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Addendum 2

**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**Second periodical report  
presented to the Secretary General of the Council of Europe  
in accordance with Article 15 of the Charter**

**SERBIA**

***Replies to the comments/questions submitted to the  
Government of Serbia  
regarding its Second Periodical Report***

**REPLIES TO COMMITTEE OF EXPERTS' ADDITIONAL QUESTIONS IN  
RELATION TO SECOND PERIODICAL REPORT ON APPLICATION OF  
EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES IN  
SERBIA**

**1. In the first periodical report, the Serbian authorities stated that the application of the Charter can result in the specification of further languages to which Part III will be applied. Have any steps been taken, in co-operation with the speakers of Part II languages, to pursue these plans?**

In the First Periodical Report on the Application of the European Charter for Regional or Minority Languages, the authorities of the Republic of Serbia indicated their stance that the implementation of the European Charter for Regional or Minority Languages was a process which should encompass and include all stakeholders, particularly the representatives of persons speaking regional or minority languages, and that, in this respect, the Republic of Serbia held the view that this process might result in, amongst other things, the specification of new languages to which chosen paragraphs and sub-paragraphs would be applied, and this might concern first and foremost Bunjevac, Vlach, Macedonian, German and Czech languages. Given that the implementation of the Charter is a process which should encompass and include the representatives of persons speaking regional or minority languages, the authorities of the Republic of Serbia have resorted firstly to the establishment of a wider legal basis for the inclusion of the representatives of minority languages speakers in settling many issues pertaining to their respective languages. The Law on National Minority Councils stipulates the powers of national councils related to the issues important for development and promotion of the mother tongue in various areas of social life, such as, for example, in the field of education, the power of a national minority council to propose primary and secondary education curricula for the language of the given national minority and the language, i.e. the vernacular of the given national minority with elements of the national culture, or, the right of a given national council to propose the introduction of a language and alphabet of a given minority as official language and alphabet in a local self-government unit. Given that the national councils in their capacity as legitimate and legal representatives of speakers of designated languages have been constituted and that they have the said powers, it is to be expected that they will start exercising them. The authorities of the Republic of Serbia hold the view that the process of establishment of national councils with considerably wider powers than those at the time when the First Periodical Report was submitted has been one of the steps necessary to fulfil the opportunities which the First Periodical Report highlighted. Of course, one should point out that the First Periodical Report did not indicate the plans of the country's authorities, but the willingness of authorized organs to create conditions and accept possible positive development in a partnership with the representatives of minority language speakers. In this respect, the Republic of Serbia is following the current situation for all designated languages, however, without the progress which would, in the social life reality, make possible the undertaking of the same level of protection, i.e. the same paragraphs and sub-paragraphs, there will not be specification of new languages to which Part III of the

Charter is related. Except for the new Law on National Minority Councils and the process of their constitution, encompassing the election of national councils representing the speakers of designated languages, thus far, for example, in the field of education, the following measures have been taken: at schools, instruction in Bunjevac vernacular with elements of national culture has been organised for an increased number of pupils studying this subject; the curricula for the teaching of the Macedonian language with elements of national culture in the first four years of primary education have been submitted to the educational authorities for approval. As regards the introduction of German and Czech languages in the teaching process, their respective curricula are yet to be approved at the initiative and proposals of the respective national councils, whereas in the case of the Vlach language it is necessary to meet at least the requirement of defining one's own alphabet, which is something the Vlach National Council has not done yet. The examples stated above effectively show that the current status of these languages in the areas relevant to the Charter's application is not yet such that it would render possible sustainable solutions which would, as their ultimate goal, entail a higher level of undertakings.

## **2. What steps have been taken to apply stronger options of Part III inter alia to the Hungarian language?**

In the First Periodical Report on the application of the European Charter for Regional or Minority Languages, the authorities of the Republic of Serbia pointed out that in the process of ratification, i.e. specification of languages and undertakings under Part III of the Charter, *the Republic of Serbia was guided by an intention to provide to all the languages to be specified an equal level of protection, i.e. to undertake the same paragraphs and sub-paragraphs for these languages. Such an intention resulted in the specification of languages for which, in practice, according to the national legislation, protection and promotion is to be ensured pursuant to at least 35 paragraphs and sub-paragraphs under Part III of the Charter.* By way of providing the same level of protection, according to the understanding of the authorities of the Republic of Serbia, the identical rights are being provided which the speakers of languages, for which undertakings have been assumed, enjoy on their own or in a community with other members of their respective groups with respect to the language that they speak. Obviously, in the social life's reality, the undertakings assumed regarding the Hungarian language are being much more often realised due to the number of its speakers. Such an option does not constitute a violation of the equal level of protection, and it has been recognized, not only with regard to the exercising of rights pertaining to the language but in other aspects as well, in the Agreement on the Protection of the Rights of the Hungarian Minority in Serbia and Montenegro and the Serb Minority in the Republic of Hungary, concluded between Serbia and Montenegro and the Republic of Hungary. Under article 2, para. 4 of the said agreement, whose successor is the Republic of Serbia, the parties to the agreement understand that the manner in which the rights stipulated therein are enjoyed, out of which many are rights pertaining to the protection and use of the Hungarian language, may depend on the size of the given minority population. Bearing in mind this provision, the authorities of the Republic of Serbia hold the view

that there is in place an utterly reliable and sustainable legal basis for the utilization of stronger options for the speakers of the Hungarian language, but without the violation of the same level of protection ensured by the undertaking of the same paragraphs and sub-paragraphs for all the languages in relation to which the undertakings under Part III of the Charter have been assumed. This was clearly indicated by way of statistical data in adequate places in the First Periodical Report.

**3. Several languages covered by the Charter are not in official use at local level because the respective national minorities do not reach the legal thresholds of 25% or 15% respectively. What steps have until now been taken by the Serbian authorities to encourage those municipalities where the respective minorities have their highest (absolute or relative) concentration to introduce such languages in official use through an amendment to the municipality's statute?**

Paragraphs 49 – 62 of the Second Periodical Report on the Application of the European Charter for Regional or Minority Languages contain information about the steps taken to ensure conditions for the application of the Charter's provisions on all municipal territories where minority language speakers are present in sufficient numbers.

A form of encouragement for local self-government units is also the implementation of a European Commission's IPA 2007 project entitled *Implementation of Priorities in the Field of Human Rights and Protection of National Minorities*, whose one component is the building of local self-governments' capacity for better performance in the field of human and minority rights. The purpose of this project, which is being successfully implemented by the Ministry of Human and Minority Rights, is to strengthen the capacity of institutions on both national and local levels; to coordinate, implement, monitor and evaluate the protection of human and minority rights in Serbia, thus fulfilling its obligations stemming from its membership in the United Nations and the Council of Europe. In the course of October 2010, the first of the two planned series of workshops took place, intended for the local self-governments' employees and dedicated to the international, European, national and local dimensions of the protection of human and minority rights as well as the improvement in information exchange and joint operation mechanisms. The workshops covered five regional centres – Požarevac, Niš, Vranje, Kraljevo and Novi Sad, with a participation of over 100 employees from 35 local self-governments. Participants in the workshops, amongst other things, were acquainted in detail with the European Charter for Regional or Minority Languages as well as the undertakings resulting from Serbia's accession to this multilateral treaty, with a particular emphasis on the importance of local self-governments' contributions to the promotion of minority rights.

**4. As mentioned in the first evaluation report of the Committee of Experts (paragraphs 40-42), representatives of the Bulgarian and Hungarian national minorities consider that existing administrative divisions represent obstacles to the promotion of their languages. What steps have been taken to examine these concerns in co-operation with the representatives of the said minorities?**

Section 3.1.2. of the Second Periodical Report on the Application of the European Charter for Regional or Minority Languages contains a reply in relation to the claims of the Bulgarian national minority that the existing territorial divisions represents an obstacle to the promotion of its language.

As regards the stance of the Hungarian national minority that the set-up of some administrative districts bears negative consequences for the use of the Hungarian language, it is important to point out that the Law on State Administration<sup>1</sup> stipulates, as a form of decentralization of the state administration, the formation of administrative districts for the purpose of carrying out state administration's tasks outside the headquarters of a given organ of state administration. The ratification instrument specifies that the term "territory in which regional or minority languages are in official use" pertains to the areas where regional or minority languages are in official use in accordance with the national legislation.

Bearing in mind that the local self-government units as whole entities are becoming parts of their respective administrative districts and that the use of language and alphabet pertains to the areas where the languages are in official use in accordance with the national legislation, the Hungarian national minority's concerns that the established administrative districts may represent an obstacle to the promotion of the Hungarian language are unfounded.

**5. The Committee of Experts was informed of the letter sent by Bosniak National Council to the President of the Government of the Republic of Serbia on 5 February 2010 concerning possible negative effects that the Decree on Nomenclature of Statistic Territory Units may have on the promotion of the Bosnian language. What is the position of the Serbian authorities on the concern raised in this letter?**

The Law on Amendments and Addenda to the Law on Regional Development<sup>2</sup>, adopted in May 2010, designates, instead of the previous 7, 5 regions – NSTJ (Nomenclature of Statistic Territory Units) at level 2. This law defines the regions as functional statistical territorial units, consisting of one or more areas, introduced for the purpose of planning and implementation of regional development policy, in accordance with the nomenclature of statistical territorial units at level 2. They are not becoming actual administrative territorial units and do not assume legal subjectivity. Article 5 of this law stipulates that the Government, at the proposal submitted by an organ in charge of statistics, is to designate the areas which constitute the regions in accordance with the nomenclature of statistical territorial units.

Bearing this in mind, the Republican Statistical Office, observing all the EUROSTAT procedures and criteria based on the European Union's standards, proposed a change to the Regulation on Nomenclature of Statistical Territorial Units<sup>3</sup>, which was adopted by the Government of the Republic of Serbia in June 2010. The regulation defines the regions more accurately – NSTJ level 2, i.e. their boundaries are defined as

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<sup>1</sup> Law on State Administration (Official Gazette of the Republic of Serbia, No. 79/05, 101/07 and 95/10).

<sup>2</sup> Law on Regional Development (Official Gazette of the Republic of Serbia, No. 51/09 and 30/10).

<sup>3</sup> Regulation on Nomenclature of Statistical Territorial Units (Official Gazette of the Republic of Serbia, No. 109/09 and 46/10).

well as the remaining two levels of functional statistical territorial units – NSTJ 1 and NSTJ 3. The Regulation's article 3 specifies the criteria according to which NSTJ levels are grouped, which in turn are based on general criteria set by the European Union's standards: 1) population size; 2) geopolitical position; 3) natural potentials; 4) existing territorial set-up; 5) cultural and historical heritage. Based on these criteria, two entities are formed at NSTJ level 1: Serbia – North is the unit at NSTJ 1 level, encompassing the Belgrade Region and Vojvodina, and Serbia – South encompassing Šumadija and Western Serbia Region, South and East Serbia Region, and Kosovo and Metohija Region. Territorial units – regions at NSTJ level 2 – that constitute functional entities NSTJ 1 are as follows: Belgrade Region, Vojvodina Region, Šumadija and West Serbia Region, South and East Serbia Region and Kosovo and Metohija Region. Territorial units – areas at NSTJ level 3 – constitute functional entities at NSTJ level 2. For the purpose of providing a reply to the posed question, the composition of the Šumadija and West Serbia Region is presented given that almost all the speakers of *Bosnian language* (99.7% in Central Serbia according to the 2002 population census) live on that territory. Nine areas NSTJ level 3 make up this region encompassing territorial units of local self-governments which are parts of the following administrative districts: Zlatibor District, Kolubara District, Mačva District, Moravica District, Pomoravlje District, Rasina District, Raška District and Šumadija Administrative District.

Bearing in mind what has been stated above, the authorities of the Republic of Serbia hold the view that the provisions of the Regulation on Nomenclature of Statistical Territorial Units can not have any adverse impact on the promotion of the Bosnian language. This regulation, as presented above, lays out the nomenclature of statistical territorial units which represents a set of notions, titles and symbols used to describe groups of territorial units. In accordance with the said nomenclature, statistical data are being collected, processed and presented, and indicators of regional development success are being designed.

**6. Minority language classes can also be set up on the request of less than 15 pupils or parents if the Minister of Education approves it. The Serbian authorities have informed the Committee of Experts of numerous cases where classes have been set up with very few (e.g. two) pupils. What steps have been taken by the Serbian authorities to actively inform pupils and parents of the possibility of setting up minority language classes with less than 15 pupils?**

The possibility for pupils to attend mother-tongue classes is regulated by the Law on the Basics of the Education System. There is no a common format regarding the manner in which pupils and parents are informed about the right to minority language education. The most common practice, however, is to inform the parents at the point when their children enrol in schools about the possibility for pupils to attend minority-language classes, i.e. the possibility to study the subject entitled Mother Tongue with Elements of National Culture. The law stipulates that a minority language curriculum is to be implemented if at least 15 pupils apply for enrolment in the first grade. The implementation of the teaching process and minority language curriculum may be organized for a number of pupils which is below the threshold prescribed by the law if

the Minister of Education, or the Provincial Secretariat for Education at institutions on the territory of the Autonomous Province of Vojvodina, approves it. There are no reliable data on whether the schools inform the parents about the possibilities stated above concerning the teaching process in cases when the minimal legal requirement of 15 pupils has not been met. As stated above, there is no a common format in place for dissemination of such information to parents, hence, the manner in which this is done varies from one school to another.

The Law on National Minority Councils, which stipulates powers and competences in the field of education, also grants an active role to the national councils with respect to the dissemination of information about the possibility of minority language education as well as the possibilities to set up minority language classes for fewer than 15 pupils to their respective minority communities.

**7. In light of the possibility of setting up minority language classes with less than 15 pupils, what active steps have been taken by the Serbian authorities to introduce the teaching of Czech with elements of national culture in Bela Crkva and possibly other places where Czech is used (e.g. in Gaj, municipality of Kovin, and Veliko Središte, Municipality Vršac)?**

Since the 2007/2008 school year, the official curriculum in the Republic of Serbia provides a possibility to introduce a minority language, including Czech, as the second language within the scope of optional school subjects. For the teaching of the Czech Language with Elements of National Culture to be organized, the Czech National Minority Council must launch an initiative for the drafting of a curriculum for the optional subject – Mother Tongue with Elements of National Culture, as well as initiate the procedure for its approval, adoption and publication, provision of professional staff and textbooks needed for the realization of such a programme. After that the parents, when their children enrol in school, i.e. at the beginning of each school year, opt for mother tongue (Czech, in this case) subject on behalf of their children, while the principal of the given school is to submit a request to the authorized school administration of the Ministry of Education for the funding of these classes.

**8. Has the application made by the National Council of the German National Minority for broadcasting time in German on Radio Novi Sad and RTV Novi Sad been approved? What active steps have been taken by the Serbian authorities to improve the presence of German in the print media (e.g. through a more frequently published newsletter)?**

**9. What steps have been taken by the Serbian authorities to allot broadcast time for a television programme in Czech?**

Radio Television Vojvodina is broadcasting programming in nine, i.e. ten languages: Serbian, Hungarian, Slovak, Romanian, Ruthenian, Croatian, Bunjevac, Ukrainian, Roma and Macedonian. However, RTV Vojvodina has been operating in

particularly difficult conditions for the past ten years given that its main building and a large part of its transmitter network equipment were destroyed during the NATO bombing campaign. Hence, RTV Vojvodina is using outdated analogue equipment and is facing personnel-related, financial and many other challenges. According to the information obtained from RTV Vojvodina management, possibilities for launching shows in German and Czech languages are currently being considered, with assistance and financial support of the competent organs and the European Union now that Radio Television Vojvodina has become a member of the Danube Region RTV Stations Network.

**10. What steps have been taken to adopt for each of the Part II languages a structured policy for the promotion of appropriate types of transnational exchanges in the fields covered by the Charter, including relations with neighbouring states?**

Section 3.1.9. of the Second Periodical Report on the Application of the European Charter for Regional or Minority Languages also contains information about the bilateral agreement on protection of national minorities concluded with Macedonia as well as the agreement in the fields of education, culture and sports, and the programme whereby the manner in which this agreement in the field of culture is to be implemented. The Republic of Serbia is ready to conclude new agreements with interested states on co-operation in the fields of social life where the same or similar language is used for the purpose of promotion of contacts among these languages' speakers.

**11. In their comments on the first evaluation report by the Committee of Experts, the Serbian authorities announced that the Ministry of Education would request an expert team to carry out a revision of history textbooks in which certain national minorities were presented in a stereotyped way. What has been the outcome of this revision?**

According to the information obtained from the Ministry of Education, the planned activities regarding the revision of history textbooks where certain national minorities were presented in a stereotyped way have been abandoned given that the process of drafting new regulations has been launched which shall provide guarantees for the elimination of the presentation of certain national minorities in a stereotyped way in all textbooks, including history textbooks (see paras. 137 and 138 of the Second Periodical Report on the Application of the European Charter for Regional or Minority Languages). The Law on the Basics of the Education System, the Law on Textbooks and Other Teaching Aids and the Textbook and Teaching Aid Quality Standards prescribe the procedure for preparation, approval, publication and selection of textbooks, textbook sets and other teaching aids, as well as the procedure for their monitoring and evaluation over the course of their use in the educational process. The said documents specify prohibition of any discrimination based on racial, national, ethnic, linguistic, religious or gender-related grounds, disabilities, physical and psychological traits, health condition, age, social and cultural background, financial status, political affiliation or any other grounds.



**12. What steps have been taken by the Serbian authorities to strengthen pre-school education for Croatian and Romanian and to provide pre-school education in Ukrainian?**

The Law on Pre-School Education, adopted in 2010, as part of the common education system, stipulates the implementation of the educational work in mother tongues for members of national minorities. It may also be implemented bilingually or in Serbian language, if at least 50% of parents or children's guardians opt for it. In cases where pre-school education process is not occurring in individual mother tongues, the main reason for that, according to the information obtained from the Ministry of Education, is the lack of interest on the part of parents in the implementation of the pre-school programme in mother tongue.

Compulsory and free-of-charge preparatory pre-school programme has been introduced as a very important measure intended to ensure better starting position for all the children once they enrol in primary schools. The possibility for children to attend the preparatory pre-school programme in mother tongue is regulated by law. In the Autonomous Province of Vojvodina, at the point of enrolment in pre-school institutions, each and every parent receives information about such possibility and declares in which language he/she would like his/her child to attend the programme. Depending on the number of pupils who have been enrolled, the principal of the given pre-school institution forms groups for realization of the given programme and submits request for funding.

Since there is no organized educational work in place in Ukrainian language at pre-school institutions, the *Ukraine Language Summer School* for which curricula for both younger and older age groups respectively have been designed, is being organized in Serbia. In addition to local teachers, those from Ukraine also hold classes at this school since there are not enough trained teachers for all the activities prescribed by the school curricula. Special teachers are engaged to hold additional classes in various subjects (religious instruction, local history, drawing, literature and theatre classes).

Under the Law on National Minority Councils, the newly elected national councils should carry out activities under their jurisdiction with respect to the pre-school education.

**13. What steps have been taken by the Serbian authorities to strengthen primary education for Croatian and Romanian?**

In order to strengthen primary education in Croatian language, the Ministry of Education has approved the import and use of certain textbooks and workbooks from Croatia on the basis of a positive opinion of the Croatian National Minority Council and the Institute for Advancement of Education that they meet professional-pedagogical and programmatic requirements. The Provincial Secretariat for Education is involved in the activities related to the Croatian language textbooks so as to ensure within as short a space of time as possible that these textbooks, despite the extremely small number of

copies, fulfil the quality standards just like the textbooks for teaching in Serbian language.

Consultations are currently under way at the Ministry of Education with regard to the regulation of the status of Croatian language teachers who, pursuant to the agreement on co-operation in the fields of culture, education and sports, are coming from the Republic of Croatia.

The data on teaching in Romanian language in primary schools are presented in the paragraph 170, whereas the data on the studying of the Romanian language with Elements of National Culture are presented in the paragraph 171 of the Second Periodical Report on the Application of the European Charter for Regional or Minority Languages. According to the information obtained from the Ministry of Education, about 60% of the children of Romanian nationality attend primary schools in their mother tongue. Textbooks for education in Romanian language are published by the Textbook Institute, but they are also imported when needed from Romania.

**14. Please provide more detailed information in regard to measures taken to promote Romani primary education in Central Serbia.**

The new Law on the Basics of the Education System, adopted in 2009, stipulates the existence of a pedagogical teaching assistant at school whose task is to provide assistance and additional support to children and pupils, in accordance with their needs, as well as help teachers and professional teaching associates advance their work with children and pupils who are in need of additional educational support. In 2009, the Ministry of Education and the OSCE Mission to Serbia announced a public competition for potential candidates for pedagogical assistants at primary schools with pupils of Roma nationality who are in need of additional support and assistance. In this manner, support was provided for the activities being implemented as part of the *Roma Assistant in Teaching Process* project, the *Decade of Roma Inclusion* international project, the Strategy for Advancement of the Position of Roma, and the Action Plan in the part which dealt with the advancement of the Roma education. In the 2010/2011 school year, 180 pedagogical assistants were engaged to work in pre-school institutions and primary schools with children and pupils of Roma nationality. Out of this number, 105 pedagogical assistants were engaged to work in primary schools in Central Serbia.

The Government of the Republic of Serbia adopted the Strategy for Advancement of the Position of Roma and the Action Plan for its implementation in 2009 (see section 2.1.2. of the Second Periodical Report on the Application of the European Charter for Regional or Minority Languages). The Action Plan in the field of education also features measures related to the support for the implementation of the Roma Language with Elements of the National Culture and Tradition programme.

Given that there are legal obstacles to the provision of an approval for primary education in Romani language in Central Serbia, an initiative to promote such a teaching process should be launched primarily by the Roma National Minority Council. The Ministry of Education expects of the Council to define the following in the forthcoming period: 1) how many pupils and in which primary schools would like to continue their education in Romani language; 2) who will prepare the texts for Romani language

instruction textbooks; 3) a request for a change to the Annual Curricula of Schools where the Romani language classes or a part of it would take place, for all the grades (I – VIII) or only for the first and fifth grade (if they opt for the first option, they should submit the changes and additions to all the curricula by grades, and if they go for the second option, then this is necessary solely for the first and fifth grades); 4) changes and additions to the rules on educational degrees of teaching staff members who would teach in Romani language. All the proposals regarding curricula, rulebook or textbooks will be forwarded by the Ministry of Education to the Institute for Advancement of Education for further consideration and in order to obtain opinion on them or consent for their use.

**15. What steps have been taken by the Serbian authorities to strengthen secondary education for Romanian?**

**16. What steps have been taken by the Serbian authorities to strengthen technical and vocational education for Romanian and Slovak?**

The Provincial Secretariat for Education, in accordance with the Law on National Minority Councils (article 15) takes into account the initiative of the Romanian National Minority Council in the process of drafting its opinion, which is then submitted to the competent minister in charge of education affairs in the procedure for specification of the network of secondary schools and institutions dealing with pupils' and students' standard, i.e. in the procedure for specification of educational institutions of particular importance for the national minorities' education. Each national minority council has the most accurate data concerning the number of pupils attending mother tongue classes as well as the needs of one's own national minority community with respect to the educational profiles and the requirements of labour market in the communities where they live.

Vocational education reform projects are currently under way in the system of the Ministry of Education: CARDS, in collaboration with the European Agency for Reconstruction; Serbian Vet project, in collaboration with GTZ, German organisation for technical co-operation; ECO-NET project, in collaboration with KulturKontakt. Co-operation has been also established with many other partners: the Chamber of Commerce, the Employers Association, the Industrialists and Entrepreneurs Association, the Union of Representative Trade Unions, the National Employment Office, the Republican Statistical Office, universities, NGOs, etc. The objective of these projects and contacts is to modernize and promote vocational education, and to introduce vocational education profiles which meet the requirements of the society's development and labour market.

**17. Please provide information about the application of Article 8 paragraph 1 d iv to Bosnian, Bulgarian, Croatian, Romani, Ruthenian and Ukrainian.**

The information on education in technical and specialist schools in the Bosnian language is contained within Paragraph 196, on Bulgarian in Paragraphs 197 and 198, and on education in Romanian in Paragraph 202 of the Second Periodical Report on the Implementation of The European Charter for Regional or Minority Languages. In schools

on the territory of the Autonomous Province of Vojvodina, only the course of Mother-Tongue (Romani, Ukrainian) With Elements of National Culture is taught, and that course is optional in secondary schools, so students can opt for it as they wish and it is not financed from the Ministry of Education's budget, but by the local administrations, depending on the number of interested students and financial situation at the local level. Since the school-year of 2010/2011 the courses of chemistry, non-metals and graphics, at the School of Polytechnics, are taught in Croatian too.

**18. What steps have been taken by the Serbian authorities to ensure the teaching of the history and the culture which is reflected by the regional or minority languages to all pupils in the respective language-areas?**

The teaching plan for compulsory primary education envisages the possibilities for multicultural communities to deviate by a certain percentage from the curricula in history, music and visual arts, the world around us and the basics of society, in order to treat the contents from history and culture of the minorities whose languages are in official use on that territory, in accordance with the pupils' age and basic teaching contents of the course in question.

Teaching the course of *Civic Instruction* provides a broad range of opportunities for intercultural education and upbringing through the processes of building, respecting and strengthening the cultural pluralism and tolerance. The so-far experience in teaching this course has shown that through educational and instructive process the pupils acquire knowledge and key competences necessary for cohabitation with different individuals, with full self-esteem, and the competences *inter alia* are: the capacity to constructively communicate in various social situations, the awareness and understanding of national and cultural identity interacting with cultural identity of Europe and the rest of the world, as well as the ability to notice and understand different standpoints determined by diversities.

**19. What steps have been taken by the Serbian authorities to ensure that citizens are actively encouraged by judicial staff to use a regional or minority language in courts, for example through bi- or multilingual notices and signs in/on court buildings, and information in public announcements of court forms?**

Section 4.2.5.1 of the Second Periodical Report on the Implementation of The European Charter for Regional or Minority Languages contains information on informing the citizens of the possibility to use minority languages in courts.

In accordance with the Law on Seats and Jurisdiction of Courts and Prosecutors, which came into force on 1 January 2010, the judiciary network has been reorganized. At the entrances to the reorganized court buildings, in accordance to Article 85 of the Court Rules of Procedure<sup>4</sup> signs with the official court name and national flag have been posted. The court names are written on a separate plate, and the text is written in the language and script in official use in court. If the court officially uses a minority language

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<sup>4</sup> The Court Rules of Procedure, ("The Official Gazette of the Republic of Serbia", number 110/09)

and script besides the Serbian language and Cyrillic script, the text is written in accordance with the order envisaged by a special relevant law.

**20. Please provide information about the application of Article 9 paragraph 1 b ii to Albanian, Romani, Ruthenian and Ukrainian.**

Section 4.2.3 of the Second Periodical Report on the Implementation of The European Charter for Regional or Minority Languages contains information on application of Article 9 Paragraph 1 b ii, pertinent to the possibility of a party to use a minority language in civic litigation procedures. Bearing in mind that the Republic of Serbia's regulations do not envisage keeping special records in courts, on the basis of which data on the number of litigations where parties used minority languages could be provided, the Report contains only partial data and those only from the courts that have agreed to participate in the reporting. There are no available data on the use of the Romani, Ruthenian, and Ukrainian languages in court litigations.

**21. Please provide specific information about the application of Article 9 paragraph 2 a with respect to all Part III languages.**

The regulations in force in the Republic of Serbia do not prescribe keeping special records in courts, on the basis of which data on the number of legal documents adopted in Part III minority languages could be provided. However, according to the information obtained from the courts that took part on drafting the Second Periodical Report on the Implementation of The European Charter for Regional or Minority Languages, there are no recorded cases of courts rejecting or denying the validity of documents presented by parties to any procedure just because they were in a minority language.

**22. What measures have been taken by the Serbian authorities to ensure the application of Article 10 to Romani and Ukrainian?**

Complying with the majority of undertaken obligations emanating from Article 10 of the European Charter for Regional or Minority Languages depends on whether a minority language is in official use in a local administration unit. Starting from legal provisions, a local administration unit is obliged to introduce a minority language and script into use if the percentage of the minority members on its territory amounts to 15% of total population according to the census data. However, the Republic of Serbia's regulations provide the possibility to local administrations to introduce a minority language into official use through their statutes, even when the legal threshold is not met (see Paragraph 61 of the Second Periodical Report on the Implementation of the European Charter for Regional or Minority Languages).

A strong impetus and contribution to protection, exercising and promotion of minority rights, therefore the right to minority language use, comes from the Law on National Councils of National Minorities, adopted in 2009 (see Section 2.2.2 of the

Second Periodical Report). The National Councils of the National Minorities are a form of cultural autonomy and a form of functional decentralization in the sphere of the state's legislative function. The election and constitution of the National Councils during 2010 enabled them to launch initiatives in the areas where they have competences stipulated by law, including the official use of language and script. The Romani and Ukrainian languages are not in official use in any of the local administrations because the legal requirements for their official introduction into official use have not been met, but, on the other hand, adoption of the Law on the National Councils of National Minorities has created legal conditions for the National Councils of National Minorities to propose identification of their respective languages and scripts as official languages and scripts in the local administration units.

**23. Please provide information about the application of Article 10 paragraph 2 b to Bosnian, Bulgarian, Romani and Ukrainian.**

The Constitutional provisions and regulations of the Republic of Serbia provide the opportunity to those who submit written or oral applications in those languages (see Section 5.3.1 of the First Periodical Report on the Implementation of the European Charter for Regional or Minority Languages). According to the local administration data, in practice there are open possibilities to exercise rights of parties to apply in their own respective languages. However, local administrations do not possess consolidated data on parties' applications submitted in their respective minority languages in various situations. Nevertheless, in local administrations where minority languages are in official use, it is possible to indirectly identify the number of written applications to local authorities, for instance through administrative procedures in minority languages, or engagement of translators in administrative procedure, or the number of certificates and register book confirmations issued, or the number of citizenship register certificates in bilingual forms, etc. That information is contained within Section 4.3.2 of the Second Periodical Report. Such an indirect way of insight into the scope of using the Romani and Ukrainian languages is not possible because they are not in official use in any local administration. That, however, does not eliminate the possibility for those language-speakers to address the local authorities in writing or speaking, but no accurate data are available as keeping those records in local administrations is not envisaged.

**24. Please provide information about the application of Article 10 paragraph 2 c to Albanian, Bosnian, Bulgarian and Romani (Central Serbia), and about its application outside Vojvodina.**

In the Republic of Serbia there is only one region – the Autonomous Province of Vojvodina – and regional documents are published in minority languages in accordance with the Law, as stated in Section 4.3.3 of the Second Periodical Report on the Implementation of the European Charter for Regional or Minority Languages.

On the territory of Central Serbia, where speakers of Albanian, Bosnian,, Bulgarian and Romani languages constitute respective majorities, there is no single region and thus no regional documents published in minority languages.

**25. Please comment on statements by representatives of the Romanian speakers that television programmes in Romanian cannot be watched by almost two thirds of the Romanian speakers in southern Banat.**

**26. Please comment on statements by representatives of the Ruthenian speakers that the television and radio programs in Ruthenian do not reach all areas in which Ruthenian is used.**

The Radio Television of Vojvodina remained without transmission network dismantled during the NATO bombing campaign. This is why the RTV programme is difficult to watch on the territory of Banat, although there are technical difficulties in programme broadcasting in other parts of Vojvodina too, those traditionally populated by national minority communities.

**27. Are there private television channels broadcasting programmes in Bosnian, Bulgarian and Ukrainian?**

Provisions of Article 43 of the Broadcasting Law stipulate that a legal or physical entity registered for the activities of producing and broadcasting radio and television programme should acquire the broadcaster status by obtaining a programme broadcasting licence. A broadcaster can operate in radio and television programme production and broadcasting as: a public broadcasting service institution; a commercial radio and/or television station; radio and/or television station of local or regional community. The National Broadcasting Agency (RRA) keeps records on licences issued for programme broadcasting, containing data on broadcasters' ownership structure too.

Section 4.4.4 of the Second Periodical Report on the Implementation of the European Charter for Regional or Minority Languages contains information on the practice of encouraging or facilitating TV programme in minority languages. That information lists data on TV stations too, with singling out the public companies founded by local administrations, whereas the commercial TV stations (founded by legal and physical entities) and civil sector's TV stations are encompassed by the term "other broadcasters".

Besides the TV stations covered by the Second Periodical Report, an insight into the Register on Licences Issued for Programme Broadcasting and Broadcasters' Ownership Structure has established that one private TV station broadcasts programme in Bosnian and another in Bulgarian, while no privately owned TV broadcast outlet broadcasts programme in the Ukrainian language. TV programme in Bosnian is broadcast by TV Universa from Novi Pazar, at the length of 12 hours a day. Bulgarian programme is broadcast by "Pi canal" TV from Pirot, lasting one hour a week.

**28. Please provide more concrete information in regard to the application of Article 11 paragraph 1 a iii, b ii and c ii in Central Serbia.**

Section 4.4.2 of the Second Periodical Report on the Implementation of the European Charter for Regional or Minority Languages contains information on the legislative framework which enables radio and TV programme broadcasters that exercise the role of public service (public broadcasting services) to offer contents in minority languages. The Serbian Broadcasting Service (RTS) broadcasts programme on the whole territory of Serbia, whereas the Broadcasting Service of Vojvodina broadcasts programme on the territory of the Autonomous Province of Vojvodina. Owing to the large number of operators and the developed cable distribution system, radio and TV programmes of public services and other broadcast outlets can be distributed, which enhances their availability to all segments of the society, including national minority members.

Sections 4.4.3 and 4.4.4 of the Second Periodical Report contain, besides data on the governmental incentives to minority programme broadcasting, also the information on broadcasters, as well as that on the minority radio and TV programme duration. The next sequence of the reply to this question provides an overview of radio and TV broadcasters that operate in Central Serbia:

<b>Minority language</b>	<b>Broadcaster</b>	<b>TV broadcaster</b>
<i>The Albanian Language</i>	RTV Bujanovac Radio Bujanovac, Bujanovac	RTV Bujanovac TV Bujanovac, Bujanovac  RTV Aldi, TV Aldi, Presevo
<i>The Bosnian Language</i>	The Bosniak Radio, Tutin	Regional TV Novi Pazar, Novi Pazar  TV Tutin, Tutin  TV Forum, Prijepolje
<i>The Bulgarian Language</i>	Radio Bosilegrad, Bosilegrad	RTV Caribrod TV Caribrod, Dimitrovgrad
<i>The Romani Language</i>	RTV Khrlo e Romengo, Radio Khrlo e Romengo, Belgrade  RTV Bujanovac Radio Bujanovac, Bujanovac  Radio Ema, Bujanovac  Radio Rom, Obrenovac  RTV Trstenik Radio Trstenik, Trstenik	RTV Bujanovac TV Bujanovac, Bujanovac  RTV Valjevo TV Valjevo, Valjevo  RTV Krusevac TV Krusevac, Krusevac  RTV Krajina TV Krajina, Negotin  RTV Nisava



		TV Nisava, Nis
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The number of radio and TV broadcasters that broadcast a minority programme is by far greater than the one presented here, since the Second Periodical Report covers only the broadcasters that have received state aid. Paragraph 280 of that Report presents the number of radio and TV broadcasters that have minority language programmes, based on the number of broadcasting licences issued, but with a note that their number is difficult to establish due to the lack of any special records on radio and TV stations broadcasting minority programmes in the Register of Licences Issued.

**29. Please provide information about the application of Article 12 paragraph 1 b to all Part III languages.**

Section 4.5.2 of the Second Periodical Report on the Implementation of the European Charter for Regional or Minority Languages contains information on financial support to translating literature from original minority languages into the majority (Serbian) language, as well as into other minority languages. This not only makes the original minority literature available to the general readership, but also supports development of minority languages by having them translated into other languages.

**30. Please provide information about the application of Article 12 paragraph 1 c to all Part III languages.**

The Government provides budgetary funds to financially support translation of literature into minority languages. The enhanced availability of literature produced in other languages to minorities is achieved through allowing all interested parties to apply for translation funds allocated through annual public call procedure. Section 4.5.3 of the Second Periodical Report on the Implementation of the European Charter for Regional or Minority Languages contains information on financial support to translating literature from the original Serbian language into minority languages.

**31. Please provide specific information about the application of Article 14 a to Albanian, Bosnian, Bulgarian, Romani, Ruthenian, Slovak and Ukrainian.**

The Section 3.1.9 of the Second Periodical Report on the Implementation of the European Charter for Regional or Minority Languages contains information on bilateral agreements on national minority protection, concluded with Hungary, Romania and Croatia. The same Section lists memoranda of understanding in the areas of education, culture and others, where the same language is used, with Hungary, Slovakia, Ukraine and Croatia, as well as programmes regulating the way of the agreements' implementation. As regards the Romani language speakers, it should be emphasized that in 2005 the Serbian Prime Minister signed the Roma Inclusion Decade Declaration, whereby prime ministers of eight countries then involved with the Decade voiced political readiness to work on reducing differences between Roma and the rest of the

population through implementation of national action plans in education, housing, employment and health care. As stated in Article 417 of the Second Periodical Report, the Republic of Serbia is ready to sign new agreements with interested parties, for the areas of social life where the same or similar language is used.