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## Areas of Implementation of Ethnic Rights of Members of National Minorities in the Republic of Croatia \*

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### *Summary*

The author gives an outline of constitutional and legal provisions regulating the rights of ethnic minorities in the Republic of Croatia as well as the site-based policy of the protection of minority rights. The major areas in which the Government of the Republic of Croatia has been supporting the activities of the minority groups' organisations are: publishing, cultural societies, libraries, minority curricula, preservation of the minority cultural heritage and research projects. Between 1992 and 1997, the Government of the Republic of Croatia earmarked 22 million DEM for the minorities' activities. The author concludes that the ethnic minorities in Croatia, despite the political and economic hardships, have enjoyed a high degree of minority rights and freedoms.

It is an indisputable fact that the Constitution of the Republic of Croatia and the Constitutional Law on Human Rights and Freedoms and Rights of Ethnic and National Communities or Minorities are in conformity with the standards contained in the United Nations Charter, the General Declaration of Human Rights, whose 50th Anniversary is celebrated this year, the International Covenant on Civil and Political Rights, the Final Enactments of the Conference (Organization) on Security and Cooperation in Europe, as well as the documents of the Council of Europe pertaining to human and minority rights. Thus, the protection of the rights of members of the national minorities in the Republic of Croatia is among the best in Europe.

In the area of cultural autonomy, the Republic of Croatia guarantees members of national minorities, inter alia, the right to their identity, culture, religion, public and private use of their language and script, education, access to media, protection of cultural treasures and their entire cultural heritage, as well as free possession and use of the signs and symbols of national minorities. Individual provisions of the Constitutional Law on Implementation of Cultural Autonomy are directly applied, while others presume implementation regulation or are regulated by the statutes of the units of local self-government.

\* Scientific debate *National Minorities in Democratic Societies*, Gornji, March 6, 1998.

Pursuant to the direct application of Article 7, paragraph 1 of the Constitutional Law, members of all national minorities in the Republic of Croatia may freely use their language and script in private and public life. According to Article 12 of the Croatian Constitution, the Croatian language and Latin script are in official use. On the basis of the same Article and Article 7, paragraph 2 and Article 8 of the Constitutional Law, the official use of two or more languages or scripts may be introduced. This will soon be regulated by a special Law on Official Use of Languages and Scripts of National Minorities in the Republic of Croatia before the bodies of state administration, courts, public services and legal services vested with legal powers.

Members of national minorities exercise their political rights, like all citizens or nationals through the regular institutions on the basis of the provisions of: the Constitution, Constitutional Law, Law on Election of Representatives to the Croatian Parliament, Law on Election of Members of Representation Bodies of Units of Self-government and Administration and Law on Political Parties.

Members of national minorities are ensured the preservation and development of their identity (ethnic, national, cultural, language, religious and other) either individually or together with other citizens. They exercise most of their ethnic rights through regular institutions, which are both professionally and administratively responsible for individual areas of social life. The implementing the principle of integration in the establishment of cultural and national identity is implemented in this manner. Only a part of ethnic rights is exercised through the activities of various non-governmental associations and institutions of national minorities, which bears the additional benefit of the protection from assimilation.

It is important to point out that the Republic of Croatia supports the relations of national minorities and their countries of origin for the promotion of their national, cultural and language development. To this end, the Republic of Croatia signed a number of bilateral agreements, including the Agreement of Protection of the Hungarian Minority in the Republic of Croatia and the Croatian Minority in Hungary; the Agreement on Cooperation in Culture, Education and Science between the Republic of Croatia and the Republic of Hungary; the Declaration on the Cooperation Principles between the Republic of Hungary and the Republic of Ukraine, whose co-signatory is the Republic of Croatia and in 1996 the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia was signed, as well as the Treaty on Protection of the Italian Minority in Croatia and the Croatian Minority in Italy. In cases where the Republic of Croatia and the parent countries have not entered into any international agreements or contracts, contracts on specific programs have been signed.

National minorities are entitled to organize themselves and to form associations for purposes of achievement of their ethnic and other interests. In the Republic of Croatia, 14 national minorities have organized themselves by means of the activities of various autonomously organized associations. Based on the needs and interests expressed and depending on the degree of development of non-governmental associations and institutions, as well as the preconditions set forth for the implementation of the program in 1997, the Croatian Government financially assisted the realization of activities programs in the fields of news media, publishing, cultural amateurism and cultural events

for 34 non-governmental associations and institutions of national minorities. The amount of 20,097,336 HRK was allocated from the State Budget for 1997 for such programs.

The Croatian Government adopted for 1997 a Methodology of Monitoring the Implementation of Programs of Non-governmental Associations and Institutions of Members of National Minorities, based on which funds were allocated to associations and institutions of members of national minorities. On the basis of this Methodology, the Office for Ethnic and National Communities or Minorities provides financial assistance and monitors the implementation of programs in the fields of news media, publishing, cultural amateurism and cultural events, while the associations and institutions also receive funding for covering the necessary overhead costs. The implementation of programs is financed and monitored by relevant state institutions in the following areas: libraries (National and University Library), education (Ministry of Education and Sport), social research (Ministry of Science and Technology) and museum and archives (Ministry of Culture).

### *1. Press and Publishing*

Press and publishing in the languages of national minorities are very diverse, ranging from the publication of daily, weekly, bi-weekly, tri-weekly, monthly newspapers and magazines and annals and books. Although almost entirely financed from the State Budget, press and publishing activities of national minorities have not been organized to a satisfactory level yet, which causes irregularities in publishing, improper distribution and lack of opportunities to inform a broad public about the life and problems of individual minorities.

At the recently held event Cultural Creation of National Minorities it became evident from the brochure that the members of the Italian national minority have reached the highest level in terms of the organization of press and publishing activities. Their independent newspaper publishing house "Edit", based in Rijeka, publishes four papers: a daily newspaper, a monthly magazine for children, a biweekly and a quarterly literary review. The first runners up are the Czechs whose newspaper publishing house "Jednota", Daruvar, publishes a weekly paper, a children's monthly and a yearly, and prints numerous books.

### *2. Cultural Activities*

National minorities organize and carry out various cultural activities. A greater part of these activities are organized through the respective cultural societies, or, in the cases of national minorities which do not have cultural societies, such activities are arranged through their organizations. Their work is also co-financed from the State Budget, as well as from the budgets of units of local self-government.

### 3. *Libraries*

In accordance with the Decision of the Government of the Republic of Croatia on Exercise of Rights and Financing of Programs of Members of National Minorities in the Republic of Croatia, the National and University Library has to date organized its activities through central libraries within national libraries. Central libraries have been established for the members of the national minorities of Italians, Czechs, Hungarians, Ruthenians, Ukrainians, Serbs, Slovenes and Albanians. Their objective is an improved accessibility of contemporary books in the mother tongue and script, as well as the assistance and coordination of activities of smaller and larger collections and libraries located at clubs, communities or elementary or secondary schools. Central libraries have been established within major libraries in towns where the largest number of minority members live.

The libraries of national minorities have varying holdings, but all of them are enlarged mainly with donations from governments, libraries, associations, individuals from both their parent countries and Croatia, as well as with the financial support provided by the Government Office for Ethnic and National Communities or Minorities.

The activities and programs of central libraries vary and cater for all generations of users-members of national minorities. They issue lists of new acquisitions, organize book lending and exhibitions in other places, activities with small children, reading in the mother tongue, celebrating traditional events and customs of their mother countries, meetings with writers and other artists etc.

Members of other minorities who still do not have any central libraries of their own utilize the libraries operating within their organizations or cultural societies, while some have not established any libraries at all.

### 4. *Education*

Education in the languages of national minorities is an integral part of the educational system of the Republic of Croatia, to which are applied all the laws and sub-legal norms normally applicable to the appropriate levels and types of schools with instruction in Croatian. The particulars of school and kindergarten classes in the languages of national minorities are regulated by the Constitutional Law on Human Rights and Freedoms and Rights of National Minorities in the Republic of Croatia, as well as by special laws regulating the work of the appropriate levels and types of schools (from pre-school to university education). A special law is being drafted on education in the languages of national minorities. It is presently in the third reading by the Parliament.

All the costs related to the organization and instruction (wages and salaries of teachers, maintenance and construction costs of schools and other expenses) are borne by the Ministry of Education and Sport in equal manner and by the same criteria as for the schools conducting classes in the Croatian language.

The Government of the Republic of Croatia procures additional funding for the higher cost of publishing textbooks so as to enable members of national minorities to

purchase textbooks at the same price as students attending the program in the Croatian language.

In schools with instruction in the minority languages, teachers are members of the national minority. They are trained in the Republic of Croatia and partly in the parent country.

School and pedagogical documentation in schools with all classes conducted in the minority language or bilingual is kept bilingually (in Croatian and the language of the respective national minority), while in all other forms of instruction such documentation is kept in Croatian.

Members of national minorities are entitled to establish private kindergartens and schools as provided for in Article 17 of the Constitutional Law. The kindergartens are jointly financed by the units of local self-government and the parents. For increased operating costs of kindergartens in the languages of the national minorities the Ministry of Education and Sport provides additional funding.

Schools attended by pupils belonging to national minorities have their own special curricula in addition to regular ones, designed to teach the mother tongue, history, geography, art and music. Curricula have been prepared for members of the Italian, Hungarian, Czech, Slovak, Ruthenian, Ukrainian and Serbian minorities (for elementary schools). As I have learned, it was precisely here in Gomirje that only recently one of the first supplementary schools for pupils of Serbian nationality has been opened.

Due to the specific features of individual national minorities, various types of instruction have been prepared in addition to four types of curricula. Which of those will be implemented in individual schools, depends on the choice of the national minority and the domiciled (local, municipal) authorities in terms of the suitability of the program to the given situation. The choice of program and the type of instruction are regulated by the statutes of the municipality and the statutes of the school.

Since the 1991/1992 school year, optional religious instruction is provided in elementary and secondary schools according to the curricula proposed by religious communities and approved by the Ministry of Education and Sport, which authorizes every educational curriculum and syllabus.

### *5. Cultural Heritage*

The cultural heritage of the national minorities is a part of the entire cultural heritage of the Republic of Croatia and is treated integrally as cultural heritage of the Croatian state. Museums and ethnographic collections as institutions which collect, store and present cultural heritage are important for preserving the identity of minorities. Croatian museums possess rich ethnographic collections on those minorities which have not yet been sufficiently explored. There are significant collections within various organizations of minorities and some independent collections.

One of them is, for instance, the ethnographic collection in Ivanovo Selo, which was donated to the City Museum of Bjelovar in September 1995 by the Union of Czechs;

the ethnographic collection of the Hungarian national minority in Hrastin, which was unfortunately severely damaged during the war, and the ethnographic collection of Ruthenians and Ukrainians in Petrovci which belongs to the Museum of the city of Vukovar, which is also in a very desolate state.

As we have seen today, the members of the Serbian national minority have in Gorski kotar a several century old sacral object, Manastir Gomirje, whose reconstruction and revitalization is professionally conducted by the Regional Institute for the Protection of Cultural Monuments from Karlovac. The organization of the museum and the archive activities for the ethnic and national community or minority of Serbs within the Ministry of Culture is also under way. The Croatian Government allocated for this purpose the amount of 200.000 HRK in 1997.

### *6. Social Research*

In accordance with the Decision of the Croatian Government on the Exercise of Rights and Financing of Programs of Members of National Minorities in the Republic of Croatia, the Ministry of Science and Technology is responsible for financing the social research programs. Up to 1997 the Office for Ethnic and National Communities or Minorities directly supported the social research projects of minority members, with the first and foremost goal of establishing personnel and organizational preconditions for such activities. In 1997, associations and institutions of national minorities submitted to the Ministry of Science and Technology proposals of scientific projects, which were then evaluated by the Ministry and those meeting the criteria were proposed for financing. The Ministry of Science and Technology financed in 1997, for instance, the scientific research projects of the Cultural Society "Prosvjeta" from Zagreb and the Society of Hungarian Scientists and Artists.

### *7. Representation of Members of National Minorities in the Electronic Media*

Croatian Television has a special division for the production of programs for the members of national minorities, which prepares "Prizma – Multinacionalni magazin". Croatian Television, furthermore, presents individual minorities, their cultural heritage and important institutions in other news, documentary and musical programs.

Croatian Radio broadcasts daily during its news programs and central news and cultural programs the information significant for the life of all members of national minorities living in Croatia.

Croatian Radio broadcasts weekly the bilingual 30-minute talk/music program "Iz života naših nacionalnih manjina" dealing with their cultural and educational activities.

In the centers with a greater concentration of individual national minorities, national minorities participate in the production of programs by local radio and TV stations in their respective native tongues.

For reasons of public influence on the radio and television programs, the House of Counties of the Croatian Parliament appointed a Council of Croatian Radio Television in 1996. One representative of the national minorities was appointed to the Council.

### 8. *Conclusion*

In conclusion, the status and protection of national minorities is one of the central issues in the political development of any country, but also in its positioning in the international community. Aware of this fact, the Republic of Croatia, by enacting the Constitutional Law created an opportunity to implement the rights of members of the national minorities. This was even improved by the enactment of the adequate implementation legislation and ratification of international documents on the protection of national minorities. By doing so, the Republic of Croatia not only successfully completed the peaceful reintegration of the Croatian Danube region, but occupies a leading position among democratic countries of the world in terms of the protection of minority rights. In the implementation of ethnic rights of members of national minorities during the past seven years the highest norms and criteria from international documents concerning human and minority rights have been applied. This can also be concluded from the fact that for the ethnic programs of associations and institutions of national minorities, the Croatian Government allocated a total amount of 22,250,000 DEM from the State Budget in the 1992-1997 period.

The seven years of experience of the activities of associations and institutions of national minorities in independent and sovereign Croatia show that, in spite of the aggression and the war, the members of national minorities have been able to implement freely their cultural programs and preserve and develop their ethnic identity. The Republic of Croatia is committed to enabling the members of national minorities also in the future to preserve their identity, culture, religion, language, script and relations with the parent country, while integrating them socially, culturally, economically, and politically into the Croatian society.