

# **C R O A T I A**

## **SECTION A**

### **Capital**

Zagreb 762,770 (1991 est.)

### **Area**

56,538 sq km (21,829 sq mi)

### **Form of government**

Bicameral Republic, presidential/parliamentary democracy

### **GDP—per capita**

Purchasing power parity—\$5,100 (1999 est.)

### **Population**

4,676,865 (July 1999 est.)

### **Ethnic composition:**

Croat	78%
Serb	12%
Muslim	0.9%
Hungarian	0.5%
Slovenian	0.5%
Others	8.1%

### **Official language**

Croatian language and the Latin script

## **Minority languages**

Serbian, Bosnian, Italian, Hungarian, Czech, Slovak, German, Ruthenian, Ukrainian, Albanian, Romany, Macedonian, Montenegrin, Hebrew

## **Legislation dealing with the use of languages**

*The Constitution of the Republic of Croatia* adopted on December 22, 1990 (Renewed 1998)

*The Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities or minorities in the Republic of Croatia* (1991)

On May 11, 2000 the Parliament of the Republic of Croatia in accordance with Articles 14, 15 and 139 of the Constitution passed a proclamation of changes and amendments to the Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities or Minorities in the Republic of Croatia.

According to these amended documents, Croatia shall protect the equality of members of national minorities to include; Albanians, Austrians, Bosniacs, Bulgarians, Montenegrins, Czechs, Hungarians, Macedonians, Germans, Poles, Romanies, Romanians, Russians, Ruthenians, Slovaks, Slovenians, Serbs, Italians, Turks, Ukrainians, Vlachs, Jews and other ethnic and national groups or minorities. The intended purpose of these laws is to encourage their overall cultural and linguistic development.

In those municipalities where members of a national or ethnic community or minority represent the majority of the population, the alphabet and language of that community may be officially used together with Croatian language and the Latin alphabet (Article 7). Local self-governing units may decide to use two or more languages and alphabets officially, while taking into account the number of members and minorities interests. (Article 8)

Members of national and ethnic minorities have the freedom to organize information and to publish in their native languages and alphabets, to establish cultural and other societies (with financial support from self-governing bodies). (Article 10, 11)

Members of national and ethnic minorities who make up more than 8% of the population of Croatia shall be entitled to proportional representation in the Croatian Parliament and Government as well as on

the supreme judicial bodies. Those who represent less than 8% shall be entitled to elect a total of minimum five and maximum seven representatives to the Chamber of Deputies of the Croatian Parliament (these representatives are obliged to protect their interests; Article 18). Members of national and ethnic minorities also are entitled to be represented on local self-governing bodies (Article 19). The procedure for electing and recalling the representatives will be regulated by electoral laws and used till the next census in the Republic of Croatia.

In the field of education, members of national and ethnic minorities living within municipalities where they represent a majority of the population, and if the number of students justifies it, educational institutions and school departments will establish classes held in the appropriate language and alphabet. In cases with small numbers of students, instruction in subjects related to the national affiliation of the students (language, literature, history etc.) will be carried out in separate classes by teachers of the same national affiliation. In the territories outside of municipalities where the native population or members of national communities were banished into parent countries, minorities have the right to introduce their language as an optional subject until the end of secondary education, regardless of the percentage of the total population. (Article 15)

*The Law on education in Languages of nationalities (1979)*

*The Law on Croatian Radio and Television* establishes that..."the Croatian Radio and Television (HTV) have the obligation to produce programs which are aimed at informing the national minorities in the Republic of Croatia..."(Article 6, paragraph 2). One of the members of the Council of HTV has to be a member of an ethnic and national community or minority.

*The Telecommunications Act*, which provides for a possibility to privatize the electronic media, establishes the rights and obligations of the concession holders. Article 64 of this Act stipulates the following: "The concession holder for either TV or radio frequency at the local level can broadcast in the dialects of the Croatian language used by population in the area, as well as in the languages of ethnic and national communities or minorities living in the area". The duration of such broadcast cannot exceed 20% of the average daily programming time for the former, or, in case of the latter, 50%.

*The Law on Upbringing and Education in the Language and Script of Ethnic Minorities*, adopted on May 11, 2000

*The Law on the Use of the Language and Script of Ethnic Minorities in the Republic of Croatia*, adopted on May 11, 2000

### **Background notes**

A former constituent republic of the Socialistic Federal Republic of Yugoslavia, independence from Yugoslavia on June 25, 1991.

Eastern Slavonia, which was held by ethnic Serbs during the conflict, was returned to Croatian control by the UN Transitional Administration for Eastern Slavonia on January 15, 1998. Croatia and Italy made progress toward resolving a bilateral issue dating from World War II over property and ethnic minority rights. Significant progress has been made with Slovenia toward resolving a maritime border dispute involving direct access to the sea in the Adriatic. Serbia and Montenegro are disputing Croatia's claim to the Prevlaka Peninsula in southern Croatia because it commands the entrance to Boka Kotorska in Montenegro. Prevlaka is currently under observation by the UN military observer mission in Prevlaka (UNMOP).

## **SECTION B**

### **Where does one observe language to be a problem in the country?**

In a potentially positive step in January of 1998, The Council on National Minorities was established as an independent body for the expression of minorities' views on government proposals and recommendations concerning minority issues. However, the Council has proven to be ineffective.

Constitutionally, ethnic minorities enjoy the same protection as other recognized ethnic and religious groups. However, in practice a pattern of often open and severe discrimination continues against ethnic Serbs and, at times, other minorities. This discrimination occurs in a wide number of areas including the administration of justice, employment, housing, and freedom of movement. The Government often maintains a double standard based on ethnicity. In principle, members of minority groups have constitutional protection equal to Croat citizens, and their ethnic rights are provided for in the preamble to the Constitution.

Government committees established in 1997 to promote reconciliation and trust between Croats and Serbs were not effective.

The well-documented pattern of the discriminatory application of laws and administrative regulations is particularly evident in education. For

example, in textbooks the history of the former Yugoslavia was omitted in favor of a more nationalistic Croat interpretation, and new textbooks tend to use derogatory adjectives in reference to minorities. In addition, apart from the Danube region, there are still very few classes for Serb pupils that follow the approved Serbian school program. Serb students countrywide continued to use materials and follow the curriculum of the Croat students, and the provision and distribution of Serb language textbooks in the Danube region, previously agreed to by the Ministry of Education, remained problematical throughout the school year 1998. In the fall, Croatian parents of returning students in Beli Manastir pulled their children out of school and succeeded in forcing the dismissal of several ethnic Serb teachers.

The situation could be solved through the implementation of the new legislation. The Croatian legislature approved a package of governmental proposals on May 11, 2000 to guarantee minority rights according to European standards. "Vecernji list" wrote that the new legislation is more liberal than that in most European countries.

### **The use of language in everyday life e.g. education, broadcasting and other**

Members of national minorities have the right to be taught in their mother tongue at all levels of schooling, including pre-school, primary, secondary and college levels. The right to education and schooling in the languages of ethnic and national communities, was utilized by members of 12 minority groups in 1997; Albanians, Austrians, Czechs, Hungarians, Germans, Roma, Ruthenians, Slovaks, Serbs, Italians, Ukrainians and the Jews, mainly at pre-school and primary school levels. A smaller number of minorities utilized the right at secondary level and only the Italian community organized college level education, with college level education for the Slovaks in a preparatory phase. Teachers in most cases were members of the respective minorities and education was being organized in municipalities where members of the respective ethnic and national communities lived. Education and schooling in the languages of minorities was an inseparable part of the national schooling system and was financed by the Government of the Republic of Croatia. There were three models according to which education and schooling in the respective minority languages were carried out and special educational model in Istria. In some localities, minority formed majority and members of other nationalities had obligatory classes of respective minority language.

The Croatian TV and Croatian Radio prepare programs and news in the languages of minorities. Eight of the local radio stations are broadcasting for minorities living in Croatia. Italians, Czechs, Slovaks, Hungarians,

Germans, Austrians and Jews have such customized programming. Members of minorities can publish newspapers and magazines in their respective languages, and Italians, Czechs, Slovaks, Hungarians, Ruthenians, Ukrainians, Serbs, Germans, Austrians, Jews, Albanians, Roma, Montenegris and Macedonians are currently publishing some form of periodical. Some institutions are now publishing textbooks for members of ethnic and national minorities.

Members of ethnic and national communities or minorities have the right to cultural autonomy. Members of a total of 13 minorities have established their cultural societies within which they are preserving their respective cultures and customs. The Republic of Croatia is also helping to promote the development of relations between ethnic and national communities and minorities with their country of origin, in order to promote their national, cultural and linguistic heritage and preserves their national identity.

**Did the country ratify any international treaty dealing with the protection of minorities?**

The European Charter for Regional or Minority Languages was signed on November 5, 1997, ratified on November 5, 1997 and enacted on March 1, 1998. The Framework Convention for the Protection of National Minorities was signed on November 6, 1996, ratified on October 11, 1997 and enacted on February 1, 1998.

## **SECTION C**

### **Legislation dealing with the use of languages**

#### ***Updated (July 2002)***

In an extraordinary parliamentary session, likely to take place at the end of July a new Croatian Government will be formed following the resignation of Prime Minister Ivica Racan and the collapse of the government earlier this month. One of the important issues on the session's agenda is also to adopt a new constitutional Bill on Minorities.

The first draft of the bill was stopped by the government, as it would have meant more rights for the Serbian minority. Austrian minority news service on ORF reported that in some areas the Croats themselves would have become a minority and this would have caused new tensions and troubles. The new bill, which according to ORF, was elaborated without the involvement of the minorities, should enter into force by the end of the year.

The international community criticized the withdrawal of the bill. To become the EU member, it is essential for the country to guarantee the rights for national minorities. Croatian President Stjepan Mesic stressed that "democracy is inevitable if we really want to avoid missing the European train."

Minority issues have been a hot topic in the country since the last year, following a rather controversial census. In May, the BBC reported on a growing political storm in Croatia over the government's treatment of ethnic Serbs living in the country during the 1991-95 civil war. Leaked reports from the latest census estimate that the number of ethnic Serbs in Croatia has dropped from 12 percent to just 4 percent since the previous census conducted in 1991, before the war between Croatia and Serbia.

However, according to the Serbian peoples' council (Srpsko narodno vijece), the number of Serbs should be over 6 percent. This means that the Serbian minority should be entitled to a proportional number of permanent delegates in the Parliament (at least nine representatives). Currently Serbian together with Hungarian and Italian minority has only one seat in the Parliament.

### ***Updated (August 2002)***

The constitutional Bill on Minorities was at the end of July forwarded to the Croatian Parliament (Sabor) by the resigned Croatian Government. Still unofficial data from last year's census, showing a steep decrease in minority numbers, contribute to mixed feelings among minority representatives on the expected outcome of the bill.

The constitutional Bill on Minorities comprises important aspects, such as the right to use mother tongue in public communication and education, representation in the media and the use of national symbols. However, this bill also breaks the agreement between representatives of national minorities and the government. The Croatian government has, without speaking beforehand with minority representatives, withdrawn the constitutional decision on the right to "a dual vote." That is why some believe this bill, at least in this aspect, is worse than the previous one.

The exclusion of the clause on so-called "positive discrimination," i.e. the right for a dual vote, raised voices of discontent among minority representatives. The dual vote means that members of ethnic minorities in Croatia could vote both for candidates of political parties and for their minority representatives.

Deputy Prime Minister Granic said that the bill still brings certain level of "positive discrimination," stipulating that a minority MP may be elected

with considerably less votes than candidates from political parties' electoral slates. Dr Granic said this was a compromise between the wishes of the ruling coalition and minority representatives.

So generally, both positive and negative aspects arose from the bill. Among the positive is the article on ethnic minority bodies and an autonomous government of minorities, which would represent an intermediary body between the minority organizations and the local authorities. However, this body will only have the right to suggest, but no decision power.

The fact that the autochthonous character of the minorities has not been mentioned, and nothing has been done for a real cultural autonomy of the minorities are the negative aspects. In Slovenia, for example, the Italian community has the right to participate in the establishment of schools and other public bodies, which are important for the maintenance and development of the minority (Maurizio Tremul, president of the Italian Union).

According to the 1991 census, ethnic minorities comprised 760,073 people, or 15.9 percent of the total population of Croatia.

The bill does not explicitly list ethnic minorities in the country but it follows a general rule on equal rights for all minorities. The possibility of explicit mentioning of minorities nevertheless remains open and will be discussed probably during the second reading of the bill in the autumn.

Three parliamentary committees - made up of constitutional, legislative, and local and regional self-government representatives - requested to mention the minorities in the following order: Albanian, Austrian, Bosnian, Bulgarian, Montenegro, Czech, Hungarian, Macedonian, German, Polish, Romany, Romanian, Russian, Ruthenian, Slovakian, Slovenian, Serb, Italian, Turkish, Ukrainian, Vlach and Jewish.

A two-third majority (101 votes) is required for the approval of the bill.

Source: Eurolang, [www.eurolang.net](http://www.eurolang.net), Trieste July 26, 2002 and August 1, 2002 by Vida Valencic

## THE LAW OF NATIONAL MINORITIES LANGUAGE USAGE

Under the conditions regulated by the law, the practical implementation means that beside the official Croatian language another language or languages can be introduced in official usage, depending on situation in the certain local community. It is in the case when national minority creates the majority of population in certain area. Introducing another



minority language as official has to be regulated in the acts of local governing body.

Language use equality is in practice in the public administration including personal documents in two or more languages, the names of streets and public institutions, names of geographical areas in public and traffic letter signs. Every person who belongs to a minority has the right to use his/her language in front the courts and in other administrative procedures.

## THE LAW ON EDUCATION IN LANGUAGES AND LETTERS OF NATIONAL MINORITIES

The Law on Education in Languages and Letters of National Minorities is basic framework for implementation and minority language practice in educational system in Croatia. Education in minority languages starts from kindergartens, and continues in primary and secondary schools or other institutions and forms of education (seminars, summer and winter schools etc).

A school institution with a minority language of instructions can be formed for a lesser number of pupils then a school in which tuition is organized in the Croatian language. The other possibility is to create minority language classes or groups in schools where tuition is in the Croatian language. The advantage is that pupils who are in such educational program also learn the Croatian language.

In the area where equal use of both (Croatian and minority) languages is defined by city or district regulations, pupils of school institution in which tuition is in the Croatian language will be given opportunity to learn the minority language as well.

The curriculum for national minorities beside the general subjects also covers issues closely related to the national minority (language, literature, history, geography and culture of national minority). The minority part of the curriculum is defined and approved taking into consideration opinions of national minority non-governmental and other social organizations.

In minority language schools, teaching is conducted by teachers who belong to a particular national minority or who are proficient in the minority language. School documents, official school papers and certificates in the minority languages program are held in both Croatian and minority languages.

General regulations on publishing textbooks in the Croatian language apply for publishing textbooks in minority languages. The textbooks from

other countries can be used in minority language programs with the approval of Croatian authorities.

Source: Summary Presentation on Minority Languages in Croatian Educational System by Nada Jakir, Head of the Department for Bilateral and Multilateral Cooperation at the Ministry of Education and Sports of Croatia, Conference in Latvia, April 19-21, 2001, <http://www.eyl2001.hr/en/riga.html>

### ***Updated (January 2003)***

#### NEW LAW ON NATIONAL MINORITIES ADOPTED

The Croatian parliament adopted on December 13, 2002 a new Constitutional Law on the Rights of National Minorities. Head of the OSCE Mission, Ambassador Peter Semneby, welcomed this step noting that the adoption of a good minority law has been a longstanding commitment.

“Now it is essential to implement the law throughout the country,” said Mr. Semneby. According to him, a largely acceptable solution had been found to the key questions of minority representation in parliament.

The new law guarantees the following minority representation in parliament: the Serb minority (constituting 1.5 percent of the population) can vote up to three representatives, the Italian and Hungarian minorities have one delegate each, the Czech and Slovak minorities have one joint representative. The remaining minority groups (Austrian, German, Ruthenian and Ukrainian) are guaranteed one joint representative as well.

The law also provides conditions for minority participation in public life both on a local and a regional level.

The Mission will only be able to comment on the newly adopted law after it will have a chance to study the text carefully.

The next step will be to ensure that the provisions embodied in the constitutional law are reflected in the Election Law in a manner that guarantees fair procedures for minority representation in parliament.

Source: Minelres News Archive, Zagreb, December 13, 2002, [http://www.osce.org/news/generate.php3?news\\_id=2959&uid=2](http://www.osce.org/news/generate.php3?news_id=2959&uid=2)

Eurolang News, Brussels, December 16, 2002, by Hannah McGlue, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4014>

## **Background notes**

### ***Updated (August 2002)***

Croatia is emerging from a decade in which it experienced a bitter war as the former Yugoslavia broke up, and several years of authoritarian nationalism under the president Franjo Tudjman. Before the war, Serbs in Croatia were widely dispersed and established in all the Croatian municipalities. While it is likely that people from mixed Serbo-Croatian marriages would fear to declare themselves as Serbs, the real reason for the decrease in a number of Serbs is that some 300,000 ethnic Serbs have fled the country since the beginning of the war and there is no sign they will be encouraged to return to their homes.

The multinational character of Croatia was evident already during the 16<sup>th</sup> and 17<sup>th</sup> Centuries with the settlement of Vlachs and Serbs. In the following two centuries Germans, Hungarians, Czechs, Slovaks, Slovenians, Ruthenians and Italians coming from different parts of the Austrian Empire settled in Croatia.

According to Stanko Zuljic from Zagreb University (CRO), a significant characteristic, which differentiates ethnic minorities in Croatia from minorities in other European countries, is the fact that in Croatia ethnic minorities are for the most part colonized and to a lesser degree border minorities. The only border minorities are Hungarians and to a degree Italians.

Source: Eurolang, [www.eurolang.net](http://www.eurolang.net), Trieste July 26, 2002, by Vida Valencic

## **Where does one observe language to be a problem in the country?**

### ***Updated (April 2001)***

In April, the Croatian Minister of Justice suspended new bilingual measures in the Croatian region of Istria, which were introduced by the regional council of Istria on April 9, 2001 claiming that they would first time have to be evaluated by the country's Constitutional Court. Under this new law, government officials in Istria would have to master both Croatian and Italian and Italian flag would fly next to the Croatian one on national holidays. In Istria, Italians make up about 10% of the population.

Italy has protested against suspensions of such measures and Italian Ministry of Foreign Affairs said that it could also provoke a situation where Italy would obstruct Croatian attempts to gain EU membership. The Croatian government has thirty days to decide whether or not the

ten articles of the Istrian Statute should be handed over to the Constitutional Court.

**Did the country ratify any international treaty dealing with the protection of minorities?**

***Updated (July 2002)***

Croatia has signed and ratified both the Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities. The Italian, Serbian, Hungarian, Czech, Slovak, Ruthenian and Ukrainian languages are protected by the Charter. In a report from September 2001, the Council of Europe's (CoE) Committee of Ministers called on Croatia to approve laws ensuring existing constitutional provisions and basic statutory acts protecting and promoting regional or minority languages. They asked to establish legal means for an adequate institutional infrastructure for language teaching.

The CoE's Ministers Deputies also noted that Croatia had made efforts in the overall protection of national minorities, in particular the Italian minority. However, implementation of the Framework Convention had been complicated by the consequences of the 1991-1995 conflict, which made it difficult to protect the rights of persons belonging to the Serbian minority. A number of regulatory improvements were called for as a part of the ongoing legislative reform. This would include passing of a new constitutional Law on National Minorities.

Source: Eurolang, <http://www.eurolang.net/>, Brussels, July 16, 2002, by Eva Blässar & Margret Oberhofer

## **The use of language in everyday life, education, broadcasting and other**

***Updated (August 2002)***

### EDUCATION

As an example of practicing the law on education system (see "Legislation dealing with the use of languages," August 2002) here are some data on several minority language educational programs:

Pupils who are in a minority program in the Italian language:

- 24 kindergartens with 704 children; 39 pre-school teachers; 17 primary schools with 2,206 pupils; 175 teachers; 4 secondary schools with 820 pupils; 148 teachers. At the University in Pula it is possible to enroll on teacher training study for a pre-school teacher, for primary school teacher and for a teacher in the Italian language; 50 students are studying.

Pupils who are in a minority program in the Czech language:

- 2 kindergartens; 145 children; 13 pre-school teachers; 4 primary schools with complete program in the Czech language with 454 pupils and 7 primary schools where the Czech language is taught with 463 pupils; in one secondary school 37 pupils are in the Czech language program; all together 954 pupils, 64 teachers.

Pupils who are in the Slovak language program:

- 4 primary schools; 468 pupils and 29 teachers are in teacher training program in Croatia and Slovakia.

Pupils in a Hungarian minority program:

- 2 kindergartens with 46 children; 3 primary bilingual schools with 117 pupils; 17 schools with learning the Hungarian language with 430 pupils; 4 secondary schools with bilingual classes for 64 pupils; in Education and Culture Center for Hungarians in primary class there are 21 pupils; in secondary class 29 pupils; 143 teachers; Hungarian language study is available at University of Zagreb.

Pupils who are in the Serbian language and culture program:

- 6 primary school with 167 pupils in the area not involved during the war; complete program in the Serbian language: 10

kindergartens; 34 primary schools with 5,237 pupils and 510 teachers; 9 secondary schools with 2,114 pupils and 182 teachers; 124 pupils with 27 teachers in language and culture program.

## MEDIA

The role of media is important in spreading consciousness of living in a multicultural society.

There are independent publishers like "Edit" in Rijeka covering Italian minority, "Jednota," located in Daruvar covering Czech minority, "The Union of Hungarians in Croatia" publishing an illustrated weekly "*Magyar Ujsag*" in Hungarian. The Serb cultural society "Prosveta" is a publisher of books, newspapers, and textbooks.

There is also an Italian drama theatre in Rijeka, Center for historical research in Rovinj, folk and culture groups and societies, broadcasting TV programs for ethnic and national minorities. The programs cover news, documentaries, music, etc. what enables the viewers or listeners to be conscious that other culture exists in their neighborhood or region. There are 52 registered societies that beside Croatian use one of the minority languages.

Source: Summary Presentation on Minority Languages in Croatian Educational System by Nada Jakir, Head of the Department for Bilateral and Multilateral Cooperation at the Ministry of Education and Sports of Croatia, Conference in Latvia, April 19-21, 2001, <http://www.eyl2001.hr/en/riga.html>

### ***Updated (April 2003)***

## MULTILINGUALISM AND MINORITY PROTECTION IN CROATIA

A circular letter signed by the Minister of Justice, Ingrid Antivecic Marinovic, has resolved a five-year old dispute regarding the bilingual (Croatian-Italian) Region of Istria.

It all began in 1998, when a bilingual sign has been removed from the regional palace of Pazin-Pisino. The fact that the Constitutional Court legitimized this step led to a strong opposition not only from the representatives of the Italian minority but also from other institutions in Istria.

According to the circular prepared by the Ministry, the bilingual sign will be restored. The local press anticipates it will happen next month.

Source: Eurolang News, Turin, March 17, 2003, by Marco Stolfo,  
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4144>

**APPENDIX A**  
**MAP OF CROATIA**





## **APPENDIX B**

### **CROATIA - CONSTITUTION**

(Document Status in 1998)

(Official Title: The Constitution of the Republic of Croatia)

#### **II. BASIC PROVISIONS**

##### **Article 12**

The Croatian language and the Latin script shall be in official use in the Republic of Croatia.

In individual local units, another language and the Cyrillic or some other script may be introduced into official use along with the Croatian language and the Latin script, under conditions specified by law.

#### **III. FUNDAMENTAL FREEDOMS AND HUMAN RIGHTS**

##### **1. General Provisions**

##### **Article 14**

Everyone in the Republic of Croatia shall enjoy all rights and freedoms, regardless of race, color, sex, language, religion, and political or other belief, national or social origin, property, birth, education, social status or other characteristics.

All shall be equal before the law.

##### **Article 15**

Members of all national minorities shall have equal rights in the Republic of Croatia.

Members of all national minorities shall be guaranteed freedom to express their nationality, freedom to use their language and script, and cultural autonomy.

##### **Article 17**

During a state of war or an immediate threat to the independence and unity of the State, or in the event of severe natural disasters, individual freedoms and rights guaranteed by the Constitution may be restricted.

This shall be decided by the Croatian National Parliament by a two-thirds majority of all members or, if the

Croatian National Parliament is unable to meet, by the President of the Republic.

The extent of such restrictions shall be adequate to the nature of the danger, and may not result in the inequality of citizens in respect of race, color, sex, language, religion and national or social origin.

## 2. Personal and Political Freedoms and Rights

### **Article 24**

The arrested person shall be promptly informed, in understandable terms, of the reasons for arrest and of his rights determined by law...

Note: The full text of the Constitution can be found on the web page:  
[http://www.nn.hr/Glasilo/Ustav/Ustav\\_Eng.htm](http://www.nn.hr/Glasilo/Ustav/Ustav_Eng.htm)

# **THE LAW ON UPBRINGING AND EDUCATION IN THE LANGUAGE AND SCRIPT OF ETHNIC MINORITIES**

The Chamber of Deputies of the Croatian State Assembly

1129

On the basis Article 89 of the Constitution of Republic of Croatia, I have decided to adopt

An Order

Proclaiming the Law on Upbringing and Education in the Language and Script of Ethnic Minorities

I proclaim the Law on Upbringing and Education in the Language and Script of Ethnic Minorities adopted by Chamber of Deputies of the Croatian State Assembly on May 11, 2000

Number: 01-081-00-1514/2

Zagreb, May 16, 2000

President

Of the Republic of Croatia

Stjepan Mesic

## **Article 1**

- 1) Ethnic minorities in the Republic of Croatia shall implement their right to up bring and educate their children in their language and script in conformity with the Constitution of the Republic of Croatia and with the provisions of this Law.
- 2) This Law does not change or abolish the rights of national minorities to up bring and educate their children that were granted by previous regulations, based on International Treaties to which the Republic of Croatia is signatory.

## **Article 2**

- 1) The upbringing and education of students in the language and script of national minorities shall be conducted in pre-school institutions, primary and secondary schools and in other types of educational institutions (seminar, summer and winter schools etc.) as stipulated by this Law.
- 2) In establishing the legal position of the educational institutions with education in the language and script of a national minority and in its administration, the provisions of other Laws and regulations shall be used where this Law does not decree otherwise.

## **Article 3**

The educational institutions with education in the language and script of a national minority can be established for a smaller number of pupils than that determined for the establishment of the educational institutions with education in the Croatian language and script.

## **Article 4**

- 1) Where an educational institution cannot be established under the conditions of Article 3 of this Law, the upbringing and education of students in the language and script of a national minority shall be conducted in a separate class or educational group.
- 2) The class and the educational group from the first paragraph of this Article may be established either in the educational institution using the language and script of the national minority or in the educational institution using the Croatian language and script.
- 3) The class and the educational group from the first paragraph of this Article can be established for a smaller number of pupils than that determined for the establishment of the class and the educational group with education in the Croatian language and script.

## **Article 5**

The name of the educational institution using the language and script of a national minority and the text of its stamp and emblem shall be written both in the Croatian language and Latin script and in the language and script of the national minority.

## **Article 6**

- 1) In addition to general education it shall be incumbent upon the curriculum and program for the upbringing and education of students in the language and script of a national minority to include special education on the characteristics of the national minority (its mother tongue, literature, history, geography and cultural creativity).
- 2) The special part of the curriculum and program given in paragraph 1 of this Article that includes the characteristics of the national minority shall be approved and promulgated by the Ministry of Education and Sport in accordance with the views obtained from the National Minority's Association.

## **Article 7**

- 1) Enrolment into the educational institution, grade or educational group using the language and script of a national minority shall be conducted under the same conditions as enrolment into the educational institution with Croatian as the educational language and Latin script.
- 2) Where there are more successful applicants than places for enrolment in the educational institution, grade or educational group, preference shall be given to students who are members of national minorities.

## **Article 8**

Students of the educational institution, class or educational group with education in the language and script of a national minority shall study the Croatian language and Latin script, according to the approved curriculum and program, as well as their own language and script.

## **Article 9**

On territory where Municipal Statute approves the equality of use of the language and script of a national minority in administration, students of the educational institution with education in the Croatian language and script shall be permitted to study the language and script of the national minority.

## **Article 10**

Education in the educational institution using the language and script of a national minority as a medium of instruction shall be conducted by teachers who belong to the national minority who have a good command

of the minority language, or at least by teachers who are not members of national minority but have a good command of the minority language.

### **Article 11**

- 1) The educational institution, grade or educational group with education in the language and script of the national minority shall document both in the Croatian language and Latin script and in the language of the national minority.
- 2) Public school records shall be issued by the educational institution as per the first paragraph of this Article in the Croatian language and Latin script and in the language and script of national minority, in conformity with the Law.

### **Article 12**

- 1) At least half the governing body of the educational institution using the language and script of a national minority shall be the members of national minority.
- 2) More detailed provisions on the composition, conditions and means of choosing the governing body of the educational institution with education in the language and script of a national minority shall be approved by its own Code.
- 3) According to paragraph 1 of this Article, the Head of the school may be a member of national minority or not; but he/she shall have a good command of the minority language.

### **Article 13**

For schools or institutions with education in the language and script of a national minority the Ministry of Education and Sport must ensure the required number of advisors and school inspectors who are members of the particular national minority, or at least who have a good command of the minority language.

### **Article 14**

Training of teachers for the needs of educational institutions with education in the language and script of a national minority shall be conducted at schools in conformity with the Law, or they may master the language and script of the national minority by other means.

## **Article 15**

General rules for textbooks shall be used in the publication of textbooks in the language and script of a national minority.

With the dispensation of the Ministry of Education and Sport, the educational institution with education in the language and script of a national minority may use textbooks from their country of origin.

## **Article 16**

- 1) Finance for the regular work of the public educational institution, grade or educational group with education in the language and script of a national minority is provided from the State Budget.
- 2) The educational institution with education in the language and script of a national minority may use other sources of finance in conformity with the Law.

## **Article 17**

The Minister of Education and Sport shall approve the curriculum and program of education in accordance with Article 6 of this Law at the latest six months from the day the Law becomes valid.

## **Article 18**

The Minister of Education and Sport shall approve the regulations on the means by which the provisions of this Law on the Educational Institution with Education in the Language and Script of Ethnic Minority shall be adopted.

## **Article 19**

The educational institution with educational program in the language and script of a national minority shall coordinate their general documents to the provisions of this Law at the latest three months from the approval of documents from Article 17 of this Law.

## **Article 20**

From the day this Law comes into force it repeals the Law on Upbringing and Education in the languages of minorities ("Narodne novine" No 25/79).

## **Article 21**

This Law comes into force on the eighth day following its publication in "Narodne novine".

Note: This is the unofficial English translation. The original text can be found on the website "Narodne Novine" <http://www.nn.hr/>.

# **THE LAW ON THE USE OF THE LANGUAGE AND SCRIPT OF ETHNIC MINORITIES IN THE REPUBLIC OF CROATIA**

The Chamber of Deputies of the Croatian State Assembly

1128

On the basis Article 89 of the Constitution of Republic of Croatia, I have decided to adopt

An Order

Proclaiming the Law on the Use of the Language and Script in the Republic of Croatia

Number: 01-081-00-1513/2

Zagreb, May 16, 2000

President

Of the Republic of Croatia

Stjepan Mesic,

## **I. BASIC PROVISIONS**

### **Article 1**

Under this Law, conditions for the use of the standard language and script of national minorities are modified to secure equality with the Croatian language and Latin script.



## **Article 2**

This Law does not change or abolish the rights of members of national minorities acquired on the basis of international treaties to which the Republic of Croatia is a signatory.

## **Article 3**

The provisions of this Law do not apply to proceedings held before the central authorities of the State Administration, the Commercial Court, the Court of Justice ("Upravni sud"), High Court for Offences ("Vysoki prekršajni sud"), the Supreme Court of the Republic of Croatia nor before the Constitutional Court of the Republic of Croatia and other central authorities of state power, unless determined otherwise in the Law. <sup>1</sup>

The provisions of this Law do not apply to official and public records for international use, unless determined otherwise in the Law.

## **II. CONDITIONS FOR THE EQUALITY IN OFFICIAL USE OF THE LANGUAGE AND SCRIPT OF NATIONAL MINORITIES**

### **Article 4**

1) Equality in use of the language and script of national minorities in public administration shall conform to the provisions of the Constitutional Law on Human Rights and Freedoms and to the rights of National and Ethnic Communities or Minorities in the Republic of Croatia, to the provisions of the respective Conventions of the Council of Europe for the protection of national minorities and to this Law under the following conditions:

1. Where the members of particular national minorities in the Municipalities represent the majority, in conformity with the Constitutional Law on Human Rights and Freedoms and the rights of National and Ethnic Communities or Minorities in the Republic of Croatia, the respective conventions of the Council of Europe for the protection of national minorities and with this Law;
2. Where implementing international treaties, where Croatia is involved;
3. Where dealing with Municipalities established by Statute in conformity the Constitutional Law on Human Rights and

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<sup>1</sup> *Translator's note: the courts' names may not be exact, as they do not have English equivalents*

Freedoms and the rights of National and Ethnic Communities or Minorities in the Republic of Croatia, the respective conventions of the Council of Europe for the protection of national minorities, and with this Law,

4. Where there is a Statute on the activities of administrative bodies in an autonomous province prescribed by District,<sup>2</sup> in which in the particular Municipalities the language and script of a national minority is equally used in administration.
- 2) For the establishment of equality in the use of the language and script of a national minority in administration according to the paragraph 1 part 1 of this Article, the data acquired from the last census take precedence in the resolution of these issues by the Municipal Statute.

## **Article 5**

- 1) Equality in the use of the language and script of a national minority in public administration shall be established in the demesne of a Municipality or District as follows:
  1. In the activities of the Representative and Executive bodies of the Municipality or District;
  2. In any proceedings before the authorities of the Municipality or District
  3. In any proceedings before the authorities of the State Administration First Grade, before the Central Authorities of the State Administration acting in the First Grade, before First Grade Courts, before the State legal representatives and State public prosecutor's office First Grade, before notaries public and legal deputies who have public authority and are allowed to act in the demesne of the Municipality equally using the language and script of a national minority
- 2) The authorities mentioned in paragraph 1 of this Article shall allow the use of private legal documents issued in the territory of Croatia where they are made out in the language and script of a national minority and shall approve their reliability.

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<sup>2</sup> "županija"

## **Article 6**

- 1) Equality in the official use of the language and script of a national minority shall be introduced according to the regulations over the whole territory of the Municipality.
- 2) By reference to paragraph 1 of this Article equality in the official use of the language and script of national minority exceptionally can be introduced only to parts of the territory of a Municipality, even where this is to a lesser extent than determined by this Law, if the Statute so ruled a priori. However, the Law on the use of a mother tongue in dealings with the authorities described in Article 5 part 3 of this Law, being the right to acquire public documents in the language and script of a national minority, may not be excluded.

## **Article 7**

Municipalities, Districts and the State Authorities from Article 5 part 3 of this Law shall refer to the all sources of the Regulations, Acts and documents in the Croatian language and in Latin script.

*A/ Equality in the official use of the language and script of a national minority in the representative and executive bodies and in the proceedings before authorities of a Municipality or District*

## **Article 8**

- 1) In a Municipality or District where the language and script of a national minority has equality in use in administration, the proceedings of the authorities in the Municipalities and Districts shall be held in the Croatian language and in Latin script and also in the language of the national minority that has equality in use in official dealings with those authorities.
- 2) The Municipalities and Districts referred to in paragraph 1 of this Article shall provide bilingual or multilingual:
  1. Texts of stamps and emblems in the same size script;
  2. Signs in the same size script with the names of the representative and executive bodies of the Municipality or District, or of the legal deputies who have public competence;
  3. Blank forms and documents in the same size script

- 3) The Board, the member of an authority or the citizen of the Municipalities and Districts referred to in paragraph 1 of this Article have the right to bilingual or multilingual
  1. Material for Municipality or District Assembly and Municipality and District Administration
  2. Minutes and final records
  3. Publication of official announcements and summonses of the Representative, Executive and Administrative bodies of the Municipalities or Districts as for the material determined for the meetings of the representative and executive bodies

## **Article 9**

Municipalities and Districts where equality in the use of the language and script of a national minority is guaranteed shall provide bilingual or multilingual:

Issues of public documents;

Printed forms for official purposes

## **Article 10**

- 1) In the Municipalities and Districts where the language and script of a national minority has equality in use, bilingualism and multilingualism in the same size script is guaranteed for:
  1. Written road signs and other written traffic signs;
  2. Street names;
  3. Place names
- 2) The Statute of the Municipality or District where the language and script of a national minority has equality in use in administration shall stipulate whether the rights from paragraph 1 of this Article shall be implemented over the whole territory or only in the particular places having traditional names of places or localities.
- 3) The Statute of the Municipality or District can stipulate that, on the territory where the language and script of a national minority is in official use, legal and physical persons who conduct public activities can fill in the names either bilingually or multilingually.

## **Article 11**

Members of national minorities who have equality in the use of language and script have the same rights both in First and Second Grade dealings before the authorities of the Municipalities and Districts and in First Grade dealings before authorities of the State Administration.

*B/ Equality in the official use of the language and script of a national minority in dealings before State Bodies of the First Grade and legal persons who have official competence*

## **Article 12**

- 1) Authorities of the State Administration of the First Grade, the Central Authorities of the State Administration acting in the First Grade, the Courts of First Grade, the Public Legal Prosecutor's Office and the State Public Prosecutor's Office of the First Grade, notaries public and legal deputies who have public authority are allowed to act on the territories on which the Croatian language and Latin script and the language and script of a national minority have equality in use. The authorities above must inform a client living on the territory of a Municipality where the language and script of a national minority has equality of use in dealings with them of his/her rights to use the language and script of a national minority in the proceedings and must put down in writing which language and script the client shall decide to use.
- 2) Where the proceedings omit registration the decision of the client on the language he will use or on his request to issue bilingual documentation shall be recorded as an Official Note.

## **Article 13**

- 1) In the Municipalities and Districts where the language and script of a national minority is in official use in administration, the client shall be issued documents in the Croatian language and in the language and script of the said national minority.
- 2) The language and script used by the client at the beginning of the proceedings is understood to be that the client will use throughout the proceedings.

## **Article 14**

- 1) Where the client decides to use the language and script of a national minority in official use in administration, the authority conducting the proceeding is obliged, in conformity with the regulations of the

proceedings, to arrange that the client can participate in that language and script.

- 2) Documents shall be delivered to the client both in the Croatian language and Latin script and in the language and script opted to be used by the client in the proceedings.

## **Article 15**

- 1) Where the participants in the proceedings have agreed to use two or more languages and scripts that have equality in use in administration, the proceeding shall be held in the Croatian language and Latin script and in the languages and scripts agreed by the participants.
- 2) Where the consensus described in paragraph 1 of this Article is not reached the language and script of the national minority used by the majority of the participants in the proceedings shall be used and an interpreter shall be arranged for the rest of the participants. Where even as given above the use of the language and script of a national minority cannot be ensured, the proceeding shall be held in the Croatian language and Latin script and an interpreter shall be arranged.
- 3) The consensus of the participants on whichever language and script besides the Croatian language and Latin script is to be used in the records or official notes shall be in writing.

## **Article 16**

- 1) The Authorities of the State Administration of the First Grade, the Central Authorities of the State Administration acting in the First Grade, the Courts of First Grade, the Public Legal Prosecutor's Office and State Public Prosecutor's Office of the First Grade, notary public and legal deputies who have public authority shall deliver documents to clients participating in the proceeding in the Croatian language and Latin script and in the language and script of the national minority with equality of use in administration and used by the client in the proceeding.
- 2) The client or other parties to the proceeding may choose to deliver their data in the Croatian language or in the language and script with equality of use in administration.

## **Article 17**

The Authorities of the State Administration of the First Grade, the Central Authorities of the State Administration acting in the First Grade, the Courts of First Grade, the Public Legal Prosecutor's Office and State Public Prosecutor's Office of the First Grade, notary public and legal deputies who have public authority shall deliver letters, data and Articles of the other Acts of the proceeding of the Second Grade in the Croatian language and Latin script and also in the language and script of the national minority used in the proceedings of the First Grade.

## **Article 18**

1) The Authorities of the State Administration of the First Grade, the Central Authorities of the State Administration acting in the First Grade, the Courts of First Grade, Public Legal Prosecutor's Office and State Public Prosecutor's Office of the First Grade, notary public and legal deputies who have public authority and who have their offices and subsidiaries in the Municipalities and Districts where the language of a national minority besides the Croatian language and Latin script is used in administration:

1. Shall issue public documents and
2. Shall print forms for official purposes

in the Croatian language and Latin script, bilingually or multilingually.

2) The Authorities of the State Administration of the First Grade, the Central Authorities of the State Administration acting in the First Grade, the Courts of First Grade, Public Legal Prosecutor's Office and State Public Prosecutor's Office of the First Grade, notary public and legal deputies who have public authority and who have their offices and subsidiaries in the Municipalities and Districts where the language of a national minority besides the Croatian language and Latin script is used in administration shall issue:

1. The texts of stamps and emblems in the same size script
2. Name boards
3. Forms and documents in the same size script

in the Croatian language and Latin script, bilingually or multilingually.

## **Article 19**

Authorities conducting the proceedings of the second grade shall do so in the Croatian language and Latin script except, as empowered by this Article, where a client who used the language and script of a national minority with equality in administration in the proceedings of the first grade is before them, the proceedings shall be held in the same way as were the proceedings of the first grade.

## **Article 20**

Legal deputies who have public authority to act for members of national minorities in their mutual relationship may use only the language and script of the national minority.

### **III. CONDUCTING THE LAW**

## **Article 21**

- 1) The Authorities of the State Administration of the First Grade, the Central Authorities of the State Administration acting in the First Grade, the Courts of First Grade, Public Legal Prosecutor's Office and State Public Prosecutor's Office of the First Grade, notary public and legal deputies who have public authority and who have their offices and subsidiaries in the Municipalities and Districts where mother tongue and script has equality of use in administration, shall ensure the necessary number of civil servants able to conduct the proceedings and to carry out tasks in the language and script of a national minority with equality of use in the administration.
- 2) The Authorities given in the first paragraph of this Article are obliged to record separately the number of actions conducted in the language and script of a national minority in their reports.

## **Article 22**

The finances to enable the conduct of this Law and its regulations resulting shall be provided by the State Budget of the Republic of Croatia from May 1, 2001.

## **Article 23**

- 1) The Central Authorities of the State Administration shall control the conduct of this Law, which determines the organization of the State Administration and Local Self-Government.



- 2) Where the representative and executive bodies of those Municipalities and Districts that initiate the use of the language and script of a national minority in administration act in contravention of the provisions of this Law, the highest representative of the authority stipulated in the first paragraph of this Article shall require of the representative authority that they analyze the conditions and ensure the legal proceeding of the administrative authorities.

#### **Article 24**

Where the Municipality or District do not determine by Statute the use of the language and script of national minorities according to the provisions of this Law and where they continue to act in contravention of the provisions of this Law, the highest representative of the Central Authority of the State Administration, as per Article 23 of this Law, shall suspend the Statute or its particular provisions, shall decree immediate application of the Law and shall submit proposals to the Government of the Republic of Croatia to begin proceedings to revise the Statute or other general act of the Municipality or District to constitutional and legal conformity.

#### **Article 25**

Failure to grant equality of use in administration to the language and script of a national minority in the Municipality or District where the Statute introduces it is considered to be a serious violation, which, where its use is in contravention of the provisions of this Law, will result in proceedings before the authorities to mandate the use of the language and script of the national minority.

### **IV. TEMPORARY AND FINAL PROVISIONS**

#### **Article 26**

- 1) The representative of the Central Authorities of the State Administration who is entitled to supervise the use this Law can accept more detailed regulations on keeping in accordance with the Law made by the State Authorities, the Municipal and District Authorities and by the legal deputies who have public authority.
- 2) The provisions of any other regulations that attach to this Law shall be coordinated with the provisions of this Law at least 6 months from the day this Law comes into force.

## **Article 27**

The provisions of Article 4, paragraph 1, part 1 and paragraph 2 of this Law shall not be ratified until after the publication the official results of the first census held after the adoption of this Law and instead Article 4, paragraph 1, part 2 and part 3 of this Law shall be used in the Municipalities and Districts.

## **Article 28**

Municipalities and Districts shall coordinate their Statutes with the provisions of this Law within 6 months from the day this Law comes into force in order to inform the Central Authority of the State Administration entitled to supervise the use this Law without delay.

## **Article 29**

This Law repeals the Decree on the method and the conditions for use of the language and script of national minorities in all public proceedings conducted before authorities and organizations ("Narodne novine" No 5/81), from the day it comes into force.

## **Article 30**

This Law comes into force on the eighth day following publication in "Narodne novine".

Note: This is the unofficial English translation. The original text can be found on the website "Narodne Novine" <http://www.nn.hr/>.

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