

Overview of comments by the National Councils of National Minorities and responses by the line ministries on the Seventh Report on the Implementation of the Action Plan for the realisation of the rights of National Minorities

Chapter I – Personal status position

Activity 1.1. Supplements and amendments to the Law on Protection of Rights and Freedoms of National Minorities for regulating the right to registration of data on national affiliation of members of national minorities into personal documents, official records and personal data records, in line with the constitutional principles of free expression of national affiliation.

deadline: for adoption: II quarter of 2016

for implementation: continuously, starting from the entry into force

Comment of the National Council of Croatian National Minority:

The National Council has submitted its amendments for amendments to the Law on the Protection of the Rights and Freedoms of National Minorities, however, the fate of the amendment remains questionable, and the Council has not been informed adequately about what happened to them. Although the National Council have been sent the responses from the Fourth Report, they only list all the organizations that submitted amendments, without any serious explanation as to whether the amendments were accepted or rejected.

Response of the Ministry of Public Administration and Local Self-Government:

A public debate was held on the Draft Law on Amendments to the Law on the Protection of the Rights and Freedoms of National Minorities in the period from 8 to 28 December 2016. The text of the Draft Law was available on the website of the Ministry of Public Administration and Local Self-Government, on the eGovernment Portal and the official website of the Office for Cooperation with Civil Society. In the process of conducting the public debate, the Ministry of Public Administration and Local Government discussed and analysed all submitted proposals, suggestions and comments in detail. The suggestions that contributed to the improvement of the text of the Draft Amendments were accepted and entered in the text. Comments that were not subject to the regulation of this law, which were not in accordance with other regulations in the system or did not contribute to the improvement of the text of the law after a detailed analysis were not included in the text of the law, which is contained in the report from the public debate.

The report on conducting the public debate was uploaded to the official website of the Ministry – on January 12, 2017.

The *TAIEX* Expert mission of the EC was conducted from July 31 to August 3, 2017 to develop an expert analysis of the text of the Draft Law on Amendments to the Law on the Protection of the Rights and Freedoms of National Minorities.

At its session on May 24, 2018, the Government established the Bill of Amendments to the Law on the Protection of the Rights and Freedoms of National Minorities, which was submitted to the National Assembly of the Republic of Serbia for consideration and adoption.

At the Seventh Extraordinary Session of the National Assembly of the Republic of Serbia in the Eleventh Convocation, on June 20, 2018, the Law on Amendments to the Law on the Protection of the Rights and Freedoms of National Minorities ("Official Gazette of RS", No 47/18) was adopted. Of the total number of amendments submitted to the text of the proposal of this law - 127, the Ministry, i.e. the Government adopted nine amendments.

Activity 1.2. Amendments to the Law on Registry Books to regulate the manner of entry of data on ethnicity into birth registry.

deadline: IV quarter of 2016

Comment of the National Council of Croatian National Minority:

The National Council was not invited to participate in a working group to amend the law and the question arises why national councils are not invited to participate, bearing in mind that they are one of the promoters of the activity.

Response of the Ministry of Public Administration and Local Self-Government:

On June 20, 2018, the National Assembly adopted the Law on Amendments to the Law on Registers, which regulated, inter alia, the issue of registration of data on national affiliation in the birth register in order to further improve human and minority rights. In the process of enacting this law, as well as regulating the issue of registration of data on national affiliation, all relevant institutions were involved. In this regard, during the public debate in the period from January 29 to February 19, 2018, a public invitation was sent to all stakeholders in order to contribute to the improvement of the text of the Draft Law through their proposals and suggestions. Also, active participation in the Round Table organised on February 13, was ensured to all competent authorities, institutions, NGOs, general and professional public. In this regard, we note that, as our partners, the round table was attended by representatives of individual national councils of national minorities who supported the proposed solutions. During the entire public debate there were no proposals, suggestions, nor comments on the provisions of the Draft Law regulating this issue.

We would like to emphasize that during the session of the National Assembly and the discussion in principle and details on the Proposal of the Law on Amendments to the Law on the Registers, no amendments were submitted, both MPs and parliamentary groups, or the Committee for Human and Minority Rights and Gender Equality, in connection with the normative regulation of the issue of registration of data on national affiliation in the registry of births.

Chapter II – Prohibition of discrimination

Activity 2.2. Raising awareness among the general public, members of national minorities and officials and employees in public authorities at all levels of the existence of national minorities in the country, their rights, and the rights to affirmative measures where they are necessary.

deadline: continuously

Comment of the National Council of Croatian National Minority:

No progress has been made in raising awareness about the situation and rights of the Croatian community. Negative inscriptions in the media about the Republic of Croatia have implications for the Croatian community in the Republic of Serbia. The Committee for the Monitoring of Minority Rights Violations in the National Council and in 2018 recorded an increase in negative media inscriptions that complicate the position of the Croatian national minority.

Response of the Ministry of Public Administration and Local Self-Government:

Regarding raising awareness about the situation and rights of national minorities (which in every sense also refers to the Croatian national minority in the Republic of Serbia), MPALSG undertakes a number of activities.

The Rulebook on the establishment of general professional training programs for civil servants from public administration bodies and government services for 2018, the framework of the Program for General Continuing Professional Development of Civil Servants defines the program area of Human Rights Protection and Secrecy of Data with related thematic areas of Protection against Discrimination, Discrimination before public authorities, Personal data protection, Protection of classified information, Rights of members of national minorities, Mechanisms for monitoring the state of human rights in the Republic of Serbia with a focus on particularly vulnerable groups and the enforcement of judgments of the European Court of Human Rights.

All these thematic areas should ensure raising the level of knowledge, skills and abilities of civil servants in implementing one of the strategic objectives defined by the Action Plan for the realisation of the rights of national minorities, - Realising the rights and freedoms of members of national minorities under equal conditions throughout the territory of the Republic of Serbia, developing tolerance and the prevention of discrimination.

Regarding the thematic area of the Rights of National Minorities, which is most directly related to the implementation of this activity, it is necessary to emphasize that it aims to familiarize participants with the rights of members of national minorities, which are established by applicable regulations; informing on the manner and procedure for exercising and protecting the rights of persons belonging to national minorities, as well as the competent authorities on issues in this field; acquiring knowledge about national councils of national minorities; getting acquainted with the obligations of the Republic of Serbia in the process of European integration, relating to the rights of members of national minorities and other.

The target group in the trainings organised within this thematic area is all civil servants, and the expected outcome is the promotion and acquisition of new knowledge, as well as raising the awareness of civil servants about the rights of persons belonging to national minorities and the manner and procedure of exercising and protecting their rights.

In accordance with the provisions of Article 97a of the Law on Civil Servants and Article 21, paragraph 1 of the Decree on the Professional Development of Civil Servants, the General Professional Development Program for Civil Servants is organized and implemented by the Human Resource Management Service.

Response of the Radio-Television of Serbia:

Comment on negative media reports on the Republic of Croatia that have implications on the Croatian community in the Republic of Serbia can in no case be referred to Radio Television of Serbia. This media public service is not able to influence other media, and on RTS programs (television, radio, digital platforms, internet portal) you will certainly not find reports that in any way encourage negative attitudes towards minorities. On the contrary. We try to record any activity or event of importance for minority communities in Serbia.

Response of the Radio-Television of Vojvodina:

In the comment of the National Council of Croatian National Minority, an arbitrary assessment of the media reporting in Serbia about the Republic of Croatia and the position of the Croatian national minority is made, without specifying examples of unprofessional reporting related to the Public Media Service - Radio-Television of Vojvodina.

Without the desire to deny the fact that in some commercial media there were examples of sensationalist and even incorrect reporting on the situation of minority national communities and also the Croatian population in Serbia, we can responsibly claim that this statement cannot refer to Radio-Television of Vojvodina which not only produces a special radio and television program about the Croatian national minority, intended for members of the Croatian minority population (which are autonomously regulated by members of that national minority both in the choice of topics and in processing some contents), but these programs within the program "Palette" is also rebroadcast on the I Program of television so that the topics related to this and other minority communities in Vojvodina would be available to all those who watch the program in the Serbian language.

Also, we would like to mention once again that the radio program in the Croatian language has recently been shifted to a much better term in the program scheme (instead of in the late-night period, these programs are now broadcast from 14.15 to 14.45) and the scope of the program increased by 100% (instead 30 minutes per week to 2x30 minutes).

Activity 2.4. Initiating the process of protection from hate speech.

deadline: continuously

Comment of the National Council of Croatian National Minority:

The Serbian authorities still do not pay enough attention to hate crimes, nor to the prevention of hate speech. The procedures conducted before the Serbian courts initiated by the National Council in the case of members of the Croatian community still do not have a judicial epilogue.

Response: Bear in mind that stakeholders of this activity are national councils of national minorities and that comments are sent only to the line ministries.

Activity 2.5. Implementation of trainings aimed at strengthening the awareness of all stakeholders of the criminal justice system about the importance of prosecuting hate crimes.

- Connection with AP NC 23 activity 3.10.1.3.

deadline: continuously

Comment of the National Council of Croatian National Minority:

The National Council was not invited to participate in this activity. The National Council has not been informed of the activities undertaken in this field.

Response: More information on trainings aimed at raising the awareness of all relevant actors of the criminal justice system on the importance of prosecuting hate crimes, which is being carried out within the Program of Professional Development of Police Officers of the Ministry of Interior, the Republic Public Prosecutor's Office, the Judicial Academy can be found in the report.

Activity 2.6. Raising awareness of the citizens on the causes and consequences of hate crime and zero tolerance to such acts.

deadline: continuously

Comment of the National Council of Croatian National Minority:

There are still no media reports, releases and meetings on raising public awareness of minority rights and respecting diversity, nor one single minute on public radio and television services devoted to this purpose. It is unknown how much funds are allocated for media contents that promote linguistic and cultural differences and tolerance.

Response of the Radio-Television of Serbia:

Media reports, releases and meeting on raising public awareness on minority rights and respecting diversity were more in the period when there were more intolerance or

inconveniences to which minority members could be exposed. There are no such incidents, or they are extremely rare, so we focus our attention primarily on promoting diversity and tolerance.

Response of the Radio-Television of Vojvodina:

Organizing meetings and issuing statements on the rights of minorities and respecting the differences in our understanding do not fall under the JMU - RTV tasks, therefore we do not want to comment on this part of the remark. We consider, however, that it is a very inaccurate claim that the Radio Television of Vojvodina did not broadcast any content (or "not one single minute") on this issue. Our entire program strategy is based on the goal of promoting the importance of coexistence and tolerance in all program contents, on all seven media platforms and in all 16 languages in which we produce and broadcast the program.

These topics are constantly on our programs present not only at the moments of individual excesses, which are reported as negative events in informative programs, but also in the entire design of program contents, daily agreements between the editorial offices and in promoting minority topics in all languages and platforms. Therefore; the idea of zero tolerance towards xenophobia and acts of hatred is promoted not only, and not exclusively, through the so-called "incidental" reporting, but primarily positive examples, in the programs of RTV, enabling better mutual understanding and understanding of all the national communities living in this region.

Chapter III –Area of culture and media

Activity: 3.1. Ensuring the application of Articles 6 and 9 of the Framework Convention and Article 11 of the European Charter for Regional or Minority Languages through the identification of the appropriate model among the different modalities, such as:

- *improvement of project co-financing, especially in relation to the role of National Councils of National Minorities.*
- *programme financing of the media, whose founders/editors are National Councils of National Minorities.*
- *the exclusion of the media owned by the National Councils of National Minorities from the privatisation process.*
- *increased amount of content in the languages of national minorities at the Public Broadcasting Services (RTS/RTV) by declaring the broadcast of such content as the satisfaction of public interest.*
- *connection of privatisation of the media with the conditional licencing by Regulatory Authority for Electronic Media with the obligation of broadcasting a certain number of programs in languages of national languages.*

At the same time, analysis of the impact of the effects of privatisation and digitalisation on the media that broadcast content in minority languages, in consultation with national minorities, in order to ensure the financial sustainability of

media in minority languages, through an inclusive process with representatives of national minorities, to ensure the maintenance of the existing level of achievement of the right to information in minority languages.

deadline: I - II quarter 2016

Comment of the National Council of Croatian National Minority:

We reiterate that unsuccessful privatization has resulted in the complete shutdown of certain media or the conversion of a program scheme in privatized media outlets. As an example, the Radio Subotica has been privatized in a way to avoid the legal obligation of the broadcaster on the same scheme for the next 5 years, so the program in the Croatian language is now being broadcast thanks to the independent production paying for that broadcasting. Of course, the number of minutes fell from 21 hours a week, when there was a Croatian editorial board, to 1 hour a week. The Radio Sombor is shut down, the program is transferred to a private radio with a lower broadcasting range. The lack of staff in principle results in a reduced volume of media content in the Croatian language. The existing level of realization of the right to information in Croatian has been diminished due to the privatization of local electronic media, which is a serious problem for the Croatian national community.

Therefore, although the activity states that it is necessary to increase content in public media services, this has not been done so far. Although the Ministry of Culture and Information, in response to the Fourth Report, stated that it had ensured the informing of national minorities in line with European standards, the question arises as to how certain media outlets have been shut down in practice, as it is completely in conflict with sustainability.

If the Ministry is already referring to the European standards, it is also necessary to look at the accompanying documents through which the application of these standards is followed. In the recommendations of the Third Opinion for monitoring the implementation of the Framework Convention in the recommendations pertaining to Article 9 (p.37), it reads as follows: *"Particular attention should be paid to ensuring that this process does not lead to a reduction in the number of broadcasting programs in minority languages, especially in cases in which the issues of commercial sustainability of such broadcasts may arise. "*

Response of the Ministry of Culture and Information:

In relation to the abovementioned, the legal regulation of the Republic of Serbia ensures the right to information of members of national minorities in their mother tongue in line with Articles 6 and 9 of the Framework Convention for the Protection of National Minorities and Article 11 of the European Charter for Regional or Minority Languages. Even though the generally accepted international standards on how that right should be exercised in practice do not exist, the fact is that in the Republic of Serbia there are different models of information in the languages of national minorities, including the information in Croatian language: programs of public broadcasting services, shows, i.e. articles in private media,

printed media founded by the national council, and the internet media, access to the media of the country of origin, etc. The media reform, which integral part is the state leaving the ownership over the media, could affect only the volume of the information in Croatian language, but not the “level of realisation of the right to information in Croatian language”. The content and the concept of that right depend on various factors and are not reflected in the obligation of the state to ensure a certain number of hours of broadcasting programs in Croatian language., but in the obligation of the state to ensure the continuity and quality of broadcasting of such a program, which should contribute to an independent, pluralistic and sustainable public information system in the languages of national minorities. Public authorities at all organisation levels carry out competitions for granting funds also for the projects of production of media contents in Croatian language. In the competitions carried out in 2018, the total amount of 2.8000.000 dinars was allocated for such projects. Since some of them defined broadcasting of media contents on the Radio Subotica, the state co-financed those projects and supported the Croatian independent production, and thus contributed to the broadcasting of the programs in Croatian language on the mentioned radio, respecting the principle of independence and autonomy of that media outlet, as defined by Article 11, paragraph 1 of the European Charter for Regional or Minority Languages. In addition to that, the state, as already mentioned in the previous reports, provides the financial funds for other models of information in Croatian language.

The Ministry of Culture and Information points out that in the response to the comments of the National Council within the Fourth Report, it pointed out that the legal regulation of the Republic of Serbia is in line with international treaties on the protection of minority rights, and that the issue of sustainability, with the public sector leaving the ownership of the media, depends also on the readiness of the members of national minorities, minority institutions, privately owned media, and civil society actors to use the institutional capabilities of project co-financing in the field of public information to contribute to the sustainability of the media.

Regarding the comment that "the lack of staff in principle results in a reduced volume of media content in the Croatian language", we point out that the lack of professional staff is a very serious problem that could lead to a small variety of media content, a lack of investigative journalism, a low level of professionalism of journalists thereby weakening the quality of media content in the Croatian language. Bearing in mind that the promotion of media and journalism professionalism is a public interest in the field of public information, the Ministry of Culture and Information and the Provincial Secretariat for Culture, Public Information and Relations with Religious Communities each year make a special competition to provide financial support to media projects that contribute to the improvement of the media and journalistic professionalism. Within the mentioned competition, funds can also be allocated for strengthening the professional capacities of media employees in order to increase the volume and quality of media content in the Croatian language. However, this year no projects have been submitted for strengthening the professional capacities of media employees to contribute to the improvement of media content in the Croatian language.

Response of the Radio-Television of Serbia:

National minorities are an integral part of our society and contribute to the promotion of friendship and good neighbourly relations. This is why, in line with the financial and technical abilities, RTS as a public media service provide the members of all national minorities with the right to express, preserve and develop national, cultural, linguistic and religious identity.

Response from the Regulatory Authority of Electronic Media:

In connection with the comment of the National Council of the Croatian National Minority, which refers to Activity 3.1 of the Action Plan for the realization of the rights of national minorities - Ensuring the application of Art 6 and 9 of the Framework Convention for the Protection of National Minorities and Article 11 of the European Charter for Regional or Minority Languages by identifying an adequate model among various modalities, and in relation to the consequences of media privatization in the Republic of Serbia, we emphasize that privatization was carried out in accordance with Article 142 of the Law on Public Information and Media, and that in this activity the Regulator has a narrow competence. Please note that the privatization process of the Radio Subotica was carried out by transferring shares to employees without compensation, in accordance with the provisions of the Law on Public Information and Media and the Law on Privatization. The supervision over the application of the provisions of these laws related to the privatization of the media is carried out by the competent ministry for economic affairs.

Comment of the National Council of Hungarian National Minority:

We welcome the exhaustive comments from the MPLSG, the RTV and national councils. What is particularly interesting is the analysis of the fact whether another program of this public media service is offered. We suggest that in the next reporting period a similar analysis should be made for IPTV broadcasters over the Internet.

Response from the Regulatory Authority of Electronic Media:

We emphasize that pursuant to Article 24 of the Law on Electronic Media, the Regulator controls the work of media service providers in terms of consistent application and improvement of the principles on which regulation of relations in the field of electronic media is based, in terms of meeting the conditions for providing media services, as well as in performing other obligations which, according to the provisions of this Law and the by-laws, service providers have, and undertakes the prescribed measures without delay. The regulator is obliged to take special care that media service providers respect the obligations related to the program contents stipulated by this Law and the conditions under which the license is issued, which in particular refers to the type and character of the program, or the obligation of the media service provider to respects his program elaborate, on the basis of which he has been issued a license to provide media services. We underline that part of the program

elaborate is also a program scheme, which is of a framework character and subject to change, and that the change of the program scheme does not necessarily mean the violation of the program elaborate, that is, the conditions in the license for the provision of media services. The Regulator carries out the said control ex officio, as well as upon the report from natural and legal persons, including media service providers, who have the right to make reports to the Regulator regarding the program content of media service providers if they consider that these contents offended or jeopardized their personal interests or general interest.

Response of the Radio-Television of Vojvodina:

We agree with the opinion of the National Council of Hungarian National Minority that additional analyses on the distribution of minority programs (the Second and Third Radio Programs and the Second Radio Program of the Radio Television of RTV) should be carried out through various digital platforms, as these programs will fulfil their purpose only if their permanent and quality access is ensured to the target groups (minority communities) for which they are intended.

Activity 3.4. To ensure sufficient and stable funding that guarantees the sustainability of media in minority languages, through:

- Improvement of by-laws in respect of the project co-financing, especially in relation to the role of National Councils of National Minorities, providing stable and continuous financing of media content production, of importance for the members of national minorities,*
- Programme financing of the media content whose founders/editors are National Councils of National Minorities*
- Continued budgetary support for the media owned by the National Councils of National Minorities;*
- Exclusion of media owned by the national councils from the privatisation in accordance with the Law on Public Information and Media;*
- Public call for the co-financing of media content in the languages of national minorities with full respect for opinions of the national councils on the manner of allocation of funds;*
- Ensuring the co-financing of media in the languages of national minorities;*
- Ensuring the participation of the councils of national minorities in the work of the council of the regulatory authority for electronic media, based on clear selection criteria.*
- Connection with AP NC 23 activity 3.8.1.4.*

deadline: continuously

Comment of the National Council of Croatian National Minority:

Some media in Croatian language were not exempted from the process of privatisation, so they were shut down.

Consolidated statement of the National Council of Hungarian National Minority on the activities 3.1, 3.2, 3.3, 3.4

A significant step forward is that in 2017, the Budget Fund for National Minorities has been operationalized, and funds from this fund have been allocated for the first time for projects in the field of public information. An even bigger step forward is that in 2018 the amount of funds has increased twelve times compared to the previous year, with less than 2 million dinars to almost 22 million dinars. In accordance with the proposal of national councils of national minorities, the priority area of financing also in 2018 is public information.

It should be noted that funds from this fund, although used for the second year in a row to finance the preservation of public information and thus contribute to this area, are not mandatory and primarily intended for financing public information, and that there is a serious risk that in 2019, if another priority area is determined, the functioning of public information is in jeopardy.

While reading paragraph 3.4. of the report, we see that there are a lot of competitions from the budget from all levels of government for financing projects in the field of public information for members of national minorities, from points 3.1, 3.3, and in particular, from report 3.2. it becomes apparent that there is a lack of a systemic, permanent and sustainable way of financing activities, and not projects, public information in the languages of national minorities, which is temporarily bridged by the introduction of the Budget Fund, but we invite all stakeholders to timely find a lasting solution to this problem.

Response of the Ministry of Public Administration and Local Self-Government:

In accordance with its competencies, the Ministry of Public Administration and Local Self-Government, on the basis of the Decree on the Budget Fund, allocates funds related to the financing of media from the Budget Fund through a competition. Please note that the decision on the priority area was given by the Council for National Minorities, on the proposal of the Coordination of all national councils of national minorities.

According to the Law on National Councils of National Minorities, the regular activities of the Council include the powers related to the areas in which members of national minorities exercise the right to self-government: culture, education, official use of languages and letters and information.

The work and activities of national councils in the above areas of national councils are financed from three levels of government - republic, provincial and local self-government units, i.e. from their budgets, as well as from donor funds.

Activity 3.7. Increase of the amount of content in the languages of national minorities at the Public Broadcasting Service (RTS), in accordance with Article 7 of the Law on Public Media Services, and Article 17 of the Law on the Protection of the Rights and Freedoms of National Minorities, in order to acquire the right to full and objective information in the language national minorities through:

- *establishing editorial offices for the program in the languages of national minorities;*
- *ensuring the information content in the languages of national minorities (news or daily news in minority languages);*
- *broadcasting cultural and education program in the languages of national minorities;*
- *expanding the cooperation with the public-media services of the countries having their national minorities in Serbia;*
- *realising the cooperation with independent minority productions, in line with the legal obligation of broadcasting the program contents of independent productions, so that the content could be downloaded in minority languages.*

deadline: continuous, starting from I quarter 2016

Comment of the National Council of Croatian National Minority:

There was no increase in media content in Croatian language in the RTS. Nor was the editorial board established in the Croatian language, although this issue was also the subject of a session of the joint commission of Serbia and Croatia for monitoring the implementation of the bilateral agreement on the protection of national minorities.

The National Council was not informed of activities related to the expansion of cooperation with public media services with the Republic of Croatia.

Response of the Radio-Television of Serbia:

This autumn starts "*Lajmet*", an informative broadcast in the Albanian language, and then the shows in the languages of other national minorities that we will develop based on a similar model. The plan is to establish an editorial office for the program in the languages of national minorities that would prepare information, cultural and educational programs in Croatian, Albanian, Roma, Slovak Large material costs slow down the realization of this plan, but the RTS is working on that, in cooperation with private productions and media services in the countries of origin of the national minorities, these programs appear in our programs as soon as possible. We are also negotiating possible cooperation with certain TVs and productions broadcasting in minority languages, which would meet the criteria and standards of the Public Service.

Response of the Radio-Television of Vojvodina:

One of the strategic goals of JMU - RTV is to strengthen cooperation with public media services in the region, especially in the Danube Region. To this end, a big conference was held in Novi Sad in 2010 with the aim of forming the Danube Media Network (Da-Me), where the representatives of the RTV Croatia were actively involved. By building a new RTV

home, the Radio-Television of Vojvodina is again launching an action to connect public services from this region, with the hope that HRT will participate in this cooperation.

In the past few months, talks on the exchange of certain program content (primarily played series) have been conducted with the Croatian Radio Television. During the drafting of the new organizational scheme of the Radio-Television Vojvodina, here were talks with HRT to get to know their experiences about new organizational forms within the media houses.

Finally: we have a permanent program cooperation with production companies from Croatia that produce television contents for us about the life of Serbs in Croatia (Chronicle of Slavonia, Baranja and Western Srem).

The Radio Television of Vojvodina is open for continuous cooperation with the national councils of all national minorities, with the desire to, through the exchange of opinions, respecting the remarks and suggestions of the representatives of the national communities, produce programs that at large will meet the expectations of those to whom they are intended.

Activity 3.9. Exercising the participation of national minorities in the election of members of the RAEM Council and the appointment of editor of the programmes in languages of national minorities.

deadline: continuously

Comment of the National Council of Croatian National Minority:

The representative of national minorities in the RAEM has not been selected yet, despite the fact that the national councils submitted the proposal and documentation several months ago, was considered by the Croatian National Council.

Response from the Regulatory Authority of Electronic Media:

In connection with the comment of the National Council of Croatian National Minority, which refers to activity 3.9. of the Action Plan for the realization of the rights of national minorities - Exercising the participation of national minorities in the election of members of the REM Council and the appointment of editor of the programmes in languages of national minorities and in relation to the selection of the members of the Regulatory Council, we emphasize that the election of the members of the Regulatory Council is carried out by the National Assembly of the Republic of Serbia on the proposal by Committee on Culture and Information of the National Assembly, pursuant to Article 8 of the Law on Electronic Media.

Activity 3.11. Encouraging the procurement of books in the languages of national minorities in the field of contemporary work.

deadline: continuously

Comment of the National Council of Croatian National Minority:

Serbia still does not buy books from the Republic of Croatia, but the Institute for Culture of Vojvodina Croats has its own resources.

Response of the Ministry of Culture and Information:

The goal of the competition for the purchase of publications by the Ministry is the renewal of the book fund of libraries throughout Serbia and the greater availability of this fund to beneficiaries. In this way, but only indirectly, it stimulates the work of domestic publishers. When it comes to the purchase of publications from other countries, this practice is not featured in the public policy of a state, because it would invest the state money in the creative industries of other countries, or foreign publishers. There is something similar to this, but in the form of a competition for financing the translation of works created in Serbia by publishers from other countries, and for now it works very well, with the aim of promoting authors from Serbia, even those belonging to national minorities, and Serbian culture in general, outside the state borders.

Regarding the possibility of purchasing the publications from Croatia or other countries of origin of national minorities, which satisfy the cultural needs of members of a national minority living in the Republic of Serbia, it exists within the framework of the competition for co-financing projects in the field of cultural activities of national minorities in the Republic of Serbia. Namely, in project activities book purchases can always be found as an important segment of the project concept. Also, it is necessary to point out the essence of activity 3.11. of the Action Plan, which is to encourage the procurement of books for the purpose of availability - use by readers, which does not necessarily mean that it is only about their purchase. The end result of this activity should primarily be the benefit for library users, and only then for libraries and publishers.

In addition to this, we also recall about the fact that the institutes for the culture of national minorities were founded by the decision of the Assembly of the Autonomous Province of Vojvodina together with the national councils (Decision on the establishment of the Institute for Culture of Vojvodina Hungarians, Slovaks, Romanians, Ruthenians and Croats ("Official Gazette of APV", No 7/08) for the preservation, promotion and development of the culture of these national communities in the Republic of Serbia. Like the rest, the Institute for the Culture of Vojvodina Croats is financed from public funds, and the activity of buying books is very useful, and of general interest in culture.

Activity 3.12. Professional training of journalists and other media professionals with the aim of improving the media reporting on minority issues and encouraging balanced and objective reporting

deadline: continuous, starting from I quarter of 2017

Comment of the National Council of Croatian National Minority:

National Council was not invited to take participation in this activity.

Response: Bear in mind that stakeholders of this activity are associations of journalists, civil society organizations, national councils of national minorities and that comments are sent only to line ministries.

Activity 3.13. Conducting analysis of the costs of potential introduction of translation of programmes in the languages of national minorities into Serbian, in order to improve the access of all citizens to media content in the languages of national minorities, including:

-special areas/topics

-sustainability

-benefits of social integration and development of multi-cultural society as a whole

deadline: starting from I quarter of 2017

Comment of the National Council of the Hungarian National Minority:

According to the reporting methodology, it is proposed to change the status of the indicator into the status: It is not implemented. Bearing in mind that it is clearly visible from the report that literally corresponds to the reports from the fourth quarter of last year (indicating the impossibility of implementing the activities), and in large to part of the report from the second quarter of last year, while in the third quarter it was only stated that there were no changes, we believe that the report itself justifies the change of status to: It is not implemented.

Response: Please note that an indicator of the results of this activity is conducted cost analysis and identified specific areas and topics. In accordance with the set indicators, status that has been assigned is Activity has been partially implemented, since the cost analysis was partly made, from the report it can be seen how much funds are needed for the implementation of News in the languages of national minorities to be broadcast once a day, five days a week. The activity is partially realized, because there is not enough information on the identified areas and topics.

Chapter V – Use of language and script

Activity 5.5. Encouraging a flexible implementation of introduction of minority languages in the official use in the areas where national minorities traditionally live, in line with Article 11, paragraph 1 of the Law on the Official Use of Language and Script and ensuring the funds for financing these activities from the budget.

deadline: continuously

Comment of the National Council of Croatian National Minority:

In local self-governments, especially in multi-ethnic municipalities in the Vojvodina region of Srem, there is still a problem of lack of forms in the languages of national minorities, including Croatian.

Response of the Ministry of Public Administration and Local Self-Government:

The issuing of forms in the languages of national minorities is within the competence of local self-governments and we would like to point out that in the previous period the Ministry of Public Administration and Local Self-Government prepared and submitted to all administrative bodies that carry out entrusted tasks of the registers on the manner of entering the personal name of the members of the national minority into the registers. The instruction directs the manner of work related to the registration of the personal name of the members of the national minority, irrespective of the place of registration of a certain fact in the registers, or whether this information is entered during the basic registration in the registry or subsequent registration.

Also, an example was provided of the Notice on the procedure and method of registering the personal name of the members of the national minority in the registers for the purpose of displaying on the bulletin boards of all primary areas of towns and / or municipalities for which the registers are kept, and in the local self-government units in which the statute established that a language of members of national minorities is in the official use, and it was requested that the information be displayed in the language and script of the national minority.

In order to unify the practice and the correct application of the regulations on registries regulating the issue of registration of data on the personal name of persons belonging to national minorities in the registers in the language and script of the national minority, the Ministry has provided training to the registrars and deputy registrars for all the areas in the territory of the Republic of Serbia.

Activity 5.6. Alterations and amendments to the Law on the Protection of the Rights and Freedoms of National Minorities, or the Law on the Official Use of Language and Script, with the aim of enabling the printing of topographic labels and other markings in certain inhabited places on the territory of local self-government units in which a language / speech of the national minority is not in official use, if the percentage of members of that national minority in the total number of inhabitants in the territory of a particular populated place reaches 15% according to the results of the last census.

deadline: I quarter of 2017

Comment of the National Council of Croatian National Minority:

Official use of language is still not fully implemented, especially when it comes to topography in minority languages. An example may be the places Zednik and Bereg, where the state has not yet highlighted the boards with the Croatian names of these places. On November 4, 2009, the National Council made a decision at its session to determine the traditional names of the town inhabited by Croats (Subotica, Bajmok, Stari Žednik, Ljutovo, Sonta, Bački Breg, Bački Monoštor, Stara Bingula, Sot, Šid), but this decision was never fully respected by the Serbian authorities, nor was it fully implemented. In the town of Bajmok, which is called Bajmak in Croatian, the board has been removed and the name in the Croatian language has never been returned.

Response of the Ministry of Public Administration and Local Self-Government:

The labelling of topographical titles in minority languages is a continuous process aimed at the consistent application of this right and it is the duty of the competent local self-governments to respect the application of the law.

Activity 5.7. Raising awareness of members of national minorities in terms of exercising the right to use minority languages in contact with local authorities and other competent public authorities in the communities inhabited by national minorities through:

- *the duty of a national authority to inform a client about the right to use of language and script of the national minority,*
- *publication on the bulletin board the information of the right to use language and script of the national minority,*
- *conducting a campaign on the right to use language and script of the national minority,*

deadline: continuously

Comment of the National Council of Croatian National Minority:

So far, the National Council has not been familiarised with the activities undertaken in this field. Members of the Croatian community in the Vojvodina region of Srem continue to have problems obtaining documents in their mother tongue.

Response of the Ministry of Public Administration and Local Self-Government:

In relation to the comment of the National Council of Croatian National Minority on this activity, from the aspect of the registers, we would like to point out that in the previous period the Ministry of Public Administration and Local Self-Government prepared and provided all the administrative bodies that perform the entrusted tasks of the registers with instructions on the method of registering the personal name of a member of the national minority in the register. The instruction directs the manner of work related to the registration of the personal name of the members of the national minority, irrespective of the place of registration of a certain fact in the registers, or whether this information is entered during the basic registration in the registry or

subsequent registration.

Also, an example was given of the Notice on the procedure and method of registering the personal name of the members of the national minority in the register for the purpose of displaying on the bulletin boards of all central areas of towns and / or municipalities for which the registers are kept, and in the local self-government units in which the statute established that the language of the members of the national minority in the official use of, and it was requested that the information be displayed in the language and script of the national minority.

In order to unify the practice and the correct application of the regulations on registries regulating the issue of registration of data on the personal name of persons belonging to national minorities in the registers in the language and script of the national minority, the Ministry has provided training to the registrars and deputy registrars for all the areas in the territory of the Republic of Serbia.

Activity 5.9. Providing translation in the local self-government units for the languages of national minorities in official use based on the territorial principle (for the territory of one or more connected LSGU).

deadline: continuously, starting from I quarter 2017

Comment of the National Council of Croatian National Minority:

There is still a problem of insufficiently qualified translators for the Croatian language.

No response.

Activity 5.11. Analysis of the normative framework regulating the official use of language and script in judicial and administrative proceedings in order to enable wider use of languages and scripts of national minorities

deadline: I quarter 2017

Comment of the National Council of Croatian National Minority:

The National Council was not informed of the activities being implemented in this field, nor was it invited to participate.

Response of the Ministry of Public Administration and Local Self-Government:

The Ministry of Public Administration and Local Self-Government in cooperation with the Republic Secretariat for Legislation prepared the text of the Draft Law on Amendments to the Law on Official Use of Languages and Scripts.

Given that the above-mentioned text of the law must be in accordance with the European Charter for Regional or Minority Languages of the Council of Europe, the Republic

Secretariat for Legislation and the Ministry of Public Administration and Local Self-Government within the TAPA Program - Horizontal Cooperation Program for the Western Balkans and Turkey of the Council of Europe and the EU provide an expert analysis of the normative framework on the use of the language of national minorities in relations with state bodies in order to prepare the harmonization of draft texts with international conventions as much as possible.

In the forthcoming period, in line with the recommendations of the expert, activities will be undertaken to improve the implementation of the law in practice, which is stated as the main recommendation.

Response of the Ministry of Justice:

Through the TAPA project implemented by the Council of Europe, funded by the European Union, an analysis of the normative framework was carried out regulating the official use of languages and scripts in judicial and administrative proceedings, as well as the practical application of the above framework. An international and domestic expert worked together on the development of the analysis in cooperation with the Council of Europe. According to the text of the analysis itself, the normative part of the analysis was based on the analysis of the regulations, while the practical part was realized through an expert mission (realized in June 2017). During the aforementioned expert mission, an international and domestic expert, accompanied by Council of Europe officials, met with representatives of state bodies, judiciary and representatives of national minorities. The Ministry of Justice has in no way influenced the selection of representatives of national councils with whom experts will meet in gathering data or other organizational aspects in the realization of the mentioned activity.

Chapter VI – Education

Activity 6.1. Conduct of analysis that includes:

- *Comparative legal analysis of models of education in minority languages in the EU*
- *Analysis of the current situation in the Republic of Serbia*
- *Recommendations for the introduction of new models.*

deadline: before III quarter of 2016

Comment of the National Council of Croatian National Minority:

Recommendations for the introduction of new models have not been created.

Response of the Ministry of Education, Science, and Technological Development:

This activity is implemented by the Ministry within the project of the Council of Europe and the European Union "Horizontal Facility (HF 33)" which supports South-Eastern

Europe and Turkey in meeting European standards, as well as approximation to the EU legislation in the process of enlargement. The realisation of the activity - Strengthening the protection of national minorities in Serbia – is ongoing. We expect the Council of Europe expert to work on the development of new models soon to be elected. The Ministry will insist that the engaged expert conducts consultations with representatives of national councils.

Activity 6.2. Establishment of the group within the National Education Council to deal with education in languages of national minorities.

deadline: I quarter 2016

Comment of the National Council of Croatian National Minority:

The group of NEC members dealing with education in minority languages does not contact, consult, or communicate with national councils. 3 members of national councils are still not active in that group.

No response.

Activity 6.3. Development and application of the models of education in the languages of national minorities, through the change of the legislative framework

deadline: III – IV quarter of 2016

Comment of the National Council of Croatian National Minority:

In the public debate on the concept of the graduation exam, national councils were not contacted, included or consulted. Different models of education in the languages of national minorities have not been introduced.

Response of the Ministry of Education, Science, and Technological Development:

The concept of the graduation exam was defined in the school year 2010/11. The professional instruction for conducting the final exam at the end of primary education is more closely regulated by the implementation of the final exam at the end of elementary education. For the purpose of efficient and unified implementation of the final exam and enrolment of students to secondary school, the following commissions are appointed: - Republic Commission for the implementation of the final exam at the end of primary education, Subcommittee for conducting the final exam at the end of primary education, Subcommittee for conducting the entrance exam and enrolment of students in secondary school, district commissions for organizing and conducting the final exam at the end of primary education.

The final exam examines the knowledge of Serbian language, i.e. mother tongue, mathematics and combined test from natural-scientific and social-scientific subjects (biology, geography, history, physics and chemistry), solving tasks in written form.

Students who acquire primary education in the language of the national minority, instead of the taking the exam of Serbian language, take the exam of their mother tongue. The other two tests (mathematics and combined test) are translated into the language of the national minority, but they have the same content for all students who take the final exam.

When it comes to new models of education in the languages of national minorities, the Ministry, in cooperation with the Council of Europe, is working on hiring an expert to analyse the situation in the region and in the Republic of Serbia in this area and to propose new models.

Activity 6.7. Improvement of education of teachers of Serbian language as a non-mother tongue through:

- *the analysis of needs and current situation,*
- *the enrolment of teachers into HEI in line with the identified needs,*

deadline: for the analysis: by the end of II quarter of 2016

for enrolment: In line with the dynamics of enrolment in HEI

Comment of the National Council of Croatian National Minority:

The National Council did not have an insight into the report on the needs and quality of the current situation. Also, harmonized enrolment at the HEI in accordance with identified needs has not been realized.

Response of the Ministry of Education, Science, and Technological Development:

The Institute for the Evaluation of the Quality of Education has prepared a Report on the situation and needs for improving the education of teachers who teach the subject Serbian as a non-mother language <https://ceo.edu.rs>. This Report illustrates the situation and needs for improving the education of teachers who teach the subject Serbian as a non-mother tongue and is part of the realisation of activities 6.7. Action Plan for Realizing National Minority Rights.

Chapter VII – Democratic participation

Activity 7.1. Conducting comparative legal analysis of the practices of the EU Member States in the region in order to identify best practices and an appropriate model for the participation of national minorities in the electoral process and the adequate representation of national minorities in representative bodies at the republic, provincial and local levels.

deadline: for establishing the Intersectoral group – IV quarter of 2015

for the creation of the analysis – II quarter of 2016

Comment of the National Council of Croatian National Minority:

The National Council received the analysis from another national council. The analysis is questionable, since the conclusions arising from the analysis do not correspond to the real needs of the Croatian minority, since the institute of the guaranteed mandates provided for in the bilateral agreement of 2004 is still not mentioned.

Response of the Ministry of Public Administration and Local Self-Government:

After the Special Working Group established the text (June 29, 2016) of the Comparative legal analysis of the democratic participation of national minorities of the EU Member States and in the region, the Ministry of Public Administration and Local Self-Government sent the text of the above analysis to the President of the Coordination, i.e. the Bosniak National Council, on July 7, 2016, which at that period chaired the Coordination of National Councils, and on July 27, 2016, to the official internet addresses, the text of this analysis was submitted to all national councils of national minorities.

Response of the Ministry of Justice:

The mentioned activity in the Action Plan for the Realization of the Rights of National Minorities as an indicator states that a comparative legal analysis of the practices of the EU Member States in the region has been conducted. Led by that, the working group made a comparative legal overview of the existing models in the countries of the region, including Croatia and Romania, who know the institute of guaranteed mandates for members of national minorities. In addition, during the drafting of a comparative legal analysis, the working group took into account not only the existing practice in the region, but also the existing system of democratic participation of members of national minorities in the Republic of Serbia, all in order to identify models that will enable wider representation of national minorities while preserving the reached protection threshold of minority right to participate.

Activity 7.2. Based on the analysis and comparative legal practice, identify potential models of democratic participation of national minorities in the electoral process, including numerically smaller national minorities, provided with adequate representation of national minorities in elected bodies at national, provincial, and local levels, taking into account the prevention of potential misuse of more flexible provision regarding the parties of national minorities

deadline: II quarter of 2016

Comment of the National Council of Croatian National Minority:

The institute of guaranteed mandates is still not identified as the only solution when it comes to the Croatian minority. Solutions for other minorities are certainly dependent on their needs, but the Croatian minority has not yet received a response on how to implement Article 9 of the agreement on the mutual protection of minorities in the way it is done in Croatia.

Response of the Ministry of Public Administration and Local Self-Government:

Creation of the Comparative legal analysis of the practices of the EU Member States and in the region, aimed to identify best practices and an appropriate model for the participation of national minorities in the electoral process and the adequate representation of national minorities in representative bodies at the republic, provincial and local levels. Text of the Comparative legal analysis offered several potential models of strengthening the democratic participation of national minorities whose implementation in the Republic of Serbia would entail amending the Constitution and electoral laws, and therefore all comparative legal solutions in the text of the said analysis are very valuable.

Response of the Ministry of Justice:

The indicator for this activity is set up in such a way that the task of the working group is to identify models of democratic participation of national minorities including numerically smaller national minorities in the electoral process, which guarantee the adequate representation of national minorities in representative bodies at the republic, provincial and local levels and forward these models to the Action Group for the reform of the political system of the National Assembly. Comparative legal analysis presented models that exist in the region, with concluding observations, and looked at the potential advantages and disadvantages of these models in the context of the legal system and demographic characteristics of the Republic of Serbia. Among the models presented in the analysis there is the model of the guaranteed mandates, which is of particular interest to the Croatian National Council.

Chapter VIII – Adequate representation of members of national minorities in the public sector and public enterprises

Activity 8.1. Supplements and amendments to the Law on Protection of Rights and Freedoms of National Minorities in order to create a basis for prescribing the affirmative measures as regards national minorities, through the introduction of provisions in special laws regulating employment and legal status of employees in the public sector, which will enable the preference to national minorities in employment/dismissal under the same conditions, and until the achievement of the appropriate structure of public sector employees at all levels of the territorial organization.

deadline: II quarter of 2016

Comment of the National Council of Croatian National Minority:

Serbian authorities and institutions have not yet secured and created adequate mechanisms to monitor the proportionate employment of members of national minorities, including the Croatian minority. The National Council has repeatedly stated this as a problem on round tables and public gatherings, but until now recommendations have not been respected under the excuse that everyone has the right not to express their national affiliation. Records are not kept even in cases where an individual expresses his / her nationality.

Response of the Ministry of Public Administration and Local Self-Government:

At its session of May 24, 2018, the Government established the Bill on Amendments to the Law on the Protection of the Rights and Freedoms of National Minorities, which was submitted to the National Assembly of the Republic of Serbia for consideration and adoption. The amendments to this law primarily regulate the right to register data on nationality - members of national minorities, in public documents, official records and collections of personal data, in accordance with the constitutional principle of free expression of national affiliation, which required the amendments to the Law on Registries for the purpose of regulating the manner of registration of data on national affiliation in the registers and also, amendments to this law will create the basis for prescribing affirmative measures for the national minorities through the introduction of provisions in special laws governing the labour and legal status of employees in the public sector, which will allow giving priority to national minorities in employment / dismissal under the same conditions, until achieving an appropriate structure of public sector employees at all levels of territorial organization, prescribed affirmative measures for national minorities, through the introduction of provisions in special laws regulating the labour and legal status of employees in the public sector, which will enable giving priority to national minorities in the case of employment / dismissal under the same conditions at all levels of government, the expert analysis of the European Commission was made on the text of the said law.

At the Seventh Extraordinary Session of the National Assembly of the Republic of Serbia in the Eleventh Convocation, on June 20, 2018, the Law on Amendments to the Law on the Protection of the Rights and Freedoms of National Minorities ("Official Gazette of RS", No. 47/18) was adopted.

Chapter IX – National councils of national minorities

Activity 9.8. Providing support to national councils of national minorities in the realisation of their responsibilities, through:

-trainings for NCNM on mechanism for protection from discrimination, on anti-discriminatory legislation, and on identification of types of discrimination and basis for discrimination,

- strengthening the managerial capacities and abilities for financial reporting of NCNM.

- the relation with AP CH 23 activity 3.8.1.35.

*deadline: for the activities funded from the budget – continuously
2013 IPA (Twinning project: 2015-2017)*

Comment of the National Council of Greek National Minority

In relation to other national councils of national minorities, only to the National Council of the Greek National Minority (hereinafter: NCGNM) did not transfer all defined means for its functioning, from the Office for Human and Minority Rights, for the period 2014-2017, which

had directly resulted in the insolvency of the NCGNM and the non-settlement of matured liabilities.

Namely, due to various bureaucratic and administrative reasons, the Office for Human and Minority Rights (OHMR) in the period from 2014 to 2017, including 2017, to the National Council of the Greek National Minority did not transfer the corresponding funds in the amount of 7,920,824.00 dinars, which can be seen from the attached table.

The business account of National Council of the Greek National Minority (NCGNM) has been continuously blocked by the NBS since September 2016, on the basis of the court final and enforceable judgments of the Commercial Court in Novi Sad.

OHMR terminated the transfer of the identified budget funds to the NCGNM, starting from October 2016 to the present day.

From April 2017 until March 2018, NCGNM sent dozens of letters related to the request for the continuation of the transfer of the allocated budget funds intended for NCGNM, with over 100 pages of documentation, by which NCGNM submitted the OHMR the data it requested from NCGNM and which, as it was written, were a condition to continue with the transfer of budget funds to NCGNM. Two joint working meetings of NCGNM and OHMR were also held, and at the second meeting, representatives of the Ministry of Public Administration and Local Self-Government as well as the Ministry of Finance were present (the first meeting was in 2017, the second in 2018). At the same time, NCGNM also addressed the Chairperson of the Council for National Minorities and the Prime Minister of the Government of the Republic of Serbia, Ana Brnabić, to help solve the problem of financing the NCGNM. The co-ordination of the national councils of national minorities also sent a letter to the OHMR to find a mutually acceptable solution in the financing of the NCGNM.

NCGNM was financed only and exclusively from the planned budget funds of the Republic of Serbia and it has NO other sources of financing.

At the same time we reminded the OHMR, that the Office for Human and Minority Rights had already enacted a legal solution in the proceedings on the same matter: **Decision no. 401-01-0054 / 2015-02 / 1 from 12/15/2015 on the basis of which the payment to the National Council of the Ashkali and Greek national minorities had been approved earlier.** In the explanation for the National Council of the Greek National Minority, it is specifically stated (quote):

“The National Council of the Greek National Minority has been suspended from payment of budgetary funds since July 2015, considering that on the basis of data held by the National Bank of Serbia it was established that this national council was blocked starting on June 18, 2015. At the request of the Office for Human and Minority Rights, the National Bank of Serbia issued a certificate from which it is evident that the sub-account of the National Council of the Greek National Minority is blocked based on a final and enforceable judgment

of the Basic Court in Smederevo related to the compulsory collection of unpaid earnings from the period 2012 and 2013 with related contributions and accrued interest rate.

Having in mind that this is a final and enforceable court judgment, it was decided as in the enacting clause. (the signature of the decision) Acting Director, PhD Suzana Paunović".

Stating the facts and procedure for the same thing (blocking a business account based on final and enforceable court decisions), we think that NCGNM in due time delivered and met the maximum required requests by the OHMR, according to this case, in their previously submitted correspondence.

The indirect consequence relates to the inability of NCGNM to fulfil its obligations under minority rights that are entrusted to it by the Law on National Minority Councils and the denial of functioning with the Greek minority community, institutions and associations representing them, and NCGNM members have to independently finance the costs of the NCGNM in order to ensure a minimum functioning.

At the same time, the Office for Human and Minority Rights did not offer NCGNM the technical assistance in fulfilling the requests that were provided by the OHMR, as reasons for not assigning budget funds to the NCGNM, but continually submits new requests to the NCGNM. NSGNM considers that it has provided all relevant data for the allocation of funds, with major problems in functioning, since the corresponding budgetary funds were not received in the previous 20 months. The amount that NSGNM claims from the OHMR for the previous period (2014-2017) in the amount of **7.920.824,00** dinars, is a part of the debts and liabilities of the NCGNM to creditors in the previous period. Only in this way, by securing and transferring unassigned and approved budget funds of the NCGNM from the previous period (2014-2017) and regular transfers in 2018, it is possible to overcome the resulting blockade of the NCGNM and settle the obligations of the NCGNM from previous periods.

Due to all this, as a consequence of the non-transfer of assigned and allocated budget funds to the NCGNM in the previous period, we consider the Office for Human and Minority Rights directly responsible for the blocking of the NCGNM account by the creditor, because NCGNM was prevented from settling its liabilities.

TABLE OF ASSIGNED BUDGET FUNDS FOR THE NATIONAL COUNCIL OF THE
GREEK NATIONAL MINORITY
FOR THE PERIOD 2014-2017 -
FROM THE OFFICE FOR HUMAN AND MINORITY RIGHTS*

(RSD)

National Council of GREEK National Minority	Approved amount based on the Decision of the Ministry and OHMR	OHMR Decision number	Assigned amount	Non-assigned (non-transferred) amount (2-4)	% of non-assigned (non-transferred) amount
1	2	3	4	5	6
for 2014	3.867.530,00	401-00-59/2013-02/2 from 31/12/2013	322.294,00	3.545.236,00	92%
for 2015	3.527.471,00	401-00006/2015-02 from 05/02/2015	3.527.471,00	0,00	0%
for 2016	3.527.471,00	401-00-8/2016-02 from 03/02/2016	2.679.354,00	893.117,00	25%
for 2017	3.527.471,00	401-00-8/2017-02 from 21/02/2017	0,00	3.527.471,00	100%
for 2018	3.527.471,00	401-00-00015/2018-02 from 11/04/2018	0,00	3.527.471,00	for the first five months no approved funds were transferred
Total for period 2014-2017	14.449.943,00 100%		6.529.119,00 45%	7.920.824,00 55%	

* the data from the table were downloaded from the website of the Office for Human and Minority Rights and on the basis of the official documentation of the NCGNM and the OHMR

The National Council of the Greek National Minority (NCGNM) has been approved in the period since 2014 ending in 2017, total budget funds in the amount of **14.449.943,00** dinars. Out of this, the OHMR, transferred-assigned to the NCGNM total amount of 6,529,119.00 dinars (45%), ending in 2017, while at the same time the total of 7.920.824,00 dinars (55%), budget funds were non-assigned.

The NCGNM in 2018 for the first five months, was not assigned the budget funds under the OHMR Decision No. 401-00-0015 / 2018-02 of 11 April 2018

The National Council of the Greek National Minority concludes that by not transferring the allocated budget funds the OHMR placed NCGNM in an unequal position in relation to other national councils of national minorities.

NCGNM cannot function in areas that are defined by the Law on National Minorities Councils, because the statutory budget for 2014 - May 2018 has not been transferred to it by the OHMR.

Only by transferring the non-assigned but approved budget funds for functioning of the National Council of the Greek National Minority, by the Office for Human and Minority Rights, for the period 2014 - 2018, it is possible to solve the problem.

Response from the Office for Human and Minority Rights:

Regarding the allegations made by the National Council of the Greek National Minority that the suspension of the transfer of funds by the Office for Human and Minority Rights had a direct consequence of the non-liquidity of the NCGNM, we recall that the account of this national council has been in periodic blockades since June 2015, and that based on the records of the National Bank of Serbia it has been in a constant blockade since September 2016 in the amount of 4.011.038,27 RSD, for which the leadership of the National Council is solely responsible, since the unsettled obligations date from 2010, when the National Council was regularly provided with assigned funds.

It is true that the Office has repeatedly and explicitly requested evidence for the performed acts for which these three associations were engaged, in order to have an insight that, from the point of view of the law, compensation for the payment of funds for the work of the National Council could justify the intended costs of all three associations, which was also not delivered.

Please note that in addition to these debts, the National Council has additional outstanding obligations, the amount of which cannot be reliably estimated, although the Office has repeatedly requested that information be provided on all obligations created by the NC, on any ground. Unfortunately, we have not received complete information to date, and in the last report of NCGNM, submitted to the Office at the end of March, it is stated that the total debts amounted to 11.1 mil. RSD, on December 31, 2017. This amount does not show the estimated value of default interest, which according to enforceable judgments must be calculated from September 16, 2013 until the date of payment to associations, for court judgments relating to the unpaid salaries of the President of the NC, as well as the debts incurred in 2018, since it can be assumed that they exist.

It is also true that the Office, with the decision from December 2015, approved the payment of funds for the purpose of collecting a final, enforceable court judgment. What remains unclear is how it is possible that after it, there are obligations that the NCGNM has not settled, which relate to the debts under the judgment "PIO obligation lawsuit 1, February 2012 - October 2012 and PIO lawsuit 2, November 2012 - June 2013", while the lawsuits based on earnings were presented for the period from July 2013 to December 2017 (from which it cannot be undoubtedly determined whether they represent a gross liability for the whole period or only its part). This is presented in the attachment to the audit report for 2017 as an obligation from the previous period.

Regarding the request of the NCGNM that this National Council should be paid the funds planned for the work of the council in the previous years, we remind that the funds provided by the Budget Law can be used exclusively in the year for which they are provided, and according to the Law on the Budget System, there is no basis for them to be subsequently remitted in the coming years, as the National Council has been officially notified more than once.

We also recall that the Office has several times initiated the holding of joint meetings with the departments, and that the request for additional support in solving this problem was also addressed to the Cabinet of the Prime Minister of the RS.

Chapter X – Economic status of members of minority communities

Activity 10.2. Economic recovery and development of underdeveloped regions which have traditionally been inhabited by national minorities (Eastern Serbia, Preševo, Bujanovac, and Medveđa), through:

- *the recovery of enterprises which were holders of the development of these regions,*
- *the support to small and medium-sized enterprises, entrepreneurs and cooperatives,*
- *the attraction of investment*

deadline: continuously

Comment of the National Council of Croatian National Minority:

The activities do not mention the areas in Vojvodina traditionally inhabited by members of the Croatian national community.

Response: Please note that this activity primarily relates to the economic recovery and the development of underdeveloped regions, in particular to eastern Serbia, the municipalities of Presevo, Bujanovac and Medveđa.

Activity 10.3. Attracting investment in municipalities that are classified in III and IV group based on development in accordance with the Law on Regional Development.

deadline: continuously

Comment of the National Council of Croatian National Minority:

The National Council has still not been invited to participate in these activities.

Response: Please note that the Development Agency of Serbia, the Serbian Chamber of Commerce, the local self-government units, the APV and the Regional chambers of commerce are stakeholders of this activity, thus they provide information on attracting investments in the municipalities that are according to the development classified in the III and IV group.

Activity 10.4. Improving employability and encouraging employment of unemployed members of national minorities, primarily in the category of less employable, through implementation of active employment policy.

deadline: continuously

Comment of the National Council of Croatian National Minority:

The National Council is not invited or consulted about participation in this activity.

Response: Please note that indicators of results of this activity are number of unemployed persons in the category of less employable who have declared themselves as members of a national minority involved in the measures of active employment policy, the information provided through the reports of the National Employment Service.

Activity 10.5. Encouraging investment from the home countries of national minorities that want to invest in the areas inhabited by members of national minorities, with the aim to increase the percentage of employment of national minorities.

deadline: continuously

Comment of the National Council of Croatian National Minority:

The National Council is not invited or consulted about participation in this activity.

Response: Please note that stakeholders of this activity are the Serbian Chamber of Commerce, the local self-government units, the APV, the regional chambers of commerce, national councils of national minorities, thus they provide information about undertaken activities related to the promotion of investments from home countries of national minorities that want to invest in the areas inhabited by members of national minorities.

Chapter XI – International cooperation

Activity 11.2. Organisation of regional seminars for exchanging experiences on international standards and best practices in terms of the position of national minorities, in cooperation with the EU, Council of Europe and the OSCE

deadline: continuously

Comment of the National Council of Croatian National Minority:

Representatives of the National Council have so far not been invited to similar seminars. Calls for conferences concerning international standards for the protection of national minorities have so far come only from non-governmental organizations dealing with the rights of national minorities.

Response of the Ministry of Foreign Affairs:

The Ministry of Foreign Affairs has not organized any seminars or conferences on this activity.

Response of the Ministry of Education, Science, and Technological Development:

The stakeholder of this activity is not the Ministry. In practice, if the Ministry is a co-organizer of a conference with such a similar goal, national councils are always invited. The last in a series of these events was the round table "Analysis of the presentation of national minorities in textbooks and educational programs and Education in the languages of national minorities in Serbia, what parents and students should know?", on June 27, 2018 in Belgrade. This activity was organized by the project "Strengthening the Protection of National Minorities in Serbia" within the framework of the Joint Program of the European Union and the Council of Europe "Horizontal Facility" for the Western Balkans and Turkey, in cooperation with the Ministry of Education, Science and Technological Development. Through the Joint Program, the European Union and the Council of Europe provide support to the beneficiary countries, as part of the enlargement process, in alignment with the Council of Europe standards and the EU *acquis communautaire*. Within the project, two reports were prepared, Report on representation of national minorities in the curricula and educational standards of the Republic of Serbia, Report on the assessment of information provided on national minorities and their presentation in textbooks, as well as information material - Education in the languages of national minorities in Serbia, what parents and students should know? Representatives of the Ministry of Education, Science and Technological Development and National Councils of National Minorities took part in the work, resulting in opinions and recommendations for further work.

Response of the Ministry of Justice:

So far, the Ministry of Justice has not received a call or initiative to participate in these seminars. The Ministry of Justice is committed to regional cooperation and is open to participation in future regional seminars to exchange experiences on international standards and best practices regarding the situation of national minorities, if we are invited.

Activity 11.3. Organizing workshops / conferences dedicated to issues of relevance to relations between countries in the region, such as dealing with the past, and the issue of common problems faced by members of the Roma, Egyptian and Ashkali communities throughout the region.

deadline: continuously

Comment of the National Council of Croatian National Minority:

Same as with the previous activity, calls for participation were received only by the civil sector.

Response of the Ministry of Foreign Affairs:

The Ministry of Foreign Affairs has no information that such or similar activities have been organized by other governmental institutions.