

# **NETWORK OF COMMITTEES FOR HUMAN RIGHTS IN SERBIA (CHRIS)**

**SERBIA**

**Alternative Report submitted pursuant to Article 25 Paragraph 1 of the  
Framework Convention for the Protection of National Minorities**

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The basic idea of the Network of Committees for Human Rights in Serbia (CHRIS)<sup>1</sup> in drawing up the Alternative Report on the Implementation of the Framework Convention for the Protection of National Minorities<sup>2</sup> was directly to include in its compiling representatives of national minorities', national councils of national minorities, NGO representatives and experts dealing with this issue, for the purpose of obtaining a more objective presentation of the position of minority communities. In view of this, the report represents a synthesis of the individual reports of the following protagonists:

Experts:

- Prof. Saša Kicošev, Ph.D. (Demographic data)
- Dubravka Valić-Nedeljković, Ph.D. (Media)
- Aleksandra Vujić, M.A. (The synthesis of all reports, a review on the Opinion of the Advisory Committee and the Resolution of the Committee of Ministers on the first State Report).

Organizations:

1. Network of Committees for Human Rights in Serbia (CHRIS)
2. National Council of the Bulgarian national minority
3. National Council of the Bosniak national minority
4. National Council of the Greek national minority
5. National Council of the Roma national minority
6. National Council of the Vlach national minority
7. Creative Center Caribrod
8. Center for Multicultural Education, Preševo
9. Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar
10. Bosniak Cultural Society „Preporod“
11. Civic Forum – Novi Pazar
12. Civic Action for Human Rights – Priboj
13. Serbian Alliance of Vlachs
14. Culture Society of the Romanians-Vlachs of Serbia“Pravoslavni Rumuni” (“Orthodox Romanians”)
15. The Committee for Human Rights, Negotin
16. Society for the preservation and development of the language, culture and religion of the Vlachs in the Morava River valley
17. “Lunjina” Association, Belgrade

For information of the normative part of the report see Alternative Report of Voivodina Center for Human Rights.

The stands and opinions of CHRIS are reflected only in the parts of the reports written by these organizations.

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<sup>1</sup> The network consists of 6 organizations – Niš, Human Rights Committee – Negotin, Human Rights Committee – Valjevo, Human Rights Committee – Vranje, Civic Forum – Novi Pazar and Voivodina Center for Human Rights – Novi Sad, referred to hereinafter as: CHRIS.

<sup>2</sup> Referred to hereinafter as: FCNM

## INTRODUCTION

### Information about the Ethnic Groups Covered by the Report Albanians

#### Network of Committees for Human Rights in Serbia (CHRIS)

People with highly substantial territorial concentration whereof 88,8% lives in the municipalities of Preševo and Bujanovac and in the very south of Serbia respectively. Although persons belonging to the Albanian national minority boycotted the previous two censuses, the current number of Albanians may be considered realistic since it overlaps with the number of persons speaking Albanian as their mother tongue.

#### Centre for Multicultural Education, Preševo

Preševo, Bujanovac and Medveđa municipalities are located in southern of Serbia bordering with Kosovo and FYR of Macedonia. During the Ottoman Empire this region was the integral part of the Vilayet of Kosovo. After 1918, Preševo and Bujanovac were attached to the Zupa of Skopje, and after the territorial division to “banovinas”, it was attached to the Vardar Banovina with its centre in Skoplje.

After World War II, these municipalities remained within the Republic of Serbia. They cover a territory of 1249 km<sup>2</sup> (Preševo 264 km<sup>2</sup>, Bujanovac 461 km<sup>2</sup>, Medveđa 524 km<sup>2</sup>)<sup>3</sup>. According to the 1991 census, the number of inhabitants in these municipalities was 100.609 (whereof 67.836 Albanians), while the 2002 census registered 88.966 inhabitants (whereof 57.595 Albanians).

**Table 1: The National Affiliation of the Population According to the Data from 1991**

Nationality	Preševo	Bujanovac	Medveda
1. Albanians	34 992 – 89.95%	29 588 – 60.08%	3 832 – 28.67%
3. Serbs	3 206	14 660 – 29.58 %	8 194 - 61.30%
4. Roma	502	4 408 – 8.95%	119
5. Others	240	582	1223

**Table 2: The National Affiliation of the Population According to the Data from 2002**

Nationality	Preševo	Bujanovac	Medveda
Albanians	31 098 – 89.09 %	23 681 – 54.69 %	2 816 – 26.17%
Serbs	2 984 – 8.55 %	14 782 – 34.14%	7 163 – 66.57 %
Roma	322 – 0.92 %	3 867 – 8.93 %	109 – 1 %

These data indicate that the number of inhabitants in above mentioned municipalities in 2002 dropped for 11.57% or 11.643 persons in relation to 1991 and, when persons belonging to the Albanian national minority are considered, their number was 10.241 less or 15,09% in 2002 respectively. Since population growth in these 3 municipalities is very similar to the growth of population in Kosovo (being the highest in Europe), the root causes of the drop in the number of inhabitants in the censuses are as follows:

- The 2002 census did not cover citizens residing abroad for a period longer than one year.
- During the armed conflicts in 1999 a number of Albanians had left their homes never to return because of security and social reasons.

### Roma

#### National Council of the Roma national minority

According to surveys carried out by members of the National Council of the Roma national minority and certain experts and institutions dealing with their way of life and customs, the Roma account for around 10% of the Serbian population, while, according to other estimates, this population numbers

<sup>3</sup> Important road and railroad traffic routes pass through Bujanovac and Preševo.

between 600,000 and 1,000,000 persons; The concentration of the Roma is the largest in southern and central Serbia: Bujanovac (around 8,000), Vladičin Han (6,000 – 7,000), Surdulica (around 8,000), Vranje (around 10,000), the municipality of Leskovac (around 10,000), Niš (around 10% of the population).

There is no municipality in Serbia without Roma inhabitants, but in many of these municipalities they declare themselves as Serbs. The Serbo-Montenegrin Roma are mostly of the Orthodox and Sunni-Muslim religion, while the number of Roma Catholics and Roma Protestants is smaller. There are also those who do not recognize their confessional origin.

### **Bosniaks**

#### **Network of Committees for Human Rights in Serbia (CHRIS)**

After the disintegration of the former Socialistic Federative Republic of Yugoslavia<sup>4</sup>, former Muslims became Bosniaks in the ethnic sense of the word. Their number is significantly higher in central Serbia at present than that of those, who declare themselves as Muslims, while the situation in the Autonomous Province of Voivodina<sup>5</sup> is diametrically opposed. Bosniaks live in substantial number in various parts of central Serbia and enjoy ethnic majority there (Novi Pazar, Sjenica, Tutin...), while in areas, where they do not create the majority, they more frequently declare themselves as Muslims.

#### **The Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

As the result of the referendum in Montenegro<sup>6</sup> and the disintegration of the State Union of Serbia and Montenegro, the Bosniak community has been divided between the two distinct and autonomous states, despite their interconnection in «Serbian» and «Montenegrin» parts of Sandžak. At present, Sandžak means the Serbian part of the territory (Novi Pazar, Tutin, Sjenica, Nova Varoš, Prijepolje and Priboj), or even the territory proper, three municipalities only: Novi Pazar, Sjenica and Tutin, while the rest of Sandžak's territory in the Republic of Montenegro is mentioned less often.

### **Bulgarians**

#### **Network of Committees for Human Rights in Serbia (CHRIS)**

They are mostly settled in the south-eastern parts of central Serbia, and present an ethnic majority in the municipalities of Bosilegrad and Dimitrovgrad. This ethnic group is characterised by highly unfavourable biological and demographic features.

### **Caribrod Creative Centre**

Bulgarians have been enjoying the status of a national minority and ethnic group respectively since 1945. They live in substantial number in the Dimitrovgrad and Bosilegrad municipalities and in some parts of the municipalities of Pirot, Babušnica and Surdulica. In the APV there are Catholic Bulgarians called «Bulgarians from Banat», who live, in particular, in the village of Ivanovo near Pančevo and in the region of Kovin and Zrenjanin. According to the official data, there were about 60.000 Bulgarians in Serbia after World War II, yet their number is three times less at present. In relation to the number of persons belonging to other national communities, Bulgarians made the highest percentage of those detained on Goli Otok Island. This fact had left a deep mark on the mindset of this minority community, and it is one of the root causes of the community's imitative behaviour and converting into Yugoslavs and Serbs. The decades-long poverty and geographic dispersion of Bulgarians, accompanied with scarce communication within the community, additionally influenced inability of Bulgarians to organise themselves and articulate their own minority space for many years.

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<sup>4</sup> Referred to herein as: SFRY

<sup>5</sup> Referred to herein as: APV

<sup>6</sup> In 2006.

## Vlachs

### Network of Committees for Human Rights in Serbia (CHRIS)

The Vlachs are an autochthonous population of eastern Serbia. As regards their identity, four versions have appeared:

- The Vlachs or Romanians are linguistic synonyms, they are one nation, with one root and one language<sup>7</sup>
  - Only Romanians live in eastern Serbia, Vlachs do not exist
  - The Vlachs are a separate nation
  - The Vlachs are Romanized Serbs

Their numerical size can be followed through population censuses only since the second half of the 20<sup>th</sup> century. Interestingly, even earlier on (in the 1961 census) and in the population census of 2002, it is their mother tongue that they considered to represent their identity, rather than their ethnic affiliation. In the 1961 census, only a few thousand people declared themselves as “Vlachs”, while over 100,000 persons stated that the Vlach language was their mother tongue. In the latest population census, the number of persons who declared themselves as Vlachs increased compared to the mentioned census in 1961 to 39,953 people, while the number of persons whose mother tongue is Vlach dropped to 54,726, but it is still higher than the number of persons who declared themselves as Vlachs.

### National Council of the Vlach national minority

The Vlachs are an autochthonous population of north-eastern Serbia, which represent part of the Daco-Romanian people and one of the numerous Thracian tribes that kept settling in the eastern part of the Balkan Peninsula. They inhabit today the area between the Velika Morava River and the Timok, south of the Danube to the Paraćin-Zaječar line, i.e. to Mount Rtanj. By their language, folk costumes, music and folklore, customs and beliefs they undoubtedly and quite recognizably differ from the majority Serbian population with which they live in the same areas.

The Serbian population calls its compatriots *Vlasi (Vlachs)*, while the name “*Romanian*”, which provokes negative reactions among Serbs, is rarely used. At the same time, the Vlachs exclusively call themselves *Rumâni*<sup>8</sup> (Romanians), while the term *Vlach* does not exist in their mother tongue. However, since the schooling of this population, from the lowest to the highest level, has always been conducted exclusively in the Serbian language, the term Vlach has also become customary in the community.

The Vlachs of north-eastern Serbia use two dialects of the Daco-Romanian language:

- The Olten-Munten dialect, which represents the basis of the Romanian literary language (in a small belt along the border with Romanian and Bulgaria, from Kladovo via Negotin to Zaječar)
- The Banat dialect (which is more widely dispersed).

The popular speech of the Vlachs of north-eastern Serbia<sup>9</sup> does not differ much from the popular speech of the Romanians in Romania (the differences are not of an essential nature, and even if there are any, they are the result of historical, political, economic and cultural circumstances), but by its characteristics it differs from the Romanian literary language, which represents its standardized and modernized version.

<sup>7</sup> The National Council of the Vlach national minority and the Alliance of Vlachs in Serbia (Cultural Society of the Romanians-Vlachs in Serbia “Orthodox Romanians”, Cultural Society of the Vlachs – Romanians of Serbia “Ariadnae Filum”, Society for the preservation and development of the language, culture and religion of the Vlachs in the Pomoravlje region, the Center for Ethnic Cooperation and the Vlach Democratic Party of Serbia) advocate the version according to which the Vlachs and Romanians are one nation, with the same language.

<sup>8</sup> The word *Rumâni* is also used among the Vlach population for the ethnic determination of all Romanians in Banat, Ukraine, Bulgaria etc.

<sup>9</sup> Referred to herein as: Vlach-Rumenian language

## Cincars

### “Lunjina” Association

The Cincars constitute part of a Romanized population, which lived in the northern half of the Balkan peninsula. They originate from Thracian-Illyrian tribes that mixed during history with the Celtic, Slavic and Greek nations. They call themselves »Armni«, in scholarly works they are called »Aromuns«, and in Serbia they are known under the name of Cincars<sup>10</sup>.

They came to Serbia in large numbers from northern Greece, southern Macedonian and central Albanian in the mid 19<sup>th</sup> century. They settled as tradesman and craftsmen in towns of Šumadija, APV, Kosovo and southern Serbia and they played a big role in the formation of the Serbian middle class. They contributed to a large extent to the development of modern culture in Serbia.

Around 1890, around 150,000<sup>11</sup> Cincars lived on the territory of present-day Serbia, while it is today difficult to determine their number, since no detailed research on this has been done. The information from the latest population census in Serbia does not offer an accurate picture of their number, as they have mostly been assimilated, so that younger generations do not state their origin, even when both of their parents are Cincars, or partly Cincars. According to a rough estimate, a minimum of 10,000 “pure” Cincars or persons whose ancestors, mother or father are Cincars, live in Belgrade alone<sup>12</sup>.

## Greeks

### National Council of the Greek national minority

Compared to the large waves of the Greek population’s migrations, the settling of the Greeks in Serbian regions was not on a mass scale, but it had a long tradition. Archeological findings in areas of present-day Serbia point to the presence of Greeks already in ancient times.

The settling of the Greeks in Serbia in the first half of the 20<sup>th</sup> century was the result of forced migrations that occurred in three large waves: after the Pontic Greek expulsion in 1915, after the Asia Minor Catastrophe in 1922 and both during and after the civil war in Greece 1945-1948 (and several smaller waves such as the one caused by the world economic crisis). It is believed that around 10,000 out of the 120,000 Greeks expelled from Western Thrace were forcibly settled in Serbia, 1912-1913 from Bulgaria, and 1918-1928 from Macedonia and Western Thrace after the Bulgarian occupation in 1941. Far more precise is the information about Greek refugees towards the end of the first half of the 20th century. There are 25,766 registered Greeks, out of whom 8,929 received Yugoslav citizenship in the first years upon their arrival.

In the second half of the 20<sup>th</sup> century, starting from the 1970s, Greeks kept moving to Serbia for educational reasons, and towards the end of the 20<sup>th</sup> century for business reasons. In the structure of present-day Greeks in Serbia, according to their status we can single out permanent and temporary residents, while the largest number of them are ranked among Serbs of Greek origin.

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<sup>10</sup> In Macedonia they are called Vlachs, in Greece Vlachophonic Hellenes. At the time of Byzantium, the Greeks, just like the Cincars, were called Romeji, i.e. Rimnjani, and even today some called them various other names, such as: Ramani, Kucovlasi, Macedovlasi, Karavlasi, Maravlasi etc.

“The Aromuns, descendants of an ancient semi-Latinized population, accepted the Byzantine civilization in the Middle Ages. Thus, they acquired several characteristics, which they transferred onto the Slavs by blending with them. Thus, in many areas of the Balkan Peninsula, as well as in Romania, the Slavs and Aromuns mixed in such a manner that they formed Slavic or Romanian groups, depending on whether one or the other element prevailed ” - Jovan Cvijić: *Balkansko poluostrvo i južnoslovenske zemlje (Balkan Peninsula and Southern Slavic Countries)*, p. 18

“The roots of this nation should be sought in the symbiosis of central Balkan Thracian tribes, Tribala, Meza, Thracians, Dacians and Celts. After the arrival of the Southern Slavs in the Balkans, a partial assimilation of these indigenous peoples of the Balkans and the Slavs took place” - Vojislav Stojanović: *Etnogeneza nastanka Vlaha (Ethno-gensis of the Creation of the Vlachs)*, p. 9

<sup>11</sup> According to information from scientist Weigand

<sup>12</sup> The “Lunjina” society possesses around 1,300 addresses of persons in Belgrade who are of Tzintzar origin, and this number could increase 3 to 4 times over. Many are not known of, as they are not organized.

According to surveys conducted by the Association, there are today over 4500 citizens in Serbia who are of Greek origin, but they declare themselves as Serbs.

## Article 1

*The protection of national minorities and the rights and freedoms of persons belonging to those minorities' forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.*

### Normative framework

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### Implementation

#### National Council of the Bosniak national minority

The activities of the Bosniaks' institutions, organisations and political factors, as well as the cooperation of Serbia with other countries and factors of the international community, especially the Council of Europe and the OSCE, resulted in the recognition of status of the Bosniak national minority.

## Article 2

*The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighborliness, friendly relations and co-operation between states.*

### Normative framework

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### Implementation

#### Center for Multicultural Education, Preševo

With regard to the fact that Preševo, Bujanovac and Medveđa are situated on the very border shared by Macedonia and Kosovo, the Albanian national minority has huge interest in the good neighbourly relations between the Republic of Serbia and these countries, as well as Albania, in order to develop cooperation in economy, culture, education, information and other areas.

Though mutual visits by the highest state authorities have been organised recently both in the Republic of Serbia and the Republic of Albania, the relations between these two states have reached neither a satisfactory level nor have they been regulated by treaties (e.g. in view of academic cooperation).

The Albanian national minority in the above indicated municipalities cannot develop normal cooperation with Albanians from Kosovo because Serbia does not recognise UNMIK identity cards.

Despite the enormous efforts invested by the local self-government to open border crosses to Macedonia, in order to facilitate contacts and cooperation between nations, who used to live in the same state for decades and have close family ties, the Serbian State shows no signs of interest for it.

An aggravating element in the cross-border cooperation between Kosovo and the FRY of Macedonia is the fact that the administrative border of Kosovo is supervised by the gendarmerie, while the border with the FRY of Macedonia was supervised by the Republic of Serbia Army by January 12, 2007 (at present, the above mentioned border is supervised by the border police, as in the rest of the country).

Organised and supported by the East West Institute, cross-border cooperation has been initiated over the last two years among Preševo, Gnjilane, Kumanovo and Trgovište in a form of cooperation between primary schools in sport activities and radio and television broadcasters.

#### **Bosniak Cultural Society „Preporod“**

The provision is not applied equally in Serbia and Bosnia and Herzegovina<sup>13</sup>. Namely, Bosniaks in Serbia are treated as a national minority, while Serbs in B&H do not have minority status, and they are not a majority nation either. *FCNM* provisions should be consistently implemented in both states; otherwise the Bosniak nation in Serbia in relation to Serbs in B&H is legally degraded.

### **Recommendations**

#### **Centre for Multicultural Education, Preševo**

- To open two special border crosses towards the FYROM: Mirotovac/Lojane and Sopot/Strezovce.
- UNMIK's identification documents should be recognized.

#### **Civic Forum – Novi Pazar**

- The provisions of this Article should be regulated by inter-state treaties signed with the neighbouring countries: Croatia, Bosnia and Herzegovina and Montenegro in order to regulate the reciprocal status of newly-formed ethnic minorities.

## **Article 3**

*1. Every person belonging to a national minority shall have the right freely to choose to be treated or not as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.*

*2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.*

### **Article 3, paragraph 1**

#### **Normative framework**

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### **Implementation**

#### **Network of Committees for Human Rights in Serbia (CHRIS)**

##### **Review on the Opinion of the Advisory Committee**

Debates on the inter-relation between the Romanian and Vlach communities are still ongoing<sup>14</sup>. In relation to the issue of the Vlachs' ethno-genesis, they are also topical within the Vlach and Romanian communities themselves, and in the case of the state which is undecided as to which stand to adopt in regard to the origin and language of the Vlachs. Unlike the Bunjevacs in APV, who welcomed the appearance of separate sections in the population census (Croats and Bunjevacs), part of the Vlachs have expressed dissatisfaction over the lack of a common section in censuses: Vlachs-Romanians, since they believe this national body should not be artificially separated. In their opinion, a single section would represent a solution for both groups, in view of the fact that the Romanian community in eastern Serbia prefers to opt for the name "Vlachs", while the Romanian community in APV is in favor of the name "Romanians".

<sup>13</sup> Referred to herein as: B&H

<sup>14</sup> Opinion, article 3/26

Most representatives of the Bosniak national minority who worked on this report are of the opinion that the imposition of the status of a national minority on the Bosniaks represents a form of degradation and discrimination, since they enjoyed the status of a constituent nation until recently. Also present is the opinion that the majority nation treats the Bosniaks better when it does not bring them in direct connection with Muslims.

Despite the Advisory Committee's stand that clear progress was made in terms of the implementation of this article in the population census in April 2002<sup>15</sup>, the unanimous stand of the persons belonging to the Bosniak, Vlach and Bulgarian national minorities who participated in the writing of this report, was that there was a series of irregularities in the latest census, due to which the census results are incorrect, i.e. that, in view of these irregularities, the presented number of persons belonging to their nationalities is much smaller than it actually is.

#### **Centre for Multicultural Education, Preševo**

In southern Serbia no cases of discrimination against the Albanians have been recorded as far as national affiliation or the exercising of the rights related to this affiliation are concerned.

#### **The National Council of the Bosniak National Minority**

Part of the Bosniaks believe that instead of the term "national minority" the term "nation" should be used for the community, since they find the notion "national minority" discriminatory. At the root of such reasoning is the fact that Bosniaks were recognised as a „nation“, and were called Muslims in former Yugoslavia and the change in the usage of the word „nation“ to national minority presents disrespect of their community.

The term Bosniak is more and more frequently used also by politicians in the media and public life.

The census data of the Republic Institute for Statistics from Belgrade and the registers of certain register offices are inaccurate, because these are not updated regularly and do not keep pace with frequent migrations on the territory of Sandžak. Persons most frequently facing such problems are displaced or settled Bosniaks.

Persons belonging to the majority nation and national minorities keep quite a distance to the Bosniaks if they have the impression that Bosniaks are supported as Muslims. Bosniaks are compared to Kosovo Albanians by a large number of persons belonging to the majority nation.

#### **Civic Forum – Novi Pazar**

Although under the provisions of the new *Constitution* from 2006 the «achieved level of human and minority rights may not be derogated» (Article 20, paragraph 2), the rights of Bosniaks (Muslims), when compared with the 1992 *Constitution*, have been diminished, and when compared with the 1974 *Constitution* their rights have been drastically derogated, since Muslims (Bosniaks) were a constitutive nation in 1974, while in the 2006 Constitution they were classified as «all citizens» who live in Serbia (Article 1).

As is evident by a large number of their monuments and cultural heritage, Bosniaks are autochthonous people, not only in the Sandžak region but also in the municipalities of the Podrinje region (despite their scarce representation there).

The data from the 2002 census are not accurate in the case of Novi Pazar. There are about 10.000 more Bosniaks than indicated in the census results.

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<sup>15</sup> Opinion, article 3/29

**Bosniak Cultural Society „Preporod“**

Both individually and collectively, the sentiments of the Bosniaks in Serbia are those of a constitutive nation, and do not consider themselves a national minority either linguistically nor as a nationality. Imposing a minority status on Bosniaks represents violation of their fundamental human rights.

The data of the latest census were fabricated in areas where Bosniaks are settled homogenously and autochthonously.

- **Tutin Municipality** The Municipal Committee for Census stated that there were over 36.000 Bosniaks living in the municipality, while the number of persons belonging to this community recognised by the State is 29.000.

**Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

**Nova Varos municipality.** The status of Bosniaks is worse now than it was prior 2000. Namely, since 2000 there has been a silent boycott of the Bosniaks by persons belonging to the Serbian national community, and it is obvious in all areas of life such as: boycotting Bosniak-owned shops, making anonymous, even affecting relations in public services.

Serbs do not call Bosniaks by that name, but call them Muslims instead and thus disrespect their national identity<sup>16</sup>.

**The National Council of the Bulgarian National Minority**

Most Bulgarians in Serbia believe that, in view of their historical heritage<sup>17</sup>, the use of and emphasizing the term 'national minority' for Bulgarians permanently reminds the minority members that they are marginalised and inferior to the majority nation. This is why the National Council's opinion is that the National Council of the Bulgarian National Minority should be renamed into National Council of Bulgarians in Serbia, and the term 'Bulgarian minority' should be rephrased as "Bulgarian community".

The National Council does not recognise the results of the latest census due to the gross violation of the citizens' will during the entry of data.

**National Council of the Roma national minority**

The Roma are faced with discrimination and segregation because of their ethnicity, and there are negative stereotypes and prejudice against them among the majority and other populations. The reasons for this are as follows:

- Intolerance towards differences and especially towards the Roma.
- Lack of personal contacts with Roma for the purpose of getting to know them better.
- Insufficient knowledge about the Roma history, culture and tradition.
- Growth of nationalism in Serbia over the past years.

The Roma's way of life is most often interpreted as the result of their cultural and ethnic system of values, and not as the consequence of poverty and marginalization. In cases when Roma live in ghettoized environments, non-Roma "tolerate" them, even though at issue is actually the denial of their existence and of the problems they are faced with. When they try to live a normal life, to

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<sup>16</sup> Nova Varoš municipal authorities are made up of the Serb Socialist Party, the Serb Radical Party and the Power of Serbia Movement.

<sup>17</sup> Rather than migrating into Serbia, the Bulgarians have inhabited the areas in which they currently live for centuries; these areas were awarded to Serbia in 1920 by war reparations in compensation for the war that Bulgaria had lost. After that, the Serbian authorities started the forced changes of Bulgarian surnames and names of schools; teachers and clergy were expatriated and replaced by Serbians and Montenegrins; the use of the Bulgarian language and script were banned, and Bulgarians were forbidden to declare themselves as such (they were issued with proofs of identity stating that they were Serbians).

obtain education and work, they are exposed to discrimination and the majority nation and other ethnic communities have a pronounced social distance towards them.

There is practically no Roma who has not experienced some form of discrimination due to the fact that he/she is a Roma: from the inability to find employment (even when the person possesses the necessary qualifications), difficulties in communicating with public services due to the responsible services' reluctance to deal with the Roma, to belittling and humiliation, verbal and physical assaults by non-Roma and discrimination by the police (for example, the setting of the highest penalties for minor offenses).

Due to the mentioned problems, the Roma do not feel accepted, which contributes to their "voluntary" isolation. This creates new stereotypes about them, such as those that "this way of life suits them". At the same time, the prejudice of the majority national against the Roma leads to the creation of prejudice among the Roma towards the majority nation, due to which every undesired conduct by persons belonging to the majority is sometimes interpreted as an act of discrimination against the Roma.

Due to the insufficiently developed awareness about their identity, the Roma have never attached any special importance to it. However, even though they have always been prepared to renounce it and live in a symbiosis with others, the majority nation has never fully accepted them. This, on the other hand, helped them, albeit involuntarily, to preserve their ethnic characteristics.

#### **The National Council of the Vlach National Minority**

The Vlachs from eastern Serbia developed their identity during the first century of the new era and have succeeded in maintaining it over the centuries<sup>18</sup>. In spite of this fact, officially and unofficially, powers in Serbia diligently propagate the idea that Vlachs had been Serbs once, who moved to Romania and got rapidly Romanised there, and, as such returned to Serbia. This is also the official stand of the Serb Orthodox Church<sup>19</sup>, which, based on such a stand, grants itself the right to impose on the Vlachs the obligation of serving liturgy in the old Slav language, thus eliminating the right of this community to serve liturgy in their own, Vlach-Romanian language. The above mentioned theory is not fact-based, yet in synergy with the statements, like: being a Vlach-Romanian is something disreputable or that Vlachs-Romanians are second-class citizens, these have an influence on persons belonging to this national minority and drive them declare themselves as Serbs, though their Serbian is often very poor or non-existent.

Sometimes, this manipulation of the Serbian authorities with the Vlachs assumes staggering proportions:

- There is a widely known statement by the former Ambassador to Romania<sup>20</sup>, suggesting that Romanian and Serbian authorities reach an agreement on how to treat the Vlachs: either as Serbs or Vlachs, or Romanian-Vlachs or simply as Romanians, without consulting and involving the Vlachs themselves.
- From the communist regime until to-day there is a general practice that Vlachs are declaratively granted confessional freedom and the right to access to information but only in the Serbian language, and they are also granted the right to foster their native language but may not receive instructions in schools in that language.

Vlachs themselves are also to be blamed for their difficult status in Serbia, because under unfavourable conditions, they were not capable of building up systems for the preservation of their identity and cultural heritage. It has been aggravated recently by various State-imposed impediments on the way to the emancipation of this national minority<sup>21</sup>, and as a result of this, – though one of the oldest populations of the region – Vlachs:

<sup>18</sup> For example: the Vlach surname „Longin“ has been in existence in Prahovo and Radujevas since the 4th century.

<sup>19</sup> Further as: SOC

<sup>20</sup> Desimir Jefić

<sup>21</sup> See Article 15 of this Report.

- Do not have any media – either electronic or printed- in their own language.
- Do not have education at any level in their primary language.
- Do not serve liturgy in their mother tongue, except for one single village<sup>22</sup>.

Ever since censuses have been made, the number of Vlachs has never been consistent and ranges from few dozens to hundreds of thousands. This was the result of several circumstances, namely:

- The attitude of the State towards the Vlachs in the censuses (e.g. lack of a separate column for Vlachs-Romanians).
- General non-recognition of the Vlach population.
- The attitude of interviewers and methods of recording data<sup>23</sup>.

At present, the number of Vlachs in eastern Serbia may not be defined accurately, but according to the data provided by the National Council of the Vlach National Minority<sup>24</sup>, there are over 250 000 Vlachs living in 154 ethnically homogenous Vlach villages and in another 48 villages with mixed population. The reason behind the large number of Vlachs declaring themselves as Serbs, though they do not speak the Serbian language, is that they do not distinguish national from civic affiliation. An additional contribution to it is the fact, that in all public authority institutions the language of communication is exclusively Serbian.

Persons belonging to the Vlach community often find themselves in inconvenient situations because of their affiliation, however providing legal proof is often difficult.

The varying number of Vlachs in censuses is explained by the NCVNM as follows: fear, manipulation and interpretations like:

- Vlachs are Serbs,
- Vlachs have no links with Romanians whatsoever,
- Vlach language is not the Romanian language, but a specific language, which needs standardisation,
- Vlach do not have their own script and the like.

### **Serbian Alliance of Vlachs**

Romanians, as an indigenous population in the Balkans are called Vlachs by Serbs in north-eastern Serbia. This name became familiar among the Romanians too, since Romania was called the «Vlach State» in the middle ages. Albeit the status of persons belonging to national minorities has improved after the downfall of Slobodan Milošević's regime, the Republic of Serbia Government continues its policy of creating confusion as regards the genesis of persons belonging to the Vlach nation<sup>25</sup>.

### **Culture Society of the Romanians-Vlachs of Serbia“Pravoslavni Rumuni” (“Orthodox Romanians”)**

The majority nation sustains expressed negative stereotypes of senior Vlach women, who failed to attend school resulting in their knowledge of the Serbian language being poor. The State undertakes nothing to prevent their humiliation because of their poor knowledge of the majority language, whereas the prevailing opinion is, that only illiterate Vlachs fail to know the Serbian language, hence not knowing Serbian reflects illiteracy.

In municipalities having Vlach majority population, those who identify themselves as Serbs and do not fight for their rights, i.e. the so called "assimilated Vlachs", are considered “the good Vlachs” by the representatives of the local municipal authorities.

<sup>22</sup> The Romanian (Vlach) Orthodox Church in Malajnica near Negotin.

<sup>23</sup> Data were sometimes recorded (written) with pencils, thus making subsequent correction possible.

<sup>24</sup> Further as: NCVNM

<sup>25</sup> See the definition of Vlachs in the first State Report and Article 15 of this Report.

## Recommendations

### The National Council of the Bosniak National Minority

- To form a special body comprising representatives of the National Council of the Bosniak National Minority, state authorities and local-self-government bodies which would update and systematize demographic data.

### Civic Forum – Novi Pazar

- The new *Constitution* should define Serbia as a state of citizens, or, at least, should mention all national minorities.

### Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar

- In order to ensure the credibility of census data, the permanent residence of citizens living on the territory of Novi Pazar, but kept in the registers as residents of the Sjenica and Tutin municipalities, where they earlier lived, should clearly be defined prior the census.
- Bosniaks should be recognised the right to be a constitutive nation of Serbia, as they used to be according to the 1974 *Constitution*.

### The National Council of the Bulgarian National Minority

- To change the method of entering data during future censuses, in order to prevent the possibility of subsequent modification, especially in the absence of persons whose personal details are recorded.

### The National Council of the Vlach National Minority

- The National Council of the Vlach National Minority should be included in the decision-making process on the members of the census data collection committee in municipalities, where Vlachs live.
- During census, in villages with Vlach population, it would be indispensable to register data by two interviewers, and one of them should be a Vlach, recommended by the National Council.
- To work on creating an atmosphere of understanding and tolerance in eastern Serbia and on eradicating negative stereotypes against the Vlach national minority through legal sanctions of all persons and acts aimed at discrimination.

## Article 3, paragraph 2

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## Article 4

1. *The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.*

2. *The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.*

3. *Measures undertaken in accordance with point 2 of the provision are not considered as an act of discrimination.*

## Article 4, paragraph 1

### Normative framework

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## Implementation

### Center for Multicultural Education, Preševo

Although in the Preševo, Bujanovac and Medveđa municipalities there is a Municipal Court including a Municipal Prosecutor's Office and a Justice Court, a district court should also be established.

### National Council of the Bosniak national minority

To abolish limitations and restrictions of the rights of new minorities in relation to the vested rights of old minorities.

### Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar

Bosniaks demand that Bosniaks in Sandžak are treated as a constitutive nation in Serbia, and that they are exempted from the law on national minorities which should be applied for the Bosniaks in Belgrade, APV and central Serbia only. It is inadmissible that communities, which have recently become minorities, have less rights than traditional minorities.

### Civic Forum – Novi Pazar

There is no direct discrimination in view of equal legal protection, but hidden discrimination is present.

- *The Act on Underdeveloped Regions* in listing underdeveloped neighbourhood communities in the municipalities of Sandžak failed to indicate neighbourhood communities with Bosniak population as underdeveloped.
- **Sjenica Municipality** The municipality presents a striking example, since a neighbourhood community with the Štavalj coal mine on its territory has been classified as an underdeveloped community, while another neighbourhood community, with Bosniak population on Peštera, without phone lines and roads, has been registered as a developed community.

### Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar

Compared with the Charter of the State Union of Serbia and Montenegro, minority rights in the new *Constitution* have been derogated, since the latter introduces two categories of citizens: Serbs and «others» (Article 1)<sup>26</sup>. The principle constitutes a «native state» and recognises Serbs as a «native nation», as a first class nation, and «others», as adjoined nations, or second class nations.

## Recommendations

### Centre for Multicultural Education, Preševo

- Penitentiaries should be established in one of the three municipalities in southern Serbia settled by Albanians, because, at present, convicted persons serve their punishments in prisons in Vranje and Niš.
- To establish a district courts in Preševo, Bujanovac and Medveđa municipalities.

## Article 4, paragraph 2

### Normative framework

#### Network of Committees for Human Rights in Serbia (CHRIS)

#### Review on the Opinion of the Advisory Committee

As regards the Advisory Committee's opinion that the situation of persons belonging to Albanian, Bosniak, and Muslim minorities merits particular attention, taking into account the past discriminatory measures aimed at curtailing their numbers in various fields of employment<sup>27</sup>, it is necessary to take into account the fact that the municipalities inhabited by the Albanian and Bosniak national minorities are among the poorest municipalities in Serbia, with a high unemployment rate. In this regard:

<sup>26</sup> «Serbia is the state of the Serb nation and all of its citizens».

<sup>27</sup> Opinion, article 4/38

- Albanians do not mention problems related to their ethnicity when seeking employment, but rather problems of a social and economic nature which require: the renewal of the economy, better organizing of agriculture and cattle-breeding, an increase in social welfare for persons who have no means of support, the establishment of welfare institutions, soup kitchens and health care centers.
- Bosniaks also emphasize economic and social problems, but, similarly as persons belonging to minorities in APV, they point to the under-representation of Bosniaks in the employment of persons by republican bodies.
- Unlike Albanians, Bosniaks in Sandžak have to deal with the fact that they belong to Islam, due to which they are sometimes identified with the “Islamic danger threatening the region and Europe”. On the other hand, due to the memories of the wars waged in the 1990s on the territory of the former SFRY, the Bosniaks who do not comprise a majority in their local communities, have difficulties when seeking employment, especially in the municipalities where the ruling structures express pronounced animosity towards the Bosniak national minority.

## Implementation

### Centre for Multicultural Education, Preševo

Preševo, Bujanovac and Medveđa municipalities are among the most impoverished municipalities in Serbia with the highest unemployment rate, hence the number of families qualifying for material support is increasingly growing. Agriculture and animal breeding are the main, yet highly ineffective and poorly organised branches of economy. Industry is mainly in social ownership and its technology is outdated, mostly dilapidated or destroyed. A coordinating body of the Republic of Serbia Government was investing in the building of public utility infrastructure and school buildings until 2001, but not in economic development. Privatisation process is lagging behind, production is falling, and companies are being closed, leaving their employees without basic incomes.

A large number of Albanian families receive financial support from their family members employed abroad and owing to this help they may survive. More than 4000 persons have regular employment in western European countries from Preševo only, and the situation is similar in the Bujanovac Municipality.

The number of material support beneficiaries in Preševo shows a growing tendency in the period from 2002 through 2006:

- 2002 - 248 families
- 2003 - 293 families
- 2004 - 315 families
- 2005 - 401 families
- 2006 - 406 families

Entitlements to receive allowances for help provided to and fostering another person are granted to 112 persons in Preševo.

There are no social care institutions for vulnerable groups (children, elderly) in any of the 3 municipalities.

In these municipalities there are no soup-kitchens, despite the present need.

In Preševo, Bujanovac and Medveđa municipalities there are medical care centres, but the request of the local self-government in Preševo Municipality to establish a maternity ward, failed to meet with the positive response by the Republic of Serbia Ministry of Health. Women from these

municipalities travel to Vranje, 50 kms further from Preševo, to have medical examination and delivery.

Tuberculosis (TBC) is another problem the population in these municipalities faces, and health care centres are incapable of treating this disease. Since there are no inpatient treatment opportunities and hospitals on the territory of the indicated municipalities, patients are sent to clinics and hospitals in other municipalities.



Abolishing the Ministry for Human and Minority Rights and the transfer of its powers to the Service of Human and Minority Rights is considered as a degradation of the rights of minorities by the Albanians from southern Serbia.

#### **The National Council of the Bosniak National Minority**

In the case of Bosniaks, the realisation of „full and effective equality“ means, *inter alia*, the flexible implementation of the so called „national quota“ in settlements, where they live in substantial number, yet this principle is insufficiently applied in Republic authority bodies and institutions, unlike in some local self-government bodies.

- Good practices of implementing the rights of the Bosniak national minority are presented by the following municipalities: Novi Pazar, Tutin and Sjenica.
- Another good practice is the introduction of the optional subject: Bosnian language with elements of national culture, in primary schools only few months after the then minister of education<sup>28</sup> had energetically rejected to approve the introduction of the subject, and after statements like „the Bosnian language will not be taught in schools“.

The territorial division of the country into districts and aligning individual municipalities into various districts (e.g. Novi Pazar and Tutin into the Raška, and Sjenica, Prijepolje, Nova Varoš and Priboj into the Zlatibor district) does not overlap with the traditional relations and links among these municipalities and present significant disturbance both in the relations of citizens and, also, in the unimpeded and efficient implementation of the Bosniaks' rights and freedoms.

The organisation of administrative centres for certain jobs, activities and branches does not serve the interest of the municipalities and impedes the implementation of rights and freedoms originating in the principles of the *FCNM*.

#### **Bosniak Cultural Society „Preporod“**

From economic aspect, the area settled by Bosniaks is neglected. The lowest per capita national income is registered in municipalities, where Bosniaks live.

Socially, over 50% of the working age population in Novi Pazar are unemployed, and this percentage is even higher in Tutin, Sjenica, Priboj, Prijepolje and Nova Varoš. Accurate unemployment rates in Sandžak are hidden by the State.

Bosniak-Muslim districts in the towns of Sandžak are jeopardised by chaos in town-planning and poor quality infrastructure. Districts settled by Bosniaks-Muslims in Loznica and Krupnja are practically inappropriate for residence and authorities perpetually threaten to ruin and dislocate them outside the town area.

Upon the abolishment of multi-party system in Sandžak by the State, the political situation in this region has become inflamed. Since 2004, the State has been forcibly fabricating results of each election, while on the referendum about the 2006 *Constitution* the results were stolen (falsified) in settlements where Bosniaks were the vast majority, and the turnout was below 7% in this region.

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<sup>28</sup> Ljiljana Čolić

### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

The territory of Sandžak is in Serbia, even at present, the synonym of a marginalised, underdeveloped and conservative area. The armed conflicts in the period from 1991 through 1995 worsened the life of the region's inhabitants.

Albeit there are numerous NGO<sup>29</sup> reports, which give evidence to the wartime afflictions suffered by the Bosniaks in Sandžak between 1991 and 1995, Sandžak's recent past has been left to «forced oblivion», and after the Dayton Agreement<sup>30</sup> Sandžak is presented to the public as: the Islamic threat to Serbia and the world, a regional centre dominated by different intelligence services, religious extremists, smuggling, illicit trade, drugs, money laundry, prostitution, trafficking and the like.

The problems of persons belonging to the Bosniak national minority differ depending on the municipality they live in.

- For example, of the 6 municipalities, where Bosniaks live, studying the Bosnian language with elements of national culture has been introduced in 3 municipalities (in Novi Pazar, Sjenica and Tutin) only. In the municipalities of Prijepolje and Priboj, local authorities make no efforts to implement these legal provisions and openly oppose them. The situation has an effect on inter-ethnic relations in these municipalities, and local level issues may hardly be solved, since authorities are made up of coalitions established as results of a number of compromises.

Sandžak goes through a deep social and economic crisis, obvious in all aspects of life. Any comparison of the infrastructure in Novi Pazar, Sjenica or Tutin with the ones in the neighbouring communities, for example, Raška, Kraljevo, Čačak or Užice and of the investments there gives strikingly disastrous results. Grey economy, drugs, prostitutions, robberies, assassinations, political conflicts are also part of the region's reality. Yet, not much is spoken about the economic status of Bosniaks in the Nova Varoš or Priboj municipalities, or even in Novi Pazar – the city, which pretends to be the political and national core of the Bosniaks. Being small in number, citizens of these municipalities are mostly forgotten, although NGO reports indicate them as the group most frequently exposed to discrimination. The migration of Priboj and Prijepolje locals to Bosnia and Sarajevo is still ongoing, while Novi Pazar, Sjenica and Tutin is being left not only by Bosniaks, but also by Serbs. Although identical, their problems are often treated solely as ethnicity-based.

According to the 1992 and 2002 censuses, Novi Pazar<sup>31</sup> is the only municipality in Sandžak recording population growth (it refers, first and foremost, to the Bosniak population, while the number of Serbs and others is decreasing). In all other municipalities the number of inhabitants is decreasing, whereas it is strikingly expressed in view of the Bosniak and Muslim population in the following municipalities: Priboj 36%, Nova Varoš 17,6%, Prijepolje 16,23%.; Sjenica 17,41%; Tutin 12,64%<sup>32</sup>.

Generally, there are no investments in Sandžak at present. Drawing any conclusion on Sandžak merely on the basis of Novi Pazar, where the temporary "economic boom" was more the result of grey economy activities than of planned development, would be totally wrong, while bringing the city to limelight by the state-owned media relieves the State from the responsibility to support this region effectively. The above mentioned is supported by the following facts:

- Villages in Sandžak are increasingly depopulated, while smaller towns are economically perishing.
- The disappearance of SMEs, so typical of Novi Pazar, is more and more expressed in this town

<sup>29</sup> Humanitarian Law Fund and Helsinki Committee for Human Rights

<sup>30</sup> In 1995.

<sup>31</sup> According to the 2002 census data, 85.996 inhabitants live in Novi Pazar. Of this number 17.599 are Serbs, 65.593 Bosniaks and 1599 Muslims.

<sup>32</sup> The ethnic composition of Tutin: 1299 Serbs, 28319 Bosniaks and 659 Muslims. For data on the number of Bosniaks in the rest 4 municipalities of Sandžak se Article 15 of the Report.

- Though Novi Pazar is known as one of the wealthiest towns in the country, and as a town where shop rentals and plots are the most expensive, it is overlooked that, in fact, urbanistically it is a dilapidated town with many poor people, bankrupted factories, failing infrastructure, poor road networks, deplorable healthcare conditions, weak cultural institutions, schools working in three shifts with 40 pupils for each grade, a town of young people without prospects. The situation in Tutin and Sjenica is even worse.
- Novi Pazar has 2 universities and some «duplicated» faculties of economy, law and philosophy, yet the situation in healthcare, economy, traffic network, telecommunications and public utility infrastructure are far beyond the satisfactory. The overall situation is made worse by threatening criminal phenomena (drugs, crime, and prostitution) wherein the victims are inexperienced and young people.

### **The National Council of the Bulgarian National Minority**

Dimitrovgrad has been at the very bottom of the economic development scale for years. Almost none of the local companies are operating, the unemployment rate is high, and local citizens live on the fringe of existence. Hence young people tend to leave the town, while the increasing number of unemployed among middle-aged persons emerges as a special problem, since their re-employment is almost impossible. At present, the official number of unemployed is 2.139 (1019 women) out of 8.500 citizens.

As to average incomes in the Republic of Serbia, Dimitrovgrad Municipality ranked last in 2004, while the average income in 2005 amounted to 4881 dinars. The age structure of the inhabitants in Dimitrovgrad is changing: the percentage of those over 60 is rising while the number of new-born and youth between 9 and 19 years is decreasing.

Bosilegrad Municipality suffers from the same problems in addition to its unfavourable geographical location, i.e. remoteness from larger regional centres like Vranje and Leskovac. Economy, which was already weak, is now fully ruined, while the attempt at privatising KOBOS Ready-Wear Factory and the factory for drying vegetables and wild collection was unsuccessful<sup>33</sup>. The population's age structure is highly unfavourable, because young people move from the town to Serbia proper and Bulgaria.

In Dimitrovgrad healthcare is characterised by the non-existence of the opportunity of exercising the right to adequate medical assistance and care, including the non-existence of a maternity ward in the community. Specialised doctors come to town only once a week; hence citizen healthcare in this municipality is inadequate. The closing of the maternity ward led to a specific issue, because generations born since 1984 were born in Pirot. Consequently, it is impossible to register and obtain birth certificates of newly born from the Register in Dimitrovgrad, more precisely, an opportunity is offered to register and obtain birth certificates only in Pirot, and it has a number of negative implications.

The situation in healthcare in Bosilegrad is even more adverse, due to the remoteness of settlements from the first larger healthcare institution, e.g. in Surdulica, or the regional healthcare centre in Vranje. The outpatient healthcare service in Bosilegrad is poorly equipped for providing aid in emergency cases and for pregnant women, therefore in such cases, persons must travel 80 kms to Surdulica or 120 kms to Vranje. Since this trip means also overcoming the difference in altitude from 650m, in Bosilegrad, to 1250 m, in Vlasina, for most people suffering from heart diseases, the drive by the ambulance car to the hospital is often fatal.

In Dimitrovgrad, favourable tendencies of local policy-making and organising were registered in 2004. By adopting the Code of Ethics and “at the citizens’ service” concept, the new democratic authorities made positive steps forward, in comparison to their harbingers. Still, these are not substantial changes, which is also evidenced by municipal regulations inherited from the Milošević regime.

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<sup>33</sup> Bosilegrad Transport Company was privatised relatively well, and Usluga Public Utility Company operates successfully.

### **National Council of the Roma national minority**

In general, the economic and social position of the Roma in central and southern Serbia is difficult:

- **The municipality of Bosilegrad.** In this municipality, the Roma are in the most difficult economic position: they live very poorly, in non-hygienic conditions by the river in log-cabins. Their children do not go to school and no one is showing any interest in them. They do not receive any social welfare.
- **Trgovište:** According to data from the latest population census, not a single Roma lives in this municipality, although the situation is completely different in reality. Namely, the Roma in this municipality have been totally assimilated, they live in the utmost poverty, in houses by the river and it is only recently that they started declaring themselves as Roma.
- **Surdulica and Vladičin Han:** The position of the Roma in these municipalities is better than in the municipalities of Preševo, Bujanovac, Trgovište and Vranje, but the leading political parties of the majority national keep exerting pressure on the Roma to vote for them.

One can speak of the partial improvement of the economic position of the Roma in regard to the Roma who have returned from abroad and who have managed to build housing facilities with the funds earned in western Europe. However, they are unemployed and are also unable to apply for social welfare, because, according to social workers, their houses are “bigger than theirs”.

### **Serbian Alliance of Vlachs**

Compared to other regions in Serbia, the economy in north-eastern Serbia is underdeveloped:

- Hardly any new basic infrastructure is built, while the old one is sluggishly regenerated, or not revitalised at all.
- Main traffic roads are regenerated slowly in the region.
- There are no incentives for the revitalisation of economy.
- Natural resources are exploited without observing sustainable development principles (for example: Bor and Majdanpek).

## **Recommendations**

### **The national Council of the Bulgarian National Minority, Caribrod Creative Centre, Centre for Multicultural Education, Preševo**

- A Ministry for human and minority rights should be established.

### **Centre for Multicultural Education, Preševo**

- Institutions should be established for accommodating the vulnerable, children and elderly.
- To build a maternity ward in the Outpatient Healthcare Centre in Preševo.

### **The National Council of the Bosniak National Minority**

- To educate the employees, holders of state authority positions and the public about the necessity and objectives of introducing special measures.

### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

- To work on building civil society in Sandžak.
- To ensure the safety of persons and property, as well as all other rights of the inhabitants in this region regardless their confessional, national or political affiliation.
- To develop democratic values and institutions as tools to overcome and eliminate nationalism and other negative social phenomenon.
- To build houses to the citizens of the Priboj region, to provide for the safety of property and material assets, being that the issues related to Bosniak returnees have not been solved as yet.
- To work on more rapid economic growth in Sandžak in order to overcome the crisis in this region.
- Ethnic and religious community-related issues are to be resolved in a democratic manner, requiring an institutional approach and the engagement of a number of subjects on local and state level.
- To establish improved communication among Bosniak politicians.

- To focus more attention on the issues in Sandžak, and to find final, not mere temporal, solutions for the region.
- To make account of local NGO reports in resolving the problems in Sandžak.

#### **The National Council of the Bulgarian National Minority**

- To adopt a new Development Strategy of the Republic of Serbia, with the prime goal of reducing poverty and differences in the citizen's income, as the current income ratio between the citizens of Belgrade and that of southern Serbia is 1:4. Implementing the Strategy would resolve the issues of existential and political nature.

#### **The National Council of the Roma National Minority**

- To open an office that would deal with Roma issues in all the places with a considerable number of Roma inhabitants.
- To educate the public about the purpose of the implementation of special measures, especially towards the Roma.
- To improve the state of Roma settlements: to build waterworks, a sewage system, to introduce electricity and pave the roads.
- To provide social welfare for poor Roma families.
- To work on the creation of a Roma intelligentsia which would be able to take steps towards the preservation of the Roma identity, culture, language and tradition.

#### **Serbian Alliance of Vlachs**

- The Republic of Serbia Government should develop a plan of investments in enhancing eastern Serbia as well as to regenerate the region's infrastructure including the implementation of environment protection measures.

### **Article 4, paragraph 3**

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### **Article 5**

*1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve essential elements of their identity, namely their religion, language, traditions and cultural heritage.*

*2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.*

### **Article 5, paragraph 1**

#### **Normative framework**

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#### **Implementation**

##### **Network of Committees for Human Rights in Serbia (CHRIS)**

##### **Review on the Opinion of the Advisory Committee**

When comparing the information in the reports submitted by representatives of minorities in APV and those presented by minorities in central, eastern and southern Serbia, one can conclude that, as regards the offering of assistance to societies founded for the protection and promotion of the cultures of national minorities, there are still substantial differences in the commitment of the relevant authorities to such initiatives between the different parts of Serbia<sup>34</sup>. Whereas in APV there appears to be a range of initiatives launched in this field with support from provincial and local

<sup>34</sup> Opinion, article 5/47

authorities (although here too there are complaints about the insufficient funds being granted for the needs of cherishing the cultures of minorities), the scope of the cultural activities of the Albanian, Bulgaria and Bosniak<sup>35</sup> minorities is much smaller. Support for cherishing the culture of the Vlachs in eastern Serbia and the Roma in southern Serbia is practically non-existent.

#### **Center for Multicultural Education, Preševo**

Serbia does not set aside any funds for cultural institutions and manifestation of Albanian national minority in south Serbia, so the Albanians do not have conditions for development of their cultural institutions, culture and tradition.

In Preševo, Bujanovac and Medveđa there are cultural houses, and within them town libraries, with small fund of books in Albanian language.

The library in Preševo has its branches in villages Orahovica, Miratovac and Reljane. Book fund in these libraries is about 20.000 books, out of them: 13.000 in Serbian, and 7000 in Albanian language.

The library in Bujanovac has its branches in villages Trnovac, Muhovac and Zarbince. Central library has 36.580 publications in Serbian, and 8.000 in Albanian language. Up to 2002, there were no books in Albanian language and for almost two decades no books either in Albanian or Serbian language were procured. The situation changed in 2002, when new local government came.

The library in Medveđa municipality does not contain books in Albanian language, or an employee of Albanian nationality.

For the members of Albanian minority in the south of Serbia there are:

- Neither professional or semi-professional theaters in Albanian language
- Any educational activities in Albanian language
- Neither professional or semi-professional cultural clubs.

#### **The National Council of the Bosniak National Minority**

The affirmation of the Bosniak culture and media is supported by local governments, especially Novi Pazar and Tutin.

By supporting the project of the National Council of the Bosniak National Minority in the field of culture and the media, the Ministry of Culture has initiated and encouraged other state institutions to support the implementation of the Bosniak national community's rights.

#### **Civic Action for Human Rights – Priboj**

In Priboj municipality the state is not financing any cultural institution or cultural manifestation of the Bosnjaks.

In Priboj the trend of adoption of cultural heritage of Bosniaks evident, especially musical tradition, national costumes, cooking and architecture. The mentioned elements of Bosnian culture and tradition are presented as a part of Serbian or Montenegrin culture and tradition.

#### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

Total funds aimed for Bosniaks' culture flow from the state to the National Council of Bosniak national minority. Neither cultural project is discussed without the recommendation of this

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<sup>35</sup> An exception are the activities being carried out by the National Council of the Bosniak national minority, while, contrary to this, the support to Bosniaks, for example in the municipality of Priboj and municipalities in Podrinje (the Drina river valley) inhabited by Bosniaks-Muslims, is negligible or non-existent.

institution, although its members are incompetent and poorly educated. The examples of the consequences of this Council operations are the following:

- Textbooks in Bosnian language with elements of national culture represent a unique example of low-quality text books.
- In media, Bosnian language is not standardized, and equally remote from both Serbian and Bosnian language from Bosnia.

#### **Bosniak Cultural Society „Preporod“**

Regarding the cultural heritage of the Bosniaks proclaimed in architecture, literature, history, music and painting, the following forms of discrimination are visible:

- In architecture the oriental spirit of „Sandžak“ town has forceably been changed
- In literature the works of Bosniak authors starting from 1912, are exterminated
- Bosnian literature, and Bosniak authors never had scientific treatment in state institutions, and this trend is continuing
- Bosniak literature and writers are institutionally exterminated
- Pre-historic jewelry from Glogovik village in Pester have been stolen from Novi Pazar museum Ras, and they are now in the National Museum in Belgrade. The similar happened to other archive heritage of national importance for the Bosniaks.

#### **Civic Forum – Novi Pazar**

Rights the Bosniaks in Sandžak enjoy, regardless their quality, are not applied to the Bosniaks-Muslims in Podrinje municipalities. Due to their small number and neglect by majority nation in that region, they have no opportunity, and sometimes they are even prevented to foster the achievements of their culture.

- An example is the case of local radio in Loznica which received anonymous threats for broadcasting the congratulations and greetings to Bosniaks during the Muslim religious holiday Bairam.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

In the field of culture, strengthening awareness on nationality, cultural researches, language, history and tradition of Bosniaks, small results have been achieved. Amateurism in culture does absolutely not advance the creative potentials of a minority community.

- **Prijepolje** Almost no attention or importance is dedicated to the Bosniaks' cultural, historical and religious buildings. There are hardly any cultural contents presenting Bosniak culture, and there is an apparent negligence for the monuments of the Islamic culture and tradition:
- An amount of 650.000 euros has been allocated from the National Investment Plan for the Mileševu Eparchy, and no appropriations have been effected for the Islamic monuments.
- The necropolises of the Bogumil gravestones have not been listed for protection, though in their value and scenery they represent an extraordinary cultural heritage.
- Scarcity value houses built in Turkish architecture are jeopardised and dilapidated.

#### **National Council of the Bulgarian national minority**

Cultural activities realized in the territory of Dimitrovgrad municipality are conducted through the Culture Centre and National library „Detko Petrov“. In recent years the cultural life of Bulgarians has been increased thanks to the activities of certain NGOs, especially Cultural-Information Center of Bulgarian minority „Caribrod“.

Within the Center the following cultural associations operate: Cultural-artistic society, the theater, the gallery, and the cinema (as well as RTV Caribrod and Cable distributive system).

Cultural-artistic society „Hristo Botev“ base its activity only at folk section and folk troupe. It is worth noting that after a long period of time the folk section is active and successful. However, it is not enough for preservation of national cultural heritage of the Bulgarians.

In the period between 2004 and 2007, the theater had one premiere each season: 1 theater performance in the Bulgarian language, 2 performances in the local speech and 1 in the Serbian

language. Theatrical performance “Nisan” performed in local Bulgarian dialect was presented by a poster and information leaflet in Serbian language, so it was unclear whether the performance dialect would be Serbian or Bulgarian.

Gallery is maintaining a good collaboration with amateur Bulgarian artists from our region and it is actively working on their affirmation. Besides, it organizes numerous exhibition of academic painters and international painting colony “Poganovo”.

National library “Detko Petrov” has larger number of books and magazines in Serbian language (approx. 26.000) than in Bulgarian language (15.000). In 2004, about 891 books were procured in Serbian and 755 books in Bulgarian language. In library organization 3 books were published in Bulgarian language, and one is in preparation.

In 2004, the museum operating in library premises presented an ethnic-evening “Smilovska sedenca”, and promoted carpets from Pirot and Ciprovo and cottage industry. The museum took an active part in media presentation of Bulgarian historic heritage presenting: ritual crosses<sup>36</sup>, “kuker” habits (“kamilari” or masker), as well as churches and monasteries from our region.

Cultural activities in Bosilegrad are organized by Culture Center encompassing folk section, initial museum collection and local radio.

There is a private Cable distribution system with modest TV studio “KODAL” in Bosilegrad, contributing to independent local information and enabling the citizens to follow the programs of Bulgarian TV stations.

The amateur theater does not exist in Bosilegrad.

#### **National Council of the Roma national minority**

When speaking of Roma culture, one predominantly implies the oral tradition most of which has been lost. Even the Roma themselves are, quite often, insufficiently informed about it, while persons belonging to other national communities mostly recognize it through Roma music and films that frequently present them in a negative light, thus stimulating the negative stereotypes and prejudice against the Roma.

There is, generally speaking, a lack of research and publications about the Roma tradition, language, history, customs and modern literature, while the educational system is insensitive towards the Roma culture: the curricula contain no material on the Roma language, culture and tradition.

From 1970 onwards, a cultural event of the Roma was held in Serbia and was called “Review of the Cultural Achievements of Roma in Serbia” which included: “Gatherings of Roma Literary Authors”, “Music and Poetry Evening of the Roma”, “Drama Gatherings of the Roma” and “Folklore Gatherings of the Roma in Serbia”, but this ceased to exist two years ago.

Several Roma cultural events are organized in Niš, such as the “Festival of Children’s Songs”, and there were also several gatherings devoted to the Roma language and script, which were of a regional nature (they are also held in Skoplje and Sofia).

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<sup>36</sup> Places where religious rituals in open space are performed, out of church buildings, usually besides the old oaks or other long-living trees in field, which have been consecrated and beside them carved stone cross is placed in honor of some saint (St. Ilija, Mother of God, and others)

### **Serbian Alliance of Vlachs**

The government of the Republic of Serbia is not doing enough to create conditions for preservation of language, national identity and cultural heritage of Vlachs.

### **National Council of the Vlach National Minority**

The examples of insufficient promotion of conditions necessary for maintenance and development of cultural heritage of Vlachs:

- In municipalities: Negotin, Zajecar, Bor, Majdanpek, Kucevo, Petrovac na Mlavi, there are municipal institutions dealing with culture programs, however they are all in Serbian language. Due to that, the cultural collaboration is realized only with institutions having programs in Serbian language.
- Meetings of Vlach villages are organized in good faith, however the actors are required to host the agenda only in Serbian language, since, as an example, out of three jury members none of them is a Vlach, so he/she does not speak Vlach language.
- There were cases when the musicians on the teachers' ball were prevented to play Vlach music and trumpets, since trumpet is a Vlachs' instrument.
- Representation of Vlach folk music in certain larger cultural-artistic societies in Eastern Serbia is small, and the existing repertory and coreography can be marked as unauthentic and pseudo-Vlach (apart from some smaller cultural-artistic societies which are not influenced by the culture centers in municipalities and do not receive any financial support).
- Quantitative production of Vlach music is satisfactory, however the relation of recorded high quality music compared to »junk« (or »sund«) is worrying.
- The contents of certain books evoke doubt and confusion in life of unprepared reader, because they deprive the reader from the truth on Vlach people and insinuate wrong conclusions<sup>37</sup>.

With regard to religion, the Vlach situation is dramatic and extremely tense. The state, as a party does nothing to change such situation, so the impression is that it supports on purpose the extreme elements within Serbian Orthodox Church (see Art. 8 of this Report).

### **«Lunjina» Association**

The Lunjina Serb-Cincars Association is active in Belgrade and has about 350-400 members. There are branch offices of it in Smederevo, Nis and Pancevo each having 30 to 80 members. The Association organises lectures in and courses of the Cincar language. There is also a Fund for Providing Own Premises- since it is a precondition for the Association's normal work, which has over 230 members – benefactors.

The influence of the Cincars on science and culture in Serbia is attested to by the fact that Cincars are among 100 of the most renowned Serbs in history, that there are quite a few of them today in the Serbian Academy of Sciences and Arts and that some of them were great benefactors in the past<sup>38</sup>.

### **National Council of the Greek National Minority**

The cultural and art association «Rigas Fereos» is being organised by the support and assistance of the Greek Dance Centre «Dora Stratu» from Athens and the president of the UNESCO International Dance Council.

## **Recommendations**

### **Center for Multicultural Education, Preševo**

To establish theatres, cultural and art societies and to encourage publishing activities of the Albanians.

### **The National Council of the Bosniak National Minority**

- Public funds should provide more significant financial support for the institutions and projects of national minorities.

<sup>37</sup> An example: «Vlach Ethnogenesis», Vojislav Stojanovic

<sup>38</sup> Information should be sought at the «Lunjina» Society

**Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

- In order to preserve the identity and culture of the Bosniaks, independent institutions should be created and newly-formed and existing institutions should benefit from the unbiased financial support of the State and local self-government.

**Civic Forum - Novi Pazar**

- Institutional and financial support should be provided for nurturing tradition and culture, and for persons, who declared themselves during census as Bosniaks-Muslims and live in Serbia beyond the borders of Sandžak.

**Bosniak Cultural Society „Preporod“**

- In order to protect the historical and cultural heritage in Sandžak, an institution for the protection of cultural heritage should be established in Sandžak (and not in Kraljevo, as is the case now).

**Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

- To foster spiritual and to develop institutional links between the Serbian and Montenegrin parts of Sandžak.
- To work on promoting Bosniak national awareness, in order to avoid that this community comes to a minor religious community.

**National Council of the Roma national minority**

- To renew the organizing of the “Review of the Cultural Achievements of Roma in Serbia”.
- To organize annual international cultural events of the Roma, scientific gatherings and symposiums devoted to study of their culture and customs.

**National Council of the Vlach national minority**

- Establish the Institute for culture, language and information, whose program would be dealing with national affirmation of Vlachs, their culture and language in order to correct the injustice caused by the state regarding the recognition of Vlach language.
- Improve the operation of Culture Centers and introduce the obligation that half of the programs should be in Vlach-Romanian language, which is highly applicable in collaboration with Romanians from APV and Romania.
- In places where the Vlachs live in larger number, establish the library branches with books and magazines in Romanian language (make use of APV Romanians publications).
- Recognize the right to Vlach-Romanians to decide by their free will which language they will use in their mutual communication, and communication with Romanians in public and cultural manifestations, due to the fact that they use the oldest form of Latin-Romanian language.
- Enable Vlachs' education in their mother tongue: establishment of Vlach classes in schools, printing of text books and education of future teachers.

**Article 5, paragraph 2****Normative framework**

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**Implementation****The National Council of the Bosniak National Minority**

In Sandžak, and on territories in Serbia, where Bosniaks live, the State refrains from the policy aimed at forced assimilation.

In the Republic of Serbia there are no legal regulations, which would explicitly refer to a „general integration policy“, hence there is no appropriate state infrastructure either.

**Bosniak Cultural Society „Preporod“**

Lingual, cultural, artistic and historical assimilation of the members of Bosniak national minority is conducted through the media and educational institutions:

- 6th grade literature textbooks for elementary schools mention about ten icons of Christian saints
- Music textbook for the 5th grade of elementary school contains mostly Orthodox spiritual music.

**Civil Forum – Novi Pazar**

State and other local media use Serbian language, and municipal TV tries to realize program in (unstandardized) Bosnian language. Due to discrepancies of Bosnian language from literature norms and standards, a silent assimilation and elimination of Bosnian language, as national minority language is performed.

Although they are aware that use of Serbian language and script leads towards their inevitable assimilation, negative experiences of Bosniaks-Muslims in Podrinje and Macva tell them not to mention Bosnian language and script either before the government and education, but to nourish it together with Bosniak-Muslim culture through cultural-artistic societies.

**Creative Center Caribrod**

Preconditions for assimilation of the Bulgarians exist in municipalities Pirot, Babusnica and Surdulica, mainly inhabited by major Serb population and small Bulgarian population. Until 1960, parts of these three municipalities (mainly inhabited by the Bulgarians) were administrative parts of Dimitrovgrad and Bosilegrad municipalities, however in the 1960's by new administrative distribution, they were joined to Pirot and Babusnica municipalities, and Surdulica. Due to this change of administrative borders, the member of Bulgarian minority today:

- Do not have adequate schooling in Bulgarian language in these three municipalities
- The right to official use of Bulgarian language is not recognized in these municipalities, so the members of Bulgarian national minority use only the documents issued in Serbian language.
- Number of Bulgarian minority members is permanently decreasing from one census to another, however internal data show that their number is much larger.
  - For example: in Pirot municipality only one hundred persons declared themselves to belong to Bulgarian national minority, while Bulgarian citizenship was granted to about 2000 inhabitants of Pirot.
- Due to stereotype and pressure of the environment in these 3 municipalities, the Bulgarians fear to express openly their national identity.

**National Council of the Bulgarian national minority**

Pursuant to the data from the last Census in the territory of Dimitrovgrad municipality there are 11,748 inhabitants distributed to 11 ethnic groups. The larger entity are the Bulgarians who constitute today 49,7% of population. In Bosilegrad municipality according to the data from the last Census, the Bulgarians are represented by 75%, the Serbs by 23% and the others with 2%.

A fine assimilation mechanism has been developed for decades towards the Bulgarians in this area, and that is witnessed by the Census data from 1948 - 2002.

- Census 1948 – 61.400
- Census 1961 - 62.624
- Census 1971- 58.627
- Census 1981 - 36.187
- Census 1991- 25.214
- Census 2002 - 20.497

A large number of persons included to „undeclared“ category, i.e. „others or unknown origin“ is a proof of unfinished assimilation process. Those citizens are in a state of ethnic apathy and fear of own national identity, and that is a good foundation for manipulation with their rights particularly in: cultural-educational system, realization of religious rights guaranteed by Constitution, official use of language, health protection and in the area of social-economy policy.

#### **National Council of the Roma national minority**

The Roma community is exposed to the process of assimilation and the Roma often renounce their roots: their mother tongue, tradition and culture, name and religion (this mostly refers to Roma of the Islamic faith, displaced from Kosovo) in the desire to ensure a better life for themselves or to fit into the environment they live in.

#### **National Council of the Vlach national minority**

The usage of term *Vlah* for the Romanians in Eastern Serbia and negation of their close relationship with Romanians and the Romanian language, represents an attempt to represent this ethnic community as a separate ethnic entity, separated from integral part of Daco-Romanian ethnic corps. Such untruth represents an attempt of the assimilation policy of Romanian population in the mentioned areas.

Until these days Serbia did not renounce or separated itself from assimilation policy towards Vlachs, and it permanently sticks to the saying<sup>39</sup> »Everybody and everywhere the Serbs«.

During the recognition of ethnic specificity of Vlachs there have been some improvements in last decades, however not concerning their national belonging. Namely, every mention that the Vlachs are a part of the Romanian nation, causes severe reactions of majority nation, and most of the discussions on that agenda is usually interrupted to avoid unwished discussions and labeling.

- The most prominent example of an attempt to conduct assimilation policy and practice by the Republic of Serbia represents impossibility to register National Council of Vlach national majority, with the excuse that the issue of their language and very name of national council has not been solved.<sup>40</sup>

#### **National Council of the Greek national minority**

The assimilation of the Greeks is quite certainly the strongest factor of the reduction of the number of Greeks in Serbia. Greeks settled in Serbia in the 20<sup>th</sup> century, they fled in the face of the Turkish terror in the 1920s or were banished for ideological and political reasons at the middle of the century. By blending into the majority population they found a possibility for survival, and assimilation was also largely facilitated by: the same Orthodox religion and the conclusion of mixed marriages. The formal side of assimilation proceeded through the “Serbianization” of Greek last names, either through the adding of the characteristic *ić* to the original or translated form of the Greek last name or through the deriving of the last name from the grandfather’s name.

## **Recommendations**

#### **The National Council of the Bosniak National Minority**

- Forms of social practices leading to assimilation should be recorded, and in cases, when such practice is supported by the State, the support in logistics and finances should be ceased for those, who are in its function.

#### **Bosniak Cultural Society „Preporod“**

- To abolish the confessional and linguistic assimilation of Bosniak children in schools.
- To introduce the Bosnian language as a mandatory subject in primary schools.

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<sup>39</sup> Saying of Vuk Stefanovic Karadzic

<sup>40</sup> See Art. 15 of this Report

- To humanize the contents of textbooks for history, music, geography, literature and language.

#### **Civic Forum - Novi Pazar**

- The Bosniaks-Muslims from the area of Podrinje and Mačva should be provided the possibility of fostering their national identity, language and culture through National Council and State institutions.

#### **The National Council of the Bulgarian National Minority and Creative Center Caribrod**

- In order to decrease the assimilation of persons belonging to the Bulgarian national minority in Pirot, Babušnica and Surdulica, the former municipal boundaries should be restored, while villages settled by Bulgarians should be re-annexed to the municipalities of Dimitrovgrad and Bosilegrad. Another opportunity is to organise individual settlements, where Bulgarians live, as special units of local self-governments, e.g. Božica village, which as the largest village in the Surdulica Municipality meets all the conditions of becoming a municipal centre.

#### **The National Council of the Bosniak National Minority**

- The forced assimilation of Vlachs in eastern Serbia should be stopped, since it is most openly practiced, for example, at christening, i.e. giving Serbian names to Vlach children and through the disrespect of this minority community's right to serve liturgy in its own language by the SOC.
- To make possible that Vlachs exercise their right to the official use of their language, and rights in culture and education.

## **Article 6**

*1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the field of education, culture and the media.*

*2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.*

### **Article 6, paragraph 1**

#### **Normative framework**

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#### **Implementation**

##### **Center for Multicultural Education, Preševo**

Although the national media are the best channel in the struggle against prejudices and stereotypes directed against the members of various national minorities, the programs of national TV channels do not include broadcasts in Albanian, nor programmes that would develop intercultural dialogue and tolerance between Serbs and Albanians.

##### **The National Council of the Bosniak National Minority**

In relation to the 1990s, the media's attitude towards the Bosniaks have not changed significantly, though, generally, there are some improvements:

- For example, the number of newspaper articles and programmes about the positive developments in the Bosniak community is larger than the number of articles and programmes about negative events in politics and crimes and accidents related to Bosniaks.

However, there are negative examples:

- In the prime time news of the Serbian Radio and Television, names of persons belonging to the Bosniak national minority are mentioned only on crime pages in relation with crimes, accidents and negative events, like political turmoil. In particular, this refers to the year 2006, when there were continuous explosions in downtown Novi Pazar.

Similarly, despite the support by the Ministry of Culture, articles about Bosniak cultural events, like the Festival of Sandžak Folk Music (Sevdalinka), were laconic, while the electronic media failed to report on this event. The only exception is Danas, the daily, which publishes a special edition Sandžak Today, on Fridays<sup>41</sup>, wherein there are more and more articles written in the Bosnian language.

At the national level, there are no electronic or printed media, nor programmes in the Bosnian language in Serbia. Moreover, the words of the representatives of the Bosniak community, when quoted in the printed media, are translated to Serbian:

- Exemplary articles in the dailies: Politika, Blic and Večernje novosti.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

The Bosniaks are poorly represented in the central media. At the public service of RTV Serbia, there are no broadcasts dealing with the cultural heritage and problems of the Bosnian national community and the daily papers deal with Sandžak area most often in the crime column. Affirmative texts are virtually non-existent.

#### **Creative Center Caribrod**

The local radio and television station in Caribrod broadcasts over 90% of its otherwise meager programme in Serbian, and only 10% in Bulgarian. The situation is similar in Radio Bosilegrad and TV Kodal.

Not one of the media in Bosilegrad and Dimitrovgrad has a Bulgarian editorial board (with the exception of the Bulgarian Editorial Board of Radio Surdulica, since 2005<sup>42</sup>).

In Bosilegrad and Dimitrovgrad, there are still no adequate mechanisms for monitoring the presence of the Bulgarian language in the media.

#### **National Council of the Vlach National Minority**

The state does not take efficient measures aimed at promoting mutual respect and understanding between people of different ethnic, cultural, linguistic and religious identities.

## **Recommendations**

#### **Center for Multicultural Education, Preševo**

- Programmes in the Albanian language should be broadcast by the public service media.

#### **The National Council of the Bosniak National Minority**

- The State should take various actions, which will contribute to the promotion of tolerance in education and in the media.

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<sup>41</sup> Since December 2006.

<sup>42</sup> Currently under the control of the Serbian Radical Party

- Positive actions should be implemented, which would enable to build more contacts and develop multiculturalism and interculturalism among citizens with different ethnic background.
- The cooperation between the minority language and the majority language media should be supported by special donations.
- Preference should be given in allocating broadcast frequencies, in providing donations, additional budget funds and tax incentives to multicultural and multi-lingual projects by means of adequate legal solutions in the field of media and systems of so called good practices.
- To organise training courses about multicultural approach in everyday editing tasks.
- To establish a public company for publishing activities and publishing a daily newspaper and broadcast media in the Bosnian language.

#### **Creative Center Caribrod**

- To improve the situation in the media, since it can be assessed as disastrous in relation to the Bulgarian language.
- To establish an editorial office in the Bulgarian language in the local media.
- To introduce the model of multi-ethnic police and develop the spirit of confidence and trust between Bulgarians and Serbs in settlements where they live together.

## **Article 6, paragraph 2**

### **Normative framework**

#### **The National Council of the Bosniak National Minority**

Legal system analyses relating to the prohibition of discrimination are incomplete.

- For example, the principle of prohibition is more or less respected at constitutional and legal level, but reference made to the stipulations of the *Constitution* is recognizing only the „citizens‘, right to „equality before the law“, which presupposes the opportunity that foreigners, refugees and stateless persons may be subjected to discrimination.

Many fundamental rights and freedoms have been derogated by the constitutional provision on their implementation "pursuant to the law", which opens up the legal opportunity of directing the law discriminatory.

A vast number of general by-laws („regulations“) have not been analysed yet, and it especially refers to individual legal acts and transactions, essential from the aspect of researching discrimination.

In the Federative Republic of Yugoslavia<sup>43</sup> no prosecution for committing massive criminal acts under Article 134 of the Criminal Code of the FRY<sup>44</sup>, and act of crime under Article 60 of the Criminal Code of the Republic of Serbia was instituted, nor for some other crimes important from the aspect of discrimination, nor for genocide. Indirectly, this points out the fact, that the State tolerates discrimination, and it undertakes nothing respectively to identify and prevent such occurrences, leastwise the most staggering forms of them. At the same time, this opens up the opportunity of keeping up the atmosphere of discrimination.

The analysis of local community statutes, adopted up to now, on the territory of municipalities in Sandžak, points out the following facts:

- The municipalities, which have foreseen in their statutes the establishment of, or the opportunity of establishing councils for inter-ethnic relations, are Novi Pazar and Tutin,

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<sup>43</sup> Referred herein as: FRY

<sup>44</sup> Referred herein as: FRY CC

though the foundation of inter-ethnic councils have been envisaged in the statutes of several other municipalities, wherein minority languages are not in official use.

- In most of the municipal statutes, the provisions on the councils for inter-ethnic relations were taken over from the *Law on Local Self-Government* without specifying the legal solutions.

## Implementation

### Network of Committees for Human Rights in Serbia (CHRIS)

#### Review on the Opinion of the Advisory Committee

Tensions between the Serbs and Bosniaks in Sandžak<sup>45</sup> also occurred in the period between two reports (see article 6, paragraph 2), but tensions in this region were also largely manifested through conflicts between the Bosniaks themselves, i.e. their political leaders and religious believers. Here are some of the most drastic examples:

- **Novi Pazar.** The throwing of a Molotov cocktail at the seat of the Sandžak Democratic Party<sup>46</sup>.
- **Novi Pazar.** The throwing of a bomb at the house of the List for Sandžak's leader<sup>47</sup>.
- **Novi Pazar.** The throwing of a bomb in front of the Municipal Council<sup>48</sup>.
- **Novi Pazar.** The murder for the candidate for the position of councilor from the List for Sandžak Coalition during early local elections<sup>49</sup>.
- **Novi Pazar.** The throwing of a bomb on the house of an activist of the Sandžak Democratic Action in Novi Pazar<sup>50</sup>.
- **Novi Pazar.** An armed conflict between religious believers and Vehabi (Islamic extremists) at the Arab-Mosque<sup>51</sup>.

The radicalization of the situation in Sandžak was interpreted by most of the participants in the writing of this report as the state's lack of concern for this region (reflected in both a lack of economic investments and in the non-punishment of destabilizing occurrences) and Belgrade's mediation in the conflicts between Bosniak political parties.

#### Center for Multicultural Education, Preševo

Inter-ethnic tolerance among Albanians, Serbs and Roma in southern Serbia is relatively good. Ethnic based incidents have not been registered for decades.

Positive steps were undertaken by the Serbian Government and the OSCE in the field of inter-ethnic cooperation and tolerance through organising courses, seminars, trainings and establishing multi-ethnic police forces, as well as by adopting the Decision on the Amnesty for persons belonging to the liberation army of Preševo, Bujanovac and Medveđa.

#### The National Council of the Bosniak National Minority

Although Bosniaks are autochthonous in the region where they live, the relation of state authorities towards them frequently puts them in a subordinated and discriminatory position.

Bosniaks share the opinion that, besides Albanians and Croats, they are a national minority, towards which the majority nation has the most negative stereotypes. These are most expressed, when Bosniaks address representatives of state authorities in the towns, where they are not settled in substantial number, and in administrative centres. Similar feeling of insecurity is expressed in the communication with the personnel in healthcare institutions.

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<sup>45</sup> Opinion, 6/54

<sup>46</sup> April, 2006

<sup>47</sup> April, 2006

<sup>48</sup> April, 2006

<sup>49</sup> September, 2006

<sup>50</sup> November, 2006

<sup>51</sup> November, 2006

There are individual cases of discrimination within state authority bodies, like: the army (disrespect of the right to specific nutrition practice, hence a large number of Bosniak men opt for civilian service), the police (employment and promotion in police services), justice (disproportional representation) and education (non-introduction of the Bosnian language to schools in all municipalities, where Bosniaks live). Bosniaks are denied their identity (right to national name – Bosniak, right to special culture and tradition), right to display traditional local names, street names, topographical indications etc. and their use, the right to use the traditional names of regions inhabited by substantial numbers of Bosniaks (Sanžak/Raška) etc.

#### **Civic Action for Human Rights – Priboj**

According to the records by the municipal committee, 50 houses were set aflame and 156 buildings were destroyed in the period from 1992 through 1995 in Priboj. Some 200 families from the villages on the territory of the Priboj Municipality left their homes because of these events. Neither Priboj Municipality, nor the State of Serbia has provided any form of aid or support to these persons so far, nor has there been any effort undertaken to regenerate their burnt and looted houses.

#### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

The freedom of thought and expression of persons belonging to the Bosniak national minority was threatened during the campaign for the 2006 referendum, as expressing critical attitude towards the referendum was forbidden. Only an affirmative support of the Draft *Constitution* may be displayed in the media during the two days of the referendum.

#### **Civic Forum – Novi Pazar**

Besides the complex security and political situation in the region, there have luckily been no sizeable conflicts between the Serbian and the Bosniak population there. Noticeably, there are parallel institutions established, parallel events organised and multiethnic tendencies are being uprooted.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

In relation to the period prior to 2000, a shift has been made in the field of human and minority rights in Serbia, still discrimination against persons belonging to minority communities remains to be the most frequent form of human rights violation in Sandžak. Minorities ceased to be subjects of systematic pressures, but are still exposed to various forms of discrimination and intolerance, in the following sense:

- Many criminal procedures become outdated due to sluggish and slow court procedures, procrastination and synchronised obstructions (this is especially related to municipal court)<sup>52</sup>.
- Cases of discrimination in prisons<sup>53</sup>.
  - For example, cases of : Munir Šabotića and Fazlije Đerle.
- Police violence and transgressions of duty of policemen whose victims are Bosniaks<sup>54</sup>.
- Setting fire to the mosques in Niš and Belgrade<sup>55</sup>.
- Writing slogans with racist message on the mosque in Niš<sup>56</sup> and „urinating the walls for praying by drunken young men“<sup>57</sup>.

Below are some examples:

<sup>52</sup> Respective data are available from the Sandžak Committee for Human Rights, Novi Pazar.

<sup>53</sup> Respective data are available from the Sandžak Committee for Human Rights, Novi Pazar.

<sup>54</sup> Respective data are available from the Sandžak Committee for Human Rights, Novi Pazar.

<sup>55</sup> In 2004.

<sup>56</sup> In the autumn of 2006.

<sup>57</sup> Data from the Republika Magazine

**Priboj.** In a number of unsolved and unclear events in this municipality from 1991 until present day no court procedures have been initiated and these events have been left to oblivion. People, living in the villages of this municipality still may not enjoy full personal safety and the safety of their property.

#### **Prijepolje**

- Policemen, known for their cruelty, are still in top managing positions<sup>58</sup>.
- The memorial for persons abducted in Štrpci has not been built yet, although the municipal decision to construct it has been adopted. On 10th August 2007, the Municipal Assembly adopted a new decision on building a monument only to the victims from Prijepolje, and not to all other victims perished during the same event.
- The decision of the Municipality on the return of workers sacked during the NATO attack, has not been implemented yet. Not a single employee has been returned to his or her job, not even in companies and institutions financed out of the local budget, such as the sports union or the public utility company.
- In spite of the Municipality's initiative to reconstruct the „musala“ in Prijepolje, nothing has been done so far in this field.

In Sandžak holding someone accountable for spreading national hatred and intolerance seldom happens, although it is an act of crime sanctioned by both the Constitution and the law. As a result, following negative examples are not rare:

"Hatred speech", like:

- Sandžak is the „Region of the white al-Khaida“, „The hotbed of terrorists“ and „Of Islam fundamentalism“<sup>59</sup>
- **Nedeljni telegraf**<sup>60</sup>, **Belgrade weekly**: The chairman of the Serb Radical Party Municipal Committee in Novi Pazar, Milan Veselinović, stated in an article, that non-governmental organisations, though not apparently, still influence the political life of Novi Pazar: „ Their clandestine sabotages will hit us on the head again. After Kosovo and Montenegro, they want to divide the Raška region, and then APV. But we are on to them. Our intelligence should do its job, and root their actions out.“

Scrawling graffiti with nationalist messages, such as:

- „Young Bhaliya is running down the field, I catch up with him and kill him“<sup>61</sup>, „Knife, wire, Srebrenica“<sup>62</sup>, „Muslims stink“<sup>63</sup>

Ethnicity-based incidents,

- **Vranje**<sup>64</sup>. Shouting nationalistic slogans by the football-fans of the Vranje football club: „Kill them, slay them, extirpate the Turks!“, „Serbia is for the Serbs! Turks get out of here!“
- Group of „vehabias“ and the football fans of the Novi Pazar Football Club interrupted of a concert of Balkanika<sup>65</sup> in Novi Pazar music band.

Conflicts between the supporters of some political parties:

- Due to the division between the decision-makers of the two strongest political options in Sandžak, i.e. the Democratic Action and the Sandžak Democratic Party, there were clashes between their supporters: two persons were wounded on 11 September 2004, while on 10 September 2006, during the extraordinary parliamentary elections one person was killed and another wounded.

Conflicts within the Islam community.

- Discord between the Belgrade Reis and the Mufti of Sandžak. The emergence of Vehabia.

<sup>58</sup> The example of the head of the police department, known for his tortures of Bosniaks from Priboj.

<sup>59</sup> More examples available at the Sandžak Committee for Human Rights, Novi Pazar

<sup>60</sup> No. 518 of 29 March 2006, title of the article: *Novi Pazar awaiting the referendum in Montenegro*

<sup>61</sup> Early 2006, on the walls of the Bratsvo Primary School in Novi Pazar.

<sup>62</sup> Early 2006 on the wall of the Polytechnic Secondary School in Novi Pazar.

<sup>63</sup> More examples available at the Sandžak Committee for Human Rights, Novi Pazar

<sup>64</sup> 09 April 2005.

<sup>65</sup> In 2006.

### **The National Council of the Bulgarian National Minority**

The discrimination against Bulgarians is not a massive phenomenon in Serbia, but it is apparent in situations, when individuals of Bulgarian nationality openly express their national affiliation. Sometimes, criminal charges, mostly ungrounded, are filed against such persons, hence, subsequently, they are unable to apply for executive positions or jobs involving higher responsibility.

Because of the constant highway patrols in Bosilegrad and Dimitrovgrad municipalities by the police and border guard forces, Bulgarian nationality citizens feel a permanent psychological pressure and annoyance when meeting them.

In cases of marriages between persons holders of Serbian citizenship with persons holders of the citizenship of the Republic of Bulgarian, having permanent residence in Serbia, the spouses from Bulgaria are unable to acquire Serbian citizenship, thus they are not granted the right to family pension, social care and other benefits provided by the provisions of the *Family Law*, as long as they renounce their Bulgarian citizenship and receive a respective certificate of the Republic of Bulgaria about it.

### **The National Council of the Roma National Minority**

The Roma are faced with discrimination in almost all the places where they live and work. There has recently been a growth of intolerance between young people of the Serbian and Roma nationality, which was not so pronounced before.

- In **Bujanovac, Vranje, Vladičin Han and Surdulica** and other places there are separate promenades for the Serbs and Roma (it should be noted that they existed even before), and also usual is the organizing of separate gatherings for the young, to which the Roma are denied access.

Graffiti against the Roma are increasingly frequent.

Also registered has been the organizing of “gangs” which attack Roma in the streets and in public transportation.

Examples of discrimination against the Roma:

- **Preševo.** A chemistry teacher beat up a Roma child at the “Vuk Karadžić” primary school and forbid him to come to school<sup>66</sup>. Following an intervention by the Roma community, the pupil was readmitted to school<sup>67</sup>.
- **Preševo.** After a fight between a teacher of physical education and a pupil of the Roma nationality, the pupil was expelled from secondary school, but following the parents' insistence and complaints to the Ministry of Education of the Republic of Serbia he was returned to school.
- **Bujanovac.** The principal of the "Branko Radičević" primary school beat up a Roma pupil<sup>68</sup>. However, even though Roma NGOs and political parties of the Roma in Bujanovac complained about this both to the municipal authorities and the Ministry of Education and Sport of the Republic of Serbia the principal was not punished and he still works at the school. Moreover, in this school year of 2007/2008 he has once again been nominated for re-election as principal.
- **Vranje:** Due to the intolerance between young Roma and Serbs, Roma cannot walk freely through the town center in the night hours, while it is not recommended for the Serbs to pass at night through the town quarters inhabited by Roma.
- **Niš:** The frequent practice is for parents to withdraw their children from the “Vuk Karadžić” primary school, because a large number of Roma children enroll in it.

### **Serbian Alliance of Vlachs**

The Republic of Serbia Government takes no resolute measures to protect persons belonging to the Vlach national minority, who suffer threats and violence because of their national identity, while the

<sup>66</sup> In 2007, even though the same teacher harassed Roma children even before.

<sup>67</sup> The intervention was made by a representative of the Narajan NGO, to which Roma children complained even before about harassment by teachers.

<sup>68</sup> On February 23, 2007

inappropriate response by the state authorities encourages perpetrators to keep up committing such crimes:

- **Kolograš**<sup>69</sup>. A group of believers of the SOC (as they represent themselves) by their threats and insults made impossible that the believers of the Romanian Orthodox Church<sup>70</sup> (persons belonging to the Vlach community), organise a memorial service (parastasis) for Christian soldiers killed in the battle on Rovina. Until now, not a single criminal charge has been filed against persons, who caused the incident near the monastery.
- There are frequent threats to persons belonging to the Vlach national minority in graffiti messages and by damaging the buildings of Vlach organisations:
- **Petrovac on Mlava**. A graffiti was written on the school building walls with the message: „Death to the Vlachs.“
- **Bor**<sup>71</sup>. On the building of the “Ariadnae Filum” Organisation a window was broken and a graffiti: "Vlachs - get out of Serbia" was written.
- **Boljevac**<sup>72</sup>. On the buildings of the Vlach Democratic Party of Serbia and the Association of Vlachs of Serbia the plate bearing the names of the organisations were broken twice.
- **Negotin**<sup>73</sup>. On the facade of the building hosting the Democratic Movement of Romanians in Serbia, a political organisation the following graffiti was written: „ Serbia for the Serbs; Vlachs get out from here!“
- There is a constant discrimination against a priest of the ROC<sup>74</sup> by the local self-government of the town of Negotin, by the Municipal Public Prosecutor’s Office in Negotin, and most specifically, by the Eparchy of the Timok SOC:

Despite the application for building licence submitted by the above indicated priest to build a church in the Malajnica village, the Negotin local self-government failed to issue such a licence, because the self-government needed the approval by the SOC. The same priest had built the church without any building licence on his own plot, on a private property, whereupon the Negotin Municipality Control and Inspection Department filed criminal charges against him for illegal construction, though most of the buildings in the villages around Negotin have been built without permits. The criminal proceedings against the priest of the ROC were initiated by the public prosecutor in a selective and discriminatory manner.

### **Society for the preservation and development of the language, culture and religion of the Vlachs in the Morava River valley**

The most staggering examples of discrimination against persons belonging to the Vlach national minority were the incidents based on religious denomination and related to serving liturgy in the Vlach-Romanian language.

### **The National Council of the Vlach National Minority**

There is discrimination against Vlachs on national or ethnic grounds, but it is difficult to prove. Persons suffering such discrimination are those, who excel by their activities in the overall emancipation of Vlachs.

- **Bor Municipality** Court authorities pursue insulting conduct against persons belonging to the Vlach national minority.
- **Negotin District Court** In the Kolograš Case, the lawsuit of one of the Vlach leaders was scheduled for Sunday.
- **Bor Municipality** The reports by the Municipal TV are insulting for the Vlachs since these accuse them for Romanisation and separatism.
- **Zaječar Municipality** The Timok Magazine reports about the Vlachs in an insulting manner.

## **Recommendations**

### **Center for Multicultural Education, Preševo**

- In order to create a better and more tolerant climate in Preševo, Bujanovac and Medveđa, members of the gendarmerie should be withdrawn from the municipality.

<sup>69</sup> 21st May 2005

<sup>70</sup> Referred herein as: ROC

<sup>71</sup> June, 2005

<sup>72</sup> 24/25. July 2006. and 06/07, Septembar 2006

<sup>73</sup> 8/9th August, 2006

<sup>74</sup> Bojan Aleksandrović

**The National Council of the Bosniak National Minority**

- To initiate the adoption of the anti-discrimination law.
- To take up various measures aimed at creating a positive environment for minority rights implementation (a new minority policy, instituting special measures, sanctioning and punishing negative tendencies aimed at discrimination).

**Civic Forum – Novi Pazar**

- Tradition, culture, creativity and religion of all communities should be fostered in an organised manner, and the quality of mutual communication and cooperation between Serb and Bosniak population should be improved through joint institutions.

**Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

- All actions targeted towards spreading national hatred and intolerance and their perpetrators having the aim to disturb interethnic and inter-confessional relations should be sanctioned.
- State authorities should respect more NGO's reports on implementation of the human rights and their indications where they should be protected

**The National Council of the Bulgarian National Minority**

- To instruct the law enforcement authorities to conduct their activities discreetly, without excessive demonstration of their presence, and not to control local population living along the border unless it is necessary.
- To amend the *Citizenship Act* by modifying the limiting provisions presenting a barrier in acquiring Serbian citizenship.

**The National Council of the Roma National Minority**

- To adopt an anti-discrimination law.
- To punish individuals whose goal is ethnically-based discrimination against the Roma.
- To reduce the ethnic distance between the Serbs and Roma with special measures and the creation of a more tolerant atmosphere.

**The National Council of the Vlach National Minority**

- Criminal charges are to be filed against the perpetrators of criminal acts against persons belonging to national minorities, in order to protect these persons from ethnicity-based discrimination, threats and violence.
- The principle of separation of church and state should be implemented in practice.

## Article 7

*The Parties shall ensure respect for the right of every person belonging to national minority to freedom of peaceful assembly, freedom of association, freedom of expression and freedom of thought, conscience and religion.*

### Normative framework

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### Implementation

**The National Council of the Bosniak National Minority**

Establishing associations and NGOs within the Bosniak community is more and more frequent, and it has been obvious over the past two years. The established organisations are active in all social fields and are networked in associations. The Sandžak Association of NGOs has twenty member-organisations (some have been active over ten years).

There are also Bosniak organisations outside those towns, where Bosniaks make the majority, but their activities are rather limited.

**Bosniak Cultural Society „Preporod“**

Bosniaks have the right to establish cultural associations but only the National Council of Bosniak National Minority is supported financially by State.

**The National Council of the Bulgarian National Minority and Creative Center Caribrod**

So far there have been no problems in establishing NGOs with Bulgarian national designation, nor have there been any examples of obstructing the co-operation of (ethnic) Bulgarian NGOs with Bulgaria and other foreign NGOs.

There are several NGOs in Serbia working on the maintenance and development of Bulgarian tradition and culture and in the opinion of the National Council's Cultural Committee, their work is satisfactory.

**Recommendations**

**The National Council of the Bosniak National Minority**

- To establish better cooperation of NGOs with domestic and international institutions.
- To promote and encourage start-up NGOs and to educate and train their members.

**Article 8**

*The Parties undertake to recognize that every person belonging to national minority has the right to manifest his or her religion or belief or to establish religious institutions, organizations and associations.*

**Normative Framework**

**The National Council of the Bosniak National Minority**

The provisions of Article 44 of the new *Constitution* lay down, that religious communities are separated from the state, and they are free in administering confessional affairs and religious services. The introduction of religious education as a mandatory optional subject in primary schools violates the principle of separating the church from the state, proclaimed by the *Constitution*.

At the same time, the provision of Article 22 of the *Primary School Act*, and the introduction of religious education as an optional subject solely for historical churches and religious communities, the principle of equal treatment of churches has been violated.

The criminal codes of the RS have not yet defined as an act of crime, e.g.: the violation of expressing national affiliation, the violation of the right to manifest one's religion and to exercise religious services, though it would be logical to expect such legal provisions in view of the new *Constitution's* stipulations.

Whereas, in the group of military crimes, even after introducing the so called „civilian service“, the refusal of taking and using arms is still treated as a crime (with severe punishment from 1 to 10 years of imprisonment), though it is related to conscientious objection, the integral part of moral or ethical dictates of some religious communities.

### **The National Council of the Vlach National Minority**

The provisions of the *Law on Churches and Religious Communities*<sup>75</sup> of the Republic of Serbia, regulating this area, are contrary to the spirit of the *FCNM*. This *Law* does not recognise the ROC as traditional church, although this Church is, except for Greece, the oldest one in continuity on the territory of eastern Serbia.

## **Implementation**

### **Network of Committees for Human Rights in Serbia (CHRIS)**

#### **Review on the Opinion of the Advisory Committee**

The Advisory Committee's conclusion that religious freedom is largely guaranteed in Serbia, but that there are certain differences in approach to different religions in the army and in other contexts<sup>76</sup>, is corroborated by the information in the alternative report attesting to heightened tensions regarding the inability to express religious beliefs and to found religious institutions of the Vlachs in eastern Serbia. Like in the case of religion-related conflicts mentioned in the report for APV, at issue is a conflict within the Orthodox Church, i.e. between the Serbian Orthodox Church and the Romanian Orthodox Church<sup>77</sup> which, unlike the agreement reached on the territory of APV, did not manage to reach agreement in relation to eastern Serbia. While it has been made possible for Romanians in APV to have religious services in the Romanian language, and also to attend religious teaching in schools (despite difficulties, since the classes were not introduced until the 2006/2007 school year), the Romanian Orthodox Church is not recognized in eastern Serbia, and the conflict between the Serbian Orthodox Church and the Romanian Orthodox Church in regard to this issue is constantly present, especially in view of the fact that the Vlachs have erected of their own accord a "church" on a private estate, in which they perform religious services in the Vlach-Romanian language.

The potential danger of the outbreak of a similar conflict in the future, within the Orthodox Church, exists in regard to the Bulgarians as well, due to their current inability to perform religious services in the Bulgarian language.

Persons belonging to the Bosniak national minority point to the presence of a problem in the army as regards food for Bosniaks, and just like the Croats in APV, they express their dissatisfaction over the imposition of the obligation on Bosniak children to celebrate "St. Sava's Day", devoted to an Orthodox saint, as the patron saint's day of schools.

### **Center for Multicultural Education, Preševo**

Persons belonging to the Albanian national minority in the three municipalities of southern Serbia are Muslims by religion. Although their meetings are scarce, the confessional tolerance between the local leaders of the Muslim community and the Orthodox Church is satisfactory.

### **The National Council of the Bulgarian National Minority**

After the annexation of Bulgarian territories (in 1920) to Serbia, the Serbian authorities started expatriating Bulgarian clergy and employing the clergy of the Serbian Orthodox Church.

Bulgarians have not regained yet their right to serve liturgy in their own language despite a number of requests by Bulgarian political parties. The situation is further complicated by practices inherited from the Communist regimes which forbade the celebration of religious holidays so effectively and successfully that the results entered the folk idiom: "He dumped it like the Bulgarian dumped his faith".

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<sup>75</sup> RS Official Gazette No. 36/2006

<sup>76</sup> Opinion, article 8/66

<sup>77</sup> Referred herein as: ROC

Numerous churches and monasteries were demolished in this area in Communist times, and some of them are being renewed with the support of local authorities, donations, and the help of the Serbian Orthodox Church

#### **The National Council of the Bosniak National Minority**

In view of their religion, Bosniaks in Serbia are organised in two religious organisations: the Islamic Community of Serbia with a Riasset in Belgrade, and the Islamic Community of Sandžak, with Meshihat in Novi Pazar.

In the public education system, allowing the organisation of religious education for Bosniak children, the day of the patron saint of schools, St. Sava, who is an Orthodox saint, has been set as a school holiday.

#### **Preporod Bosniak Cultural Society and Civic Forum – Novi Pazar**

Bosniak children are obliged to celebrate the Christian saint, Rastko Nemanjić – St. Sava the patron saint of schools, on the School Memorial Day, which is contrary to the fundamental religious sentiments of the Bosniaks.

#### **Civic Forum – Novi Pazar**

While Bosniaks in Sandžak freely manifest their religious sentiments and establish religious institutions (both in towns, where they are relative majority and in those, where they are the minority), Muslims in Serbia proper (outside Sandžak and Belgrade) express their religious sentiments and exercise religious rituals under aggravated conditions.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

The media, permanently and as needed by the politicians, support stereotypes of the Islam as a hostile religion, although, at present, Muslims are represented in Serbia by few percentages only. Despite this fact, figures are being lunched about several hundred thousand Muslims, who jeopardise to the Balkans and the region as whole, while Sandžak hits the headlines as a troublespot with terrorists in action.

The recent developments in Sandžak<sup>78</sup> and the so called „Vehabija case“ in the Novi Pazar region re-launched numerous Bosniaks-, Islam-, Novi Pazar- and Sandžak-related questions as topical. A significant part of the media returned to the practice of broadcasting propagandist slots daily, just as in the early 1990s about the threat of Islam, terrorists and the like, and that Novi Pazar has again become „attractive“ for the media thus topicalising numerous questions, which are presented in black-and-white schemes. Such media propaganda, which accentuates vehabism and continues to frighten the whole region and Europe with regard to the Bosniaks with the aim to spread islamophobia, presents discrimination against the Bosniaks.

In order to understand the current situation in Sandžak, one should keep in mind all that had happened in the last decade of the last century and also the recent division of the region between Serbia and Montenegro.

#### **National Council of the Roma national minority**

Most Roma in Serbia are of the Orthodox religion, while the largest number of Muslims live in Preševo and Bujanovac, and some in Vranje, Niš and Belgrade. Part of the Roma living in southern Serbia, from Vranje to Niš, do not belong to any religion.

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<sup>78</sup> In April 2007.

Among the Roma declaring themselves as Muslims or those who used to declare themselves as such, and also Roma Protestants, there is fear of negative reactions among the majority nation due to their religious affiliation.

- **Medveda.** There was a case of a Roma being buried at the Roma cemetery according to Islamic customs, and then subsequently being dug out and buried according to Orthodox customs.
- **Leskovac.** Several attacks on Roma Protestants due to their religious affiliation have been registered, and in September 2006 the tent in which they gathered was torn down, after which they were beaten and harassed.

### **Culture Society of the Romanians-Vlachs of Serbia“Pravoslavni Rumuni” (“Orthodox Romanians”)**

The Republic of Serbia hinders the establishment of religious institutions and the building of religious buildings and temples of the ROC in east and north-east Serbia.

Due to certain reasons, the jurisdiction of the SOC was imposed on Vlachs in 1833, but nowadays many Vlachs want to be again under the jurisdiction of the ROC. The State significantly precludes them from doing so and does not recognise the ROC in east and north-east Serbia as a legal religious community, but limits its activity to the territory of APV only.

- When applying for building licence for the construction of the ROC, the Romanian priest was instructed by the municipal authorities to apply to the Ministry for Religions, wherefrom he was sent to the local bishop of the ROC without whose „blessing“ (permit) obtaining the municipal permission was not possible.
- According to the statements by the Ministry for Religions<sup>79</sup>, the SOC is the only church operating legally in regions settled by the Vlachs<sup>80</sup>. The Republic of Serbia, with this act, does not protect the Vlachs from the arrogant and aggressive assimilation this community suffers by the SOC, but supports it.

Thought persons belonging to the Vlach national minority are exposed to permanent intimidation by the SOC, these threats are left without sanctions, for example:

- The threats by the priest of the SOC, Milan Radović, in the village of Malajnica, that ROC supporters are going to be interrogated by the State Security Agency and arrested.
- The threats by Bishop Justin (SOC) that he „will bring thousands of people and make a battle in the churchyard of the ROC in Malajnica“<sup>81</sup>.
- In the Negotin Municipality, hosting the only ROC in Serbia outside APV, the representatives of local authorities headed by the mayoress<sup>82</sup>, openly backed the bishop of the SOC and ignored the ROC, whereas they stated that the latter is not a Vlach Church but the church of the Romanians, thus no one should go there<sup>83</sup>.
- The priest of the Vlach community<sup>84</sup> was several times asked to come to the police station to have, so called “informative interview” there<sup>85</sup>, and he has since been intimidated and kept under pressure continuously<sup>86</sup>.

### **Society for the preservation and development of the language, culture and religion of the Vlachs in the Morava River valley**

The SOC does not allow church service in the Vlach-Romanian language. It has not responded to any of the Vlach community’s request or initiative to serve liturgy in the Vlach-Romanian language. On the contrary, Vlach believers were excommunicated and anathemized from churches in the settlements of Isakova and Bigrenice.

### **Serbian Alliance of Vlachs**

By the criminal procedures against the priests of the ROC<sup>87</sup>, and their permanent intimidation<sup>88</sup> by the priests of the Timok and Braničevo Bishopry of the SOC, the Vlach national minority have been

<sup>79</sup> Milan Radulović

<sup>80</sup> Video recording available at the Association of Vlachs of Serbia.

<sup>81</sup> Threats were broadcast almost on every local TV station, without sanctions by the State.

<sup>82</sup> Radmila Gerov

<sup>83</sup> See TV programme recordings, available at the Association of Vlachs of Serbia.

<sup>84</sup> Bojan Aleksandrović

<sup>85</sup> Ref. no. 01/03 dated 15/02/2003. and Ref.no.: official, dated 19/01/2005.

<sup>86</sup> See written evidence, records of local TV programmes and articles from local and Republic newspapers available in the Association of Vlachs of Serbia in Negotin and in the Romanian Orthodox Archbishopric DACIA RIPENSIS in Malajnica.

<sup>87</sup> Against Bojan Aleksandrović.

<sup>88</sup> Against Bojan Aleksandrović and Iel Bobu Lui.

averted from their right to establish their own religious institution and to manifest confessional belief in their own language.

The procrastination of the issuing of building licences by the local authorities in the towns of Svilajnac and Čuprija for the construction of churches in Isakovo and Proština, makes their building impossible.

## **Recommendations**

### **The National Council of the Bosniak National Minority**

- To improve legal regulations referring to religion and religious communities.
- Separate the State from the Church.

### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

- To provide unbiased information about the events in Sandžak, and to work on the eradication of negative stereotypes linked to this region.

### **The National Council of the Bulgarian National Minority**

- To enable the Bulgarians to serve liturgy in their own language

### **The National Council of the Vlach National Minority**

- To adopt a new law on churches and religious communities, since the effective one is discriminatory.
- To enable the Vlachs to have liturgy served in the Vlach-Romanian language in settlements inhabited by the Vlachs.

## **Article 9**

*1. The Parties undertake to recognize that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure (within the framework of their legal systems) that persons belonging to a national minority are not discriminated against in their access to media.*

*2. Paragraph (1) shall not prevent Parties from acquiring the licensing, without discrimination and based on objective criteria of sound radio and television broadcasting, or cinema enterprises.*

*3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.*

*4. In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.*

## **Article 9, paragraph 1**

### **Normative Framework**

#### **The National Council of the Bosniak National Minority**

In view of the *Broadcasting Law*<sup>89</sup> and information in the Bosnian language, the most contestable issues were and are the following four:

<sup>89</sup> Further as: *BLW*

- To improve the audibility of programmes in national minority languages, which do not meet the needs and standards set in the late 1980s,
- The opportunity of allocating regional, and not local frequencies for the media broadcasting programmes in the languages of national minorities since, for example, Bosniaks live concentrated in 6 municipalities,
- Exemption of media houses owned by local self-governments and broadcasting programmes in national minority languages from the process of privatisation,
- To establish an editorial office in the Bosnian language within the public service (RTS), which would edit and prepare programmes in the Bosnian language, as is the case with minority languages in the APV and APV public service.

## Implementation

### Network of Committees for Human Rights (CHRIS)

Compared to APV, media situation in national minority languages differs in the territory of Serbia, concerning number of media and concerning adequate institutional solutions.

Bulgarians have relatively integrated and institutionally established informing in their language – professional news-publishment institution with budget financing which issues weekly magazine in Bulgarian language, local broadcasting stations in Dimitrovgrad and Bosilegrad, and their founders are the municipal assemblies. They broadcast program in Bulgarian language, as well as local TV station in Dimitrovgrad.

Albanian minority in the south of Serbia has 1 weekly magazine published by NGO (financed by means of donations, mostly international ones), radio program at local stations is broadcasted in all 3 municipalities, and TV program is broadcasted in Preševo. Besides, one private RTV in Bujanovac broadcasts radio and TV program in Albanian language.

Media situation in Bosnian community in Sandžak is complex too: professional publishing house in the frame of printed media for whole population does not exist, but only local weekly magazines whose founders are the municipality assemblies. The same situation is in radio and TV informing, although there are several private radio and TV stations.

The media of the Vlach minority in eastern Serbia in their mother tongues has not been solved in any form.

It seems that Roma national minority offers the best media presentation in their language. They have: special programs/feuilletons and autonomous media editions (for example fortnightly *Them*, publishing company RRominterpress with Belgrade RTV *Khrlo E Romengo* or RTV *Nisava*) which is quite understandable due to their territorial dispersity, and better social and donation support.

However, although this insight to statistics looks good, it cannot be said for sure that the situation in media sector of minorities is favorable. Namely, here also the rule about quantitative statistic data offers one picture, but reality is quite different.<sup>90</sup>

### Creative Center Caribrod

*BLW* does not protect media in languages of small national minorities, such as Bulgarian.

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<sup>90</sup> See the list of mutual media issues in languages of national minorities in the Report on implementation of Framework Convention in Voivodina, of Voivodina Centar for Human Rights (Art. 9, para. 1).

### **The National Council of the Bosniak National Minority**

The relation of the public media towards the representatives of Bosniaks is not the same. Depending on the person, representing the Bosniaks, the media in Serbia, report either favourably or unfavourably about him or her, or do not report at all. There are numerous examples of this type of discrimination by the media: Below is one:

- Blic, the daily, in its column "Winner-Loser" presented only the president of the SDP, Rasim Ljajić, as a winner in different situations, while the leader of the List for Sandžak, Sulejman Ugljanin, was presented as a loser only. Such an approach was practiced from 1990 to recent times in the State-owned media, as well. The situation is alike with regard of the other Bosniak organisations, associations and NGOs.

The media-related rights of the Bosniak minority are mostly exercised through the activities of the National Council of the Bosniak National Minority. In media-related activities of the Council, as the fourth important segment of its operations up to now, priority was given to activities aimed at the promotion of Bosniak national and other values, breaking stereotypes and blockades of Bosniaks, first and foremost in official, State-owned printed and electronic media in Belgrade and Podgorica.

### **Bošnjačka zajednica kulture „Preporod“ i Građanski Forum, Novi Pazar**

In regions homogenously settled by the Bosniaks, there are no free media, neither in Serbian nor in Bosnian language.

### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

The right of the Bosniaks' approach to public media is not recognized in full. For example:

- **Novi Pazar municipality.** Out of 13 radio stations and 2 TV programs («Jedinstvo» and «Regionalna TV») Bosnian language may be heard at «Regionalna TV» only.
- **Prijepolje municipality.** Local media do not use Bosnian language.
- Local newspaper "Polimlje", founded by local government is published in Serbian language, ekavian dialect and in cyrilic script
- There are rare examples of local information publishing in jekavian dialect, but in cyrilic. Local radio broadcast in Serbian language only. Private TV «Enigma» broadcasts mainly commercial program in Serbian language

### **Society for the Preservation and Development of the Language, Culture and Religion of the Vlachs in the Morava River Valley**

There is no broadcast in Vlach language or about Vlach community. Only folk programs are implemented (where the members of majority nation are mostly the participants), whereby the Vlachs are reduced to a folk nation.

### **National Council of the Bulgarian national minority**

During the era of the Milosevic regime, the Serbian Radio and Television abolished the broadcast of Bulgarian language programmes, and since then no programmes have been broadcast in Bulgarian. In this wise, persons belonging to the Bulgarian community have been deprived of their right to information in their own language, although they pay the fee just like any other citizen of Serbia and despite the fact, that this right is guaranteed by the new *Constitution* of Serbia and the *Charter for Regional or Minority Languages*<sup>91</sup>.

### **National Council of the Vlach National Minority**

Nonexistence of media in Vlach language is an important issue influencing the Vlachs assimilation process in eastern Serbia, and media modernization in Serbian language speeds up that process. Although Novi Sad TV is broadcasting the programs in Romanian language, Vlachs are unable to watch them, since Radio TV Serbia is not rebroadcasting them.

- The Ministry of Culture supported a Zajecar Radio and Television project for a period of one year<sup>92</sup>.

<sup>91</sup> By the III Part of the Charter of Regional or Minority Languages, Serbia has accepted obligation to protect Bulgarian language by its provisions.

<sup>92</sup> The amount granted is 405 000,00 dinars.

- In the current year, the Ministry of Culture support was granted to Negotin Independent Television, although, till the time of writing this report, the contract between the Television and the Ministry has not been signed, nor has any funds been received.
- The Timoc Press Production, operating within the Association of Vlachs of Serbia, had also submitted a project proposal titled "Bine at venit la Radio Timoc" (Welcome to Radio Timok) in the Vlach language, but it was not approved.

### **The Committee for Human Rights, Negotin**

A positive example of local TV's represent broadcast of spots, short films and recorded material from pre-election rallies<sup>93</sup>, where the language of national minorities could be used without limit:

- Manager and host of local TV «Euro MJ» in Kladovo encouraged the members of Vlach community to use their native tongue in live programs, and they took that advantage.

## **Recommendations**

### **The National Council of the Bosniak National Minority**

- To protect in the privatisation process the media broadcasting in national minority languages on local level working within municipal and inter-municipal information centres through addition legal provisions, in order to prevent their abolition on "economic" grounds.

### **The National Council of the Bulgarian national minority**

- To find a possibility, in cooperation with the Serbian public service, for broadcasting programmes in the Bulgarian language by the RTS.

### **The National Council of the Vlach National Minority**

- To create a radio and television network broadcast in the Vlach-Romanian language.

## **Article 9, paragraph 2**

### **Normative framework**

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## **Implementation**

### **Network of Committees for Human Rights in Serbia (CHRIS)**

#### **Review on the Opinion of the Advisory Committee**

Just like the electronic media in APV, the media in central and southern Serbia are also affected by the current privatization process, due to which there are realistic chances of a large number of them being closed down and ceasing to broadcast programs in minority languages.

Not even five years after the previous report do persons belonging to the Vlach community have regular access, passive or active, in their language to print or electronic media in their area of compact residence in north-eastern Serbia<sup>94</sup>.

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In the public tender, the territory of the city of Belgrade, consisting of a number of municipalities, was treated as a region, and not as a group of individual municipalities. This made it impossible for any broadcaster in Serbia's capital to apply for a license for a civil sector radio and television, as only those who broadcast at the local / municipal level can do so. Broadcasters have, thus, been prevented from using their chance under the *BLW* (article 67), to be relieved of paying the broadcasting fee, i.e. which is to pay only for the broadcasting station license, but exclusively at the municipal level. The legislator's idea was precisely to enable minority groups in local communities with no possibility to be economically self-sustainable to use their right and establish an electronic medium, one that would be of a non-profit nature.

<sup>93</sup> During the last Parliamentary Elections, December 2006.

<sup>94</sup> Opinion, article 9/74

- Under this decision, the most popular Roma radio broadcaster on the territory of the city of Belgrade, where the largest number of Roma in Serbia are concentrated, could not apply for a broadcasting license and is expected to be closed down. The Roma community has filed a complaint with the Republic Broadcasting Agency<sup>95</sup>, but was told that the Roma have slots in programs of public services and that they should strengthen their informative capacities within the public service. This is true, but their prospects largely differ from the communication needs of the local community's population.

#### **Center for Multicultural Education, Preševo**

Although large improvement has been achieved at local level by the establishment of local TV program in Albanian language, national electronic offer no Albanian programs.

In Preševo municipality there is local radio-TV broadcasting program in Albanian language.

In Preševo municipality there is local radio-TV broadcasting program in Albanian language . In December 2006, a private TV "ALDI" was established in Preševo.

In Bujanovac there is Bujanovac radio-TV Bujanovac broadcasting program in both Albanian and Serbian language (financed by municipal budget) as well as a private radio-TV "SPEKTRI".

In Medveđa municipality there is Radio Medveđa broadcasting program in Serbian language and for 2 hours a day program in Albanian language.

Pursuant to above mentioned evidence on electronic media, it can be concluded that informing in Albanian language is satisfactory.

#### **The National Council of the Bosniak National Minority**

The State does not prevent applications for and approvals of licenses for the media in national minority languages, while the public service enables providing information in the mother tongue of minorities. However, the experience gained so far indicate, that the media in national minority languages are not able to survive and develop without stable financial support from the budget of the Province or the Republic Administration, hence fostering and promoting minority media, especially in view of the public service, should be provided. Since most of the market-focused private media, raising funds on commercials, fail to have interest in providing information in national minority languages, it remains to be seen how long and how can minority language media exist after the privatisation process is ended.

Bosniaks still fail to have media in their own language, while the RBA, referring to the *BLW*, had left open to persons belonging to national minorities only the opportunity of applying for local radio and television frequencies.

In relation to other national minorities, the programmes of persons belonging to the Bosniak national minorities are broadcast in the Bosnian language solely in towns, where they make absolute majority.

Bosnian language programmes are broadcast partially by the Novi Pazar Regional RTV, founded by the Novi Pazar Municipality and Tutin TV, founded by the Tutin Municipality. Their programme contents promote the culture and folklore of Bosniaks. The Bosnian language programme of the Novi Pazar RTV was fully abolished in the period from February 2005 through May 2006 by a municipal decision, adopted by majority of delegates in the local parliament comprising of the Sandžak Democratic Party, Serbian Radical Party and the Party for Sandžak.

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<sup>95</sup> Referred herein as: RBA

Bosniak culture is also promoted by Radio Novi Pazar through music and other contents, while a Bosnian language programme is broadcast by Radio Universa covering the International University in Novi Pazar.

The National Council Department and Committee for Information launched activities in establishing an editorial office in the Bosnian language within the RTS Public Service Media, and in preparing special programmes respectively, which would be broadcast within the programmes of the RTS Public Service Media.

In the production of the Novi Pazar Regional RTV and the National Council of the Bosniak National Minority the broadcast of an informative-educational, one-hour programme, titled „I speak Bosnian“<sup>96</sup> has started, and thematically it covers all activity areas of the National Council of the Bosniak National Minority, from culture through information, education, the official use of the Bosnian language to effective participation in public life. The programme is broadcasted by one regional and two local television stations.

The Council also has an Internet presentation<sup>97</sup> providing all essential information about the activities of the National Council of the Bosniak National Minority, as well as some minority rights-related fundamental documents. The Council's web-page is updated on a daily basis.

#### **Civic Action for Human Rights – Priboj**

Although there are requests for the broadcast at the public service (RTS) where the cultural and social values of the Bosniaks and other minorities would be promoted, the government permanently refuses to implement the law and the international standards in this area.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

The discrimination exists in a form of insufficient space in media granted to the Bosniaks noting that they are supported from republic budget aimed for culture, education, economy, politics and other issues of national minorities.

#### **National Council of Bulgarian National Minority**

Radio program in Bulgarian language lasting for 15 minutes is broadcasted at “Radio Nis”, however there is no correspondent service in Dimitrovgrad. The contents of this broadcast are generally reduced to rebroadcast of news from other media, translated to Bulgarian language. Alternative solution in order to overcome such fundamental deficiency in information process in Bulgarian language has not been offered so far.

Although official representatives claim that local TV Caribrod broadcasts program with equal implementation of both Serbian and Bulgarian language, in practice such ratio is quite different since programs are mainly in Serbian. There is one program a week of informative character that is broadcasted alternatively in Bulgarian and Serbian languages, however the sections are in journalists' option.

Inadequate knowledge of both Serbian and Bulgarian language by the journalists is a separate issue, although it should be a necessary condition for the work in multi-national environment.

According to the author of the program “Narodna brojanica” which is dealing with local folk music and tradition of the Bulgarians, this program does not exist any more due to the indifference of editors and journalists, as well as due to the lack of technical and material funds.

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<sup>96</sup> On 7, July 2006.

<sup>97</sup> [www.bnv.org.yu](http://www.bnv.org.yu)

After local elections in Dimitrovgrad, an important improvement in program scheme of local radio has been achieved: there is greater implementation of minority languages: daily review of Bulgarian press and program in Roma language were introduced.

In the cinema only movies of national production or foreign movies translated to Serbian language are on. Films translated to Bulgarian language, and films of Bulgarian production cannot be seen.

Radio Bosilegrad also implements programs in both Serbian and Bulgarian language.

#### **National Council of the Roma national minority**

Over the past years, several local state and private radio and television stations on the territory of central and southern Serbia started broadcasting programs dealing with the Roma, but although they have been proclaimed to be "Roma" programs, they are broadcast mostly in the Serbian language.

In the Pčinj district in Bujanovac, with a Roma population of around 50,000, there is only one radio program in the Roma language, lasting 30 minutes.

In the other municipalities of southern Serbia there is neither a radio nor a TV program in the Roma language, even though there have been requests for this (for examples in the municipalities of: Preševo, Vranje, Surdulica, Han, Bosilegrad, Trgovište). The explanation for the fact that no programs are broadcast in the Roma language was the lack of funds.

#### **"Lunjina" Association**

There are no radio or TV programmes in the Cincar language in Serbia.

#### **National Council of the Greek National Minority**

There are financial difficulties in view of carrying broadcast of educational and cultural programmes in the Greek language.

## **Recommendations**

#### **Center for Multicultural Education, Preševo**

- Due to the ethnic structure of the population, two broadcast frequencies should be allocated to the Bujanovac Municipality for the local radio station and 2 for the local television station.

#### **The National Council of the Bosniak National Minority**

- To provide an integral radio and television frequency for those areas of Sandžak, where Bosniaks make majority population.
- When adopting programme schedules for radio and TV stations, longer slots in continuity should be demanded, without cutting programmes into smaller segments, as listeners and viewers are lost because of the short programmes made of more segments.
- To disable political influence by the authorities on the editorial policy of the programmes broadcasted in Bosniak.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

- To broadcast daily or weekly programmes about national minority issues.

#### **The National Council of the Bulgarian National Minority**

- To exempt the local radio and TV stations of minority communities from the privatisation process and leave them in the ownership of the national councils of national minorities or NGOs, and to oblige the State to finance media production of interest to minorities.

**National Council of the Roma national minority**

- To form a Roma language section within the Serbian public service which will cover the entire territory of Serbia
- To assist the broadcasting of programs in the Roma language on local radio and television stations.

**The National Council of the Vlach National Minority**

- To enable the approval of radio and TV broadcast frequencies for programmes in the Vlach language and the re-broadcast of TV Novi Sad Romanian languages programmes for eastern Serbia.

**Article 9, paragraph 3****Normative framework**

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**Implementation****Network of Committees for Human Rights in Serbia (CHRIS)****Review on the Opinion of the Advisory Committee**

Like in APV, the lack of financial assistance to the print media in minority language from public funds, which is even more serious in central and southern Serbia than in APV, is additionally burdening the current process of the privatization of the print media in Serbia.

Like in APV, it will be possible to realize the recommendation to ensure the maximum availability, quality and diversity of minority language publications<sup>98</sup>, only when the status of the print media is resolved following the privatization process.

**Center for Multicultural Education, Preševo**

There are no daily papers or weekly magazines in Albanian language in Preševo.

Weekly magazine “PERSPEKTIVA” published in Bujanovac is financed by Ministry of Culture and Media of the Republic of Serbia.

**The National Council of the Bosniak National Minority**

Publishing and reading printed media in the Bosnian language is not forbidden, but it is not stimulated through projects and financial means either.

There is not a single daily printed in the Bosnian language.

In order to promote and affirm the national values of the Bosniaks in Sandžak, a magazine, covering the Bosniaks' public and cultural life, has been established under the name “Bosniak word”, and the Republic of Serbia Government participates in the financing thereof. The first number of “Bosniak word” was issued on 6 May 2006.

As to the printed media, a religious magazine “Voice of Islam” is published in the Bosnian language, which was founded by the Meshihat of the Islamic Community in Sandžak.

**Civic Action for Human Rights – Priboj**

The state does not offer through its competent ministries any financial support to printed and electronic media in Bosnian language.

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<sup>98</sup> Opinion, article 9/72

### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

Right to publish printed media in Bosnian language is not fully implemented. For example:

- **Novi Pazar.** There is only one magazine «Bosniak word».
- **Nova Varoš and Priboj.** In these municipalities there are no any magazine or herald that would deal with Bosnjaks' issue.

### **Creative Center Caribrod**

A journal in Bulgarian language “Bratstvo” and magazines “Most” and “Drugarce” are published in Nis. Since those magazines attend to Bulgarian language, they are a kind of communicative bridge between the members of this, very dispersive national minority.

### **National Council of the Bulgarian National Minority**

Informing of Bulgarian national minority at the state level is only organized within news-publishing company (NIP) “Bratstvo” founded and financed by the Republic of Serbia until 2007. “Bratstvo” is a publisher of the “Most” magazine published once in 3 months, and the magazine “Drugarce” devoted to the youngest members of Bulgarian minority is published monthly, and a weekly “Bratstvo”. A number of literal and scientific papers are published in these magazines.

Since 2007, the founding rights have been transferred to the National Council of the Bulgarian National Minority, who have appointed their management and intend to reform the ‘Bratstvo’ newspaper and publishing house into print media which will adequately meet the needs of the Bulgarian community in Serbia.

NIP “Bratstvo” is also a publisher of books in Bulgarian language, whose authors are the Bulgarians from the Republic of Serbia. After long period of time two books were published by «Bratstvo», and four more are being prepared, works of Detko Petrov and one monography.

In recent years positive changes have been observed in NIP “Bratstvo” regarding press freedom. However, a problem is with periodical publishing of “Bratstvo” magazine, since the published sections are frequently out of date, and they are often subjective and prejudiced.

The lack of a local newspaper in the Bulgarian language represents a major void in the media space of the Bulgarians.

### **National Council of the Roma national minority**

It is difficult for Roma in southern Serbia to obtain the magazines issued in the Roma language in APV and Belgrade. The once popular monthly magazines “Romano Krlo” and “Romano Nevipe” have ceased coming out.

### **National Council of the Vlach national minority**

There is no printed media in the Vlach-Romanian language, save one political newspaper issued at times<sup>99</sup>.

### **“Lunjina” Association**

There are no radio or TV programmes, nor newspapers or magazines in the Cincar language in Serbia.

Unofficially, Lunjina publishes bulletins and journals in Serbian and Cincar. So far, over 50 bulletins and 140 journals were published, and photocopied in the required number.

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<sup>99</sup> Vorba Noastra (Naša reč), Demokratski pokret Rumuna Srbije

The Association published 9 books in the edition *Moskopoljska zadužbina* (*Moskopoljska Endowment*), while the Serbian- Cincar Dictionary, the Grammar of the Cincar Language and The History of the Cincars and others were published by their authors.

#### **National Council of the Greek National Minority**

There are financial difficulties in view of carrying through the publication of a bilingual magazine and translation.

### **Recommendations**

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

- To broadcast daily or weekly programmes about national minority issues in Sandžak and to establish electronic and printed media in the Bosnian language in municipalities, where they are not represented.

#### **The National Council of the Bulgarian National Minority**

- To encourage and support NGOs in initiating projects for the publication of local newspapers in Bulgarian.

#### **National Council of the Roma national minority**

- To launch publishing activities in the Roma language in southern Serbia (a magazine for children and young people, for women and for literature).
- To distribute the present magazines in the Roma language to the Roma in southern Serbia as well.
- To work on the training of Roma journalists.

### **Article 9, paragraph 4**

#### **Normative Framework**

##### **The National Council of the Bosniak National Minority**

The *LPRLNM* and the *BLW* precisely stipulate that minorities are granted the right to media in their own languages, yet special measures in allocating new broadcast frequencies fail to be applied.

#### **Implementation**

##### **The National Council of the Bosniak National Minority**

The common denominator for electronic and printed media in the Bosnian language is the insufficient state support for their establishing and development, and the lack of interest by a huge number of Belgrade-based media for themes from the life of Bosniaks.

##### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

By the decision of the government, the first and the second channel of the state public service<sup>100</sup> neglect the Bosniak culture, history and literature, because they are not treated at all in state media. Likewise the media of local communities do not pay any attention to the culture of Bosnian community.

### **Recommendations**

#### **The National Council of the Bosniak National Minority**

- To support alternative and mainstream education of journalists engaged in the minority language media.

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<sup>100</sup> Radio Television of Serbia 1 (RTS 1) and Radio Television of Serbia (RTS 2)

- To organise seminars in order to achieve a high level of linguistic competency of those, who are employed in minority language media (visiting language experts, editors from kin states).
- To implement special measures in new laws, first and foremost, media-related ones (*Public Information Law, BLW, Telecommunication Law*) and provide conditions, which enable that minority language programmes may be heard and watched on the whole territory inhabited by minorities (since the current polarised frequencies and transmitters fail to provide that).
- To regenerate, modernise and financially support minority language media, especially to modernise their equipment through loan and donation systems and tax exemptions.

**Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

- To create free media on the territory of Sandžak.
- To create a Bosnian language editorial board, which will be independent of the political parties in Sandžak and the National Council of the Bosniak National Minority.

## Article 10

*1. The Parties undertake to recognize that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.*

*2. If minority groups request to use their language in dealing with the local authorities in areas traditionally populated by that minority group or where the minority group constitutes a substantial proportion of the population, and that request corresponds to a real need, the parties will endeavor to ensure, as far as possible, that the minority language is used in relations with those persons and the administrative authorities.*

*3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to allow the person arrested to defend himself or herself in their language, if necessary in the presence of an interpreter paid for by the authorities.*

### **Article 10, paragraph 1**

#### **Normative Framework**

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#### **Implementation**

##### **Network of Committees for Human Rights in Serbia (CHRIS)**

##### **Review on the Opinion of the Advisory Committee**

As regards the official use of the Albanian and Bosnian languages<sup>101</sup>, based on the submitted reports, the following conclusion can be drawn: in three municipalities of southern Serbia there are difficulties in the realization of bilinguality in the Serbian and Albanian languages due to financial problems, while the official use of the Bosnian language is still not fully applied in all the municipalities with a substantial number of Bosniak inhabitants: progress has been achieved in the municipalities of Novi Pazar, Sjenica and Tutin, while in the municipalities of Nova Varoš, Priboj and Prijepolje there are difficulties with the introduction of the Bosnian language or it is not being introduced at all.

Persons belonging to the Bulgarian national minority still only rarely invoke the possibility of using their minority language in contacts with administrative authorities and, according to the Advisory

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<sup>101</sup> Opinion, article 10/77

Committee's opinion there is space for additional measures to raise awareness amongst persons belonging to this national minority of their rights in this sphere<sup>102</sup>.

Despite the presented requests, persons belonging to the Vlach national minority still do not realize their right to the official use of their language in eastern Serbia although it could be enjoyed in municipalities in which they create more than 15% in total population: Kučevo (27.67%), Boljevac (26.26%), Žagubica (22.05%) and Bor (18.03%).



#### **Center for Multicultural Education, Preševo**

Albanian language and script are in official use together with Serbian in 3 municipalities in the south of Serbia, however the municipalities do not obtain additional finances for bilingual implementation in this region.

#### **The National Council of the Bosniak National Minority**

Practically, the use of Bosnian as an official language has not been implemented. The only exemptions are Novi Pazar, Tutin and Sjenica municipalities, where certain developments have been achieved in some areas.

In the Nova Varoš, Priboj and Prijepolje municipalities, the official use of the Bosnian language has not been brought to life yet. In these municipalities, regardless the legal obligation, local municipal authorities openly reject to recognise in their respective statutes the right to use and apply this language freely.

#### **Bosniak Cultural Society „Preporod“**

Public and official use of Bosnian language has not been applied in practice. Local government use Serbian language, and all state-administrative acts and documents are printed in Cyrillic, in Serbian language.

#### **Civic Forum – Novi Pazar**

Census of 15% for introduction of minority languages represents a problem in the territory of Prijepolje and Priboj municipality.

- **Prijepolje municipality**<sup>103</sup> adopted the name of the language Bosnjak – Bosnian, however it has not been implemented in the acts of local government, while in **Priboj** the introduction of Bosnian language is out of question. Documents from the Court, Interior Ministry and the Republic ministries are written in Cyrillic and Serbian language, and Republic institutions use primarily Serbian language in their communication.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

Although the Statutes of municipal assemblies of Novi Pazar, Tutin and Sjenica stipulate equal official use of Bosnian language, public correspondence is mainly in Serbian language. In both Bosnian and Serbian language only assembly material and „Municipal Official Heralds“ are published.

In Sandžak municipalities Priboj, Prijepolje and Nova Varoš, legal provisions on official use of Bosnian language are not implemented.

- **Priboj Municipality.** Priboj municipality did not conform its Statute to *Law on Local Self-Government*<sup>104</sup>. On its session<sup>105</sup>, Priboj municipal assembly brought a decision on introduction of Bosnian language to official use and nominated five-member committee whose task was to prepare a proposal for Municipal Statute amendment in conformity with the decision, however, until now nothing has been done.

<sup>102</sup> Opinion, article 10/79 – Note: VCHR disagrees with the Advisory Committee's opinion set out in this paragraph about the low awareness of persons belonging to the Slovak national minority about their right to the official use of their language. In corroboration of this, see the report submitted by the National Council of the Slovak national minority.

<sup>103</sup> Under the pressure of Democratic Party of Serbia – Socialist Party of Serbia – Serbian Radical Party coalition.

<sup>104</sup> „Official Gazette of RS“, no. 9 since February 26, 2002, referred to herein as: *LLSG*

<sup>105</sup> January 2007

- **Prijepolje Municipality.** By the middle of 2006, in Prijepolje municipality the Municipal Assembly brought a decision on the amendment of item 5 of Municipal Statute referring to the official use of minority language (Bosnian in this case). The opinion of the director of the Service for Human and Minority Rights was adopted to implement Bosnian language to official use in Prijepolje, and subsequently the meetings in local communities were planned, for the confirmation of the Decision. It was all put on hold, and the provision of Statute referring to the official use of language has not been amended until this date, pursuant to the above-mentioned decision of the Municipal Assembly.

### **Civic Action for Human Rights – Priboj**

Although all legal conditions for implementation of Bosnian language to official use in Priboj municipality exist, local government headed by Democratic Party, together with Bosnian political party represented by former Minister for Human and Minority Rights still refuse to implement this right to practice.

### **National Council of the Bulgarian National Minority**

The Statute of Dimitrovgrad municipality defines the following: „In the territory of the municipality in equal official use, together with Serbian language and cyrilic, the Bulgarian language and „its script“ shall be used in a manner prescribed by Law“ (Art.17). Formulation „its script“ is not necessary, because in both cases cyrilics is in question.

The Municipality of Dimitrovgrad has a round seal with the perimeter inscription in the Serbian language only, although the municipal and the mayor’s seals had been bilingual<sup>106</sup> until mid-2005. The reason behind is that inspectors for administrative procedures forbid the use of bilingual seals in municipalities and schools, which have been using them traditionally since 1945, and issue written orders for these to be changed, which has already been done by some institutions.

### **Creative Center Caribrod**

The Municipal Assembly sessions in Dimitrovgrad and Bosilegra municipalities, mostly inhabited by Bulgarian citizens are exclusively conducted in Serbian language.

### **National Council of the Roma national minority**

Even though the largest number of Roma live in central and southern Serbia, they do not account for more than 15% of the total population in any of the places and are, thus, not entitled to the official use of the Roma language. So far there have been no requests for the introduction of the official use of the Roma language in the towns and settlements where the Roma constitute a majority, but there probably will be such requests in the future since this right has been guaranteed to them with the ratification of the Charter for Regional and Minority Languages<sup>107</sup>.

### **Serbian Alliance of Vlachs**

Although legally prescribed conditions for introduction of Vlach language to official use in municipalities: Kucevo, Zagubica, Bor and Boljevac exist, it is not implemented because the government of the Republic of Serbia insist on standardization of Vlach language and script<sup>108</sup>. The above request is contradictory, since Vlachs are the Romanians, and since Vlach language is a dialect of the Romanian language which has been standardized long time ago.

## **Recommendations**

### **Center for Multicultural Education, Preševo**

- To provide funds from the Republic budget for the implementation of bilingualism.

<sup>106</sup> Under the *Law on the Seals of State and Other Authorities* (RS Official Gazette no. 11/91,53/93, 67/93, 48/94, 101/05), Articles 1, 2 and 3, paragraphs 2, 3 and 4.

<sup>107</sup> The Charter was ratified in 2006, and Serbia undertook to protect the Roma language through provisions of Part III of the Charter.

<sup>108</sup> See the acts of the former Ministry for Human and Minority Rights, where standardization is mentioned as a condition for registration of the National Council of Vlach Minority.

**The National Council of the Bosniak National Minority**

- To promote the Bosnian language as one of the official languages in Serbia.
- To enable the implementation of laws, international treaties, conventions, charters and other documents relevant for this field through efficient and effective instruments.

**Civic Forum - Novi Pazar**

- To provide for the practical implementation of the existing legal regulations granting the official use of the Bosnian language.

**The National Council of the Bulgarian National Minority**

- To implement equally and consistently laws regulating the official use of languages and scripts of national minorities on the entire territory of Serbia, especially on the territory of Serbia proper.

**Serbian Alliance of Vlachs**

- To make possible the use of the Vlach and Romanian languages as official ones in municipalities, where the legal preconditions exist.

**Article 10, paragraph 2****Normative Framework**

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**Implementation****Center for Multicultural Education, Preševo**

The Albanian language is used freely in relation between the persons belonging to the Albanian national minority and in local self-government authorities. The situation is different in case of the Republic authorities.

**The National Council of the Bosniak National Minority**

The use of the Bosnian language has not come to life in state authority bodies. Except for a part of executive municipal bodies and public companies in Novi Pazar, Sjenica and Tutin, all documents and acts adopted in other municipalities settled by Bosniaks are printed and published in the majority nation's language in Cyrillic writing.

Employees in administration fail to implement legal provisions relating to their jobs in view of the use of the Bosnian language in their everyday communication with Bosniak clients.

- In the Novi Pazar Police Department, data in IDs, driver's licences and permits, and other documents are issued in Cyrillic script.

Entering into force and implementing the *Identification Card Law* should resolve this problem.

During the parliamentary elections in 2003 and local elections in 2004, for the first time, besides the majority nation's language and the languages of the other national communities, the ballots were also printed in the Bosnian language and in Latin script.

Drawing up and issuing court documents, claims, transcripts and court decisions in Latin script and in the Bosnian language is not legally regulated, though there is a real need for it. The situation is almost identical in all other state administrative bodies.

**Civic Forum - Novi Pazar**

Linguistically, the majority of Bosniaks opted for the Bosnian language and the traditional Latin script. However, the new *Constitution* (Article 10) favours the Serbian language and the Cyrillic

scripts in the correspondence with the citizens and local self-governments (personal documents, government acts, court documents).

#### **National Council of the Bulgarian National Minority**

Main characteristic of crucial discrimination forms is a misinterpretation of multilinguality obligation prescribed by law in multiethnic environments. That is confirmed by the issuing of legal acts from the domain of municipal government, which are only in Serbian language. Namely, a certain legal act in Bulgarian language may be obtained in two manners:

- By issuing of document in Serbian language and translation of interpreter to Bulgarian.
- By issuing of document in the international form pursuant to “Vienna Convention”.

In both cases, the client bears additional expenses whereby the right to official use of Bulgarian language in Dimitrovgrad is jeopardized.

Bulgarian language is not in official use in Bosilegrad municipality either, although Bulgarians are majority there. This indicates the discrimination of the Bulgarian national minority members by their fellow – countrymen.

#### **National Council of the Roma national minority**

The functioning of certain services would be facilitated if communication with the parties were to be conducted in the Roma language.

The Roma national community has requested on several occasions that at least one Roma be employed in administrative bodies and public services, but so far they have had a negligible number of Roma employees.

#### **National Council of the Vlach National Minority**

Although there are civil servants who know Vlach-Romanian language, Vlach language is not in use in the communication between the members of Vlach minority and the administrative bodies.

## **Recommendations**

#### **Center for Multicultural Education, Preševo**

- The right to the official use of the Albanian language should be respected by the Republic administrative bodies.

#### **The National Council of the Bosniak National Minority**

- To ensure the implementation of legal stipulations and adequate mechanisms for the full implementation of bilingualism in administrative procedures and disputes and in public documents.

#### **The National Council of the Bulgarian National Minority**

- To change fundamentally the manner of municipal government work, as well as the relationship towards the implementation of *Law on the Official Use of the Language and Script*<sup>109</sup>.
- To make possible the official use of the Bulgarian language in municipalities inhabited by the Bulgarians and the issue of bilingual personal documents, in the Serbian and Bulgarian languages.
- To prescribe legal sanctions for cases of non-respect and violation of the right to the official use of mother tongue of persons belonging to national minorities by local authorities: for example, failure to issue official documents in the majority language and the minority language in official use.

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<sup>109</sup> Referred to herein as: *LOULS*

## **Article 10, paragraph 3**

### **Normative framework**

%

### **Implementation**

#### **Network of Committees for Human Rights in Serbia (CHRIS)**

The official use of minority languages in legal proceedings is barely implemented in the territory of central Serbia.

#### **Center for Multicultural Education, Preševo**

Court procedures are conducted simultaneously in both Serbian and Albanian language. The attitude of Albanian national minority is that the procedure should be conducted in the parties' language.

#### **Civic Action for Human Rights – Priboj and Bosniak Cultural Society „Preporod“**

Court and administrative procedure in local courts are not conducted in Bosnian language and Bosnian script.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

With regard to the fact, that persons belonging to the Bosniak national community can understand the Serbian language, no interpreter is needed during the procedures but it is necessary to compile court dispatch documents, rulings, summons, indictments and sentences in the Bosnian language and in Latin script.

#### **The National Council of the Bulgarian National Minority**

Before commencing court proceedings at the municipal courts in Bosilegrad and Dimitrovgrad, persons are asked in which language they wish the proceedings to be conducted, and a translator is provided if necessary.

#### **Society for the Preservation and Development of the Language, Culture and Religion of the Vlachs in the Morava River Valley**

Although the transcripts on hearing of both accused and witnesses include that “the accused is entitled to the use of his/her own language and to oral translation of all submissions before the judge”, the members of Vlach national minority are deprived of that right in practice.

### **Recommendations**

%

## **Article 11**

*1. The Parties undertake to recognize that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in minority language and has the right to official recognition of them, according to modalities provided for in their legal system.*

*2. The Parties undertake to recognize that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.*

*3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavor in the framework of their legal system, including, where appropriate, agreements with other states, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.*

## **Article 11, paragraph 1**

### **Normative framework**

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### **Implementation**

#### **Centre for Multicultural Education, Preševo**

No account is taken about the spelling and tradition of the Albanian language and script in issuing personal documents (passports, identification cards, driving licenses).

#### **Civic Action for Human Rights – Priboj**

During issuing of personal identification documents (passports, i.d.'s, driving licences) no attention is paid to the spelling and mother tongue tradition and script of the Bosnjaks.

#### **Civic Forum – Novi Pazar**

Institutions of local government in Loznica and Krupanj, especially Registry office, National Agency for Employment, Center for Social Care and the Interior Ministry (MUP) impose pressure to the Muslims to change their personal names to Serbian ones, or to declare themselves as Roma so that they can be granted social aid, points in the ranking lists for jobs and personal documents.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

The names of persons belonging to the Bosniak national minority are not written in their own script in public and official documents.

#### **The National Council of the Bulgarian National Minority**

In the period from 1920 till 1941, the members of the Bulgarian national minority were not allowed to use the traditional form of their first and last names for entry into the Register of Births at the Municipal courts in Dimitrovgrad and Bosilegrad, and their surnames were changed into Serbian by adding the suffix *-ić* (e.g. Todorov into Todorović), or transcribed and transformed (e.g. Georgiev into Đorđev). This was a direct violation of their national identity, depriving them of their right to use personal names in their mother tongue.

The possibility to reinstate traditional Bulgarian names was introduced after 1945, but not in full. Namely, registrars and courts permitted the 'heads of families' to reinstate Bulgarian surnames (from Todorov-*ić* into Todorov), but not to use them in the spirit of the Bulgarian language.

- Bulgarian families could use traditional Bulgarian surnames ending in *-ov*, e.g. Todorov, but the wife could not use it in the spirit of the Bulgarian language, i.e. change the ending into *-va* and bear the surname Todorova instead of Todorov, because, at wedding, she had declared her decision to take the husband's surname. The same refers to the children.
- The Bulgarians were also prevented from using their names in the spirit of the Bulgarian tradition – which uses the given name first, then the name of the father and the grandfather, e.g. Petar Nikolov Todorov for men or Petra Nikolova Todorova for women. The same refers to the right of women to keep two names in marriage (e.g. Marija Petrova) and add the husband's surname as third.

#### **National Council of the Roma national minority**

The Roma mostly use names and surnames on the model of those of their fellow citizens: if they live with Serbs, their names and surnames will be Serbian, if they live with Albanians they will be Albanian. The reason for this lies partly in their lack of care for their mother tongue and tradition, and partly in their desire to adapt to the environment they live in, out of fear of differing from it.

Representatives of local authorities sometimes change Roma surnames, without their consent, while requests by Roma to have their original surnames returned do not encounter the understanding of registrars.

- **Preševo.** There are examples of members of the same family having different surnames. For example: the mother, father and one son (born in Preševo) have the surname "Osmani", while the second son (born in Kumanovo) has the surname "Osmanović". The requests forwarded to the registrar for changing the surname

“Osmani“ into “Osmanović“ did not encounter the registrar’s understanding. The situation is even more absurd since the father of the family had the surname “Osmanović“ until 1966, after which he was called “Osmani“ since the registrar’s office changed his surname, which he has had to this day.

### **National Council of the Vlach National Minority**

In the XIX century the Vlachs' surnames were changed and their right of name choice was limited by the Serbian Orthodox Church (SPC) which possessed a list of allowed names. So the original Vlach surnames became Serbian with the ending – ić, although the Vlachs mutually recognize themselves pursuant to their surnames thanks to old Vlach foundations which remained the same, for example: Trajsta – rević (in Vlach language: trajsta – bag), Suli-canović (in Vlach language: sulica-spear), Njagoje-vić (Njagoje- old Vlachs name). There were cases of double use of the surname, for example: Serbian Todorović, was in Vlach alu Serafika, so that person was officially called Todorović, however among the Vlachs - alu Serafika. The requests of the Vlachs to change their surnames to the authentic form are permanently facing the opposition by civil servants.

Request of the Vlach national minority members to name the newly born child in their language faces persuasion and insisting of the officials to waive that request. The request is usually fulfilled if the client insists on the request.

## **Recommendations**

### **Centre for Multicultural Education, Preševo**

- Persons belonging to the Albanian national minority should be recognised the right to use their surnames and first names in their own language and script.

### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

- The surnames and first names of persons belonging to the Bosniak national minority should be written in both Cyrillic and Latin script.

### **The National Council of the Bulgarian National Minority**

- To make possible to those members of the Bulgarian national minority to reinstate Bulgarian first and last names who wish to do so.

### **The National Council of the Roma National Minority**

- To make it possible for the Roma personally to choose their names and surnames and to correct the work of registrar’s office where this right is violated.
- To create a more tolerant climate towards the Roma, in which they will be able freely to use their names, without fear of being discriminated against because of this.

### **The National Council of the Vlach National Minority**

- To create legal possibilities for Vlachs, who are interested in it, to reconstitute their original and traditional surnames and first names.

## **Article 11, paragraph 2**

### **Normative framework**

%

## **Implementation**

### **Center for Multicultural Education, Preševo**

National symbol of South Serbia Albanians, used in past '60 - '90 years as a special form of Albanians' tradition and culture has been abolished, since pursuant to *LPRLNM* national minority symbol may not be equal to the symbol of their mother state. It is worth noting that the same national symbol is used by the Albanians in Montenegro and Macedonia without any problem.

Abolishment of that symbol utilization is one of the reasons why the Albanians in Serbia have not established their National Council.

#### **The National Council of the Bosniak National Minority**

The data of the research conducted by the national council<sup>110</sup> indicate that only in few municipalities are the names of institutions, whether republic or municipal, displayed in the Bosnian language pursuant to the law or prescribed by municipal statutes. Unlike street names, which are in most cases displayed in the Latin script, institution names are most frequently indicated in Cyrillic writing only.

The judicature, the police, the land register, the revenue office, the post office, the national bank, the healthcare and outpatient centres, as well as other republic institutions failed to display their names in the Bosnian language in Sandžak.

In schools providing teaching in Bosnian and other public institutions, the respective names of these institutions are not displayed in Bosnian.

The Novi Pazar Municipality, in its Statute (Article 8) provided for the official use of the Bosnian and Serb languages on equal footing, and Latin and Cyrillic scripts respectively. It is obvious that signs and inscriptions are bilingual in municipal premises, institutions and companies in the municipality, but none of the republic institutions display their names in Latin script and in the Bosnian language.

The Tutin Municipality has taken the lead in the official use of the Bosnian language.

The situation is significantly worse in other towns settled by Bosniaks in Sandžak.

- For example: Priboj and Prijepolje municipalities have failed to introduce the official use of the Bosnian language.

#### **National Council of the Vlach national minority**

Examples of putting up of signs, inscriptions and other information of private character in Vlach language are rare, although there were recent examples of positive practice: in a village Kladisnica near Kladovo.

### **Recommendations**

#### **The National Council of the Bosniak National Minority**

- To display the names of institutions in the Bosnian language in compliance with the regulations, and to adopt new legal regulations and other acts, which would provide an advanced regulation of observing legal acts, and foresee sanctions in cases of non-compliance.

### **Article 11, paragraph 3**

#### **Normative framework**

%

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<sup>110</sup> During the field work, account was taken to record the method of displaying institution names in all municipalities, such as municipality names, executives councils and their bodies, courts, prosecutor's offices, police, public services and companies (post, National Bank branch offices, public utility companies etc.), but also of the names of republic bodies and institutions, if any. The names of neighbourhood communities from the samples of chambers of commerce, educational and other institutions, located in the area projected for data collection, were also recorded.

## Implementation

### Network of Committees for Human Rights in Serbia (CHRIS)

#### Review on the Opinion of the Advisory Committee

The practice of displaying topographical indications and street names in national minority languages is being applied much less in southern and eastern Serbia than in APV. This especially concerns the displaying of traditional inscriptions in minority languages<sup>111</sup>. The situation is additionally aggravated by the fact that the provision of the *Decision on the closer regulation of certain issues concerning the official use of the languages and scripts of national minorities on the territory of APV*, according to which the national councils of national minorities are authorized to determine the traditional names of cities, municipalities and settlements in their languages (article 7, paragraph 1), is being implemented only on the territory of the province, while there is no similar decree that would apply to the entire territory of Serbia.

### Centre for Multicultural Education, Preševo

Street names and topographical indications are displayed in the Albanian language.

### The National Council of the Bosniak National Minority

In the municipalities of Sandžak it is obvious, that local names on traffic signs are displayed, in most cases, in two scripts (Cyrillic and Latin), but their traditional, Bosniak names are not used. For example:

- Instead of „Bijele vode” the Serbian name: „Bele vode” is used, instead of Dohoviće – Dojeviće, Suhodo / Suvi do, Rvatska / Hrvatska, Suha Čuprija / Suva Čuprija, Postijenje / Postenje, Ljeskova/ Leskova, Lukocrijevo / Lukocrevo, Crna rijeka / Crna reka, etc.

The names of a number of streets and schools in Novi Pazar are not displayed in two languages and etymologically and historically they do not correspond with the population living in these streets. The situation is similar in some other municipalities in Sandžak:

- Serbian street names are used: Donji and Gornji Aleksinac, General Živković Street, Kraljević Marko Street.

Tutin Municipality makes an exemption, where, as early as 2000, the street names were changed and brought in accordance with the municipality's ethnic structure.

### Civic Action for Human Rights – Priboj

During writing of the public inscriptions (names of streets, squares, dwellings, local and state bodies and services, and traffic signs) in Priboj municipality, the provisions of *LOULS* are not implemented as well as the provisions of *LPRLNM*.

### Bosniak Cultural Society „Preporod“ and “ i Civic Forum – Novi Pazar

Almost all the names of streets, squares and institutions are written in Serbian language and script, and the names from Serbian history, culture and tradition are used. The exception is Tutin municipality. All other public inscriptions are not bilingual.

### Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar

In Novi Pazar, street and institution names are written in the Serbian language, and in 2006, the only bilingual board was installed on the building of the Novi Pazar Municipality, on which names are written both in Cyrillic and Latin scripts.

### The National Council of the Bulgarian National Minority

In the municipalities traditionally inhabited by Bulgarians, there are not everywhere bilingual settlement names and road signs.

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<sup>111</sup> Opinion, article 11/83

The request about returning the traditional Bulgarian name of Dimitrovgrad, i.e. Caribrod by the National Council of the Bulgarian National Minority submitted to the Bosilegrad Municipal Assembly, the Government of the Republic of Serbia and the Ministry for State Administration and Local Government, was not approved.

Street names are displayed in two languages but often written with mistakes

#### **Creative Center Caribrod**

The right for official use of Bulgarian language in Dimitrovgrad and Bosilegrad is partially recognized during procedure of naming the streets.

Concerning the usage of authentic toponyms in Bulgarian language, drastic breaches of this right are observed:

- village M'zgoš is written as Mazgoš, village Zvonci / Zvonce, Bosilegrad is often called Bosiljgrad, Trnsći Odorovci became Trnsko Odorovce, B'Igarska Planinica / Donja Planinica, Verdzar / Verzar.

#### **The National Council of the Roma National Minority**

Not a single street in central and southern Serbia has its name written out in the Roma language, nor do any of them carry the name of a Roma.

### **Recommendations**

#### **The National Council of the Bosniak National Minority**

- Pursuant to the law, the use of traditional local names, street names and other topographical indications should be enforced and their respective display should be ensured (displaying traditional names equally in Bosnian and Serb languages and scripts).

#### **Civic Forum – Novi Pazar**

- The communist practice of giving names to streets should be changed, i.e. that streets inhabited by Serbs are named after Bosniak personalities, and streets, where Bosniaks live are named after Serb personalities, who, in both cases, are heroes, soldiers from World War II. Bilingual street names should be used.

#### **The National Council of the Bulgarian National Minority**

- To rename Dimitrovgrad into its traditional name of Caribrod.
- To display road signs and settlement names in Serbian and Bulgarian

#### **National Council of the Roma national minority**

- Streets and towns in which Roma live should be named after famous Roma, and should not be called names such as: “the Roma mahala” (town quarter), “Roma cemeteries”, “Roma drinking fountain” and so on.

#### **The National Council of the Vlach National Minority**

- In settlements, where there are legal preconditions for it, the parallel usage of local names of settlements, toponyms and streets in the Serbian and Romanian languages should be made possible.

## Article 12

1. *The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and the majority.*
2. *In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts and students and teachers of different communities.*
3. *The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.*

### **Article 12, paragraph 1**

#### **Normative framework**

%

#### **Implementation**

##### **Centre for Multicultural Education, Preševo**

Due to the general climate of distrust and negative stereotypes towards the Albanians in Serbia, Albanian nationality students do not opt for pursuing their studies in Serbia, but choose Albania, FYROM and Kosovo rather. Hence they are not entitled to benefit from scholarships, thus in relation to students of other nationality they are in an unequal position.

##### **The National Council of the Bosniak National Minority**

Though Bosniaks are not hampered to foster their culture, history, language and religion, the State fails to undertake special measures in these fields despite the existing need.

The unequal treatment of Serb and Bosniak cultural monuments, represent a discrimination against the Bosniaks in this field by the State.

The State fails to recognise the right of Bosniaks to name their cultural heritage and monuments by their traditional names (the Bosniak identity of monuments from the Ottoman period is negated), and fails to take the necessary measures for their protection, while tolerating, even instigating, their ruining and devastation (e.g.: Amir-Agin's Han and Prvomajska Street in Novi Pazar, the Musala in Prijepolje).

There are signs with the Serb names and indications on the access roads and in the vicinity of cultural monuments of the Serb nation, while there are no such signs in the vicinity of Bosniak cultural heritage.

##### **Civic Forum – Novi Pazar**

At the beginning of the school year the parents are tested whether they wish their children to learn Bosnian language with the elements of national culture, however parents are usually not responding in large number due to the mistrust to the quality of lectures and textbooks.

##### **Creative Center Caribrod**

Each year the parents in Dimitrovgrad and Bosilegrad municipalities are interviewed with the purpose to determine whether the children wish to attend teaching in Bulgarian language or to learn the language with elements of national culture.

#### **Recommendations**

##### **Center for Multicultural Education, Preševo**

- To create a positive climate and trust towards persons belonging to the Albanian national community through the enforcement of special measures.

**The National Council of the Bosniak National Minority**

- The State should establish institutions for the protection of the Bosniaks' cultural heritage and monuments in Serbia.
- To make possible that the names of Bosniak cultural heritage and monuments are displayed in accordance with their Bosniak name and tradition.

**Civic Forum – Novi Pazar**

- The State should additionally motivate pupils to learn the Bosnian language through: free textbooks, comparative programmes, excursions, TV programmes and summer camps in Bosnia and Herzegovina.

**Article 12, paragraph 2****Normative Framework**

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**Implementation****Teachers****Network of Committees for Human Rights in Serbia (CHRIS)****Review on the Opinion of the Advisory Committee**

Likewise in the APV, additional efforts are needed in the territory of southern, central and eastern Serbia to address the various shortcomings in terms of upgrading and decreasing the lack of qualified teachers <sup>112</sup>.

**Textbooks**

Compared to persons belonging to national minorities in the APV covered by this Report, persons belonging to the Albanian, Bosniak and Bulgarian national minorities in central and southern Serbia had more critical remarks on the textbooks in mother tongue since, they believe, these are outdated and their content favours Serbian culture on the account of the minority culture, and present their communities in a negative light<sup>113</sup>. Persons belonging to the Albanian national minority face difficulties in implementing their rights in the field of education, because of refusing to establish the national council of the Albanian national minority, which, in the case of the other minorities, has taken over the responsibility for the education in mother tongue.

The recognition of diplomas and the import of textbooks from Kosovo, with respect to the current negotiations about the status of Kosovo, are implemented with more difficulties than in the time of the first reporting, while, at the moment, encouraging the authorities to find legitimate and balanced solutions in this field would be more than unrealistic<sup>114</sup>.

Persons belonging to the Vlach national minority have neither qualified teachers nor textbooks in their mother tongue.

**Center for Multicultural Education, Preševo**

In Preševo, state exam in Albanian language is organized only for teachers who teach Albanian language and literature<sup>115</sup>. For other subjects the exam is organized in Serbian language only (in Nis and Belgrade), and concerning terminology this represents a problem for Albanian teachers, since they complete their schooling in Albanian language.

Pursuant to the *Law on Elementary Schools and Law on Secondary Schools* it has been provided for that Minister of Education brings decisions on educational plans and programs and approves

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<sup>112</sup> Opinion, Article 12/88

<sup>113</sup> Opinion, Article 12/86

<sup>114</sup> Opinion, Article 12/92

<sup>115</sup> In June 2006.

textbooks for elementary and secondary schools. In practice, it has been observed that the culture and tradition of national minorities is neglected by glorifying the culture and tradition of majority nation.

In last two years in Preševo, Bujanovac and Medveđa municipalities teams of Albanian teachers were formed to elaborate plans and programs for the following subjects: Albanian language and literature, history, music, geography, and arts. Pursuant to their proposal, the plan and program for Albanian language and literature from 1st to 8th grade have been amended (except the 3rd grade)<sup>116</sup>, but due to the reaction of Ministry of Education and Sports no amendments have been made in history, music, arts and geography. They remained unchanged since 1983, and pursuant to that the students of Albanian national minority study Serbian culture and tradition more than their own.

- Music textbook from 1st to 6th grade of elementary school contains 139 songs in Serbian language, and only 3 in Albanian.

There are no amendments in Albanian language plans and programs in secondary schools, so the subjects: Albanian language and literature, history, music, and arts have not been changed since 1983. Albanian students learn more Serbian literature than their own, since they study it at Serbian language classes as a foreign language (2-3 classes a week), and also at Albanian language classes (in a form of Serb works translation). School reading in Albanian language consist of 50% of Albanian and 50% works of Serbian literature.

Committee for elaboration of plans and programs in Albanian language for secondary schools presented a proposal for the amendment of current plans and programs of above-mentioned subjects, however they were not accepted.

Until 2005/2006 Albanian students in Serbia used textbooks and reference books aimed for the students of Serb nationality. They are the translations to Albanian language with a lot of errors, whereby the Albanian students are imposed to dominant Serb culture and tradition. Local government presidents addressed the Minister of Education with a request to approve the use of textbooks and teaching books in Albanian language which were printed in Pristina. The request was accepted, except for the following subject:

- nature and society for the 4th grade of elementary school
- history for the 5th, 6th, 7th and 8th grade of elementary school
- history for the 1st, 2nd, 3rd and 4th grade of grammar school
- history for I and II grade of secondary schools
- geography for all grades of elementary school, grammar school and secondary schools.

The problem is also incompliance of approved textbooks with educational plans and programs of the Republic of Serbia.

#### **The National Council of the Bosniak National Minority**

Over the recent years, the Ministry of Education and Sport of the Republic of Serbia set a new policy to change the contents of curricula for primary and secondary schools, especially for teaching the Serbian language and literature and history. Along the principles of tolerance, it has been agreed to leave out those contents from the teaching plans, which entrench on the spirit of tolerance and to integrate those ones, which create cultural dialogue, respect, trust and understanding among the persons belonging to different minorities, who live in Serbia.

The fundamentals for preschool education programme for 3-7 years of age for Bosniak children have not been developed. The curriculum for primary education and the curriculum for grammar and

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<sup>116</sup> Amendments were published in "Educational Herald", and the plans and programs are compiled with the text printed in Pristina.

other secondary schools were published in the Serbian language only, and not in the Bosnian in Latin script.

Teachers of the Bosnian language with elements of national culture need additional education in order to be fully competent for teaching that specific subject. Students studying at the recently opened university in Novi Pazar would be the solution to this problem.

Unlike other national minorities, without any financial support by the State, the National Council initiated and implemented the development of curricula and teaching programmes, textbooks and teacher's books for the teaching of the Bosnian language with elements of national culture, and these are in use in primary school junior classes in the municipalities of Novi Pazar, Tutin and Sjenica and also in some primary schools in the Prijepolje Municipality.

#### **Bosniak Cultural Society „Preporod“**

Even there are discrimination contents referred to the Bosniaks in some textbooks, the direct conflict between both the students and teachers of Serbian and Bosniak nationality have not occurred in educational institutions, although increasing antagonisms may cause that.

#### **Civic Forum – Novi Pazar**

In literature and music textbooks the Serbian writers, icons of Christian saints and Orthodox spiritual music are prevailing.

#### **National Council of the Bulgarian National Minority**

In the atmosphere of division and division of teaching-scientific, it is impossible to speak about tolerant educational system.

In view of textbooks, the gesture of the Republic of Serbia Ministry for Education to allow the import of textbooks for the 1<sup>st</sup> and 2<sup>nd</sup> grades of primary schools for pupils attending teaching fully provided in the Bulgarian language, represents an example of good practice.

#### **Creative Center Caribrod**

Superiority of the Serbian language over the Bulgarian in education is more than obvious, as well as preferential treatment of the Serb national history whereby in history textbooks the history of Bulgarian people is often presented in negative light.

## **Recommendations**

#### **The National Council of the Bosniak National Minority**

- To create opportunities for the education of Bosniak teachers.
- To finance from the state budget the publishing of textbooks and other teaching aids in the Bosnian language through the competent institutions (Textbook Publishing Institute).
- To enable teacher upgrade in B&H and the lecturing by visiting professors from B&H.
- To organise teacher seminars about the Bosniak culture, history and language.
- To create educational programmes, which enable the overview of all historical specificities of national communities and include educational content and communication between the majority and the minority, and among the minorities.
- To supply textbooks, teacher's books and other teaching aid and equipment from B&H.

#### **Bosniak Cultural Society „Preporod“**

- The values of the Bosniak and the Serb nations are to be nurtured in the textbooks instead of studying separately the elements of the indicated national culture, since it leads to the lack of mutual understanding of and ignorance in the culture of coexistent people.

**Creative Center Caribrod**

- Teams of experts, linguists, methodologists and pedagogues from Serbia and Bulgaria are to be created to develop appropriate textbooks in the Bulgarian language.
- An appropriate, modern and comprehensive programme for the Bulgarian language, history and social sciences is to be developed.

**National Council of the Roma national minority**

- To organize Roma language courses and to work on the education of teachers who would hold classes of the Roma language with elements of the national culture on the territory of central and southern Serbia.
- The school curriculum and activities intended for Roma children should present their cultural milieu, so that Roma children would be able to experience the educational environment as their own.
- To include elements of the Roma culture and tradition in the school curricula and programs of the majority nation.
- To publish manuals with guidelines for manner of work with Roma children.

**Article 12, paragraph 3****Normative framework**

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**Implementation****National Council of the Roma national minority**

Roma children are only formally equal with other children, since their starting positions are not the same and they require the implementation of special measures.

The main reasons for the unequal position of Roma children vis-à-vis other children are as follows:

- Poverty and inadequate living conditions.
- Distance from the school.
- The parents' lack of education and disinterest in educating their children, as well as the belief that children “must work”.
- Poor conditions and a bad environment for studying, accompanied by small or no support from the parents.
- Inaccessibility of pre-school institutions.
- The fact that Roma children are unprepared for school, insufficiently stimulated in pre-school institutions and later on, that they lack support from teachers to study and master the school program.
- Inadequate system of enrolling in primary schools.
- The fact that schools and teachers are unprepared for the education of Roma children and that the present teaching methods are not adapted to the education of Roma children.
- The posing of unrealistic requests in the mastering of subjects.
- Irregular attendance of classes and the early leaving of school, especially by female children.
- The contents of textbooks which does not contain elements of the Roma culture and tradition.
- Discrimination by the environment and teachers against Roma children.
- Established stereotypes and prejudice against the Roma, accompanied, for example, by unpleasant teasing by non-Roma children.
- Low level of the majority community's expectations regarding how much a Roma child can achieve in life.

- The traditional social isolation and marginalization of the Roma and, consequently, their inability to fit into the majority population and to become socialized.
- The non-flexibility and inadequacy of the present educational system for the education of Roma.
- Insufficient understanding of the Serbian language.
- A shortage of Roma teachers capable of and motivated to help integrate Roma children into the educational system.
- The stimulating of parents to enroll children in specialized schools, so as to obtain social welfare.
- High educational costs and, consequently, the inability to buy textbooks, school accessories, sports equipment, decent clothing and footwear.

## **Recommendations**

### **National Council of the Roma national minority**

- To introduce daycare for Roma children in pre-school groups, possibly composed exclusively of Roma children, which would be led by Roma teachers or assistants.
- Until the Roma children are not integrated into the school system, to form purely Roma classes in primary schools where teachers of the Roma nationality will hold bilingual classes.
- To provide for Roma children free textbooks, schools accessories and transport to school.
- To establish the criteria on the basis of which the quality of the classes in the Roma language would be monitored and assessed.
- To prepare recommendations for institutions dealing with the promotion of the education of Roma children and young people
- To organize at post-secondary schools for teachers and at teachers' faculties the training of teachers who would be engaged in the education of Roma children and to create special curricula, intended for the integration of the Roma.
- To establish departments for the Roma language at faculties of philology or teachers' faculties for the purpose of educating Roma teachers.
- To produce and publish a manual with recommendations for working with Roma children at various levels of education, as well as other professional literature.
- To organize bilingual classes for all Roma who speak only the Roma language.

## **Article 13**

*1. Within the framework of their education systems, the Parties shall recognize that persons belonging to national minority have the right to set up and manage their own private educational and training establishments.*

*2. The exercise of this right shall not entail any financial obligation for the Parties.*

### **Article 13, paragraph 1**

#### **Normative Framework**

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#### **Implementation**

##### **Bosniak Cultural Society „Preporod“**

Bosniaks are entitled to establish private high education institutions, such as the International University in Novi Pazar.

**Civic Forum – Novi Pazar**

Establishment of the International University in Novi Pazar represents a good example of giving the opportunity to educate required staff. The only disadvantage represents the dependence of this private educational institution on political situation in the country.

**Creative Center Caribrod**

Although the Bulgarians, as well as other national minorities are formally entitled to set up private educational institution, due to great dispersion and small number of population this right is not applied in practice.

**Recommendations****Article 13, paragraph 2**

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**Article 14**

1. *The Parties undertake to recognize that every person belonging to a national minority has the right to learn his or her minority language.*
2. *In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavor to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.*
3. *Paragraph 2 of this article shall be implemented without prejudice to the learning or teaching in this language.*

**Article 14, paragraph 1****Normative Framework**

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**Implementation****Network of Committees for Human Rights in Serbia (CHRIS)****Review on the Opinion of the Advisory Committee**

Generally, the implementation of minority rights to education in the mother tongue is more advanced in the APV than in the ethnically homogeneous central Serbia.

For persons belonging to the Vlach national minority the teaching of mother tongue has not been provided yet, although in the period between the two reporting, there have been a more demands for it. In this respect, there is a need to take more proactive measures to introduce such teaching whenever the criteria established by the domestic legislation are met.<sup>117</sup>.

Persons belonging to the Bosniak national minority have started to implement their right to education in their language in 2004, and for the time being, the learning of the Bosnian language with elements of the national culture has been organised for this national community<sup>118</sup>.

**The National Council of the Bosniak National Minority**

The State has started to implement the rights of Bosniaks in the field of education. After 97 years<sup>119</sup>, the first lesson of the Bosnian language was held in the Tutin Municipality, whereupon the subject

<sup>117</sup> Opinion, Article 14/95

<sup>118</sup> Opinion, Article 14/96

has been introduced as an optional one in some other schools in Novi Pazar, Sjenica and Tutin. The Bosnian language, as an optional subject, is taught in the first five years of the primary education and at the beginning of each school year, parents are interviewed in order to determine whether their children wish to learn that language.

The largest interest for learning Bosnian with elements of national culture is in the Tutin Municipality. The data relating to the learning of Bosnian in the Prijepolje Municipality have not been indicated, because the headmasters in certain schools refused to submit the requested data about the number of pupils.

**Table 3: Number of children attending Bosnian language per municipalities**

Municipality	Grade	Total Number of Children	Bosniak Nationality Children	%	Number of Children Attending Classes of the Bosnian language	%
Novi Pazar	I - IV	5718	5021	88	3639	72%
Sjenica	I - IV	1451	1312	92	1200	91%
Tutin	I - IV	1972	1908	97	1825	97%
Ukupno	I - IV	9141	8241	92	6664	87%

#### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

The right of Bosniaks in Priboj, Nova Varos and other places where the Bosniaks live to learn their mother tongue is not recognized, even not to study the Bosnian language as optional subject.

#### **Civic Forum – Novi Pazar**

Bosniaks' education in their mother tongue is realized in collaboration with the state and National Council of Bosniak National Minority, at wrong foundations. Instead to bring the decision to study Bosnian language as obligatory, and not optional, and to organize bilingual schooling, getoization has been selected without interviewing the citizens. The work is of a poor quality and there is a self-isolation referring to the study of Bosnian language and culture. Namely, after the approval of the state to introduce Bosnian language to elementary schools, Bosniaks performed that task without preparation and quickly, and published the textbooks written by unexperienced and incompetent authors. All that contributed to the decision of some parents to enroll their children to the Serb language classes.

In the western part of Sandžak the Bosniaks do not have the opportunity to organize any form of teaching in their mother tongue.

#### **Bosniak Cultural Society „Preporod“**

In the areas where the studying of Bosnian language as optional subject is organized, the Bosniaks are in unequal position, since their cultural heritage was placed to optional educational-legal framework. On the contrary, Serbian language as the basic subject is obligatory for both the Serbs and the Bosniaks, and apart from general education, it educates them in national sense too. Such approach causes dislike and repulsion of Bosniak children towards the school and education in general.

<sup>119</sup> On 20 October 2004, in the Dr. Ibrahim Bakić Primary School in Ljeskova, Tutin Municipality.

With reference to the preservation of the Bosnian language as an element of culture, in the latest Official Gazete of Ministry of Education and Sports, the educational plan and program has been published with the following name of the subject: *Bosnian language with the elements of the national culture*. But above the mentioned title, it was written in Cirillyc script: *Bosnian language with the elements of the national culture*, proving the fact that the state still does not recognize the Bosnian language officially<sup>120</sup>.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

Out of 6 municipalities where the Bosniaks live, in only 4: Novi Pazar, Sjenica, Tutin, places with Bosniak population majority, as well as in two schools in Prijepolje municipality the studying of Bosnian language as optional subject is legalized. Due to the opposition of local government it has not been done in Priboj municipality<sup>121</sup>.

- **Prijepolje municipality.** Study of Bosnian language with the elements of national culture in the territory of this municipality is conducted in 3 elementary schools. Due to the fact that this subject is optional, in some schools children are offered<sup>122</sup> to choose between informatics and Bosnian language, so the children chose informatics.

#### **National Council of the Bulgarian National Minority**

In Dimitrovgrad educational institutions a subject «Bulgarian as a mother tongue», that used to be one of the basic elements and conditions for preservation of the national identity of Bulgarians in this area, does not exist any more. Instead, optional study of Bulgarian language with elements of national culture has been introduced.

Bulgarian language is completely marginalized, and the following data confirm that:

- During the enrollment of pupils to the first class of elementary school in 2004/2005, out of total 83 pupils, 75 to attend complete teaching in Serbian language with 2 classes a week of Bulgarian language. Two parents chose bilingual option, which exists only declaratively, while in practice it is not implemented.
- 6 parents did not decide at all for offered options and that confirms previous finding that there are discrimination trends in local school system.

Discrimination procedure referring to the implementation of the Bulgarian language is «transferred» to grammar school: Bulgarian language is taught 2 classes a week, which is less than learning of the primary foreign language (3 classes a week) and Serbian language (4 classes a week).

Educational situation in Bosilegrad is very similar for the reported period of time to the situation in Dimitrovgrad. The Bulgarian language is taught two school-classes a week both in elementary and secondary school.

The National Council of the Bulgarian National Minority express their dissatisfaction with the fact that learning the Bulgarian language with elements of national culture was introduced as a optional rather than compulsory subject for Bulgarian pupils attending school in Serbian at schools in Dimitrovgrad, Bosilegrad, Klisura and Zvonce.

It is positive that all curricula for textbooks for learning ‘the Bulgarian language with elements of national culture’ are adopted by the Ministry of Education at the proposal of the National Council of the Bulgarian National Minority.

#### **National Council of the Roma national minority**

Contrary to the practice in APV, the Roma language is not studied at any school in Serbia.

<sup>120</sup> Bosniaks in Sandžak call themselves Bosniaks, but they call their language «Bosnian», not Bosniak

<sup>121</sup> In Nova Varos municipality, the per cent of Bosnjaks is not enough to realize that right.

<sup>122</sup> Elementary school “Vladimir Peric Valter”

An isolated example is a pre-school institution in Preševo, where the program for Roma children is realized by a Roma teacher, in both the Serbian and Roma languages. The initiative was launched by Roma parents, and its acceptance by the pre-school institution represents a rare example of a good practice in these regions.

#### **Network of Committees for Human Rights in Serbia (CHRIS)**

The state has not created any possibility to conduct the teaching in Vlach-Romanian language, or to study the language with the elements of national culture

#### **National Council of the Vlach National Minority**

The explanation given by the Secretary of the Council for National Minorities of the Republic of Serbia that Vlachs-Romanians from eastern Serbia do not have a standardised language is absurd with regard to the irrefutable fact that Vlachs has been living in this region and using their own language for more than 2000 years and that the Vlach language is a variant of the Romanian language, which is standardised.

#### **The National Council of the Vlach national minority and the Vlach Association of Serbia**

The National Council of the Vlach national minority and the Vlach Association of Serbia are advocating the option that Vlachs are Romanians, a joint nation using the same language, and that therefore there is no need to standardise Vlach language, i.e. that the Vlachs should use Romanian literary language<sup>123</sup>.

#### **National Council of the Vlach National Minority**

The state has not created any possibility to conduct the teaching in Vlach-Romanian language, or to study the language with the elements of national culture, although the conditions for that exist, followed by periodical request of the parents in regions inhabited by the Vlachs.

#### **Serbian Alliance of Vlachs**

Ministry of Education and Sports has not responded to the request of the parents from villages Ranovac, Slatina and Sarbanovac who require for already 3 years the introduction of teaching in Vlach-Romanian language.

#### **Culture Society of the Romanians-Vlachs of Serbia “Orthodox Romanians”**

The state do not take any measures in the field of Vlachs education:

- In elementary schools in eastern Serbia, some school teachers threaten Vlach children with beating and teach them that it is not nice to speak Vlach language, although the children start their schooling one year before their agemates in order to learn Serbian language and to be able to follow lectures in Serbian lanugage<sup>124</sup>.
- Local school teacher from village Malajnica<sup>125</sup> expelled together with her several colleagues Vlach children from the class because they went to the Romanian church. There were also told that bombs were placed around the church, and if they went there in future, they would be killed. There was also a mention of the expelling of local Rumanina Orthodox Church priest because he conducted holly service in Vlach language.<sup>126</sup>

#### **Society for the Preservation and Development of the Language, Culture and Religion of the Vlachs in the Morava River Valley**

School teachers at schools do not allow children to speak their mother tongue, and even the punishments due to that are not rare (case of Agricultural School in Svilajinac).

<sup>123</sup> Conclusion of the Second regular session of the Vlach National Minority Council, 04 June 2006.

<sup>124</sup> Malajnica, Plavna and Serbian village Stubik where children from Malajnica and Plavna attend teaching from the 5<sup>th</sup> to 8<sup>th</sup> grade, 2005, 2006, and 2007.

<sup>125</sup> Anica Stankovic, during Christmas 2005.

<sup>126</sup> The children's parents are to be asked to confirm this.

### **“Lunjina” Association**

The Cincar language is a separate language of a Romanic origin, and not a dialect of the Romanian language, as the Romanians claim. It is characterized by a separate lexical fund, orthography and rich literature in various spheres of science and literature, so that its loss would mean the disappearance of the values of a culture of a nation, its literature, customs, folk costumes and specific religious Orthodox customs.

Unlike Macedonia and Romania, there are no schools in Cincar language, either in terms of lessons or studies. The Cincar language is learnt within the ‘Ljunjina’ society.

### **National Council of the Greek National Minority**

Depending on the period of arrival, the language has been preserved to different extents among Greek families. At issue are mostly families that represent the first generation or mixed marriages in which the mother is Greek.

Today, persons belonging to the Greek national minority have the opportunity to study and improve their Greek at courses taught in Belgrade, Novi Sad, Niš and Smederevo. The Greek language is currently taught by 7 teachers, mostly philologists specialised in neo-Hellenic, and 3 Greeks who have come to Serbia for this purpose.

The citizens of Serbia have also the opportunity to learn Ancient Greek at the Philological Grammar School in Belgrade, the Grammar School in Karlovci and the Classical Philology Department of the Faculty of Philosophy, while neo-Hellenic is taught at the Neo-Hellenic Studies Department of the Faculty of Philology in Belgrade.

## **Recommendations**

### **The National Council of the Bosniak National Minority**

- Competent State authorities should additionally motivate the pupils to learn their mother tongue by providing free textbooks, excursions to and summer schools in kin state, integrating the assessment mark for the subject in the pupil’s average assessment.
- To invest efforts in creating a comprehensive education in the Bosnian language at all levels of the education.

### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

- The solution to preserve the Bosnian language and culture is to organise joint education and teaching in the Serbian-Bosnian language and to educate and train teachers in the Serbian-Bosnian language and literature.
- Textbooks are to be printed within the Republic of Serbia Institute for Textbook Publishing by engaging consultants for the Bosnian language from a university in B&H.
- State authorities are to regulate the use of national minority languages in mixed environments, and should not leave it to the mercy of local political coalitions lacking interest in that process.

### **The National Council of the Bulgarian National Minority**

- To introduce the learning of national minority languages with elements of national culture as a compulsory rather than an optional subject by amending the provisions of the *Law on Elementary Schools*.
- To popularise the learning of mother tongue as a compulsory subject with the total of 5 lessons a week.

### **National Council of the Roma national minority**

- To introduce the Roma language as an obligatory subject on the territory of central and southern Serbia.

- To organize school competitions in reciting poems by Roma authors in the Roma language.
- To organize competitions for Roma children in the knowledge of the Roma language, history and culture.

**The National Council of the Vlach National Minority**

- To introduce the learning of the Romanian language with elements of national culture in eastern Serbia.
- To qualify professional teachers for teaching the Romanian language with elements of national culture.

**Article 14, paragraph 2**

**Normative Framework**

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**Implementation**

**Center for Multicultural Education, Preševo**

In three municipalities in the south of Serbia, Albanians realize the right to preschool, elementary and secondary education in their mother tongue pursuant to the law. Due to the fear and safety situation starting from 1988 up to 2006, high education is not being continued in Serbian universities, but in Albania, Macedonia and Kosovo.

**Pre-schools education**

**Creative Center Caribrod**

In pre-schooling institutions the portion of Bulgarian language in the process of education is smaller than the one in both elementary and secondary schools.

**Civic Forum – Novi Pazar**

Apart from the kindergarten of the Islamic Community Meshichat in Novi Pazar, where the education is provided in the Bosnian language, Bosniak preschool age children have no opportunity to attend curricula in preschool facilities in their own language.

**Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

In mainstream preschool institutions the preparatory preschool programme is provided in the Serbian language. The programme is provided in the Bosnian language only in some private and the Meshihata kindergartens.

**Elementary education**

**The National Council of the Bosniak National Minority**

In municipalities, where Bosniaks make more than 15% of the population teaching is provided in the Serbian language only, and the textbooks are printed in the language of the majority nation.

Teaching Bosnian with elements of national culture has started in primary schools in the academic year 2004/2005, but in the following municipalities only: Novi Pazar, Tutin and Sjenica, and partly in Prijepolje. In Nova Varoš and Priboj municipalities it has not been introduced yet.

**Center for Multicultural Education, Preševo**

During school year 2005/06, the elementary education in Albanian language was conducted in 15 elementary schools (Preševo 7, Bujanovac 6, and Medjvedja 2), for 9398 pupils and in 5 secondary schools (Preševo 2, Bujanovac 2, and Medveđa 1) for 2877 students during 2006/07.

**Table 4: Review of the number of pupils, classes and average number of students per class in elementary schools in Albanian language for period 2003-2006.**

School year	Number of students	Number of classes	Average number of students per class
2003/04	9136	389	23
2004/05	9363	403	23
2005/06	9382	411	22,82
2006/07	9398	411	22,86

Pursuant to the above table, it is obvious that number of students starting from 2003/04 school year up to 2006/07 is in slight increase. However, it should be mentioned that in Medveđa during 1999/2000 there were 442 students in elementary schools, and in 2006/07 only 102. Drastic decrease of students' number is a result of migration of Albanian population from this municipality.

#### **National Council of the Bulgarian National Minority**

These days in Dimitrovgrad there is one elementary school «Mosa Pijade»<sup>127</sup> and a grammar school «Cirilo i Metodije». The name of elementary school has not been changed since communist period due to the severe resistance of conservative «structure» of local government who oppose the initiative of National Council of Bulgarian national minority and a number of teachers who want to return the old name of the school «Hristo Botev» and to increase a number of classes where Bulgarian language with elements of national culture and history would be taught.

In the academic year 2006/2007, the elementary school in Bosilegrad opened the 1<sup>st</sup> class of elementary school with instruction in Bulgarian, although the number of pupils enrolled at the beginning of the year was lower than the minimum threshold stipulated by law.

#### **Creative Center Caribrod**

During school year 2006/07, 750 pupils (distributed in 66 classes) of Bulgarian nationality attend the elementary school in Bosilegrad in Serbian language. They have 2 to 4 classes of Bulgarian language with elements of national culture a week, and the novelty is that the 1st class of elementary school exclusively in Bulgarian language has been established for 11 pupils.

In elementary school in Dimitrovgrad with 860 pupils, the pupils are in Serbian language classes, and they have only 2 classes a week of Bulgarian language.

#### **Secondary education**

##### **Center for Multicultural Education, Preševo**

**Table 5: Review of students and classes in secondary schools in Albanian language.**

Secondary Engineering School				
School year	Number of municipalities	Number of schools	Albanians number	Number of classes
2006/07	2	2	1655	59

Grammar School				
School year	Number of municipalities	Number of schools	Albanians number	Number of classes
2006/07	2	2	1222	44

During the observed period the number of students and classes in secondary schools is stable.

<sup>127</sup> Mosa Pijade was a partisan and a national hero from the II World War

During 2005/06 in Medveđa municipality a branch of Secondary Commercial School was established in Albanian language. 9 students attended the first year, and 11 the second year.

#### **Creative Center Caribrod**

The secondary school in Dimitrovgrad is attended by 332 students (14 classes) of both Serbian and Bulgarian nationality: there are 7 classes in the Grammar school and 7 classes in Tourist-Commercial school, and all of them study Bulgarian language (4 classes a week, optional or obligatory). Grammar school in Bosilegrad also organizes the schooling in Serbian language, and Bulgarian is learnt only as a subject. Such form of education in secondary schools exists since 1982, when parents in Dimitrovgrad and Bosilegrad voted at referendum for abolishment of education in Bulgarian language, and the existing model had been introduced.

#### **National Council of the Bulgarian National Minority**

When speaking about the Grammar school, the situation is a little bit more complex. Namely, School Board brought the decision in 2004 to rename the Grammar school to «Sveti Kiril i Metodij». Ministry of Education and Sports gave its general approval, however it gave the instructions to the grammar school to consult the Serb Orthodox Church (SPC) for the additional interpretation of «name adequacy». The final response of SPC was that they disapproved the «Bulgarian form» of the grammar school name. Grammar school staff agreed to name the grammar school «Ćirilo i Metodije».

In August 2007, the Ministry of Education finally decided to name the Grammar School in Dimitrovgrad as ‘St Cyril and Method’.

#### **Creative Center Caribrod**

The secondary school in Dimitrovgrad is attended by 332 students (14 classes) of both Serbian and Bulgarian nationality: there are 7 classes in the Grammar school and 7 classes in Tourist-Commercial school, and all of them study Bulgarian language (4 classes a week, optional or obligatory). Grammar school in Bosilegrad also organizes the schooling in Serbian language, and Bulgarian is learnt only as a subject. Such form of education in secondary schools exists since 1982, when parents in Dimitrovgrad and Bosilegrad voted at referendum for abolishment of education in Bulgarian language, and the existing model had been introduced.

#### **High education**

Save the Novi Pazar University, where there is an opportunity to learn the Bosnian language, in central Serbia there are no other higher education institutions providing teaching in a minority language.

#### **The National Council of the Bosniak National Minority**

For persons belonging to the Bosniak national minority and from the perspective of this community, the opening of a state university in Novi Pazar on 22 December 2006 is of historical importance.

Yet, prior to adopting the Decision on creating a university in Novi Pazar, another Decision of crucial importance was also adopted: the Decision on forming a Novi Pazar-based School Administration, which will be in charge for the education in the region, and it may have an encouraging effect on implementing standards set forth in the law and in the international documents.

#### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

Establishment of state university in Novi Pazar represents an attempt to create conditions for education of teaching staff in Bosnian language (which will become a «nursery» of Bosnian culture), realization of high quality teaching and cultural creativity. The pre-condition is to realize the collaboration of state institutions and educational institutions in Novi Pazar.

## Recommendations

### The National Council of the Bosniak National Minority

- To motivate, through various actions, the introduction of teaching in the Bosnian language at all levels of education.

### The National Council of the Bulgarian National Minority

- To pass new laws regulating the sphere of education, as the current ones were created at the time of Slobodan Milošević's regime and are not suitable for the real needs of the society, do not contribute to its democratic progress, or the development of tolerance in multiethnic communities
- To return traditional names to schools named in relation to Communist times.

### National Council of the Roma national minority

- To form institutions for cherishing and studying the Roma language.
- To form a department of Roma studies in Serbia, on the model of the School of Roma Studies in Novi Sad.

### The National Council of the Vlach National Minority

- The demand of the Vlach national minority to introduce teaching in the Vlach language is to be met.

## Article 15

*The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.*

## Normative Framework

### The National Council of the Bosniak National Minority

Discussions about some provisions of the *LPRLNM* are still ongoing and refer to:

- The method of electing national councils, more precisely, the weaknesses of the electoral system, which, many believe, is in favour of certain political groups within the ethnic communities.
- Competences of national councils, which are vague and may be qualified as consultative competences.
- Method of financing, which puts national councils in a subordinate position,
- The responsibility of the State and other authorities for the full implementation of the rights of persons belonging to the Bosniak national minority.

## Implementation

### Network of Committees for Human Rights in Serbia (CHRIS)

#### Review on the Opinion of the Advisory Committee

There are variations in different parts of Serbia in the implementation of the national minority rights through national councils of national minorities in the field of education, culture, information and the official use of the minority language. While the APV is characterised by high standards in respecting the rights of persons belonging to national minorities, even in municipalities, where their number is less than the foreseen threshold for the enjoyment of the rights, in some parts of Serbia there are difficulties in the implementation of these rights and concerns related to the resistance of the majority population to their implementation (e.g. in eastern Serbia, settled by the Vlachs, and in some municipalities of Sandžak, where Bosniaks live).

Shortcomings that remain as concerns the effective participation of persons belonging to national minorities in economic life, in particular with respect to their access to the labour market still remain, while unemployment and low income are problems affecting especially the Roma, Bulgarians and part of the Bosniak community<sup>128</sup>. Therefore these communities should be additionally financed besides the funds earmarked for financing the national councils of national minorities.

#### **Centre for Multicultural Education, Preševo**

Based on the agreement concluded among the Republic of Serbia Government, the representatives of Albanians from Preševo, Bujanovac and Medveđa and the OSCE Mission on creating a multiethnic police in southern Serbia, and in line with the national composition of the population in these municipalities, the training was attended and accomplished by 400 participants: 270 Albanians and 130 Serbs. If the number of already employed Serb nationality policemen is taken into account, it may be concluded, that Albanians are not represented in adequate number in the police, especially in its administration bodies. The Centre for Multicultural Education in Preševo and the Human Rights Committee in Bujanovac submitted to the local police department a request referring to the structure of employees for each sector, but have received no answer whatsoever until this day.

The Preševo Outpatient Healthcare Centre employs 169 persons: 126 Albanians and 43 Serbs; in the Bujanovac Healthcare Centre there 272 employees: 212 are Serbs, 27 are Albanians and 3 are Romani. No Albanian is employed in the Medveđa Municipality.

Among the employees of the District Court, with jurisdiction in the Vranje Municipality, there are no Albanians. The data in the tables below illustrate the inadequate representation of Albanians in the jurisdiction, in relation to the structure of inhabitants, except in Preševo:

**Table 6: Number of employed Albanians/Serbs in municipal courts**

<b>Preševo Municipal Court</b>	Albanians	Serbs
Judges	3	2
Employees in the Preševo Court	16	12
The Chief Justice of the Court is Serb by nationality.		

<b>Bujanovac Municipal Court</b>	Albanians	Serbs
Judges	1	4
Employees in the Bujanovac Court	4	40
The Chief Justice of the Court is Serb by nationality.		

<b>Medveđa Municipal Court</b>	Albanians	Serbs
Judges	0	4
Employees in the Bujanovac Court	0	all
The Chief Justice of the Court is Serb by nationality.		

A Committee for Inter-ethnic Relations has been formed within the Republic of Serbia Parliament. Albanians have no representatives in this body.

By passing the *Law on Local Elections*, it has been enabled that Albanians, in accordance with the structure of inhabitants, are proportionally represented in local assemblies.

<sup>128</sup> Opinion, Article 15/113

Until 2007, the Albanians were not represented in the Parliament because of the 5% threshold. Owing to the new *Law on the Election of Members of Parliament* and by abolishing the threshold for national minorities, Albanians could participate on the election independently and thus ensured one seat in the Parliament.

Persons belonging to the Albanian national minority are organised in 5 political parties: the Democratic Action Party (PDD), the Democratic Party of Albanians, the Movement for Democratic Progress (DPD), the Democratic Union of the Valley and the Democratic National Party.

After 2002, a large number of NGOs was established on the territory of these municipalities, which fail to produce significant results because they lack the support of both central and local authorities.

After 2001, the authorities have not interfered with the rallies and events organised by Albanians in this region.

The Albanians were not consulted in the process of adopting the law regulating the issue of national minorities in Serbia, and they did not participate in public debates organised for the adoption of the new *Constitution of the Republic of Serbia* either.

#### **The National Council of the Bosniak National Minority**

The implementation of the minority rights of Bosniaks in Serbia is tightly linked with their percentage share in the total number of population on municipal level:

- In Novi Pazar, Tutin and Sjenica exercising minority rights by the Bosniaks has significantly been improved, while in most of the municipalities, where they live this opportunity is unsatisfactory or does not exist at all.

Their rights are implemented to a larger extent if the competences of local self-governments are concerned and if they make the majority in a local community. Yet the situation is fully different in cases concerning the scope of republic body, organisations and institutions.

The representation of persons belonging to the Bosniak national minority continues to be low in the military and police.

- In the Novi Pazar Regional Police Department, Bosniaks make only one fourth of the overall police officers.

By the introduction of political pluralism in Serbia, Bosniaks have started a more effective participation in the cultural, social and economic life and public affairs through their minority parties. The implementation of this right has become even more effective when the Bosniaks' political representatives gained seats in the Parliament and the Government of the Republic of Serbia as representatives of the minority list in November 2005.

It is the general view of the National Council that Bosniaks are represented in administration in a small number. In towns, where Bosniaks make the absolute majority, their representation in relation to the majority population and other minorities, is about 50%, while in other regions their representation in state administration is practically non-existent.

The prevailing form of employment is still in the private sector for the Bosniaks, while work in the administration or jobs, requiring some type of a „uniform“ are „utopia“ for the Bosniaks, and the number of unemployed Bosniak persons is still ranking high in the registers of unemployed.

- Based on the official information from September 2006, the percentage of the Bosniaks' representation in state institutions in towns where they make the majority is significantly lesser than their share in the total number of inhabitants.
- The representation rate of Bosniaks in state bodies in towns, where they live in smaller number is even lower.

The data on the ethnic structure of employees in public services and institutions indicate an disproportionate, and in relation to their proportional share in the total number of inhabitants on local level, an inadequate representation of the Bosniaks in these bodies.

In Novi Pazar, for example, Bosniaks make 82% of the total population:

- In the Novi Pazar District Court there are 14 Bosniaks and 14 Serbs employed.
- The District Prosecutor's Office employs 4 Bosniaks and 4 Serbs.
- There are 8 Bosniaks and 5 Serbs in the Municipal Public Prosecutor's Office.
- There are 17 Bosniaks and 22 Serbs in the Office for Misdemeanours.
- There are 70 Bosniaks and 66 Serbs in the Tax Administration while their representation in the judiciary, prosecutor's office and other public services is far from that percentage.

In its response to the Application for the free access to information of public importance, the Novi Pazar Regional Police Department stated that they do not keep records about the employees' national affiliation. The same response was received from the Prijepolje Police Department.

The former Head of the Novi Pazar Police Department<sup>129</sup>, gave the information that 20% of the employees in this state authority were Bosniaks in 2002, and by 2004, this percentage raised to about 30%.

The rest of state authority bodies and institutions in Novi Pazar (like the Municipal Court, Healthcare Centre etc.) did not respond to the Application for the free access to information of public importance related to the ethnic structure of employees.

#### **Bosniak Cultural Society „Preporod“**

Bosniaks are excommunicated from all cultural, social, economic and public affairs on the level of the Republic. Exemptions are those persons, holders of social functions, which they achieved through their respective political parties.

The discrimination against Bosniaks in view of their representation in state institutions is existent.

- In the police departments of the municipalities of Sandžak, where Bosniaks make the vast majority of the population, most of the employees, i.e. 80-95%, are Serbs.

#### **Civic Forum - Novi Pazar**

Bosniaks are, in percentage, less represented in state authority bodies than in the regional ones, and it especially refers to executive positions. The situation is the worst with Bosniak-Muslims in settlements where they are absolute minority.

#### **Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar**

Despite the democratic elections in Serbia in 2000, Bosniaks are poorly represented in public authority bodies, while the national and professional structure in such bodies in certain municipalities in Sandžak is highly unfavourable for them, and does not correspond to the ethnic composition of the local population. That is particularly obvious in the judiciary, police and the army.

According to the data from 2006<sup>130</sup>, the representation of Bosniaks is inadequate in the Republic authorities:

- Of the total number of judges of the Supreme Court none is Bosniak, and none of the Republic Public Prosecutor's deputies are Bosniaks either.
- There is a huge imbalance of Bosniak participation in the local offices of the Republic Ministry of Finances, republic supervisory services, public companies and other institutions.

On municipal level the situation is as follows:

<sup>129</sup> Suad Bulić, on a press conference in 2002.

<sup>130</sup> The data of the Sandžak Committee for Human Right.

**Sjenica**<sup>131</sup>: Bosniaks are not represented in the Sjenica Municipal Prosecutor's Office.

**Priboj**<sup>132</sup>:

- Of the 81 members in managing and supervising boards of the public companies, 8 is Bosniak.
- The president of the municipality, the deputy president, the chairperson of the assembly, the secretary, the head of municipal administration are not Bosniaks.
- Of the 79 employees in the municipal administration 15 are Bosniaks.
- There are 5 judges employed with the Municipal Court and only one of them is Bosniak.
- Only one person is Bosniak of the 4 Court Department Heads.
- The Public Prosecutor is not Bosniak by nationality and his deputy has not been appointed yet.
- Among municipal position holders appointed by the Republic of Serbia only one person is Bosniak (head of the municipal administration).
- The Bosniak community has no representatives among the executives of public companies (there are 9 of them), or in the municipal museum.
- Six of the 10 employees in the Cultural Centre are Bosniaks.
- In the Information Centre only one of the 25 employees is Bosniak by nationality.
- Four of the 72 members in school councils are Bosniaks.
- Ten of the 41 parliament members are Bosniaks.
- In the police administration the situation have started to improve only recently.

**Prijepolje**<sup>133</sup>:

- There are neither Bosniak prosecutors nor deputy prosecutors in the Municipal Prosecutor's Office.
- There are 36 employees in the Municipal Court: 30 Serbs and 6 Bosniaks. One judge is Bosniak and 6 are Serbs.
- In the Prijepolje Municipal Administration only 10 of the 80 employees are Bosniaks.
- There are no Bosniaks employed in the local Directorate for Highway Construction.
- 10-15% of the employees in the police are Bosniaks.
- There is only one Bosniak judge in the Municipal Court.
- Bosniak majority among employees is registered in the Employment Institute only.
- There are 70 employees in the local self-government, whereof 55 are Serbs and 15 are Bosniaks.
- Of the 8 headmasters in primary schools 6 are Serbs and 2 are Bosniaks.
- There are 2 Serb headmasters and 1 Bosniak in secondary schools.
- The Social Care Centre employs 15 employees, whereof 12 are Serbs and 3 are Bosniaks.
- In the Polimlje Public Information Company (radio station and newspaper) 14 persons are employed: 7 Serbs and 7 Bosniaks.
- Only one is Bosniak of the 7 employees in the museum.
- There is only one Bosniak member of the school council in the Sveti Sava Primary School in Bostana, although the school is ethnically mixed wherein Bosniak pupils make the majority.

Most of the Serbs in Prijepolje, left without their jobs due to non-fulfilment of duties during the NATO attack, have been returned to their jobs/offices, while its not the case with any of the persons belonging to the Bosniak national minority.<sup>134</sup>

**Nova Varoš**<sup>135</sup>:

- The Municipal Court and Prosecutor's Office employ one Bosniak each.
- Of the five judges employed with the Municipal Court only one is Bosniak by nationality.
- One of the three judges of the police court magistrate is Bosniak.
- There are 17 Serb and 3 Bosniak employees in the Municipal Court.
- There are no Bosniaks employed in the Prosecutor's Office.
- No Bosniaks are employed in the Zlatarske novine (Publishing House).
- In the municipal administration, save one member of the Municipal Council, one registrar and some workers, there are no Bosniaks employed.

<sup>131</sup> In Sjenica there are: 6572 Serbs, 20512 Bosniaks, 223 Muslims.

<sup>132</sup> According to the 2002 census there are 30.377 inhabitants in this municipality: 22.523 Serbs (74,14%), 5567 Bosniaks (18,32%), 1427 Muslims (4,69%), 432 Montenegrins (1,09%), i.e. 22.866 Orthodox believers (75,27%) and 6 997 Muslims (23,03%).

<sup>133</sup> In Prijepolje there are: 23.402 Serbs, 13109 Bosniaks, 3812 Muslims.

<sup>134</sup> Further details on the structure of employees in these municipalities are available in the publication by the Sandžak Committee: "The Rights of Minorities in Multiethnic Environments in Sandžak". This publication was printed bilingually, in Bosniak and English.

<sup>135</sup> In Nova Varoš there are: 18001 Serbs, 1028 Bosniaks, 502 Muslims.

- In the Municipal Assembly 1 delegate of the Democratic Party is Bosniak.
- There is one Bosniak member in the school's Managing Board.
- There are 62 employees in the local self-government whereof 55 are Serbs and 7 are Bosniaks.
- There are 5 Bosniaks and 2 Serbs employed in the Social Care Centre.

Over the last few years, Bosniaks face increasing difficulties in obtaining working permits and permits for shop opening, building facilities and the like in this municipality. Serbs have no such problems. Discrimination is present also in allocating programme slots for broadcasting the cultural, educational, economic, political and other concerns of national minorities in the public media financed from the budget of the Republic.

There are indications that the participation of Bosniak representatives in local authority bodies is conditioned by a set of compromises they have to give in.

Due to the flight of quality professional in this municipality<sup>136</sup>, the issue of employment is more visible than earlier.



From the example of the three municipalities (Novi Pazar, Sjenica, Tutin) it is obvious, that Bosniak political parties, regardless their differences in methods and coalitions for creating local governments, are neither fully capable nor professionally qualified to articulate the needs of the community they advocate. Instead, Bosniaks more and more accuse each other for the community's problems and the situation it is in, and all this reflects the deep division among them and the disability to respond adequately to the challenges and needs of the times. Disputes within the Bosniak community are often settled by Belgrade.

#### **The National Council of the Bulgarian National Minority**

The representation of Bulgarians in the institutions and services of local government in the Municipalities of Bosilegrad and Dimitrovgrad is proportional to their share in overall population. As for their representation in state authorities – police, border police, army and the customs, this national community is underrepresented, which may indicate the lack of trust by the majority nation when the employment of persons belonging to national minorities in these bodies is concerned.

Since the spring of 2007, there have been three political parties involved in organising the Bulgarians in Serbia: the Democratic Party of Bulgarians, the Democratic Alliance of Bulgarians, and the Party of Bulgarians in Serbia.

#### **Creative Center Caribrod**

Although the representation of Bulgarians in local level elected bodies is high, they fail to have authentic representatives of their minority parties in the Republic Parliament<sup>137</sup>.

In view of the Bulgarians employment, there is a subtle discrimination in public administration and state security bodies, police and the like:

- Gradina, the border crossing near Dimitrovgrad is located on the territory of a municipality mostly settled by Bulgarians, but most of the border guards are from elsewhere, mostly Pirot. There are not Bulgarian nationality border guards, or if any, their number is few.
- In the Bosilegrad and Dimitrovgrad municipalities, for decades, the local police department have been employing persons for commanding positions, who are not resident in these municipalities.

<sup>136</sup> More than 18% of the Bosniaks left the municipality in the 1990s due to the imminency of armed conflicts and moved to Novi Pazar.

<sup>137</sup> With the exception of Democratic Party of Serbia and Serb Radical Party deputies (2 deputies ethnic Bulgarians by nationality), who, apparently, do not represent the vast majority of the Bulgarian national minority (the case in point is the 2003-2006 parliamentary mandate).

### **The National Council of the Roma National Minority**

The Roma community is among the most illiterate in Serbia, so it is difficult for the Roma to be obtain many jobs. Since recently, they have also been finding it difficult to obtain the jobs they used to receive before, since others did not want to do them: for example, as street cleaners, manual or assistant workers.

In central and southern Serbia, there are mostly no Roma employed in administrative bodies, the police, customs services and other state bodies, even though qualified persons do exist. There are problems in regard to other jobs as well:

- **Pčinj district.** Roma teachers cannot be employed in the educational system and work with Roma children, since persons from other places are taken on for these jobs.
- **Preševo.** The Roma currently have no representative in the Preševo municipal council.

In certain towns such as Trgovište and Bosilegrad, where the Roma live on the outskirts of the town in very difficult conditions (in shacks, huts and hovels), it is absurd to speak about the representation of the Roma, since the local authorities refuse even to have any kind of conversation with them.

In the rare cases when a Roma is employed for a more important position, the majority nation uses his example to “shut up” other Roma who complain about their insufficient representation in public life.

The Roma are also partly to blame for such a situation, due to their lack of organization and mutual disputes, because of which they often lose even the things that belong to them.

### **National Council of the Vlach national minority**

The official stand of the National Council of the Vlach National Minority and the Alliance of Vlachs in Serbia is that Vlachs are Romanians, an integral nation using the same language. However, concerning the organisation of the Vlach community and its representation in the public, the representatives of the above mentioned organisations and part of the Vlachs from eastern Serbia were of the opinion that, besides the National Council of the Romanian National Minority, it was needful to establish the National Council of the Vlach National Minority because of the following reasons:

- In eastern Serbia, Vlachs are recognized more as Vlachs than Romanians, while a synonym, “Vlachs” for Romanians is often used in the region.
- Two census categories appear in the recent censuses: Romanians and Vlachs. Vlachs-Romanians from eastern Serbia generally opt for the category of Vlachs (it is uncertain how many of them would declare themselves as “Romanians” if only that option were offered).
- Vlachs experience themselves as a population older than the Romanians settled in the northern part of Serbia (APV), and as Pre-Romanian people whose certain segments of culture and tradition differ from the culture and tradition of Romanians in APV; hence these should be protected and fostered.
- Due to the decades-long negligence of the State for the Vlachs in eastern Serbia, their relations with the State are weak, thus these should be strengthened and made tighter. Unlike the Vlachs, the Romanians from APV have traditionally enjoyed the protection of the State both in view of maintaining their culture, identity, religion and other characteristics and in education and media in the Romanian language. By that very fact, the relations between the Romanians in APV and the State are tighter, and their needs are different from those of the Vlach community in eastern Serbia.
- Vlachs in eastern Serbia do not enjoy the right to church services in their own language, unlike the Romanians in APV, who are permitted to hold church services in the Romanian language. In this matter, in eastern Serbia, progress has been achieved only when the

initiative of the region's Vlach community was set off but further community engagement is required in the matter.

- The information of Vlachs in their own language is not solved, and they cannot receive Romanian language media from APV either, since these do not cover the region of eastern Serbia. Material support provided for the Romanians from APV is not accessible for the Vlachs, because such supports are provided from the funds of the Province.
- There are no educational forms organised for the Vlachs in their mother tongue, while the existing textbooks in Romanian fail to meet their current needs, because, due to the non-existence of education of the Vlachs in their native language over a long period of time, the Vlach-Romanian language remained archaic and most Vlachs do not use contemporary Romanian language. Therefore, the curricula for learning the Vlach-Romanian language should be adjusted to the needs of the speakers from this region, and the texts in the textbooks should include those reflecting local dialect and tradition, but also those ones, which are written in standardised and contemporary Romanian language.
- Due to the above mentioned issues, Vlachs in eastern Serbia are exposed to higher degree of assimilation than Romanians in APV; hence the maintenance of this national community requires a more energetic engagement of the Vlachs and the implementation of measures different from those needed for maintaining the identity of Romanians in APV.
- The national awakening of Vlachs in eastern Serbia does not overlap with the national awakening of Romanians in APV, while the Vlachs' apathy and inertia to declare themselves as such is more significant in Serbia than among the Romanians in APV: thus a more intensive engagement of Vlach activists is needed.
- In Serbia, Vlachs are often called "Romanised Serbs", thus they have to wage their additional fights to maintain their identity, while the Romanians in APV do not have to tackle such problems.
- The establishment of the National Council of the Vlach National Minority is a way to bridge over the long division of this national corpus and to avoid the community's inevitable assimilation in the near future<sup>138</sup>.

At present, the primary objective of the National Council of the Vlach National Minority is to protect the identity of Vlachs in the region through safeguarding Vlach culture, language and tradition, and to support Vlachs in implementing their rights to information and education in their mother tongue.

On the long-run, the National Council of the Vlach National Minority is aimed at uniting the Vlachs of eastern Serbian and the Romanians in APV into an integral national council of Romanians in Serbia, as the Council is, currently, an transitional body aimed at surmounting cultural and linguistic differences between the Vlachs in eastern Serbia and the Romanians in APV and their treatment in the public.

The decision adopted on the II. Session of the National Council of the Vlach National Minority<sup>139</sup> laid down that besides the official Serbian, literary Romanian is the language of communication in the activities of the National Council.



The Council's seal bears inscriptions in Serbian and Romanian, and reads:

**CONSILIUL NAȚIONAL AL MINORITĂȚII NAȚIONALE RUMĂNE  
NACIONALNI SAVET VLAŠKE NACIONALNE MANJINE**

<sup>138</sup> Certain groups of Vlachs do not represent the stand that Vlachs and Romanians are one nation, but that: 1. Vlach are autochthonous people, 2. Vlachs do not exist, and they exist solely as Romanians respectively, and 3. Vlachs are Romanised Serbs.

<sup>139</sup> Held 4, June 2006.

and, if needed, besides the above mentioned inscriptions, the Council's name in English is used too:

**NATIONAL COUNCIL OF VLACH (ROUMANIAN) NATIONAL MINORITY.**



An extreme example of disabling the achievement of rights by Vlachs-Romanians, because of the language which is not “standardized”, is the impossibility of registering the National Council of the Vlach National Minority<sup>140</sup>, as the legitimate representative of the Vlach-Romanian population.

- The NCVNM has applied for registration in the Registry of National Councils and submitted its application with all the requested documents<sup>141</sup> to the Ministry of Human and Minority Rights of the State Union of Serbia and Montenegro<sup>142</sup>.
- The MHMR SUSM notified the NCVNM that amendments of the respective Statute<sup>143</sup> were needed in view of: supplement as to the seat of the Council, explicit indication of the number of vice-presidents and proposal on the amendment of Statute provisions referring to the language used on the Council's seal.
- In line with the notification by the MHMR SUSM, the NCVNM, on its session, adopted decisions on the amendment of Statute provisions<sup>144</sup> with regard to: the supplement as to the Council's seat and explicit indication of the number of vice-presidents, but not with regard to the language used on the Council's seal.
- Namely, the MHMR SUSM suggested the name of the legal entity to be written in the Serbian language only, because the Vlach language is not standardized and to add the name in Vlach after the language is standardized. Since the name of the NCVNM is written on its seal in standard Romanian language, which is already standardized (CONSILIUL NAȚIONAL AL MINORITĂȚII NAȚIONALE RUMĂNE) and as Vlach recognized the Romanian language as their mother tongue and call themselves Romanians, the NCVNM considered the Ministry's request unfounded and did not change the respective provision of their Statute<sup>145</sup>. The decision on the supplements and amendments of the Statute, accompanied with the Minutes from the session, was submitted to the Serbia and Montenegro MHMR SUSM<sup>146</sup>.
- In the meantime, adopting the *Decision on Declaring the Independence of Montenegro* and the *Declaration by Montenegro Independent Republic*<sup>147</sup> and the *Decision on the Recognition of the Republic of Montenegro*<sup>148</sup> by the Republic of Serbian National Assembly and the disintegration of the State Union of Serbia and Montenegro, the Republic of Serbia Government adopted a *Decree on Financing Transferred Competences to the Republic of Serbia from the Former Serbia and Montenegro*<sup>149</sup> thus transferring competences of the Serbia Montenegro MHMR SUSM to the Ministry of State Administration and Local Self-Governance<sup>150</sup> as to keeping the Register of National Councils and all rights and obligations related to that Register. The Secretariat for National Councils, at present within the MSALSG, received the notification on the supplement of the NCVNM's Statute from the Sector for National Councils (up to then in charge to keep the Register of National Councils).
- The NCVNM applied to this MSALSG in the matter of their unresolved application for the registration of the Council, along with the request for registration.
- In its answer to the letter of the NCVNM, the MSALSG indicated<sup>151</sup> that the Republic of Serbia Government had adopted the *Decree on Financing Transferred Competences from the Former Serbia and Montenegro* whereby, temporarily, the competences of the Serbia-Montenegro MHMR SUSM in the field of keeping the Register of National Councils were transferred to the MSALSG, but in lack of a corresponding law, it was not possible to register the NCVNM, consequently it remains to wait for the adoption of the respective law.

<sup>140</sup> Referred herein as: NCVNM

<sup>141</sup> On April 12, 2006. The following has been submitted: Application to Enter the Council in the Register of National Councils, Minutes from the Electoral Assembly of the Vlach National Minority (dated March 4, 2006) and Minutes of the Constitutive Session (dated March 31, 2006).

<sup>142</sup> Referred herein as: MHMR SUSM

<sup>143</sup> On May 3, 2006. Letter ref. no. 3/0-02/30-04-05.

<sup>144</sup> On June 4, 2006 in Negotin.

<sup>145</sup> The standpoint of the NCVNM is that changing the Council's name on its seal would mean the violation of the Serbia and Montenegro State Union Constitutional Charter, the *LPRLNM* and the Framework Convention.

<sup>146</sup> On June 8, 2006.

<sup>147</sup> Dated June 3, 2006.

<sup>148</sup> RS Official Gazette no. 51/2006 dated 16/06/2006, entered into force on June 17, 2006.

<sup>149</sup> RS Official Gazette no. 49/2006 and 63/2006 – Decision by the Republic of Serbia Constitutional Court.

<sup>150</sup> Further as: MSALSG

<sup>151</sup> Letter ref. no. 130-06-00-00147/2006-02 dated July 31, 2006.

- Contrary to the notification submitted by the MSALSG about the impossibility of registering the NCVNM in the Register of Organisations and Citizen Associations, the MSALSG kept on entering in the register other organisations and citizen associations<sup>152</sup>.
- In its letter submitted to the MSALSG<sup>153</sup>, the NCVNM requested from the MSALSG<sup>154</sup>, that it adopts, in line with the legal acts and by-laws regulating the registering of national councils, a ruling on the application of the NCVNM for registration. In the same letter, the NCVNM also warned the MSALSG that if it failed to do so, the NCVNM would initiate an administrative procedure for the failure by administration to adopt a valid decision in the matter.
- Since the MSALSG has not adopted a ruling in the matter of the NCVNM's application, despite the Council's urge<sup>155</sup>, the NCVNM has filed charges with the Republic of Serbia Supreme Court in the matter of "failure by administration to adopt valid decision"<sup>156</sup>.
- On June 8, 2007 the MSALSG informed NCVNM about the continuation of the procedure related to its application to enter the NCVNM in the Register of National Councils of National Minorities, and required from the NCVNM to express opinion in the matter, and on eliminating the irregularities pointed out by the former MHMR SUSM in soonest possible time, and, also, that it harmonises its Statute with the new Republic of Serbia Constitution and other regulations in force, first and foremost with the Act on Ministries.
- The Decision on the registration of the National Council of the Vlach National Minority was issued on 30 July 2007, after 17 months of waiting.

Contesting the possibility of registering the Council in the Register of Organisations and Citizen Associations presents discrimination of persons belonging to the Vlach National Minority and also, violation of the provisions of *LPRLNM* (Article 19, paragraph 6) and the *Decree on Financing Transferred Competences to the Republic of Serbia from the Former Serbia and Montenegro* (Article 2, paragraph 1, point 3).

Because of the impossibility of registration the NCVNM remain unregistered for 17 months, which caused the NCVNM financial loss in the amount of the budget share, which would belong to it by the power of the law for the years 2006 and 2007 up to the date of its entering in the Register.

The explanation given by the Secretary of the Republic of Serbia Government Council for National Minorities that Vlachs-Romanians from eastern Serbia do not have a standardised language is absurd with regard to the irrefutable fact that Vlachs has been living in this region and using their own language for more than 2000 years and that the Vlach language is a variant of the Romanian language. The Secretary of the Council of National Minority of the Republic of Serbia Government has never gave a full explanation of what he means under the standardisation of the Vlach language, and which conditions are to be fulfilled in order to have the Vlach language recognised.

#### **National Council of the Greek national minority**

After holding an electoral assembly for the election of the National Council of the Greek national minority<sup>157</sup> and having it entered in the register of national councils of national minorities<sup>158</sup>, the Council started working as a legitimate representative of the Greek national minority in Serbia.

Apart from the national council, the Greek community in Serbia is also represented through the Association of Greeks in Serbia "Riga od Fere", which has a register of members containing 1615 persons. The Association was founded in 1996 and it is the legal successor of the old society of the Greeks in Belgrade called "Riga od Fere", whose founders were Greek families from the 18<sup>th</sup> century onwards, on the territory of Belgrade and Serbia.

<sup>152</sup> See: Report on Keeping and Registering Citizen Associations in the Register of Organisations and Citizen Associations (after June 8, 2006), Ministry of State Administration and Local Self-Governance.

<sup>153</sup> Letter ref. no: 33/00-03/07.

<sup>154</sup> On March 21, 2007.

<sup>155</sup> No. 33/00-03/07 dated March 21, 2007.

<sup>156</sup> In May 2007, in accordance with Article 24, paragraph 1 and 2 of the Administrative Procedures Act.

<sup>157</sup> April 25, 2004

<sup>158</sup> August 2, 2004

## Recommendations

### Center for Multicultural Education, Preševo

- To make possible the appropriate representation of Albanians in customs authorities.

### National Council of the Bosniak national minority

- To amend electoral laws and ensure the adequate representation of persons belonging to national minorities in the political system.
- To create legal and institutional frameworks for the representation of minorities in administrative bodies.

### Civic Forum – Novi Pazar

- Legal guarantees on State and local level are to be created, which would grant the minorities equality in employment and their representation in line with their percentage in state authorities and institutions on executive positions.

### Sandžak Committee for the Protection of Human Rights and Freedoms, Novi Pazar

- By implementing special measures the involvement of persons belonging to minority communities in state authorities and institutions is to be balanced.

### National Council of the Roma national minority

- To apply special measures for the employment of Roma
- To work on the eradication of illegal and unlawful jobs which the Roma perform, especially those involving children, which prevents them from attending school regularly.
- To enable the even representation of Roma in all state bodies, from the local to the republican levels, if there are qualified persons. If not, their training should be worked on.
- To employ Roma in bodies of local self-government, bodies of the administration, as well as republican bodies, such as the police and customs service.

### National Council of the Vlach national minority

- To compensate the National Council of the Vlach National Minority for damages suffered by impeding the Council's registration for over one year.

## Article 16

*The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present Framework Convention.*

### Normative Framework

%

### Implementation

#### Center for Multicultural Education, Preševo

The proportion of the population has been altered in the Medveđa Municipality after 1999, since a huge number of Albanian population migrated to Kosovo.

#### National Council of the Bosniak national minority

In the towns of Sandžak there were significant migrations of population from 1990 through 1996, and these are comparable with the region's populations movements during World War II and migrations to Turkey until 1970.

Sandžak's ethnic structure has significantly altered due to psychophysical repression and terror, the imminence of armed conflicts and their aftermath, abductions, murders, arrests, orchestrated political legal processes, media broadside and terror and other pressures of all types in the 1990s.

**Civic Forum – Novi Pazar**

Most of the Bosniaks, who were expatriated from the municipalities along the border, have never returned home. They received no guarantees for their physical and material safety, so they keep to live as displaced persons in other towns of Sandžak. Our research data<sup>159</sup> show that there is still an outlasting clandestine pressure on Bosniaks-Muslims in Mali Zvornik, Loznica and Krupnja either to leave or to assimilate.

**Creative Center Caribrod**

There are no substantial demographic changes in the territories inhabited by Bulgarians, since these are the most impoverished regions of the country, unattractive for refugees and displaced persons. Yet, convertitism and assimilation are matters of concern, since they are the overriding cause of the drop in the number of Bulgarians and of the disappearance of their cultural heritage in Serbia.

**Recommendations****Centar za multikulturalno obrazovanje, Preševo**

- To encourage the return of refugees from Preševo, Bujanovac and Medveđa to Serbia through social and economic programmes.

**Article 17**

*1. The parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other states, in particular those with whom they share an ethnic, cultural, linguistic or religious identity or a common cultural heritage.*

*2. The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organizations, both at the national and international levels.*

**Article 17, paragraph 1****Normative Framework**

%

**Implementation****Center for Multicultural Education, Preševo**

Albanians from southern Serbia foster cultural cooperation with Albanians in FYROM and Albania, but not with Albanians in Kosovo. The traditional cooperation with Kosovo Albanians is impossible, because Serbian authorities do not recognised UNMIK identity documents.

**National Council of the Bosniak national minority**

The border towards B&H was opened after the Dayton Agreement, wherewith the re-establishment of former family, economic, political and other ties with the kin state have started.

Bosniaks from Serbian and in the B&H can cross the border with their ID, while improvements in building relations and links between the two countries intensified upon the changes in Serbia, after 2000.

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<sup>159</sup> In December 2006.

The restoration of business relations facilitated businessmen from Sandžak to launch their products on the Bosnian market, which has been further supported by the incentive on creating a duty free zone and by decreasing customs fees between the two countries.

The political relations of Bosniaks from Sandžak and Sarajevo were not interrupted during the war, and at present, they are intensively maintained.

After 2000, the relations of Bosniaks with their compatriots in B&H have been intensified in the field of culture and sport by organising various events in both countries.

- In 2005 and 2006 the Festival of Sandžak Sevdalinka (folk songs and art) was held in Novi Pazar, and in 2006 the Sandžak Games were held in Goražde etc.

#### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

In the 2006 Constitution, Serbia assumed the obligation to foster all forms of cooperation with Serbs living abroad. On the other hand, other nations living abroad, including Bosniaks, do not enjoy the support by the State. In this way, Bosniaks, being incapable of helping themselves in Sandžak, are even less capable of supporting Bosniaks in diaspora.

#### **National Council of the Vlach National Minority**

The members of Vlach minority are interested in implementation of visa facilities with Romania for purpose of uninterrupted visit to their mother country. However, although the Romanian side is permanently proposing facilitation of visa regime, the Serb authorities oppose this, so the solution is delayed for a long period of time.

#### **“Lunjina” Association**

The Cincar community does not receive any financial or other assistance from anyone. Since they have no kin state, its members are left to their own resources.

#### **National Council of the Greek National Minority**

Co-operation with Greece is conducted at the level of the Government of the Republic of Serbia and the state, as well as with physical and legal persons (organisations and institutions) in the areas of educational, cultural and ethno-historic life. The support to the National Council of the Greek national minority is also provided in the form of some institutional assistance.

With the help of the International Greek Diaspora Committee and in co-operation with the General Secretary for Greek Diaspora and the Service of the Ministry of Foreign Affairs of the Greek Republic, excursion to Greece are organised in the summer for the young and senior members of the Greek community in Serbia.

### **Recommendations**

#### **National Council of the Bulgarian national minority**

- To develop the sensitivity of local self-governments and encourage their representatives for crossborder cooperation.

### **Article 17, paragraph 2**

%

## Article 18

1. *The parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other states, in particular neighbouring states, in order to ensure the protection of persons belonging to national minorities to the national minorities concerned.*
2. *Where relevant, the Parties shall take measures to encourage trans-frontier co-operation.*

### **Article 18, paragraph 1**

#### **Normative framework**

%

#### **Implementation**

##### **Nacionalni savet bošnjačke nacionalne manjine**

The agreement on the protection of minorities between Serbia and Bosnia and Herzegovina has not been signed yet.

##### **Bosniak Cultural Society „Preporod“ and Civic Forum – Novi Pazar**

There are no contracted forms of cooperation between Serbia and B&H on state level due to the partial policy on cooperation between Serbia and the Bosnian Serb Republic (Republika Srpska).

#### **Recommendations**

%

### **Article 18, paragraph 2**

#### **Normative framework**

%

#### **Implementation**

##### **Center for Multicultural Education, Preševo**

The East-West Institute (EWI) organised cultural, educational and media cooperation among the frontier municipalities in Serbia, FYROM and Kosovo (Preševo, Gnjilane, Kumanovo and Trgovište).

##### **National Council of the Bosniak national minority**

Though there are no registered cases of preventing the cooperation of Bosniak associations and the joint activities of Bosniaks in Serbia with neighbouring regions and countries, crossborder cooperation is not encouraged.

##### **Bosniak Cultural Society „Preporod“**

There is no crossborder cooperation among the Bosniaks in B&H, Montenegro and southern Sandžak.

##### **The National Council of the Bulgarian National Minority**

The relations between Serbia and Bulgaria are developing in good direction, resulting in signing an agreement to open two more border crossings, which, upon completion, will enable easier communication of the members of the Bulgarian national minority with Bulgaria.

##### **Creative Center Caribrod**

The border between Serbia and Bulgaria is one of the hardest ones in Europe and as such, it can hardly ensure the free movement of people, goods, ideas and capital

The following are the good practices of successful crossborder cooperation between Serbia and Bulgaria: cooperation in the Niš-Sofia-Skoplje triangle, cooperation in the Stara Planina region and the restored cooperation between Bosilegrad and Čustendila (in Bulgaria), two geographically interdependent towns.

The Republic of Bulgaria Consulate, recently opened in Niš and Bulgaria's EU membership, present new impetus for the development of crossborder cooperation in the spirit of multiculturalism.

**National Council of the Roma national minority**

There once used to exist cooperation between the Roma in Serbia and those who live in former Yugoslav republics, but it ceased after the wars in these regions.

The gatherings organized in southern Serbia with neighboring states mostly focus on gatherings of the Serbs and Albanians from Serbia with Serbs and Albanians from neighboring countries, like Macedonia, for example, and not on gatherings of Roma.

**Recommendations**

**National Council of the Bosniak national minority**

- To sign the agreement on the protection of minorities between Serbia and B&H.

**Bosniak Cultural Society „Preporod“**

- It is indispensable to establish cooperation between Serbia and B&H and Montenegro on the state and local, crossborder levels.

**National Council of the Roma national minority**

- To include the Roma in projects stimulating mutual cooperation between neighboring states, especially from the municipalities of: Kumanovo, Gnjilane, Preševo and Trgovište.

**Article 19**

*The Parties undertake to respect and implement the principles enshrined in the present framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in the 'Protection of Human Rights and Fundamental Freedoms', in so far as they are relevant to the rights and freedoms flowing from the said principles.*