

# **ALTERNATIVE REPORT ON IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES**

*for the period 2004 - 2009*

*for*  
ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION  
FOR THE PROTECTION OF NATIONAL MINORITIES

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*Report prepared by:*



**CENTER FOR THE IMPLEMENTATION OF INTEGRATION  
INTO THE EUROPEAN UNION**

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## **CENTER FOR THE IMPLEMENTATION OF INTEGRATION INTO THE EUROPEAN UNION**

Was established in 2009, as a non-governmental organization whose goal is the development of civil society and the protection of human rights in Croatia, organized action toward the governmental institutions and organs and institutions of the European Union.

In accordance with its objectives, the Center:

- Facilitate the realization and protection of rights of minorities in Croatia in the process of EU accession and after accession,
- technical assistance and consulting to its members, informational support and active cooperation in solving problems in the activities of their organizations and create conditions for the timely action

The Association encourages mutual co-operation with similar objectives and activities at the local, municipal, county and state level in order to exchange experiences, about participating in the organization of forums, round tables, consulting, education and other activities aimed at better informed community and society as a whole.

Members of the Center are individuals and NGOs, and users are all categories of citizens regardless of gender, religion, ethnicity, culture, language or other characteristics.

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## INTRODUCTION

In the Republic of Croatia live 22 national minorities which are organized in 19 associations. National minorities in terms of the Constitutional Act are minority group of Croatian citizens whose members have traditionally settled in the Croatian territory, and its members have ethnic, linguistic and / or religious characteristics different from other citizens and are led by the desire to preserve these characteristics.

The legal framework regulating the rights of national minorities in Croatia are:

Croatian Constitution (Ustav RH - NN 56/90., 8/98., 124/00., 41/01.);

Constitutional Law on National Minorities from 2002 (Ustavni zakon o pravim nacionalnih manjina iz 2002. - NN 155/02.);

Law on Education in the language and script of national minorities (Zakon o odgoju i obrazovanju na jeziku i pismu nacionalnih manjina - NN 51/00.);

The law on the use of language and script of national minorities (Zakon o uporabi jezika i pisma nacionalnih manjina - NN 51/00., 56/00.);

Law on Election of Representatives to the Croatian Parliament (Zakon o izboru zastupnika u Hrvatski sabor - NN 116/99., 109/00., 53/03., 69/03);

Law on Election of Members of Representative Bodies of Local and Regional Government (Zakon o izboru članova predstavničkih tijela jedinica lokalne i područne (regionalne) samouprave) - NN 44/05.);

Law on Courts (Zakon o sudovima - NN 115/05., 16/07.);

Law on Public Prosecutor's Office (Zakon o državnom odvjetništvu - NN 55/01., 58/06., 16/07.)

National Program for Roma (Nacionalni program za Rome - 2003.)

Action Plan "Decade of Roma 2005-2015" (Akcijski plan «Desetljeća za Rome 2005.-2015.fl)

Implementation of the Constitutional Law on National Minorities is also the implementation of obligations under international treaties, which the Republic of Croatia is a party, in the first row of the Framework Convention on National Minorities (OG-IT 14/97.) and the European Charter for Regional or Minority Languages (NN - MU 18/97.) and other international documents such as the International Covenant on Civil and Political Rights (OG-IT 12/93.) and the Convention on the Elimination of All Forms of Racial Discrimination (OG-IT 12/93).. In addition to multilateral conventions the Republic of Croatia concluded bilateral agreements on protection of rights of national minorities with Italy (OG-IT 15/97.) Hungary (NN-MU 8 / 95.), Macedonia, Serbia and Montenegro (NN-MU 3 / 05. ). Croatian Government signed an Agreement with the Government of the Czech Republic on cooperation in the field of culture, education and science (NN-MU 6 / 02) that are part applies to national minorities in both countries and the Treaty with the Republic of Austria on cooperation in the field of culture and education .

## Ethnic and national structure of the population according to census 1991 and census 2001.

Natioanality	1991 / Number	%	2001 / Number	%
Croatian	3.736.356	78.1	3.977.171	89.6
Albanian	12.032	0.3	15.082	0.3
Austrian	214	0.0	247	0.0
Bosnian	43.469	0.9	20.755	0.4
Bulgarian	458	0.0	331	0.0
Montenegro	9.724	0.2	4.962	0.1
Czekoslovakian	13.086	0.3	10.510	0.2
Greek	281	0.0	-	-
Hungarian	22.355	0.5	16.595	0.3
Macedonian	6.280	0.1	4.270	0.1
German	2.635	0.1	2.902	0.0
Polish	679	0.0	567	0.0
Roma	6.695	0.1	9.463	0.2
Romanian	810	0.0	475	0.0
Russian	706	0.0	906	0.0
Rusynian	3.253	0.1	2.337	0.0
Slovakian	4.275	0.1	4.712	0.1
Slovenian	22.376	0.5	13.173	0.3
Serbian	581.663	12.2	201.631	4.5
Italian	21.303	0.4	19.636	0.4
Turkish	320	0.0	300	0.0
Ukraine	2.494	0.1	1.977	0.0
Vlasi	22	0.0	12	0.0
Jews	600	0.0	576	0.0
Other nationalities	3.012	0.1	21.801	0.4
Nationality undecided	73.376	1.5	89.130	2.0
Yugoslavenian	106.041	2.2	-	-
Regional affiliation	45.493	0.9	9.302	0.2
Unknown	62.926	1.3	17.975	0.4
<b>Total :</b>	<b>4.784.265</b>	<b>100.0</b>	<b>4.437.460</b>	<b>100.0</b>

Source: State Bureau of Statistics

## SPECIAL EVENTS IN THE SOCIAL, POLITICAL AND LEGISLATIVE LIFE

CROATIAN CONSTITUTION as a national characteristic of the state enacted on 22 December 1990, and since then has changed three times: 1997, 2000 and 2001. The Constitution is the highest legal act and the foundation and framework of the legal system, the most important political document of the state. Stipulates the basic principles, structure and functioning of political systems. Croatian Constitution (Official Gazette no. 56/90, 135/97, 8 / 98-revised text, 113/2000, 124/2000 - revised text, and the change of the Croatian Constitution published in the Official Gazette No. 28 / 2001) in the preamble states:

"Proceeding from the historical facts set forth, and generally accepted principles in the contemporary world and the inalienability and indivisibility, right to self-determination and sovereignty of the Croatian people that can not be transferred or spent, including the unimpaired right to secession and association, as well as the basic preconditions for peace and stability of international order, the Republic of Croatia is established as a national state of the Croatian nation and the state of autochthonous national minorities: Serbs, Czechs, Slovaks, Italians, Hungarians, Jews, Germans, Austrians, Ukrainians, Rusyns and others, who are its citizens, who are guaranteed equality with citizens of Croatian nationality and the realization of national rights in accordance with democratic norms of the UN and the countries of the free world ... "

Representatives of the leading political party Croatian Democratic Union (HDZ) and representatives of parliamentary parties in the Republic of Croatia, agreed in October 2009 to begin with the constitutional changes. Among other things, some of the leading opposition parties in Croatia - Social Democratic Party (SDP), Croatian People's Party (HNS) and the Istrian Democratic Party (IDS) suggested that the preamble of the Constitution should enter the Slovenes, Bosnians and Roma.

We believe that the Croatian Constitution as the fundamental and the highest legal act of the state, should not only enumerate some of the national minorities, and those not listed under puts the term "all others". The enumeration in the preamble of the Constitution is not operated or abundance of an individual national minority and its share in total population of the Croatian Republic, for example, according to the latest census from 2001. The share of Ukrainians, Rusyns, Austrians and Jews in the total population is much smaller than the share of Roma, Romanians and Slovenians that the Constitution does not mention by name.

Therefore, we believe that the Constitution of the Republic of Croatia in its preamble should enumerate all the national minorities living in Croatia, and considering Croatia as their homeland.

Furthermore, as the constitutional changes are considered the possibility of introducing additional voting rights for national minorities, as they would have a general right to vote, and to pursue further right to vote. The text of the Constitution of the Republic of Croatia predict such possibility, and the one right to vote does not exclude the other, but it has never been carried out through legal acts (such as Election Law).

In this way, minorities are restricted in their choice because they have to decide whether to vote for the minority party or list. If you decide to vote in a particular constituency, deny them universal suffrage, which have all citizens. On the Croatian political scene and parties in center and left. center think that this change would avoid the further segregation of voters to the polls.

In Croatia, the Commission for Monitoring National Program for Roma formed a working group of the Commission to perform administrative and professional jobs and other significant issues for the Commission's work.

The first Working Group - for Inclusion of Roma in the cultural and social life and implementation of international documents - constitute the members of the Commission from the Ministry of Foreign Affairs, the Ministry of Culture, Ministry of European Integration, the Office for National Minorities and Roma representatives.

The second working group -for status rights and non-discrimination - consists of members of the Commission from the Ministry of Interior, Ministry of Justice, Office of Human Rights and Roma representatives.

Third Working Group - for Education, Science and Sport - consists of members of the Commission of the Ministry of Education and Sports, NGOs in the field of human rights and Roma representatives.

Fourth Working Group - for social and health care and employment - consists of members of the Commission from the Ministry of Health and Welfare, the Ministry of Economy, Labor and Entrepreneurship, Ministry of Family, Veterans and Intergenerational Solidarity and the representative of the Roma

Fifth Working Group - for urban planning and housing - consists of members of the Commission of the Ministry of Environment, Physical Planning and Construction, Međimurske County, City of Zagreb and a representative of the Roma.

Although the rules of the Commission for monitoring implementation of the National Program for Roma from the 29th April 2008 (Art. 12th Rules) states that each of these members may not be in more than two working groups, some people are members of all 5 working groups. When assigned funds made the decision to grant to others, and assigned to themselves and just these funds are larger than the funds allotted to others.

At the same time, members of the Commission for monitoring national programs to discuss his meetings and awarded funds to provide financial assistance to organizations and their members to resolve utility problems, pay overhead expenses, house repairs, povpravke roads and paths for the construction of municipal infrastructure projects in the settlements, the final works on private homes, to pay the costs of rent and other related costs are the responsibility of the Center for Social Welfare, Croatian Roads, utility companies or other similar companies.

**Source:** Minutes from the Meeting of the Commission for monitoring implementation of the National Program for Roma - 29 April 2008. year, 29 July 2008.

**Recommendation:**

If the human or any other justifiable reason, want to help people solve their basic problems, we would recommend to do for the Association of Roma in Croatia.

List of Croatian population from 2001, also does not match the actual number of the population, especially in the information pertaining to national minorities. So the official number of Roma from 9463 odds considerably from the actual 35 000 - 40 000 (source: Central Bureau of Statistics, for example, according to the Ministry of Labor and Social Welfare 21,381 members of the Roma minority is receiving social assistance). Below that is a significant deficiency because of their size of the Roma should have important rights, such as within the educational system to enter the Model A, B or C.

We suggest, therefore, the new census, and the inclusion of the Roma population in the inventory.

## THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION BY CROATIA

### Regarding Article 12th Framework Convention for the Protection of Minority Rights

#### Article 12

1st Where the parties shall take appropriate measures in the field of education and research to promote knowledge about the culture, history, language and religion of their national minorities and majority.  
 2nd In this context, the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and will facilitate contacts between students and teachers of different communities.  
 3rd The Parties undertake to promote equal access to education for persons belonging to national minorities at all levels.

#### Status:

Advisory Committee for the Framework Convention for the Protection of National Minorities, in its first opinion on Croatia and the second opinion on Croatia encouraged the authorities to solve the problem of ensuring textbooks for members of national minorities.

Regardless of the recommendations made by the Advisory Committee, the Croatian authorities still did not resolve the problem of textbooks, in order to ensure equality of ethnic minorities in the educational system.

In the Romani language, there is only religious studies textbook, published in 2005, even for elementary school. There is no any other textbook for any school subject for primary or secondary school in the Romani language.

**Source:** VOICE Council, published weekly, number 24 on June 12 from the 2005, the publication of textbooks in religious instruction, which is the only textbook in Croatia in the Romani language.

#### Recommendation:

In Croatia there are non-governmental organizations in its work program and descriptions of activities concerned with education, especially the Roma minority. Consequently, these organizations have produced their five-year programs and projects involving the preparation of school books, textbooks and books for training teachers. However, governmental institutions responsible for education and for these programs do not support such programs professional or financial insufficient and do not cooperate on their implementation in practice. Therefore we recommend better co-operation of governmental bodies and institutions with civil society organizations that already have a ready-made applications, and ideas, will, and staff for their implementation.

## Regarding Article 14 Framework Convention for the Protection of Minority Rights

### Article 14

1st The Parties undertake to recognize that every person belonging to national minority has the right to learn in their native language.

2nd On areas traditionally or in a significant number inhabited by persons belonging to national minorities, if there is enough interest, the parties will try to ensure, as far as possible and within their educational systems, that persons belonging to those minorities have adequate opportunities to learn minority languages or to be taught the minority language.

3rd Paragraph 2 this Article shall apply without prejudice to such learning and teaching the official language.

### SECTION II

Article 5 Paragraph 1, item 44 of the Framework Convention for the Protection of Minority Rights which states that the reference to "tradition" is not approval or acceptance of practices contrary to national legislation.

### Status

As for the Roma minority remains a national program recognizes their right to education in minority language (Romani language), but states that such a course is not currently provided because among the minority there is no demand for education in their language. Roma education in their mother tongue still does not include any of three educational model (model A, B and C) by which is, the education of national minorities in Croatia, organized. The report of the Office for National Minorities on the implementation of the Constitutional Law on National Minorities for 2008 stated that in 2008 with support from the Ministry of Science, Education and Sport held two summer schools for the Roma minority (100 students), so the official state data shows that only 100 Roma children from the whole area in Croatia attended summer educational school. It is worrying small percentage, if we know that the official data number of Roma children of school age in the Republic of Croatia is 3972. Also note that both the summer training schools are not held in the Romani language, but the Croatian language with subject - "getting to know each other," and "art and music culture."

Training school (summer or winter), which are held in their native language - Romani language, and that Roma children are learning the Romani language are not supported by the Ministry of Science, Education and Sports, to the Republic of Croatia for the Roma minority has not implemented Article 14 Framework Convention for the protection of minority rights, which is about a real learning in native language.

In the Ministry of Science, Education and Sports operates the Department for national minorities, the Agency for education, and Working group composed of members of the Commission for Monitoring of the National Program for Roma.

We draw attention to the funding of the Ministry of Science, Education and Sports, funding is mostly assigned to programs that teach members of the same working group, which grants funds.

**Source:** Decision on the appointment of a working group for science, education and sports for monitoring the implementation of the National Program for Roma, [www.mzos.hr](http://www.mzos.hr)  
 Source: Official report of the Office for National Minorities - on the implementation of the Constitutional Law on National Minorities and the expenditure of funds provided by the state budget Republic of Croatia for 2008. year for National Minorities, Zagreb, December 2009 - [www.vlada.hr](http://www.vlada.hr) - 30 Session of the Government, 5 item on the agenda

**Commendations and recommendations:**

Is commendable that in 2008 over 2007 increased the funds allocated by the Ministry of Science, Education and Sports, the increase in HRK is 2,014,572.79, but we recommend that they study the possibility of redistribution of resources in favor of education of Roma children in their mother tongue, in order to prevent its disappearance ( For example, unnecessary would be numerous publications published in the Romani language, if they will not have anyone to read).

From our own experience of organizing the traditional educational summer school for Roma children from age 7 to 17, we can not accept such statements and allegations in the National Program that among the Roma there is no demand for education in their native language, these states are opposed to article.5. paragraph 1item 44 of the Framework Convention, (which states that the reference to "tradition" is not approval or acceptance of practices contrary to national legislation ) because the number of children that would like to participate in our schools is growing every year, and due to lack of funds we are forced to refuse children. Means that we get approved from the Council for National Minorities, and the Ministry of Science, Education and Sports, are more than a lack of organizing a quality school for a period of at least 10 days, which indicates that there is no real will of public authorities to resolve this situation.

**In relation to Section 2, Article 4 paragraph 1****Article 4 Paragraph 1.**

The Parties undertake to guarantee to persons belonging to national minorities the right to equality before the law and equal legal protection. In this regard it prohibits any discrimination based on national minority.

**Status:**

Visiting the area in the municipality of Beli Manastir, on a visit to secondary school, "Second high school Beli Manastir," we found that the class teacher next to the names of Roma children placed capital letter "R", thus the children are directly marked and placed in a different position than other children . Monitoring this situation we have noticed that these same children regularly have lower ratings, and their efforts are also judged lower grade.

These allegations are difficult to prove because the only assessment, particularly the commitment during the class, depend of the subjective attitude of teachers. Also from the same teacher, the letter "R" was deleted, but as a proof we have photos taken before deleting.

Member of the Association of Roma friendship "Luna" at the time of registration in secondary school in Beli Manastir "The first high school Beli Manastir" had all the necessary documents for entry into secondary school. At the registration his request was denied. About this, he informed the President of the Association "Luna" which member he is. President of the Association personally asked the director of high school, for its member, the reasons for refusal of registration. The Director said that he do not want to have Roma children in his school. President of the Association "Luna" requested that he gives this answer in writing andthe he agreed.

**Source:** documents and photos on these cases is in the archives of the Roma Association of Friendship "Luna" from Beli Manastir

## SECTION II

### Regarding Article 4 paragraph 2 Framework Convention for the Protection of Minority Rights

#### Article 4 paragraph 2

The Parties undertake to adopt the appropriate measures needed to promote full and effective equality between persons belonging to national minorities and members of the majority population in all areas of economic, social, political and cultural life. In this regard the parties will adequately take into account the specific conditions of national minorities.

#### Status

The problem of Roma education is important in obtaining citizenship. According to the Law on the acquisition of Croatian citizenship, the requirement for the acquisition of citizenship may be refused if the applicant does not know the Croatian language, knows the Latin script, and if not literate. In this regard we point out that the older Roma parents, are in most number illiterate and therefore can not obtain citizenship, their children have it. So everything revolves in a vicious circle with one hand, children have a nationality, but they parents do not, children, as a minor can not make money, and parents do not exercise any rights because they are not Croatian citizens. Therefore, parents do not have the financial resources that would enable children to continue education.

**Source:** Law on Croatian Citizenship

#### Article 8 / Law on Croatian Citizenship

Croatian citizenship can acquire a foreigner who has applied for admission to Croatian citizenship if he meet the following prerequisites:

- 1st the age of 18 and that he was not deprived of legal capacity;
- 2nd that there is release from foreign citizenship or to submit evidence to obtain release if he admitted to Croatian citizenship;
- 3rd that the applicant was reported to stay at least five years continuously on Croatian territory;
- 4th to know the Croatian language and Latin script;
- 5th That from his behavior can be concluded that respects legal system and customs in the Republic of Croatia and accepts the Croatian culture.

Shall be deemed to have met the assumption of point 2 Paragraph 1 this Article, if the request is submitted by a person who is stateless or will be stateless according to the law of the country whose citizen will become croatian citizenship.

If the foreign country does not allow the release or set conditions for release that can not satisfy, a sufficient statement of the person who applied under the assumption that the acquisition of Croatian citizenship renounces foreign citizenship.

#### Article 26 Law of Croatian citizenship

Ministry of the Interior shall deny the request for the acquisition or termination of citizenship if they have not fulfilled the assumptions, except as otherwise regulated by this law.

- The same problem also saw some political parties in Croatia, doing research among the Roma community, for its own purposes, for example, this situation is described in the commentary on official website of the Croatian People's Party - [www.hns.hr](http://www.hns.hr)

**Recommendations and commendations:**

We believe that the problem of insufficient awareness of the Roma community about the possibilities and ways of learning the Croatian language and script for adult Roma, such programs for adults need to be available and simplified, , which could lead the teachers and professional staff that knows both, Romani and Croatian language. Especially need to work on the consciousness of society to such ignorance is characterized as a "disgrace" and properly organize and create information campaign.

At the same time we commend education for adults, particularly the retraining and professional occupations provide Community colleges throughout the Republic of Croatia. In particular, an increase in the number of participants, members of the Roma minority, see the documentation of Open University in Bjelovar-Bilogora County and Open University "Kotva" - Petrinja which cooperates with the Association for the promotion of education of Roma people in Croatia, "Kali Sara", and this type of education completed the number of its members (16 persons during the 2008 and 2009).

**Source:** Official data on citizens' open universities, and archival documentation of representatives of the Roma national minority in Bjelovar-Bilogora County and the Association for the promotion of education of Roma people in Croatia, "Kali Sara".

## SECTION II

### Regarding Article 12 paragraph 3 Framework Convention for the Protection of Minority Rights

#### Article 12 Paragraph 3

The Parties undertake to promote equal access to education for persons belonging to national minorities at all levels.

#### Status:

From the national reports on implementation of the National Program for Roma and Action Plan "Decade of Roma 2005-2015" it is evident that:

- Pre-school education in 2006/2007 was included 707 Roma children, and 2007/2008 included 425 children
- In primary schools 2006/2007 enrolled 3010 Roma children, a primary school has 113 students completed a 2007/2008 enrolled 3786 Roma children, a primary school has 150 students completed. In 2008/2009 the 3940 enrolled Roma children and ended with elementary school has 159 students.
- In the 2006/2007 high school enrolled 108 Roma students and 2007/2008 enrolled 186 Roma students
- In higher education in 2006/2007 enrolled 11 people, 2007/2008 enrolled 12 people.

The largest number of enrolled Roma children is seen at primary school, while during the eight-year basic education and primary schools by the end of that number drastically reduced. For example in relation to the 3786 Roma enrolled in primary school 2007/2008 year, primary education was completed only 150 of them. Constitutional law in the Republic of Croatia demands the end of primary school for all children. The question is what happens to children who enroll in primary school, and never have finished. We are talking about the number of approximately 3700 children each year, of the registration does not arrive until the end of primary school. The question is how children come to waste, negligence and lack of control of state institutions responsible for education, as well as social institutions, which provide parent that children are not sent to school, and that directly violates constitutional law at the end of the primary schools in Croatia mandatory for all citizens.

#### Commendations and recommendations

Ministry of Science, Education and Sport achieves better results in the enrollment of Roma children in school, it is evident that the number is satisfactory and growing every year.

Employment of professional associates - helpers (in 2007/2008 employed 23 associates-helpers) in primary schools is certainly a positive and necessary measure.

However, it would certainly recommend raising the awareness of parents and the Roma community and educating about the need for education so that they persevered in the education of their children. Schools in which children are enrolled, teachers and principals, but certainly the Centers for social work should be actively involved in the process of education and the need to control education and the consequences for not adhering to these obligations.

## SECTION II

### Regarding Article 4 paragraph 2. Framework Convention for the Protection of Minority Rights

#### Article 4 paragraph 2

The Parties undertake to adopt the appropriate measures needed to promote full and effective equality between persons belonging to national minorities and members of the majority population in all areas of economic, social, political and cultural life. In this regard the parties will adequately take into account the specific conditions of national minorities.

#### Status:

National Program for Roma since 2003, predicted employment for six Advisors Labor Employment of Roma in the Croatian Employment Service (CES). They covered the entire Croatian territory, especially those cities in which the largest number of Roma live.

It was conducted only in Bjelovar (Bjelovar-Bilogora County), in 2005, with the justification that the regional services other cities do not have enough registered unemployed Roma. Employment of one counselor lasted two and a half years. Currently neither the CES, as well as in regional combat in cities in Croatia is not employed none of the anticipated 6 advisor Labor Employment of Roma.

Two years after drafting and publication of the National Program for Roma, Regional Office CES in Zagreb was not familiar with the existence of such program, although one of the essential items is employment.

The Council of the Roma national minority of Zagreb, in 2005 met the CES with the existence of the National Program for Roma, and Chairman of the Committee for employment within the Council several times, met with representatives of the Croatian Employment Service.

The Council of the Roma minority, in the meetings suggested a qualified person who would be performing duties Advisor for mediation in the employment of Roma in the CES, but no proposal was accepted and all the rest only on the talks.

**Source:** Report on the implementation of the National program for Roma in 2004, 2005 and 2006; Mr. Goran Djurdjevic personally, only ever employed as an adviser to the regional office in Bjelovar performed tasks advisor in two and a half years.

Written reports from meetings of the CES and the Council of the Roma national minority Zagreb.

#### Recommendation:

We suggest that in terms of employment of 6 consultants for mediation in the employment of Roma implement the program as planned because we think that would significantly increase the number of Roma employed. Of particular importance would be the advisor nationality is also Roma as to achieve better communication with Roma seeking employment, as well as employers.

## **Article 15 Framework Convention for the Protection of Minority Rights**

### **Article 15**

The Parties shall create the conditions necessary for effective participation of persons belonging to national minorities in cultural, social and economic life and public affairs, especially those pertaining to themselves.

#### **Status:**

Croatian Employment Service in their reports informed about employment of Roma, but it does not specify whether it is employment for an indefinite time, a certain time or seasonal employment in public works. Periodic employment in the summer or winter usually lasts for 3 months and is not a permanent working relationship, which actually does not mean that the person is employed in real terms, while entering the number of employees in the report. So Roma employees can not provide for his family in the long term, can not solve their housing loan or account with a bank, can not pay pension and health insurance and many other features that have people in permanent employment.

The situation of Roma in the labor force in seasonal jobs and public works is very unfavorable because so employed Roma lose his social security received as an unemployed, and in most cases because of the size of the family. Frequently, the amount of social security is higher than the ncome that they receive as a seasonal workers or workers in public works. After the cessation of work (seasonal or public, which is usually after 3 months), he again has problems about social welfare, because it was abolished in social support with regard to several months to receive a salary. Determining the right to re-social support to re-take several months. Because that the majority of Roma have difficulties in deciding to accept seasonal employment or public works because it does not resolve their situation for a longer period.

**Source:** Report of the Croatian Employment Service 2005, 2006, 2007 and 2008

**In relation to Article 5 Framework Convention for the Protection of Minority Rights****Article 5**

The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture and preserve the essential component of their identity or their religion, language, tradition and cultural heritage.

**Status:**

In the area of Bjelovar-Bilogora County, in 2006, the Association of Roma Lovara developed a pilot project of Co-operatives to conduct traditional Roma occupations. The same project submitted to the Croatian Employment Service, as the competent institution in the National Program for Roma employment chapter "of Roma for Roma" Roma considered the possibility of employment of Bjelovar-Bilogora County, based on details of the created program. Since then the Croatian Employment Service has not sent any response to numerous inquiries from the Association of Bjelovar.

**Source:** Archives of the Association of Roma Lovara - [www.lovari.hr](http://www.lovari.hr); archive of the Croatian Employment Service, Mr. Goran Djurdjevic - personally, as a co-author and proponent of the project

**Recommendation:**

In several areas, among the Roma communities in Croatia, Roma proposed merger of cooperatives, in order to legalize and preserve their traditional occupations. Each of these attempts has remained at the initial stage, after making and sending to the Croatian Employment Service, no more replies made on projects. It is essential that the Croatian Employment Service consider these projects, and that its expert review, and answers to many questions asked by proposers. Big problem is lack of transparency of distribution of funds which come from CES, the Government and the other donors.

## **Article 10 paragraph 2 Framework Convention for the Protection of Minority Rights**

### **Article 10 paragraph 2**

In areas inhabited by people who traditionally or in a significant number belonging to national minorities, if that person is requested and where such a request corresponds to the actual need, the parties will try, as much as possible, provide conditions that will allow the use of minority languages in dealings with these people authorities.

#### **Status:**

Official reports the Croatian Employment Service (CES) various amounts of data on the number of employed Roma in the Republic of Croatia for the period to which they relate. Given these discrepancies, as well as deviations from records of the Associations carried out on the field as civil society organizations, on several occasions over the years (2005, 2006, 2007) over the Council of the Roma minority in the city of Zagreb - the Committee for Employment, looked from the CES an accurate information about the Roma people who were employed, with names and surnames. The answers they received from CES and officially stated that no such data is available because they do not keep records by nationality. At the insistence of the Committee for Employment of the Council of the Roma national minority to give them the answers how they know that it is Roma who is hired, they got a response to identify the place of residence, name and surname of the person and skin color. Another response was to give us personal information (names of persons) can not provide because it would be contrary to the Law on the Protection of personal data and such data can only be given on personal request or the request of judicial authorities. Given that the data can not be checked, and do not agree with the data that have associations in their records, we express great doubts about their accuracy. Source: - Report on the Implementation of the Action Plan "Decade of Roma 2005.-2015" Employment Plan for 2006 at the city of Zagreb and Zagreb County - Class: 100-01/05-01/93; Ur.br. 251-03/1-07-177

The official written answer CES referred to the Committee for Employment of the Council of the Roma national minority of Zagreb:

- Subject: Information about unemployed Roma who were employed during 2006 - Class: 100-01/05-01/93; Ur.br. 251-02/1-05-155
- Subject: observations on the report of the Committee for employment of the Council of the Roma national minority Zagreb - Class: 100-01/06-01/138; Ur.br. 344-33/1-07-15

#### **Recommendation:**

How can we assess the real situation of employment and unemployment among the Roma population is necessary that the records, reports and data sources that lead CES are transparent and available to representatives of the Council of the Roma national minority of municipalities, cities and counties (because they are the legitimate representatives of the Roma community) that together could lead to employment policies.

Praise to the Croatian Employment Service for informing people about the Roma minority employment opportunities, services that they provide the Employment Service, and the possibilities of co-education and zapošljavanja. Hrvatski Employment provides significant support to the Roma in search of work and create a profile of individual plan.

## **In relation to Article 6 paragraph 2 Framework Convention for the Protection of Minority Rights**

### **Art. 6 paratraph.2**

The Parties undertake to take appropriate measures to protect persons who might be exposed to threats or discrimination, hostility or violence because of their ethnic, cultural, linguistic or religious affiliation.

### **Status:**

Throughout the Republic of Croatia continued to appear cases of racial discrimination, particularly related to the Serbian and Roma national minority (inscriptions on buildings, graffiti in public places, incidents in schools, in public transport, etc.). In addition to all previous cases, the latest occurred a few days ago, on 04th February 2010. Over the counter cash at the main Zagreb bus station, appeared shocking inscription "Do not touch Rome - they are infected." Employees of the bus station on the case did not know anything, the label did not see, and employees who worked at the counter on which stood a sign, he immediately went on vacation and is currently still on vacation, or even about the incident she does not know anything, although it was created during her shift. The sign was noticed by shocked traveler who bought a ticket. The same person recorded the inscription and a picture sent to daily newspaper Vecernji list, and further of the case was informed the head of the Croatian Helsinki Committee Ivan Zvonimir Cicak. From the news published on [www.net.hr](http://www.net.hr); in the daily newspaper Novi list the same event was commented by Miss Nura Ismailovski, representative of the City Assembly of Zagreb.