



KOALICIJA ZA PROMOCIJU  
I ZAŠTITU LJUDSKIH PRAVA

COALITION FOR PROMOTION AND PROTECTION OF HUMAN RIGHTS –  
OSIJEK

**- ANALYSIS –**

**OPINIONS OF ASSOCIATIONS, COUNCILS AND REPRESENTATIVES OF  
NATIONAL MINORITIES FROM OSIJEK ON THE STATUS OF HUMAN  
AND SPECIFIC MINORITY RIGHTS OF NATIONAL MINORITIES FROM  
CITY OF OSIJEK**

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OPINIONS OF ASSOCIATIONS, COUNCILS AND REPRESENTATIVES OF NATIONAL MINORITIES  
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**Introduction**

In January 2009 The Coalition for Promotion and Protection of Human Rights has started implementing the project "The role and possibilities of modern technology for promoting and protecting human rights." The overall objective of the project was to raise awareness and educate public about human rights, particularly rights of national minorities, and thus build a tolerant and non-violent local environment of equal opportunities for all, through changing existing practices, attitudes and knowledge. Project was conducted in the City of Osijek during 2009, and it was financially fully supported by the City of Osijek.

This analysis was made for the need for implementation of the stated project and its aim was to explore general perception of human and respect of specific minority rights of members of national minorities in the City of Osijek. The analysis is based on data collected by NGOs and Councils and Representative of National Minorities in the City of Osijek. Data were collected in the period June-August 2009. by filling out semi-structured survey questionnaires while some conclusions and recommendations were derived from the workshop discussions titled "Using modern technology to protect and promote the rights of national minorities in the City of Osijek" which was held in December 2009 in Osijek.

This analysis has no scientific character, and its main purpose is to encourage constructive debate on human and minority rights of national minorities in the City of Osijek between all relevant local stakeholders, and contribute to improving the climate of tolerance, coexistence and quality of life for all citizens of the City of Osijek.

The contents of this document does not necessarily reflect the views of Coalition for the Promotion and Protection of Human Rights or its individuals, surveyed organizations and Councils and Representatives of National Minorities in the City of Osijek.

**Basic demographic information**

According to the results of the census of 2001 the City of Osijek has 114,616 inhabitants. Members of national minorities make up 10.56% of the total population of the City. All 22 national minorities were recorded in the population of the City. The most represented

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minority in the population of the City are: Serbian - 7.65%, Hungarian - 1.01%, Albanian - 0.42%, German - 0.25%, Slovak - 0.21%, Bosnian - 0.18% Macedonia - 0.16%, Montenegrin - 0.15%, Slovenian - 0.15% and 0.11% Roma.

### **Interviewed stakeholders**

9 associations of national minorities, which are based in the City of Osijek, participated in the implementation of the survey:

- Democratic Union of Croatian Hungarians
- Slovenian Cultural Society "Stanko Vraz"
- Slovak Heritage Association - Osijek
- Alliance of Croatian Germans and Austrians - Osijek headquarters
- Democratic Alliance of Bosnians from Slavonia and Baranja
- German Association - Provincial Association of Danube "Svabe" in Croatia – Osijek
- Society of Montenegrins and Friends of Montenegro of Osijek-Baranja County

Out of 6 Councils (Albanian, Bosnian, Hungarian, German, Slovak and Serbian national minority), and 4 Representatives (Montenegrin, Macedonian, Roma and Slovenian national minority) of ethnic minorities in the City of Osijek, which were chosen in elections for Council Members and Representatives of National Minorities in year 2007, in this survey 4 Council and 2 Representatives participated:

- The Council of the Hungarian National Minority of the City of Osijek
- The Council of the German National Minority of the City of Osijek
- The Council of the Slovak National Minority of the City of Osijek
- The Council of the Serbian National Minority of the City of Osijek
- Representative of the Montenegrin National Minority of the City of Osijek
- Representative of the Slovenian Minority of the City of Osijek

### **The results of analysis and collected data**

#### **1. Support of the City of Osijek in the work of Associations, Councils and Representatives of National Minorities**

City of Osijek provides financial resources to all surveyed Councils and Representatives of National Minorities.

All 4-interviewed Councils and one Representative of National Minority have said that these funds are intended for financing their operative and administrative costs ("cold running"), while one Representative pointed out that he uses the funds allocated by the City of Osijek

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also for its operating and administrative costs and for implementation of special programs and projects.

Neither surveyed Councils nor the Representative of National Minorities have applied / requested for funding of special projects and programs in the year 2009 from the City of Osijek.

Three Councils and one Representative also stated that the City of Osijek also provides and assigns other kinds of support other than financial. In the case of the two Councils, that support refers to the allocation of work space free of charge, availability and ability to use the necessary technical equipment free of charge and the availability and provision of various forms of informational and technical support also free of charge. One Council stated that they were assigned a workspace free of charge, while another Representative stated that the support of the City of Osijek relates to the availability and provision of various forms of informational and technical support free of charge.

***Analysis of the responses received from Councils and Representatives of National Minorities in the City of Osijek, brings up to the conclusion that the City of Osijek is in full compliance with the obligation under Article 28 Paragraph 1 Constitutional Law on National Minorities, which is: „Units of government must provide funding for Councils of National Minorities, including the means for performing administrative tasks for their needs, and can provide funds for the implementation of certain activities of the program established by the Council of National Minorities.“***

From 9 respondent associations of national minorities, the City of Osijek financial supports eight of them; two associations have stated that they have not submitted a request to the City of Osijek for funding special projects and programs in 2009.

6 NGO are receiving financial support from the City budget and that support in most cases is allocated for the implementation of special programs and projects, while one NGO stated that financial support is used for financing the operative and administrative costs. One NGO pointed out that funds are used for organizing cultural events.

4 Association have realized, beside financial and other types of support such as allocation or use of workspace free of charge (3 responses) and the availability and provision of various forms of informational and technical support free of charge (2 replies).

***Analysis of the responses received from associations of national minorities suggests that the City of Osijek financially supports the work or the programs and projects of NGOs that have submitted requests for financial support. Associations are also provided by other types of support.***

## 2. Perceptions of respect for fundamental human rights

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7 surveyed stakeholders believe that the fundamental rights of national minorities in the City of Osijek are "**respected**" whereas 8 responded that they are "**generally respected**".

Interviewed stakeholders that did not respond with "**respect**", were asked to respond to additional questions. Analysis of their responses shows that:

- Out of 8 stakeholders who believe that the fundamental human rights are "**generally respected**", it is almost the same number of those who estimate that their members of national minorities are exposed to contempt of fundamental rights "**to a greater extent**" in relation to members of the majority people in the City of Osijek and those who have answered "**to a lesser extent**". No stakeholder has answered "to the same extent".

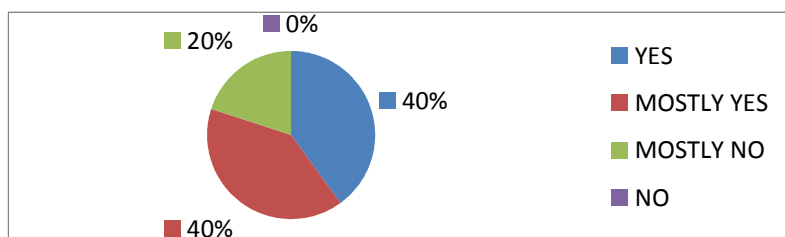
- On the question of to which extent, members of the minority that they belong to, are displayed to contempt for basic human rights in relation to members of other ethnic minorities in the City of Osijek, stakeholders selected in almost equal number offered responses "**to a greater extent**", "**to the same extent**" and "**to a lesser extent**".

- At the question which fundamental human rights, in their opinion, are most violated to the members of a national minorities to which they belong to, usually in almost the same number of responses it was next six rights (there was a possibility to give more than one answer):

- a) The right to be able to together with other members of their group enjoy their own culture, profess and express their faith or to use their language in local community
- b) The right to education;
- c) The right to freedom of expression
- d) The right of access to judicial and other government bodies
- e) The right to protection of property;
- f) The right to work.

### 3. Achievement of special minority rights and freedoms

On question do the members of national minorities in City of Osijek achieve minority rights and freedoms from the Constitutional Law on Minority Rights, respondents gave following answers:



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Respondents who previously answered mostly NO or mostly YES were asked to list, with the possibility of selecting multiple answers, which minority rights and freedoms members of national minorities which they belong to, isn't exercised according to the Constitutional Law on Rights of National Minorities:

- a) Declaration on belonging to national minority **(2 answers)**
- b) The use of name and surname in minority language and letter **(2 answers)**
- c) Getting personal ID card on minority language and letter **(5 answers)**
- d) Use of minority language and letter in public and in private **(2 answers)**
- e) Education and upbringing on minority language and letter **(1 answer)**
- f) Use of symbols and augury of national minorities
- g) Exercising cultural autonomy **(1 answer)**
- h) Declaration of religion and founding religious communities
- i) Access to means of public announcement and practicing public announcement on minority language and letter **(5 answers)**
- j) Self organizing and merging for accomplishing common interests
- k) Representation in City assembly (City Council) **(6 answers)**
- l) Representation in administrative bodies of a City **(6 answers)**
- m) Representation in administrative bodies of State (State administrative office in Osijek-baranja county, Police administrative body and police station in Osijek-baranja etc) and judicial bodies on local level **(7 answers)**
- n) Participation in public life and managing local affairs through Council and Representatives of National Minorities **(4 answers)**

**Based on answers on exercising rights under k), l) and m) it seems necessary for better insight for (some) respondents (organizations, Councils and Representative of National Minorities) with stipulations of article 20. paragraph 2. and 3. and article 22. paragraph 2. and 3. of Constitutional Law on Rights of National Minorities in the Republic of Croatia:**

### **Article 20.**

(2) If for a national minority making up more than 15% of the total population of a local self-government unit, and no proportional number of Representatives is elected, on the basis of universal suffrage, to the Representative body of the local self-government unit, the number of the members of the local self-government unit Representative body will be increased to the number required for the minority to be represented, and considered to be elected will be those national minority members who obtained the highest proportion of votes in all voting lists, unless otherwise provided by the law on the election of members of local self-government unit Representative bodies.

(3) If for a national minority making up more than 5% of the total population of a regional self-government unit, no proportional number of Representatives is elected on the basis of universal suffrage, to the Representative body of the regional self-government unit, the number of the members of the regional self-government unit Representative body will be increased to the number required for the minority to be represented, and considered to be elected will be those national minority members who obtained the highest proportion of votes in all voting lists, unless otherwise provided by the law on the election of members of regional self-government unit Representative bodies.

### **Article 22.**

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(2) In accordance with the provisions of special laws, members of national minorities are ensured representation in the administration and judicial bodies, having regard to the proportion of members of national minorities out of the total population at the level where the government administration or judicial body operates, and to acquired rights.

(3) Representation of members of national minorities in the bodies of self-government units is ensured, in accordance with the provisions of special laws regulating local and regional self-government and in conformity with acquired rights.

*Having in mind specific rights of Councils and Representatives of National Minorities, which are stated in Constitutional Law on Rights of National Minorities, specific questions were asked exclusively to Councils and Representatives of National Minorities.*

On question do the City authorities seek, in preparation of general acts, opinions of Councils/ Representative of National Minorities in cases which consider or regulate rights and freedoms of national minorities, from six respondents the same number of them responded **affirmative** (3) and **negative** (3).

All stakeholders who responded affirmatively on the previous question stated that they **sometimes** present their opinions and suggestions to authorities.

On question do the *Council / Representative of National Minority exercise at least one of their rights stated in Article 31. paragraph 1 of the Constitutional Law on Rights of National Minorities* answers gave only three stakeholders, all were affirmative. Of 4 rights from the mentioned Article stakeholders stated that they exercise 3, in following:

1. right to propose to the bodies of a self-government unit, measures for the improvement of the position of a national minority in the state or in an area thereof, including the submission of proposals of general acts which regulate the issues of significance for a national minority to the bodies which adopt them **(1 answer)**
2. propose candidates for duties in state administrative bodies and bodies of self-government units
3. be informed about each issue which the working bodies of the Representative body of a self-government unit will discuss, and which pertains to the position of a national minority **(3 answers)**
4. provide opinions and proposals with regard to the programmes of radio and television stations at the local and regional level intended for national minorities or programmes which deal with minority issues **(1 answer)**

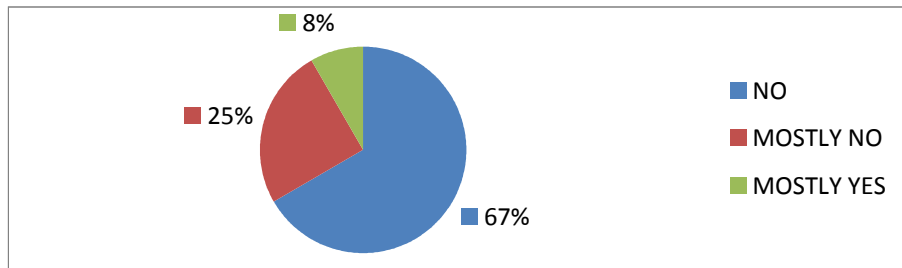
As reasons for not exercising one of rights stated in Article 31 paragraph 1 of the Constitutional Law on Rights of National Minorities three stakeholders stated that City authorities ignore Council / Representative of National Minority initiatives for exercising rights, while one stakeholder stated that “Council have right to ask questions as every other citizen but they don’t decide on anything”.

In closing, 4 respondents graded exercising rights from Article 31 paragraph 1 of the Constitutional Law on Rights as “**mostly satisfying**”, while one stakeholder stated “**mostly unsatisfying**”.

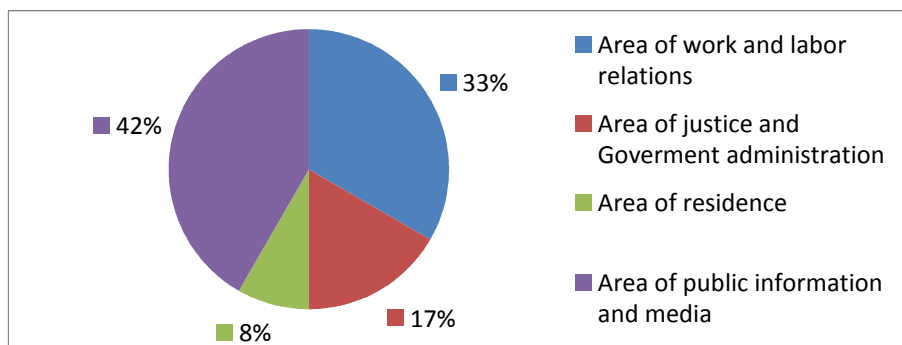
#### **4. Discrimination**

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On question whether are members of national minorities in City of Osijek exposed to any forms of direct or indirect discrimination (according to the statements in Antidiscrimination law) based on their belongings to a national minority, stakeholders gave the following answers:



Those respondents who answered on previous question with mostly YES or mostly NO (5) mostly consider that the members of national minorities to which they belong to are exposed to discrimination based on their national minority in relation to members of other national minorities in “lesser extend” while one stakeholder stated “in greater extend”. Same stakeholders were asked to list, with the possibility of multiple answers, areas of life in which the discrimination of national minorities members which they belong to, is most present:

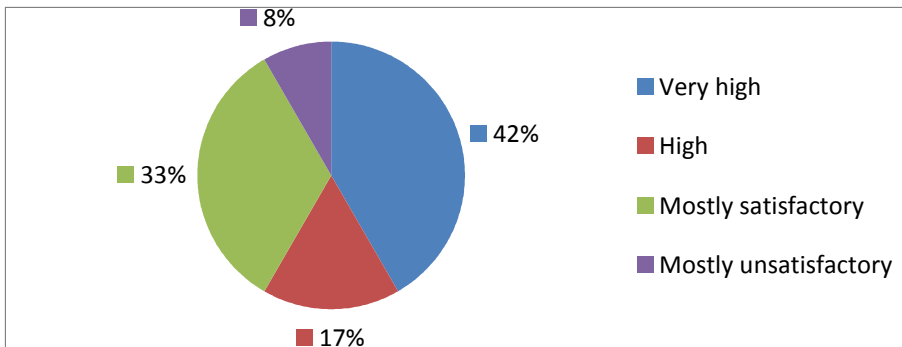


### 5. Integration and tolerance

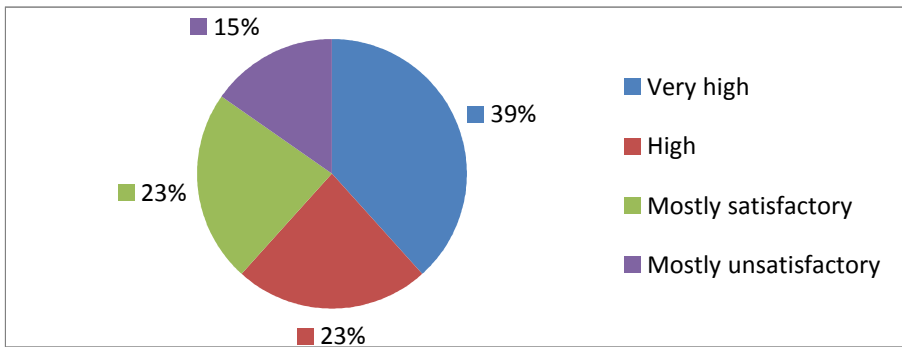
Following, you can see overview of respondent’s opinions, surveyed organizations, Councils and Representatives of National Minorities respectively:

1. Degree of integration of members of national minorities in wider society in City of Osijek (12 answers)

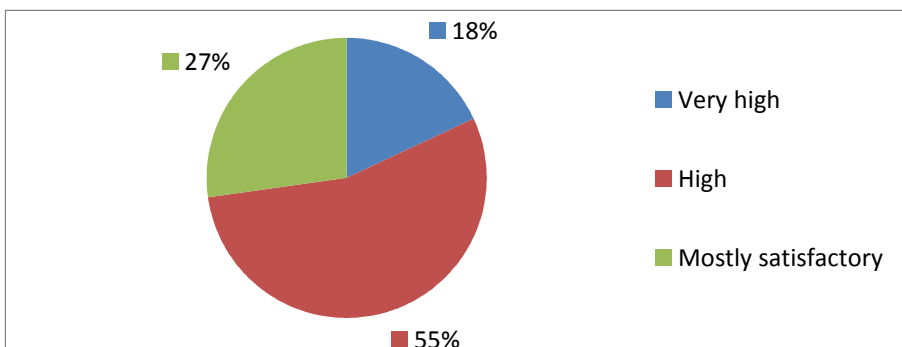
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2. Degree of integration of members of national minorities which is the respondent into wider society in City of Osijek (13 answers)

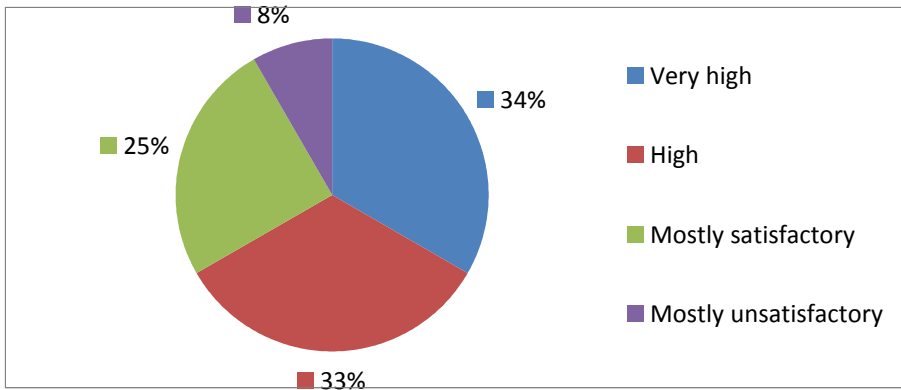


3. Degree of tolerance towards members of national minorities in City of Osijek (11 answers)

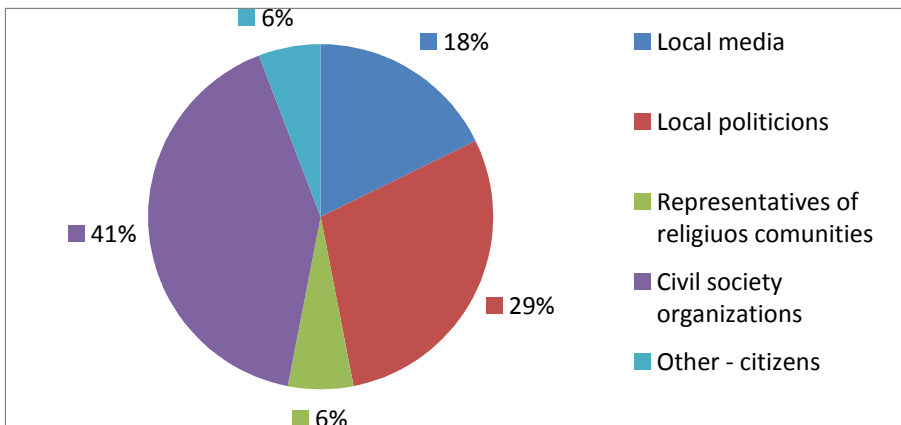


4. Degree of tolerance towards members of national minorities of which the respondent is a member in City of Osijek. (12 answers)

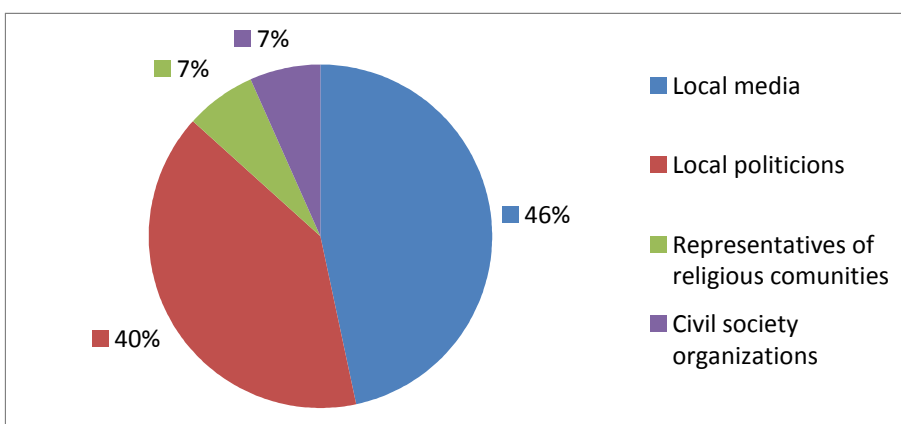
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5. The biggest contribution towards international tolerance and understanding in City of Osijek comes from (stakeholders were asked to circle maximum 2 out of 5 offered answers - 17 answers):



6. The smallest contribution towards international tolerance and understanding in City of Osijek comes from (stakeholders were asked to circle maximum 2 out of 5 offered answers - 15 answers):



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### **Conclusions and recommendations**

The City of Osijek is in full compliance with the obligation under Article 28 Paragraph 1 Constitutional Law on National Minorities, which is to provide funds for the work of Councils of National Minorities so they could carry out administrative tasks and the activities of the program established by the Council. Also, the City of Osijek financially supports the work or the programs and projects of NGOs that have submitted requests for financial support, and beside financial, organizations are also provided with other types of support. Due to different professional qualifications of the representatives of NGOs, Representatives and members of Councils of National Minorities and under-developed capacity for using optional financial and other forms of support, additional training is required for members of national minorities from NGOs and Councils, and Representatives of National Minorities about development and implementation of quality projects and programs.

Members of the organizations and Council and Representatives of National Minorities are not sufficiently familiar with the provisions of Article 20 Paragraph 2 and 3, and Article 22 Paragraph 2 and 3 Constitutional Law on Minority governing, the exercise of the rights of national minorities to a representation in Representative bodies, local self-government and in the administration and judiciary at the local level. In order to overcome existing problems additional education is necessary for organizations and Councils and Representatives of National Minorities on the adequate application of the Constitutional Law on National Minorities and other relevant laws and international documents as well as mechanisms for protecting rights of national minorities.

The lowest contribution to inter-ethnic tolerance and understanding in the City of Osijek give local media. Therefore it is necessary to ensure more media space for programs and activities of minority associations and Councils and Representatives of National Minorities in order to change negative attitudes and perceptions of national minorities by the majority people.