS	13	60.20
GERMANS	9	62.45
ROMA	15	57.45
RUTHENIANS	15	51.05
SLOVAKS	22	70.05
SLOVENES	21	78.25
SERBS	46	129.45
ITALIANS	67	189.35
UKRAINIANS	15	49.05
JEWS	33	103.15
PARLIAMENT- GOVERNMENT MINORITIES'	9	24.00
ASSEMBLY	12	24.45
EVENTS INVOLVING SEVERAL MINORITIES	15	41.50

To these items should be added **47** studio interviews with members of minorities. A total of **50** programmes of 55 minutes each were broadcast.

THE ORGANISATION OF “PRIZMA” IN TERMS OF NUMBER AND LENGTH OF
ITEMS ON EACH MINORITY
(for 2000)

TITLE OF MINORITY	NUMBER OF ITEMS	MINUTES
ALBANIANS	19	68
AUSTRIANS	23	82
MONTENEGRINS	22	72
CZECHS	65	22
HUNGARIANS	68	226
MACEDONIANS	27	76
BOSNIACS	37	129
GERMANS	20	63
ROMA	46	173
RUTHENIANS	20	74
SLOVAKS	31	104
SLOVENES	33	117
SERBS	68	245
ITALIANS	80	260
UKRAINIANS	33	128
JEWS	57	189
BULGARIANS	7	25
RUSSIANS	3	13
PARLIAMENT- GOVERNMENT MINORITIES	31	117
ASSEMBLY EVENTS INVOLVING SEVERAL MINORITIES	19	72
	17	91

To these items should be added **65** studio interviews with members of minorities. A total of **43** programmes were broadcast of 55 min. each.

THE ORGANISATION OF "PRIZMA" ACCORDING TO NUMBER AND LENGTH OF
ITEMS ON EACH MINORITY
(for 2001)

TITLE OF MINORITY	NO. OF ITEMS	MINUTES
ALBANIANS	13	52
AUSTRIANS	11	56
MONTENEGRINS	13	58
CZECHS	68	239
HUNGARIANS	61	201
MACEDONIANS	34	124
-BOSNIACS	19	104
GERMANS	30	97
ROMA	60	246
RUTHENIANS	9	30
SLOVAKS	16	65
SLOVENES	33	104
SERBS	70	290
ITALIANS	81	312
UKRAINIANS	24	88
JEWS	57	250
POLES	1	4
BULGARIANS	7	21
RUSSIANS	1	4
GOVERNMENT-		
PARLIAMENT	12	51
MINORITY COUNCIL	16	85
EVENTS WITH SEVERAL MINORITIES INVOLVED	21	65

To these items should be added **48** studio discussion with members of minorities. A total of **51** programmes were broadcast of 55 minutes each.

CROATIAN RADIO (HR)

Programmes for national minorities in the Republic of Croatia are broadcast:

- a) in Informative and Educational Programmes and occasionally in other programmes where various events are covered by news and reporting;
- b) in specialised programmes in series for national minorities on First Channel (Prvi program) of Croatian Television once a week, lasting c. 60 minutes;
- c) in specialised programmes of the regional stations Radio Pula, Radio Rijeka, Radio Osijek and in the summer Radio Split.

Topical events relating to minority issues are covered in the informative programmes of Croatian Television in major and minor information programmes, and in specialised programmes such as *Vecernji program* or *Dnevni ritam*. Also within the religious

programming, events are covered relating to religious events of individual minorities (e.g. Jewish holidays).

On the First Channel of Croatian Radio every Saturday between 16.03 and 16.58 the “*Programme for national minorities in the Republic of Croatia*” is broadcast. This programme is made by journalists in Zagreb and co-workers from Vukovar and Daruvar and colleagues from the Italian and Hungarian programmes of Raido Pula, Radio Rijeka and Radio Osijek. The programme is bi-lingual but the priority is given to national- mother tongues, and it is conducted in Croatian. The programme deals with news from culture, care of the national heritage, scientific and research projects are monitored, the activities of national minority associations, the work of state and local bodies, educational issues (bi-lingual teaching in schools and kindergartens), publishing, folklore and national heritage and the links of national minorities with the native country of their mother tongues.

The Italian language department of Radio Rijeka broadcasts every day short news bulletins at 10.00, 12.00, 14.00 and at 16.00 the main informative programme which lasts up to 15 minutes. In these programmes the most important news and information for the Italian minority in that area is broadcast and important events outside of Croatia for that minority are also reported – in Slovenia and Italy. This department frequently works with colleagues from Radio Pula, Radio Koper etc.

On *Radio Pula*, the Italian language department broadcasts a short news bulletin at 10.00 and 14.05, when members of that minority can hear news from this country and the world, and other items about the work of the Italian minority’s institutions. From 16.30 to 17.00 a central programme is broadcast which goes into more detail about issues relating to the Italian minority and sporting events. Once a month there is a programme about amateur Italian minority choirs and musical groups.

On *Radio Osijek* a Hungarian programme is broadcast daily at 18.30 and 19.00. As well as reports on current events, there are items on the life of the Hungarian minority in Slavonia and Baranja and news from Hungary.

In 2002 Croatian Radio plans to refresh its “Programme for national minorities in the Republic of Croatia” so that it will include more items about political and social events related to minority issues.

TELEVISION STATIONS WHICH BROADCAST PROGRAMMES IN THE LANGUAGES OF THE NATIONAL MINORITIES

NO.	Concession holding company	Seat	Concession Area	Duration of programme	National minority language
1.	Televizija Slavonije i Baranje d.o.o.	Osijek	Osijecko-baranjska County	30 minutes 2x a month+repeats 2 x a month	Hungarian
2.	Nezavisna Istarska televizija d.d.	Pazin	Istarska County	45 minutes once a week tri-lingual programme	Croatian Italian Slovene

RADIO STATIONS WHICH BROADCAST IN THE LANGUAGES OF NATIONAL MINORITIES

No.	Concession holding company	Seat	Concession Area	Duration of programme	National minority language
1.	Radio Našice d.o.o.	Našice	Našice Town	15 to 30 min/week	Slovak
2.	Eter d.o.o.	Osijek	City of Osijek	30 min 2x monthly	Various minority languages
3.	Banska Kosa d.o.o.	Beli Manastir	Beli Manastir	2 hours weekly 8 hours/day	Roma Serbian
4.	Radio Daruvar d.o.o.	Daruvar	Daruvar Town	30 min/Mon-Sat. 1 hour every other Sunday 1 hour every other Sunday	Czech Hungarian
5.	Radi postaja Novska d.o.o.	Novska	Novska Town	1 hour monthly 2 to 3 times a year	Czech Roma Ruthenian
6.	Stereo d.o.o.	Mirkovci	Vinkovci Town	More than 12 hours a week	Serbian
7.	Rapsodija d.o.o.	Borovo	Borovo Municipality	11 hours a week	Serbian

Article 12 Cultural Activities and Facilities

- Paragraph 1
- Sub-paragraph a)
- Sub-paragraph f)
- Sub-paragraph g)

In the field of cultural activities and institutions and in terms of the legal regulations which govern these areas, there have been some changes in relation to the situation in the previous report. In the field of culture, the Act on Amendments and Supplements to the Libraries Act has been enacted (*Narodne novine* no. 104/00), the Act on Amendments and Supplements to the Theatres Act (*Narodne novine* 127/00), the Cultural Councils Act (*Narodne novine* 96/01) the Act on the Management of Public Institutions in Culture (*Narodne novine* 96/01). These Acts implemented the decentralisation of financing and decision making in the field of culture, decentralisation in the field of founders' rights and de-monopolisation in creating cultural policy, since the conditions have been created for decisions to be made on lower, local and regional levels and to participate in establishing cultural politics.

With the passing of the Cultural Councils Act it has been made possible for representatives of cultural institutions and other institutions through cultural councils to participate in decision making about plans for cultural activities and to give their opinions and proposals regarding the financing of cultural programmes. This Act also makes it possible to bring to bear the influence of cultural workers and artists on important decisions for culture and art, which is seen through proposals for goals for cultural policies and measures to realise them, participation in decision making relating to the establishment of cultural policies and giving expert suggestions and opinions on a wide range of issues, especially relating to the issue of finance.

The Cultural Councils Act does not give special rights to representatives of regional or minorities languages, but they are equal with other citizens and institutions in the Republic of Croatia, and are free to put forward their own candidates for the cultural councils, through which they can influence the creation of cultural policies.

As part of the library system in the Republic of Croatia, almost every library in its collection has books available in the languages of national minorities.

In publishing, by means of a contest run by the Ministry of Culture for financial support and the purchase of books, which ran during 1999-2000 and 2001, proposals were also received and accepted for financial support and the purchase of books published by national minorities, which are given for the need of the libraries in the Republic of Croatia (financial support must be sought from the Ministry on the basis of a programme) as follows:

Books Purchased:

1999

Udruga Romi za Rome Hrvatske (Roma Association for Roma Croatia)

Bajro Bajric: Tamo je sunce/Odri si kham

Matica Hrvatska

Miroslav Kvapil: Češko hrvatske književne veze (Czech-Croat Literary Connections)

Društvo hrvatskih književnika (Croatian Writers' Association)

Vulic Petrovic: Govor hrvatskoga groba u Slovackoj (The Speech of Croatian Graves in Slovakia)

2000

Institut društvenih znanosti Ivo Pilar (The Ivo Pilar Institute of Social Sciences)

Gradišćanski Hrvati u Madarskoj i Slovackoj (Gradiška Croats in Hungary and Slovakia)

2001

Društvo hrvatsko-slovackog prijateljstva (The Croatian-Slovak Friendly Society)

Graditelji mostova hrvatsko-slovackog prijateljstva (Bridge builders of Croatian-Slovak Friendship)

Support for books published:

1999

Matica slovačka - Zagreb

Kvetoslava Kucerova: Slovaci u Hrvatskoj (Slovaks in Croatia)
4,500.00 KN

Ivan Hudec: Bajke i mitovi starih Slovena (Ancient Slovene Fairy Tales and Myths)
10,000.00 KN

Srpsko kulturno društvo "Prosvjeta"

(Serbian Cultural Society, Prosvjeta)

Zbornik o Vladanu Desnici (Vladan Desnica Collection)
15,600.00 KN

2000

Naklada MD

Istvan Lukacs: Antologija madarske kratke price (Anthology of Hungarian Short Stories)
25,000.00 KN

2001

Savez udruženja Roma Hrvatske

(Union of Roma Associations of Croatia)

Musical collection „Delem, Delem” 22,000,00 KN

Udruga Roma Zagreba

(Roma Association, Zagreb)

Roma-Croatian and Croatian-Roma

Dictionary with Grammar 25,000.00 KN

Union of Germans and Austrians of Croatia,

Osijek Branch

Lujo Pleln: Die Esekerische Sprachart/Osjecki govor (The Osijek Dialect)
10,000.00 KN

The Ministry of Culture as part of its programme of financing magazines and newsletters has financed national minority magazines as follows:

1999

NOVI OMANUT

“Miroslav šalom Freiberg” Cultural Society 20,000.00 KN

RUNDSCHAU, Croatian-German Society

40,000,00 KN

2000 and 2001

NOVI OMANUT

“Miroslav šalom Freiburger” Cultural Society 40,000.00 KN

In the Republic of Croatia there are ten central libraries for minorities which are all supported by finances from the State Budget. The financing of the central libraries of national minorities from the State Budget through the Ministry of Culture began in April 2000 when, by a decision of the Government of the Republic of Croatia, the realisation of this programme was transferred to this Ministry.

During 2000 and 2001 the Ministry of Culture financed the programmes of the central libraries of the national minorities in the amount of 40,000.00 kunas, and provided the funds for the salaries of one employee to work in the central library as follows:

- “Ivan Goran Kovacic”, City library, central library for **Slovenes**,
- “Petar Preradovic” People’s Library, Bjelovar, central library for **Czechs**,
- Pula City Library and Reading Room, central library for **Italians**,
- Zagreb City Library, Zagreb, central library for **Ruthenians and Ukrainians**,
- Beli Manastir Town University, central library for **Hungarians**,
- Croatian Library and Reading Room, Našice, central library for **Slovaks**,
- “Bogdan Ogrizovic” Library and Reading Room, Zagreb, central library for **Albanians**,
- Osijek City and University Library, central library for **Austrians and Germans**.

The Serbian Cultural Society “Prosveta”, Zagreb, which acts as the central library for Serbs, was provided with funds in the amount of 80,000.00 kunas and the means to pay two workers.

In 2001 funds were supplied for the Jewish community in Zagreb for the work of the central library for **Jews** in the amount of 20,000.00 kunas, and the funds to pay for one worker in the library.

Radio stations in the Republic of Croatia, as especially local ones, pay a great deal of attention to national minorities and broadcast a series of informative and other programmes in the languages of the national minorities.

1. Implementation of Point f)

Point f) was implemented during 2000 as part of the regular reporting of programmes, parts of the programmes of national minorities were financed as follows:

Ilok Town Library and Reading Room, Ilok Town Museum
An Exhibition of Publications by National Minorities

The Jewish Community in Zagreb
Exhibitions in the Milan and Ivo Steiner Gallery 20,000.00 KN

Našice Slovaks Society
Ethnographic Exhibition
“ Slovaks in the Republic of Croatia” 15,000.00 KN

The Ministry of Culture encourages direct involvement by representatives of those who use minority languages in planning a wide range of cultural activities. Moreover, through the Office for National Minorities of the Government of the Republic of Croatia it supports minority cultural activities such as visits by amateur ensembles, participation in exhibitions, competitions etc. For example in the Istarska County, the International Cultural Centre of Croatian Musical Youth in Grožnjan publishes all written texts (posters, programme notes, announcements) in Croatian and Italian.

2. Point g)

Point g) is implemented through the provision of publishing in minority languages through the existing large publishing houses of some national minorities, such as “Edit” Rijeka, “Jednota” Daruvar, “Prosvjeta” Zagreb etc. who are supported by funds from the Republic of Croatia, as well as the counties, towns and municipalities.

In accordance with the provisions of these laws and regulations, members of national minorities may, in order to realise their cultural autonomy, and as an expression of their national and cultural identity, not only found institutions of various kinds to carry out cultural activities for those who are interested, but also take part on equal terms in establishing cultural policies and in the implementation of cultural policy measures for the advancement of cultural activities on a local level and wider.

Article 13 Economic and Social Life

The provisions of the European Charter for Regional and Minority Languages are not being applied for the simple reason that in practice no need has arisen as yet. The Labour Act which regulates the field of work and labour relations does not contain provisions on the use of minority languages in any form.

The provisions of Article 13, Sub-Paragraph a) by which “with regard to economic and social activities, the Parties undertake, within the whole country, to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations”, are applied in that there are no legal regulations in the field of labour or social rights which in any way forbid the use of minority languages.

Technical documents and instructions on the characteristics of certain products usually include instructions in several languages, e.g. English, German, Hungarian and Slovene.

Article 14 Transfrontier Cultural Exchanges

Transfrontier cultural exchanges are carried out by signing agreements on co-operation between cities and municipalities of the Republic of Croatia with the same units in other countries. In this way a variety of cultures and customs meet. From 1999 to 2001

several agreements of this nature were signed, and official records are kept of this, so that these agreements are made according to a particular procedure, as a rule based on an agreement between the two sides.

Krapinsko-zagorska County

1. The Municipalities of Kumrovec and Descartes (France) 2000
2. The Town of Zabok and the Municipality of Puconci (Republic of Slovenia)

Karlovačka County

1. The Towns of Ogulin and Dombovar (Hungary) 2000

Varaždinska County

1. The Towns of Varaždin and Trnava (Slovakia) 2000
2. The Towns of Varaždinske Toplice and Piestany (Slovakia) 2000

Koprivnicko-križevačka County

1. Koprivnicko-križevačka County joined the Euro-regional co-operation Danube-Drava-Sava 2000

Bjelovarsko-bilogorska County

1. The Towns of Grubišno Polje and Sellye (Hungary) 2000

Primorsko-goranska County

1. Primorsko-goranska County and the Autonomous Region Friuli - Venezia Giulia (Italy) 2000
2. Primorsko-goranska County and Pest County (Hungary) 2000

Licko-senjska County

1. Licko-senjska County and Kotar Wielun (Poland) 2001

Osijecko-baranjska County

1. Osjecko-baranjska County and Autonomous Region of Friulian and Julian March (Italy) 2000
2. Osjecko-baranjska County and Lombardy region (Italy) 2001
3. The Towns of Našice and Zlate Moravice (Slovakia) 2000
4. The Cities of Osijek and Pecs (Hungary) 2000
5. The City of Osijek and the XIII District of the City of Budapest (Hungary)

Šibensko-kninska County

1. The Cities of Šibenik and San Benedetto (Italy) 2000

Vukovarsko-srijemska County

1. The Town of Županja and the Municipality of Wilamowice (Poland) 2001

Splitsko-dalmatinska County

1. The Towns of Omiš and Nepomuk (Czech Republic) 2000

Istarska County

1. Istarska County and Somogy County (Hungary)
2. Istarska County and the Autonomous Region of Friulian and Julian March (Italy) 1999
3. Istarska County and Carinthia Land (Austria) 1999

Dubrovačko-neretvanska County

1. Dubrovačko-neretvanska County and Autonomous Region Friuli - Venezia Giulia (Italy) 2001
2. The Cities of Dubrovnik and Ragusa (Italy) 2000
3. The Municipalities of Blato and Szydłowo (Poland) - signed

The City of Zagreb

1. The Cities of Zagreb and Vienna (Austria) 2001
2. The Cities of Zagreb and Moscow (Russian Federation) 2001
3. The Cities of Zagreb and Ljubljana (Republic of Slovenia) 2001
4. The Cities of Zagreb and Dayton (USA) 2000
5. The Cities of Zagreb and Sarajevo (B&H) 2001
6. The Cities of Zagreb and Budapest (Hungary) 2001

Note:

- information about agreements was requested on 6.11.2000.
- ten counties (Zagrebacka, Krapinsko-zagorska, Sisacko-moslavacka, Bjelovarsko-bilogorska, Primorsko-goranska, Viroviticko-podravska, Šibensko-kninska, Splitsko-dalmatinska, Dubrovacko-neretvanska, Medimurska County) and the City of Zagreb did not supply the data requested about agreements signed after 1999.
- a total of about 30 agreements have been signed.

- On 11 April 2001 the new Local and Regional Self-government Act (*Narodne novine*, 33/2001) came into force by which the agreement of the central body of state administration competent for local self-government is no longer required for concluding agreements, but there is only supervision of their legality.

Agreements of co-operation between towns and counties with units of local self-government of other countries.

Sisacko-moslavacka County

1. The Towns of Sisak and Heidenheim (Germany)
2. The Towns of Sisak and Remchingen (Germany)
3. The Towns of Sisak and Mo and Rana (Norway)
4. The Towns of Sisak and Bitola (Macedonia)
5. The Towns of Sisak and Celje (Slovenia)
6. The Towns of Sisak has signed an agreement on opening an Embassy of Local Democracy with several towns
7. The Towns of Kutina and the Longarone Region (Italy) 1992.
8. The Town of Kutina and the Main-Kinzig Region (Germany) 1992.
9. The Municipality of Lipovljani and the Town of Mogliano Veneto (Italy)

Karlovacka County

1. The Towns of Karlovac and Alessandria (Italy) 1986.
2. The Town of Karlovac and Kansas City (USA) 1993.
3. The Towns of Slunj and Castel San Giovanni (Italy) 1997.
4. The Towns of Slunj and Grude (B&H) 1996.
5. The Towns of Ozalj and Metlika (Slovenia) 1982.
6. The Municipalities of Rakovica and Preganciol (Italy)

Varaždinska County

1. Varaždinska County and Burgenland (Austria) 1995.
2. Varaždinska County and Zala County (Hungary) 1995.
3. Varaždinska County and Voronezh District (Russian Federation) 1996.
4. The Town of Varaždin and the Municipality of Montale (Italy) 1987.
5. The Town of Varaždin and Kumanovo 1972.
6. The Municipalities of Sveti Ilija and Devinska Nova Vas (Slovakia) 1997.

Koprivnicko-križevacka County

1. Koprivnicko-križevacka County and Somogy County (Hungary) 1997.
2. The Towns of Koprivnica and Kaposvar (Hungary) 1995.
3. The Municipalities of Molve and Somogyudvarhely (Hungary) 1997.
4. the Municipalities of Ferdinandovac and Vizvar (Hungary)

Primorsko-goranska County

1. The Cities of Rijeka and Csepel (Hungary) 1997.
2. The Towns of Cres and Motta di Livenza (Italy) 1996.
3. The Towns of Crikvenica and Harkany (Hungary) 1996.
4. The Towns of Crikvenica and Verbania (Italy) 1997.
5. The Towns of Mali Lošinj and Thiene (Italy) 1995.
6. The Towns of Rab and San Marino (The Republic of San Marino) 1968.
7. The Towns of Rab and Konigsbrunn (Germany) 1996.
8. The Towns of Opatija and Castel San Tietro Terme (Italy) 1994.
9. The Town of Opatija and the Municipality of Ilirska Bistrica (Slovenia) 1987.
10. The Towns of Opatija and Balatonfureda (Hungary) 1996.
11. The Towns of Opatija and Carmagnola (Italy) 1997.
12. The Towns of Novi Vinodolski and Fonyod (Hungary)
13. The Municipality of Lovran, Matulji Mošćenicka Draga with the Town of Castel San Pietro Terme (Italy) 1994.
14. The Town of Kastav and the Municipality of Negrar (Italy) 1998.
15. The Towns of Delnice and Cabar with the Municipalities of Loška Dolina, Loški Potok and Osilnica (Slovenia) 1998.
16. The Municipality of Omišalj and the Town of Taglio di Po (Italy) 1994.
17. The Municipalities of Malinska-Dubašnica and Pinkovac - Guttenbach (Austria) 1997.

Viroviticko-podravaska County

1. Viroviticko-podravaska County and Somogy County (Hungary)
2. The Towns of Virovitica and Traunreutom (Germany)
3. The Towns of Virovitica and Barcsa (Hungary)
4. The Towns of Slatina and Sigetvarom (Hungary)
5. The Municipalities of Gradina and Brloboš, Novo Selo, Martinci, Troratomaši (Hungary)

6. The Municipalities of Sopje i Sellye (Hungary)

Brodsko-posavska County

1. The Municipality of Gundinci and the Croatian National Self-governing Village of Semlja (Hungary) 1998.

Zadarska County

1. The City of Zadar and Reggio nell Emilia (Italy) 1974.
2. The City of Zadar and Dundee (Scotland, UK) 1983.
3. The City of Zadar and Romans-sur-Isere (France) 1985.
4. The City of Zadar and Furstenfeldebruck (Germany) 1989.
5. The City of Zadar and Szekesfervar (Hungary) 1997.
6. The Town of Pag and Carbonera (Italy) 1993.
7. The Town of Pag and Zane (Italy) 1995.
8. The Municipality of Jasenice and Greve in Chianti (Italy) 1995.
9. The Municipality of Sv. Filip i Jakov and Poggibonsi - Sienna (Italy) 1994.
10. The Municipality of Škabrnja and Paliano (Italy) 1994.
11. The Municipality of Škabrnja and Ravno (B&H) 1993.

Osijecko-baranjska County

1. Osjecko-baranjska County and Vincenza Province (Italy) 1995.
2. Osjecko-baranjska County and Baranja County (Hungary) 1996.
3. Osjecko-baranjska County and Baranja County (Hungary) 1998.
4. Osjecko-baranjska County and Tuzlansko-podrinjski Canton (B&H) 1998.

Vukovarsko-srijemska County

1. Vukovarsko-srijemska County and Hercegovacko-neretvanska County (B&H) 1998.
2. The Town of Vinkovci and Camponogare (Italy) 1996.
3. The Towns of Vinkovci and Široki Brijeg (B&H)
4. The Towns of Vinkovci and Bugojno (B&H)
5. The Towns of Vinkovci and Ohrid (Makedonija)
6. The Towns of Vinkovci and Emendingen (Germany)
7. The Municipality of Otok and Comune di Fiesso d Artico, Venice County (Italy) 1997.
8. The Municipality of Tordinci and Comune di Pieve Vergonte (Italy)

Splitsko-dalmatinska County

1. Splitsko-dalmatinska County and Ascoli Piceno Province (Italy) 1996.
2. The Towns of Kaštel and Hradec Kralove (Czech Republic)
3. The Towns of Kaštel and Lindar (Germany)

4. The Towns of Kaštel and Bardejov (Slovakia)
5. The Towns of Kaštel and Pszczyna (Poland)
6. The Towns of Kaštel and Kiseljak (B&H)
7. The Towns of Kaštel and Peterborough (Great Britain)
8. The City of Split and Ancona (Italy)
9. The City of Split and Antofagasta (Chile)
10. The City of Split and Bet Shemesh (Israel)
11. The City of Split and Cockburn (Australia)
12. The City of Split and Dover (England)
13. The City of Split and Gladsaxe-Copenhagen (Denmark)
14. The City of Split and Los Angeles (USA)
15. The City of Split and Mostar (B&H)
16. The City of Split and Odessa (Ukraine)
17. The City of Split and Ostrava (Czech Republic)
18. The City of Split and Štip (Macedonia)
19. The City of Split and Trondheim (Norway)
20. The City of Split and Velenje (Slovenia)
21. The City of Split and Wilmersdorf-Berlin (Germany)

Istarska County

1. Istarska County and the Toscana Region (Italy) 1994.
2. Istarska County and the Veneto Region (Italy) 1995.
3. Istarska County and the Liguria Region (Italy)
4. Istarska County and Somogy (Hungary)
5. Istarska County and Catalunya (Spain)
6. Istarska County and Wallonia
7. Istarska County and Franche-Comte (France)
8. Istarska County and Jura (Czech Republic)

Medimurska County

1. Medimurska County and the County of Zala (Hungary)
2. The Municipality of Gorican and the Municipality of Serdehel - Totszerdehely (Hungary) 1995.
3. The Municipality of Donji Vidovec and the Municipality of Fityhaz (Hungary) 1995.
4. The Municipality of Donja Dubrava and the Municipality of Murakerestur (Hungary) 1996.
5. The Municipality of Donja Dubrava and the Municipality of Belezna (Hungary) 1996.
6. The Municipality of Kotoriba and the Municipality of Murakerestur (Hungary) 1995.
7. The Municipality of Kotoriba and the Municipality of Molnari (Hungary) 1995.
8. The Municipality of Sveta Marija and the Municipality of Sumarton - Totszentmarton (Hungary) 1998.

Conclusion

The Government of the Republic of Croatia, in the process of adjusting its standards to those arising from the documents of the Council of Europe, is taking steps to realise the recommendations of the Committee of Ministers, although it is aware that due to the overall complexity of the situation in society, primarily in an economic sense, the appropriate results have not been achieved. Through the work of line ministries and the Government Office for National Minorities, efforts are being made to offer minority associations support in their attempt to affirm minority rights as fully as possible.

The complex economic and social situation has to a certain extent slowed down the trend of affirmation of minority rights, which was to be expected. The results of the 2001 census also indicate this, when there was a decrease in the number of members of some national minorities. However, since there were no significant changes in the number of people who stated that their mother tongue was one of the minority languages, it is thought that this is a phenomenon which demands measures to encourage members of national minorities to preserve their identity and complete cultural heritage.

The existing legislation offers a wide range of opportunities for the affirmation of minority rights, but it is necessary to realise all the conditions for their application, primarily on the level of local self-government as the environment where the majority of minority rights are realised.

The Government of the Republic of Croatia directly or through line ministries is investing a great deal of effort in the realisation of permanent co-operation with legitimate representatives of national minorities and removing barriers to the full affirmation of minority rights. To this end work continues on the creation of legal preconditions to improve the position of national minorities.

The enactment of the laws mentioned is a continuation of the practice of the realisation of minority rights and a broader institutionalisation of the protection of the rights ensured, especially because new normative preconditions were established. This is especially true in the field of education and use of minority languages as official languages of individual local community, for the realisation of a significant amount of the rights guaranteed by the Charter. These laws were only passed at the end of May 2000 and therefore they could not find their full expression in this Report, which relates to the period 1999-2001, in view of the time limits prescribed for applying them.

The Government of the Republic of Croatia is still working on creating the necessary conditions for the promotion and protection of minority rights. It should be pointed out that laws are being prepared to completely regulate the position of national minorities. Thus the Government has proposed the adoption of a new Constitutional Act on the rights of national minorities, which should make it possible for national minorities to have a significant influence in regulating their overall position at all levels, and thus also regarding the realisation of the rights guaranteed by the European Charter for Regional or Minority Languages.