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**IMPLEMENTATION**  
**of the Framework Convention for the Protection of**  
**National Minorities**  
**in Eight Multiethnic Municipalities and Cities in Serbia**

Belgrade, 2005

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Implementation of Framework Convention for the Protection of National  
Minorities in Eight Multiethnic Municipalities and Cities in Serbia

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## Introduction

On 11<sup>th</sup> May 2001 the Federal Republic (FR) of Yugoslavia joined the UN Security Council Framework Convention for the Protection of National Minorities. In keeping with the Law on Ratification, the Convention was enforced on 1<sup>st</sup> September 2001. The State Union of Serbia and Montenegro (SCG), as the legitimate successor to FR of Yugoslavia, has undertaken to enforce all obligations set forth by the Convention.

The Framework Convention is the first international document dealing exclusively with the protection of national minorities. The provisions of the Convention are mainly based on exposing the objectives and principles the signatory countries should adopt. The Convention does not provide any framework within which a national minority should be defined. Such a decision is the result of European states' reluctance to fully define the sphere of minority rights, and thus represents a compromise guided by an intention to synchronize the most important principles, while at the same time allowing states to further develop their own models of implementation of the Framework Convention. The Convention grants national minorities the protection of their basic rights, and represents the minimum each signatory country should apply. The Convention leaves space for states to further develop and advance the protection of minorities. This decision has been made to allow for the specificities in different countries, with regard to the status of minorities, to be recognized. Thus the protection of national minorities in Serbia and Montenegro has been regulated in a more precise manner and in greater detail by the Law on the Protection of Rights and Freedoms of National Minorities, which was adopted in 2002<sup>1</sup>. The Law advances the provisions stipulated by the Convention and establishes higher standards for the protection of minority rights. In addition to this law, the protection of national minorities is regulated by the Law on Local Self-Government<sup>2</sup> as well as by ordinances of the Autonomous Province of Vojvodina, adopted in conformity with the Law Establishing Particular Competencies of the Autonomous Province<sup>3</sup>.

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<sup>1</sup>Official Gazette of FRY<sup>11</sup>, No. 11/2002, issued: 27 February 2002

<sup>2</sup>Official Gazette of RS<sup>11</sup>, No. 9/02, issued: 14 February 2002

<sup>3</sup>Official Gazette of RS<sup>11</sup>, No. 6/02, issued: 4 February 2002

Youth Initiative for Human Rights (YIHR) engaged in investigating the extent to which the Framework Convention's provisions have been observed in eight Municipalities and cities of Serbia. These include the Municipalities of Priboj, Novi Pazar, Dimitrovgrad, Subotica, Bački Petrovac, Preševo, Bujanovac and the city of Niš. This Report comprises YIHR's conclusions and recommendations reached upon the completion of the research in local communities and the organization of local Forums with representatives of political parties, non-governmental organizations and state institutions.

The aim of this Report is the further advancement of the status of minorities in Serbia. The views expressed in local Forums do not necessarily reflect the views of Youth Initiative for Human Rights or the Swedish Helsinki Committee.

## **Summary of the Report on the Implementation of the Framework Convention for the Protection of National Minorities In Eight Municipalities and Cities in Serbia**

### **Freedom of ethnic expression and prohibition of discrimination and assimilation**

Based on the conducted research, the Youth Initiative for Human Rights has ascertained that in the eight examined Municipalities, the national composition of the population changed during the 1990s. The numbers of members of national minorities decreased in Priboj, Dimitrovgrad, Subotica, Bački Petrovac, Preševo and Bujanovac. Conversely, an increase in the percentage of Serbs has been noted in these Municipalities. In the town of Niš and the Municipality of Novi Pazar the ethnic picture remained almost unchanged. In the course of the 1990s, in some communities, the population composition changed due to the settling of Serbs from Croatia and Bosnia and Herzegovina<sup>4</sup>, with

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<sup>4</sup>See chapters of this book on *Implementation of Rights from the Framework Convention for the Protection of National Minorities in Subotica and Bački Petrovac*.

the persecution of minorities by violence, threats and the spreading of fear, and also by mass violations of human rights and war crimes<sup>5</sup>. Owing to the prevailing atmosphere in the 1990s, a number of citizens moved to neighboring countries. This situation was particularly characteristic of Vojvodina, the province from which members of minorities moved out in order to avoid the military draft and going to war in Croatia, Bosnia and Herzegovina and Kosovo<sup>6</sup>. In the Municipality of Dimitrovgrad, representatives of the Bulgarian ethnic minority told YIHR's researcher that the atmosphere of fear still reigns there, and that citizens are afraid to declare their national affiliation. This is supported by data provided by the last census when more than 12 percent of citizens declared themselves as ethnically uncommitted<sup>7</sup>.

### **Right to freedom of religion**

The religious rights of national minorities have not been violated, with the exception of two examined cases. In Dimitrovgrad, the Bulgarian national minority is denied the right to have its own Church. Religious services are held on the premises of the Serbian Orthodox Church. In the town of Niš, citizens who profess Muslim religion are prevented from performing their religious duties, because the local mosque was burnt down during the street violence of 17 March 2004<sup>8</sup>.

### **Right to receive information in Mother Tongue**

Youth Initiative for Human Rights has verified that in seven out of the eight examined Municipalities there exist media in minority languages.

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<sup>5</sup>See chapters of this book on *Implementation of Rights from the Framework Convention for the Protection of National Minorities in Priboj and Preševo*.

<sup>6</sup>See chapters of this book on *Implementation of Rights from the Framework Convention for the Protection of National Minorities in Subotica and Bački Petrovac*.

<sup>7</sup>See chapter of this book on *Implementation of Rights from the Framework Convention for the Protection of National Minorities in Dimitrovgrad*.

<sup>8</sup>See chapter of this book on *Implementation of Rights from the Framework Convention for the Protection of National Minorities in Niš*.

The local electronic media broadcast programs in the Hungarian, Croatian, Bulgarian, Albanian and Roma languages. By a decree passed by the Vojvodina Assembly, the founding rights of printed media in Vojvodina Municipalities have been transferred to National Councils. In their interviews with the YIHR researcher, representatives of national minorities stressed the possibility for electronic media, which broadcast programs in minority languages while owned by local self-governments, to be shut down under the provisions of the Law on Privatization which stipulates the obligation for these media to be privatized by 2006.

### **Right to official use of language**

The right to official use of minority language has not been observed in full in any of the examined Municipalities. Judicial and administration processes are not held in the Albanian, Roma or Bosnian languages, and only seldom in Slovakian and Bulgarian. Signs displayed on state buildings, organizations and institutions are exclusively in the Serbian language in all the examined Municipalities, except in Subotica. Municipal administration rarely obeys the provisions on the official use of minority languages. The exception to this is the Municipality of Priboj where the Bosnian language has not been introduced as official although all legal conditions have already been met. The Law on the Protection of Rights and Freedoms of National Minorities requires each local self-government to officially introduce the minority language, which is spoken by a minimum of 15 percent of the Municipality's population. According to the census conducted in 2002, in the Municipality of Priboj more than 15 percent of inhabitants speak the Bosnian language<sup>9</sup>.

### **Right to education in Mother Tongue**

Teaching in minority languages in elementary and high schools exists in

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<sup>9</sup>See chapter of this book on *Implementation of Rights from the Framework Convention for the Protection of National Minorities in Priboj*.

Subotica, Bački Petrovac, Bujanovac and Preševo. In Novi Pazar and Dimitrovgrad, national minorities' languages are taught twice a week in elementary schools as a separate class, while in Priboj and Niš such classes have not been introduced. University education in minority languages exists in the Hungarian and Slovakian languages. There have been initiatives to establish departments in the Hungarian language at the Faculty of Pedagogy in Subotica and in the Albanian language at the Normal School in Preševo. So far these initiatives have not met with the support of the relevant Ministry of Education and Sport.

### **Right to participate in Public Authorities**

National minorities are not equally represented in Serbian state bodies. The most visible inequality exists in courts, prosecutions and police. In Bujanovac there is not a single judge or prosecutor of Albanian nationality. In the District Court of Priboj only one out of five judges is of Bosniac nationality, while a judge in Bački Petrovac is Slovak by origin but as he admits – he has no command of the Slovakian language. The situation is somewhat different in Municipal administrations. Members of national minority political parties hold power in four out of the eight examined Municipalities and cities. Although national minority parties do not hold power in Bački Petrovac and Dimitrovgrad, the majority of officials are of Slovakian and Bulgarian nationality. Bosniacs do not occupy any leading position in the Municipality of Priboj: all nine members of the Municipal council, as well as all directors of public enterprises and institutions, are of Serbian nationality. Representatives of the Bosniac ethnic community from Priboj and Novi Pazar told YIHR's researcher that Bosniacs are not indiscriminately represented in the police of these two towns. Representatives of the Hungarian and Croatian national minorities in Subotica pointed to a similar problem concerning the representation of national minorities within the police. In the Municipalities of Bujanovac and Preševo, a positive move towards equality was made with the establishment of a multi-ethnic police force which, for the first time since 1991, now includes citizens of Albanian nationality<sup>11</sup>.

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<sup>11</sup>See chapters of this book on *Implementation of Rights from the Framework Convention for the Protection of National Minorities in Preševo and Bujanovac*.



Municipality of  
**NOVI PAZAR**

Research and Forum were realized  
in cooperation with Sandžak Committee for the  
Protection of Human Rights and Freedoms, Novi Pazar

## Implementation of the Framework Convention for the Protection of National Minorities in the Municipality of Novi Pazar

### General Data on the Municipality of Novi Pazar

The Municipality of Novi Pazar has more than 85,000 inhabitants and represents the political, economic and historical center of Sandžak. Because of its location, as well as the fact that the town of Novi Pazar is the seat of the National Council of the Bosniac ethnic minority and most other Bosniac institutions in Serbia and Montenegro, this area has always been under special attention, both of the government and of the media. During the last decade of the previous century, the government's relations towards the Municipality of Novi Pazar ranged from negligence to open violence against the population of this Municipality. In the stated period, numerous severe violations of human rights have been registered<sup>12</sup>.

### Political Situation

The political situation in the Municipality of Novi Pazar is characterized by severe political conflicts between Bosniac parties, as well as huge citizens' support to political parties that are not multiethnic. In the last local elections, held in September 2004, all seats in the Municipal Assembly were won by national parties, whereas parties with multiethnic membership (for example Democratic Party, G17 Plus, SDU and others) won insignificant numbers of votes and remained out of the local Assembly. The political scene of Novi Pazar is additionally complicated because of the conflict between the two parties around which the Bosniac population is gathered, the Party of Democratic Action (PDA), led by Sulejman Ugljanin, current President of the Municipality of Novi Pazar, and the Democratic Party of Sandžak (DPS), led by

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<sup>12</sup>See reports on crimes in Sandžak by the Humanitarian Law Center.

Rasim Ljajić, Minister for Human and Minority Rights of the Council of Ministers of the State Union of Serbia and Montenegro. This conflict reached its climax during the pre-electoral campaign for the local elections of September 2004, when gunshots were fired, and on that occasion two persons were severely injured. Such a political situation creates an atmosphere favorable for the expansion of all kinds of extremism, but also for violations of human rights due to conflicts on political grounds, for example dismissing people from public enterprises for their political engagement<sup>13</sup>. In the local elections, after eight years of PDA rule, the Municipal government was formed by an ample coalition created by DPS, Party for Sandžak, Serbian Radical Party and Democratic Party of Serbia, whereas Sulejman Ugljanin, candidate of the coalition List for Sandžak, won direct elections for the President of the Municipality.

### **Economic Situation**

The citizens of the Municipality of Novi Pazar are in a situation that is additionally complicated by difficult economic conditions. Although the town was known to be a center of small-scale economy, during recent years there has been a tendency towards closure of small private shops and manufacturers for reasons of high tax obligations towards the state. On the other hand, state-owned enterprises have been in a difficult situation for years, and many of them are already under bankruptcy (for example, Sandžaktrans, Footwear Factory, Iskra – Electric Batteries). According to the data from the Institute for Unemployment Exchange, in the Municipality of Novi Pazar there are currently more than twenty thousand (20,000) people waiting for a job<sup>14</sup>.

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<sup>13</sup>Interview conducted with representatives of Sandžak Committee for the Protection of human Rights and Freedoms in 2004.

<sup>14</sup>Sandžak Committee for Protection of Human Rights and Freedoms, *Condition of Human Rights and Proposals for their Protection, Novi Pazar, 2004*, page 34.

## Implementation of the Framework Convention For the Protection of National Minorities in Novi Pazar

### Freedom of Ethnic Expression and Prohibition of Discrimination and Assimilation

The consequences of severe violations of human rights during the armed conflicts in Bosnia and Herzegovina, as well as violations of international humanitarian law, have been grounds for an expansion of fear among Bosniacs and for subsequent mass expulsions. After the signing of the Dayton Agreement, young Bosniacs most often go to Sarajevo and other parts of Bosnia and Herzegovina trying to find a safe place for school and work. The census results also register emigration of the Serbian population<sup>15</sup>:

CENSUS 1991	CENSUS 2002.
Total 85.249	Total 85.996
Muslims 64.251	Bosniacs/Muslims 67.192
Serbians 19.064	Serbians 17.599

Novi Pazar is the only Municipality of Sandžak with a population enhancement registered in comparison to the census from the year 1991. However, representatives of the Bosniac ethnic community told the Youth Initiative for Human Rights' investigator that on the territory of this Municipality a significant number of persons that have been registered don't live in the Sandžak area, but have moved out to Bosnia and Herzegovina, Turkey or some countries of Western Europe.

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<sup>15</sup>Data taken from *Census of Population, Households and Apartments in the Republic of Serbia of 2002*, Republican Institute for Statistics. *Rights and Freedoms in 2004*.

## **Right to Freedom of Religion**

According to the results of the investigation carried out by the Youth Initiative for Human Rights, there have been no cases of violation of the right of freedom of religion registered on the territory of the Municipality of Sandžak. Nevertheless, the investigation showed that many times, violation of the stated right occurs when citizens of Bosniac nationality are drafted for military service in the Army of Serbia and Montenegro, where often they are not allowed to adapt the served food according to the rules of their religion. There have also been cases registered of discrimination against boys of Bosniac nationality during their military service<sup>16</sup>.

## **Right to Receive Information in Mother Tongue**

There are two television stations in Novi Pazar which broadcast their programs in the Bosniac language. These are the Regional Television, property of the Municipal Assembly of Novi Pazar, and Radio–Television Jedinstvo, in private ownership. There is no press in the Bosniac language, since the magazine "Sandžak", which was the only one of that kind, was closed down during the 1990s.

## **Right to Official Use of Language**

According to the Statute of the Municipal Assembly of Novi Pazar, both the Serbian and Bosniac languages are registered as official languages. However, regardless of such positive regulations, all documents, as well as official documentation of the Assembly, are only in the Serbian language. In the town there are also no bilingual street signs or plates with names of the authorities. The Youth Initiative for Human Rights' researcher recorded that even the plates at the entrance of the Municipality of Novi Pazar building are written in the Serbian language in Cyrillic letters.

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<sup>16</sup>*Sandžak Committee for the Protection of Human Rights and Freedoms, op. cit, p. 14–16.*

## Right to Education in Mother Tongue

There are no classes in the Bosniac language held on the territory of the Municipality of Novi Pazar, although this has been explicitly permitted both by the Framework Convention and by the local Law on Protection of Rights and Freedoms of National Minorities. Pursuant to the resolution of the Ministry of Education and Sport of December 27th, 2004, as from the second semester of the school year 2004/05, the Bosniac language with elements of national culture and tradition will be introduced as an elective subject, with two classes per week and solely for pupils of first and second grade of primary school<sup>17</sup>.

In Novi Pazar there are also two private Universities which have been confirmed by the Republic of Serbia.

## Right to Participate in Public Authorities

During the 1990s, the right to participate in public authorities was severely violated on the territory of the Municipality of Novi Pazar. In the first place, this was the case when citizens of the Bosniac community applied for jobs at the Republican organs. There was a tendency for years to employ only Serbs at the Republican authorities, especially at Courts, Public Prosecutors and police, which had a negative influence not only on the work of these organs, but also on the attitude of the local population towards them<sup>18</sup>. After the change of power on October 5th 2000, the situation didn't change considerably, so even today the majority of employees in the police are Serbs, whereas the situation at the jurisdiction has improved: out of five judges at the District Court of Novi Pazar, three judges are of Bosniac and two of Serbian nationality, while at the Municipal Court, ten judges are Bosniacs and seven judges are Serbs. The situation at the Public Prosecutor has not changed considerably in regard to the period prior

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<sup>17</sup>See: *Right to Education in Mother Tongue in the Municipality of Priboj*.

<sup>18</sup>Investigators' interview with representatives of non-governmental organizations in Novi Pazar, conducted in 2004.

to the changes of October 2000, so at the District Public Prosecutor there are two Bosniacs and five Serbs, while at the Municipal Public Prosecutor there are three Bosniacs and four Serbs<sup>19</sup>.

## Violations of Human Rights in the Past

### Police Torture

In the Municipality of Novi Pazar, the situation in the field of human rights is characterized by a huge number of cases of police torture from the past, but also new cases which prove that such police attitudes are still present. What makes the current situation different from that prior to October 5th 2000, is the absence of systematic police harassment of the Bosniac population. Namely, during the 1990s, there was a habit of constant and systematic expansion of fear among the local population, together with police brutality, manipulated judicial proceedings and creation of an atmosphere of fear through the presence of the Yugoslav Army in this area, and through orchestrated media campaigns full of the language of hatred<sup>20</sup>. Thanks to the engagement of non-governmental organizations, in the first place the Sandžak Committee for the Protection of Human Rights and Freedoms, many cases of repression and torture are today before the court, but still there is no decree absolute that would convict the perpetrators and offer moral and material satisfaction to the victims. Most of the citizens of Bosniac nationality went through police torture during the war in Bosnia and Herzegovina, when mass action was undertaken in search of arms in the houses of local citizens. On that occasion a great number of Bosniacs were taken into custody due to alleged suspicions of arms possession. In police departments these people suffered all kinds of torture, inhuman and humiliating treatment,

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<sup>19</sup>Interview with representatives of Sandžak Committee for the Protection of Human Rights and Freedoms, conducted in 2004.

<sup>20</sup>Researchers' interview with representatives of non-governmental organizations, conducted in 2004.

and many of them even today feel the consequences in their physical and mental health<sup>21</sup>. The most drastic cases that have ended before the courts are judicial proceedings against Radoslav Stefanović, Milić Karličić and Milo Nedić, members of the Ministry of Internal Affairs of Novi Pazar, for exercise of torture and extortion of statements during the years 1993 and 1994 against the injured Mustafa Džigalo and Suljo Muratović. Besides the cases of torture, another case of drastic violation of human rights is the so-called Novi Pazar case– the trial against twenty-four persons for an alleged attempt to create a "Sandžak state". This is the only political case from the 1990s that is still judicially current. The decision in this case has constantly been delayed since 1994, which is a drastic example of the violation of human rights by part of the judicial authorities, especially taking into consideration that a similar case which was initiated in Montenegro has been decided in favor of the plaintiffs already, in 1995, with reimbursement to the victims of framed court proceedings.

### **Incidents on Ethnic Grounds**

Incidents on ethnic grounds affect the entire population in Novi Pazar. Such incidents were frequent during the past, but are still happening. In the last year numerous incidents have been registered in sporting events, when clubs from Novi Pazar competed with clubs from other parts of Serbia. Slogans and shouts that aim to insult the other nationality and incite violence and hatred on both sides have become a regular scene at such events. At the beginning of the year, leaflets appeared in the town with the inscriptions "Hey Pazar, second Vukovar" and "Hey Sjenica, new Srebrenica" with the emblem of the two-headed eagle, and on Christmas Eve, 6th January 2004, unknown persons fired on the Melajska Mosque in Novi Pazar. The perpetrators of these offences remain unknown, which has contributed even more to the atmosphere of fear and insecurity existing there.

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<sup>21</sup>*Sandžak Committee for the Protection of Human Rights and Freedoms, Testimonies from Sandžak, Novi Pazar, 2002.*

## Report from the Forum in Novi Pazar

On 15th January 2005, a Forum was held in Novi Pazar on the subject of the situation of ethnic minorities in Novi Pazar after the accession to the Framework Convention for the Protection of National Minorities.

**Semiha Kačar** stated that Sandžak certainly has a special place in the history of the disintegration of the Socialist Federal Republic of Yugoslavia and wars on its territories, but that for years this region has remained neglected and in the shadow of Bosnia, Croatia, Kosovo, even Vojvodina. However, Sandžak has the right to have the truth and its acknowledgment by part of the institutions, especially taking into consideration everything that has happened during the past 15 years: arrests and expulsions, kidnapping, military and police repression, framed judicial proceedings and so on. In her words, today Sandžak is neglected and forgotten. She gave an example of this, stating data on the infrastructure of Novi Pazar and neighboring places, which show that the Novi Pazar telephone group, with around 100,000 inhabitants, has the same number of telephone exchanges (10) as the neighboring hamlet of Raška, which has incomparably fewer inhabitants. If we were to look at other towns in Sandžak, like Tutin and Sjenica, we would find an even more drastic situation. The State institutions fail to do their job, especially the judicial authorities, which has become evident in the cases of 24 persons and in the Šabotić case. The case of 24 persons of Bosniac nationality from Novi Pazar was initiated back in May 1994, when they were accused of destroying the constitutional order through the creation of an alleged 'Sandžak state'. The case hasn't been resolved to this day, and in Semiha Kačar's words, it is evident that the State has the intention of avoiding reimbursements to these persons, unlike the situation in 1995 in Bijelo Polje in Montenegro for similar charges. Smajo Šabotić was to be the key witness in this case. For this purpose he was taken into custody at the State Security (currently the Security and Information Agency) premises, where he was mistreated and forced to sign a statement that would accuse those 24 persons for the stated offence. When he refused to do it, he was beaten by policemen and suffered severe bodily injuries. Although he has pressed legal charges

against Police Department of Novi Pazar members, the legal proceedings were constantly delayed until the prescription of legal actions, and today the only solution is to go before the European Court of Human Rights.

According to Semiha Kačar, the Sandžak Committee for Protection of Human Rights has also recorded other cases of violations of human rights; recently a criminal procedure has been instituted against Enes Aličković and his brother Feriz, for the expansion of racial, national and religious hatred, because they beat and insulted on ethnic grounds Ljubinka Radonjić and Vera Popović, females of Serbian nationality. In the year 2004 there was also the case of mistreatment in service, when Mahit Bulić was beaten by the Traffic Police of Novi Pazar Chief Officer.

Besides the old problems in the field of observance of human rights, new problems have also appeared. In this context, the media have an important role. In Semiha Kačar's words, the Sandžak Committee has investigated a recent event which drew huge media attention, the alleged stoning of a Serbian Orthodox Church priest in Novi Pazar, which turned out to be mischievous children who threw tiny plastic balls the size of green peas at passers-by, among which accidentally happened also to be a priest from Kosovo. However, in spite of the Sandžak Committee's investigation and the information provided by the Ministry of Internal Affairs of Novi Pazar, who came to the same conclusion, this fact was not presented in the media, except on the local Regional Television.

According to Semiha Kačar, the problem is that the police still exceed their authorizations, such as harassing drivers with Novi Pazar plates on the roads, as well as the fact that not many things have changed at the police, the Security and Information Agency and the courts since 2000. She illustrated it by stating the fact that still, today, there are not enough Bosniacs employed in the public authorities, citing the example of the District Court where out of 19 employees only 7 are Bosniacs, while the situation is similar at other Republican organs.

In her words, another problem is the behavior of Bosniac political parties which do not show enough interest in such things and are not engaged in resolving fundamental issues. Their main preoccupation is to fight for power, to divide functions and to settle accounts among themselves without mercy. Bosniac politicians are manipulated by parts of the various factions of Belgrade politics, while they remain tricked by the opening of diverse institutions and acknowledgment of illusory rights to Bosniacs. Thus today in Novi Pazar there are, overall, three Universities, many Faculties have been doubled, for instance the Faculty of Law and the Faculty of Economy, or even tripled, while the quality of education is very low. This is evident in the terrible situation in the economy, schooling, health service etc.

At the end, Semiha Kačar concluded that it is necessary to remove prejudices and potential crisis centers from Novi Pazar, as well as to establish a much stronger cooperation between non-governmental organizations in order to act together for the purpose of pacifying tensions and establishing confidence in this region.

**Enes Crnišanin** of the Sandžak Intellectual Circle contributed to the above report by presenting data regarding the Revenue Board, which in his words is the source of corruption in Novi Pazar. He noticed that there are nine citizens of Serbian nationality who have no adequate qualifications working there in the control service, and he accused the leadership of this institution of making a negative selection of personnel on national grounds. He claimed that people are brought there from Raška and from Leposavić, while (only) after many citizens had complained, one person of Bosniac nationality was brought in from Tutin, so he now travels every day to work, while young persons from Novi Pazar remain unemployed.

He also emphasized the problem of Novi Pazar's submission to other towns in Serbia, stating that the center for geodesy services is situated in Kruševac and the center for tax services in Kragujevac, which is absurd in terms of geography. He also warned about police misuse of authorizations, especially regarding places on the Ibar regional road.

**Sead Biberović** of Urban-in said that he was sorry that representatives of Serbian political parties and, as he put it, "conditionally Serbian non-governmental organizations" did not take part in the meeting. In his opinion, this would have contributed significantly to the quality of the dialogue and helped in finding the right decisions. He also underlined that he was sure that all of them had been invited, but that they seldom participate in such meetings.

**Mehmed Slezović**, Member of Parliament of the State Union of Serbia and Montenegro and representative of the party G17 Plus, spoke of the problems that go together with the attempts of Bosniacs to achieve the rights from the Framework Convention. In that sense, he stressed that a devastation of Islamic cultural heritage is taking place in Novi Pazar, whereas the blame is both on the political structures that are obliged to take care of this matter but also the Islamic religious community itself. Then he said that the history of Sandžak as a very important multicultural community is being erased, and that there are attempts to reduce the entire region to three Municipalities.

**Azem Hajdarević**, President of the Municipal Assembly of Novi Pazar and Vice President of the Party for Sandžak, warned that at this moment a new Constitution of Serbia is being written and that it is an opportunity for parties and non-governmental organizations to make the effort towards better treatment of Bosniacs and the Sandžak region in the future Constitution. According to him, all the problems started when Bosniacs lost the status of a constitutive nation and became a national minority. He also warned about personnel problems with people who are brought in from other places, and there he especially mentioned the judiciary and the police.

According to him, the main problem is that there are no effective mechanisms for the enforcement of law and a certain passivity of the Republican authorities in regard to the situation of Bosniacs. At the end, he expressed his wish that the future Constitution would leave an opportunity for regionalization and that there would be a high level of decentralization of power.

**Aldina Međedović**, spokesperson of the List for Sandžak, focused her speech on the education problem. In her words, the schools in Novi Pazar are in a terrible condition, class sections consist of 35–40 pupils, and the Republic hasn't offered any financial assistance in order to improve such conditions. Since Belgrade has offered no assistance, Bosniacs have organized themselves and founded their own Universities. She agreed that the quality of education is not at the highest level, but she also underlined that the Faculties with Departments in Novi Pazar should be more independent, especially regarding financial matters. At the end, Međedović mentioned one good thing in education, which is the decision to permit schooling in the Bosniac language, and for this she gave huge credit to the Bosniac National Council.

**Ramiz Crnišanin** of the Sandžak Intellectual Circle said that there are two facts we must start from. The first is that problems with public services and infrastructure affect all the citizens of Sandžak equally, both Serbs and Bosniacs, whereas the second fact he stated was the special problem with the government in Belgrade, which is not democratic enough and has no capacity to fulfill the conditions for Serbia's accession to the European Union. To confirm his statement about a lack of political will, he mentioned the recent decision of the Serbian Assembly to proclaim Chetniks and Partisans equal and called it shameful and scandalous. He also called for a more resolute fight against the reemergence of fascism. However, he noticed that the situation has slightly improved in comparison to the year 2000 and that today we are not witnessing mass police repression against Bosniacs, as was the case during the 1990s.

In his repeated statement, Sead Biberović of Urban-in stressed that for him the relations of Belgrade towards Bosniacs become clear through visits by the highest officials. In his words, such visits were made by the deceased Prime Minister Đinđić, and current President Boris Tadić; that on such occasions they visited Mufti Zukorlić but avoided legally elected Municipal authorities. This means that Belgrade looks on Bosniacs as a religious community whose legitimate representative is a Mufti.

In the second part of the meeting, lawyer Enes Crnišanin of the Sandžak

Intellectual Circle gave an introductory report on the subject of Rights from the Framework Convention and their Implementation in Novi Pazar. At the beginning, he gave a short review of the history and definition of human rights itself, and emphasized that they represent the normative standards of civilization which express a request of how we should treat other human beings. Then he gave a review of the regulations from the Framework Convention, whereupon he briefly stated each of the articles, as well as mechanisms for the control of compliance with the Convention. According to him, the domestic legal acts also confirm the obligation of observance of human rights and international documents, but problems appear in the course of their concrete application. Moreover, Crnišanin especially stressed that Serbia hasn't done enough in the field of observance of minority rights, while it has gone much further in the matter of general rights and freedoms. He also estimated that there are still discriminative laws, whereas acknowledgement of minorities, education and similar matters are the issues where the biggest advancement has been achieved.

**Semiha Kačar** joined the discussion, stressing that there is a big problem with the curriculum studied in schools which has a burden of prejudices and incorrect facts. This curriculum fails even to mention the existence of other cultures and traditions except Serbian. In regard to the introduction of the Bosniac language in schools, she emphasized her concern regarding the personnel that will teach this subject, which have been mostly taught to give lectures about Serbian language and literature. She also stressed that although the Bosniac language is in official use in the Municipality of Novi Pazar, all correspondence is kept in the Serbian language.

**Bisera Spasović** of the Center for Peace and Reconciliation emphasized that she spoke from the position of a high-school professor and that she had no problems with the introduction of the Bosniac language, but that it is obvious that there are strong obstructions to this. She also expressed her concern that additional polarization between children might occur, as happened on the occasion of the introduction of religious classes in schools. She also warned about the problem occurring in recent years that national segregation is slowly being formed, in such a way that Serbian children coming from all parts of the town enroll exclusively at

the primary school "Bratstvo", although there are other schools closer to them.

**Aldina Međedović**, spokesperson of the List for Sandžak, turned to the employment problem and presented facts which show that people from Raška and Kosovo are employed at the Health Center. The situation is similar in the police where persons responsible for torture in the 1990s are still working. She also mentioned the official use of language, stressing that the local elections were the only case of use of the Bosniac language and that it didn't happen anywhere else.

In his repeated statement, Enes Crnišanin said that the problem, to a great extent, is in the Bosniacs themselves, because the national parties are led by incompetent people. He illustrated this with the fact that while the law on Chetnik rights was being debated in the Serbian Assembly, the Bosniac representatives were forming a quorum. He also strongly criticized the local government in Novi Pazar from the previous mandate, and the current President of the Municipality, Sulejman Ugljanin, accusing him of disgracing the entire town by his actions such as locking the Municipality building.

Ramiz Crnišanin joined these accusations and repeated that the regulations on bilingualism are not observed and that Bosniac politicians must take part more actively in the discussion on the new Constitution with the purpose of achieving some sort of equality between nations.

## **Conclusions on the Situation of Bosniacs in the Municipality of Novi Pazar**

On the basis of data gathered during the elaboration of this Report, the Youth Initiative has made the following conclusions in regard to the observance of the Framework Convention for the Protection of National Minorities:

1. Unsettled problems from the past hinder considerably the establishment

of a dialogue and cooperation between different nations in Novi Pazar, as well as between the Republic and the local self-government. The political proceedings against 24 Bosniacs for the alleged attempt to create a Sandžak state, as well as proceedings based on criminal charges filed by non-governmental organizations for numerous cases of police torture and other severe violations of human rights from the past on the territory of the Municipality of Novi Pazar, are still being conducted.

2. The demographic picture of Novi Pazar has remained almost unchanged between the census of 1991 and the census of 2002, but there is a tendency among young people towards moving out of this region, especially to bigger University and economic centers like Sarajevo and Belgrade (which mostly depends on their nationality).
3. Bosniacs are equally represented in the local authorities, whereas the situation is completely opposite in the Republican authorities. It is a matter of special importance that Bosniacs take part in the work of the Public Prosecutor and the police.
4. The official languages in the Municipality of Novi Pazar are Serbian and Bosniac. In spite of this fact, the street signs are still solely in the Serbian language, and even the sign at the entrance of the Municipal Assembly of Novi Pazar is written in Cyrillic letters.
5. Occasional conflicts between different ethnicities, which usually become manifest during sporting events, as well as incidents between the members of different Bosniac parties, are a recurrent problem.

### **Proposals for the Improvement of the Situation of Bosniacs in Novi Pazar**

Agents of the law must urgently solve all cases from the past regarding violations of human rights or framed political trials. If these cases were resolved, it would contribute to the process of creation of confidence in the institutions, as well as bringing justice for the victims of violations of human rights that must receive adequate satisfaction by part of the Republic of Serbia.

The Serbian government must undertake measures and allow the equal participation of Bosniacs in the public authorities, especially in the institutions

that are under its direct control (Revenue Administration, Public Payment Administration, Geodesy Administration etc). It is also necessary that Bosniacs be adequately represented in the police and the Public Prosecutor.

The Municipal Assembly of Novi Pazar should apply relevant laws and other regulations in their entirety, especially in regard to its authorities and bilingual inscriptions.

Political elites have an obligation to change the language they use when speaking of Sandžak and to work on the creation of an atmosphere of confidence. It cannot be permitted that certain political parties support the incitement of religious and national intolerance or that a competent Public Prosecutor fails to react to such activities.

## **Appendix**

### **List of participants of the Forum in Novi Pazar:**

- Semiha Kačar, Sandžak Committee for the Protection of Human Rights and Freedoms;
- Enes Crnišanin, Sandžak Intellectual Circle;
- Bisera Spasović, Center for Peace and Reconciliation;
- Sead Biberović, Urban-in;
- Mauro Mascioli, Provetto Sviwpro;
- Aldina Mededović, List for Sandžak;
- Ramiz Crnišanin, Sandžak Intellectual Circle;
- Azem Hajdarević, President of the Municipal Assembly of Novi Pazar;
- Raif Mekić, Citizens Association "Nezavisnost";
- Mehmed Slezović, G17 Plus;
- Zoran Maksimović, Sandžak Committee for the Protection of Human Rights;
- Amela Aličković, Sandžak Committee for the Protection of Human Rights;
- Ivana Milić, Radio–Television Jedinstvo;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.

# Municipality of PRIBOJ

Research and Forum were realized  
in cooperation with Civic Action for  
Human Rights, Priboj

## Implementation of the Framework Convention for the Protection of National Minorities in the Municipality of Priboj

### General Data on the Municipality of Priboj

The Municipality of Priboj is situated in the three-border area between Serbia, Montenegro and Herzegovina. Many severe violations of human rights and international humanitarian law were committed in the region during the war in Bosnia-Herzegovina. Over the past 15 years, truth and justice have been denied to the victims from Priboj, and the problem persists to this day. Unsolved murders, weapon assaults, mass migrations and continuous pressure on Muslims/Bosniacs<sup>22</sup> caused big disturbances and led to an atmosphere of distrust of the state and its institutions among members of the Bosniac ethnic community<sup>23</sup>.

### Political Situation

Until 2002, the political scene in Priboj was characterized by the all-powerful Socialist Party of Serbia. In 2002, elections were held in accordance with the new Law on Local Self-Government, which prescribes that the President of the Municipality be elected in direct elections. Milenko Milićević, candidate of the Democratic Party (DP), was elected the new President. This fact, however, did not have much of an impact on the situation in Priboj, since the majority in the Municipal Council is still comprised of a multi-party coalition with no Bosniac parties (Party of Democratic Action, Democratic Party of Sandžak) or civic parties (Democratic Party, Civic Alliance of Serbia). The single-ethnicity Municipal government, formed solely by Serbian parties (Serbian Radical Party, Socialist Party of Serbia, Democratic Party of Serbia and Serbian Renewal Movement), is the main factor that led to

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<sup>22</sup>In this Report, the term 'Bosniac' refers also to the citizens who declared themselves as Muslims.

<sup>23</sup>For further details see reports made by the Humanitarian Law Center. Muslims.

problems in establishing confidence in the bodies of local self-government among Bosniac citizens<sup>24</sup> .

### **Economic Situation**

The economic status of the citizens of the Municipality of Priboj was once closely tied to the Priboj Automobile Factory (PAF), a socialist-era giant that was the cornerstone of the region's progress and employed several thousands of employees from Priboj and the surrounding towns. When the armed conflicts and the disintegration of the Socialist Federal Republic of Yugoslavia started, the factory lost its traditional market, whereupon the technological advancement stopped, which had a drastic impact on the social status of the inhabitants of Priboj. Today, PAF is being restructured and is looking for a strategic partner to participate in the company's ownership transformation. Other companies in social property are in a similar situation. As for the region's tourism possibilities, they revolved around Pribojska Banja, a spa and resort in the vicinity of Priboj until the 1990s. During the war in Bosnia-Herzegovina, Pribojska Banja's tourist facilities accommodated refugees from Bosnia-Herzegovina, which blocked the tourist center's further development.

## **Implementation of the Framework Convention for the Protection of National Minorities in Priboj**

### **Freedom of Ethnic Expression and Prohibition of Discrimination and Assimilation**

According to the 2002 census, there are 30,377 inhabitants on the territory of Priboj Municipality, 22,523 of which declared them-

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<sup>24</sup>*Interview the Youth Initiative researcher conducted with representatives of Priboj political parties and NGOs in 2004.*

selves as Serbs, and 6,994 as Bosniacs and Muslims (see table below)<sup>25</sup>. The two latter terms (Bosniacs, Muslims) denote members of the same ethnicity. As of the census of 1971, the official term used for Bosniacs in the Socialist Federal Republic of Yugoslavia was "Muslims". At the 1993 Bosniac Scientific Elite Congress in Sarajevo, the term Bosniac was adopted to mark all Muslims on the territory of the former SFRY. Still, a certain number of people did not accept the new term and continued declaring themselves as Muslims. This situation was in part due to Serbia and Montenegro's (that is, the Federal Republic of Yugoslavia's) refusal to accept the term Bosniac until 2001. That is why the term Muslim is still widespread in Montenegro, and it influenced the situation in the Municipalities of Priboj and Prijepolje. The census results of 2002 showed a decrease in the number of Bosniacs in the Municipality of Priboj in comparison to the census of 1991. Representatives of non-governmental organizations from Priboj explained this phenomenon to the Youth Initiative for Human Rights' researcher with reference to the Serbian authorities' policy of intimidation and ethnic cleansing conducted on this territory during the 1990s.

CENSUS 1991.	CENSUS 2002.
Total 35.951	Total 30.377
Muslims 10.927	Bosniacs/Muslims 6.994
Serbs 23.421	Serbs 22.523

Persons of the Bosniac ethnicity mostly go to Bosnia–Herzegovina, especially to Sarajevo, where many young people from the region go to study, while some Bosniacs go there searching for jobs<sup>26</sup> .

<sup>25</sup>Data obtained from the 2002 Census of Population, Households and Apartments in the Republic of Serbia, Republican Institute for Statistics.

<sup>26</sup>Interview the Youth Initiative researcher conducted with representatives of Priboj NGOs in 2004.

## **Right to Freedom of Religion**

Freedom of religion is not threatened in the Municipality of Priboj. All religious activities take place in a free and undisturbed manner. Last year, the Municipal Assembly unanimously reached a decision on building a mosque in Novi Priboj, in addition to the existing one in the old part of town.

## **Right to Receive Information in Mother Tongue**

There are no means of information in the Bosniac language in Priboj. The local Radio–Television Priboj, financed from the Municipal budget, has no programs in the Bosniac language, with the explanation that the Bosniac language is not in official use. Moreover, there are no programs dedicated to informing people about the culture, tradition or religion of the Bosniac population. The management of RTV Priboj has announced the introduction of a program in the Bosniac language, pending the Municipal Assembly's decision on declaring Bosniac a co–official language<sup>27</sup>.

## **Right to Official Use of Language**

The Bosniac language is not an official language in the Municipality of Priboj, despite the fact that 5,371 citizens (17.68% of the total population) declared in the last census that they spoke Bosniac. Besides the Framework Convention for the Protection of National Minorities, the right to official use of the Bosniac language is also guaranteed by Article 11 of the Law on National Minority Rights and Freedoms. The article reads that the official use of an ethnic minority's language and alphabet is obligatory if used by more than 15% of a Municipality's population. The Municipal councilors who are members of Bosniac parties, and various NGO activists, have so far submitted three requests for this law to be implemented, but the

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<sup>27</sup>See Report from the Priboj Forum in this text.

majority of the councilors consisting of members of Serbian parties keep refusing to do so<sup>28</sup>.

### Right to Education in Mother Tongue

The right to receive education in the mother tongue is not being observed in Priboj. After a strong refusal to grant Bosniacs their right to be educated in their own language, Bosniac, the Serbian authorities in education and politics finally reached an agreement with the representatives of the Bosniac National Council in December 2004. They managed to establish contact with the Ministry of Education after former Minister Ljiljana Čolić had been relieved of office and Slobodan Vuksanović elected the present Minister of Education. They agreed that the subject of the Bosniac language with elements of national tradition and culture be introduced into the official curriculum as an elective subject two times per week as of the second semester of the 2004/05 academic year. This was later confirmed by the Ministry's Decision of December 27<sup>th</sup> 2004. The existing decision refers only to the grades that follow the new curriculum, i.e. the first and second grade of elementary school.

Besides dealing with the problem of education in the mother tongue, Bosniacs have to face the problem of the contents taught in certain subjects, above all Serbian language, literature and history. The textbooks for these subjects completely disregard Bosniac culture, and are impregnated with a negative attitude towards the Bosniacs, their role in history, their faith and culture. Thus, for example, certain parts of the "Gorski Vijenac" ("Mountain Wreath"), a poem by Petar Petrović Njegoš, are interpreted without indispensable explanations and historical distance, and are manipulated<sup>29</sup>. All of these facts have been known to the educational and political authorities for years, yet no attempt to change the

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<sup>28</sup>Interview the Youth Initiative researcher conducted with representatives of Priboj political parties and NGOs in 2004.

<sup>29</sup>Some characteristic verses: "Hodža is howling from the town of Cetinje"(287) or "Oh how bad these Turks smell " (1242).

situation was ever recorded. A solution could be found in importing textbooks from neighboring countries, primarily from Bosnia–Herzegovina, as was announced by the authorities but never carried out <sup>30</sup>.

### **Right to Participate in Public Authorities**

The right to participate in public authorities is not fully observed in the Municipality of Priboj. The Youth Initiative for Human Rights researcher was told by the local representatives of the Bosniac ethnic community that Bosniac participation in local self–government had additionally worsened after the Serbian national parties came to power at the end of 2004<sup>31</sup>. For example, 2 out of 25 employees at the Information Center are Bosniac, none of the 4 employees at the Museum are Bosniac, and 15 out of 79 employees in the Municipal administration are Bosniac. There are no Bosniacs holding key positions in the Republic of Serbia’s institutions such as the Post Office, Revenue Board, Police and others. As for the judiciary, only one of the five judges in the Municipal Court is Bosniac, while at the Public Prosecutor office the employees are all Serbs<sup>32</sup>.

## **Violations of Human Rights in the Past**

### **War Crimes**

Numerous severe violations of international humanitarian law took place on the territory of Priboj Municipality, such as homicide, kidnapping, arson and robbery, as well as expulsion of people from their

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<sup>30</sup>*Interview the Youth Initiative researcher conducted with representatives of Priboj and Novi Pazar NGOs in 2004*

<sup>31</sup>*Out of 25 employees in the Information Center, two are Bosniac, out of 4 employees in the Museum none are Bosniac, while 15 of 79 municipal administration employees are Bosniac.*

<sup>32</sup>*Interview the Youth Initiative researcher conducted with representatives of Priboj NGOs in 2004. See also Report from the Priboj Forum in this text.*

homes. Generally, the perpetrators were members of the army of the Bosnian Serbs, coming from neighboring Bosnia–Herzegovina, but there were also some members of the regular Army and police units from Serbia and the then Federal Republic of Yugoslavia.

The biggest crime committed on the territory of the Municipality of Priboj is certainly the kidnapping and murder of civilians in Sjeverin, on 22nd October 1992. The Sjeverin–Priboj bus carrying workers to their jobs was stopped near the village of Mioč. Seventeen Bosniacs were kidnapped and taken in a truck to the police station in Višegrad where they were insulted and harassed by local citizens. Later they were taken to the "Vilina vlas" Hotel in Višegradska Banja, where they were submitted to physical torture, and the evidence of this exist in photographs. Many were then murdered and their bodies thrown into the River Drina, while others are missing without trace. Eleven years after this crime, the Belgrade District Court reached a verdict whereby 4 participants in the crime were found guilty. Milan Lukić and Oliver Krsmanović were sentenced to 20 years in prison, Đorđe Šević and Dragutin Dragičević to 15 years in prison each. The former two are still free, Milan Lukić also being indicted by the ICTY for war crimes committed in Bosnia–Herzegovina. On September 27th 2004, the Supreme Court of Serbia ruled on an appeal, declaring the original sentence invalid, and the case has been sent to the Belgrade District Court for a repeat trial. Many families of the victims of this crime have left their homes in Sjeverin and live in Priboj today. Despite their difficult financial situation and the tragedy they experienced, neither the State nor local authorities have given them any assistance.

Besides the aforementioned, other crimes also occurred, such as throwing grenades at the village of Kukurovići, arson, intrusions by armed units from Bosnia and the killings of Bosniacs<sup>33</sup>. The fact that these crimes remain unsolved and that the media obviously keep quiet about them contribute to the creation of an atmosphere of fear and uncertainty present to this day among the Bosniac citizens.

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<sup>33</sup>More on this in: *Sandžak Committee for Human Rights and Freedoms, Sandžak Testimonies, Novi Pazar, 2002.*

## Report from the Forum in Priboj

On January 14th 2005, a Forum was held in Priboj on the subject of the situation of Bosniacs in Priboj after the accession to the Framework Convention for the Protection of National Minorities.

President of the Municipality of Priboj **Milenko Milićević** gave the introductory words. He informed the Forum participants on the possibility of amendments to the Statute being adopted as early as the next session of the Municipal Assembly in order to introduce the Bosnian language as an official language in addition to Serbian, which is an obligation set forth by the existing legislation.

The opening presentation was a speech on the Bosniac citizens' position in Priboj given by **Rada Čolović** of the Center for Human Rights. She pointed to the fact that the area went through 'hell' in the recent past. Although the territory was officially not at war, the Municipality of Priboj was strongly impacted by it. Rada Čolović stressed the importance of the fact that Priboj is a multi-ethnic, multi-religious and multicultural environment, which is why acceptance and respect for differences are indispensable. "It is especially important to raise awareness of the fact that we should all be equal and develop tolerance as a way to cohabitate. Unfortunately, this has not been done in the past 15 years, or it has been done in a wrong way." She stressed that although politicians often refer to the Framework Convention, it does not function in reality. She gave the example of Bosniac participation in the local authority to illustrate the situation in Priboj. None of the 9 councilors at the Municipal Council are Bosniac, no Bosniacs hold head positions in any of the public institutions in Priboj, only 8 out of 81 members of the managing boards and supervisory boards in public companies are Bosniac etc. The number of Bosniacs drastically decreased in the last decade of the 20th Century. "All this tells us that the state should be more engaged not only when adopting the related legislation, but also when it comes to its full implementation", concluded the President of the Center for Human Rights.

**Kenan Hajdarević**, councilor in the Municipal Assembly of Priboj and member of the Civic Alliance of Serbia, was surprised that the Forum was not attended by the representatives of the ruling coalition parties, although they had been invited. As for the political situation in Priboj, his opinion is that the true path to a European, modern Serbia is through the civic parties. He explained that the goals and interests pursued by the nationally oriented parties are narrow. At one end, there are Bosniac national parties, and at the other end, a ruling coalition consisting of DPS, SRS, SPS, SRM and New Serbia. These extremes keep each other alive by making people afraid of those who are different.

**Džemail Halilagić** of the Committee for the Protection of Human Rights and Humanitarian Action said that the Framework Convention was too small a framework to solve the problems of the Bosniacs. He claimed that Bosniacs are a dying nationality, that they suffered genocide in World War II, and were then finished in the time of Aleksandar Ranković's dictatorship. According to him, it is a project designed by the state to cleanse Priboj and Pljevlje of Bosniacs, and in the 1990s all structures in the Republic and the Municipality were working on it. In reply to Kenan Hajdarević's speech, Halilagić said it is Utopia, since there are no citizens in Serbia. He added that Bosniacs need to resolve their constitutional and legal status first, and then deal with other issues. He ended by saying that Bosniacs were the minority that least knew its rights, and were therefore endangered, because the state had a clear plan to either expel or assimilate them.

**Miomir Prijović** of the Civic Alliance of Serbia said that individual rights and individual persons are top priorities for CAS, yet that does not exclude concern for collective minority rights. He also added that better cooperation should be established with the Municipalities in Bosnia and in general with the country that is the motherland of the Bosniacs.

**Slavoljub Gudurić** from the NGO Saint Ana pointed to the fact that the chief problems impacting on the Municipality are of an economic nature and all minority rights are in vain if people are starving. He asked that members of NGOs be allowed to attend the sessions of the Priboj Municipal Assembly in order to help solve the problems.

**Sakiba Hodžić** of the Party of Democratic Action placed special emphasis on the fact that she is a member of one of the families of the victims kidnapped in Sjeverin. She said she feels extremely hurt by the fact that these matters are only discussed in panels, adding that the families have been without any assistance for 13 years now, are left to themselves, and now must face the renewed trial and go through everything all over again.

**Zora Čelović** from the Women's Initiatives pointed to the lack of cooperation between NGOs and suggested that the Municipal Assembly's decisions be forwarded to them, too, in order to react to all irregularities. She added that the bodies of local self-government only act when pressured, which is a wrong policy.

**Kenan Hajdarević** said he realizes why there are no representatives from the ruling coalition – because the Forum does not concern their electorate. He proposed that concrete things be discussed, not historical matters as always, with the use of big words. There is no need to start discussion on the use of language, since the issue has been regulated by law, and the only thing that should interest the participants is whether the law is being implemented or not.

**Ekrem Hadžić** from the Sandžak Democratic Party pointed again to the issue of parties and said he supports the forming of civic parties, but now is not the right time for it, and it should come at the initiative of the majority nationality, not the minorities. He also presented data that 22 persons from the Priboj Municipality were killed and more than 200 families forced to leave, which are issues that need to be resolved and the perpetrators punished. He accused the authorities that they knew the perpetrators' identities, but would not arrest them.

**Vitomir Pijevac** from the Socialist Party of Serbia (SPS) said he is not ashamed of what he did, saying that during the rule of the SPS a lot was achieved to improve inter-ethnic relations. He emphasized that he was also a victim of a violation of human rights, since he was kicked out of a PAF factory by force after October 5th 2000., and he barely managed to save himself from a group of workers.

**Branka Žarković**, Head of the local media RTV Priboj, said she was also there on behalf of the Serbian Radical Party of which she is a member. She insisted that, as soon as the Municipal Assembly adopts the decision on declaring the Bosniac language as co-official, the local media will immediately launch a program in the Bosniac language. She invited all persons present to evaluate the work of RTV Priboj, saying there was not a single event organized by NGOs that was not duly covered.

**Kenan Hajdarević** opened the topic of the second part of the Forum: Rights from the Framework Convention and their implementation in Priboj. At the beginning, he gave a brief historical overview of the Convention, then presented the Convention's contents, and analyzed its implementation in Priboj. He stressed the drastic decrease of the Bosniac population between the 1991 census and the 2002 census by over 4,000 persons, i.e. from 30% to 23%.

He then explained the mechanisms for the institutional protection of minorities in the Assembly of Serbia and in local Municipalities. The Bosniac National Council was formed as the central body for Bosniacs on September 6th 2003, in compliance with the Law on Protection of National Minority Rights and Freedoms. There is also a Council for Inter-ethnic Relations in the Priboj Municipal Assembly, as foreseen by the Law on Self-Government, but it was founded only a year after the Municipal government was formed and was not created in full compliance with the law.

He said that there are no formal limitations to the advancement of the minority culture, but that the Bosniacs do not display interest in such institutions. He criticized the state and local media for not giving any attention to Bosniac culture and tradition.

As for the use of language, despite three initiatives, Priboj Municipal Assembly has still not met its legal obligation and declared the Bosniac language co-official. Moreover, all legal documents issued in courts and other state bodies are written in Serbian, the only exception being the example of bilingual voting ballots at the parliamentary and presiden-

tial elections, although there were no bilingual ballots in the 2003 local elections.

Hajdarević moved on to education issues, saying that as per the Ministry of Education's decision of December 27th 2004, Bosniac Language and Culture exists as an elective subject in the first and second grades of elementary school. He concluded by warning about a very poor representation of Bosniacs in public authorities, repeating the data earlier given by Rada Čolović.

In response to Kenan Hajdarević's presentation, Džemail Halilagić expressed his doubt about the number of Bosniacs in Priboj being higher than 5%, because many who in reality live outside Priboj were registered in the last census. Halilagić accused the state of a planned destruction of Bosniac cultural institutions such as the Cultural Association "Preporod", much like what was done to the political parties back in 1993, or to the printed media such as the magazine "Sandžak".

**Džemail Halilagić** also addressed the issue of forged history in recently published books where data on the Municipality of Priboj are presented incorrectly, and the influence of Islam on this region reduced to a minimum. As for religion, he accused the Islamic community of tackling politics instead of dealing with its own field, accusing it of being some parties' political base. He accused politicians who falsely pretend to advocate Bosniac interests and especially quoted Minister Ljajić who, as Halilagić says, is responsible for the Law on Protection of National Minorities not being implemented. In his words, the lack of use of ethnic symbols is a result of ignorance and fear. The symbols are used only in Municipalities where Bosniacs are the majority, but that doesn't happen in Priboj because the citizens are afraid.

Kenan Hajdarević replied to this discussion that he was just stating the facts without an intention to comment on them. He insisted that the founding of Bosniac cultural institutions was not forbidden, but there seemed to be no interest in that. Hajdarević concluded by saying that

displaying ethnic symbols was also not forbidden and that he wondered why Bosniac national parties were not the first to display such symbols.

## **Conclusions on the Situation of Bosniacs in the Municipality of Priboj**

On the basis of the information collected during the elaboration of this Report, the Youth Initiative has made the following conclusions regarding the implementation of the Framework Convention for the Protection of National Minorities:

1. War crimes committed at the beginning of the 1990s on the territory of the Priboj Municipality or crimes where victims are from the Priboj area are not processed in courts. Of all the crimes, there is only one in the courts, the case of the Sjeverin kidnapping that drags on for years and fails to offer necessary justice and satisfaction to the victims' families.
2. The State and the Municipal Assembly of Priboj have failed to provide any financial assistance to the victims of war crimes. Many of them still live as refugees in the town of Priboj, some left for Bosnia-Herzegovina, and only a small proportion have stayed in their homes living in unbearable conditions.
3. The demographic picture of the Municipality of Priboj changed significantly between the 1991 census and the 2002 census. The number of Bosniacs reduced from 30% to 23%, i.e. by about 4,000 persons.
4. Bosniacs are not represented equally in public authorities, both in the bodies under the jurisdiction of the Republic of Serbia, and in the local self-government. There are no Bosniacs in the Municipal Council, or among the managers of public companies or heads of the Republic institutions' local branches.
5. The Council for Interethnic Relations, as foreseen by the Law on Local Self-Government, was formed in the Municipality of Priboj one year after the local elections. The legal procedure was not observed,

in that every minority of over 1% of the total population is entitled to a representative in the Council (e.g. Muslims and Montenegrins have no representatives).

6. The official language in the Municipality of Priboj is Serbian. All initiatives to acknowledge the right to use the Bosniac language have been dismissed. Thus both the Framework Convention for the Protection of National Minorities and the Law on Protection of National Minorities of the State Union of Serbia and Montenegro have been violated.
7. There are no classes in Priboj schools held in the Bosniac language, despite the fact that the Ministry of Education and Sports adopted a decision in late December 2004 to introduce Bosniac Language with Elements of Ethnic Culture as an elective subject in the first and second grade of elementary school.
8. The official school curricula across the country, including the town of Priboj, do not cover the history, culture, tradition or religion of the Bosniac population. In the contents of certain subjects such as Serbian Language and Culture, or History, the very existence of the Bosniac ethnic community and the Bosniac language are denied, or are represented in a negative way.
9. Official communication in the Municipality's institutions is solely in the Serbian language, all documents are written in Serbian, and the citizens cannot obtain documents (birth certificates, IDs, etc) in the Bosniac language, although this option is allowed by the Law on Protection of National Minority Rights and Freedoms. The Serbian language and the Cyrillic alphabet are used in the Municipality's Official Gazette, whereas parliamentary and presidential election campaign materials were printed in two languages, which was not the case in the 2003 local elections. All plates with street names and the names of the Municipality's institutions in Priboj are written in Serbian, in the Cyrillic alphabet.
10. Religious rights of the Bosniacs are not threatened. Islamic religious buildings exist and are being used. Last year, the Municipal Assembly of Priboj voted unanimously in favor of building another mosque, in Novi Priboj.
11. The local media (radio and television) have no programs in the Bosniac language, or special programs on Bosniac tradition and culture.

## Proposals for the Improvement of the Situation of Bosniacs in Priboj

State bodies, the Public Prosecutor and the police above all, must urgently solve all war crimes committed on the territory of the Priboj Municipality, bring the perpetrators to justice, and ensure that the truth about these events is known.

It is the State of Serbia's duty to provide all available assistance to the families of the missing and killed persons and to the victims of human rights violations, including giving an adequate financial compensation for the sufferings and pain they have been through.

The Government of Serbia and the Municipal Assembly of Priboj should take steps to increase Bosniac participation in the work of the Municipal bodies, especially in the leading positions. The demographic situation like the one today cannot be tolerated – there are either no Bosniacs, or a very small number, in the Municipal Assembly and institutions of local self-government.

The Municipality of Priboj is obliged to implement legislation on the use of language and declare the Bosniac language co-official on the territory of Priboj. The legislation must also be implemented when printing forms, legal documents issued by the Municipality, IDs, ballots and public signs bearing names of streets, squares and organizations.

The schools in Priboj are required to enable Bosniac Language with Elements of National Culture classes as soon as possible, in accordance with the Ministry of Education decision of December 27th 2004. Unrestrained imports of textbooks from Bosnia-Herzegovina should be allowed, or a competent commission formed to create a new curriculum, which is in the competence of the Bosniac National Council. The existing textbooks in the Serbian language, especially in the subjects of Serbian Language and Literature, and History, significantly contribute to spreading prejudice and incorrect data on Bosniacs, their culture and tradition, and therefore should be changed as soon as possible.

## Appendix

### List of participants of the Forum in Priboj:

- Aida Polimac, Civic Action for Human Rights;
- Rada Čolović, Center for Human Rights;
- Kenan Hajdarević, councilor at the Municipal Assembly of Priboj;
- Danica Gudurić, Radio Priboj;
- Dragan Ljeljen, TV Priboj;
- Denis Šarak, NGO "Alternative";
- Miomir Prijović, Civic Alliance of Serbia;
- Hodžić Sakiba, Party of Democratic Action;
- Branka Žarković, Public Enterprise Information Center, Serbian Radical Party;
- Vitomir Pijevac, Socialist Party of Serbia;
- Ekrem Hadžić, Sandžak Democratic Party;
- Zora Čelović, Women's Initiative;
- Slavoljub Gudurić, NGO Saint Ana;
- Stojka Milićević, Women's Initiative;
- Džemail Halilagić, Committee for the Protection of Human Rights and Humanitarian Action;
- Milenko Milićević, President of the Municipality of Priboj;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.



# City of NIŠ

Research and Forum were realized  
in cooperation with Committee for Human Rights, Niš



## Implementation of the Framework Convention for the Protection of National Minorities in Niš

### General Data on the Situation of Roma in Serbia

The Roma population is the most threatened ethnic minority in Serbia. The Roma are victims of racial discrimination, they are rejected by the rest of the society and they find themselves in extremely difficult living conditions.

The difficult social and economic situation of Roma is among the main factors that impede them from providing schooling and decent living conditions for themselves. On the other hand, a low educational profile leads to further poverty for the entire population and to the impossibility of providing conditions for a better life. Moreover, the strongest prejudices in Serbia are against the Roma, and all research indicates that the biggest ethnic distance is kept towards this community<sup>34</sup>.

The facts on the number of educated Roma best indicate the discrimination against the Roma ethnic community. The data of the 2002 census show that only 21.9% of Roma finish elementary school, 7.8% secondary school and only 0.3% has higher education. The problem Roma have with schooling is not only a consequence of their poverty, but is also determined by other factors. The Roma suffer discrimination both on the occasion of enrolment into schools and during the schooling itself. Children from this community are usually placed in special schools for mentally retarded children. This is clearly shown by the fact that almost 80% of pupils in such schools are Roma children. So far the state has not even tried to change such a tendency; besides the explanation that these children don't know the Serbian language, another usual excuse is that in the case of cancellation of such procedures, many people in those schools would remain without work<sup>35</sup>.

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<sup>34</sup>See researches by the Ministry for Human and Ethnic Minority Rights in 2004.

<sup>35</sup>Youth Initiative for Human Rights researcher's interviews with representatives of Roma NGOs in Niš in 2004.

The poverty of Roma is also connected to a lack of adequate living conditions, proof of which is the fact that a great number of citizens of Roma nationality live in unhygienic dwellings without houses built of solid materials, and without water, electricity and other prerequisites for a normal life. For the time being, the State solves these problems very seldom, and even when it does, it only brings ad hoc decisions, usually under pressure from international and non-governmental organizations. Although removing unhygienic dwellings and providing these people with alternative dwellings should be among the priorities of the government, this has not started seriously in any town in Serbia. The city of Belgrade, which has, at least in words, shown the most enthusiasm for such a project, has met not only financial problems but also problems caused by deeply enrooted prejudices and stereotypes among the non-Roma population. For example, in 2003 the citizens of Zemun Polje organized protests against Roma settling in their neighborhood under the slogan "Zemun Polje – better without Gypsies".

Violence against Roma is a common occurrence in Serbia. In the last few years, a tendency towards an expansion of racism in Serbia has become evident<sup>36</sup>. This occurrence is mostly connected with organized groups of young men such as skinheads and similar groups that organize themselves with the aim of spreading racism, anti-Semitism and promoting the ideology of fascism. Their victims are mostly citizens of Roma nationality, while the police, Public Prosecutor, courts and political elites often fail to react in an adequate manner, thus contributing to the further expansion of such groups and unrestrained dissemination of their ideas.

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<sup>36</sup>See *Publications by the Helsinki Committee for the Protection of Human Rights in Serbia*.

## Implementation of the Framework Convention for the Protection of National Minorities in Niš

### Freedom of Ethnic Expression and Prohibition of Discrimination and Assimilation

According to the census of 2002, the Roma population today amounts to 108,193<sup>37</sup>. There is a conviction shared by researchers and non-governmental organizations that the number of Roma is much higher. The reasons for such a mistake in the census are usually explained by pointing out that Roma fear to declare themselves; often they conceal their nationality to avoid negative reactions, as well as unscrupulous census-takers who avoid unhygienic dwellings with a great number of Roma living there<sup>38</sup>. The estimates on the number of citizens of Roma nationality range from 400,000 up to one million. The situation is similar in the city of Niš, where 5,687 persons of Roma nationality are living, according to the 2002 census results. The representatives of all non-governmental organizations and political parties in Niš that the researcher of the Youth Initiative talked to at the end of 2004 said that this number must surely be over 15,000 persons<sup>39</sup>.

### Right to Freedom of Religion

The observance of religious rights of Roma in Niš depends on which religion they belong to. The majority of citizens of Roma nationality are of Islamic religion. After the mosque in Niš was set on fire on 17th March 2004, the rights of believers of the Islamic religion were threatened, because the members of this religion have been impeded from performing their religious services. The religious rights of the Roma who are members of the Serbian Orthodox Church have not been threatened.

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<sup>36</sup>Taken from the *Census of Population, Households and Apartments in the Republic of Serbia, from the year 2002*, Republican Institute for Statistics. See *Publications by the Helsinki Committee for Protection of Human Rights in Serbia*.

<sup>38</sup>Youth Initiative for Human Rights researcher's interviews with representatives of Roma NGOs in 2004.

<sup>39</sup>Youth Initiative for Human Rights researcher's interviews with representatives of NGOs and political parties in Niš in 2004.

Representatives of Roma non-governmental organizations told the Youth Initiative for Human Rights researcher that there is a problem for Roma that belong to small religious communities, who are afraid to speak in public about their problems and often conceal their religious identity<sup>40</sup>.

### **Right to Receive Information in Mother Tongue**

A program in Roma language is broadcast in Niš on RTV Nišava, a private media partly financed from the budget of the City Assembly of Niš. There are no printed media in Roma language.

### **Right to Official Use of Language**

The right to official use of language is not observed in the city of Niš. State representatives claim that the reason for this is that a standardized version of the Roma language does not exist. The Serbian Academy of Science and Art has for some years now been working on a project to standardize the Roma language, but for the moment no results have been published.

### **Right to Education in Mother Tongue**

Education in Roma language exists only in the form of additional classes in certain elementary schools in Niš. In these additional classes, children are helped to comprehend the curriculum, which they learn in the Serbian language. This form of education is necessary because children of Roma nationality cannot follow the curriculum well in the Serbian language, or comprehend the curriculum at the same pace as their schoolmates for whom Serbian is the mother tongue.

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<sup>40</sup>*Youth Initiative for Human Rights researcher's interviews with representatives of Roma NGOs in 2004.*

## Right to Participate in Public Authorities

The Roma have no access to public authority organs. There is only one councilor of Roma nationality in the City Assembly, whereas in the bodies of the executive power there are no members of this ethnic community. There are also no Roma in the Republic organs, courts, Public Prosecutor or the police<sup>41</sup>. This condition is mainly the consequence of an insufficient number of persons with high education among the Roma population.

## Racial Segregation

In Niš there is also the problem of segregation among children on racial grounds. The Vuk Karadžić School, near the large Roma dwelling Crvena Zvezda, has always had a significant percentage of children of Roma nationality. However, in the past few years, the percentage of Roma children has risen at a tremendous pace, and currently around 80% of pupils in this school are of Roma nationality. More and more parents of children who are not of Roma nationality are avoiding sending their children to the school and send them to other primary schools in Niš. Other primary schools in Niš don't accept children of Roma nationality at all, but direct them to this school instead, using the term "Gypsy school"<sup>42</sup>. This is how segregation is fostered in the schooling system. This occurs in many countries of Eastern Europe; in Serbia it is a recent phenomenon and for the moment the education authorities fail to make any reaction to it. Besides the fact that it is explicitly prohibited by documents of the OSCE and the Council of Europe, school segregation, as well as similar occurrences among sections within a school in some other places in Serbia (Bujanovac, Subotica), this will deepen the gap between Roma and others and create even bigger antagonisms between ethnic groups in the country.

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<sup>41</sup>Youth Initiative for Human Rights researcher's interviews with representatives of Roma NGOs in 2004.

<sup>42</sup>Youth Initiative for Human Rights researcher's interviews with representatives of Roma NGOs in 2004.

## Violence against Roma

Violence against Roma escalated in 2004, especially in Niš. The most drastic cases happened at the beginning of May 2004, when Ema Jusufović and her son Sebastijan were beaten. This racially-motivated violence was committed by two members of a skinhead movement in Niš, who also insulted the beaten persons on racial grounds. The police reaction was utterly inadequate: the two aggressors were handed to the relevant authorities, but they were released. That evening, the same persons beat Sebastijan's father, using numerous racist insults. In precedent cases, instead of lodging criminal charges for the offence of incitement and instigation of racial, religious and national hatred, discord and intolerance, the police filed infraction charges, which was an additional encouragement for all extremist groups and individuals and a message that there are no serious consequences for mistreating and beating people who are different in any way. After a strong public reaction, adequate criminal charges were lodged, so that a stop has been put to such a negative tendency, at least temporarily.

At the beginning of May 2004, racist graffiti appeared on the Vuk Karadžić School in Niš. The graffiti said: "We burned the mosque, now we'll burn you. We start with the youngest." and "Cops won't be enough for you", with swastikas and symbols of a skinhead movement. This provocation resulted in a temporary suspension of classes in the school, because the parents refused to send their children to the school fearing that something would happen to them.

The latest incident in Niš happened on 20th February 2005, when three persons attacked 19-year-old Robert Dimić and minor E.C, both of Roma nationality. The police lodged criminal charges against the perpetrators for the incitement of racial, national and religious hatred and intolerance.

## Report from the Forum in Niš

On January 20th 2005, a Forum was held in Niš on the subject of the situation of Roma in Niš after the accession to the Framework Convention for the Protection of National Minorities.

**Rašid Kurtić**, Vice President of the National Council of Roma, spoke on the subject of the "Roma situation in Serbia". At the beginning, he stressed the importance of the Framework Convention, and then he briefly explained the history of its acceptance. Kurtić then mentioned the Law on Protection of Rights and Freedoms of National Minorities, which was passed in February 2002, wherein the Roma have been given the status of a national minority. He also mentioned the accepted draft of the Strategy for Integration and New Authorizations to Roma in Serbia and Montenegro, and suggested that this was due to very positive changes in the legislation. This strategy went through public discussion and was also accepted by the National Council of Roma in 2004, so now only the Government of the Republic of Serbia has to accept it.

However, in spite of these positive changes, the situation of the Roma population in Serbia is, according to Kurtić, very worrying. Firstly, Kurtić pointed to the problem of the nonexistence of antidiscrimination laws which, in his words, are conditions sine qua non for the observance of Roma rights. The application of measures of affirmative action in favor of Roma as a group, which is certainly a minority under the burden of historical discrimination, should be something that is insisted upon. Today these measures are not prescribed uniformly and overwhelmingly; instead, they may be found in certain legislations, so there is no benefit from their application on the ground. Serbia and Montenegro have done another significant thing for members of the Roma ethnic community, and that is to recognize the competence of the UN Committee for Elimination of Racial Discrimination to decide on particular petitions submitted by individuals or groups complaining of discrimination. Nevertheless, a problem is a decision by the former Federal Government according to which the final decisions on such matters at

the domestic level rest with the Federal Constitutional Court, which does not exist anymore, whereas the juridical vacuum has not yet been filled.

Regarding education, Kurtić emphasized that children of Roma nationality are in a very difficult situation. The reason for this is, above all, the fact that these children are discriminated against, so they are often sent to schools for retarded children, either for their insufficient knowledge of the Serbian language or for other reasons. Even when they enroll in regular schools, these children are subject to mistreatments, they are separated from other children, and lately there is the problem of segregated schools, as in the case of the Vuk Karadžić School in Niš.

Kurtić presented the fact that among 111,660 children that attend pre-school education, there are not more than 200 Roma children, whereas the State offers no assistance through alternative forms of pre-school education. There is also a problem with measures of affirmative action for high-school children. According to Kurtić, the National Council of Roma has submitted a request that 260 children be enrolled in high-schools by way of affirmative action, but the former Education Minister Ljiljana Čolić allowed only 40. Although she has now left this office, the proposal for all the children to be enrolled in high-schools has not been accepted.

Habitation is another urgent problem. In Rašid Kurtić's words, besides forced displacement and the destruction of unhygienic dwellings without providing alternative dwellings, the Roma are also threatened by the conditions that are present in such dwellings. Namely, they are often buildings made without solid materials, there is no water or electricity in such dwellings, the garbage is not collected from there and usually there is no sewerage system. For all these reasons, fire and epidemics break out, but this is very rarely mentioned in the media.

The Roma are also victims of discrimination regarding access to health care. There are cases registered last year in Kikinda and Srbobran that an ambulance refused to provide help to injured persons of Roma

nationality. In Rašid Kurtić's words, a great number of Roma have no health insurance, while Roma from Kosovo, who usually don't have any kind of identification, are certainly the most threatened.

At the end, Rašid Kurtić presented disturbing facts that, according to UNDP study results, more than 80% of the Roma have no confidence in any party or organization representing them, whereupon he appealed that more should be done in order to establish this confidence.

**Jovan Živković** of the Good Action Society stressed that activities must be undertaken on three fronts. The first is additional work on the juridical framework, the second is engagement for regionalization and the third is the struggle to change the citizens' consciousness. As for the juridical framework, in his words, it is very important to pass the Law on Minority Protection—but at the level of Serbia, which would make minority rights concrete—then to pass the Law against Discrimination and, finally, it is necessary to introduce a precise law on national councils which would regulate the matter of election to and jurisdiction of such bodies. He also pleaded for changes in election legislation that would allow national minorities to be present in authority organs.

According to him, the key for the Roma situation is personal autonomy. This is possible to achieve only if the unitary concept of the state is broken. Regionalization cannot be carried out if it is left to the Municipalities to decide. The decision must be imposed from above, through the new Constitution of Serbia.

**Alija Šaćipović** of G17 Plus pointed to the disturbing fact that more than 80% of Roma neither know to whom to appeal for help, nor are aware of Roma non-governmental organizations. According to him, such NGOs are mostly of a closed character – family organizations that work very little on helping the citizens. There are very few educated Roma engaged in such organizations and there is no point in asking for help from the Municipality or the State when the Roma are not engaged with themselves.

**Ana Šaćipović** of the YUROM Center expressed her opinion that in reality the Framework Convention is applied very little. According to her, the problem is that people who are not Roma, and who do not know the real needs of the Roma, are often the ones who represent their rights.

**Miodrag Radović** from the City Assembly of Niš apologized in the name of Vladimir Domazet, President of the City Assembly, who was prevented from coming. He expressed his conviction that the City Assembly has helped a lot regarding minority rights, although this was often just extinguishing fire. According to him, the main problem is that there are no mechanisms at the local level to solve things in the right way. Decentralization is certainly the main prerequisite for the improvement of this situation. Even the good laws which are passed at the level of the Republic cannot be implemented locally, because there are no adequate means and there is no entity between the Republic and local level that could intervene. The problem is also that there is no clear will by part of the State to solve such matters. In Radović's words, the problem of observance of minority rights must be considered at the highest level and a particular strategy must be adopted in order to undertake the systematic resolution of problems. The City Assembly of Niš tried to resolve problems, mostly through Mr. Osman Balić, who was some sort of link between the government and the non-governmental sector, but this was not enough because they don't have real power in their hands. At the end, he called on the participants to avoid falling into the trap of mutual disagreements and, rather, to try to come together towards a solution.

In his second speech, **Rašid Kurtić** agreed that there are legislation problems that need to be solved in order to improve the Roma situation. He especially pointed to the electoral laws which practically impede the Roma from entering Parliament, both at the level of the Republic and locally. The problem is that not one party has a program for the Roma, so people from these parties cannot represent the Roma. According to him, the previous authority in Niš didn't do much for the Roma and it even refused to inaugurate the Council for Interethnic Relations, with the explanation that such a project is too expensive.

Kurtić concluded that in this country there is not one single party that is not nationalist and that Roma must rely on themselves.

In the second part of the Forum, **Osman Balić**, President of the YUROM Center, gave a speech. At the beginning, he spoke about the history of the Framework Convention, and then he explained the purpose of this document and the obligation of the State to observe it. He especially emphasized the importance of controlling the implementation of the Convention through alternative reports, which are as strong as State reports and which give a picture of the non-governmental sector's strength today.

Talking about rights from the Framework Convention, Balić expressed his concern that more and more Roma are changing their names and asked why this is happening. On the other hand, intercultural dialogue is, according to him, very developed in Niš, which he illustrated with examples from the film festival in Niš, which opened with the Roma hymn "Đelem, đelem". According to Balić, such examples show that the Serbian people are tolerant and that there is space for these relations to improve even more. With regard to minority protection, he praised the police for having cleared up all important cases of ethnic conflicts, and especially emphasized the fact that Niš is the first town where a skin-head was sentenced to prison for the incitement of racial, religious and national hatred.

He said that this Convention only represents a framework, whereas states have an obligation to pass such laws as are appropriate to local circumstances, and this is a task where copying won't do. As a bad example of copying, he pointed to the Law on Local Self-Government, which is the reason why today many municipalities in Serbia, including Niš, do not function. Balić especially underlined that there is a great distance towards the Roma population and that it is not hatred but scorn. Therefore, everything should be enacted cautiously, measures should be carefully undertaken so as not to cause even greater damage. He also added that today the issue is no longer classic human rights; instead, attention is given more to economic and social rights, and the Roma too should be inter-

ested in those issues, because it is very important to determine the economic strength of the population, as well as what should be done to improve such a situation. In this context, he also mentioned the World Bank program "Roma Decade". Nevertheless, not everything goes well in this program, above all due to the lack of interest of the member states and also due to unwillingness to find means to help the realization of the already determined projects.

Professor **Dragoljub Đordjević**, a sociologist and researcher of Roma from Niš, pointed to the Roma national and cultural identity and expressed his opinion that the elite should use what is written in the Convention, above all with regard to the protection of religion, language, tradition and cultural heritage. Since the State has an obligation, according to the Convention, to protect these things, the Roma elite should make an effort to force it to comply. According to Đordjević, as for religion, there are no special problems, except that a small distance exists towards the Roma who join small religious communities. As for language, the Roma haven't done a lot to protect the Roma language. A strong demand should be directed towards the State to help the foundation of a Department for the Roma Language at some of the Universities. This would also improve the educational structure of the Roma. This is, in the first place, in the competence of the National Council, which should insist on this issue.

According to Đordjević, the Roma tradition cannot be preserved and developed in an amateur way anymore. This means that professional institutions should be founded that would deal with all aspects of culture and tradition. For this purpose, help should also be asked from the State, especially for the foundation of "Matica", Institute and similar institutions. It is vital to provide publication of a Roma Encyclopedia, which is of major importance for the preservation of tradition, so financial means should be asked both from the State and from individuals who can give a certain sum. The situation is most difficult with regard to cultural heritage, because nothing is being done to preserve relevant documents. This should be done by an institution like a Museum, Archive or similar. Here also, as in previous issues, it is necessary that the National Council takes firmer action towards the State.

**Saša Stamenković**, representative of the Niš Municipality of Crveni Krst, made a promise that the Municipality will do everything in its power to help the Roma. He praised the achieved cooperation with RTV Nišava which has a program in the Roma language and he announced future assistance for this media. He also presented the fact that a meeting is already scheduled with the representatives of the National Council of Roma and said he expected that at this meeting, activities will be adopted that will contribute to a solution of problems at the local level.

## Conclusions on the Situation of Roma in Niš

On the basis of the information collected during the elaboration of this Report, the Youth Initiative for Human Rights has made the following conclusions regarding the implementation of the Framework Convention for the Protection of National Minorities:

1. There is enormous ethnic distance towards the Roma in society, and this distance sometimes becomes manifest through attacks and menaces to the safety of the members of this ethnic group.
2. A great number of Roma live in unhygienic dwellings without basic living conditions, for example electricity, water, sewerage and other.
3. So far, the city authority of Niš hasn't found a model to move people out from such dwellings and to provide an alternative dwelling for them.
4. Some 80% of children of Roma nationality do not attend elementary school. The reason for this is often poverty, parents' negligence, but also obstacles in schools, like discrimination, mistreatment and humiliating behavior.
5. Most of the members of the Roma ethnic community that enroll in schools are sent to the so-called special schools, i.e. schools for retarded children. Such a practice has been going on for more than 20 years and is usually based on discrimination, lack of knowledge of language or an inadequate form of questionnaire.
6. In the Vuk Karadžić elementary school in Niš today, more than 80%

of children are of Roma nationality, which is the first case of a racially-segregated school in Serbia. Such a situation occurs because the parents of non-Roma children are not willing to send their children to this school, but also because other schools have a policy of sending the children of Roma nationality to the Vuk Karadžić School, with the recommendation that it is a "Gypsy school".

7. Last year there were some severe attacks on members of the Roma ethnic group. In most of the cases, the perpetrators of these offences were discovered and criminal charges against them were lodged. Still, there were cases in the past when infraction charges were filed instead of other criminal charges and usually the cases ended with light financial or conditional sentences. This certainly had an encouraging influence on the perpetrators of these offences. It seems that in the latest incidents such a negative practice was abandoned.
8. A Council for Interethnic Relations has not been formed in Niš because, according to the 2002 census results, there are not enough minority members. The fact, which hasn't been questioned by anyone, that the number of Roma is considerably higher than the census indicated, was disregarded with the explanation that it would be too expensive for the City to form such a body.

### **Proposals for the Improvement of the Situation of Roma in Niš**

It is necessary to make a plan to move the inhabitants of unhygienic dwellings, as well as to provide alternative dwellings for these people. If the authority decides to destroy these dwellings without finding a solution for their inhabitants' dwelling problem, the problem will soon emerge in some other place.

The State has an obligation to provide equal treatment for children of Roma nationality upon their enrolment in schools. For this purpose, it is necessary to reconsider the enrolment policy and especially enrolment in schools for retarded children.

In order to overcome the language and psychological barrier, the practice already existing in some of the elementary schools in Niš, that trained persons of Roma nationality provide assistance to the children of Roma nationality to comprehend the curriculum, should be continued.

Segregation in education is prohibited, pursuant to the documents of the OSCE and the Council of Europe, therefore the authorities are obliged to carry out measures to put a stop to this process in Niš. Special attention should be paid to the Vuk Karadžić elementary school, but also to other schools the city.

Cooperation between local authorities (both the City itself and the City Municipalities), the representatives of the National Council of Roma, and non-governmental organizations engaged in the protection of human rights should function better in order to identify and resolve problems better and faster. Despite the census results, a Council for Interethnic Relations should be established in the city, which could tackle all issues important both for the Roma and for members of other ethnic groups living on the territory of the City of Niš.

The police must be prompt in acting against all perpetrators of ethnically or racially motivated criminal offences. For this purpose, more attention should be paid to prevention, which can be achieved through educational and information programs. In cases when it is clear that the attacker's motive was ethnic, religious or racial hatred, there should be no dilemma that it is a case of a criminal offence and not an infraction.

## Appendix

### List of participants of the Forum in Niš:

- Miodrag Radović, City Assembly of Niš;
- Dragoljub Đorđević, Faculty of Mechanical Engineering;
- Aladin Jumerović, NGO "Ecology";
- Ferhad Saiti, NGO "Bahtalo Drom";
- Hasan Kamberović, G17 Plus;
- Osman Amzić, NGO "Zajdebasca";
- Alija Šaćipović, G17 Plus;
- Ana Šaćipović, YUROM Center;
- Dragan Radovanović, Municipality of Palilula;
- Saša Stamenković, Municipality of Crveni Krst;
- Zajda Osmanović, Humanitarian Association of Roma;
- Jovan Živković, Good Action Society;
- Danijela Stevanović, Power of Serbia Movement;
- Darko Osmanović, NGO "Amari Phuv";
- Osman Balić, YUROM Center;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.

# Municipality of DIMITROVGRAD

Research and Forum were realized  
in cooperation with Helsinki Committee for the  
Protection of Rights and Freedoms of Bulgarians,  
Dimitrovgrad



# Implementation of the Framework Convention for the Protection of National Minorities in the Municipality of Dimitrovgrad

## General Data on the Municipality of Dimitrovgrad

The Municipality of Dimitrovgrad is situated in the southeastern part of Serbia, near the frontier with Bulgaria, and it is one of two Municipalities in which, according to census results, the majority of the population consists of citizens of Bulgarian nationality. The town was given this name in 1951 after Georgi Dimitrov, the first Secretary of the Communist International (Comintern). In spite of constant requests made by political parties and non-governmental organizations to return the town to its old name of Caribrod, it has still not been changed. The last attempt was made in a referendum held in September 2004, when the majority of citizens failed to turn out, so the town remained with the name imposed on it during the time of Communist party rule.

## Political Situation

The Socialist Party of Serbia (SPS) was in power in the Municipality of Dimitrovgrad until 2001 and, unlike many multiethnic areas in Serbia, nationally homogeneous parties did not gain enough support to enter into local government structures. Although it was established very early, back in 1992, the Democratic Union of Bulgarians in Yugoslavia (DUBY), as the national party of the Bulgarian ethnic community, only in the year 2004 entered into the coalition which, after local elections, formed the Municipal government. According to statements given to the Youth Initiative for Human Rights' researcher, the main reason for the weak support of the citizens for the DUBY are the divisions within the party's leadership, as well as fear among the citizens<sup>43</sup>. During the last decade of the past century, this fear was spread by Serbia's political elites and regime media, which was the

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<sup>43</sup>Interview with representatives of DUBY and Helsinki Committee for Protection of Rights and Freedoms of Bulgarians, conducted in 2004 by the Youth Initiative for Human Rights' researchers

cause of a weak union and low public appearance of the representatives of the Bulgarian ethnic minority. After 5th October 2000, the local government was replaced and, after a short political crisis, the Serbian government introduced provisional measures to the Municipality of Dimitrovgrad. In pre-term local elections held in the year 2001, victory was won by the Citizens Association of Caribrod (CAC), a newly formed party whose functionaries are former Socialists<sup>44</sup>. A group of citizens that were not satisfied with the return to power of the functionaries of the previous regime reacted in such a way that they broke in violently to the local Radio–Television Caribrod and held this media under their control for more than two months. In recently held local elections in the year 2004, Vladimir Veličkov, Democratic Party candidate, won the direct elections for the President of the Municipality, while the government in the assembly was formed by a heterogeneous coalition consisting of the Democratic Party, Democratic Party of Serbia, Democratic Union of Bulgarians in Yugoslavia, G17 Plus and Democratic Christian Party of Serbia (DCPS).

### **Economic Situation**

According to official statistics, the Municipality of Dimitrovgrad is the poorest Municipality in Serbia. The average salary in 2004 was 2,814 CSD (Serbian dinars), while in the field of industry (without the incomes of budget beneficiaries) the salary amounted to 1,389 CSD<sup>45</sup>. At the same time, the average salary in Serbia was 17,773 CSD. According to official data from the year 2004, the number of unemployed persons amounted to 1,555, from which 739 persons were women, excluding the number of workers of state-owned enterprises that are under bankruptcy and who haven't received their personal income for months. This is the case of the once-biggest companies in the Municipality, such as Rubber Industry Dimitrovgrad (RID) and Clothing Company "Svoboda". The population is mostly engaged in illegal trade across the border, which is the only source of income in many cases.

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<sup>44</sup>Interview with representatives of Democratic Party and DUBY, conducted in 2004 by the Youth Initiative for Human Rights' researchers

<sup>45</sup>Interview with representatives of Democratic Party and DUBY, conducted in 2004 by the Youth Initiative for Human Rights' researchers.

## Implementation of the Framework Convention for the Protection of National Minorities in Dimitrovgrad

### Freedom of Ethnic Expression and Prohibition of Discrimination and Assimilation

According to census results from the year 2002<sup>46</sup>, there are 11,722 inhabitants in the Municipality of Dimitrovgrad; from this number 5,836 citizens are of Bulgarian nationality and 3,005 citizens of Serbian nationality. According to census results from the year 1991, there were 13,488 inhabitants in Dimitrovgrad, which demonstrates that the number of inhabitants has decreased by more than 1,500. On the other hand, the census results show that 1,478 citizens have declared themselves as undetermined, which has not been registered in any other area throughout Serbia. Representatives of the Bulgarian ethnic community told the Youth Initiative for Human Rights' researchers that the citizens fear to declare themselves as Bulgarians, which shows that there are still consequences of the fear that was present during the 1990s<sup>47</sup>. The government of Serbia has done very little to make the citizens feel no fear.

### Right to Freedom of Religion

The investigation performed by the Youth Initiative for Human Rights has shown that the right to freedom of religion is being infringed on in the territory of the Municipality of Dimitrovgrad. Although the majority of the citizens of Bulgarian nationality belong to the Bulgarian Orthodox Church, there are no Bulgarian churches in Serbia. After World War I, all Orthodox temples on the territory of the Republic of Serbia were taken over by the Serbian Orthodox Church. There was a similar problem with the Romanian Orthodox Church, which was resolved by an

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<sup>46</sup>Data taken from *Census of Population, Households and Apartments in the Republic of Serbia, from the year 2002*, Republican Institute for Statistics.

<sup>47</sup>See *Bulletin of the Helsinki Committee for the Protection of Rights and Freedoms of Bulgarians, from 1997*

agreement between the two Churches. In spite of requests by the citizens, the Serbian Orthodox Church has not signed an agreement with the Bulgarian Church, and all religious rites are being performed in the Serbian language. In cases where citizens of Bulgarian nationality finish at the Faculty of Theology, they are not offered a position in the Serbian Orthodox Church, but instead have to look for a job across the border in Bulgaria.<sup>48</sup>

### Right to Official Use of Language

Although both the Serbian and Bulgarian languages are registered in the Statute of the Municipality of Dimitrovgrad as official languages, official use of the language of the Bulgarian ethnic community is almost non-existent. According to data gathered by the researchers of the Youth Initiative for Human Rights, the signs on all the institutions founded by the Republic of Serbia bear inscriptions written only in the Serbian language. The official bodies of the Republic persistently refuse to enforce the law, disregarding requests for the application of relevant legal provisions on the right of official use of language. Proceedings before the Municipal Court of Dimitrovgrad are held in the Serbian language.<sup>49</sup>

The majority of the Municipal councilors of the Municipal Assembly of Dimitrovgrad are members of the Bulgarian ethnic minority; nevertheless all the documents and official decisions of the local self-government are published solely in the Serbian language. In the last four years, only two councilors have used their right to address the councilors from the speaker's platform in their mother tongue.<sup>50</sup> The councilors are not willing to use their legal right, which is clearly shown in the case from the Municipal Assembly of Dimitrovgrad session of October 22nd 2004,

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<sup>48</sup>Interview with representatives of the Helsinki Committee for the Protection of Rights and Freedoms of Bulgarians, conducted in 2004 by the Youth Initiative for Human Rights' researchers.

<sup>49</sup>See Report from the Forum in Dimitrovgrad further on in the text.

<sup>50</sup>Interview with representatives of the Helsinki Committee for the Protection of Rights and Freedoms of Bulgarians, conducted in 2004 by the Youth Initiative for Human Rights' researchers.

when newly elected councilors took the solemn oath. Although the oath was published bilingually, in accordance with the Municipality Statute, only the text in the Serbian language was read out.<sup>51</sup>

Problems with the use of the Bulgarian language exist also in the structures of the Republic. During the census in 2002, contrary to Vojvodina or the Municipalities of Preševo, Bujanovac and Medveđa, where the voting papers were bilingual, the census papers used in Dimitrovgrad were only in the Serbian language. On that occasion, the non-governmental organization Helsinki Committee for the Protection of Rights and Freedoms of Bulgarians submitted a request to the Federal Institute for Statistics, as well as a proposal for a constitutionality evaluation of the Order on Census Papers for the 2002 Census to the Federal Constitutional Court. The Federal Institute for Statistics answered to the Helsinki Committee that "it would be extremely difficult to fulfill the requirements of this request for reasons of translation expenses". On the other hand, the Federal Constitutional Court rejected the proposal for a constitutionality evaluation with the explanation that "the right of the members of the Bulgarian ethnic minority, protected by the Constitution, has not been violated".

### **Right to Education in Mother Tongue**

The right to education in a mother tongue on the territory of the Municipality of Dimitrovgrad has not been applied since 1960, when education of citizens of Bulgarian nationality in their mother tongue was annulled. Although at the beginning of the 1990s the question of education in a mother tongue was raised again,<sup>52</sup> this right has not been achieved due to a lack of interest among the majority of citizens of the Bulgarian ethnic community in Dimitrovgrad. The Law on Protection of Rights and Freedoms of National Minorities acknowledges the right to education in a mother tongue.

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<sup>51</sup>Source: Helsinki Committee for the Protection of Rights and Freedoms of Bulgarians.

<sup>52</sup>Interview with representatives of DUBY. in 2004.

In schools on the territory of the Municipality of Dimitrovgrad, the Bulgarian language is studied as an elective subject two times per week. This number of classes is a consequence of the decision of the Ministry of Education and Sport of the government of the Republic of Serbia to reduce the number of classes on the Bulgarian language from the school year 2004/05, from three to two classes per week, in accordance with the provisions of the Law on Education Basics of the Republic of Serbia.

### **Right to Participate in Public Authorities**

Bulgarians in Dimitrovgrad take part in the work of bodies of local self-government. The majority of councilors of the Municipal Assembly and members of the Municipal leadership are of Bulgarian nationality. The citizens of the Bulgarian ethnic community are also equally represented in subsidiary institutions of the Republic.<sup>53</sup> The representatives of the Bulgarian ethnic community told the Youth Initiative's researchers that the main problem is the small representation of Bulgarians in border police. The police often state that citizens from communities where borders are situated are not employed in border police departments in order to prevent corruption and illegal business.

### **Report from the Forum in Dimitovgrad**

On January 21st 2005, a Forum was held in Dimitrovgrad regarding the situation of Bulgarians in Dimitrovgrad upon joining the Framework Convention for the Protection of National Minorities.

Until now the Bulgarian ethnic community has not received significant

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<sup>53</sup>*Interviews with representatives of political parties and of the Helsinki Committee for the Protection of Rights and Freedoms of Bulgarians. in 2004.*

attention and not one of the problems that Bulgarians had during the 1990s has been resolved yet. The situation in Dimitrovgrad is also characterized by huge poverty, omnipresent criminal activity and especially smuggling across the border. According to official statistics, the Municipality of Dimitrovgrad is the poorest Municipality of Serbia and the average salary in December 2004 was in the amount of 2,814 CSD, while at the level of the Republic this sum amounted to 17,773 CSD. This is how Zdenka Todorov, President of the Helsinki Committee for the Protection of Rights and Freedoms of Bulgarians from Dimitrovgrad, described the present situation in the Municipality of Dimitrovgrad.

According to Todorov, the problem of schooling in the mother tongue is also present in Dimitrovgrad. There is no education in the Bulgarian language, whereas Bulgarian language with elements of national culture is being studied as an elective subject. "Starting this semester, by the decision of the Ministry of Education of Serbia, the number of classes has been reduced from three to two, so in Dimitrovgrad the Bulgarian language is in danger", said Todorov. According to her, the solution should be identical to the one in Bosilegrad, another Municipality in the south of Serbia with a Bulgarian majority, where an official resolution has been passed that classes should be held in the Bulgarian language. "However, for the moment in Dimitrovgrad there is no interest in starting such an initiative and people are scared to have their children take classes in the Bulgarian language, because it is looked upon as some sort of handicap", said Todorov.

The President of the Helsinki Committee for the Protection of Rights and freedoms of Bulgarians stated that there are also problems in the Municipal administration, which does not issue documents in the Bulgarian language nor does it use this language at all in official correspondence, although this has been prescribed not only by the law and conventions but also by its own Statute. This matter should be raised in public and bigger pressure should be applied to the Municipal Assembly to respect its own regulations. This is important also for the fact that many citizens must obtain documents for taking dual citizenship, only to subsequently face great expense to translate them into Bulgarian. On

the other hand, in the census of 2002 the census papers were printed solely in the Serbian language. When the Helsinki Committee of Bulgarians addressed the Federal Institute for Statistics, it received the answer that the Bulgarian minority is too small and that printing papers in Bulgarian would bear great expense. The Federal Constitutional Court also ascertained that on this occasion there was no infringement of the provisions of the Constitution, and that the rights of the Bulgarian ethnic community, guaranteed by the Constitution, have not been violated.

The Bulgarian ethnic minority has problems with the Church because, since 1918, the Bulgarian Orthodox Church has been banned on this territory and all its temples have passed into the possession of the Serbian Orthodox Church. There are no adequate agreements between the two Churches on this matter, which is not the case with the Romanian Orthodox Church, so there are no religious services in the Bulgarian language. Recently there was a case involving two clergymen from Dimitrovgrad who graduated in Sofia and, for that reason, have been banned from working on the territory of this Municipality. Such an attitude by the Serbian Orthodox Church forces young people who finish religious schools to move to Bulgaria to look for a job.

**Nikolajča Manov**, Secretary of the Cultural Center of Dimitrovgrad, stated that, in his opinion, the Bulgarian minority has a problem with judicial organs. As an example, he stated the case of Nebojša Ivanov, functionary of the Bulgarian National Council, who was convicted of instigating racial, religious and national hatred, a conviction which was also demanded by the Helsinki Committee of Bulgarians.

**Zdenka Todorov** answered that it was a classic case of instigation of national hatred and that Ivanov called a female citizen of Serbian ethnicity a 'Serbomaniac' and threatened to "send her back to Niš". According to Todorov, the Ivanov case was not a case of a threat to the Bulgarian ethnic minority, and that the Helsinki Committee of Bulgarians will always protect people regardless of their ethnicity.

**Marko Šurev** of the Democratic Union of Bulgarians in Yugoslavia stressed that the number of Bulgarians has been reduced to something over 20,000 persons, whereas before World War II there were more than 100,000 persons. According to him, it is proof that on this territory there is massive emigration and violation of human rights. Besides emigration, many people even nowadays fear to say that they are Bulgarians, because of the propaganda carried out in order to entirely assimilate the Bulgarian population. He also said that it is impossible to achieve schooling in the Bulgarian language and that the Serbian language is spoken in all nurseries. In his words, public information is also a problem. The only newspaper in the Bulgarian language, "Bratstvo", has uneducated staff which easily tend to take the side of ruling structures, so barely anyone reads this newspaper.

**Predrag Dimitrov**, a journalist, said that the Bulgarian ethnic minority stays within the same circle and that he has been attending these kinds of meetings for 15 years. Although after October 5th 2000 there was a certain change in some aspects of life, that is not enough, especially not for the situation of Bulgarians in Dimitrovgrad. The problems are not being solved, especially ones related to language and education. He stated that special attention should be paid to the new Constitution and decisions suggested therein, especially in the matter of national minority rights. At the end, he said that the problem lies also in Bulgarians themselves, who are very inert and without interest in their situation and rights, so even the name of the town cannot be changed, although everyone calls it Caribrod.

**Goran Igić**, a journalist presently living in Novi Sad, stated that those matters should be discussed, especially the issue of a high-school in such a small town. He also stated that the responsibility of journalists is great, but that there is also great responsibility on the part of the state. He said that Dimitrovgrad has been neglected, that a free customs area exists in Pirot, that in the 1960s areas rich in ore, which could have served to develop the Municipality, were taken away from it, and many similar examples. Therefore it is necessary to start a debate in the structures of the Republic and to urge special assistance to Dimitrovgrad as the most underdeveloped Municipality.

**Vasa Aleksov**, Deputy President of the Municipality of Dimitrovgrad, at the beginning stated that it is a community with very high multiethnic tolerance which is a good basis for further development. According to him, many things which are set forth by the law are not being applied, because of the lack of interest in such things. In that sense, he also mentioned that the majority of the population doesn't speak Bulgarian well, which is a consequence of the fact that it is not studied in schools. As for the Municipal administration's attitude in regard to these rights, Aleksov stressed that the Municipality is willing to print bilingual documents, but that just a few councilors declared themselves as Bulgarians, and therefore this is not being applied. The situation is similar for the local Radio–Television Caribrod, which should receive the status of a minority broadcasting station and hence have legal facilities set forth for this type of station. However, for this purpose the number of programs broadcast in the Bulgarian language, presently under 50%, should be increased.

**Ljubomir Golubović** of the Citizens Association of Caribrod said that thematic roundtables are required for all of these subjects, in order to find specific solutions. According to him, the existing institutions should be analyzed first. For example, the Bulgarian National Council has done almost nothing for the members of the Bulgarian ethnic minority, although it is within the scope of its work to carry out activities regarding language, culture, schooling etc. There are also huge problems with the newspaper "Bratstvo" which is completely biased and in the hands of one faction of DUBY. He especially criticized the National Council for its engagement with the problem of Nebojša Ivanov, when it is evident that it was a case of an infraction of the law, instead of dealing with other numerous cases in which the Court has violated its authorizations.

**Petar Jovanović**, Director of the Center for Culture, underlined that there are no real improvements regarding the Bulgarian ethnic minority. For this he partly blamed the same ethnic minority, which has no initiative and is extremely badly organized. In his words, in a community with 10,000 inhabitants there must be a consensus regarding the major issues, otherwise there are no chances for serious improvement. He also

stated that besides these subjects that are discussed today, the biggest problem remains unemployment which causes all difficulties mentioned regarding language, religion, schooling, health care and other matters.

In the second part of the meeting, journalist **Predrag Dimitrov** made introductory remarks on the observance of the Framework Convention for the Protection of National Minorities in Dimitrovgrad. At the beginning, he emphasized that the Bulgarian ethnic minority is one of the most educated minorities in Serbia and that there is potential for development. In his opinion, the problem is that there are no minority institutions, which causes weak development of language and culture. Dimitrov especially stressed that the economy cannot be the starting point and that the development of culture and minority rights is a prerequisite for the existence of a community. In that sense, it is very important to provide mechanisms for the application of existing legal resolutions, which have no effect, regardless of how good they are, if there are no clear modes for their application on the location. At the end, Dimitrov estimated that the Bulgarian ethnic minority has decisively contributed to the establishment of good relations between Serbia and Bulgaria, so that today these relations are on a higher level than ever before.

Nevertheless, **Goran Igić** repeated that the economy is the most important element and that other rights are easier to implement to one's advantage in wealthy communities. He criticized the state for not having a developed social map and a worked-out system of assistance.

**Marko Šukarev** reproached the Municipality and accused its leadership of helping the assimilation of the Bulgarian ethnic minority. For instance, the Municipal television broadcasts most programs in the Serbian language, all documents are issued in the Serbian language, and even an apartment was given to an Orthodox priest while Bulgarian priests cannot perform religious services in this area. It is especially irritating that female names of Bulgarian nationality are written in official documents incorrectly, so that instead of Šukareva, it is written Šukarev.

**Miroslav Nackov** of the Democratic Party pointed to the problem of diploma validations. It is very difficult to have Bulgarian diplomas validated in Serbia. A lot of young people from Dimitrovgrad study in Sofia, mostly because it is cheaper, but also due to the fact that the Bulgarian government has offered various facilities to such students. He said that during the 1990s a process of systematic assimilation of the Bulgarian ethnic minority was being carried out and that all institutions of this ethnicity were suppressed. For all the reasons mentioned so far, it is necessary to make programs for the preservation and reconstruction of these institutions.

### **Conclusions on the Situation of Bulgarians in the Municipality of Dimitrovgrad**

On the basis of data gathered during the elaboration of this Report, the Youth Initiative for Human Rights has made the following conclusions in regard to the observance of the Framework Convention for the Protection of National Minorities:

1. According to official statistics, Dimitrovgrad is the poorest Municipality in Serbia, a fact that considerably determines the issue of the respect and realization of the rights of the Bulgarian ethnic minority.
2. A negative demographic tendency is present in Dimitrovgrad, so that in the period of 11 years (1991–2002) the population has decreased by more than 13%.
3. The right to freedom of religion is in danger because there are no religious buildings belonging to the Bulgarian Orthodox Church.
4. Bulgarians have minimum representation in the border police services.
5. Despite the fact that the Bulgarian language is one of the two official languages, the local self-government and state organs do not respect the provisions of the Municipal Statute and of the Law on Protection of Rights and Freedoms of National Minorities.

6. In primary and secondary school in Dimitrovgrad, Bulgarian language with elements of national culture is being studied as an elective subject, and as from the current school year there are two classes per week. The initiative from the beginning of the year to form sections that would attend classes in the Bulgarian language failed due to the small number of persons interested in it.

7. Broadcasting in the Bulgarian language is present through the local Radio–Television Caribrod, but even on this station most of the programs are in the Serbian language, so it cannot apply for means–determined assistance to minority media. On the other hand, TV Žurnal, a program in the Bulgarian language that used to inform the citizens in this area and which used to be broadcast on Radio–Television Serbia, was cancelled in 1999, by which Bulgarians lost their program on state television.

8. Finally, in Dimitrovgrad there is a lot of fear of the government, fear to declare one’s ethnic origin in public, as well as an embedded conviction that being a Bulgarian means having problems both in public and in private life.

## **Proposals for the Improvement of the Situation of Bulgarians in Dimitrovgrad**

The Serbian government has the obligation to provide more significant financial assistance to the Municipality of Dimitrovgrad, by reason of its social situation, which indirectly also means assistance to the Bulgarian ethnic minority. These measures may relate to the responsibility prescribed by the Framework Convention for the Protection of National Minorities, by which the State is obliged to provide for the existence of minority communities.

The Bulgarian Orthodox Church should be allowed to construct its religious buildings and to appoint its clergymen in areas where people belong to this religious community. This matter should be resolved by State measures without the interference of other religious communities,

like the Serbian Orthodox Church. Since Serbia is a secular state in which all religions are equal, it shouldn't be left to one Church to determine if someone else may perform religious services in any part of Serbia.

The Municipal Assembly of Dimitrovgrad has the obligation to observe the law and its Statute and to provide bilingualism in its work. This means that all acts of the Assembly must be printed bilingually and that requested documents must be issued in the Bulgarian language to all concerned citizens.

It is necessary to introduce, as soon as possible, education in the Bulgarian language to primary and secondary schools, and also to pre-school institutions. The Bulgarian ethnic community must be informed, through media and other programs of education to the minority population, about the right to education in the mother tongue. Such programs are very important because they would also break the fear present among some citizens that by declaring themselves freely as belonging to the Bulgarian community they would be subject to additional pressure by part of the State.

## **Appendix**

### **List of participants of the Forum in Dimitrovgrad:**

- Zdenka Todorov, Helsinki Committee for the Protection of the Rights and Freedoms of Bulgarians;
- Predrag Dimitrov, journalist;
- Vasa Aleksov, Deputy Director of the Municipality of Dimitrovgrad;
- Goran Igić, Editor in Chief of Kanal 9 – Novi Sad;
- Emil Đurov, National Service for Employment;
- Kiril Mladenov, Serbian Radical Party;
- Nikolajča Manov, Cultural Center of Caribrod;
- Ivan Ivanov, National Library of Dimitrovgrad;
- Ljubomir Golubović, Citizens Association Caribrod;
- Jovan Ružić, Citizens Association Caribrod;

- Aleksandar Petrov, primary school Dimitrovgrad;
- Todor Petrov, journalist;
- Petar Jovanović, Center for Culture;
- Boban Dimitrov, newspaper "Bratstvo";
- Boris Lazarov, Center for Culture;
- Nadežda Stojanović, Radio–Television Caribrod;
- Elena Sokolov, Helsinki Committee for the Protection of of the Rights and freedoms
- Ivica Stankov, NGO Multicultural Center – Dimitrovgrad;
- Silvij Dimitrov, NGO Multicultural Center – Dimitrovgrad;
- Marko Šukarev, Democratic Union of Bulgarians in Yugoslavia;
- Miroslav Nackov, Democratic Party;
- Miodrag Ivanov, independent councilor in the Municipality of Dimitrovgrad;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.



# Municipality of SUBOTICA

Research and Forum were realized  
in cooperation with Local Democracy Agency, Subotica



## Implementation of the Framework Convention for the Protection of National Minorities in the Municipality of Subotica

### General Data on the Municipality of Subotica

Subotica is the second largest town in Vojvodina, located near the border with the Republic of Hungary. The seats of the National Council of the Hungarian Ethnic Minority and the National Council of the Croatian Ethnic Minority in Serbia are situated in Subotica.

### Political Situation

During the past 15 years, nationally-oriented parties were in power in Subotica. At the beginning of the last decade of the past century, the voters of Hungarian nationality in Subotica gathered around the only Hungarian national party existing at that time, Democratic Association of Vojvodina Hungarians (DAVH). Four years later, the party divided, whereupon the Alliance of Vojvodina Hungarians (AVH) was formed, which came to take the leading role among Hungarians. In the following local elections held in 1996 and in 2000, the AVH won the majority of mandates and, with the coalitional support of the Democratic Party (DP) and other minor parties, formed the local government. In the last local elections, held in September 2004, the popularity of the AVH declined, so their candidate Geza Kucera won the direct elections for the President of the Municipality against the DP candidate Oliver Dulić by only half a percent. Still, these two parties formed the government in the Municipal Assembly together, so the AVH still represents an important factor on the political scene of Subotica. Other Hungarian parties (Democratic Association of Vojvodina Hungarians, Democratic Alliance of Vojvodina Hungarians, Civic Movement of Vojvodina Hungarians and Demo-Christian European Movement) achieved much weaker results, and thus in fact some of them exist only on paper.<sup>54</sup>

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<sup>54</sup>See election results for all elections that have been held so far on [www.cesid.org.yu](http://www.cesid.org.yu).

On the Croatian political scene, a national party was formed in 1990, the Democratic Alliance of Croats in Vojvodina (DACV). But soon there arose disputes and divisions, so after numerous attempts, a Croatian National Alliance (CNA) was formed in 1998, mostly from ex-members of the DACV. Due to this division, Croats lost their positions in government bodies on all levels. This tendency was stopped only in the first half of 2004 when, after a change at the head of the DACV, two Croatian parties united into one party which has kept the name of DACV. In the last local elections held in 2004, the DACV entered the Assembly of Subotica and the ruling coalition, whereby through the DP list they also gained a representative at the Assembly of Vojvodina.

Prior to the elections for the Assembly of Serbia in 2003, Hungarian parties had representatives in the Parliament of Serbia. In the elections held in 2000, the AVH was part of the coalition 'Democratic Opposition of Serbia' (DOS) and thus took part in the ensuing government. Jožef Kasa, the AVH leader, was Vice President of the government in the time of Zoran Đinđić and Zoran Živković. In the elections for the Assembly of Serbia in 2003, the coalition "Together for Tolerance", in which the AVH was also a member, didn't manage to obtain the required 5%, and this was the first time since the multi-party system was introduced in Serbia that the Hungarian minority achieved no representatives in the Parliament of Serbia.

### **Economic Situation**

During the 1990s, the economy of Subotica mostly relied on illegal trade, making use of the advantages of being near the border with Hungary. This form of economy made it possible for the population to survive after the collapse of big public enterprises, such as Motor Industry Sever, Bicycle Factory and others. Illegal trafficking of goods across the border and selling at markets and other places even today remains the only source of income for many citizens of Subotica.

## Implementation of the Framework Convention for the Protection of National Minorities in Subotica

### Freedom of Ethnic Expression and Prohibition of Discrimination and Assimilation

The national attitude of the population of Subotica drastically changed between the beginning of the last decade of the past century and today. The Hungarian population moved out to Hungary, mostly because of the pressure of the armed conflicts, as well as a bad economic situation, while at the same time a great number of Serbs settled from Croatia and Bosnia and Herzegovina.<sup>55</sup> This emigration is especially evident among the Hungarian population, whereby the number of Hungarians in Subotica was reduced by 7,185 persons between two censuses (1991 and 2002). At the same time, there was a huge increase in the Serbian population in this area, which traditionally has a low natural accession, this gives evidence of the mass settlement of refugees from Croatia and Bosnia. The best evidence of this is the following statistical table :<sup>56</sup>

CENSUS	1991.	2002.
Total	150.534	148.401
Hungarians	64.277	57.092
Croats	16.369	16.688
Serbs	22.335	35.826

<sup>55</sup>Interviews the Youth Initiative for Human Rights researcher conducted with representatives of the Hungarian and Croatian ethnic communities in 2004.

<sup>56</sup>Data from the Census of Population, Households and Apartments in the Republic of Serbia from 2002, Republican Institute for Statistics.

The armed conflicts in Croatia<sup>57</sup>, Bosnia and Herzegovina and Kosovo were the main reason for the emigration of the Hungarian population. Most of the citizens moved out at the beginning of the 1990s, during the armed conflicts in Croatia. At that time, minority communities were often suspected of "unsatisfactory patriotism" or even of treason against the country. The Yugoslav Army corps of Novi Sad played one of the key roles in the conflicts around Vukovar, Osijek and Vinkovci. Many citizens from Vojvodina, including members of ethnic minorities, were mobilized into this corps. The mobilization was one of the reasons that people left Serbia, especially young people. Moreover, the increased economic growth of Hungary, in comparison to economically-depleted Serbia, influenced many Hungarians in deciding to move out from Subotica forever.

### **Right to Freedom of Religion**

The religious rights of Hungarians and Croats in Subotica are not threatened. The members of both ethnic communities mostly adhere to the Roman Catholic Church. This Church is not disturbed in performing rituals in its places of worship and it is one of six religious communities that have been legally declared to be traditional on the territory of the Republic of Serbia.

### **Right to Receive Information in Mother Tongue**

Radio Subotica is a local media with editorial offices in the Hungarian and Croatian languages that broadcast programs. Radio–Television Novi Sad also has an editorial office in the Hungarian language, whereas a program in the Croatian language, "TV Sofas", was cancelled in 2004 by the decision of the RTV Novi Sad Director. Litigation between the journalists and the editorial office is still in process. Representatives of

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<sup>57</sup>*Interview the Youth Initiative for Human Rights researcher conducted with representatives of the Hungarian and Croatian ethnic communities in 2004.*

the Croatian ethnic community told the Youth Initiative for Human Rights' researcher that such a decision is a classic threat not only to minority rights, but also to media freedoms.<sup>58</sup> Pursuant to the Decision of the Assembly of the Autonomous Region of Vojvodina, the founding rights over printed media which are published in the languages of ethnic minorities have been transferred since 2004 to National Councils. "Magyar Szó" is the media of the Hungarian ethnic minority, whereas "Hrvatska riječ" is of the Croatian ethnic minority.

### Right to Official Use of Language

The official languages in Subotica are Serbian, Hungarian and Croatian. All institutions at the local level abide by this decision. Personal identifications may be obtained in all three languages. On May 22nd 2003, the region of Vojvodina<sup>59</sup> made the Decision on Closer Regulation of Certain Matters of Official Use of Language and Alphabet of National Minorities on the Territory of the Autonomous Region of Vojvodina, wherein this matter was regulated in more detail. As for the names of places, the National Councils have been given, pursuant to this Decision, the competence to determine traditional names of places in minority languages, which would subsequently be written on official signs. Presenting the results of supervision over the application of this decision, the Regional Secretariat of Administration, Regulations and Ethnic Minorities has determined that there is still strong opposition to placement of these signs, especially in places where the majority of the population is of Serbian nationality. It has also been warned that regional units of the institutions of the Republic mostly fail to apply adequate regulations, for example the Republican Revenue Board, National Bank of Serbia, Republican Unemployment Exchange, as well as departments of the Ministry of Internal Affairs of Serbia and units of the Army of Serbia and Montenegro.<sup>60</sup> If the Secretariat remains persistent in the imple-

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<sup>58</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of the Croatian ethnic community in 2004.

<sup>59</sup>Official Gazette of the Autonomous Region of Vojvodina, no. 8/03, of May 22nd 2003.

<sup>60</sup>See statement of the Secretariat's representative in the Report from the Forum in Subotica further below.

mentation of its competence, it may be expected that infraction charges be brought against all the bodies, organizations and institutions that fail to abide by the law and other general acts. Subotica is the only Municipality in Serbia where the Croatian language is in official use. This decision was made in 1993, and after it was contested in 2001 before the Supreme Court of Serbia, it was passed again. The Croatian language is also in official use in the Assembly of the Autonomous Region of Vojvodina. At the end of 2004, in accordance with the provisions of the Law on Rights and Freedoms of National Minorities, an open competition was announced for the presentation of national symbols for the Hungarian and Croatian ethnic minorities, so that they might be displayed at the building of the Municipal Assembly of Subotica.

### **Right to Education in Mother Tongue**

There are primary and secondary schools in the Hungarian language in Subotica, and classes in the Hungarian language are also given at three advanced schools and five Faculties in Vojvodina. Pre-school education in the Hungarian language is also organized for children from 3 to 7 years of age. As from the last school year, there is an opportunity for Hungarian as the mother tongue with elements of national culture to be introduced as an elective subject for children who attend classes in the Serbian language. According to the data of the Regional Secretariat of Education, in the school year 2003/04, besides 8 Hungarians, 25 pupils from Subotica who are not of Hungarian nationality also took this opportunity.<sup>61</sup> Since 2000, conditions for the education of the Hungarian ethnic minority have improved, in the first place because new schools have been opened, like the specialized philological high-school "Deza Kostolanji" in Subotica.

In 2004, there was an initiative for the opening of a Faculty of Pedagogy in the Hungarian language in Subotica as part of the

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<sup>61</sup>See *Report from the Forum in Subotica further below.*

University of Novi Sad,<sup>62</sup> and it received support from the regional government, but not from the Republican Ministry of Education and the University of Novi Sad. Problems also appear when schoolbooks are imported from neighboring Hungary, and last year the imports were cancelled without explanation. The new Minister of Education made the decision to approve the import of schoolbooks again, but there are problems with regard to the technical realization of this idea.<sup>63</sup>

Education in the Croatian language was introduced in the school year 2002/03, but only in elementary schools. There are fewer pupils enrolled in sections that attend classes in the Croatian language than was expected, whereas there is only one pre-school institution in Subotica where classes are held in the Croatian language.<sup>64</sup> There are still no college degree institutions in the Croatian language. Education in the Croatian language used to be held in Subotica even in the years prior to 2002 at the Classic Catholic High-School "Paulinum", as well as through the Bishopric of Subotica, Institute of Theology and Catechism.

### **Right to Participate in Public Authorities**

Hungarians and Croats are not sufficiently represented in the public authority bodies of the Republic, especially in the police. For example, although Hungarians are the majority in nine Municipalities of Vojvodina, only one Chief of the regional unit of the Ministry of Internal Affairs of Serbia is of Hungarian nationality. Equal representation exists in local government bodies in Subotica, as well as in the institutions that are under the competence of the local self-government.

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<sup>61</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of NGOs from Subotica in 2004.

<sup>63</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of the Hungarian ethnic community in 2004.

<sup>64</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of the Croatian ethnic community in 2004.

## Incidents on National Grounds

The past year was marked by numerous ethnic incidents in Vojvodina, including on the territory of Subotica. In the interview given to the Youth Initiative for Human Rights investigator, representatives of the Hungarian and Croatian ethnic minorities expressed their conviction that the motive for these incidents may be found in the fact that it was a period between two important electoral cycles: the parliamentary elections of 2003, when the Serbian Radical Party achieved success whereas the Alliance of Vojvodina Hungarians had poor results, and local and regional elections in Vojvodina.<sup>65</sup> Striving towards a homogenization of their electorate, many parties have tried to gain political points out of such incidents and thus contributed even more to the expansion of an atmosphere of fear and insecurity. The violence of March 2004 in Kosovo and Serbia was one of the reasons for the deterioration of the multiethnic situation everywhere, including Vojvodina. In a period of ten days, in the middle of March 2004, 40 incidents were registered in Vojvodina.<sup>66</sup> One of the most severe incidents took place in Subotica in the middle of October 2004, when Denis Setet (19) was assaulted and beaten up in the town center, near the "Patria" hotel, and the graffiti "Drop dead Hungarians" and "Death" appeared on Setet's family house. After that, the Setet family decided to move to Hungary, where they received citizenship; at the moment they are in a refugee center in Bekesczaba. During the last year, assaults on the Croatian ethnic minority were also registered, including a Catholic cemetery in Tavankut being destroyed, while journalists of "Hrvatska riječ", which is published in Subotica, were also threatened, with a message that "Chetniks of Subotica" will kill them all. The expansion of radicalism in Vojvodina also brought telephone death threats to the Croatian consul in Subotica. All of these events led to a drastic deterioration in multiethnic relations in the whole of Vojvodina, including Subotica; so, at the request of the

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<sup>65</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of the Hungarian and Croatian ethnic communities in 2004. Also, the representatives of NGOs from Novi Sad, such as the Vojvodina Center for Human Rights and Center for Multiregionalism, agreed with this assertion.

<sup>66</sup>Data from the Center for Multiregionalism and Vojvodina Center for Human Rights.

political parties of Vojvodina Hungarians, the Republic of Hungary became involved in this problem, submitting a request to the Council of Europe to protect its compatriots in Serbia and Montenegro. In October 2004, the Council of Europe passed a resolution, wherein it expressed its concern for the situation of the Hungarian ethnic minority in Serbia, and formed a commission to investigate to what extent Hungarians in Vojvodina are threatened. The tensions ceased only after the local elections in September 2004 ended, which confirms the conclusion that this event had a major influence on the entire situation. On the occasion of these incidents, the Republican government reacted too slowly, whereas most of the incidents have remained unsolved by the police. Such inefficient action by the state, together with agitating texts in Belgrade newspapers, was an additional influence that stoked nationalist feelings.

### **Report from the Forum in Subotica**

On February 3rd 2005, a Forum was held on the subject of the situation of Hungarians and Croats in Subotica after the accession to the Framework Convention for the Protection of National Minorities.

**Aleksandra Vujić** of the Vojvodina Center for Human Rights gave a speech on the Framework Convention for the Protection of National Minorities, in which she explained the origins, purpose and ideas of the states who are signatories to the Convention, the concept of the Convention, and mechanisms for controlling the implementation of provisions from the Framework Convention.

An investigation recently undertaken by part of the Vojvodina Center for Human Rights among teachers and school staff showed that there are obstacles to education in minority languages. She especially pointed to a lack of expert personnel and adequate schoolbooks. She emphasized that Hungarians are the ones who are most aware of their rights and that they are the minority which is best organized. This is also evident from their answers, in which they very clearly express the wish to have

education in their own language and to preserve their national culture. She emphasized that the majority nation doesn't have an adequate perception of the minorities, which is to a great extent a consequence of the fact that minority cultures do not exist in the official schoolbooks, as in textbooks of history, language, music, culture etc. Aleksandra Vujić concluded that there is no interest in real multiculturalism; the issue now is whether all of these European documents incite openness and readiness to know about other cultures, or rather lead towards further isolation within narrow national limits.

**Laslo Varga**, Secretary of the National Council of the Hungarian Ethnic Minority, spoke about the official use of language, education and information, being matters within the competence of National Councils. He urged that a subsystem of Hungarian education be formed within the scope of the general system, and even for segregation, because otherwise classes in minority languages are going to disappear. As for the textbooks, he praised the Minister of Education who approved the import of textbooks, emphasizing that now it is important to carry it out in practice, because the imports still haven't been realized. The National Council will endeavour to find the best solutions within the framework of the rationalization and reduction in the number of elementary schools in the entire country, which may cause great problems.

Varga especially emphasized that in the past year two more high-schools in the Hungarian language were opened, one in Subotica and the other in Senta, which is very encouraging. The National Council has further plans to open a school center in Zrenjanin, and maybe also in Novi Sad, where all schools in Hungarian could be located, because the number of pupils does not allow that special buildings be opened for this purpose.

With regard to information, he said that the request by a part of the minorities, that printed media be transferred to the competence of the National Councils, has been accepted. Although there are everyday problems in their application, it is, according to him, the best possible solution. Varga expressed his great discontent with regard to the work

of RTV Novi Sad, especially regarding its attitude towards minorities, and pleaded for a way to be found to give competence to the National Councils, at least for certain programmes in minority languages. The local media will face trouble due to the legal obligation that all of them must be privatized by the end of 2006. According to Laslo Varga, this will lead to the closure of numerous minority media, whereas the solution should be bigger authorizations given to the National Councils.

He then praised the Region's decision to determine in more detail certain matters with regard to official use of language and alphabet, where-in it entitled the National Councils to determine traditional names of places in minority languages and to place these on signs. In his words, the next step should be an amendment to the Law on Official Use of Language and Alphabet, with the purpose of establishing a full legal framework regarding the use of minority languages.

**Ladislav Suknović**, Secretary of the Croatian National Council, said that the situation of Croats has not yet been regulated in the right manner, because they have only been acknowledged as an ethnic minority fairly recently. The fact that there are no high-schools and Universities in the Croatian language also indicates that there are problems. There is only one nursery in Tavankut, a village near Subotica, and pupil numbers in elementary schools are still low. Regarding information, Radio Subotica has a two-hour daily program in the Croatian language, but there are numerous problems on RTV Novi Sad. The case of the program "TV Divani", later "Tragom hrvatskim", which was prohibited and taken off this television station, is well known. Moreover, the result of the entire conflict was that the General Director of RTV Novi Sad brought charges against the editor and journalists of this program.

In the second part of the meeting, Mister **Janos Orosz** of the Regional Secretariat of Administration, Regulations and National Minorities gave an introductory speech. At the beginning, he compared domestic regulations to the provisions of the Framework Convention with the conclusion that we often do have good legal solutions, but that problems appear in their implementation. Speaking about regional jurisdiction, he

mentioned the minority newspapers recently transferred under the competence of the National Councils, but which were ruined during the previous period. At that time, Television Novi Sad entered the system of Radio–Television of Serbia, and it has subsequently been practically devastated. In the meantime, we have been given laws on broadcasting and information which are not being fully implemented. However, problems with RTV Novi Sad remained, so today there is extremely bad communication between minorities and this station. In this context, he stressed that the television station of Novi Sad did not broadcast some very important events organized by some minorities, for instance the Slovakian Festival in the Beer–Tavern. As far as information in the Croatian language is concerned, Orosz pointed out that the only positive thing was the foundation of "Hrvatska riječ" in 2002 by part of the Assembly of Vojvodina.

As for education, he presented statistical data on the number of schools in the Hungarian and Croatian languages in the region and the number of pupils enrolled. Then he repeated the previously–presented facts on the schooling condition and the problems related to expert personnel and the import of textbooks. He explained the regulations at the regional level in relation to the official use of language, emphasizing that one of the minority languages is in official use in 37 out of 45 Municipalities of Vojvodina. He warned that the Law on Official Use of Language and Alphabet is obsolete, especially in the part where it prohibits the use of personal names and names of places in minority languages. Since two years ago, supervision of the application of this regulation is in the hands of the region, so today it is being applied much better. Vojvodina has also made the already–mentioned decision on these matters, wherein it defined the receipt of acts in minority languages, the obligation to provide a translator when the authority in charge doesn't know the minority member's language, and the very important use of personal names. Contrary to precedent practice, these regulations are beginning to be applied and documents are issued with the original names of members of minority communities. The Regional Secretariat also created multilingual forms and ordered the printing of all invoices for the services of public enterprises in all the official lan–

guages in each particular area. After the Regional Secretariat's warning, the organs of the Republic that previously created problems also started to place multilingual signs. He also mentioned the importance of the provision of this decision which prescribes that in places where the percentage of the minority population exceeds 25%, the language of this minority may be introduced into official use solely on the territory of that place. Regarding participation in public authorities, Orosz stressed that the provision which sets forth that minorities should be represented in government bodies doesn't imply a return to the former model of public authority, but only acknowledges the reality and allows these services to work more efficiently. Although the Region requested facts on the national structure in the police, such data were never submitted. As far as other institutions are concerned, there is a problem in the jurisdiction, where Serbs are represented much more in comparison to their proportion in the Region's population.

**Stanka Parać** of the Local Democracy Agency stressed that decentralization is the key issue and it is where the answer lies for most questions regarding minority rights. In this sense, she said that soon we will face new documents from the Council of Europe, like the Charter of Local Self-Government or Charter of Minority and Regional Languages, which regulate these matters more specifically than the Framework Convention. This is important because in this country good results are often annulled by unreasonable acts. For instance, positive solutions from the Law on Minorities are annulled by the law on education. She also expressed her regret regarding weak border cooperation, especially between Serbia and Hungary, because it is a potential for development and a great chance for both countries. A problem has also been made regarding the issue of textbook import, although Serbs in Hungary learn from textbooks imported from Serbia and there is no reason not to allow the same process vice-versa.

**Pavel Domonji** of the Helsinki Committee for Human Rights said that he knows that there are nurseries attended mostly by children of Serbian nationality where teachers who would teach the children the Hungarian language were requested. Such cases serve as good examples; the peo-

ple who request such teaching don't explain their request on cultural grounds, but exclusively economic. According to him, it is also a big handicap for the majority when it is not aware of basic things about the culture of minority communities. On the other hand, due to the obligation to learn the Serbian language, children from minority communities are discriminated against because they have more classes than children of Serbian nationality. At the end, he strongly opposed the formation of educational subsystems for certain ethnic minorities. Instead of this segregation, he proposed as a solution for multilingual communities that the majority nation must have an obligation to learn the language of the ethnic minority in schools. That would be real multiculturalism.

**Svetislav Milanković** of the Local Democracy Agency spoke about the problems of the Croatian community in the field of education. He stressed that he was not sure how it will look in the future, because there is a big problem with teaching staff. The solution might be to form special language schools that would prepare teaching staff, but it is all very uncertain. As far as the formation of special schools in the Croatian language is concerned, Milanković said that he doesn't see a better solution which would preserve national particularity and at the same time prevent assimilation. He concluded that he doesn't see a possibility that in the near future the situation might be like that in the 1970s or even the 1990s, when everyone in Vojvodina knew at least one more language and usually learnt it in their own surroundings, which used to be multiethnic.

## **Conclusions on the Situation of Hungarians and Croats in the Municipality of Subotica**

On the basis of the information collected during the elaboration of this Report, the Youth Initiative for Human Rights has made the following conclusions regarding the implementation of the Framework Convention for the Protection of National Minorities:

1. Multiethnic relations in Subotica are still burdened by tensions that are the result of a series of incidents on ethnic grounds from the last year.
2. Citizens of Hungarian nationality are still moving out from Subotica. Unlike in the 1990s, when such emigration was a consequence of armed conflicts, today the reason for this is above all the economic situation and a better standard of living in neighbouring Hungary.
3. Besides Serbian, the official languages in the Municipality of Subotica are Hungarian and Croatian. The Municipal Administration performs its activities in all three languages, public inscriptions are mostly bilingual (Serbian, either in Cyrillic or Latin letters, and Hungarian), as are names of firms, so the situation in this field is completely within the legal scope.
4. The bodies, organizations and institutions founded by the Republic do not fully abide by the right to official use of language. The Regional Secretariat of Administration, Regulations and National Minorities, which has competence to control legal provisions regarding minority rights, warned that the Republican institutions in Subotica (for example, Revenue Board, Army of Serbia and Montenegro and others) do not abide by the provisions on the placement of bilingual inscriptions.
5. The Municipality of Subotica has made the decision that, besides the state flag, the Hungarian and Croatian ethnic minority flags should be displayed on the Municipality building. This decision is in accordance with the Law on The Protection of the Rights and Freedoms of National Minorities from the year 2002. The National Councils of these two ethnic groups have already announced an open competition for the design of these flags, since according to the law they cannot be identical to their motherland state flags.
6. There exists education in the Hungarian language at all schooling levels in Subotica. A specialized philological high-school in the Hungarian language, "Deze Kostolanji", was opened in 2004. With the support of the Regional Assembly, the Hungarian ethnic community insisted on opening a Faculty of Pedagogy within the framework of the University of Novi Sad, but this idea didn't gain the support of the Ministry of Education and Sport of the Republic of Serbia.
7. Education in the Croatian language is held under much more diffi-

cult conditions, since it started only in the school year 2002–03. There is also the problem with the small number of children that apply for classes, as well as a lack of teaching personnel that would work in schools in the Croatian language. Another problem is that there are no college degree institutions in the Croatian language, which hinders the formation of professional staff that would work in schooling.

8. Information in the languages of ethnic minorities is provided through the local station Radio Subotica, which has programs in the Hungarian and Croatian languages. As for the printed media, pursuant to the decision of the Assembly of Vojvodina, the founding rights over these media have been transferred to the National Councils, and minority communities unanimously praised this decision. Besides "Magyar Szo", the Hungarian ethnic community's media, "Hrvatska riječ" was formed in 2002, pursuant to the decision of the Assembly of Vojvodina, as the media of Croats in Vojvodina.
9. On February 11th 2005, an Agreement was signed between Serbia and Montenegro and Hungary on the rights of Serbs in Hungary and Hungarians in Serbia and Montenegro. This is the first bilateral agreement signed by our country with a foreign state in the field of the protection of national minority rights. The basic problems that need to be solved were stated therein and it is expected that this method of border cooperation will bring excellent results.

## **Proposals for the Improvement of the Situation of Hungarians and Croats in Subotica**

Bodies, organizations and institutions founded by the Republic of Serbia have the obligation to fully abide by the provisions of the Law on the Protection of the Rights and Freedoms of National Minorities and to place multilingual inscriptions with the names of such institutions. The same resolution must also be applied on official documents issued by these institutions (for instance, tax decisions or electricity bills).

It is necessary to continue to develop education in the Hungarian language, as was done in 2004 when two new high-schools were founded. The same direction should also be taken in the field of college degree education, especially regarding the opening of a Faculty of Pedagogy in Subotica. The Ministry of Education and Sport of the Republic of Serbia should give approval for the opening of this faculty and there is no reason not to do so since the Assembly of Vojvodina already gave a recommendation for this.

The state must support education in the Croatian language through the media and financially help its performance. In order to complete schooling in the Croatian language, this ethnic community must be allowed to open high-schools in its own language, as well as to have adequate college degree education in order to form personnel for teaching in the Croatian language.

The state has the obligation to provide equal participation by Hungarians and Croats in Republican government bodies and institutions that are within its competence. It is of major importance that this equality be provided in the police, courts and prosecutor's offices.

The provisions of the Law on Privatization should be changed in order to acknowledge peculiarities in the minority media and to avoid privatization leading to the closure of media in the languages of ethnic minorities. The decision of the ethnic minorities' National Councils to leave founding rights of certain local electronic media, or at least in parts of programs broadcast in minority languages, to such bodies should also be taken into consideration.

## Appendix

### List of participants of the Forum in Subotica:

- Laslo Varga, Secretary of the National Council of the Hungarian Ethnic Minority;
- Janos Orosz, Regional Secretariat of Administration, Regulations and National Minorities;
- Eleonora Szoke, Television Subotica, Hungarian editorial staff;
- Dusica Dulić, NIU "Hrvatska riječ";
- Tatjana Kiš, Television Super;
- Vesna Babić, City Radio;
- Vesela Laloš, Dnevnik;
- Marina Kujundžić, Radio Subotica, Croatian editorial staff;
- Zoltaxi Vigi, Magyar Szó;
- Pavel Domonji, Helsinki Committee for Human Rights;
- Slaven Bačić, attorney-at-law;
- Zoltan Gabor, Regional Ombudsman;
- Davor Marko, "Subotičke novine" and European Movement;
- Miroslav Kovačić, General Consulate of the Republic of Croatia;
- Edit Pinter Molnar, Onkormanyzat Szabadka;
- Janos Huszar, General Consul of the Republic of Hungary in Subotica;
- Edit Stevanović, Social-Democratic League of Vojvodina;
- Aleksandra Vujić, Vojvodina Center for Human Rights;
- Ladislav Suknović, Secretary of the National Council of the Croatian Ethnic Minority;
- Stanka Parać, Local Democracy Agency;
- Svetislav Milanković, Local Democracy Agency;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.

Municipality of  
BAČKI  
PETROVAC

Research and Forum were realized  
in cooperation with Forum of Slovaks, Bački Petrovac



## **Implementation of the Framework Convention for the Protection of National Minorities in the Municipality of Bački Petrovac**

### **General Data on Bački Petrovac**

Bački Petrovac is a Municipality in Vojvodina with a Slovakian majority population. It is the political and cultural center of the Slovakian ethnic community in Serbia. It is the only Municipality in Serbia where more than half of the total population is Slovakian.

### **Political Situation**

In the 1990s, the parties that enjoyed the biggest support in Bački Petrovac were ones advocating Vojvodina's autonomy (League of Social-Democrats of Vojvodina, for example). The party that ruled Serbia during the 1990s, the Socialist Party of Serbia (SPS), did not have a single councilor in the Municipal Assembly of Bački Petrovac, until the last local elections in 2004. The September 2004 local elections were held in accordance with the new electoral law that introduced a proportional system, thus enabling many parties to enter the local assembly. After the elections, a Municipal government was formed consisting of G17 Plus, supported by the Serbian Radical Party (SRS) and SPS. The directly-elected Municipal President is also a member of G17 Plus. The population of Bački Petrovac is not very inclined towards nationally-oriented parties. Thus the National Party of Slovaks, which was formed just two years ago, had a rather poor result in the local elections (2 of 31 councilors in the local assembly).

### **Economic Situation**

The economic situation in Bački Petrovac is characterized (as is the case with most other towns in Serbia) by a very low economic status of the

citizens, caused in the first place by the breakdown of the formerly socially-owned companies, and poor results from the privatization process. The citizens are primarily working in agriculture. There is a well-developed production of crops for industrial use, especially the hop, which is sold to breweries in Čelarevo and other towns.

## Implementation of the Framework Convention for the Protection of National Minorities in Bački Petrovac

### Freedom of Ethnicity Expression and Prohibition of Discrimination and Assimilation

According to the 2002 census, the Municipality of Bački Petrovac has 14,681 inhabitants.<sup>67</sup> Of this number, 9,751 are Slovaks and 3,779 are Serbs. Compared with the 1991 census, these data show that there has been a decrease in the total population, and also that the ethnic structure of the municipality is gradually changing. In the 1991 census, there were 15,662 inhabitants in the Municipality of Bački Petrovac, 11,016 of who declared themselves as Slovaks, and 3,281 as Serbs. The Youth Initiative researcher was told by representatives of the Slovak ethnic community that the decrease of almost 1300 Slovak citizens was the consequence of a negative birth rate. On the other hand, in the 1990s many people sought asylum in foreign countries, wanting to avoid serving the military and going to war. Moreover, in the last years more and more young people have been going to Slovakia to study and have stayed there.<sup>68</sup> The Serbian population has increased, not due to a high birth rate, but due to the fact that many refugees came from Croatia and Bosnia–Herzegovina during the 1990s.<sup>69</sup> The chart below gives evidence of the aforementioned demographic changes:

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<sup>67</sup>Data obtained from the 2002 Census of Population, Housholds and Apartments in the Republic of Serbia, Republican Institute for Statistics.

<sup>68</sup>Interview the Youth Initiative researcher conducted with representatives of the Slovak ethnic community in 2004.

<sup>69</sup>Interviews the Youth Initiative researcher conducted with representatives of the Slovak ethnic community in 2004. See also: Report from the Forum in Bački Petrovac in this text.

CENSUS 1991.	CENSUS 2002.
Total 15.662	Total 14.681
Slovaks 11.016	Slovaks 9.751
Serbs 3.281	Serbs 3.779

### **Right to Freedom of Religion**

Religious rights are not threatened in Bački Petrovac. The majority of the Slovakian population belongs to the Slovakian Evangelist Church, whereas a small number pertains to the Roman Catholic Church. Both religious communities have their places of worship and perform their religious ceremonies in an undisturbed manner.

### **Right to Receive Information in Mother Tongue**

There is a local television in station Bački Petrovac, Radio–Television Petrovac, which broadcasts programs in the Slovakian language. As for the printed media, there is the "Hlas ljudu", a weekly magazine whose founding rights have been transferred to the National Council of the Slovakian Ethnic Minority, by a decree adopted by the Assembly of the Autonomous Region of Vojvodina. Radio Novi Sad and Television Novi Sad broadcast programs in Slovakian on a daily basis.

### **Right to Official Use of Language**

The official languages in the Municipality of Bački Petrovac are Serbian and Slovakian. The legal provisions on the official use of language are being observed for the most part. Official documents printed by the Municipality are bilingual, it is possible to obtain documents in Slovakian, and councilors are entitled to use their own language when addressing the Assembly in sessions. The right to official use of language is not fully abided by in the bodies of the Republic of Serbia. Namely, all court proceedings and administrative procedures are held in Serbian, despite the legal possibility that they could be conducted in Slovakian too. The Youth

Initiative researcher was told by representatives of the Slovakian ethnic community that the citizens very rarely demand that the procedure be held in Slovakian, and even more rarely submit official notices to the state bodies in their mother tongue.<sup>70</sup> The Law on Official Use of Language and Alphabet is also violated in the case of plates with the names of streets and squares in Bački Petrovac, which are written only in the Slovakian language. The Law prescribes that there should also be inscriptions in the Serbian language, being the official language in the Republic of Serbia. On the other hand, in the village of Maglič, which is a Serbian majority village, there are no plates written in Slovakian, and that is a breach of the Bački Petrovac Municipal Assembly Statute.

### **Right to Education in Mother Tongue**

Education in the Slovakian language is available at all educational levels in Bački Petrovac (pre-school, elementary school and high-school level). Classes in the Bački Petrovac high-school are held in the Slovakian and Serbian languages. As of the academic year 2001, there are two Slovakian sections and two Serbian sections enrolled, whereas before there were three Slovakian sections and one Serbian section. There are examples in some schools where children (mostly from mixed marriages) attend classes in the Serbian language, but also attend the elective subject Slovakian Language with Elements of Slovakian National Culture (two classes per week).<sup>71</sup> The current issue is the import of textbooks from Slovakia. The Ministry of Education and Sports gave a general approval for the import of textbooks from foreign countries, but there is still no implementation in reality.<sup>72</sup>

### **Right to Participate in Public Authorities**

The Slovaks participate on an equal footing in the bodies of the public authority. As the Youth Initiative researcher was told by representa-

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<sup>70</sup>Interview the Youth Initiative researcher conducted with the representatives of the Slovakian ethnic community in 2004.

<sup>71</sup>See: Report from the Forum in Bački Petrovac further below.

<sup>72</sup>Idem.

tives of political and non-governmental organizations in Bački Petrovac, so far there have been no problems related to the participation of this minority in the bodies of authority, either in the Municipality or in the bodies of the Vojvodina Region. There are, however, problems when it comes to participation in the police and in the judiciary. Among others, the judge presiding in the Municipal Court Department in Novi Sad is of Slovakian nationality, but, as he himself admits, he does not understand Slovakian.<sup>73</sup>

## Report from the Forum in Bački Petrovac

On February 4th 2005, a Forum was held in Bački Petrovac on the subject of the situation of Slovaks in Bački Petrovac after the accession to the Framework Convention for the Protection of National Minorities.

At the beginning of the Forum, Deputy President of the Municipality of Bački Palanka **Radomir Zotović** greeted the participants. **Vladimir Valentik**, Vice President of the National Council of the Slovakian Ethnic Minority, was the next to address the audience. He stated basic information about Bački Petrovac, especially the ethnic structure and the demographic picture. The data clearly show that the Slovakian population has been constantly decreasing. In his words, the reasons are a low birth rate, as well as emigration, caused by economic reasons and also by political reasons such as war. He continued by explaining the town's history and the history of the Slovakian people in Vojvodina. He talked about the first Slovakian institutions, and their importance in preserving ethnic identity, such as the library, the theater founded in 1866 (still existing today) and the "Jan Kolar" high-school, which was opened in 1919 as the first Slovakian high-school outside Slovakia. The printing company "Kultura" was founded the same year. "Kultura", which works to this day, has played a decisive role in the creation of an autochtho-

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<sup>73</sup>Interview the Youth Initiative researcher conducted with the representatives of the Slovakian ethnic community in 2004. See also Report from the Forum in Bački Petrovac further below

nous Slovakian culture in Vojvodina. Valentik stressed that Bački Petrovac is the center for Slovaks in the entire Vojvodina, and as such it is the place where informational, educational and cultural policies of all Slovaks are formed. Until recently, there was no local magazine published solely for the inhabitants of Bački Petrovac, since the focus was always on the entire Slovakian population in Vojvodina.

**Jan Lacok**, Principal of the elementary school in Kulpin, said that one can best see the effects of the so-called "white plague" in schools. The number of pupils in this school has decreased by 100 pupils in the space of 10 years. According to him, there used to be a good custom of teaching classes in two languages, and the students would listen to two teachers simultaneously. This practice yielded extremely good results. Not only did everyone speak Serbian, but the Serbs spoke Slovakian, too, which resulted in people getting closer to one another. Parents are interested in this format for classes even today. He especially emphasized that so far there have been no incidents on ethnic grounds and that this is an area known for its tolerance.

**Pavel Lomiansky**, Secretary of the Municipal Assembly of Bački Petrovac, stressed that today, things that were ruined when the autonomy of Vojvodina was taken away are now being repaired. That is why it is only today that the issue of the use of minority languages in official communication is being raised, although before, this was regular practice. According to him, the Slovakian language is seldom used in Bački Petrovac, not only in the offices of the Municipality, but also in other fields of life. The issue of plates bearing street names has been raised recently, since they are written only in Slovakian in the town. The reason the Municipal authorities haven't done anything to resolve the problem is that it would incur high expenses. On the other hand, the plates in the village of Maglič are solely in Serbian, although Slovakian is an official language on the territory of the entire Municipality. State institutions usually issue documents and decrees in the Serbian language, but this is not only the case with, for instance, the revenue office, but also with the local community center in Petrovac, which is completely unreasonable. The Municipal Assembly

created rules on bilingual forms for documents within the competence of the Municipality, so, according to Mr. Lomiansky, an improvement in this field is expected.

**Biljana Drakulić** from the "Jan Čajak" elementary school in Bački Petrovac started by presenting the fact that she had graduated from the high-school in Petrovac in the Slovakian language, and today she speaks both languages with equal fluency. She is especially proud that the elementary school she works in embraced refugee children from Croatia and Bosnia-Herzegovina, and in 1993 for the first time opened sections in the Serbian language. This was carried out without any problems, which, in her opinion, speaks of the generosity of the local population. Ms. Drakulić added that all the parents of the first and second graders in the Serbian sections have accepted Slovakian with Elements of National Culture as an elective subject for their children. This is proof that there is interest for this subject in Bački Petrovac and this subject should be made available throughout their entire education as soon as possible. She also suggested expanding this opportunity to Serbian schools such as the one in Maglić.

**Tatiana Korosova**, Psychologist in the "Jan Kolar" high-school in Bački Petrovac, spoke of the reduced number of pupils in the school. In her opinion, in 10 years' time one can expect that the relation between the number of Slovakian and Serbian sections is going to be 1:3, whereas today it is 2:2. Classes in the high-school are held in the Slovakian language for all subjects except French, German and Latin languages, since the teachers do not speak Slovakian. Twenty years ago, knowledge of the Slovakian language was a prerequisite for teaching in this high-school, but that is not the case today. She also stressed that an experiment was successfully carried out in classes of Civic Education; in mixed ethnicity sections, classes were held half in Serbian and half in Slovakian. This gave excellent results and the children accepted it very well.

**Dr Zoroslav Spevak**, Professor at Novi Sad University and Head of the NGO "FORS", opened the second part of the Forum. At the beginning,

he gave an historical overview of the accession to the Framework Convention and especially stressed the role that the Balkan wars at the end of the 20th Century had on the idea to create such a Convention. In his words, the Convention represents the minimum standards below which no national legislation should go. It is very little compared to what people in Vojvodina were used to, but the Convention also forbids violation of the rights that had already been granted. The Convention requires the State to do certain things in order to protect minority rights, but at the same time it requests an active attitude on the part of the State in regard to this matter. The fact that European countries could not agree on the definition of the term 'ethnic minority' represents a problem, but this is the furthest the European countries have come in reaching agreement on the matter, which is the reason why various common places are abundant in it. Nevertheless, the Convention is of major importance, especially because it introduces a mechanism of control in the form of double reporting, not only on the part of the State, but also through alternative reports presented by non-governmental organizations. In this sense, Spevak stressed that the official report given by the State is completely bureaucratized, and has little to do with reality, whereas the alternative report is, in his opinion, very grounded, serious and elaborated in an expert manner.

**Tatiana Korosova** made an appeal that the term 'minimum' be used when speaking of the Framework Convention, because, according to her, there is no single European standard on national minority rights. She expressed her doubts regarding the Convention control mechanism, because States are to present reports every five years, which is too long a period. That is why the Charter on Minority and Regional Languages is much more important. This Charter is yet to be ratified and it will bring more precise and more solid guarantees for minority groups in Serbia.

**Pavel Marčok**, President of the Democratic Party's Municipal Board, expressed his suspicion that the State sometimes consciously abuses the fact that this area is one of the most tolerant environments in Serbia. That is why such a great number of refugees came here, but there were

no problems, although the demographic picture of Bački Petrovac has changed considerably. According to him, the Slovaks in Bački Petrovac have preserved their identity mostly thanks to the high-school, which was the first Slovakian high-school to be founded outside Slovakia. Therefore it is necessary to do everything in order to preserve this high-school and to attract Slovaks from other places to go to school here. For Marčok, the Framework Convention is just a basis to build upon. The State will demonstrate a 'stepmother' attitude towards its minorities if it fails to advance from these minimum rights. Marčok also mentioned the fact that the only judge in Bački Petrovac, who is of Slovak nationality, does not speak the Slovakian language.

### **Conclusions on the Situation of Slovaks in the Municipality of Bački Petrovac**

On the basis of the information collected in the course of the elaboration of this Report, the Youth Initiative for Human Rights has made the following conclusions regarding the observance of the Framework Convention for the Protection of National Minorities:

1. The census results show that the number of Slovakian citizens in Bački Petrovac is decreasing, whereas the number of Serbian citizens is increasing. The phenomenon is caused by a negative birth rate, the emigration of Slovaks for political and economic reasons and the inflow of Serbian immigrants from Croatia and Bosnia-Herzegovina.
2. The Slovaks are represented on an equal footing in the bodies of the public authority, at the local level and at the level of the Vojvodina region. However, this right is not fully applied in local branches of the police and judiciary. A Slovak judge works in the branch department of the Municipal Court of Novi Sad in Bački Petrovac, but, as he himself admits, he does not understand the Slovakian language.
3. The Slovakian language is in official use in the Municipality of Bački Petrovac, alongside the Serbian language. The street plates in the town are solely in the Slovakian language, which is a breach of the Law on Official Use of Language and Alphabet, and on the other

hand, in the Serbian village of Maglič, the plates are solely in the Serbian language, which is also a breach of regulations, on this occasion of the Municipal Assembly's Statute.

4. Court and administrative proceedings are conducted in the Serbian language, despite the legal possibility to use the language of the parties involved (in this case, the Slovakian language). Other official documents are also mostly written in the Serbian language.
5. In pre-schools, elementary schools and high-schools, classes are held in the Slovakian and Serbian languages. There are also Serbian sections where pupils have taken Slovakian Language with Elements of National Culture as an elective subject.

### **Proposals for the Improvement of the Situation of Slovaks in Bački Petrovac**

The State has the obligation to ensure full implementation of the right to equal minority participation in public authorities, especially in the police, courts and prosecutor's office.

The citizens have to be educated through the media and other programs about their right to use their mother tongue in communication with the State bodies.

The Municipality of Bački Petrovac has the obligation to fully implement the regulations in force with regard to the official use of language. That means that all plates with the names of streets and squares must be bilingual. The plates with the names of the Republic institutions written only in the Serbian language must be replaced with bilingual ones.

The good practice of free and fair education in the Slovakian language should be continued, but it would also be worthwhile considering ways to provide better access to University education in the Slovakian language for Slovaks, in order to form teaching staff who could teach in schools.

## Appendix

### List of participants at the Forum in Bački Petrovac:

- Radomir Zotović, Municipal Assembly of Bački Petrovac;
- Jan Lack, Principal of the "J.A.Komenski" elementary school in Kulpin;
- Pavel Lomiansky, Secretary of the Municipal Assembly of Bački Petrovac;
- Miloš Krstovski, League of Social–Democrats of Vojvodina;
- Pavel Marčok, Democratic Party;
- Miroslav Babiak, Radio Petrovac;
- Juraj Bartos, Hlas Ijudu;
- Biljana Drakulić, "Jan Čajak" elementary school;
- Tatiana Korosova, Gymnazium Jana Kollara high–school;
- Dejan Dimitrov, Roma Students Association;
- Vladimir Valentik, National Council of the Slovakian Ethnic Minority;
- Zoroslav Spevak, NGO FORS;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.



# Municipality of PREŠEVO

Research and Forum were realized  
in cooperation with Center for Multicultural Education,  
Preševo



# Implementation of the Framework Convention for the Protection of National Minorities in the Municipality of Preševo

## General data on the Municipality of Preševo

The Municipality of Preševo is situated on the border with Kosovo and Macedonia. Ethnic clashes in these two regions were mirrored in the 1990s in the area of Preševo. Numerous cases of grave violations of human rights were noted during this period. Towards the end of the 1990s, an armed conflict sprang up in this area, between the Liberation Army of Preševo, Bujanovac and Medveđa (LAPBM) on the one hand, and Yugoslav Army and Serbian police on the other. Since then, the Preševo Valley has been the focus of domestic and international attention.

## Political situation

Since the first local elections in 1992, the Party for Democratic Action (PDA), led by Riza Halimi, held power in the Municipality of Preševo. After the new Law on Local Self-Government was adopted in 2002, direct elections for the Municipal Council Chairman were held, in which Halimi won the majority of votes. But in the 2004 elections for the local parliament, the Democratic Party of Albanians (DPA), Democratic Union of the Valley (DUV) and Democratic Progress Movement (DPM) won the majority of seats and formed the local authority. In these political parties, important positions are occupied by former officers of the Liberation Army of Preševo, Bujanovac and Medveđa. Albanian political parties boycotted the 2000 and 2003 parliamentary elections, which is why Albanians from the south of Serbia are not represented in the Serbian Assembly. Despite the fact that other minorities entered the parliament through bigger parties (i.e. Bosniacs through the DS), Albanian political parties have never been offered such a deal.<sup>74</sup> Voters of Serbian nationality are divided

<sup>74</sup>Interview conducted by Youth Initiative for Human Rights' researcher with representatives of Albanian political parties in 2004.

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between several parties, of which the dominant ones are the Serbian Radical Party (SRS) and Socialist Part of Serbia (SPS). Due to this division, and a low turnout of voters in the 2004 local elections, Serbian political parties gained only one MP in the local parliament of Preševo.

### **Economic situation**

Preševo is one of the least developed municipalities in Serbia. The majority of the local population engages in trade. The proximity of border crossings with Macedonia and Kosovo has allowed one part of the population engage in the smuggling of goods. Small industry and businesses occur mainly on the other side of legal frameworks and norms, a fact that renders difficult a more precise assesment of the extent to which it has developed. An important source of income for many families in Preševo is the financial aid they receive from relatives who live abroad.<sup>75</sup>

## **Implementation of the Framework Convention for the Protection of National Minorities in Preševo**

### **Freedom of Ethnic Expression and Prohibition of Discrimination and Assimilation**

The last census, conducted in 2002, registered 34,904 inhabitants of Preševo, of which 31,096 declared themselves as Albanians, and 2,984 as Serbs. Due to the 2000 and 2001 clashes in the south of Serbia, and the atmosphere of fear and mistrust which lingered long after the end of armed conflicts, a number of inhabitants left Preševo. During the war in Kosovo in 1999, a large number of Albanians fled Presevo and sought refuge in Kosovo and Macedonia. Representatives of the Albanian ethnic community told the YIHR researcher that several thou–

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<sup>75</sup>*ibid.*

sand native Preševo inhabitants settled in Kosovo.<sup>76</sup> Some Albanians fled to Kosovo, especially to Priština, pursuing academic studies or business. For the same reasons, local Serbs moved to Vranje or Nis. The decrease in population of both national communities is well described by the following data:

CENSUS 1991.	CENSUS 2002.
Total 38.943	Total 34.904
Albanians 34.992	Albanians 31.096
Serbs 3.206	Serbs 2.984

### **Right to Freedom of Religion**

The religious rights of Albanians in the Municipality of Preševo have not been violated. The Albanian population largely belongs to Islamic congregations. Islamic religious premises do exist on the municipal territory, and religious services are conducted uninterrupted.

### **Right to Receive Information in Mother Tongue**

Local Radio–Television Preševo broadcasts programs in the Albanian language. It was established in 2001 with the support of the Government of Serbia, and foreign and domestic donors. Since the property rights are held by the Municipal Assembly of Preševo, it is uncertain what will happen when the deadline for the privatization of local media expires in 2006. There is a reasonable fear that this media house could be shut down if confronted with a lack of interest in its privatization. Printed media in the Albanian language do not exist in Preševo.

### **Right to Official Use of Language**

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<sup>76</sup>Interview conducted by Youth Initiative for Human Rights' researcher with representatives of the ethnic Albanian community in 2004.

The official languages in the Municipality of Preševo are Serbian and Albanian. This provision of the Statute is respected in official communication and at Municipal Assembly sessions. The right to official use of minority language is not observed in the Republic institutions. In the courts, trials are held in the Serbian language; when in Albanian, trials are conducted using a translator's assistance. One difficulty preventing legal processes being conducted in Albanian is poor knowledge of the language by staff employed in administration, who are mainly of Serbian nationality.<sup>77</sup> Documents issued by institutions at both the local and Republic levels are exclusively written in Serbian. This is usually explained by a lack of financial means and staff for the translation of documented data.<sup>78</sup>

### **Right to Education in Mother Tongue**

Education in the Albanian language is provided in elementary and secondary schools, while in higher education it is non-existent. Two years ago an initiative was launched to open a Department of the Teacher's College in Preševo that would provide studies in the Albanian language, but this idea hasn't yet been realized.

### **Right to Participate in Public Authorities**

Albanians are not equally represented in the bodies of the local government in Preševo. During the unrest in Kosovo at the beginning of the 1990s, Preševo also witnessed dismissal of employees on the basis of their nationality. People were dismissed from work in schools, hospitals, police, courts and all state institutions.<sup>79</sup> During the 1990s only one of six judges at the Preševo Municipal Court was Albanian, while in the community there were only three or four Albanian policemen.<sup>80</sup>

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<sup>77</sup>Interviews conducted by Youth Initiative for Human Rights' researcher with representatives of NGOs and political parties in Preševo in 2004.

<sup>78</sup>*Ibid.*

<sup>79</sup>An interesting example is that, according to his own account, today's president of the Preševo community, Riza Halimi, also lost his job.

<sup>80</sup>Interviews conducted by the Youth Initiative for Human Rights researcher with representatives of NGOs and political parties in Preševo in 2004

This situation lasted until 2001, when the conflict ended and people were again employed with the aid of the Coordination Center for the South of Serbia. Today, the number of judges of Albanian origin has increased to three. Representatives of the Coordination Center say that attempts are underway to improve the situation by announcing open competitions and through education to prepare attendants for the qualifying examination for judges.<sup>81</sup> With financial and professional aid provided by the OSCE in 2002, multiethnic police forces were established that included Albanians from this area for the first time in 15 years. These formations are part of the regular structures of the Serbian MIA and are engaged in routine police duties on the territories of the communities of Preševo and Bujanovac.

### **Conflicts and incidents 2001–05**

Preševo and its surrounding area was the scene of armed conflicts in November 2000. After the conflicts in Kosovo, according to the terms established by the Military–Technical Agreement signed at Kumanovo on June 9<sup>th</sup> 1999, a Ground Security Zone was formed along the borders between Serbia and Kosovo, five kilometers wide and 402 kilometers long. This zone also included parts of the communities of Preševo and Bujanovac. According to the agreement between KFOR and the Yugoslav Army (today the Army of Serbia and Montenegro –SCG Army), the Serbian military forces withdrew from this zone in order to demilitarize it. Only police units without heavy weapons were allowed to remain in the zone. In November 2000, a rebellion organized by the Liberation Army of Preševo, Bujanovac and Medveđa broke out. The violence ended several months later when the U.S.A., NATO and the European Union stepped in as mediators, and on March 14<sup>th</sup> 2001, the Serbian Security Forces moved back to the Ground Zone on the basis of the agreement between the Yugoslav Army and KFOR. The LAPBM agreed to hand over its weapons on condition of immunity for people that had taken part in the rebellion. The Yugoslav Army took over the entire security zone on May 31<sup>st</sup> 2001. The task of resolving the crisis

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<sup>81</sup>See report from the Forum in Preševo further on in this report.

in the south of Serbia was assigned to the Coordination Body of the Federal and Republic Governments for the Municipalities of Preševo, Bujanovac and Medveđa, formed by a decision of both governments. Nebojša Čović, at that time the Vice-President of the Serbian Government, was appointed head of the Coordination Group. After the conflict ended, this institution brought in a special program for confidence-building and for the economic recovery of the region in order to eliminate the cause of the problem. This program is now known as "Čović's plan". At the beginning of 2005, on the border between Serbia and Macedonia, in the vicinity of the village of Miratovac, members of the Army of Serbia and Montenegro killed 15-year old ethnic Albanian boy Dashim Hajrulahu, who was crossing the border after having visited his relatives in Macedonia. The official version of events released by the SCG Army says that the boy didn't respect an order to stop and that he was killed when a bullet ricocheted from a nearby tree. However, nothing is known about any further course of the investigation (if the investigation has been conducted at all) and the name of the soldier who shot at the boy has never been revealed. This killing provoked protests in Preševo and opened again the issue of military and special police units' presence in the communities of Bujanovac, Preševo and Medveđa.

### **Report from the Forum in Preševo**

On February 10<sup>th</sup> 2005, a Forum was held in Preševo on the subject of the Position of Albanians in Preševo after the accession to the Framework Convention for the Protection of National Minorities.

The introductory remarks about the Forum and its objective were given by **Andrej Nosov**, the Executive Director of the Youth Initiative for Human Rights, and the meeting was greeted by Riza Halimi, the President of the Preševo community, and Goran Miletić from the Swedish Helsinki Committee.

**Milovan Marković**, the Vice-President of the Coordination Body for the

South of Serbia, expressed his wish that the processes initiated in the region by this body would soon continue. During 2004, the implementation of these programs was suspended, and it was agreed that they need to be unblocked. He said that the plan to continue the activities had been completed and what was expected was the reconstruction of the body, i.e. the reception of Albanian parties into the Coordination Body. Marković repeated the invitation that Mr. Čović, the President of the Coordination Body, had sent to the Albanians to join in the work, stressing once more that this invitation was sincere and given in good faith. In his address, Marković gave a brief survey of the work of this body, especially its activity in the formation of multiethnic police forces, in building confidence in state institutions among citizens and, as the principal issue that this body should deal with in the future, he stressed the economic development of the region and the improvement of living standards that would inevitably result in a reduction of tensions.

The President of the NGO Center for Multicultural Education, **Beliljulj Nasufi**, expressed regret that representatives of the parties that comprise the majority in the Preševo Assembly had scheduled their session on this day, although they had been invited to the Forum. According to him, this shows the lack of understanding for these issues and also of the political will to discuss them. Nasufi presented basic statistical and historical data about the community of Preševo, stressing that this community was the most underdeveloped in Serbia in spite of its obvious geographical advantages like the vicinity of road and railway corridors that connect Greece with Central Europe. To a great extent, Preševo depended on the situation in Kosovo, and all crises there had an effect on this area. At the end of the 1980s and the beginning of the 1990s, when people were dismissed from work in Kosovo, the same happened in Preševo, so that many of those employed in public institutions, schools and health facilities, were left without jobs. During the war in Kosovo, 50% of the inhabitants of Preševo left their homes and were forced out of the country to Macedonia.

After the formation of the LAPBM, directly motivated by the killing of the Saćipi brothers in January 2000, conflict broke out and peace was

established only in May 2001, with the adoption of the so-called "Čović's plan". Nasufi welcomed the many positive moves made between 2001 and 2003. He especially stressed the difference in today's multiethnic police forces when compared with the 1990s, when only three or four policemen in the town were Albanians. Also, he gave credit to the government for large investments into the community. For instance, in 2003 the level of investment reached e7 million, previously unprecedented in the town. He also approved positive moves in information, like the founding of Radio–Television Preševo in the Albanian language. According to him, this is the autonomy required here, one that enables local people to participate in such fields. Such development should also happen in education. A special problem he mentioned was the content of textbooks. Nasufi said that some steps were undertaken to obtain permits for the import of textbooks from Albania. This is necessary because today's textbooks are anti–Albanian and don't contribute to building confidence between national communities.

As regards relations between people in Preševo, according to Nasufi they are good and were not spoiled even during the most challenging periods. Currently, the problem is a unique militarization that continues. It is unknown how many military units are in this area but it is rather unpleasant to see jeeps with armed troops carrying machine guns directed at civilians driving around the streets. The recent killing of Dashim Hhajrulahu confirms that it is necessary to demilitarize this region and to reduce the 5–km military zone in compliance with the standards of the European Union. As regards the participation of Albanians in government bodies, Nasufi is of the opinion that it is necessary to constitute a National Council because it has proved to be a good solution for other minorities. He expressed his doubts as regards the initiative for the participation of Albanians in the Coordination Body at this moment, after the boy had been killed at the border, fearing that this initiative might have been done only to suppress the problem and to draw attention to some other issue.

**Riza Halimi**, the President of the Preševo community, said that there

were problems with respect to the right to officially use the Albanian language, although it is an official language in Preševo together with Serbian. The problem in Preševo is a lack of financial means, because in contrast to the period prior to the 1990s, additional means for bilingual communities and for employees that had to speak both languages were not available. On the other side, the problems are even greater at the Court because there are no conditions for conducting legal proceedings in the Albanian language, although the law allowed it. Today, the ratio of Serbian and Albanian judges is 3:3, but the technical staff don't speak Albanian and the only solution is to engage a translator/interpreter as for any foreigner brought to the court.

In education, the problem has been to put into effect the decisions made by the corresponding Ministry, so the process to change the curriculum has been suspended. This task should have been carried out by a working group composed of specialists from Belgrade, Pristina and Tirana. According to him, it is unacceptable that children learn from more than ten-year-old textbooks. An even worse situation is found in high-level education. The last time Albanians from this region studied at Serbian universities was in 1995, when there were three students, but one of them was killed in unknown circumstances. Since then, no Albanian from Preševo has studied in Niš or Belgrade. Schools in Bujanovac and Vranje, not a part of Kosovo, are not actually education institutions, but are engaged in selling diplomas, so the only solution is to close these institutions as soon as possible. Young people from this region generally go to study in Priština, Tetovo or even Tirana. The initiative to open the Department of the Teachers' College in Preševo, when realized, will certainly contribute to the education of future teachers who will teach in the Albanian language. As regards participation in the Coordination Body, Halimi objected that this proposal was launched through the media, so extremists got an opportunity to comment on it and to radicalize the situation. He supported the formation of a National Council but warned that many problems existed in the functioning of these bodies and that the government should define more precisely their jurisdiction. That nationalism hasn't been rooted out is confirmed by the case of the failed privatization of a company from

Vladičin Han, annulled because an Albanian, once wearing the uniform of the LAPBM, had bought it. According to Halimi, this is more evidence that nationalism of the majority was always more effective as it could cause bigger consequences than the nationalism of the minority.

The Deputy President of the Preševo community, **Eshtrif Aliu**, pointed out that the situation in the public health system before the 1990s was much better because the health center used to have all the basic medicinal services including gynecology. Since the 1990s, the process of centralization has been destroying the system of health care in the region. At the end of 1989, the maternity ward was closed. Today, women are forced to go to Vranje or Gnjilane and there are many problems that sometimes have a tragic end. The Department of Epidemiology and many local health facilities are also closed. 1992 was marked by negative personnel selection, when diplomas issued by Priština University were not accepted and validation of diplomas from Albania was refused. This situation changed only in 2002, owing to efforts undertaken by the Coordination Body, when rejuvenation of the medical personnel began, although the process hasn't yet been completed. The problem is that Health Center Preševo is a branch of the Health Center Vranje, and everything has to get approval from Vranje. In the health-care system, decentralization and transferring jurisdiction regarding basic healthcare to the communities is necessary.

**Andrej Nosov**, the Executive Director of the Youth Initiative for Human Rights, stressed the need to discuss inherited problems from the past. He especially stressed the issue of security and multiethnic police forces, and the media announcing a 'bloody spring' and clashes in the south of Serbia. According to him, there is no true confidence building without disclosing the facts about war crimes and the mass and individual violations of human rights in the past.

**Nenad Manić**, a lawyer and the President of the Youth Democratic Party, said that after 2000 the atmosphere in this region improved and that especially significant progress was evident in 2002 owing to the Party for Democratic Action, when the Serbs participated in the com-

munity government for the first time since 1990. He opposed the idea of forming a National Council of Albanians, as the current majority in Preševo had been supporting – it would not comply with current legal regulations and would not have the same jurisdiction as other National Councils. He said that 90% of the rights determined by the Framework Conventions were respected and that this fact should be appreciated. The problems that appear from time to time are not systematic so, for instance, in court proceedings there is a problem with translation but this cannot be blamed on the court – it is actually due to a shortage of personnel. Manić also thought that it would not be good to use the curriculum from Albania in this region, although he is aware that the current curriculum is bad and that something should be done to improve textbooks.

**Milovan Marković**, the Vice President of the Coordination Body for the South of Serbia, said that projects connected with the multiethnic police forces were not suspended and that intensive work in connection with this issue was going on in cooperation with the OSCE and the local authorities. According to him, the ultimate goal is that all specially-engaged forces should be withdrawn and all duties passed to the multiethnic police forces. To achieve this, the training of troops and the education of Albanians are actively carried out so that they will be able to occupy the highest posts, as is the situation today in the Preševo police forces. As regards reconstruction of the Coordination Body, he said that it had been going on since November 2004 and that representatives of all relevant ministries would be included. Also, this group sent two petitions to the Government and both were now under consideration. One refers to reducing the Security Zone from five kilometers to 100 meters, and the second refers to making an agreement with Macedonia on opening three additional border crossings on the territory of the community of Preševo. Marković stressed that 16 Albanians were received into judicial bodies in the last three years and a lot was done to solve problems with examinations for judges, so that more than 41 Albanians attended the relevant course in order to pass this examination and fulfill the conditions needed to work in the state bodies.

The Coordination Body last year invested a large amount of money into reconstruction of the Health Center and there is also an initiative to open a Maternity Ward. The government promised to open an office for the development of small and medium-sized enterprises in Preševo that would certainly contribute to the development of this region and, accordingly, to reducing tensions. In connection with the military presence, Marković drew differences between two issues. On one side, there is the border with Macedonia that will gradually be taken over by police, just like other borders in Serbia and Montenegro. On the other side, the army is in charge of the administrative line with Kosovo according to an agreement with KFOR, and in the future this will depend on security estimations, not only in Preševo, but also in Kosovo.

**Sima Gazikalović** from the Coordination Body for the South of Serbia said that what was most important in this region was that human rights were not violated. The real problem is poverty, but this is an issue that takes a long time to solve as the whole state has suffered the same. He said that in the last 40 years, less was invested in Preševo than during the last four years alone, and invited the Albanians to participate in the Coordination Body in order to speed up the realization of economic projects. According to him, this is the 'issue of all issues' and demands the greatest attention at the moment.

### **Conclusions on the Situation of Albanians in the municipality of Preševo**

On the basis of the information gathered during the elaboration of this Report, the Youth Initiative for Human Rights has reached the following conclusions regarding the Framework Convention for the Protection of National Minorities:

1. In the community of Preševo there still exist tensions between Albanians and the Serbian Security Forces. The situation is additionally worsened by frequent media reports about preparations for new

conflicts and announcements of a "bloody spring in the south of Serbia".

2. Dissatisfaction among local people is especially expressed regarding the strong concentration of army, gendarmerie and police forces in the region of the Preševo community. Instead of the anticipated reduction of these troops, the Government of Serbia declares that it will erect a barracks in Preševo for gendarmerie units, which provokes additional fear and anxiety among the Albanian population.
3. Indolence on the part of investigating organs in discovering the truth about serious crimes also contributes to an atmosphere of fear and mistrust, as in the case of the death of 15-year old Dashim Hajrulahu on January 7th 2005 on the border between Serbia and Macedonia, committed by members of the Army of Serbia and Montenegro. To date, the name of the person responsible for this crime hasn't been revealed and it is not known whether any investigation is being conducted at all.
4. The Albanians are the only national minority that hasn't formed a National Council. There is no consensus about this issue among Albanians, so it is uncertain if such a body, that has a significant role in establishing connections with the authorities and the realization of minority rights, will be constituted.
5. Albanians are not equally represented in the bodies of the Republic government. There are no representatives of the Albanians in the Serbian parliament, government or the bodies directly subordinated to the Ministries. A great step was made with the constitution of the multiethnic police forces, so that today there are regular police forces whose national structure corresponds to the structure of the population. On the other hand, such a step hasn't been made in the judiciary, so that in the Preševo Municipal Court only three of six judges are Albanians, and an even more drastic situation exists in the public attorney's office and the court administration.
6. The Albanian language is an official language in the Municipality of Preševo and it is used in official communication and in the work of the Municipal administration. Problems in the official use of language and in writing appear in the work of state organs, especially courts, that are still unequipped to apply the corresponding regulations and

- conduct court proceedings in the Albanian language,
7. Preševo has elementary and secondary schools in the Albanian language, but not higher-level education. The greater number of young people wanting to study at the high schools and faculties go to Kosovo, Macedonia or Albania,
  8. Radio–Television Preševo, founded by the local municipal assembly, broadcasts programs in Albanian.

### **Proposals for the Improvement of the Situation of Albanians in Preševo**

On the basis of these conclusions, the Youth Initiative for Human Rights recommends the following:

The state should, without delay, reduce the number of troops and police members on the territory of Preševo, and especially the units that are specially engaged such as the gendarmerie or special police forces.

Security at the state border with Macedonia and the lines of separation with Kosovo should, as soon as possible, be taken over by regular police units in order to avoid, among other things, incidents like the killing of Dashim Hajrullahu on January 7th 2005.

Albanians should constitute a National Council and fight through it for the realization of their rights. This institution might improve communication with the authorities and, accordingly, calm tensions in the whole area.

It is necessary to further improve the work of the multiethnic police forces to enable them to gradually take over all jurisdictions in the field of protecting law and order, security and border control.

It is necessary to increase the number of persons of Albanian nationality in the state organs, especially the judiciary, in order to enable these organs to implement the law and to conduct court proceedings in the

Albanian language.

In cooperation with the Preševo Municipal Assembly, investment into the infrastructure of this region should be continued, especially regarding schools, health centers and cultural institutions. These are prerequisites to make this ethnic group feel equal in Serbia and to repair the consequences of the discrimination that the community suffered in the recent past.

The right to education in the Albanian language should extend to higher level education. The first step might be the proposed opening of the Department of the Teachers' College in Preševo, with lectures in the Albanian language.

## Appendix

### List of participants of the Forum in Preševo

- Behlulj Nasufi, Center for Multicultural Education;
- Milovan Marković, Coordination Body for the South of Serbia;
- Sima Gazikalović, Coordination Body for the South of Serbia;
- Nenad Marić, Democratic Party;
- Selami Mustafa, Elementary School "15th November";
- Eshtref Aliu, Deputy President, Preševo Municipality;
- Sejda Osmanović, Roma Association "Demiri Šaćeresoro";
- Sabri Memeti, Party for Democratic Action;
- Muharem Jakupi, Department for Social Activities at the Municipality of Preševo;
- Fitore Berisha, Youth Initiative for Human Rights, Pristina;
- Robert Rhodes, Youth Initiative for Human Rights;
- Reshat Ymeri, representative at the Preševo Municipality Assembly;
- Sahin Aslani, representative at the Preševo Municipality Assembly;
- Mihone Ahmeti, President of the Representative Group at PDD Preševo;
- Edita Kamberi, Elementary School "15th November";
- Sherif Junuzi, O.K.F. Preševo;

- Natasa Jevtić Esbjornson, Swedish Helsinki Committee;
- Ardita Sinani, K.K. Preševo;
- Naser Pajaziti, K.K. Preševo;
- Besnik Sadiku, Preševo Municipality;
- Goran Miletić, Swedish Helsinki Committee;
- Andrej Nosov, Youth Initiative for Human Rights;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.

# Municipality of BUJANOVAC

Research and Forum were realised  
in cooperation with Sabdžak Committee for Human Rights,  
Bujanovac



## Implementation of the Framework Convention for the Protection of National Minorities in the Municipality of Bujanovac

### General Data on the Municipality of Bujanovac

Bujanovac is situated in the southern part of Serbia, in the Preševo valley. At the end of 2000 and the beginning of 2001, Serbian security forces and the Liberation Army of Preševo, Bujanovac and Medveđa fought in this area, as well as in the neighboring Municipality of Preševo. A peace agreement supported by the U.S.A. and European Union, and the army and police withdrawal to the Land Security Zone, put an end to the conflict. A part of the Municipality of Bujanovac, towards the border with Kosovo, was placed under military control in the last phase of the zone takeover, on 31st March 2001.<sup>82</sup>

### Political Situation

Prior to the changes to the electoral law in 2002, local elections in the Municipality of Bujanovac were held according to the majority system. This system stipulated a division of Bujanovac into electoral units and each of these units elected a councilor to the Municipal Assembly. However, the electoral units were created in such a manner that ethnic Albanians, despite of being the majority population, could not win a majority of the mandates. As of 1990, all the elections were won by the Socialist Party of Serbia, either alone or in coalition with the Yugoslav Left. Only in 2002, this system was changed and elections were conducted according to a proportional system, so that the majority of councilors' seats were won by representatives of ethnic Albanian political parties. Those parties, namely Party of Democratic Action (PDA), Democratic Party of Albanians (DPA), Party of Democratic Progress (PDP) and Valley's Democratic Union (VDU),

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<sup>82</sup>See more about conflicts in this region in the chapter *Implementation of the Framework Convention for the Protection of National Minorities in Preševo, Conflicts and Incidents 2001–2005*.

formed the Municipal government, whereas DPA President Nagip Arifi won the direct elections for the President of the Municipality. In accordance with the agreement on the formation of multiethnic government bodies, which was signed after the local elections in 2002, Novica Manojlović, President of the Municipal Board of the Democratic Party, became Deputy President of the Municipality. Nevertheless, the parties that represent the Serbian electorate refused to participate in the Municipal government.

### **Economic Situation**

Most of the companies in Bujanovac that are socially-owned property have financially collapsed or are in an extremely bad condition. The exceptions are the water factory "Heba" and the furniture factory of the "Simpo" Company, which work very successfully. There is also an initiative to build a cigarette factory in this region, but for such a project, the consent of the Government of Serbia and a special tender procedure are required, so the idea has still not been realized.

## **Implementation of the Framework Convention for the Protection of National Minorities in Bujanovac**

### **Freedom of Ethnic Expression and Prohibition of Discrimination and Assimilation**

According to the last census results in 2002, the total number of inhabitants in Bujanovac amounts to 43,320, of which 32,681 declared themselves as Albanians, 14,782 as Serbs and 3,867 as Roma. When these data are compared with the census results of 1991, it is evident that the number of Serbs has remained almost the same, while the number of Albanians has decreased by 5,907 and the number of Roma has also decreased by 541 persons.

CENSUS 1991.		CENSUS 2002.	
Total	49.238	Total	43.320
Albanians	29.588	Albanci	23.681
Serbs	14.660	Srbi	14.782
Roma	4.408	Roma	3.867

Representatives of the ethnic Albanian community told the Youth Initiative for Human Rights researcher that during the armed conflict in Kosovo a couple of thousand Albanians left their homes and that many of them have remained in Kosovo.<sup>83</sup>

### **Right to Freedom of Religion**

The religious rights of Albanians in Bujanovac are not threatened. The Albanians from this municipality mostly profess the Islamic religion. The Islamic religious community has its places of worship where it performs its religious ceremonies in an undisturbed manner.

### **Right to Receive Information in Mother Tongue**

The local station Radio Bujanovac broadcasts programs in both the Serbian and Albanian languages. Although the management of this station started an initiative two years ago to form also a television station, which would carry bilingual programs, this idea has not been realized because the necessary special means have not been provided.<sup>84</sup> There are no printed media in the Albanian language.

### **Right to Official Use of Language**

The official languages in the Municipality of Bujanovac are Serbian and Albanian. The Municipal services in Bujanovac abide by the right to

<sup>83</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of the ethnic Albanian community in 2004.

<sup>84</sup>Interview the Youth Initiative for Human Rights researcher conducted with the Director of Radio Bujanovac in February 2005.

official use of language. All documentation and official correspondence are bilingual, and councilors also have the opportunity to address the Municipal Assembly at its sessions in the Albanian language. The Republican organs do not abide by this right. Judicial and administrative proceedings are conducted solely in the Serbian language. Plates carrying the names of Republican institutions are also solely in the Serbian language, whereas it is not possible to obtain personal documents in the Albanian language in spite of legal norms that stipulate this.<sup>85</sup> According to representatives of the ethnic Albanian community in Bujanovac, the authorities explain this practice by stating that the institutions competent for issuing documents do not use the Albanian alphabet, which has six more letters than the Serbian.<sup>86</sup>

### **Right to Education in Mother Tongue**

Education in the Albanian language in Bujanovac is conducted in elementary schools and high-schools. Conditions in the high-school "Mihajlo Pupin", where classes in the Albanian language are held, are very bad, and therefore an initiative was undertaken in 2004 to construct a new school building. Although international donors provided assistance, the Government of the Republic of Serbia did not give its consent for the construction of this school due to severe opposition by political parties that represent citizens of Serbian nationality. In their conclusion submitted to the Serbian Government, the representatives of these parties stated that the construction of this school would "totally change the demographic picture of the town and lead to emigration of Serbs".<sup>87</sup>

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<sup>85</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of the ethnic Albanian community in 2004. See also Report from the Forum in Bujanovac further below.

<sup>86</sup>See Report from the Forum in Bujanovac further below.

<sup>87</sup>Conclusion from the meeting of representatives of Serbian political parties of November 25th, 2004.

## Right to Participate in Public Authorities

Albanians are not equally represented in public authority organs. Equality in this field was ruined at the beginning of the 1990s and it has not been restored to date.<sup>88</sup> Not a single judge of Albanian nationality works at the Municipal Court of Bujanovac. All the employees at the court administration are also of Serbian nationality.<sup>89</sup> With the engagement of the Coordination Board for Southern Serbia and representatives of international organizations, especially the OSCE, a multi-ethnic police force has been formed in this region, so the structure of police units in Bujanovac has been brought into balance to a certain extent. According to the representative of the Coordination Board, efforts are being made to proceed with this positive tendency to employ Albanians in the police.<sup>90</sup>

## Report from the Forum in Bujanovac

On February 11th 2005, a Forum was held in Bujanovac on the situation of Albanians in Bujanovac after the accession to the Framework Convention for the Protection of National Minorities.

**Nagip Arifi**, President of the Municipality of Bujanovac, expressed his support for the Forum and stressed the importance of discussion on the subject of the situation of Albanians in Bujanovac. Later on, he reminded that this area was a place of conflicts between the Albanians and the military and police forces of Serbia, and that these conflicts ceased thanks to a joint engagement between the international community, state organs and Albanian political parties. Unfortunately, the agreement which was signed at the end of the conflicts has not been fully observed. The new electoral law on local elections that allowed

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<sup>88</sup>See the text on implementation of the Framework Convention for the Protection of National Minorities in Preševo in this book.

<sup>89</sup>Interview the Youth Initiative for Human Rights researcher conducted with representatives of the ethnic Albanian community in 2004.

<sup>90</sup>See Report from the Forum in Preševo in this book.

Albanians to participate equally in elections is certainly something positive, and as a consequence of this, after the local elections of 2002, the present authority of Bujanovac was formed. Arifi then said that until 2000 Serbia was a totalitarian state and that it is not easy to correct all the consequences of such a regime. He expressed his conviction that the citizens are aware of their responsibility and that Albanians, Serbs and Roma equally strive for the benefit of their Municipality. At the end, he said that it is necessary to pay more attention to investments in the economy to allow this area to develop.

**Jonuz Musliu** of the Party for Democratic Progress stressed that the Albanians did not take up arms for no reason, but that they were forced into it. According to him, they were victims of repression since 1981, whereas prisons are still full of political prisoners. The amnesty that was promised to former LAPBM fighters has not been fully applied and many people are still in prisons because of a single pistol found in their possession. He pleaded for a more complete integration of young people into government bodies, especially of former members of the LAPBM, because it is the easiest way to achieve results and development.

**Sali Salihu**, President of the Democratic Party of Albanians, said that it is necessary to solve problems through dialogue. He warned that, in spite of obvious improvements, standards have not been implemented sufficiently in the field of the protection of minority rights. For example, although education in the Albanian language has been introduced, children are educated in unbearable conditions. The case is similar in the jurisdiction, police and public health service, while the official use of language is also unsatisfactory. Salihu blamed the Serbian Government for the problems, saying that it sent a clear signal that the Presevo Valley will have a very hot springtime and that it still relies on force instead of the strength of argumentation.

**Galip Beqiri**, Director of the Bujanovac Library, said that it is certain that today ethnic minority rights are on a higher level than they were in the past. Still, it is not enough. Unfortunately, the question of whether these rights are abided by does not depend, in his words, solely on the

activities of people at the local level, but also on the good will of the State and its readiness to abide by conventions to which it is a signatory. He then added that the Albanians are not a minority in the Municipality anymore and that today all the leading functionaries are of Albanian nationality. This implies additional responsibility and there is a need for Albanians to agree among themselves as to what their priorities are. The Albanian politicians do not always abide by such priorities and this could represent a big problem. As far as the library is concerned, books in the Albanian language are purchased, people talk in this language, so it can be stated that there is an improvement in the field of culture. It is a problem that there are no Albanians in governmental organs, and this is a matter that should be worked on.

**Novica Manojlović**, President of the Municipal Board of the Democratic Party, reproached the speakers for speaking generally and for avoiding identification of concrete problems. He expressed his opinion that human rights are violated everywhere in the world and that Serbia is no exception. He also said that the greatest victims during the time of Milošević were the Serbs and that it cannot be said that some were first-class and others second-class citizens. Further on, Manojlović wondered how it is possible that certain functionaries complain about violations of human rights when it is they who are in charge of the observance of human rights. In his words, it is hypocritical to always attack the Serbian Government, while at the same time expecting it to cover with its means half of the Municipal budget. At the end, he appealed to the representatives of Albanian parties to accept the invitation of the Coordination Board to take part in its work, because this could bring great benefit to the Municipality of Bujanovac.

Speaking about education problems, **Nehat Aliu**, Head of the Department of Public Relations in the Municipality of Bujanovac, stressed that an improvement has been achieved in this field, but it is not enough. Improvement has been achieved with assistance from the OSCE and the Serbian Government. Nevertheless, there are things that have remained at a standstill. For instance, out of 97 texts that arrived as curriculum proposals for various subjects in the Albanian language,

the relevant Ministry accepted only seven proposals. In the territory of Bujanovac there are not enough teaching personnel to write the entire curriculum in the Albanian language, therefore it is necessary that experts from Priština take part in it, but this is rejected. The books that are in use today are only translations of Serbian textbooks, so there is no Albanian history, culture or tradition. Pupils obtain books that are more than 10 years old, which is unacceptable. Aliu was especially disappointed with the decision by Serbian political parties not to allow the construction of a high-school for Albanian children who now attend classes in inhuman conditions.

**Farush Islami** of the Committee for Human Rights of Bujanovac explained the main goals of the Convention, as well as the obligations imposed on the State which ratifies it. He said that nothing has been done with regard to provisions obligating the improvement of the economic situation of minorities, since the measures of the Coordination Board have not borne fruit in terms of opening new work positions. The election of the new Serbian Government at the beginning of 2004 led to a complete financial blockade of Municipalities in southern Serbia. Another problem of major importance is the use of national symbols. The Albanian national flag is identical to the flag of the Republic of Albania, which is prohibited, according to the Law on National Minorities. At the request of the Committee for Human Rights, the OSCE High Commissioner for Minority Rights gave the interpretation that this prohibition does not relate to private use of symbols. However, the police regularly confiscate Albanian flags, especially at weddings and similar events. Education in the Albanian language is available in Bujanovac, but in Islami's words, problems appear regarding textbooks, from which content insulting to Albanians have not been removed, just as a curriculum dedicated to this ethnic community has not been incorporated sufficiently. Islami also mentioned a problem regarding the protection of school spaces, as well as the reactions of Serbian parties to the intention to build the high-school "Mihajlo Pupin" where pupils would attend classes in the Albanian language. This initiative was abandoned completely due to the harsh reaction by a section of the Serbian parties. Regarding official use of language, the legal norms in effect are

not being applied, so personal documents in the Albanian language are not being issued, judicial proceedings are conducted solely in the Serbian language, just like all other documents printed and issued by the organs which have their seat at the level of the Republic. At the end, Farush Islami explained the procedure for supervision of the implementation of the Framework Convention and pointed to the significance of alternative reports submitted to the Council of Europe by non-governmental organizations as important means to put pressure on the government to start implementation in accordance with its obligations.

**Iljaz Mustafa** of the Committee for Human Rights of Bujanovac spoke about cases from the past that have remained unsolved to date. For instance, back in 1997, land was taken away from people who live near the border with Macedonia for army requirements, and the related court proceedings have not yet been resolved. There are also cases of unsolved homicides, such as the homicide of the owner of a gas-station from Presevo in 1999. The rights of Albanians are also violated in court proceedings. The proceedings at the Municipal Court of Bujanovac are conducted solely in the Serbian language, because a translator for the Albanian language has not been provided and the judges don't speak this language. All the employees at the court administration are also Serbs. As for issuing documents in the Albanian language, no improvement has yet been achieved; the official explanation is that the relevant organs don't use the Albanian alphabet, i.e. they cannot write the necessary things in Albanian because the Albanian alphabet has six letters that do not exist in the Serbian Latin alphabet. The state organs have set a negative precedent in residence procedures, because they don't allow people who, for instance, married in Bujanovac to cancel their residence in Kosovo and apply for it in Bujanovac where they are living.

**Shaip Kamberi**, President of the Committee for Human Rights of Bujanovac, stressed that lately the attitude of the media is especially disturbing because it is obvious that a campaign is being carried out against Albanians and that hostilities and conflicts are being incited in this area. He expressed his disappointment that only the Youth Initiative

for Human Rights has reacted to this occurrence, while local actors have remained numb. There should be reactions against such occurrences, because they could escalate towards further conflicts and provoke incidents on ethnic grounds. He then said that the police in Vranje do not allow the application of the Law and persistently refuse to allow the use of the Albanian language when reading rights to citizens who are taken into custody or arrested. At the end, he stressed that it is unacceptable that the police confiscate Albanian flags from citizens who use them at private celebrations. The Albanian symbols have been the same for centuries and it is impossible to invent new ones now that would represent only the Albanians from the Preševo Valley.

In his second statement, **Novica Manojlović** of the Democratic Party emphasized that it is impossible to use the flag of the Republic of Albania because it is a foreign state. According to him, it is clear that the flags are displayed at weddings for the purpose of provoking the other ethnic community, and in Bujanovac both Serbs and Albanians do this. He also stressed that he doesn't understand the requests for an "ethnic key" to be introduced again into the institutions of the system, as he sees claims for equality in the government bodies, and pleaded that the best people be appointed to positions, regardless of their ethnicity.

### **Conclusions on the Situation of Albanians in the Municipality of Bujanovac**

On the basis of the information collected in the course of the elaboration of this Report, the Youth Initiative for Human Rights has made the following conclusions regarding the observance of the Framework Convention for the Protection of National Minorities:

1. There are still tensions in relations between Serbs and Albanians in the Municipality of Bujanovac. These tensions are intensified through a media campaign which announces conflicts in this area in the Spring.

2. Albanians are not equally represented in public authority organs. There is not a single Albanian employee at the Court and the Prosecutor's office. The only improvement towards equal representation in public authority organs was made on the occasion of the formation of a multiethnic police force.
3. Education in the Albanian language is available in elementary schools and high-schools. The problem is that there are no conditions for the normal course of classes. The initiative to construct a new building for the high-school "Mihajlo Pupin" faced opposition by parties which represent citizens of Serbian nationality, with the explanation that it would make Serbs move out of Bujanovac. The Serbian Government has accepted this request and has not allowed the construction of the school.
4. The official languages in the Municipality of Bujanovac are Serbian and Albanian. The Municipal services abide by the right to official use of language. The Republican organs do not abide by this right, and all court and administrative proceedings are conducted in the Serbian language.
5. There is no possibility to obtain personal documents in the Albanian language. In order to justify such a breach of law and international standards, the Republican institutions state that there is no adequate way of working with the Albanian alphabet, which has six letters more than the Serbian.
6. The local station Radio Bujanovac has programs in the Albanian language. Since local television doesn't exist, there is no television program in the Albanian language. There are no printed media in Albanian.

## **Proposals for the Improvement of the Situation of Albanians in Bujanovac**

The State has the obligation to maintain an active policy in order to prevent any instigation of hatred and expansion of fear among the population of the Municipality of Bujanovac. In the first place, there must

be a clear and adequate reaction to materials in the media which fall under the Law on Public Information's provisions on the prohibition of the language of hatred.

The Army of Serbia and Montenegro must hand over to regular police units, as soon as possible, the exercise of security measures concerning the demarcation line with Kosovo. The Government of the Republic of Serbia should also withdraw all additionally-deployed police units from the territory of the Municipality of Bujanovac.

The practice that was adopted during the formation of multiethnic police units should be continued and provision made for equal representation of citizens of Albanian nationality in all state organs, especially at the Court and the Prosecutor's office.

The Republican organs have the obligation to abide by the legal provisions that regulate the right to official use of language by national minorities. Court and administrative proceedings have to be conducted in the Albanian language when a party in the proceedings makes such a request.

The authorities are obliged to issue personal documents and other certificates in the Albanian language. For this purpose, human resources and technical conditions must be provided by way of employing new people and procuring machinery adequate for writing in the Albanian alphabet.

Plates bearing the names of Republican institutions, which are at present solely in the Serbian language, must be replaced with bilingual plates.

Pupils of the high-school "Mihajlo Pupin" do not have adequate working conditions. It is unacceptable that, due to political and nationalist pressures, the Government of the Republic of Serbia prohibits the construction of a new building for which part of the necessary means was already provided. This decision should be reversed as soon as possible,

whereupon the construction of the new school building should begin.

## **Appendix**

### **List of participants at the Forum in Bujanovac:**

- Farush Islami, Committee for Human Rights;
- Ilaz Mustafa, Municipal Public Prosecutor;
- Nehat Aliu, Department of Public Relations at the Municipality of Bujanovac;
- Shaip Kamberi, Committee for Human Rights;
- Agim Hasani, Public Enterprise Komunalac;
- Burhan Halili, Committee for Human Rights;
- Udriž Behlulji, Committee for Human Rights;
- Ragmi Mustafa, Party of Democratic Action;
- Sali Salihu, Democratic Party of Albanians;
- Fitore Berisha, Youth Initiative for Human Rights;
- Ahmet Beqiri, Radio Bujanovac;
- Novica Manojlović, Democratic Party;
- Trajko Trajković, independent councilor at the Municipal Assembly of Bujanovac;
- Slađana Majdak, newspaper "Glas Javnosti";
- Agim Rashiti, Secretary of the Municipal Assembly of Bujanovac;
- Sevdail Hiseni, President of the Municipal Assembly of Bujanovac;
- Galip Beqiri, Director of the library of Bujanovac;
- Jonuz Musliu, Party for Democratic Progress;
- Nagip Arifi, President of the Municipality of Bujanovac;
- Dragan Popović, researcher of the Youth Initiative for Human Rights.







