

KEY CHALLENGES OF SERBIA'S MINORITY POLICIES IN BILATERAL AND REGIONAL COOPERATION



FORUM ZA ETNIČKE ODNOSI
FORUM FOR ETHNIC RELATIONS



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Key Challenges of Serbia's Minority Policies in Bilateral and Regional Cooperation is an outcome of the work of the Forum for Ethnic Relation expert team in the framework of the *Integrated Policies and the Status of National Minorities* project, supported by the Open Society Foundation, Serbia.

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This paper aims to discuss the key elements and processes influencing the implementation of proactive integrated minority policies of the Republic of Serbia, and suggest the possibilities of improving the protection of the rights and integration of national minorities, thus enhancing the relations with its neighbours in bilateral and regional cooperation, and the process of European integration (EU).

Special attention is paid to interaction of the interests pursued by states, including kin-states and states in which national minorities live, on the one side, and the interests of nations and national minorities, on the other.

Introduction: Context information – Inter-influence of the EU integration process, bilateral and regional cooperation, and integrated minority policies

Serbia and its neighbours, examined in this paper, have many common features:

- All societies have a rich history as a result of being neighbours and part of the same multinational state or group of states/empires, marked by periods of good relations and conflicts, culminating in a series of armed conflicts on the territory of the former Yugoslavia in the 1990s;
- A history of being part of the same state or belonging to broader union of states;
- They are the so-called “transitional countries” with the same aspiration to join the Euro-Atlantic community: EU and NATO membership;
- The economies formed after the dissolution of Yugoslavia have many similarities and are in many ways complementary;
- Parts of their nationals live dispersed outside the kin-state as national minorities;
- All countries have a share in the Danube River Basin and have control over parts of Europe's most important river.

Besides the common features, there are differences, often conflicting, having an influence on their bilateral and regional relationships and on the status of national minorities.

The following two facts are of particular importance for this topic:

Firstly, all neighbours of the Republic of Serbia are members or candidates for EU membership. All neighbours, except for Bosnia and Herzegovina, are NATO members or in the process of accession. While being in the process of the EU accession negotiations, Serbia still insists on military neutrality, often referred to as anti – NATO ideology and turning closer to Russia;

Secondly, relations between Serbia and most of its neighbours historically saw the periods of occasional armed conflicts aimed at gaining territorial control and rounding up their statehood within ethnic frames. In this respect, armed ethnic conflicts in the recent history have a significant influence on Serbian relations with other countries of the former Yugoslavia (Bosnia and Herzegovina, Montenegro, Croatia and Macedonia). Such a past brought many challenges. Although a number of them have been successfully addressed, some still remain open. One such issue is the process of border delimitation between the former republics, which is still open and potentially conflicting. At the same time, bilateral and regional cooperation, and cooperation in the EU integration process is crucial for overcoming or marginalizing negative consequences inherited from the past. Such environment has a strong influence on the effects of integrated minority policies.

A transition in former socialist countries, including Serbia, to market capitalism, began in 1989. It was marked by the resurgence of ethnic nationalism at the ideological and political level. At the same time, governments of these countries call for democracy and seek to involve national minorities in the transition, i.e. to reach a political agreement – consensus with political representatives of national minorities.¹ Therefore, judging by legal solutions, the status of national minorities in the respective countries is satisfactory. The normative frameworks for protecting national minorities in all countries examined by this paper are in compliance with international standard-setting documents of the UN, Council of Europe, particularly the first

¹Because the “legislative reform pertaining to the protection of national minorities” is a precondition set in the 1990’s of the 20th century by the European Community member states (before the creation of the European Union) of their international recognition as the states.

successful Pact on Stability in Europe (also referred to as the Balladur Plan) signed in Paris in 1995, and OSCE (Analysis, 2016:4). However, the actual status of national minorities is not always satisfactory.

Serbia and its neighbours seek answers to these challenges in increased regional cooperation and membership in the EU. This puts good neighbourly relations on top priority of Serbia's foreign policy strategy, also determining the scope and content of regional cooperation as well as the pace of Serbia's joining the EU.

Good neighborly relations are a precondition for stability and security in the region and, in that sense, a prerequisite for successful conclusion of the accession negotiations as required by the EU-Serbia Negotiation platform and the Negotiating framework. So far, the process of Serbia's negotiations has shown a direct correlation between good neighbourly relations with neighbouring EU member states and their political demands in terms of content and pace of accession negotiations, as confirmed by the benchmarks and obligations imposed on Serbia for the opening of chapter 23, *inter alia*, concerning the rights of national minorities. Serbia's neighbouring EU member states, Croatia, Bulgaria and Romania, and to some extent Hungary whose demands influence the Serbia's path towards EU membership and the pace of opening new chapters, have clearly stated that they will use their right to put forward the requirements concerning the protection of national minorities, thus pursuing their own strategic interests.

The literature on enlargement suggests that the EU accession negotiations process is characterized by the *asymmetric power relationship* between the neighbouring EU member states and candidate countries. Open bilateral issues between a member state and a candidate country are classified as “*vertical*” disputes, while “*horizontal*” issues involve only candidate countries². This is because the candidate country must satisfy a large number of criteria and conditions for membership. The neighbouring EU member state uses this opportunity to settle bilateral issues with the candidate country by raising this issue.

Even though bilateral issues are considered as disputes between two states and not part of the *EU acquis*, and as such should not be the subject for negotiations with the EU or precondition for membership, the importance of bilateral issues at the political level is apparent - as seen in

²Elena Basheska, „The Good Neighbourliness Condition in EU Enlargement“, *Contemporary South-eastern Europe*, 2014, 1 (1), 92-111. www.suedosteuropa.uni-graz.at/

numerous cases, such as the EU accession negotiations with Croatia and Macedonia (and, for example, with Turkey) – bilateral disputes can dramatically slow down the process. *“Vertical bilateral disputes can be more problematic than horizontal ones in terms of causing delays or even deadlock situations at different stages of the enlargement process”*³.

Serbia’s neighbours – Romania, Hungary, Bulgaria and Croatia – were from the beginning actively involved in conceptualizing the EU framework standpoints regarding negotiations with Serbia; each neighbour approached this issue from their own perspective. Having in mind that the European Council and the Council of Ministers make their key decisions in accession negotiations by consensus, the relative influence of each member state on these issues is exceptionally big.

In 2017 the neighbouring states continued to monitor how the Action Plans for Chapters 23 and 24, as well as the Action Plan for national minority rights, are implemented. Among the neighbours, Hungary continued to lead in rendering support to Serbia, so that it has generally been among the first member states within the EU Council’s Working Group on enlargement (COELA) to give consent for the opening of certain chapters. In the previous year, Romania and Bulgaria to a certain extent reduced their pro-active approach in regard to Chapter 23 and national minorities; this can partially be attributed, inter alia, to the fact that these issues are less present in their internal policies (frequent changes of government, anti-corruption issues, elections), and partially to the effect of their preparation for presidency over the EU (Bulgaria will preside in the period January-June 2018 and Romania January-June in 2019).

After the government change and the election of Plenković as the new Prime Minister and leader of HDZ party, Croatia continued to demonstrate big interest in how Serbia is realizing Action Plans, particularly in regard to issues for which Croatia has further on objections: representation of the Croat minority in government bodies and the realization of other minority rights in Serbia; full cooperation with The Hague Tribunal; jurisdiction over war crimes according to the relevant Serbian law etc. For instance, at the end of 2017, Croatia sided with Germany and France and denied consent for the opening of Chapter 33 in accession negotiations with Serbia.

³Elena Basheska, *op.cit.*, p. 95.

Relations between Croatia and Serbia are extremely important for the stability and security in Western Balkans. Their relationship has an impact also upon the situation in neighbouring countries, first of all in Bosnia and Herzegovina (BiH) because both Croats and Serbs live in this state, and the influence of Belgrade and Zagreb is of extreme importance for the establishment of stability among the nationalities in BiH. However, relations between Serbia and Croatia are not stable, they are burdened by open issues, and often lead to open political conflicts and crisis. The situation did not improve significantly after the then mandatary for Government Aleksandar Vučić and President of Croatia Kolinda Grabar Kitarović met on the bridge over the Danube, and after signing in Subotica the *Declaration on Improving Relations and Resolving Open Issues between the Republic of Serbia and the Republic of Croatia*.⁴

The role of national minorities in the relations between Serbia and Croatia demonstrates a tendency to transform national minorities from a bridge of cooperation to a bargaining counter.

In 2017 and the first quarter of 2018, in the Western Balkans, a rise in ethnic distance and mistrust, hate speech and advocating of armed conflicts has been noticeably increasing. These developments are based on traumas from the past, characterized by tailoring history, rehabilitation and idolization of extremist chauvinist movements and ideologies like that of Ustashes, Chetniks or Islamic extremism.

Bilateral relations between Serbia and Bosnia and Herzegovina are specific and the full normalization process has not begun yet. However, special ties have been developed between Serbia and the Republic of Srpska in the framework of the Dayton Peace Accords, often turning into strong support of Serbian ethnic-nationalism and strengthening the statehood of the Serb-dominated entity the Republic of Srpska. Cooperation between Serbia and the Federation of Bosnia and Herzegovina - the other entity - almost does not exist at the institutional level, but cooperation between Croats and Serbs, supported by Belgrade, has grown and has become stronger. However, cooperation with central state of Bosnia and Herzegovina is sporadic and heavily burdened by ethnic distance between Serbs and Bosniaks, and support to the Republic of Srpska authorities. Apart from sporadic efforts at promoting the Serb - Bosniak reconciliation,

⁴B92 Info bulliten, 18.04.2018 (b92-info-txt@lists.b92.net)

other activities are not taking place. Turkey has been able to use such situation to exert influence by acting as mediator between Serbia and Bosnia and Herzegovina. This is part of Turkey's clear plan to intensify its influence in the Balkan countries, which is, inter alia, characterized by providing active support for Kosovo's independence and having a big interest in Sandzak.

Serbia's relations with Bulgaria, Montenegro, Hungary, Macedonia and Romania are good. Good relations were confirmed during 2015 – April 2018 at visits at the highest level as well as at the governmental sessions among some of them.

The issue concerning the rights and status of national minorities has been raised in bilateral relations with the neighbours. Their starting positions are different in terms of content and size, but there is a consensus among all the neighbours about establishing some specific commitments for Serbia in its EU accession process. This consensus brings in coordination of activities among the neighbouring countries that has been manifested in developing the *EU Common Position on Opening Negotiating Chapter 23* and setting the interim benchmarks for this chapter⁵.

For the time being, Serbia's authorities have not found an adequate method to accommodate the fulfilment of neighbours' requests and simultaneously promote the protection of the Serbian community in these states.

The protection of the rights of persons belonging to national minorities and implementation of integrated minority policies is of great importance for the advancement of Serbia's reforms and democratization, and an important indicator of progress on the road to EU membership. EU accession negotiations with Serbia formally commenced on January 21, 2014 by the First Intergovernmental Conference (IGC) on Serbia's EU accession. The opening of accession negotiations marked a new phase in Serbia's EU accession negotiations, in which the exercise of human and minority rights will be one of the key issues. Since the opening of Serbia's accession negotiations, 12 out of 35 chapters have been opened, two of which provisionally closed. The overall pace of negotiations will continue to depend on Serbia's progress in reforms and new chapters will be opened.

⁵ The EU has additionally reinforced such position of Serbia's neighbours by including into the EU Common Position the unresolved bilateral disputes that could not be resolved by the parties concerned, thus ensuring that they will be addressed in the accession negotiations. The countries that have harmonized their particular interests is forming an interest group in the EU, which attempts to raise the bilateral issues to the area of interest of the institutions of the EU in charge of conducting negotiations with Serbia.

In the period examined by this paper, Serbia's EU accession process was marked by the following events:

In 2017, three Intergovernmental Conferences (IGC) were held (5th and 6th were held during the Maltese presidency, and 7th during the Estonian presidency). Despite the process of Serbia's joining the EU in 2017 being faster than in 2016, the pace of opening negotiating chapters is relatively slow, whereas the pace of their closing is almost imperceptible. Namely, out of a total of 12 chapters that have been opened so far, it took four years to close only three chapters. There are several reasons for having such a small number of chapters opened and closed, including: the EU requirement for most challenging chapters to be opened in the first accession stage. These are chapters that require a lot of time and effort for preparation, including: Chapter 35 (normalization of relations between Serbia and Kosovo); Chapter 23 (judiciary and fundamental rights) and Chapter 24 (justice, freedom and security). Other reasons are associated with the "EU fatigue from enlargement" and overall effects of the EU crisis, and aggravating factors of bilateral relations (primarily between Serbia and Croatia). However, the most important reason is the pace at which Serbia is responding to the invitation to submit its negotiating positions on additional chapters, after receiving from the EU screening reports on these chapters. It is a sign of inefficiencies of Serbian public administration, slow progress in implementing reforms due to several reasons (organization of government departments, staffing policy, high level of policy centralization and focus on political, rather than technical aspects of the EU accession negotiations, etc.).

The medium-term perspective of Serbia's EU accession got a special boost at the end of 2017, when Jean-Claude Juncker, President of the European Commission, announced that the European Commission plans to create the Strategy for the successful accession of Serbia and Montenegro to the European Union in February 2018, with a perspective of accession to the EU in 2025⁶. The return of the EU enlargement on the EU agenda was further enhanced by announcing preparations for the EU-Western Balkans Summit, set to take place on May 17, 2018 in Bulgaria. This will be the first summit of the EU and the Western Balkan leaders since

⁶European Commission, *State of the Union 2017, Letter of Intent*, p. 10, <https://ec.europa.eu/>

Thessaloniki Summit, which took place in 2003. Although the process of EU enlargement⁷ can be affected by a number of other political developments (e.g. elections for the European Parliament and the new European Commission 2019), we can hope that Serbia is entering the last five-year phase in the realization of its strategic goal - Full membership in the European Union. This implicitly sets the deadlines for the implementation of all the foreseen reforms in Serbia, including activities related to relations with neighbours, or with the further regulation of the position of national minorities.

In the strategy of February 6, 2018,⁸ the European Commission is proposing concrete steps for certain important phases in enlargement negotiations with Serbia. For instance, it is said that all transition requirements for Chapter 23 and Chapter 24, as well as Chapter 35, should be fulfilled *as soon as possible*, after which *final criteria* would be adopted. Particularly highlighted is the need for full normalization of relations between Belgrade and Pristina in the form of a comprehensive legally binding agreement, whose “*irretrievable implementation*” should be established prior to signing the agreement on membership. The European Commission suggests also some additional EU technical and financial measures as support to accelerated negotiations on membership, as well as various mechanisms of integration of Serbia and Montenegro into the EU policies and decision-making processes. A few years before the negotiations are completed, the European Commission should propose a special report on effects of enlargement upon Serbia and Montenegro (and possibly some other countries) in the fields of finances and cohesion policies, budget and agricultural policies. All chapters should, in principle, be closed at least until 2023 or 2024 (there is no precision in the Commission’s document) in order to sign the accession Treaty, which would enter into force in 2025.

Having in mind that Serbia, unlike previous candidate countries, is facing requests related to protection of minority rights, the relevant Action Plan of the Government of Serbia established measures, activities and means to ensure full implementation of regulations and eliminate the identified deficiencies in regard to the implementation of rights and freedoms of national minorities. Progress in the implementation of the Action Plan of the Government of Serbia is

⁷ Besides the European Commission, the French president Emmanuel Macron proposed the plans for a profound transformation of the EU. These plans will be discussed in the European Council meetings between now and June 2019, see European Council, *Leader’s Agenda, Building our future together*; October 2017, <http://www.consilium.europa.eu/>.

⁸European Commission, *A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*, COM (2018) 65 final, Strasbourg, 6.2.2018. p.19, annex.

important for the overall progress, which means for Serbia's EU membership, because Chapters 23, 24 and 35 open and close the negotiations on membership.⁹

When it comes to the fulfilment of Action Plans for Chapters 23 and 24, including the special Action Plan for the realization of national minority rights, Serbia is submitting reports on fulfilling obligations from these documents on a quarterly basis.¹⁰ The European Commission (EC) has the obligation to twice a year report to member States on Chapters 23 and 24. As regards minority rights, the EC in these reports ("*Non-Paper*" on the current situation regarding Chapters 23 and 24 for Serbia", from May and November 2017)¹¹ pointed at the following issues: amendments to the Law on the Protection of Minority Rights and Freedoms, particularly from the perspective of representation of national minority members in public administration and the use of language and script; publishing text-books for primary and secondary schools in minority languages; media broadcasting in minority languages in the times of privatization; status of churches and religious communities; representation of national minorities in electing public prosecutors; and, activities of councils for inter-ethnic relations in municipalities.

Having in mind the principle that Chapters 23 and 24 will be among the chapters to be closed as the last ones in the negotiations, as well as that it is planned (maybe already in 2019) that the European Commission, and the EU Council, evaluate the fulfilment of interim criteria in Chapter 23 (and the Action Plan for minorities), 24 and 35, the issue of fulfilment of all goals in these documents will acquire a growing degree of actuality and urgency. When it comes to issues from the Action Plan for Minorities, there is no doubt that the debate on the fulfilment of transition criteria for Chapter 23, as well as on establishing *criteria for closing* of the same chapter, will be one of the key moments which Serbia's neighbours will use to possibly revive or strengthen the pressure in order to solve certain bilateral issues.

⁹ See: a Special Action Plan for realization of the rights of national minorities

¹⁰ Reports are published on the website of the Ministry of Justice, see: <https://www.mpravde.gov.rs/>. Quarterly reports on the fulfilment of the Action Plan for realization of the rights of national minorities are also published on the website of the Government Office for Human and Minority Rights <http://www.ljudskaprava.gov.rs/>.

¹¹ European Commission reports on state of play in chapters („non-paper“) are published on the website of the Ministry for European Integrations, <http://www.mei.gov.rs/>.

The European Parliament (EP)¹² also has an advisory role in accession negotiations, and the debate in the EP have particular importance because of its broader, political, media and public effects which are particularly identifiable in countries to which they relate. In its annual resolution on Serbia, on June 14, 2017,¹³ the EP has highlighted, inter alia, the need for “non-discriminatory treatment of national minorities in the entire country, including education, use of language, adequate representation in the judiciary, public administration, the national Parliament and local and regional bodies, as well as access to the media and religious services using minority languages...”¹⁴

It is significant for the improvement of minority policies, namely for the incorporation of European *acquis* into minority policies, that Serbia, as a candidate country, remained as observer in the EU Agency for fundamental rights (Agency)¹⁵, by the Decision of the EU Council of December 18, 2017.¹⁶ The Agency is not focused exclusively upon issues of national minority rights because its competences include discrimination, access to justice, racism and xenophobia, protection of data, rights of victims of crime and right of child. The Agency can act and perform tasks in Serbia as the associated country, with the aim to harmonize legislation in the field of fundamental rights.

In its annual report for 2017 the Agency for Fundamental Rights pays attention to activities aimed at establishment of equality and non-discrimination, as well as fight against racism, xenophobia etc.¹⁷ With the aim to fight discrimination against minorities the Agency publishes also a periodical *Survey of Minorities and Discrimination Survey in the EU*. This Survey

¹² In this regard, especially important are the European Parliament’s Committee on Foreign Affairs (AFET), as well as the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and the Human Rights Subcommittee (DROIT), which hold “hearings” and give opinions on the state of play regarding human and minority rights in individual countries.

¹³ European Parliament Resolution of 14 June 2017 on the 2016 Commission Report on Serbia. <http://www.europarl.europa.eu/>.

¹⁴ Item 26 of the Resolution, see: *supra*.

¹⁵ Founded primarily as an economic integration, the EU had long relied on the provisions and practice of the Council of Europe, that is, the European Court of Human Rights Council for issues related to the interpretation of human rights. The issue of human and fundamental rights has been incorporated into the *EU acquis* only in this century, but for the content of many issues in this area (such as minority rights), the EU still relies on the practice of the Council of Europe and the European Court of Human Rights. The Lisbon Treaty also envisages the accession of the EU to the European Convention on Human Rights of the Council of Europe, see. Marina Kolb, *The European Union and the Council of Europe*, Palgrave MacMillan, 2013, 245.

¹⁶ Council decision (EU) 2018/13 of 18 December 2017 on the position to be adopted on behalf of the European Union within the EU-Serbia Stabilisation and Association Council on the participation of Serbia as an observer in the European Union Agency for Fundamental Rights’ work and the respective modalities thereof, within the framework of Regulation (EC) No 168/2007, *OJEU* L 4, 9.1.2018. Serbia’s contribution to the Agency’s budget is € 180,000.

¹⁷ FRA, *Fundamental Rights Report 2017, FRA Opinions*, Vienna, 2017, p. 24, 6-10.

includes only some minorities, like Roma and the Russian population in Baltic countries, as well as the first generation and second generation immigrants in EU countries.¹⁸

In view of its interests and EU requests, activities related to regional cooperation are of particular importance for Serbia. In the EU “*negotiation framework*” from January 2014, regional cooperation and solution of border issues are mentioned as Serbia’s obligations in the process of accession negotiations in the context of five basic preconditions for progress in EU membership negotiations.

The link between regional cooperation and support for EU integration was clearly highlighted in the *Berlin Process* which includes six partners from the EU¹⁹ and six from Western Balkans²⁰ which is being realized since 2014 in the form of regular annual summits²¹. In the summit in Trieste (July 12, 2017), organized by Italy, was signed the Treaty Establishing the Transport Community between the EU and partners from the Western Balkans, announced were seven transportation and energy infrastructures in the amount of EUR 194 million, and representatives of Western Balkans expressed readiness for the realization of the project “*Regional economic space*”. The beginning of activities of the Regional Youth Cooperation Centre (RYCO) in Tirana was also announced, as well as the establishment of a secretariat of Economic Chambers from Western Balkans in Trieste.²² A particular quality of the *Berlin process* is the participation of significant EU members at the highest levels (German Chancellor, French President etc.), and the participation of heads of governments of Slovenia and Croatia is also important. These two countries are promoting a special regional forum with the aim to stabilize also cooperation in south-east Europe “Brdo-Brioni” (the last summit was held in June 2017).

In 2017, the activities of other regional organizations have continued, in which Serbia participates with some of its neighbours. These are, for instance, the South-east European Cooperation Process (SEECP), with the summit held on June 30, 2017 in Dubrovnik; Central European Initiative (CEI), summit held in Minsk, in December 2017; Black Sea Economic

¹⁸FRA, *Second EU Minority and Discrimination Survey*, Vienna, 2017, p. 130.

¹⁹Germany, France, Italy, Austria, Slovenia and Croatia.

²⁰Serbia, Kosovo*, B&H, Montenegro, Macedonia, Albania.

²¹The summits were held in Berlin, Vienna, Paris and Trieste, so far.

²²Declaration by the Italian Chair, see: http://www.esteri.it/mae/en/sala_stampa/archivionotizie/approfondimenti/trieste-western-balkan-summit-declaration.html

Cooperation (BSEC), Council held a meeting in Istanbul, June 2017; IIA (council held meeting in Janina in 2017, as well as within the strategy of the Danubian region (annual forum held in October 2017 in Budapest).

Among numerous initiatives in the Western Balkans, the initiative on the establishment of the Regional Economic Space²³ within the Regional Cooperation Council (RCC) stands out with its regional cooperation forms and organizations. This initiative together with CEFTA, the organization for trade cooperation, has particular significance for further economic and political cooperation of the six partners from Western Balkans.

We should also emphasize the results of *multilateral cooperation of Serbia with Romania and Bulgaria* achieved within the so-called Craiova Group, i.e. a four-party cooperation which includes also Greece. The Craiova Group was formed upon initiative of Romania in 2015 at the summit of Prime Ministers of three countries – partly along the model of the Visegrad group of Central-European and East-European countries. The aim of periodical high-level meetings is to boost links in energy, transportation and telecommunication, namely the development of infrastructure in general; apart from this, however, these countries have consultations in the context of support to Serbia's EU accession negotiations which facilitates solutions of problems related to the protection of national minority rights. These multilateral meetings gained in importance in 2017, when the Visegrad Group was transformed to a *four-party cooperation*, when Greece joined (at meetings in Varna, in October 2017 and Belgrade, in December 2017, attended also by the Greek Prime Minister Tsipras). Multilateral meeting mainly are held at high prime-minister levels with the participation of President of Serbia Aleksandar Vučić. Even though, this cooperation has not yet acquired precise institutional and technical forms, and there are no formal declarations or conclusions after these meetings, but it nevertheless is of particular significance.

Serbia should endeavour to avoid as much as possible the piling up of open issues in bilateral relations, and should not put itself in a subordinated position in regard to the neighbours because its obligations are not fulfilled – which could endanger Serbia's EU membership. This is

²³The Multi-Annual Action Plan on Implementation of the Regional Economic Area in the Western Balkans, covering the period between 2018-2020 (with the extension of some activities until 2023), was announced at the Summit in Trieste within the Berlin Process (July 2017).

important, particularly in view of the fact that, apart from Bulgaria, Romania and Croatia²⁴, will also preside over the EU in the forthcoming period.

The latest the European Commission report of progress achieved towards EU accession by the candidate countries in the implementation of enlargement policy of April 17, 2018²⁵, in the part relating to Serbia reiterates that “*the legal and institutional framework for the respect of fundamental rights is in place*”. The report further states that “*the legal framework on fundamental rights is mostly in place but remains incomplete and its implementation inconsistent*”²⁶. Therefore, “*its consistent implementation across the country needs to be ensured, including as regards protection of minorities*”.

As regards Chapter 23, Serbia is implementing a detailed action plan which was adopted prior to the opening of the accession negotiations on this chapter and the country is in the process of revising its action plan with more realistic deadlines²⁷.

As regards minorities, the report reiterates that the legal framework for respect for and protection of minorities and cultural rights is in place and generally upheld, in line with the Framework Convention on National Minorities. While interethnic relations continue to be good and stable, regional differences persist. Overall, implementation of policies and legislation needs to be improved to address existing discrepancies. Some regions inhabited predominantly by national minorities remain among the most underdeveloped. The implementation of the action plan for the realisation of the rights of national minorities must be sped up and coordination and inclusion of stakeholders improved. The Republic National Minority Council has established good cooperation with national minority councils. The fund for national minorities is functioning and its funding has been increased. Local councils for interethnic relations have not been established in all the municipalities where such obligation is stipulated by the law. Alignment of the Law on Protection of Rights and Freedoms of National Minorities and the Law on National Minority Councils with the relevant Constitutional Court decision and sector laws is still pending. National minorities remain underrepresented in public administration. The publication of textbooks in minority languages, their preparation and printing of the books continues. Constructive dialogue is needed about preparing and printing textbooks in the Albanian language. Access to religious worship in minority languages should be enabled throughout Serbia. Following media privatisation, broadcasting of programmes in minority languages

²⁴ The Bulgarian presidency of the Council of the EU: January-June 2018; Romania will assume the presidency: January – June 2019; Croatia will assume the presidency: January-June 2020. Finally, Hungary will assume the presidency in the second semester 2024.

²⁵European Commission, *2018 Communication on EU enlargement policy*, COM (2018) 450 final, Strasbourg, 17.4.2018. 41 p, and *Serbia 2018 Report, Commission Staff Working Document*, SWD (2018) 152 final, Strasbourg 17.4.2018, p. 111

²⁶*Serbia 2018 Report, op.cit*, p. 12.

²⁷*Serbia 2018 Report, op.cit*, p. 13.

remains vulnerable due to lack of sufficient funding and control of content. Public broadcasting in minority languages at national level still needs to be improved²⁸.

For addressing the shortcomings in the area of fundamental rights, it is recommended that Serbia should “*develop a comprehensive approach for the protection of national minorities by implementing its action plan on national minorities consistently across the country and amending the legal framework by means of an inclusive, transparent and efficient process*”²⁹“.

In the part of the European Commission’s 2018 report relating to regional cooperation and good neighbourly relations, it is stated that Serbia maintained its engagement in a number of regional cooperation initiatives in south-east Europe, and remained constructively committed to bilateral relations with other enlargement countries and neighbouring EU member states. Relations with Hungary, Romania and Bulgaria remained “*good*“, whereas relations with Croatia continued to be mixed. The report reiterates that regional cooperation and good neighbourly relations form an essential part of Serbia’s European integration process and contribute to stability, reconciliation and a climate conducive to addressing open bilateral issues and the legacies of the past.

I) Cooperation between Serbia and neighbouring countries in improving the status of national minorities

1. Relations between Serbia and Croatia and the status of communities of Serbs living in Croatia and Croats living in Serbia

After a twenty-year period of normalization, the relations between Serbia and Croatia³⁰ are extremely complex and burdened by the legacy of the past. This trauma of ethnic conflicts which is still vivid in the memories of both sides, maintains political tensions, and mutual distrust and distance. This in turn aggravates a process of normalizing relations and respecting the rights of persons belonging to the Croatian and Serbian minorities.

Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia was signed and ratified in 1996. This was the first interstate agreement between the two countries, successors of the former SFRY, which together with the Agreement on Succession and the Dayton set of documents, form part of the system of peace agreements after the conflicts in Croatia and Bosnia and Herzegovina and undeclared war between Serbia

²⁸*Serbia 2018 Report, op.cit, p. 28-29.*

²⁹*Serbia 2018 Report, op.cit, p.24.*

³⁰After the breakup of Yugoslavia and the Dayton and Erdut peace agreements, Croatia and Serbia (then FRY) signed an Agreement on Normalization of Relations Between the Federal Republic of Yugoslavia and the Republic of Croatia, on August 23, 1996, and formally established diplomatic relations after its ratification in September of that year. Serbia has an embassy in Zagreb and two general consulates, one in Rijeka and one in Vukovar. Croatia has an embassy in Belgrade and a general consulate in Subotica.

and Croatia.³¹ This agreement was composed ambitiously; however, the text itself was soon forgotten and marginalized in bilateral relations. A similar thing happened to the Agreement on the Protection of the Serbian and Montenegrin Minority in Croatia and the Croatian Minority in Serbia and Montenegro, signed in 2004.³²

Although more than 50 bilateral agreements have been signed between Serbia and Croatia in the period between 2000 and 2009, concerning minorities, the biggest shift was made when the *Agreement on the Protection of the Croatian Minority in Serbia and Montenegro and the Protection of Serbian and Montenegrin Minority in Croatia* was signed in 2004³³. This was an important formal and legal milestone, but essentially, political relations were unblocked and directed toward normalization in early 2009, when PM Ivo Sanader paid his first visit to Belgrade. In such atmosphere, the Committee on Croats outside the Republic of Croatia shared with the Croatian Parliament a document: *Proposal for the Conclusion on the Position of Croatian Minority in Neighbouring and Other European Countries with Special Emphasis on Croatian Minority in Serbia, Slovenia and Montenegro*³⁴. This document analyzes in detail the position of Croatian minority in the region and points to the problems that the domicile states should eliminate. Obligations of the Republic of Serbia in regard to the Croat national minority are the following: realization of minority rights in line with other minority communities in Serbia, in accordance with national legislature and ratified international conventions; realization of rights in the field of education (legal obligation of the Republic of Serbia – printing school text-books in the Croat

³¹ The agreement has 14 articles which establish the framework for the improvement of relations between the two respective countries in order to improve peace and stability in the region. The first three articles define the contracting parties as independent, sovereign and equal states that are ready to establish full diplomatic and consular relations. In Article 5, the FRY and Croatia note the existence of the state continuity of Serbia and Montenegro and Croatia as independent states. It is interesting that the provision does not specify whether the recognition of the existence of the continuity of the Croatian statehood applies to the period of SFRY, because the position of Croatia side is that Croatia achieved the right to self-determination and statehood under the 1974 Constitution, but recognition of the existence of Croatian statehood refers to earlier historical periods.

Under Articles 6 and 7 the contracting parties undertake to speed up forthwith the process of solving the questions of missing persons. However, even 20 years later, these issues have not been fully resolved and still encumber the Serbian-Croatian relations. The rest of articles refer to questions of a technical nature, such as promoting post, telephone and communications, normalizing transportation, etc.

It is clear that the technical parts of the agreement have been implemented to a great extent, whereas the political parts have remained a dead letter for many years after the signing and ratification of the agreement. Lack of will for the implementation of certain obligations undertaken by Serbia and Croatia under this agreement can certainly be linked to the war that marked the breakup of the former common state and that has left a deep mark in relations between the two nations.

³²<http://www.ljudskaprava.gov.rs>

³³The Agreement on the Protection of the Croatian Minority in Serbia and Montenegro and the Protection of Serbian and Montenegrin Minority in Croatia (*Official Gazette of SMN – International Treaties*, No. 3/2005).

³⁴Proposal for the conclusion on the position of the Croatian minority in neighboring and other European countries with special emphasis on Croatian minority in Serbia, Slovenia and Montenegro, Croatian Parliament, Committee for Croats outside the Republic of Croatia, Zagreb, April 8, 2011. The discussion was closed on October 27, 2011. The Conclusion was adopted at the 24th session on October 28, 2011 (unanimously, 77 votes in favor).

language, regulation of the labour-related legal status of Croat language teachers); representation of the Croatian Community in all public administration bodies, public institutions, enterprises and other institutions (particularly representation of Croats in the National Assembly of the Republic of Serbia); condemnation and discontinuation of the policy of dividing Croats into Croats, Bunjevac and Šokci ethnic group, as well as distancing from the attempt to impose the Bunjevac issue; full integration into the social, political and economic life in Vojvodina.

A new framework for resolution of open issues was established with the signing of the *Declaration on Improving Relations and Resolving Open Issues between the Republic of Serbia and the Republic of Croatia*³⁵. The Declaration sets a good basis for the continuation of work on open issues, particularly in regard to the Croat minority in Serbia.

After the adoption of the *National Security Strategy of the Republic of Croatia*, which the Parliament of the Republic of Croatia adopted on July 14, 2017, and the Law on Cooperation with Croats outside the Republic of Croatia, two bodies were established which have the most important role in maintaining relations between Croatia and its Diaspora: the *Central State Office for Croats Abroad* and the *Council of the Government of the Republic of Croatia for Croats Abroad*.

Article 16 of the Law stipulates that apart from the two bodies, other factors of cooperation with the Diaspora are: ministries responsible for foreign relations, interior affairs, science, culture, economy, entrepreneurship, labour and retirement, health insurance, social insurance, tourism, regional development and finances, Council for Croats outside the Republic of Croatia, Croatian Parliament, Croatian Heritage Foundation and other bodies and institutions, whose competences are, *inter alia*, deal with relations with Croats outside the Republic of Croatia, or whose activities are relevant for Croats outside the Republic of Croatia.

Croatian-Serbian relations in 2017 and early 2018, have fluctuated from escalating a conflict propaganda to expressing a desire for cooperation. Reasons for conflicts are mainly linked to the legacy of the past - armed conflicts experienced during World War II and the collapse of Yugoslavia. Thus, the Serbian government organized an exhibition dedicated to the victims in Jasenovac

³⁵Declaration on Improving Relations and Revolving Open Issues between the Republic of Serbia and the Republic of Croatia, June 20, 2016

death camp run in the Independent State of Croatia, at the UN building in New York City³⁶, which was condemned by Croats. Following Croatia's protest note stating that "Minister Dačić's statements at the UN showed that Serbia is continuing to abuse and manipulate the Jasenovac victims for current political purposes"³⁷, Serbia's President Vučić said that historical truths were "absolutely clear, whereas Dačić himself said that he was outraged by "hypocrisy and impertinence" of Croatia.³⁸ War of words between Croatia and Serbia continued: "Croatia's Foreign Minister Marija Pejčinović Burić said that it's an absolute lie that Croatia was consulted in any way regarding the organization of the exhibition "Jasenovac – the Right to Remembrance"³⁹, adding that "it is highly hypocritical for accusations against Croatia to come from officials of a country (Serbia) which has recently rehabilitated or has filed for the rehabilitation of the worst World War II criminals, Draža Mihajlović and Milan Nedić". From the Serbian side, Prime Minister Ana Brnabić also joined the debate, and in a much more refined language supported Dačić and Vučić and their standpoints in this regard.⁴⁰

In January 2018 the U.S. administration warned that in 2018 the relationship between Serbia and Croatia must improve, stressing the importance of resolving bilateral issues and the strengthening of relations between the two states. However, as the time of President Vučić's visit to Croatia (which took place in February 2018) was approaching, Serbian officials again dialed up the tone of their language.⁴¹ Deputy Prime Minister and Minister of Foreign Affairs Ivica

³⁶Serbian Foreign Minister and First Deputy PM Ivica Dačić opened the exhibition "[Jasenovac - The Right to Remembrance.](#)", staged at the UN in New York City. In his address, Dačić invited Croatian Prime Minister Andrej Plenković to travel to Jasenovac and bow before the victims.

"Here as well, during the organizing (of the exhibition) we faced the opposition of one country that said we manipulated fact and figures. There are no manipulations, here are the historical facts, names and last names, statements made by survivors...", Dačić said.

"We did not come here to quarrel, but our people suffered most in World War II. It is our obligation to remember that. That is why we are here, that is why the UN was created - not to allow Fascism to be repeated ever again and we stand firm in that conviction", Minister Dačić said in conclusion.

³⁷<https://www.dnevnik.rs/politika/hrvatska-protestna-nota-srbiji-zbog-daciceve-izjave-o-jasenovcu-28-01-2018>

³⁸<https://www.dnevnik.rs/politika/dacic-zaprepascen-sam-hrvatskom-notom-zbog-jasenovca-28-01-2018>

³⁹<https://www.dnevnik.rs/politika/pejcinovic-ponovo-optuzuje-srbiju-zbog-izlozbe-o-jasenovcu-29-01-2018>

⁴⁰<https://www.dnevnik.rs/politika/brnabic-cemu-nota-hrvatske-tu-nema-mesta-debati-29-01-2018>.

⁴¹ Among them, Aleksandar Vulin, Minister of Defence and Ivica Dačić, Minister of Foreign Affairs, were again in the forefront. Speaking about his position that Vučić should not go to Croatia because of the statement by Croatian Defence Minister Damir Krstičević who said, ahead of Vučić's recent visit to Croatia, Vučić should first apologise for Serbia's aggression on Croatia, Vulin also said: "Vučić should receive an apology and compensation for the usurped property of expelled Serbs but also of the state of Serbia, and an apology for closing the state borders during the migration crisis, and an apology for the plaque with Ustasha's slogan displayed at the Jasenovac concentration camp. ... Vučić should not go where the memory of the killed Serbs in Jasenovac is considered insult, and where the Ustasha Archbishop Alojzije Stepinac became a saint. ... When Croatia finds the

Dačić asked: “We should be apologizing to them because NDH (Independent State of Croatia) had slaughtered our people?!” Official Zagreb reacted by sending a protest note. On the same day, the Ministry of Defense, Aleksandar Vulin, supported Ivica Dačić by expressing doubts in “sincerity and good intentions” of Croatia, because the Government of Croatia has tried to undermine this visit through its statements.⁴² Just a few days before his visit to Zagreb, President of Serbia Aleksandar Vučić proposed a “moratorium on disputes on issues from the past” which would last six months.⁴³

The Serbian side assessed as incidents the protests on the occasion of President of Serbia’s visit to Croatia, which took place upon invitation by the President of Croatia Kolinda Grabar Kitarović. The placing of placards against Serbs and the protest in front of the Embassy of Serbia in Sarajevo were also assessed as incidents,⁴⁴ after it was announced that *Annex 1 to the Agreement on the establishment of parallel relations between Serbia and the Republic of Srpska* will be adopted, which includes the *Agreement on prevention of assimilation of the Serb people*⁴⁵ and after the statement of the President of the Republic of Srpska, Mile Dodik, on arming 2,500 Serbs on its territory.⁴⁶

The most recent in the line of incidents took place on 18 April, 2018, when – according to the statement given by the Serbian Radical Party, Vojislav Šešelj stomped the Croatian flag in the Parliament of Serbia, due to which Gordan Jandroković, President of the Croatian Parliament, left Belgrade.⁴⁷

This incident did not stop the debate between Serbian Deputy Prime Minister and Minister of Foreign Affairs Ivica Dačić and Minister of Defense Aleksandar Vulin, on the one side, and Croatian Prime Minister Andrej Plenković, on the other. The issues that always evoke intense

strength to recognize the crimes and apologizes for them, only then our president will go to Zagreb

"<https://www.dnevnik.rs/politika/vulin-vucic-ne-treba-da-ide-u-hrvatsku-01-02-2018>).

⁴²<https://www.dnevnik.rs/politika/vulin-nisam-ubeden-u-iskrenost-hrvatske-03-02-2018>

⁴³“Let’s agree that we won’t speak about that in the next six months, about this and that, or to try to hear each other every time and to reduce tensions, both of us. Around 4th August and around some other dates - Vučić said

⁴⁴<http://rs.n1info.com/a363826/Vesti/Vesti/Vucic-u-Hrvatskoj.html>

⁴⁵<https://www.dnevnik.rs/politika/vlada-srpske-usvojila-nacrt-deklaracije-o-sprecavanu-asimilacije-14-02-2018>

⁴⁶<https://www.dnevnik.rs/politika/dodik-iz-srbije-niko-ne-treba-da-se-izvinava-hrvatima-15-02-2018>

⁴⁷Šešelj is, anyway, a frequent issue in the relations between the two states. After returning from The Hague he burned multiple Croatian flags, and gave a number of insulting statements on the President of Croatia, Kolinda Grabar Kitarović, which blew up a storm among the public in Croatia. These incidents carry particular weight because a few days before this incident The Hague Tribunal had by final judgment sentenced the leader of SRS to 10 years in prison (Šešelj will not serve this time because he had spent 11,5 years in custody) because of crimes against humanity over Croats in the village Hrtkovci during the nineties in the last century.

disputes at the political and psychological level relate to World War II, as well as the conflicts during the 1990s, and the fact that many who took part in them are highly positioned officials in Serbia and Croatia. These disputes are, as a rule, intensified in the days of anniversaries of war crimes in Vukovar and Jasenovac – the military police action "Storm", as well as in regard the assessment of the legacy of Aloysius Stepinac and the salutation "For home(land) – ready!"⁴⁸

On the same day when the visit of the President of the Croatian Parliament was terminated the President of Croatian Economic Chamber Luka Burilović and the President of the Economic Chamber of Serbia Marko Čadež demonstrated the significance of economic cooperation between the two countries by inaugurating the representation office of the Croat Chamber in Belgrade five years after the previous representation office ceased its operations.

Economic cooperation made most significant progress compared to other forms of cooperation. Croatia is a very important foreign trade partner to Serbia, and exchange of goods is showing a growth trend.⁴⁹ However, this is a more or less unequal exchange, in spite of the fact that Serbia had a surplus in exchange with Croatia in 2017; Croatian companies and investments are much more present in Serbia compared to the presence of Serbian companies and investments in Croatia. There were also a few problems in August 2017, when the Government of Croatia decided to increase tariffs for phytosanitary supervision over imported fruits and vegetables.

Serbia and Croatia cooperate in numerous regional institutions and projects, as well as in cross-border cooperation programs.⁵⁰

EU integrations, a common foreign and political goal of Croatia and Serbia has somewhat smoothed out their differences, making them acceptable to the EU.

⁴⁸For example, in September 2017, when a monument was revealed to the JNA officer Milan Tepić, who blew up the warehouse with ammunition and armoury, sacrificing his own life in the 1990s. On its part, the Ministry of Croatian Veterans, said this was "disgusting" and qualified it as a "terrorist act".

⁴⁹Trade exchange is continuously growing and from EUR 626 million in 2007, and for the first time reached one billion - 1.02 billion euros (up to 14.1% compared to 2016).

In 2017, Croatia's rank on the list of Serbia's biggest trading partners was 10 (the same as in 2016), and rank 9 as top export destination (8 in 2016). In 2017, Serbia's exports to Croatia amounted to EUR 550.7 million (an increase of 17.6 percent year-on-year), while the value of imports from Croatia reached EUR 476.3 million (up 10.4 percent, compared to 2016, when it went down 7.1%).

⁵⁰Croatia and Serbia still cooperate in activities implemented by following regional organizations: Regional Cooperation Council (RCC), South East European Cooperation Process (SEECP), Central European Initiative (CEI), the EU Strategy for the Danube Region (EUSDR), the EU Strategy for the Adriatic and Ionian Region (EUSAIR), Working Community of the Danube Regions (WCDR), International Sava River Basin Commission (ISRBC), Southeast European Law Enforcement Centre (SELEC), Southeast Europe Policy Chiefs Association (SEPCHA).

However, Croatia's entry into NATO and Serbia's reluctance to give a clear answer to this question have reduced the corrective effect of this shared commitment. Still, the two sides have identified areas of action for resolving outstanding bilateral issues and developing methodology for their resolution in order to reach full normalization of relations.⁵¹

Until Croatia became a full member of EU in 2013, the political leadership of Croatia showed large interest for cooperation and assistance to neighbors on their European path, which was particularly true in regard to Serbia. This was confirmed by numerous statements of Croatian officials in those times. However, since joining the EU, Croatia has been expressing reservations in regard to Serbia and its policy. Protection of national minorities was an issue which in the past was burdening the relations between the two states. Nowadays it is resolved in an acceptable manner for both states, although certain problems do emerge in regard to the rights of the Serbian community in Croatia and the Croatian community in Serbia.⁵²

Croatia's legal framework has created good prepositions for the protection of national minorities. The status of national minorities was regulated in cooperation with international organizations, primarily the Council of Europe and the EU. The result of this cooperation was the Constitutional Law on National Minority Rights adopted in 2002.⁵³ Among the rights guaranteed by the Constitutional Law, outstanding are: the right to self-organization and association in pursuance of their common interests; representation in the Parliament and in local government bodies, in administrative and juridical bodies; participation of persons belonging to national minorities in public life and local self-government through the Council and representatives of national minorities. The Constitutional Law governs other rights, such as: the use of their language and script, private and public, as well as official use; education in their language and script; the use of their insignia and symbols; cultural autonomy through the preservation, development and expression of their own culture, preservation and protection of their cultural heritage and tradition; practicing their religion and establishing their religious communities

⁵¹ The following areas of action have been identified: Unresolved issues from the past (missing persons, status and return of refugees, border issues, succession, protection of Serbian minority in Croatia and Croatian minority in Serbia, Cyrillic script, return of cultural treasures); Improvement of economic cooperation and EU integration process (source: *Ministry of Foreign Affairs / documents*).

⁵² See: Tatalović, Siniša, *Utjecaj članstva u Evropskoj uniji na politiku Republike Hrvatske prema Zapadnom Balkanu*, in: *Nova Evropa i njena periferija*, Vujačić, Ilija and Beljinac, Nikola (ed.), University of Belgrade – Faculty of Political Science, Belgrade, 2015, p. 158-159.

⁵³ Constitutional Law on the Rights of National Minorities, *Narodne novine*, 155/02, 47/10, 80/10, 93/11.

together with other members of the same religion; access to the media and public information services (receiving and disseminating information) in their language and script.⁵⁴

The Serbs of Croatia constitute the largest national minority in Croatia with. There are 186,633 Serbs, or 4.4 per cent out of a total population. Compared to the previous census (2002) population dynamics of the Serbs indicates an absolute decline (7%) as a result of negative growth. The number of Serbs significantly reduced (65%) during the period 1991-2001 due to forced migration. In terms of territorial distribution, the Serbs are most numerous in Zagreb, followed by Banija, Kordun, Lika, North Dalmatia, Slavonia and West Srem and Baranja. Persons belonging to the Serbian minority account for the majority (over 50%) in 17 municipalities in Croatia.

During the war in Croatia, from 1992 to 1995, Serbs who were living in parts of Croatia under control of Croatian authorities were treated as “autochthonous minority”. Serbs who were living in the territory of Srpska Krajina and of East Slavonija which were governed by their own institutions, saw themselves as part of the totality of the Serb nation, and the Croat authorities, media and Croat majority named them as “rebellious Serbs” or as the “new minority”.

After the war ended, the expression “new minorities” became habitually used. Some other minorities (Hungarians, Italians, etc.) are called “old minorities”, emphasizing that these minorities have a longer tradition in the realization of minority rights, and that “new national minorities” are realizing these rights only after the establishment of Croatia as an independent state. In the domain of rights, basically speaking, both types of national minorities are treated in the same way, so that differentiation between “old” and “new” minorities makes sense only in regard to the general position of national minorities. This differentiation in Croatia is primarily politically motivated.

Serbs in Croatia realize their rights at the local, regional and state level. In regard to political representation of the Serbian Community in municipalities and towns, when a self-government constitutes above 8% of the entire population, it has the right to one council member; namely with 15% they have the right to proportional representation. Members of ethnic and national communities or minorities whose share in the total population is higher than 8% have the right for

⁵⁴ Within the framework for protection of national minorities in Croatia, see: Tatalović, Siniša, *Konstitucionalni okvir i zaštita nacionalnih manjina u Republici Hrvatskoj*, in *Ustavi u vremenu krize: Postjugoslavenska perspektiva*, Podunavac, Milan and Đorđević, Biljana (ed.), University of Belgrade – Faculty of Political Science, Belgrade, Beograd, 2015., p. 357-373.

participation, proportional with their share in the entire population, in the Croatian Parliament, the Government of the Republic of Croatia and in the bodies of supreme judicial authorities. This right is in principle regulated by the Constitutional Law on the Rights of National Minorities, and is in more detail elaborated by the Local Elections Act. It is envisaged that representatives of national minorities are elected to councils on the basis of party lists, depending on their election results. An interesting solution is that, if a sufficient number of council members are not elected from the Serbian Community, candidates from the most successful list or lists will be taken. If this is not sufficient to ensure proportional representation of the Serbian Community in a self-government body, additional elections are organized in which only members of the Serbian Community can vote and elect their councillors.⁵⁵ This ensures a proportional representation of Serbs in bodies of local and regional self-government, but this also opens some key question.⁵⁶

In representing the interests of the Serbian Community in local and regional self-governments, national minority councils and representatives of national minorities play an important role. Their election and activities are regulated by the 2002 Constitutional Law.⁵⁷ The legislature gave a very broad possibility of elections for the councils and representatives, so that national minorities can chose their councils and representatives in a big number of municipalities, towns and counties.⁵⁸

According to the results of elections for the fourth mandate on May 31, 2015, 288 councils and 173 representatives of national minorities were elected, while the turnout was only 13.48%.⁵⁹ Persons belonging to the Serbian Community elected by far the bigger number of councils (131)

⁵⁵Constitutional Law on the Rights of National Minorities, *Narodne novine*, 155/02, 47/10, 80/10, 93/11., articles 20-21.

⁵⁶The first question relates to the legitimacy of councillors and members of county assemblies who are elected in three different procedures, and have the same mandate. Secondly, it is difficult to expect the uniformity and coherence of the work of all Serbian councillors and members of county assemblies in representing the interests of Serbian community. By representing different parties, that may be part of the ruling coalition or the opposition, they often advocate and represent different interests. Thirdly, in this way, participation in decision-making processes at local and regional levels is not ensured to members of Serbian community, in self-government units where members of a national minority have bellow 8%.

⁵⁷Constitutional Law on the Rights of National Minorities, *Narodne novine*, 155/02, 47/10, 80/10, 93/11. Articles 23-34.

⁵⁸“ Minority self-governments can be elected in self-government units where members of a national minority have at least 1.5% share in the total population, or where more than 200 members of a national minority are resident, or in the area of a regional self-government unit where more than 500 members of a national minority are resident.

10 representatives shall be elected to a minority self-government of a municipality, 15 to a minority self-government of a town, 25 to a minority self-government of a county. In cases where at least one of the requirements for the election of a minority self-government under para. 1 of this article has not been met, and in an area with at least 100 residing members of a national minority, a minority representative shall be elected for the territory of such self government unit“. Constitutional Law on the Rights of National Minorities, *Narodne novine*, 155/02, 47/10, 80/10, 93/11, Article 24 (<http://www.izbori.hr/>)

⁵⁹<http://www.izbori.hr/>.

and representatives (45).⁶⁰ Such low turnout was the feature of the three previous election cycles. One of possible explanations for this is that the national minority councils and representatives have relatively small competences, as well as due to the manner in which these elections are organized. If the elections for national minority councils and representatives would be held at the same time as local elections, the voters' turnout would certainly be significantly bigger. The problem is also in the competences of the councils and representatives since they have exclusively an advisory role.⁶¹

Croatia is one of the rare states in Europe which enables representation of national minority interests in the national parliament. This is an important right which ensures the national minorities to have a voice in the legislative body in which decisions are made regarding their rights and interests. The election model according to which eight representatives of national minorities are elected to the Croatian Parliament was consolidated after the adoption of the Constitutional Law on minority rights and the elections held at the end of 2003.

In Croatia, as a post-conflict society, introduced is the possibility of political representation of national minorities, because it was presumed that in a regular election process this representation would not be realized. Therefore, three representatives of the Serbian Community in the Croatian Parliament have an important role, particularly in pointing at problems of the community and the non-implementation of certain laws, especially those which relate to national minority rights.⁶² This was particularly proven in the case of introduction of bilingualism into some municipalities and towns in Croatia.

An important part of the rights of the Serbian Community in Croatia is also the education in the Serbian language and in the Cyrillic script.⁶³

⁶⁰Priručnik za vijeća i predstavnike nacionalnih manjina (*A Guide to Minorities and Political Participation*, p. 12 and 14, <https://pravamanjina.gov.hr/>

⁶¹ See: Tatalović, Siniša; Jakešević, Ružica; Lacović, Tomislav, *Funkcioniranje vijeća i predstavnika nacionalnih manjina u Republici Hrvatskoj*, Međunarodne studije, vol. 10 (2010), 3-4; p. 40-56

⁶²Tatalović, Siniša, *Političko predstavljanje nacionalnih manjina: hrvatsko iskustvo*, in: *Stanje i perspektive multikulturalizma u Srbiji i državama regiona*, Stanovčić, Vojislav and Bašić, Goran (ed.), SANU, Belgrade, 2016., p. 332.

⁶³“School facility that holds tuition in language and letter of national minority can be formed for a lesser number of pupils than set for a school facility with tuition in Croatian language and letter. If there are no conditions for forming a school facility education in language and letter of national minority is to be held in a class section or educational group. Class section and educational group are formed in a school facility that holds tuition in language and letter of national minority or a school facility that holds tuition in Croatian language and letter. Denomination of school facility that holds tuition in language and letter of national minority and seal and stamp inscriptions are to be written in Croatian language and Latin script as well as in the

Educational plan and program for Serbian language and letter consists of a general part following contents closely related to the national minority (language, literature, history, geography & culture of national minority). A part of educational plan and program whose contents are closely related to Serbian national minority are defined and approved by Ministry of education and sports considering opinions of Serbian minority societies.

Enrolment in school facility, class section or educational group in the Serbian language and letter is held under the same terms as enrolment in school facility teaching in Croatian language and letter, according to the prior decision on enrolment. If more pupils apply for enrolment in school facility, class section or educational group than regulated by the terms of enrolment, pupils belonging to Serbian national minority will have advantage to enroll over other pupils. Pupils of school facility, class section or educational group that holds tuition in Serbian language and letter of national minority are obligated to study Croatian language and Latin script according to the educational plan and program. In the area where equal usage of both languages is defined by city or district regulations, pupils of school facility teaching in Croatian language and letter will be given the opportunity to learn Serbian language and Cyrillic letter⁶⁴.

Equal official use of national minority language and script is exercised in the Republic of Croatia under the following conditions: (1) when the members of a particular national minority constitute the majority of inhabitants in the territory of a municipality or town, (2) when it is envisaged by international agreements to which the Republic of Croatia is a party, (3) when the municipalities and towns have stipulated it by their Statute, (4) when the county, in the area of which, in particular municipalities and towns, the national minority language and script are in equal official use, has stipulated it by the Statute, in relation to the work of its bodies, within the scope of self-government.⁶⁵ In the territory of a municipality, town or county, equal official use of national minority language and script shall be exercised: (1) in the work of representative and executive bodies of a municipality, town or county; (2) in the proceedings before administrative bodies of a municipality, town or county; (3) in the proceedings before bodies of the state administration of first instance, before organisational units of central bodies of the state administration acting in first instance, before judicial bodies of first instance, public prosecutors' offices and public attorneys' offices of first instance, notaries public and legal persons with public powers, authorised to act in the territory of a municipality or town, which introduced minority language and script

language and letter of national minority. (Law on Education of Languages and Letters of National Minorities, *Narodne novine*, no. 51/2000, Articles 1 to 5).

⁶⁴Law on Primary and Secondary Education, Articles 6 to 9.

⁶⁵Law on the Use of Language and Script of National Minorities in the Republic of Croatia, Article 4.

in the equal official use. Equal official use of national minority language and script, as a rule, shall be introduced for the entire territory of a particular municipality or town.⁶⁶

In municipalities, towns and counties in which national minority language and script is in equal official use, the work of municipal and town councils, and municipal and town administrations, as well as the work of county assemblies and administrations shall be conducted in the Croatian language and Latin script and the national minority language and script which are in equal official use.⁶⁷

In the municipalities and towns in which a national minority language and script is in equal official use, the following shall be written in a bilingual or multilingual form, in the same font size: (1) written traffic signs and other written signs in traffic, (2) names of streets and squares, (3) names of places and geographic sites. The Statute of the municipality or town in which a national minority language and script is in equal official use shall stipulate whether the rights will be exercised in the entire territory or only in particular places, and whether and in which places the traditional names of the places and sites shall be used. The Statute of the municipality or town may stipulate that in the territory in which a national minority language and script is in equal official use, the names of all legal and natural persons performing public activity shall be written in a bilingual or multilingual form. The members of ethnic minorities whose language and script is in equal official use are entitled to the same rights in the procedures of first and second instance before the administrative bodies of municipalities, towns and counties as in the procedure before the bodies of state administration of first instance⁶⁸.

The status of the Croatian community in Serbia is characterized by three factors. The first one is inconsistency and lack of concepts of adequate policies in the Republic of Serbia in regard to minority communities whose aim would be to achieve their better integration to the social and political system. Here we can certainly include other factors, such as bad economic situation,

⁶⁶Law on the Use of Language and Script of National Minorities in the Republic of Croatia, Articles 5 and 6.

⁶⁷In municipalities, towns and counties as per Paragraph 1 of this Article the following shall be provided in a bilingual or multilingual form: (1) inscription of the text on seals and stamps in the same font size; (2) inscription boards of bodies of representatives, executive and administrative bodies of municipalities, towns and counties, as well as legal persons with public authorities in the same font size; (3) inscription of the headings of acts in the same font size. A councillor, member of the town administration or citizen in municipalities, towns and counties as per Paragraph 1 of this Article shall be entitled to be provided with the following in a bilingual or multilingual form: (1) delivery of materials for session of municipal or town council and administration, as well as the county assembly and administrations; (2) record-taking and announcement of conclusions; (3) publication of official notifications and summons of representative, executive and administrative bodies of municipalities, towns and counties, as well as session materials for representative and executive bodies. In the municipalities, towns and counties in which a national minority language and script is in equal official use, the following shall be provided to the citizens in a bilingual or multilingual form: (1) issuance of public documents, (2) printing of forms used for official purposes. (Law on the Use of Language and Script of national Minorities in the Republic of Croatia, *Narodne novine*, no. 51/2000, Articles 8 and 9.

⁶⁸Law on the Use of Language and Script of National Minorities in the Republic of Croatia, *Narodne novine*, no. 51/2000., Article 10.

unfavourable social circumstances, namely the entire social and political situation in Serbia as a domicile state of Croats living in Serbia.

The second important factor are the relations within the Croatian community itself, the institutional development of the community and the capability of the elite to represent the interests of Croats in Serbia. The third factor is the relationship between the two countries – the kin state and domicile state – because their relations directly spill over to the Croatian minority in Serbia.⁶⁹

As regards organization within the Croatian community, namely the establishment of minority infrastructure and its functionality in the context of protection of ethnic cultural characteristics of Croats in Serbia and Vojvodina after 2000, it has to be noticed that apart from most important institutions of minority self-government (Croat National Council, Institute for culture of Croats in Vojvodina), there is a significant number of non-governmental organizations which work on the protection of national identity.

Until the beginning of democratization in 2000, social and political circumstances were characterized by clearly anti-Croat and chauvinist elements; with the disintegration of SFRY Croats were no longer a state-building people, and until 2002 they were not recognized as a national minority. As a new national minority they did not have institutional capacities, nor could they have significantly developed them in order to more efficiently work on their minority rights. Exceptionally weak is the integration within the community itself – due to fragmentation, members of the Croatian Community from Srem, Banat and central Serbia demonstrate a very low level of participation in the social and political life, which is of major importance for the further development of the community. The elite of the Croatian Community is not sufficiently developed.

Persons belonging to the Croatian minority are not proportionally and sufficiently represented in the state administration structures, both at the central, provincial and local levels;

General characteristics of Croats in Serbia are the negative demographic situation and a worrisome decline of the birth rate. According to the 2011 census, there were 57,900 Croats in Serbia or

⁶⁹For more details, see: Sammy Smooha, Priit Jarve, *The Fate of Ethnic Democracy in Post-Communist Europe*, ECMI, LGI, Budapest, 2005 and Jadranka Jelinčić, *Evropeizacija Srbije, ljudska prava, manjinska prava, inkluzija Roma*, Open Society Foundation Serbia, Belgrade, 2007.

0.8% of the total population. Of these, 47,033 lived in Vojvodina where they formed the fourth largest ethnic group, representing 2.4% of the population. Further 7,752 lived in the national capital Belgrade, , representing 0.5% of the population, with the remaining 3,115 in the rest of the country. It should be noted that according to the census, 18,706 (0.2% of Serbia's population) persons declared to belong to the ethnic group Bunjevci, of which 16,469 (0.9% of Vojvodina population) are in Vojvodina. It is considered that in the last elections the population categories, among those who did not declare their nationality (160,346), whose nationality is unknown (81,740), and who declared regional affiliation (30,771) and others (17,558), were some Croats also.⁷⁰ A concerning factor in regard to Croats in Serbia is that according to age they are one of the oldest minorities in Serbia. Research conducted by relevant demographers from Croatia established that in 2011 at every Croat at the age of 14, there were 300 over 65. According to these indicators, this is an exceptional disproportion which illustrates that the demographic and demo-reproductive base of the Croat people in Vojvodina is very low⁷¹.

Other features are: fragmentation and insufficient integration within the Croatian Community, the unfavourable social position accompanied with continued negative perceptions and ethnic distance, incomplete realization of guaranteed minority rights, incomplete and inconsistent normative framework which would guarantee good quality in the realization of human rights and minority rights, absence of integrative minority policies and simulation of these, exposure to strong assimilatory processes, denying of identity and the interference of the state into identity issues.

Faced with such indicators, Croatian policy towards its neighbours, including the Republic of Serbia, and towards parts of the Croatian people residing in other states as national minorities, including Croats in the Republic of Serbia, aimed at improving their position, is governed by the aforementioned document, the *Republic of Croatia National Security Strategy*. One of its main goals is the preservation of the national identity and protection of Croats living outside the borders of the

⁷⁰Statistical Office of the Republic of Serbia, The *2011 Census of Population, Households and Dwellings in the Republic of Serbia, Ethnicity of the Population, Data by municipalities and cities*, Belgrade, 2012

⁷¹Dražen Živić, *Demographic dynamics and spatial distribution of Croats in Vojvodina – factors and indicators*, *Godišnjak za znanstvena istraživanja*, No. 4, Institute for Culture of Croats in Vojvodina, Subotica, 229 - 241. and Dražen Živić, *Demographic ageing of Croats in Vojvodina (1991-2011)*, *Godišnjak za naučna istraživanja*, No. 5, Institute for Culture of Croats in Vojvodina, Subotica, 2013, 209 - 225.

Republic of Croatia, especially protecting their equality and constitutionality in neighbouring Bosnia and Herzegovina.

In principle, this policy takes into account that the position and existence of Croats as national minority in other states of the Central and Southeast Europe, including the Republic of Serbia, depends on the degree of development of the political system and democratic institutions in those states. The Republic of Croatia will continue to take care of their position and to support all activities related to the protection of their national identity. Croatian national minority living in the states where their minority rights are not fully protected enjoys particular attention and concern of the Republic of Croatia. The Republic of Croatia will ensure the highest standards of protection of all national minorities, and thus of Croatian, with its bilateral relations with these countries, as well as membership and influence within the European Union, NATO, Organization for Security and Cooperation in Europe and the Council of Europe.

In view of Serbia's policy of "military neutrality", the following commitment of the Republic of Croatia is a particular challenge: "Position of the Croatian national minority and Croatian Diaspora communities throughout the world will be strengthened through diplomatic-political and economic cooperation together with the cooperation in the field of culture and science which by their good integration can be the catalysts of protection and promotion of Euro-Atlantic values, especially tolerance and pluralism, and thus be a valuable stakeholder in strengthening the security dimension and stability of the communities which they live in".

It is emphasized that the Republic of Croatia will, "together with governments of those states, support educational programmes in the Croatian language, support media and media programmes in the Croatian language and to financially support students, members of the Croatian national minority who have received education in the Republic of Croatia. In the time to come, they will be proponents of the preservation of the national identity, language, culture and the overall position of the Croatian Diaspora worldwide".

Despite the undeniable progress, there are still important open questions which burden the relationship between Serbia and Croatia:

- The issue of missing persons is of great importance for both sides, with Croatia focusing attention rather on its political dimension. According to Croatia, the Serbian side has not been

sufficiently cooperative in terms of the identification of sites (prison camps) on its territory, and establishment of relevant procedures in this regard. Serbia's position is that all obligations from the Declaration on Missing Persons signed in Mostar, in August 2014, should be fulfilled;

- Concerning the status of refugees and their return, there are many misunderstandings, primarily because Croatia failed to meet the necessary preconditions, keeping this issue in limbo;

- The Serbian minority protection and other important open questions still burden the relationship between Serbia and Croatia more than 20 years (Gedošević, 2016). In fact, the rights of Serbian national minority in Croatia are a “favourite” topic associated with internal political developments in Croatia. This particularly relates to compliance with the Framework Convention for the Protection of National Minorities in the part relating to: promoting the conditions necessary for persons belonging to national minorities to freely express and preserve the essential elements of their identity, namely their language, religion; adopting and implementing adequate measures to discourage and penalize any discrimination based on belonging to a national minority; consistently suppressing and penalizing hate speech and violence based on ethnic origin; enabling objective information and recognizing the right of Serbs to have access to programs about their national minority in Serbian language in the public service media outlets (Croatian Television and Croatian Radio); fully exercising the right to use the Serbian language and script in all units of local self-government in which this right is legally guaranteed; ensuring quality textbooks and the national curriculum for persons belonging to the Serbian national minority; facilitating establishment of minority schools; implementing measures for exercising of the legally guaranteed right to employment and adequate representation of persons belonging to the Serbian national minority in the government administration, courts, police and administrative bodies of local government units.

- An important open issue is the border dispute, i.e. the definition of 145 km long border along the Danube River. The dispute involves up to 10,000 hectares of territory on the left bank of Danube in Serbia and 1,000 hectares of territory on the right bank of Croatia. The two countries have different starting positions: Serbia holds the opinion that international law should apply and that the centre line of the river represents the international border between the two countries, Croatia disagrees claiming that the international border lies along the boundaries of the cadastral

municipalities located along the river, because the Danube was departing from the course. Croatia suggested that the dispute should be resolved through arbitration;

- As regards property rights and succession (ranging from payments based on foreign currency savings, company properties and property of persons in mixed marriages, to division of property rights over embassies and residencies) standpoints differ. On the one hand, Serbs in Croatia mention 50,000 seized residential units and Croatia's obligation to compensate total war damages. On the other, Croatian authorities consider this number to be much lower and mention around 6,000 remaining unresolved requests related to tenancy rights, as well as that Croatia has no funds for compensation; Croatia also stresses its right to receive compensation for war damages from Serbia. In Serbia's view this issue should be separated from tenant rights of Serbs in Croatia, whilst Croatia insists on reciprocity in obtaining property rights over real estate and on solving this issue by bilateral agreement;

-The issue related to the right to recognition for the years of service for nineties of the 20th century in spite of clear obligations has not yet been solved. There is also the unsolved issue of payment of pensions. This issue has to be dealt with along the lines of solutions to problems from the basic succession agreement from 2001 and its annexes;

- Return of cultural treasures to Croatia. These relate primarily to the religious property. The Serbian Orthodox Church insists on restoration of churches and creation of conditions for the return of treasures to places where they belong;

- Croatia requests reciprocity regarding the minority status, namely the natural threshold and guaranteed representation at highest levels of government, invoking the 2004 Agreement. In practice, as a rule, in pre-election processes in Serbia this minority has opted for political and party coalitions and has thus ensured approach to highest government levels; this practice was applied also in the most recent election cycle in Serbia in 2016. The two sides upheld their opposing standpoints, however, the Croatian side has protected its interests by incorporating an appropriate mechanism into the transitional criteria for chapters 23 and 24;

- As regards prosecution of persons indicted for war crimes, Croatia disputes a Serbian law that gives Serbian courts universal jurisdiction to try war crimes, whilst Serbia drawing on the principle of regional jurisdiction, claims the right to prosecute all war crimes and refuses to give

it up. Croatia also complains that the conduct of Serbian authorities in this field is of a selective nature and that therefore it is primarily Croatian citizens who are prosecuted by authorities of Serbia.

2. Relations between Serbia and Hungary influencing the status of Serbs living in Hungary and Hungarians living in Serbia

According to public statements, the relations between Serbia and Hungary have never been better in the history than during the period of Orban and Vučić government.

The basis for bilateral relations between the two countries in field of minorities is the Agreement between Serbia and Montenegro and the Republic of Hungary on the Protection of the Rights of the Hungarian National Minority Living in Serbia and Montenegro and the Serbian National Minority Living in the Republic of Hungary, signed on October 21, 2003, ratified on June 15, 2004, and came into force on September 28, 2004. The implementation of the Agreement is entrusted to the Intergovernmental Mixed Commission for National Minorities of Serbia and Hungary, which held five meetings since its constitution. The last meeting took place in Subotica, on April 4, 2016. It was agreed to meet next time in Hungary in 2017, which never happened because none of the two countries has done any further step to initiate the meeting.

Trade cooperation between the two countries has been marked by an upturn.⁷² The most important aspect of Serbian-Hungarian cooperation is infrastructure development, more precisely the Budapest-Belgrade railway reconstruction project worth EUR 3.2 billion, part of the “Belt and Road Initiative”, launched by a group of 16 central and eastern European countries led by China. The Budapest-Belgrade highway, i.e. the road route of Corridor 10, with a highway branch to the Middle East, accounts for the largest part of traffic from Central to Southern Europe. Hungary is an important partner of Serbia in the energy sector, because Serbia receives its gas and oil supplies from Russia or Austria via Hungary.

Serbia and Hungary saw a major growth in bilateral cooperation in the sector of security and internal affairs, over the “refugee crisis” in 2014 and 2016, resulting in the improvement of consular cooperation.

⁷²The Hungarian-Serbian Chamber of Commerce was founded in 2009, as well as the Hungarian-Serbian Business Council (2006). A Memorandum of Understanding between the two Ministries of Economy (2006), Memorandum of Cooperation between national agencies for trade promotion and foreign investments (SIEPA and Hungarian ITDH), Memorandum of Cooperation in the area of small and medium-sized enterprises were signed, and the Hungarian-Vojvodina Economic Council was established in 2007.

Hungary supports the integration of Serbia to the European Union and at the same time safeguards and promotes the status of Hungarian minority outside its borders by having developed protection policies and through bilateral cooperation. According to the 2011 census, out of the 9.9 million people, 83.7% persons declared Hungarians. The Serbs, numbering 10,038 (0.1%) constitute the sixth most numerous minority in the ethnic makeup of Hungary. The Serbian minority has been characterized by good education structure with the highest percentage of highly educated persons and the smallest proportion of those who have not completed at least primary school, in part because of the large number of Serbs living in urban areas, particularly in Budapest.

Hungarians are the largest national minority in Serbia, represented in public and political life at all levels of state authority. The Hungarian national minority is one of the best organized minority communities in Serbia, due to the major contribution of cultural and other organizations of persons belonging to the Hungarian national minority, and in particular the National Council of Hungarian National Minority and political parties with the Alliance of Vojvodina Hungarians (AVH) standing out among them.

The majority of Hungarians live in the northern province of Vojvodina (according to the 2011 census, out of a total of 253 thousand Hungarians, 251 thousand live in Vojvodina), where most of the minority rights of Hungarians living in Serbia has been exercised. The demographic features and developments within the Hungarian population are markedly unfavorable: low fertility rate; massive emigration bringing the whole family along; median age of 40 or older; outflow of young people to Western Europe and overseas, etc. Social and economic factors within the Serbian society, significantly influences and supports the negative trends. Another aspect of emigration of Hungarians from Serbia should be considered. It is a mechanism for acquiring Hungarian citizenship introduced by changes made to the Hungarian nationality law in 2011. It enables every person who has a Hungarian citizen or a descendant of a person who was a Hungarian citizen in before 1920 or between 1941 and 1945 and speaks Hungarian to apply for becoming a Hungarian citizen.

Hungarian national minority in Serbia exercises its rights based on three important grounds: 1) excellent bilateral relations; 2) direct participation in the government - the Alliance of Vojvodina Hungarians (SVM) is part of the ruling coalition with the Serbian Progressive Party (SNS) at all three levels of government; 3) good relations between the ruling parties in Hungary and Serbia - FIDESZ (The Alliance of Young Democrats) and the SNS.

The financing of the National Council of the Hungarian National Minority (Hereinafter: Hungarian Minority Council) for conducting activities in the field of culture, education, information, and official use of language and script is governed by the Law on National Councils of National Minorities.

In accordance with the new media laws, when it comes to the media founded by national councils of national minorities, it is envisaged that the national councils may indirectly (through institutions, foundations, and companies which they establish) be the media founders. The Law on Public Information and Media stipulates that media privatization is done in a manner that ensures continuity in the production of media content of public interest. The continuity in the production of media content includes the obligation to maintain the share of program time in certain languages of national minorities, i.e. the share of informative, educational, scientific, cultural, artistic, children's, entertainment, sports, and other programs of public interest in certain minority languages. According to the progress reports of the Serbian Government in the field of minority protection, The Hungarian Minority Council participated in the preparation of the report of the Ombudsman on the state of information of national minorities in their language after the privatization of the media, with the proposal of measures for further improvement.

According to the Report on Implementation of the Action Plan for Implementing the Rights of National Minorities issued in the first half of 2017, the Hungarian Minority Council provided interest-free loans for bridging the temporary inability of payment of media that have been established by the National Minority Council with the payback period of several months. Unfortunately, in some cases this is not enough, so the TV Mozaik from Novi Sad, founded by the the Hungarian Minority Council and which started broadcasting its program since 2004, ceased on August 1, 2016, and is facing bankruptcy due to lack of funding from the city budget.⁷³

The Council has, in addition, given an interest-free loan for bridging the temporary inability of payment of media that have been established by the National Council of the Hungarian national minority with the deadline for the return of a few months. Unfortunately, in some cases this is not enough, so the TV Mozaik from Novi Sad, established by the National Council of the Hungarian national minority and

⁷³Report 4/2017 on Implementation of the Action Plan for Realization of the Rights of National Minorities.

which broadcasted its program since 2004, ceased broadcasting on August 1, 2016, and is waiting for bankruptcy due to lack of funding from the budget of the city, which allowed for this media company to inform members of the Hungarian national minority.

The law stipulates that a local self-government unit is obliged to prescribe by its statute equal official use of the language and script of the national minority if the percentage of members of that national minority accounts for 15% of the total population in its territory, according to the results of the last census.

In the area of official use of language, most of the complaints relate to the fact that employees in the municipal and town administrative bodies know little or do not know the language of national minorities, which represents a particular problem in functioning of the registry office. The second most common group of complaints in this area relates to the lack of multilingual signs with the names of the administrative bodies, institutions and public services at facilities where their headquarters are located, as well as the signs with the name of the settlement, which are usually written only in the Serbian language.⁷⁴

Thanks to the active participation of the Hungarian national minority in the provincial government of the AP Vojvodina, the issue of textbooks in the Hungarian language is not pronounced. According to members of the Hungarian minority, the following are the main issues concerning the exercise of their rights: facilities and capital investment, teaching tools, material and technical possibilities. Also, there are staffing issues related to teaching and no-teaching staff in terms of their knowledge of the minority language and culture.

The Law on Local Elections was amended in 2011, so that the local self-governments, where the population is ethnically mixed, could take into account the representation of national minority political parties in the local parliament during the election of members of local electoral committees (polling station committees).

⁷⁴ Ibidem

Hungarian Government Foundation “Prosperitati”⁷⁵ finances entrepreneurs, farmers, micro and small enterprises. On the territory of the municipality of Mali Iđos, a large number of members of the Hungarian national minority have successfully applied for funds from the Foundation. The Municipality of Mali Iđoš falls under the Regional office of Bačka Topola. The Foundation holding regular meetings and debates and for all interested persons can obtain necessary information on future open competitions.⁷⁶

Based on successful work results, the Prosperitat Foundation increased its financial participation in programs in 2017, reaching EUR 200 million, distributed through grants or credit incentives for approx. 15,000 households throughout Vojvodina. With the assessment that the primary goal was to reach small agricultural producers and entrepreneurs, Balint Juhas, the head of the foundation, explains the increased engagement by the Hungarian government and the foundation by citing concrete results: "This money was used to purchase 4,200 pieces of agricultural machinery and equipment, 400 ha of arable land, 78 village houses. 1,000 family-owned companies bought machinery, 120 cattle breeders established proper farms, 85 new enterprises were established through start-up projects, 78 perennial plantations were developed, 17 standards were introduced, and 34 investments in real estate were made to set up a base for the development of tourism and economy."⁷⁷

Representatives of the Hungarian national minority are actively participating in the ongoing debate on amendments to the Law on National Councils. During the debate held in Subotica in late 2017, together with representatives of the Croat, German and Bunjevci minorities, many objections to the draft law were raised. Aron Csonka, president of the Democratic Union of

⁷⁵In November 2015 the Hungarian government issued Decision No. 1830/2015 pursuant to which more than EUR 160 million (50 billion forint) shall be allocated in 2016, 2017 and 2018 to finance AVH’s program for the development of Vojvodina’s economy. The size of these funds, their purpose (assistance to Hungarian entrepreneurs in Vojvodina), and foundations of the program (it was developed by the political party of the ethnic minority) are in terms of quality and quantity a new way to support Hungarians in Vojvodina. The onset of activities of the Prosperitati endowment and its various tenders were in the centre of the AVH’s election campaign in early 2016. In 2016, the Prosperitati successfully accomplished 15 public calls and distributed around EUR 14 million to 2,500 users – farmers, entrepreneurs or natural persons (*Mérlegen a Prosperitati első éve* – Balance of the first year of Prosperitati, interview with Bálint Juhász, Chairman of the Endowment, published in the daily Magyar Szó, at www.prosperitati.rs). Apart from the Prosperitati and continuous support of Hungary to educational, cultural and media institutions of Hungarians in Serbia, it is also significant that more than 80% of the Hungarian National Council’s annual funds are donations from the Hungarian state (*Elszámolás és tervezés – Cost calculation and Planning*, at: www.magvarszo.rs).

⁷⁶Report from the inter-governmental Serbian – Hungarian mixed committee meeting, 4 April, 2016 Subotica

⁷⁷Politika, January 4, 2018.

Vojvodina Hungarians characterized the draft law as “a step back from the current solutions. National councils are removed from the state framework and are reduced to consultative bodies, civil organizations with special authorities and this is contrary to the demands of the European commission and the EU set in the minority action plan for chapters 23 and 24, which emphasize the strengthening of the national councils as institutions”.⁷⁸

3. Relations between Serbia and Romania and the status of communities of Serbs living in Romania and Romanians living in Serbia

Bilateral relations between the Republic of Serbia and the Republic of Romania have been fairly good and stable for decades and can serve as a “model of good neighbourliness”. Diplomatic relations between Serbia and Romania were established 139 years ago, back in April 1879, after the official international recognition of the state of Serbia at the Berlin Congress in 1878.

Romania is one of the key economic partners of Serbia. Economic exchange between the two countries is recording permanent growth. Commercial exchange, which saw constant increase in the past period, dominates the economic cooperation. Romania is the fifth most important foreign-trading partner of the Republic of Serbia in terms of exports. According to the latest available data from the Republic Statistical Office of the Republic of Serbia, in 2017, the value of external trade with Romania was EUR 1.3 billion. The value of exports was EUR 726 million (4.8% of total exports), while imports stood at EUR 570 million, placing Romania at 9th place in terms of the share in overall Serbia's exports (2.9% of total exports). In 2017, the total exchange of goods between Serbia and Romania recorded EUR 156 million. The coverage of import by export was 127%.

An increasingly important form of bilateral cooperation with Romania is the cross-border cooperation which entails border areas largely inhabited by members of national minorities (districts of North Banat, Central Banat, South Banat, Braničevo, Bor and Podunavlje in Serbia, and districts of Timiș, Karaš Severin, and Mehedinți in Romania). Compared to the previous programming period (from 2007 to 2013), the territory covered by the program has been extended to the Podunavlje district. For the programming period 2014-2020, the total amount of allocated funds is EUR 88,124,998, and EUR 74,906,248 from EU IPA funds.

⁷⁸Politika, December 19, 2017

Romania and Serbia successfully cooperate in activities implemented by various regional organizations and initiatives, such as: South East European Cooperation Process (SEECP), Regional Cooperation Council (RCC), Central European Initiative (CEI), Black Sea Economic Cooperation (BSEC), Danube Commission, Danube Cooperation Process (DCP), The Council of Danube Cities and Regions (CoDCR), EU Strategy for the Danube Region, etc. This should include the tripartite cooperation between Serbia and Romania with Bulgaria and Hungary, which particularly serves important aspects of stability, regional security and combating international terrorism, organized crime and regional cooperation between criminal groups and organizations. In this context, cooperation between relevant security bodies is particularly emphasized, regarding increased security risks due to the refugee crisis, the Middle East conflict and the effects of operations of the so-called “Islamic State”.

Protection of national minorities is an important dimension of bilateral cooperation between Serbia and Romania. To date, Romania and Serbia have signed 119 bilateral agreements. Among these, two agreements of the utmost importance are: the Agreement on friendship, good neighbourly relations and cooperation between the Federal Republic of Yugoslavia and Romania, signed in Belgrade (1996), which was ratified by the Romanian Parliament (1997) and revised and signed in Belgrade (2002), together with the Agreement between the FRY and Romania on cooperation in the field of protection of national minorities, which was ratified in 2003. The latter agreement established the Intergovernmental Mixed Commission for National Minorities of Serbia and Romania. The Commission had two sessions until now – in Bucharest on November 23, 2009, and in Belgrade on May 20, 2011. On July 27, 2015, Romania submitted a draft protocol of the third meeting, and on 23 February, 2016, Serbia submitted a counter-draft. The draft record has not yet been harmonized.

The Serbs of Romania are a recognized ethnic minority numbering 18,485 people (0.1%) according to the 2011 census. Demographically, the Serbian community in Romania shows low birth rate and an aging population (according to the 2002 census, there were 22,562 Serbs). Today, they mostly live in western Romania, along the state border with Serbia (Timiș, Arad, Caraș- Severin and Mehedinți counties). They constitute absolute majority in two municipalities and relative majority in one (Sokolovac). Most Serbs, almost one third, live in the city of Timisoara, with a very small percentage living outside the Banat region. In absolute terms, the majority of Serbs live in the capital of Romania, Bucharest (*Petraru, Cruceru, 2016:3*).

The total number of declared Romanians according to the 2011 census was 29,332 (0,41% of the total population) - 15.17% less than according to the 2002 census. The largest concentration of Romanians is in Vojvodina (25,410). The Romanian side is satisfied with the status of the Romanian community in Vojvodina and points to a problem in relation to the position of the Vlachs national minority in eastern Serbia.⁷⁹ The National Council of the Romanian National Minority was founded as a legitimate representative of the Romanian minority in 2002, prior to adoption of the Law on National Councils of national Minorities⁸⁰. At the last elections for national councils held on 26 October, 2014 Daniel Petrović was re-elected as the president. The Romanian language is one of the 11 minority languages in Serbia. It is the official language in 10 municipalities (Alibunar, Bela Crkva, Zrenjanin, Kovin, Kovačica, Pančevo, Plandište, Sečanj, Žitište, Vršac).

As regards the consent to the opening chapter 23, Romania indicated that the implementation of the measures in the areas of education, use of minority languages, access to media and religious services, as well as the democratic participation at all levels, as proposed by Serbia in the Action Plan for Chapter 23 and further elaborated in the Action Plan on National Minorities, shall be undertaken in full respect of the inclusive character of the process and shall be closely monitored in the next stages of the process⁸¹.

In 2015, Romania modified the Law no. 290/2007 regarding the support for the Romanian nationals living abroad. The law denies the identity of 24 national minorities, linguistic minorities and other ethnic groups living in the neighbouring countries, including Vlachs⁸², considering them to be Romanians.⁸³ One of the main objectives in the Romanian Programme for Government 2013-2016, is commitment for the autochthonous Romanian community regardless of the ethnonym used to describe them. In this regard, Romania will deal with this issue on the bilateral level and in the context of Romania's support for Serbia's European aspirations. Romania the Vlach language, as the old-style (dialect) of Romanian.

⁷⁹In line with their efforts to bring the Vlachs minority under the Romanian national minority, Romania has supported Croatia's demands regarding Serbia's obligations in the area of minority policies under chapter 23 (the judiciary and basic rights) in negotiations with the EU.

⁸⁰The Law on National Councils of National Minorities was adopted on August 31, 2009, and came into force on September 11, 2009.

⁸¹“Declaration of Romania to COREPER minutes of June 1, 2016, on Point II/9 (of agenda doc.9642/1/16)- Enlargement/Accession negotiations with Serbia“.

⁸²This law was modified again in 2015.

⁸³See: “National Minorities in Serbia's Relationship with the Neighbours“, Forum for Ethnic Relations, Belgrade, March 2017, p.36-37.

According to the 2011 Census data, 35,339 citizens in the Republic of Serbia declared themselves as Vlachs (*The Statistical Office of the Republic of Serbia*). The number of citizens in eastern Serbia who declared themselves as Romanians was 1826⁸⁴. Members of the National Council of the Vlach National Minority insist on its identity and deny Romania as their kin-state. They regard Serbia as their true homeland, and claim that they have always felt and declared as Vlachs and not as Romanians, and accordingly, their language is Vlach, not Romanian. On January 14, In January 2012, at the proposal from “Gergina”, a non-governmental organization, the National council adopted the decision on the introduction of the Vlach script in both Latin and Cyrillic versions and made a decision on standardization of the Vlach language. However, the same decision states that it is National council’s opinion that the offered solution adopted is solely as an “initial step in a new search toward the final version of the Vlach script, which will be achieved through further improvement, upgrading and application”. This has caused a sharp opposition by many organizations and persons belonging to the Vlach community.⁸⁵ It should be stated that the debate on ethno genesis of Vlachs, and thus on the relations between the Romanian and Vlach community are still ongoing among these two communities.

In the area of information, the Romanian side made a priority request to allow members of its minority in eastern Serbia to have access to the media in their mother tongue by having a part of the RTV Vojvodina program in Romanian language rebroadcasted on RTV Bor for up to 10 minutes a day (information and cultural program) and to allow a possibility of cross-border exchange of radio and TV programs and broadcasting of TV programs from Romania. In the field of education, a pilot project “Romanian language with elements of national culture” was launched Eastern Serbia in 2003. The classes began in schools and are expected to continue as a regular elective class next autumn.

The Romanian side increasingly emphasizes that the status of the Romanian Orthodox Church (RPC) in the Republic of Serbia is controversial because it is allegedly officially recognized with a limited religious jurisdiction and demands that religious services in the Romanian language are

⁸⁴The number of declared Romanians living in Eastern Serbia – distribution by districts: 728 live in Braničevski District, 791 live in Borski District and 307 in Zaječarski District. In the context of the Romanin efforts to point out that in Serbia there is a unique national group of Romanians-Vlachs, the 2011 Census, for the first time gave the opportunity for a dual national identity: Vlachs-Romanians and Vlachs-Serbs. According to preliminary results, 110 persons declared themselves as Vlach-Serb, 183 as Serb-Vlach, 27 as Vlach-Romanian and 8 as Romanian-Vlach.

⁸⁵Igor Novaković, Nenad Đurđević: “Serbian-Romanian Relations and the Status of the Vlach Minority in Serbia”, Policy Study, ISAC Fund, 2015.

performed in Eastern Serbia, or that the activities of the Eparchy of Dacia Felix are expanded on the entire territory of the Republic of Serbia. In this regard, it should be mentioned that the status of the RPC in Serbia and the Serbian Orthodox Church (SPC) in Romania is regulated by an agreement between the two churches from 1934, which is still in force. According to this agreement, the jurisdiction of the Eparchy of Dacia Felix, based in Deta and with the administrative centre in Vršac, applies to the territory of the Serbian Banat, while there is no territorial restriction for the Serbian Orthodox Church in Romania, which does not operate outside the canonical territory of the Serbian Orthodox Eparchy of Timisoara. By own request, the Romanian Orthodox Church in the Republic of Serbia was registered in the Register of Churches and Religious Communities on 27 April 27, 2009 after an agreement with the SPC on its activities in the mentioned canonical area.

The position of the Serbian side is that the initial framework for reviewing and resolving the issue should be the dialogue initiated between the SPC and the RPC in the context of the Holy and Great Council of the Orthodox Church held in Crete in June 2016, when the SPC delegation proposed for the whole issue to be put on the agenda and formally discussed. The Patriarchate of Constantinople and the Romanian Patriarch Daniel were against it so the issue was not considered at that time. Serbia still argues that this dispute is under exclusive jurisdiction of the two churches and that the requested extension of the authority of the Eparchy Dacia Felix over the entire territory of the Republic of Serbia can only be the result of a possible agreement between the SPC and the RPC through direct dialogue. However, since the meeting of the Joint Commission of the two churches in Bucharest in 2006 there has been no intercultural dialogue, as the RPC continues to violate the canonical order of the SPC in eastern Serbia by means of incursions of certain bishops and priests of the RPC to the canonical territory of the SPC without the approval of the competent bishop of the SPC. At the same time, this is followed by a prominent nationalistic propaganda that Vlachs are Romanian, which further politicizes the whole issue. The Romanian side believes that, in addition to the issues that are resolved in the mutual dialogue, the state should provide conditions for the freedom of religion, because otherwise there is a violation of the human rights that fall under the so-called Copenhagen criteria. Romania seeks a guaranteed place for the Romanian minority in the National Assembly of the Republic of Serbia. This request is primarily based on reciprocity since the Serbian national minority, as well as all other minorities in Romania (a total of 19), are guaranteed one

place in the Parliament⁸⁶. This solution is indirectly referred to in Article 7 of the Bilateral Minority Protection Agreement, which states that “members of national minorities, in accordance with national legislation, are entitled to participate in decision-making which concerns issues that are significant for national minorities at the national, regional and local level“.⁸⁷

The National Council of the Romanian National Minority points out that technically, by the current laws, the Romanian national minority is denied democratic participation, given that only the large national minorities are given this possibility. According to the Serbian legislation, the representation of minorities in representative bodies is possible by attaining the so-called “natural threshold” of 0.4%, which is significantly below the 5% census applicable to other political parties. The fact is that the Romanian national minority has no possibility to independently ensure seat in the National Assembly through minority political parties, because it is numerically inferior and is not territorially concentrated. On the other hand, they cannot form a majority in any of the local government units because the number of Romanians in any municipality does not exceed 25%⁸⁸. Running for elections is made more difficult for minorities, including the Romanian minority, due to the fact that for elections at the state level every list must collect 10,000 signatures, and 3,000 signatures at the provincial level.

The issues of education and information are of particular importance to the national council of the Romanian national minority and they are insisted upon in terms of the implementation of the Action Plan for Chapter 23.⁸⁹ It is also pointed out that the Romanian national minority is not most adequately represented in the public sector, especially in the judiciary, because the employees do not know the Romanian language, so in practice ethnic Romanians are prevented

⁸⁶In Romania, the only minority community represented in the Parliament is the Democratic Union of Hungarians in Romania, based on votes obtained in general parliamentary election.

⁸⁷„Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of Romania on Cooperation in the Protection of National Minorities”, article no. 7, www.ljudskaprava.gov.rs/sr/dokumenta/nacionalne-manjine/bilateralni/sporazum.

⁸⁸Marcel Dragan-Secretary of the National Council of the Romanian National Minority (2017), interview with representatives of the National Council of the Romanian National Minority held on 4 May 2017 in Novi Sad, at 17:30. See: “Minority Policy- Fostering Integration in Serbia”, Forum for Ethnic Relations, Belgrade, July 2017, p. 103.

⁸⁹The National Council of the Romanian National Minority plays a significant role in the implementation of the Action Plan for Chapter 23 with a large number of proposals sent by the National Council..

from exercising the guaranteed right to the official use of their mother tongue.⁹⁰ After the closure of Basic Court in Alibunar (the court has over hundred years long tradition), it has become more difficult to conduct proceedings that involve persons belonging to the Romanian national minority. There were times in the past when every local government had an interpreter for the Romanian language. Efforts should be made to restore this service for the citizens belonging to the Romanian national minority.

In relation to the requests for providing information in the Romanian language in eastern Serbia, according to the data of the Ministry of Culture and Information of the Republic of Serbia the program of RTV Vojvodina in the Romanian language is re-broadcasted on TV Bor from 3 December, 2012. The program called “Paleta” was initially broadcasted with a runtime of 15 minutes each week, and a runtime of 50 minutes from February 2013, with reruns. Starting from 22 March, 2013, TV Bor is broadcasting news in the Romanian language with a runtime of 10 minutes, and viewing is available on the territory of 11 municipalities in eastern Serbia. News are broadcast each work day at 17.30, then at 22.30 and the next day within the morning program at 08.35. In addition to TV Bor, TV program in the Romanian language is broadcast by TV Zajecar and TV Kladovo, and by Radio F from Zaječar. The Romanian side recognizes the positive development in this area, but believes that TV Bor should boost the signal and expand the territory in which the program is broadcast in the Romanian language. On the other hand, Romania did not boost its TV signal so there was no broadcasting of Romanian programs in eastern Serbia.

As regards education in the Romanian language in eastern Serbia, the pilot project "Romanian language with elements of national culture" was implemented from 5 April, 2013, until the end of the school year 2012/13 in 15 elementary schools in Zaječar, Bor and Negotin, involving 8 teachers from the AP Vojvodina. According to data of the Romanian National Council, out of 446 registered students, 232 attended. Two classes were held once a week. The line ministry did not insist on students' nationality, so the classes were open to all students who wanted to learn the language. This elective school subject was included in the regular curriculum for the school year 2013/14 in school districts in Zajecar and Požarevac, where the interest was the highest.

⁹⁰Marcel Dragan- Secretary of the National Council of the Romanian National Minority (2017), interview with representatives of the National Council of the Romanian National Minority held on 4 May 2017 in Novi Sad, at 17:30. See: “Minority Policy- Fostering Integration in Serbia”, Forum for Ethnic Relations, Belgrade, July 2017, p.106.

According to the Ministry of Education, Science and Technological Development of the Republic of Serbia in the school year 2016/17 the elective subject "Romanian language with elements of national culture" was organized in 8 elementary schools in Zaječar and Požarevac school districts and attended by 153 students⁹¹. The Romanian side has objections to the way in which the class was offered to the students (choosing between the Romanian language and IT class), as well as to some aspects of the organization of these classes (inadequate hours, poor organization of student transportation, untrained teaching staff, etc.). Regarding the debates about the national identity of Romanians and Vlachs, the authorities of the Republic of Serbia strictly adhere to the principle of free self-determination, contained in Article 3 of the Framework Convention for the Protection of National Minorities, and do not arbitrate or favour some parties in the ongoing dispute, nor impose national identity on any community. At the same time, the authorities of the Republic of Serbia will endeavour to facilitate a constructive dialogue between different ethnic minorities, within which there are debates on national identity. At the same time, if a broad consensus is established within the Vlach national minority, they should be entitled to harmonization and standardization of the language through a process of open and broad dialogue, with the support of government authorities and academic organizations who should provide professional and logistic support to the Vlach organizations and individuals, based on the principle of free self-identification.

4. Relations between Serbia and Bulgaria and the status of communities of Serbs living in Bulgaria and Bulgarians living in Serbia

Serbia and Bulgaria have a long history of diplomatic relations from the period before the Berlin Congress in 1878 when Serbia was officially recognized as an independent state and achieved full international legal personality. Official diplomatic relations between the two countries were established on 18 January 1879.

In the long history of Serbian-Bulgarian relations there were ups and downs, as the states on various geopolitical interests and options were often located at opposite sides

⁹¹Source: Website of the Ministry of Education, Science and Technological Development of the Republic of Serbia, opendata.mpn.gov.rs

Serbia has an embassy in Sofia, while Bulgaria has an embassy in Belgrade and a general consulate in Niš. The last decade has seen improvements in bilateral relations. The process of EU integration with the focus on good neighbourly relations and regional cooperation, and common interests in maintaining security and stability in the region, has significantly contributed to better bilateral relations.⁹²

In present political relations between the two neighbours there are no outstanding issues that burden their cooperation, other than the recognition of Kosovo's independence by Bulgaria⁹³. A proof of that is the continued dialogue and the intensity of high-level bilateral meetings. In 2017, several high level Bulgarian officials visited Serbia – Dimitar Glavchev, President of the Bulgarian national Assembly (October 29-31), Ekatarina Zaharieva, Deputy Prime Minister for Judicial Reform and Minister of Foreign Affairs (July 24-25), Ivica Dačić, First Deputy Prime Minister and Minister of Foreign Affairs of Serbia met with Ognjan Gerdshikow, Interim Prime minister of Bulgaria, in Bosilegrad (April 13). Besides that, Ana Brnabić, Serbian Prime minister visited Sofia (December 6-7). A trilateral meeting between Greek and Bulgarian prime ministers was held in Thessaloniki (April 13), and two quadrilateral high-level meetings attended by the prime ministers of Serbia, Romania, Bulgaria and Greece, in the framework of the Cooperation Council of Serbia, Bulgaria, Greece and Romania (October 3), in Varna; and December 8-9, in Belgrade). In 2016, Maja Gojković, President of the Serbian National Assembly, visited Bulgaria (February 22-23), and a trilateral meeting of the prime ministers of Bulgaria, Hungary and Serbia was held in Burgos (September 13). Also, an initiative was made to hold a joint session of the two governments. The Bulgarian side positively assessed the decision of the Government of Serbia to open polling stations in two cultural and information centres of the Bulgarian minority in Dimitrovgrad and Bosilegrad, but not at the Embassy in Belgrade and the General Consulate in

⁹²The most important bilateral agreements and conventions are: Memorandum for Cooperation in the Field of European Integration and in Some the Framework of Partnership for Peace between the Ministry of Foreign Affairs of the Republic of Serbia and the Ministry of Foreign Affairs of the Republic of Bulgaria, of 12/05/2007; Protocol on the Enhanced Trilateral Cooperation in Combating Crime, CrossBorder Crime in Particular Between the Government of the Republic of Serbia, the Government of the Republic of Bulgaria and the Government of Romania, of 14/ 03/2008; Agreement between the Government of the Republic of Serbia and the Government of the Republic of Bulgaria on Cross-Border Police Cooperation, of 23/10/2010 (<http://www.parlament.gov.rs>); Law on Ratification of the Agreement between the Republic of Serbia and the Republic of Bulgaria for Social Security, of 26/10/2011 (<http://www.parlament.gov.rs>); Agreement between the Republic of Serbia and the Republic of Bulgaria on Sharing and Mutual Protection of Confidential Information in the Field of Defence, of 15/05/2015. A complete list of all international agreements and conventions can be found at the website of the Ministry of Foreign Affairs of the Republic of Serbia(<http://www.mfa.gov.rs>).

⁹³ Bulgaria recognized Kosovo unilateral independence on March 20, 2008 – Bulgarian Embassy in Kosovo was opened in August 2009

Nis, on the occasion of presidential elections and referendum held in Bulgaria on 6 November 2016.

Bulgaria strongly supports the further process of Serbia's European integration, and is willing to share with Serbia its own experience in the negotiating process. To that end, Bulgaria proposed that the two Foreign Ministries sign a new Memorandum on Cooperation in the field of EU integrations, which was accepted on our side. Bulgaria's position is that the European project will not be completed without the inclusion of Serbia and all Western Balkan countries. On 1 January 2018 Bulgaria assumed the presidency of the Council of the EU council. It outlined as one of its priorities the EU enlargement, and to that end a meeting will be organized between the EU and Western Balkan countries in May 2018.

According to the most recent data published by the Statistical Office of the Republic of Serbia, in 2017, the external trade between Serbia and Bulgaria exceeded EUR 1 billion. The value of exports was EUR 589.6 million, placing Bulgaria at 7th place in terms of the share in overall Serbia's exports (3.9%). Imports stood at EUR 411.6 million in 2017, placing Bulgaria at 16th place in in terms of the share in overall Serbia's imports (2.1%)⁹⁴. Aside from trade, relevant sectors of economic cooperation include transport, infrastructure, energy, tourism, and cooperation between SMEs. Particular importance is given to the project of construction of a gas interconnection (Nis-Sofia) and infrastructure projects (Nis-Sofia highway as part of Corridor 10 and modernization of the Niš-Dimitrovgrad railway).

The value of cross-border cooperation programs between Bulgaria and Serbia, for the period 2014-2020, amount to a total of EUR 34,102,256, and a total of EUR 28,986,917 was allocated from the EU IPA funds. The cross-border region includes Bor, Zaječar, Nišava, Pirot, Jablanica, Pčinj and Toplica districts in Serbia, and Vidin, Montana, Sofia, Pernik, Custendil and Vrace districts Bulgaria. Compared to the previous programming period (2007-2013), the territory of the program was expanded to include the Toplica district in Serbia and the Vrače region in Bulgaria.

The Bulgarian-Serbian successful cooperation takes place through regional organizations and initiatives: the South-East Europe Cooperation Process, Regional Cooperation Council (RCC), Central European

⁹⁴Source: Chamber of Commerce and Industry of Serbia

Initiative (CEI), Black Sea Economic Cooperation (BSEC), Danube Commission, Danube Cooperation Process (DCP), and EU Strategy for the Danube Region, etc.

Bulgaria has not signed a bilateral agreement in the field of protection of national minorities, because Bulgarian law does not recognize that distinct ethnic or national minorities live in its territory. Instead, the law defines all citizens as Bulgarians of different ethnic origin. For the same reason, an intergovernmental commission for the protection of national minorities is not formed between Serbia and Bulgaria. There have been some attempts by Bulgaria to introduce by other treaties, unilateral privileges for Bulgarian minority in Serbia that are not guaranteed to Serbs in Bulgaria. In 2003, Bulgaria proposed that the two countries sign an inter-state Friendship Treaty, to enable cooperation in improving the position of the Bulgarian national minority. The signing of the new Agreement on Cultural and Educational Cooperation (initiated by our side in 2003) is stalled because of the Bulgarian position towards national minorities (article 4 of the Bulgarian proposal is disputed because it unilaterally supports the study of mother tongue, cultural development, and the autonomy of the Bulgarian national minority in the Republic Serbia). Of particular importance for regional relations of the two countries is the so-called “Craiova group” consisting of Bulgaria, Romania and Serbia. Bulgaria and Serbia successfully cooperate in activities implemented by other regional organizations and initiatives, such as: Central European Initiative (CEI), Black Sea Economic Cooperation (BSEC), South-East Europe Cooperation Process and EU Strategy for the Danube Region.⁹⁵

In 2010, at the initiative of the Ministry of Diaspora, the founding assembly of the first association of Serbs in Bulgaria was held. Its activities will be focused on preservation and development of the national, linguistic, religious, cultural and spiritual identity of the Serbs in Bulgaria.

The exact number and status of Serbs in Bulgaria is hard to determine because Bulgaria does not recognize the presence of any national minority on its territory. Instead, Bulgaria views the Bulgarian

⁹⁵In the framework of the EU Danube Strategy for the Danube Region, Serbia and Bulgaria actively cooperated in all phases of the strategy development. Bulgaria is responsible for coordination of the following two Priority Areas: PA 3 “To promote culture and tourism, people to people contacts” (with Romania) and PA 11 “Security” (with Germany). Bulgaria and Romania built a new bridge between the cities of Vidin, Bulgaria and Calafat, Romania. The construction was financially supported by European Commission and EU funds. It is the second bridge along the 630km shared section of the Danube between the two countries. This bridge is of particular importance because it provides an important missing link in the Trans European Transport Network (TEN-T). Work on the Bulgaria-Serbia gas interconnector project has advanced, linking the Baltic Sea area to the Adriatic and Aegean Seas and further to the Black Sea. The gas pipeline will be 150 km long. It contributes to gas supply diversification, ensures gas supply security and completes the important regional gas supply ‘ring’.

nation as a homogeneous whole, with population of different ethnic origin. Although there is indigenous Serbian population in the western part of the country (Trn, Breznik, Belogradčik...), Bulgaria refers to them as a small Serbian Diaspora that has moved there in recent times. 2011 Bulgarian census registered 569 Serbian citizens living permanently in Bulgaria. According to other sources (Ministry of Diaspora Affairs), there are around 20,000 Serbs in Bulgaria, while the information available to government institutions, the number of Serbian citizens who are permanently residing in Bulgaria is around 1500.

According to the 2011 Census, there were 18,543 Bulgarians in Serbia, or 0.26% of population in the Republic of Serbia (9.53% less than according to the 2002 Census). They are primarily located in two municipalities near Serbia's border with Bulgaria: in Pčinjski (7287) and Pirot regions. When it comes to towns, in Bosilegrad there are 5,839 Bulgarians i.e. 71.82% of population while in Dimitrovgrad there are 5,413 Bulgarians or 53.5% of population, in Babušnica (5.13%) and Surdulica (3.61%). There is a high degree of alterphony characteristic for Bulgarians (inconsistency of ethnicity and mother tongue). According to the 2011 census, 71, 92% stated Bulgarian language as their mother tongue.

Before the Law on National Councils was passed, the first National Council of the Bulgarian National Minority was elected at the Electoral Assembly on 11 October 2003 in Niš. Following the entry into force of the Law on National Councils, elections for national councils were held on 6 June, 2010 and 26 October, 2014. After the last elections the constitutive session of the National Council of the Bulgarian National Minority was held on 24 November, 2014, and Vladimir Zahariev was elected president.

There are three Bulgarian national minority parties in Serbia: (1) the Democratic Party of Bulgarians (DPB); (2) the Party of Bulgarians in Serbia (PSB), and (3) the Democratic Alliance of Bulgarians (DSB). Members of the Bulgarian national minority are represented in representative bodies of the local self-government units in Bosilegrad and Dimitrovgrad.

There are several organizations and associations in Serbia that contribute to the cultural affirmation of the Bulgarian national minority, among which the most important are the Cultural Information Center of the Bulgarian minority “Caribrod” from Dimitrovgrad, Matica Bugarska in Serbia from Bosilegrad, the Cultural Information Centre of Bulgaria “Bosilegrad” etc..

The Bulgarian language was established as one of the six minority languages in Serbia. It is in official use in the territory of the municipalities of Bosilegrad, Dimitrovgrad and in the territory

of Ivanovo (the city of Pančevo). Decisions made by municipal authorities are translated into Bulgarian, and bilingual name boards are placed on municipal institutions. Birth certificates and other documents are issued in Bulgarian at the request of the parties. Bearing in mind that 90% of employees in the local self-government speak Bulgarian, communication is performed in the Bulgarian language.

Bulgaria is paying particular attention to the Action Plan for Chapter 23, and especially the Action Plan of the Serbian Government for the protection of rights of national minorities. Therefore, like Romania, Bulgaria has supported Croatia's efforts to make Serbia more committed to respecting the rights of minorities, particularly in regards to the process of Serbia's accession to the EU and negotiations on individual chapters, especially chapters 23 and 24. Bulgaria also made it clear that it is not satisfied with the realization of minority rights of the Bulgarian minority in Eastern Serbia and that there is room for further dialogue and progress. Remarks made by the Bulgarian side concern the position of the Bulgarian minority in Serbia, primarily in the domain of culture and education, but also its representation in government and public institutions.

Within the framework of this Action Plan, priority is given to the implementation of the rights of the Bulgarian national minority in the field of education, information and religious freedoms.⁹⁶

In terms of education, this concerns providing textbooks in the Bulgarian language and, within the negotiation chapter 10, Bulgaria is particularly interested in the issue of local media financing.

Bulgarian Minister of Foreign Affairs Ekaterina Zaharieva took a positive stand towards Serbia's engagement regarding the Bulgarian national minority during her visit to Serbia on 26 July 2017. It was agreed to continue working together to resolve the issue of information to the Bulgarian minority in the mother tongue, and that all issues should be resolved by means of direct dialogue rather than through Brussels, with the assessment that there is always room for improvement of the position of the national minority.

⁹⁶During the visit to Sofia by the Negotiating Team of the Republic of Serbia on 27 October 2015, in order to review the Action Plan for National Minorities, Bulgaria was the first EU country to receive the first draft of this Action Plan.

Forum for Ethnic Relations organized a round table on 26 July, 2017 on the occasion of the publishing of the paper “Minority Policy - Fostering Integration in Serbia”, where Minister Zaharieva welcomed the efforts made by the Government of Serbia to improve the position of minorities. She expressed satisfaction with the position and treatment of the Bulgarian minority, at the same time made requests regarding textbooks and political representation. In terms of providing access to media for the Bulgarian minority, the minister suggested easier access of the Bulgarian national TV and radio stations through cable operators in Serbia.

The National Statement of Bulgaria, giving consent to the opening of chapter 23 in Serbia's negotiations with the EU, stipulates, inter alia, that in the following stages the consent will be conditioned by the adoption and implementation of the expected reforms in the field of minority rights and their adequate funding.⁹⁷.

Members of the Bulgarian national minority have the opportunity to study in their own language at the preschool, elementary and secondary education level. In the school year 2016/2017, complete classes in the Bulgarian language were carried out in the elementary school “Georgi Dimitrov” in Bosilegrad for the first, fourth and fifth grade in three classes with 19 pupils and in the elementary school “Test nalog” in Belgrade for the third grade (one class with two students). In secondary schools, classes in the Bulgarian language were realized in the school “Sveti Kirilo i Metodije” in Dimitrovgrad in 8 classes (four regular secondary classes and four vocational secondary classes) with a total of 104 pupils, and in a high school in Bosilegrad in two classes with 28 pupils. The course “Bulgarian language with elements of national culture” was held in two elementary schools in Nis school district (“Bratstvo” Elementary School from Zvonce, Babušnica Municipality and Elementary school “Hristo Botev” from Dimitrovgrad) and three elementary schools in Leskovac school district (Elementary school “Georgi Dimitrov” from Bosilegrad, Elementary school “Ivo Lola Ribar” from Klisura and “Sveti Sava” elementary school from the town of Bozica, both in the municipality of Surdulica) in 115 classes with 1019 students.⁹⁸.

⁹⁷See: „Enlargement-Accession negotiations with Serbia, Fulfilment of the opening benchmark on Chapter 23, Judiciary and Fundamental Rights“, Statement by Bulgaria.

⁹⁸The data used was taken from the website of the Ministry of Education, Science and Technological Development of the Republic of Serbia, opendata.mpn.gov.rs

With regard to the lacking textbooks in the Bulgarian language, 12 textbooks out of 15 agreed between the Institute for textbook publishing and teaching aids as the publisher and the National Council of the Bulgarian Minority were provided for elementary schools (1st to 6th grade, excluding arts and music), which were first presented on 30 September by the first Deputy Prime minister and Minister of Foreign Affairs Ivica Dačić to the Bulgarian ambassador to Serbia, Radku Vlajkov, so the textbooks were ready for the 2016/17 school year. The publication of the remaining three textbooks was left for a later date due to the volume and complexity of their preparation.

A memorandum on the provision of lacking textbooks in the Bulgarian language and script was signed on 24 March, 2017, between the Ministry of Education, Science and Technological Development, the Institute for Textbook Publishing and the National Council of the Bulgarian National Minority, and an annex to the Memorandum, which provides for the publishing of 12 more textbooks in the Bulgarian language for the school year 2017/18 was signed on 23 December, 2016.⁹⁹ The Ministry of Education is providing funds for the printing and publishing of textbooks. The Memorandum defined that national minority councils will submit a list of priority textbooks for each school year and an effort will be made to provide translation and printing of textbooks for higher school grades, as well as for arts and music, so that by 1 September 2018 textbooks for elementary schools will be completed. A memorandum for high school textbooks is also expected to be signed soon. It was also agreed to include Bulgaria and the corresponding institutions in this country to ensure adequate and quality translation, and to ensure a more active engagement of the Faculty of Philology in Belgrade, which was welcomed by the National Council of the Bulgarian National Minority.

Regarding the cancelation of classes in the elementary school in Bosilegrad, and in secondary school in Dimitrovgrad in tourism technician vocational education department, it was agreed with the Ministry of Education to provide classes in the Bulgarian language in all classes having 30 students per class.

⁹⁹A Memorandum was signed on March 24, 2016 by: Minister of Education, Science and Technological Development, Director of the Institute for Textbooks and representatives of the national minorities that have full instruction in their mother tongue (Bosniak, Bulgarian, Hungarian, Romanian, Ruthenian, Slovak and Croatian). On August 9, 2016, a Memorandum was signed for missing textbooks in the Albanian language.

Since the beginning of the media privatization process in Serbia, the Bulgarian side has raised the issue of the right to information for the Bulgarian national minority on several occasions and at different levels, pointing to the negative effects of media privatization on information in minority languages and expressed expectation that solutions will soon be found for the financing of media who provide information the Bulgarian language. Bulgaria insists that Serbia fulfills the internationally accepted obligations in this area, saying that it will pursue this position during the Serbia's EU integration process.

The Bulgarian side expresses concern that the privatization of media in Serbia could lead to the cancellation of broadcasting of programs in the Bulgarian language, despite the legal obligation that future owners cannot change the programming schedule and contents in the next five years. This issue was especially brought forward by the sale of the RTV Nis and RTV Caribrod.¹⁰⁰Bulgaria expects a solution to be found to ensure the work and programs of media in the Bulgarian language, including funding, because minority media do not have funds and are not commercially viable and need state assistance. Therefore, the broadcasting of programs in minority languages by state TV, especially from regional centres like Nis, is considered opportune. The Bulgarian side thinks that the law on media is necessary for “big media enterprises”, but that “small” minority media cannot be put at the same level when it comes to financing. These objections and suggestions by the Bulgarian side regarding the privatization of local media in Serbia should be taken into account primarily in the context of European integrations of the Republic of Serbia, because Bulgaria places special emphasis on the realization of rights of its national minority in the field of information. The National Council of the Bulgarian National Minority has advocated for the media which are broadcasting programs in minority languages be exempted from the new law on media.

Regarding minority media, emphasis is put on project financing. The law stipulates the obligation of the Republic of Serbia, autonomous provinces and local self-government units to announce calls for open competition for co-financing of projects in the languages of national

¹⁰⁰The purchase contracts between natural persons and the Privatization Agency were concluded on October 15, 2015 for RTV Caribrod and Television Pirot (it was not continuously broadcasting media content in Bulgarian language throughout the whole year, only when funds were provided through public competition) and for TV Niš on November 9, 2015, due to which the news in the Bulgarian language ceased to be broadcast by Radio Niš and TV Niš. Although RTV Caribrod was privatized, a certain percentage of content is still broadcasting in the Bulgarian language. In addition, the program in Bulgarian is broadcast by TV Bosilegrad, Radio Bosilegrad and Radio Caribrod. RTV Bosilegrad has not been privatized (since it is part of KIC), but it has undergone a transformation, ie a new RTV Bosilegrad has been formed.

minorities each year. Based on competition results, the Ministry of Culture and Information allocates funds for co-financing of projects / programs in the languages of national minorities.

When it comes to printed media, the founding rights of the Bratstvo publishing house from Nis, which published materials in the Bulgarian language (weekly “Bratstvo”, children's magazine “Drugarče” and a bi-monthly magazine in the field of culture "Most"), were transferred to the National Council of the Bulgarian Minority. On the day of registration in the court register of the National Council as the new founder of the publishing house “Bratstvo”, the state's obligation to finance activities of that institution had ceased, and managers of the “Bratstvo” and the National Council were repeatedly warned by the competent body to adjust their business activities with new circumstances. With the suspension of financing, the debts have been accumulated due to which “Bratstvo” had ceased operating in 2013 and has not been active in recent years.

The Bulgarian side requested that news programs be broadcast in the Bulgarian language on national television¹⁰¹ and that the Serbian publishing house “Bratstvo” is released of all debts, so that it could continue its activities with costs being jointly covered by Serbia and Bulgaria. As a transitional solution, on 1 June, 2016 the National Council founded a new publish house “Novo bratstvo”, which issues a printed newspaper in the Bulgarian language “Novo bratstvo” twice a month.

The National council of the Bulgarian national minority pointed out that the Bulgarian minority is facing a big problem in terms of economic underdevelopment of the municipalities of Bosilegrad and Dimitrovgrad. Bulgarian minority is not able to fully exercise its legal rights partly due to their economic status. It is pointed out that members of the Bulgarian national minority disproportionately suffer due to the socio-economic situation, since the regions of eastern and south-eastern Serbia have been lagging behind the rest of the country for years, both in terms of investments and employment opportunities. This means that the problems related to the position of the Bulgarian minority largely arise from the insufficient development of border areas and low living standards of the population.

Bulgarian officials say that the joint efforts of the two countries could contribute to the improvement of the economic situation and employment rate in these areas. According to the

¹⁰¹Until 1999, Journal program was broadcast by RTS – The National Council raised the issue of its re-broadcasting.

Speaker of the Bulgarian Assembly Dimitri Glavchev, in an interview given in Dimitrovgrad, Bulgaria and Serbia are concerned about the economic situation in the border municipalities and should jointly look for favourable solutions and concrete investment projects that would lead to the economic revival of these border areas. He said that joint involvement of the two countries is necessary for the development of the municipality of Bosilegrad, where the population has dropped by over 30 percent over the last 15 years and where unemployment has reached a critical level. During the talks with the Serbian Foreign Minister Ivica Dačić in Bosilegrad, Bulgarian Prime Minister Ognjan Gerdzikov promised to help the economy and bring investors. Both sides expressed readiness to work on economic improvement of Bosilegrad and the region, create conditions for economic growth and improvement of living standards. The perspective for the economic development of the said region lies in Serbia's European integrations because the opening of borders between Serbia and Bulgaria and the arrival of Bulgarian investors would economically strengthen the municipalities inhabited by the Bulgarian minority.

The Bulgarian side raised the issue of participation of ethnic Bulgarians in the municipal government in Serbia, which is possible when they are elected as candidates of the Serbian parties, as well as the issue of their participation in the electoral process. The Bulgarian minority has no capacity to ensure the participation of its representatives in the National Assembly. Representatives of the Bulgarian minority can MPs on the lists of majority parties, but this position does not allow them to represent the interests of the Bulgarian minority in the Assembly.

The lack of efficiency in providing services in the mother tongue leads to “self-assimilation” because members of certain national minorities often decide to use Serbian rather than their mother tongue for the purpose of faster and more efficient communication with employees of local government administrations. This problem is especially pointed out by Aleksandar Dimitrov, president of the GLAS Association. According to him the Serbian language is almost always used as the official language in the municipality of Bosilegrad, and the use of the Bulgarian language in government institutions of the municipality of Bosilegrad is practiced only when citizens insist to exercise their right to official use of the mother tongue, despite the fact that the population is mostly composed of members of the Bulgarian national minority.¹⁰².

¹⁰²Nenad Đurđević, “Report on the analysis of the interview with representatives of national councils of national minorities“ in „Minority policy – Fostering Integration in Serbia“, Forum for Ethnic Relation, Belgrade, July 2017, p.96.

One of the requests coming from both the Bulgarian community in Serbia and Bulgaria is to return the old name of Dimitrovgrad which was Caribrod. The request was submitted by the Bulgarian deputies to the European Parliament on 6 February 2016, along with the explanation provided by a member of the EU Parliament Andrej Kovatchev. It is completely inappropriate for a foreign member to influence matters regulated by the laws of Serbia. However, in November 2015, at the proposal of the then president of the municipality, Zoran Djurov, the members of the Dimitrovgrad Municipal Assembly also adopted a decision to launch this initiative, which has existed for years, and is periodically delivered to the competent authorities of the Republic of Serbia. During his visit to Belgrade in October 2017, Speaker of the National Assembly of Bulgaria Dimitar Glavcev also briefed the President of Serbia, Aleksandar Vučić, about this initiative. Members of the “Western Province” organization, the name Bulgaria uses to refer to its former territories in Serbia, stated that the initiative to restore the former name of Dimitrovgrad to Caribrod started its assimilation, the change of the names of city streets and schools were, and the closing down of cultural institutions. On 8 November 2017, together with the Cultural and Information Center of Bosilegrad, they celebrated the “Western Province Day”¹⁰³. This initiative, and in particular the efforts of the Speaker of the National Assembly of Bulgaria, were met with criticism by the opposition in Bulgaria (Anti-fascist Union, Bulgarian Socialist Party) by pointing out that Georgi Dimitrov was a Bulgarian politician who gave “the greatest contribution to the friendship between the two countries”, warning that such requests could aggravate relations between Bulgaria and Serbia. On our part, it was pointed out that this request will be taken into consideration during the work on amendments to the Law on Territorial Organization of Serbia because only this law can regulate the names of settlements and local self-government units.

A number of Bulgarian Euro-MPs, certain nationalist parties in Bulgaria, such as the right-wing Atakai, and certain Bulgarian organizations in Serbia (KIC from Bosilegrad, Bulgarian Democratic Union, and the Western Province organization) have been raising the issue of the position of the Bulgarian national minority in Serbia, and the issue of return of the so-called

¹⁰³This date marks the day of signing of the Treaty of Neuilly-sur-Seine in 1919, when Bulgaria ceded a part of its territory to Serbia after the defeat in World War I.

“Western provinces”.¹⁰⁴ Their activities mainly concern issues related to education (requests to enable the printing of textbooks for the Bulgarian minority in Serbia, enabling Bulgarian teaching staff to teach in Bulgarian schools in Serbia) and religion (religious services in their mother tongue like Romanians have, in connection with which Bulgaria raised this issue before the Council of Europe in September 2012, the return of the monasteries and churches to the Bulgarian Orthodox Church, etc.). Representatives of Bulgaria in the EP, the Parliamentary Assembly of the Council of Europe and the EU institutions play a central role in the internationalization of these issues.

On February 27, 2017, the National council of the Bulgarian national minority launched an initiative for the “historic reconciliation of the Serbian and Bulgarian peoples” to which end a date should be determined “suitable for both countries, when a monument or memorial plaque would be unveiled in Bosilegrad” as an act of honouring victims of all wars, regardless of nationality. The initiative was positively met by the Prime Minister of Bulgaria Gerdzhikov and Vice President of the Serbian government Dačić during a joint visit to Bosilegrad in 2017.¹⁰⁵

As regards the level of economic development, since 2007 programs have been implemented through the Development Fund of the Republic of Serbia to encourage entrepreneurship in underdeveloped municipalities, where beneficiaries include legal entities and entrepreneurs, and members of national minorities. The National Plan for Regional Development and regional development strategies for the region of south and eastern Serbia, the region of Sumadija and western Serbia are currently being developed. However, regional differences are continually growing, as a result of market, political, demographic and other factors, a situation in which the southern and eastern of Serbia are facing really hard times. That is why a special policy is necessary in order to encourage sustainable development of the region through decentralization, strengthening of the concept of regional competitiveness, reduction of uneven regional development, development of local economies based on available natural resources, institutional

¹⁰⁴“Western Provinces” include areas around Zaječar, Surdulica, Babušnica, Pirot, Dimitrovgrad and Bosilegrad, which is considered by some in Bulgaria a part of their ethnic territory.

¹⁰⁵ Nenad Đurđević, “Report on the analysis of the interview with representatives of national councils of national minorities” in „Minority policy – Fostering Integration in Serbia“, Forum for Ethnic Relation, Belgrade, July 2017, p. 115.

strengthening of local self-government, etc.¹⁰⁶ It would be necessary to consider the possibilities for joint bilateral investments, investments through EU funds (IPA) and other available instruments in projects that could lead to the improvement of the economic situation and increase in employment in those areas.

When it comes to freedom of religion, it is not possible to perform a religious service in the Bulgarian language, because there is no organizational form of the Bulgarian Orthodox Church in that area. Bulgarian Orthodox Church is not registered in the registry of churches and religious communities in the Republic of Serbia, nor was such issue raised due to the canonical order of Orthodox churches. According to the information of our competent body (Administration for Cooperation with Churches and Religious Communities within the Ministry of Justice), members of the Bulgarian minority exercise their religious rights in the Eparchy of Niš, Vranje and Timok. Religious services are performed in Serbian, Church Slavonic and Bulgarian, and Church Slavonic is a common language of Orthodox worship understood by the Serbs and Bulgarians. During services, Bulgarian worship books are used together with worship books in Serbian, and inscriptions on churches are written in the Bulgarian language.

5. Cooperation between Serbia and Bosnia and Herzegovina

In recent years, the relations between the Republic of Serbia and B&H were marked by a visible progress and intense political dialogue.

Bilateral relations between Serbia and B&H are on the rise and can be assessed as good. Both sides are aware of the fact that their relations are essential for the preservation of peace and stability in the region as well as regional economic progress. Serbia's goal in relations with B&H is to strengthen good neighbourly relations - to deepen the relations with the Republic of Srpska deepening and expand cooperation with the Federation of B&H. As one of the signatories and guarantors of the 1995 Dayton Peace Accord, Serbia is committed to preserving the integrity of the Dayton B&H (two entities - the Federation of Bosnia and Herzegovina and the Republic of

¹⁰⁶See Nenad Đurđević, "Action Plan for the Realization of the Rights of National Minorities and the Platform for National Minority Integration Strategy of the Republic of Serbia- A Comparative Analysis of Activities envisaged in Both Documents" in "Minority Policy-Encouraging Integration into Serbia", op.cit. p. 83.

Srpska, three peoples - Bosniaks, Serbs, Croats) and maintaining relations with Republic of Srpska based on the Agreement on Special Parallel Relations (March 2001 and September 2006). Intensification of bilateral dialogue, more significant relations of significant steps forward occurred especially in 2017. President Vučić made a bilateral visit to Sarajevo on 7 – 8 December, which was the first visit to Bosnia and Herzegovina at the presidential level since 2011. Members of B&H Presidency (Dragan Čović, Bakir Izetbegović, Mladen Ivanić), visited Serbia on 6 December 2017, Chairman of B&H Presidency Dragan Čović on 16 October, and Chairman of the Council of Ministers D. Zvizdić on 23 January. All three members of B&H Presidency, D. Zvizdić and Minister of Foreign Affairs Igor Crnadak attended the inauguration of the President of the Republic of Serbia Aleksandar Vučić on 23 July 2017, and the first Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Serbia, Ivica Dačić, and Minister of Foreign Affairs of B&H Crnadak, opened together a new building of the Embassy of B&H in Belgrade on 18 July and the International Fair of Agriculture in Novi Sad on 13 May. Also, a trilateral meeting of the foreign ministers of Serbia, Bosnia and Herzegovina, and Turkey, Dačić, Crnadak and Chavushoglu took place on 6 December. Serbian President Aleksandar Vučić visited Bosnia and Herzegovina on 9 – 10 April 2018 on the occasion of the opening of the 21st International Fair of Economy in Mostar, where Serbia is a partner country. On that occasion he had meetings with B&H Presidency Member Dragan Čović and the President of the Republic of Srpska Milorad Dodik.

B&H did not recognize the unilaterally declared independence of Kosovo.

Serbia and B&H provide mutual support on the path of European integration.

As of 4 November 2015 the Government of the Republic of Serbia and the Council of Ministers of B&H hold joint sessions of the government.

B&H is one of Serbia's most important foreign trade partners. According to the value of goods exchange, it is the largest regional partner of Serbia and the third export destination after Italy and Germany. The mutual exchange is constantly growing. In addition to that, Serbia is one of the largest investors in B&H with over one billion EUR in investments. Both countries agree that further improvement of economic cooperation should focus on sector linking, the abolition of non-tariff barriers in trade which is carried out as part of the multilateral free trade agreement CEFTA, as prerequisites for a continued growth in goods exchange, joint appearance in third

markets and joint implementation of projects, especially in the field energy, communication, transportation, such as the Belgrade-Sarajevo highway. It is also necessary to establish and develop several forms of economic cooperation such as long-term cooperation in production and other forms of business cooperation, for which the greatest potential exists in the metal processing industry, fruit and vegetable processing industry, meat and milk processing, production of construction machinery, production of electric power equipment, automotive industry, etc.

Serbia is successfully cooperating with B&H in the activities of regional organizations and initiatives, such as the The South-East European Cooperation Process, Regional Cooperation Council, the Central European Initiative and others, as well as within the trilateral Serbia-B&H-Turkey cooperation, whose last meeting was held at the level of foreign ministers at the margins of the United Nations General Assembly on 21 September 2017, when it was agreed that cooperation priorities in the following period concern the fields of infrastructure and transport.

Between Serbia and Bosnia and Herzegovina there are a number of open questions as the heritage of the past from the time of the breakup of Yugoslavia. B&H has solved the issue of refugees to a large extent through the restitution of tenancy rights. The remaining issue is the return of apartments from Yugoslav army housing stock (around 16,000 in B&H), and the return of the Church seminary building in Sarajevo and other nationalized property belonging to the SPC.

According to the data of the Commissariat for Refugees and Migration, there are 11,000 persons from B&H on the territory of the Republic of Serbia with refugee status. The issue of return is regulated by the 2005 Agreement on the Return of Refugees of SCG and B&H. Serbia is advocating compliance with the conclusions of the "Sarajevo Declaration" of January 2005, ministerial conferences on resolving refugee issues in the region held in March 2010 and November 2011 in Belgrade and International Donors' Conferences of April 2012 held in Sarajevo.

The issue concerning succession still remains to be resolved (Annex B related to diplomatic and consular property and Annex G related to movable and immovable property located in a successor state, to which citizens or other legal entities of the SFRY were entitled to on 31 December 1990). There are also open issues of determining state borders.

Serbia and B&H agree that resolving technical issues should be the focus of the first phase. Concerning the issue of borders, 97% of solutions have been harmonized, including a possible exchange of border territories. The remaining open issues shall be resolved through direct dialogue after establishing mutual trust.

In B&H, the Serbs are a constituent nation with competencies envisaged by the Dayton Agreement, and therefore the minority policy criteria cannot be applied to Serbs. Namely, according to the existing legislation, national minorities are part of the B&H population that does not belong to any of the three constituent peoples (Bosniaks, Serbs, and Croats), and are made up of people of the same or similar origin, tradition, customs, religion, language, culture, spirituality etc. The legal framework for the protection of national minorities was set by the ratification of the Framework Convention for the Protection of National Minorities (2000), the Law on Protection of the Rights of Persons Belonging to National Minorities in Bosnia and Herzegovina (2003) and entity laws on protection of the rights of persons belonging to national minorities of Republic of Srpska (2004 and 2010), the law amending the Law on National Minorities of B&H (2005). The Council of National Minorities was established at the parliamentary assembly of B&H, and similar bodies were formed within the National Assembly of Republic of Srpska and the Assembly of the Federation of B&H. This creates institutional conditions that enable national minorities to preserve ethnic, religious, cultural and other identities.

The total number of Serbs in B&H has not yet been accurately determined. In 2013, the first population census was carried out after 22 years (the previous one was carried out in 1991) whose results were published on 30 June 2016, but are not valid because they are not recognized by Republic of Srpska because it was conducted on the basis of the controversial methodology which included persons who have been living and working abroad for years. According to these results, there are a total of 3,531,159 inhabitants in Bosnia and Herzegovina, of which Serbs 1,086,890 or 30.78% (Bosniaks account for 50,11% and Croats 15,43%).¹⁰⁷

De jure Serbs throughout Bosnia and Herzegovina are constitutive nation, but in the Federation of B&H they represent *de facto* minority, which is negatively reflected on the exercise of the

¹⁰⁷Due to irregularities in the processing of data and the number of 198,000 fictitious residents, the Republic of Srpska has published its own data for its territory, considered as only valid, according to which there are 1,170,342 inhabitants, of which 970,857 are Serbs, or 81.51%. Serbs in a small number live in another entity, the Federation of B&H, where they make 2.55% (around 56.500) of the entire population, as well as in the Brčko District (around 29.000).

rights of members of the Serbian community (right to work or cultural rights). Only three municipalities in this entity - Drvar, Glamoč and Bosanski Petrovac have absolute Serb majority, while Grahovo has a relative majority. They are, however, ignored both by the cantonal and federal authorities. This is illustrated by the example of the Glamoč municipality where the parent canton 10 does not approve credit indebtedness that is available to all other municipalities.¹⁰⁸In addition, the issue of return of the property to displaced Serbs, which includes more than 50,000 housing units, remains unresolved.¹⁰⁹Their rights are also violated in relation to education in the mother tongue, which is partly conditioned by the rule that at least 18 students are required in order to form a Serbian class, which is an unreasonably large number for depopulated settlements. However, classes in the Serbian language do not exist even where the conditions are formally fulfilled. This situation in the field of education is clearly illustrated by the fact that outside the municipalities of Drvar and Glamoč, only 49 Serbian children learn their mother tongue.¹¹⁰

A particular problem is the return of refugees and displaced Serbs to the Federation of B&H, as well as the return of their property and other rights. Thus, one of the priorities is to strengthen the infrastructure and develop a platform for inter-Serb communication and coordination, with the aim of strengthening civic initiatives of Serbs in B&H, as well as monitoring and evaluating the implementation of European policies and programs in order to enable consistent reporting on the state of civil rights and freedoms.

It is worth mentioning the initiative from 2017 on the adoption of the “Declaration on the Preservation of the Serbian nation and people” which is being prepared by the official Belgrade and Banja Luka and which was supposed to be presented by the presidents of Serbia and Republic of Srpska - Aleksandar Vučić and Milorad Dodik at the end of 2017, as a declarative legal act adopted by assemblies of Serbia and Republic of Srpska. The declaration should be based on three points: the preservation of the Serbian language and culture, improvement of the demographic image, and economic strengthening of the Serbian community in the countries of

¹⁰⁸Report on Political Rights of Serbian People in the Region, 2015/2016“, no. VIII, Napredni klub, Belgrade, 2016, <http://www.napredniklub.org/>, p.28

¹⁰⁹Ibid.

¹¹⁰Ibid. p.29

the region and the world.¹¹¹The declaration envisages the establishment of the National council for the preservation of the identity of the Serbian people, which should include presidents and prime ministers of Republic of Srpska and Serbia, the Patriarch of the Serbian Orthodox Church and the Minister of Foreign Affairs of Serbia. The Council's activity would be focused on “fostering close relations of all Serbs with their home country, strengthening awareness of the common origin, accelerating economic development and preserving and fostering Serbian culture and national identity, practicing, studying and developing Serbian culture, studying national history and fostering heroic, righteous and loyal traditions of the Serbian people, as well as celebration of national holidays”¹¹²

The declaration should be an annex to the Agreement on the Establishment of Special Parallel Relations between Serbia and the RS. Although adoption of the Declaration was envisaged for February 2018, it was postponed at the proposal of the Serbian President in order to “ensure wider international support” for the adoption of that document.

Commenting on the initiative, the leader of the “Odgovor” movement and former Mayor of Srebrenica Ćamil Duraković, proposed the adoption of the Declaration on the Recognition, Tolerance and Protection of Cultural Identity and Mother Tongues of Bosniaks and Serbs, which would recognize the name of the Bosnian language as the mother tongue of Bosniaks and Serbian language as the mother tongue of Serbs as well as their equal use, protection and inclusion in the education system, which would contribute to the reconciliation and better understanding and cooperation between Serbs and Bosniaks.

6. Cooperation between Serbia and Montenegro and protection of the rights of national minorities

Serbia and Montenegro are interested in further improvement of relations in all areas of mutual interest, constructive political dialogue and resolution of open issues in a mutually acceptable way.

In 2017, the Prime Minister of Montenegro, Dusko Marković, paid an official visit to Serbia (3 - 4 February), and during the Trade Fair in Mostar (April 3-4) a bilateral meeting took place

¹¹¹<http://www.novosti.rs/vesti/naslovna/politika/aktuelno.289.html:679819-Tri-stuba-za-opstanak-svih-Srba> accessed on 27 April 2018

¹¹²<http://www.novosti.rs/vesti/naslovna/politika/aktuelno.289.html:712124-DEKLARACIJA-BEOGRADA-I-BANJALUKE-PREDVIDJA-Nacionalni-savet-za-zastitu-svih-Srba>, accessed on 27 April 2018

between the Prime Minister of the Republic of Serbia, Aleksandar Vučić and the President of Montenegro Filip Vujanović. In Podgorica, during the Adriatic Charter Summit, Serbian Prime Minister Ana Brnabić met with Montenegrin Prime Minister Marković. In 2018 (16 January), First Deputy Prime Minister and Minister of Foreign Affairs of Serbia Ivica Dačić officially visited Montenegro.

An important fact for further development of bilateral relations and resolution of minority issues, and in particular the issue of the status of the Serb community in Montenegro and respect for their rights, is that Milo Đukanović (DPS) was elected President of Montenegro on 15 April, 2018 with 53,8% of votes in the first round.

On 9 October, 2008, Montenegro recognized the unilaterally declared independence of Kosovo, and established diplomatic relations (2010). Their bilateral cooperation is intensifying. In the process of European integrations, there is mutual support between Serbia and Montenegro, which in 2013 signed the Cooperation Agreement in the context of EU accession.

The development of economic cooperation and joint infrastructure projects fall under priorities in cooperation of the two countries. Trade is regulated by 2006 CEFTA provisions and is carried out without payment of customs duties. The Serbian-Montenegrin Business Club started operating in 2011. Serbia has a significant surplus in the trade exchange with Montenegro and is one of Montenegro's most important economic partners. In 2016, the total foreign trade amounted to EUR 709,8 million, and in 2017, EUR 875,5 million.

There is a mutual interest in improving the cooperation and realization of infrastructure projects (reconstruction of the Belgrade-Bar railway and construction of highway on this route) and projects in the field of energy. The cooperation between electric power public enterprises of Serbia and Montenegro on the project of construction of the “Komarnica” hydro power plant has been positively assessed, while the Montenegrin side is interested in joint projects at the border watercourses (Drina, LIM, Ibar). Electric power connections between Serbia, Montenegro and B&H are also planned.

Serbia and Montenegro achieve successful cooperation in several regional organizations and initiatives (South-East European Cooperation Process, Regional Cooperation Council, Central European Initiative, Adriatic-Ionian Initiative, South East Europe Energy Community, MARRI-Regional Migration, Asylum and Refugees Initiative and other).

Significant opportunities are provided by the Serbia-Montenegro Cross-Border Cooperation Program for the period 2014-2020, for which the EU has allocated EUR 8.4 million through IPA funds. These funds will finance joint projects which will strengthen socio-economic cooperation in the border program area and will contribute to its development. Priority areas of cooperation are: supporting employment and social inclusion, environmental protection, tourism development and protection of the common cultural and natural heritage.

Considering that by recognizing the unilaterally declared independence of Kosovo Montenegro is contesting a part of the border of the Republic of Serbia in Kosovo, a stand was taken that the commission responsible for determining the state border can meet only after the agreement between Belgrade and Pristina had been reached.

Montenegro adopted an Action Plan for resolving the status of displaced persons from the former Yugoslav republics and Kosovo. The status of those persons is equal to that of foreigners with permanent residence in Montenegro and other citizens in terms of the right to work, social and health insurance, and retirement but they cannot obtain citizenship and cannot be employed in state institutions for which Montenegrin citizenship is prerequisite. In Montenegro there are about 10,700 displaced persons from Kosovo and about 6,000 from Bosnia and Herzegovina and Republic of Srpska.

Montenegro is interested in the use of a part of the Serbia's DKP (diplomatic-consular facilities) in the capitals of certain countries (India, Ethiopia) and for the use of non-allocated property (Moscow, Scandinavian countries) for the needs of their consular affairs.

According to the 2011 census, the number of Montenegrins in Serbia is 38,527 (0,54% of the total population of Serbia), which is 44,2% less than the 2002 census.

A bilateral agreement on the protection of national minorities has not been signed between Serbia and Montenegro. The Montenegrin national minority is recognized in the Republic of Serbia, and its legitimate representative is the National Council of the Montenegrin National Minority whose current composition was elected at the national council elections on 26 October, 2014.

In addition to acting through political parties, activities of Serbs in Montenegro are carried out through the Serbian National Council, Srpska Matica of Montenegro, the Serbian Cultural Center in Podgorica and the SPC.

Montenegro is seeking the introduction of the Montenegrin language in official use in the municipality of Vrbas. The National Council of the Montenegrin National Minority submitted an initiative to the Municipal Assembly of Vrbas, which should take a decision on that. Pursuant to the Law on the Official Use of Languages and Script of the Republic of Serbia, in areas inhabited by members of national minorities, in addition to the Serbian language, languages and scripts of national minorities are also in the official use if the share of a minority population in the total number of inhabitants in the territory of the local self-government reaches 15%. According to the results of the 2011 population census in the municipality of Vrbas, 17,47% of the population declared themselves as ethnic Montenegrins, but only 0,51% declared the Montenegrin language as their mother tongue. For that reason the Montenegrin language is in official use only in the municipality Mali Idoš, starting from 2010.

According to the 2011 census, the number of Serbs in Montenegro is 178,110, which is about 3% less than the previous census.

In Montenegro, the status of Serbs is not defined. The Constitution and the Law on National Minorities do not define the list of national minorities, and the electoral law determines that minorities are members of the people who make up less than 15% of the population. Given according to the 2011 census Serbs make up 28,73% of the population, they cannot be reduced to a national minority, and are not officially recognized as a constituent nation.

The official language in Montenegro is Montenegrin, and other languages in official use are Serbian, Bosniak, Albanian and Croatian.

An informal criterion of national eligibility was introduced for gaining employment, so on average there are significantly fewer Serbs in the civil service than in the population structure. Of the total number of employed in state administration, Serbs account for only about 7%, and Serbs are almost absent from management positions in education, health, judiciary and police. There is not a one Serb director in elementary and secondary schools, healthcare centres or hospitals, etc.

According to the Constitution of Montenegro, a citizen can have dual citizenship, i.e. Montenegrin and Serbian citizenship, but only if it was obtained before 3 June, 2006.

7. Cooperation between Serbia and Macedonia and protection of the rights of national minorities

Publically, the Macedonian government is committed to peaceful integrations of all ethnic groups, but it is facing political resistance both within the majority people (Macedonians) and among the Albanians, and by maintaining widespread prejudices regarding the means of achieving the goals.

Bilateral cooperation between Serbia and Macedonia is generally assessed as very good in the spirit of good neighbourly relations, friendship and close ties between the two nations. Both sides point to the importance of further improvement of bilateral relations, which should serve the development of two countries, and peace and stability in the region.

Monthly tensions in relations between the two countries, culminated at the end of August 2017, by the withdrawal of diplomatic staff from the Embassy of Serbia in Skopje due to “aggressive intelligence operations” against the interests of Belgrade, as explained by the Serbian government. Tensions have ceased after the agreement reached by the new Macedonian Prime Minister Zoran Zaev and Serbian President Aleksandar Vučić on 23 August 2017 in a telephone conversation, who agreed that future disagreements should be resolved through dialogue only. On 20-21 November 2017 Zoran Zaev visited Belgrade.

In 2017, the President of Macedonia, Đorđe Ivanov, visited Serbia (28-30 October).

Macedonia recognized the unilaterally declared independence of Kosovo, established diplomatic relations, opened the Embassy in Pristina, signed and ratified the Border Agreement, and is maintaining regular political dialogue with Kosovo leaders. Macedonia considers economic cooperation a key to strengthening mutual relations. At the same time, Macedonia supports the dialogue between Belgrade and Pristina.

European integrations are viewed as the priority foreign policy of both countries, which have signed the Cooperation Agreement in the context of EU accession.

Economic cooperation is developed in all areas, and the two countries important economic partners. Trade exchange is showing constant growth. According to the Statistical Office of the Republic of Serbia, the exchange in 2017 amounted to EUR 868 million. Serbia ranks third on the list of Macedonia's trade partners. According to NBS, the Serbian investments in the Republic of Macedonia in the period 2010-2016 amount to EUR 28.7 million. Both sides point to the possibility of increasing trade exchange to reach the level of EUR one billion. In this regard, the Macedonian side proposes the simplification of customs procedures at border crossings, that is, that the customs procedure performed in one country is valid in the other, which would speed up the flow of people and goods. Among the cooperation priorities are the completion of Corridor 10, the construction of gas connection Vranje-Kumanovo, the construction of the railway line (Budapest) – Belgrade - Skopje, while the Niš-Štip transmission line was completed and put into operation in 2016.

Serbia is successfully cooperating with Macedonia in activities related to regional organizations and initiatives, such as the South East Europe Cooperation Process, the Regional Cooperation Council, the Central European Initiative, the Energy Community of South-East Europe, MARRI - Regional Migration, Asylum and Refugees Initiative, and others.

Under the IPA program for the period 2014-2020, EUR 2.6 million is planned for cross-border projects. However, the problem is in defining the territory that would be covered by the Program, since the border between Serbia and Macedonia also includes a part of the border with Kosovo. For that reason the program of cross-border cooperation includes the following districts (three districts in Serbia - Pčinj, Jablanica and Nišava and three in Macedonia - North, Eastern and Skopje).

Macedonia has accepted Belgrade's initiative to open cultural centres of Macedonia and Serbia in Belgrade and Skopje.

On 15 September, 2014 the two countries signed an agreement on the joint use of premises of diplomatic and consular missions.

Good cooperation exists between the ministries of interior of the two countries, especially in the field of combating organized crime (smuggling of people, narcotics, excise goods, etc.)

The total population of Macedonia is 2.2 million people of different national and ethnic groups, mostly Macedonians, Albanians, Turks, Roma, Serbs and Vlachs. According to the law, all citizens of Macedonia are equal before the law: the Constitution ensures the protection of ethnic, cultural, linguistic and religious identities of minorities, including state support for education in minority languages in secondary schools, and the official use of minority languages in areas in which minorities represent majority population.

The issues of the rights and positions of national minorities are an important aspect in the bilateral cooperation between Serbia and Macedonia. The institutional framework for respecting minority rights is the Bilateral Agreement on the Protection of Minorities (Agreement on the Protection of the Serb-Montenegrin National Minority in the Republic of Macedonia and the Macedonian National Minority in Serbia and Montenegro) signed on 6 July, 2004, ratified on 29 June, 2005 and entered into force in 2005. The constitutive session of our side of the Intergovernmental Mixed Commission for Minorities was held on 7 February, 2012 and of the Macedonian side on 30 November 30, 2009. So far, no sessions of this commission have been held.

According to the 2011 census, the number of members of the Macedonian minority in Serbia is 22,755 (0,32% of the total population), which is 11,96% less than in the 2002 census, and 14,355 citizens declared Macedonian as their mother tongue.

Following the elections for national councils of national minorities on 26 October 26, 2014, the National Council of the Macedonian national minority was established, with the seat in Pančevo.

When it comes to the rights and position of the Macedonian national minority in the Republic of Serbia, there are no significant issues of concern. Macedonia has repeatedly expressed its satisfaction with the position of its minority in Serbia.

Macedonian population is mainly concentrated in the cities of Plandište, Jabuka, Glogonj, Duzina and Kačarevo, where they account for 12% to 33% of the total population, as well as in Belgrade (the municipalities of Novi Beograd and Palilula). The most important stronghold of the Macedonians is the Jabuka village near Pančevo with 32.54% where the Macedonian language is used officially.

The National Council of the Macedonian National Minority is making efforts to introduce the Macedonian language with elements of national culture into the education system in the Republic of Serbia (this elective class is currently available at one elementary school in Jabuka). Another goal of the National council is to exercise the rights in the domain of culture, information, and the official use of the Macedonian language and script.

According to the 2002 census, there are 35,939 Serbs living in Macedonia (1.78% of the population). The census that began in October 2012 was cancelled due to numerous controversies and frauds that became the subject of interethnic conflict between Macedonians and Albanians.

The highest concentration of members of the Serbian community is in Skopje and Kumanovo regions (79.9%).

The Serbian language is in official use in three municipalities in the north-western part of Macedonia (Kumanovo, Čučer Sandevo and Staro Nagoričane).

The constitution of Macedonia stipulates that Serbs have the status of a national minority. In the preamble to the Constitution Serbs are designated as “a part of the Serbian people living in the Republic of Macedonia”. They have the right to celebrate their national holiday (Saint Sava) and the right to financial assistance of the Government in the realization of programs concerning preservation of their national identity.

Serbs are not satisfied with their participation in government bodies. In only one municipality (Staro Nagoričane), the mayor is a Serb, and there are no Serbs in the leading positions in the executive and judicial authorities.

Although the Macedonian Constitution guarantees members of minority communities the right to education in their mother tongue, classes in the Serbian language are carried out in only four elementary schools with a continuous drop in the number of students, and only schools in grades

from 1 to 9. As for the secondary schools, despite the law, there have not been classes in the Serbian language since the mid-eighties of the 20th century.

Information in the Serbian language is not provided in Macedonia.

The Serbs in Macedonia do not enjoy the freedom of religion guaranteed by the Constitution, since the SPC church has not been allowed to operate freely in the territory of Macedonia. The Serbian Orthodox Church (SPC) has been usurped by the non-canonical Macedonian Orthodox Church (MPC), and Serbs are forced to practice their religion outside the church in the privacy of their homes and houses that serve as chapels. The Republic of Serbia finds it unacceptable for the clergy and worshipers of the Orthodox Ohrid Archbishopric (POA) to be persecuted because they recognize the SPC, and the Macedonian authorities are expected to register the POA and allow it to enjoy its religious rights and freedoms.¹¹³

There is a growing number of Macedonian citizens of Serb ethnicity who are seeking dual citizenship, that is, obtaining Macedonian citizenship without renouncing Serbian citizenship, but the Law on Citizenship of the Republic of Macedonia stipulates that persons with permanent residence in Macedonia can apply for Macedonian citizenship but they must renounce the citizenship they possess. According to the estimates of the Embassy of the Republic of Serbia in Skopje, there are about 3,500 citizens with dual citizenship in Macedonia, who have both the Macedonian and Serbian citizenship.

Recommendations for improving the minority policy and relations with its neighbours

1. Recommendations for improving the minority policy of the Republic of Serbia and relations with its neighbours

¹¹³. A long-lasting dispute between the Serbian Orthodox Church (SPC) and the so called Macedonian Orthodox Church (MPC) culminated in 1967, when the MPC proclaimed its independence, which was not recognized by the SPC. An attempt to overcome the split between the SPC and the MPC by signing an Agreement in Niš on May 17, 2002 failed because its signing by the MPC priest produced broad anti-Serb campaign in Macedonia, which set relations between the two churches to the level of relations between the two states and two nations. The only one who accepted the "Nis Agreement" was the Archbishop of the Orthodox Ohrid Archbishopric, Jovan Vraniškovski, who was disbanded, removed from the MPC and sentenced to prison. Since then, the constant persecution of Serbian priests has resulted in the ban of entering and passing through Macedonia, searching at the border, seizing books, demolishing Serbian church buildings, etc. On February 2, 2015, a court decision in Skopje released Archbishop Jovan Vraniskovski from prison and sentenced on parole until March 23, 2017.

Monitoring the activities of state authorities, relevant institutions and non-governmental organizations in Serbian the field of fulfilling obligations from the Action Plan for the Protection of Minorities;

Fulfilling obligations from the existing bilateral agreements between Serbia and Hungary related to the protection of minorities;

Analyzing and implementing conclusions from joint sessions of the two governments towards better realization of the minority rights of the Hungarian and Serbian national minorities;

To implement the OSCE High Commissioner on National Minorities Bolzano/Bozen Recommendations on National Minorities in Interstate Relations (2008); the Ljubljana Guidelines on Integration of Diverse Societies (2012); and the Lund Recommendations on the Effective Participation of National Minorities in Public Life (1999);

The current policy of promoting national identity and diversity must be improved by standards, procedures and institutions that would make the new state minority policy integrative.

It is necessary to improve the minority policy by preparing and implementing the *Integrated Minority Policy Strategy*, which should encourage political and social actors, primarily representatives of national minorities and other minority communities and their members (for example, migrants and migrant communities, marginalized groups) on the one hand and the Serb majority on the other, to establish a kind of social contract in which the Republic of Serbia assumes the greatest responsibility for promoting a new approach in which national minorities – persons belonging to them and collectively - are entities with special guaranteed rights, freedoms and responsibilities;

In that *Strategy*, particular attention must be dedicated to the right to minority self-government, which is realized through the institution of national councils of national minorities; establishing the principles and mechanisms for the political representation of national minorities in the National Assembly of the Republic of Serbia, including the representation of those national minorities entitled to this by bilateral agreements on the mutual protection of national minorities; representation of national minorities in the executive authorities at all levels; the current policy of promoting national identity and diversity must be improved by standards, procedures and institutions that would make the new state minority policy integrative;

To examine the opportunities and effects of harmonization of minority legislation in the region, in particular the minority legislation in Serbia and Croatia. It is recommended to involve the OSCE High Commissioner on National Minorities and the Council of Europe, who can contribute to this process;

Ensure the transparency of work of Intergovernmental Mixed Commissions and establish a special body to monitor the implementation of the adopted recommendations of the said commission;

It is recommended that representatives of state authorities maintain neutrality in resolving open issues of national identities that cause disputes between members of various national minorities (for example, Croats - Bunjevci, Vlachs-Romanians);

To ensure more proportional representation of national minorities at all levels of government. Political representation in representative bodies can be ensured by reforming the electoral system to provide an equal and fair opportunity for all citizens, including persons belonging to a majority and minorities, and enable them to choose their representatives at all levels.

To enhance the use of minority languages in government institutions, local self government, education and other institutions.

2. Recommendations for improving the minority policy and relations with its neighbours - support to the Serbian community and other citizens of the Republic of Serbia who live in the regional countries

In line with the EU Enlargement Strategy for the Western Balkans, European practice and values, the guidelines of the OSCE High Commissioner on National Minorities in Bolzano, and the need to take into account the particularity of the status of members of the Serbian community in each of the neighbouring countries, it is necessary to improve the existing strategy of Serbia's cooperation with the Serbs in the region. The general goals of the Serbian government's policy in support of the Serbian community should be: creating legal and operational framework that will define the strategic orientation of the state of Serbia in all fields of action, and for the purpose of improving the relations between the Republic of Serbia and Serbs and other citizens living in regional countries. In order to achieve this goal, it is necessary to review and improve the existing state strategy;

It is necessary to define the assumption of responsibility of all state bodies and institutions of the Republic of Serbia in support of the preservation of national identity and protection of the rights of members of the Serbian community outside of Serbia. The following strategic objectives should be taken into account: assistance in the protection of the rights and status of members of Serbian community and other citizens of the Republic of Serbia who are in a disadvantaged or marginalized position in the countries where they live and work; preservation of the Serbian language and culture,

Improving economic cooperation with Serbs in the region,

Improving the position of citizens of Serbia and the Serbian community in the region with adequate diplomatic, social, economic, cultural, educational and other measures;

The policy of the Republic of Serbia towards Serbs and Serbian citizens in the region should be generally based on: the obligations of the states in which they live to respect universally recognized principles and standards of international law with full application of the principle of

sovereign equality and non-interference with the internal policies of other states, inalienability of the fundamental human and civil rights, based on which the right to protection and preservation of cultural diversity is exercised, as well as the right of minority communities to preserve identity, culture and language, promotion of the international law and protection of members of national minorities based on international as well as domestic law, full affirmation of cultural and linguistic autonomy – self-government of the Serbian community – further development of knowledge, science and innovation, promotion and mapping of Serbia in the field of science, culture, sports and strengthening of the civil sector;

Establishment of the “Serbian House” and clubs as institutions for cooperation and coordination of assistance activities in the protection of the rights of the Serbian community, coordination and improvement of local initiatives and provision of services that enable professional improvement and realization of the goals of the strategy for Diaspora (through project financing, training, exchange of experts and professional, and such).

3. Recommendations for improving the bilateral relations and the status of national minorities with the following countries:

3.1. Republic of Croatia

- Facilitate a dialogue between the high level institutions of the Republic of Serbia with representatives of the Croatian national minority;
- Serbia should speed up the restitution process – the return of property to Croatian organizations and cultural treasuries to the Catholic Church – at the same pace as the return of cultural treasuries to the Serbian Orthodox Church in Croatia;
- Effectively prosecute the cases of ethnic discrimination and ethnically motivated violence, and clearly qualified them as ethnically motivated;
- Budget allocation for financing the Croatian media, cultural practices and cultural organizations should be proportionate to budget allocations for other minorities, and
- Ensure political representation of the Croatian national minority at all levels of government.

3.2. Republic of Hungary

- Encourage dialogue with the National Council of the Hungarian National Minority in order to exchange experiences regarding the rights of Hungarian national minority and implementation of the integrative minority policy in Serbia;

- Remove the deficiencies regarding the use of Hungarian language and script in the municipalities, where ethnic Hungarians are largely represented, and
- Enhance the access to the media in the municipalities, where ethnic Hungarians are largely represented.

3.3. Republic of Romania

- Expand intergovernmental dialogue in order to enhance political, economic and cultural cooperation. This applies, in particular, to dialogue between Serbia and Romania about the open “Vlach issue”;
- Achieve proportional representation of the Romanian national minority at all levels of government, in accordance with the bilateral agreement on the protection of national minorities; compare electoral system in Serbia with electoral systems in neighboring countries and other members of the European Union in order to identify the most effective solution to achieve adequate representation of national minorities;
- Enable the use of minority languages w- Enhance the use of the Romanian minority language in government institutions, local self government, education and other institutions;
- Ensure capacity building of municipalities and training of employees on the use of Romanian language and script in the municipalities where the Romanian language is in the official use;
- Ensure the capacity building of courts and train their employees to conduct the entire court proceedings in the Romanian language in administrative units within their jurisdiction, where Romanian language is in the official use;
- Ensure financing for posting multilingual signage where needed;
- It is necessary to establish an institution dedicated to the study of culture and language of the Vlach national minority. Its goal should be to work with professional bodies, organizations and individuals, in order to allow the standardization of Vlach dialects into a separate language, with the support of government authorities;
- Ensure respect for religious freedom in the context of the establishment and registration of religious organizations, based on the principle of state neutrality, i.e. separation of church and state. Seek pragmatic solution to facilitate access of the Romanian national minority to religious services in their minority language, through dialogue between the Serbian Orthodox Church and the Romanian Orthodox Church.
- Enhance the teaching of the “Romanian Language with elements of national culture” as an elective subject in eastern Serbia (plan adequate time for classes, arrange transportation for

pupils, train teaching staff, etc.), in order to improve technical conditions for teaching this subject and for possible increase in the number of students.

3.4. Republic of Bulgaria

- To enable proportional representation of representatives of the Bulgarian national minority at all levels of government, and consider a model of providing guaranteed seats in the Republic of Serbia Assembly for representatives of smaller national minorities;
- Enhance possibilities for the use of minority languages in state administration, local self-government units, education and other institutions;
- Ensure capacity building of municipalities and training of employees on the use of Bulgarian language and script in the municipalities where the Romanian language is in the official use;
- Serbia and Bulgaria should follow the example of relations between Serbia and Bulgaria and recognize a grave legacy of the past, and accept responsibility for that legacy, for example, by apologizing for crimes committed during the two world wars on their territories, and thus lay the foundation of their future relationship;
- The Government of Serbia should, in cooperation with the National Council of the Bulgarian National Minority and CSOs, enhance conditions for education in Bulgarian language and create and maintain qualified teachers;
- Local authorities of Dimitrovgrad and Bosilegrad municipalities should display clear signs in Bulgarian language in visible places, in order to inform citizens that they can use Bulgarian language in communication with state bodies;
- Seek ways to solve the issue of cooperation between the Serbian Orthodox Church and the Bulgarian Orthodox Church in the territory of Serbia, following the examples of different modalities of cooperation between the Serbian Orthodox Church and other Orthodox churches; ensure that priests in local communities originate from the municipalities, where they serve, and if necessary, propose to the Serbian Orthodox Church to regulate with the Bulgarian Orthodox Church, education of priests among ethnic Bulgarians;
- Ensure that news and other contents of importance for the Bulgarian minority are available to persons belonging to this minority, through the quantitative, qualitative and accessible information in Bulgarian language, funded by the state;
- Ensure the capacity building of courts and train their employees to conduct the entire court proceedings in Bulgarian languages in official use in administrative units within their

jurisdiction. Ensure prompt and efficient translation of case files and other court documents in order to shorten the time for court proceedings conducted in Bulgarian language;

- Ensure financing for posting multilingual signage where needed.

3.5. Republic of Bosnia and Herzegovina

- The social and political situation of B&H is specific and heavily burdened with the difficult legacy of interethnic armed conflicts, hatred and ethnic distance from the nineties. Given the specific institutional arrangement introduced by the Dayton Peace Agreement, and the fact that Serbs in B&H are constitutive nation, the concept of minority policies cannot apply to Serbs in B&H. Since the majority of Serbs live in the Republic of Srpska, one of two entities in B&H, it is important to separate and mutually harmonize relations with the Republic of Srpska and B&H, and to coordinate the activities to support development of the Serbian national identity and maintain special ties with the Republic of Srpska;

- To overcome the limitations of ethno-nationalist policies, in order to preserve the multi-ethnic image of this area, in order to provide sustainable solutions for the extremely important political, social, economic, and ethnic issues as well as to lessen the risks of interethnic and interreligious conflicts, it is a necessary to take a step towards the politics of normalization and cooperation;

- By improving road, rail and river infrastructures, creating conditions for sustainable economic and social development requires a policy of integration, a policy of normalization of life of people of the area and lowering tensions that exist in this area and in Western Balkans;

- Take the opportunity to enhance the normalization of relations between Serbia and Bosnia and Herzegovina, and between Serbs and Bosniaks;

- Serbia should support the protection of the rights, in particular the right to work and cultural rights, and the status of Serb minority in the Federation of B&H;

- Serbia should, within the framework of bilateral dialogue with B&H officials, seek to ensure that the right to education in Serbian language is respected in the Federation of B&H;

- Serbia should, within the framework of bilateral dialogue, seek to ensure that in the municipalities with majority Serb population in the Federation of B&H (Drvar, Glamoč, Bosanski Petrovac, Grahovo) the right to official use of Serbian language is respected;

- Serbia should, within the framework of bilateral dialogue, seek to ensure that the municipalities with majority Serbian population in the Federation of B&H are not discriminated by federal and cantonal authorities, i.e. are treated the same as other municipalities;

- Serbia should, in bilateral contacts, request the return of property of expelled Serbs from Croatia;
- Conduct a campaign to strengthen the national and cultural identity of Serbs and promote the values of living together in the the Federation of B&H.

3.6. Republic of Montenegro

- Extend the area of free movement of people, goods and ideas. This would improve the economic underdevelopment and create conditions for faster economic and overall growth in the region. In future development projects, special attention should be given to energy and ecology, especially in terms of efficient use of natural renewable resources, such as river courses, wind and solar energy. The Ibar- Lim initiative is a great opportunity for the development of this area, because it can bring together all local governments located in the basin of these two rivers. It would also enable this local self-government to apply for the European funds (IPA and IPA2) for cross-border projects;
- In order to remedy unqualified and inefficient operations of local self-government, the governments of Serbia and Montenegro are recommended to develop dedicated strategies and action plans for the reform of local administration, employment based on qualifications, not on political and party affiliation, provision of assistance in education and training for work in the administration, and
- Resolve the issue of official use of the Montenegrin language in the municipality of Vršac.

3.7. Republic of Macedonia

- Appoint a chair and constitute teams of the Serbia-Macedonia Intergovernmental Mixed Commission for National Minorities and propose to the Macedonian part the holding of the first joint session;
- Support the efforts of the National Council of the Macedonian National Minority in Serbia to introduce the subject “Macedonian Language with elements of national culture” in schools attended by pupils belonging to the Macedonian national minority);
- Assist the the National Council of the Macedonian National Minority in Serbia exercise their right to use the Macedonian language and script in the fields of culture and information;

- Support education in the Serbian language and script in Macedonian schools;
- Assist the Central Association of Serbian Organizations in Macedonia organize for exercising the right to information in mother tongue;
- Uphold respect for the freedom of religion for Serbian people in Macedonia;
- Enhance communication, coordination and support for local initiatives launched by the Serbian and Macedonian national minorities;
- Request the respect of that the freedom of religion for Serbs in Macedonia;

Appendices

Serbia's progress in accession negotiations with the EU

December 22, 2009 – Serbia officially applied for European Union membership

October 12, 2011 – the opinion on the European Union on the European Union membership application of Serbia

March 1, 2012 – the European Council granted Serbia candidate country status

April 22, 2013 – the European Commission recommended that the European Union should start membership talks with Serbia

June 28, 2013 – the European Council agreed to launch accession negotiations with Serbia

September 1, 2013 – the Stabilization and Association Agreement (SAA) entered into force

January 21, 2014 – the First Intergovernmental Conference on Serbia's Accession to the EU

December 14, 2015 - the Second Intergovernmental Conference on Serbia's Accession to the EU – chapter 35 (Other issues) and chapter 32 (Financial control) were opened.

July 18, 2016 – the Third Intergovernmental Conference on Serbia's Accession to the EU –chapter 23 (Justice and fundamental rights) and chapter 24 (Justice, freedom and security) were opened.

December 13, 2016 – the Fourth Intergovernmental Conference on Serbia's Accession to the EU– chapter 5 (Public procurement) was opened and 25 (Science and research) was temporarily closed.

February 27, 2017 – the Fifth Intergovernmental Conference on Serbia's Accession to the EU – chapter 20 (Entrepreneurship and industrial policy) was opened and chapter 26 (Education and culture) was temporarily closed.

June 20, 2017 – the Sixth Intergovernmental Conference on Serbia's Accession to the EU – chapter 7 (Intellectual property right) and chapter 29 (Customs Union) were opened

December 11, 2017 – the Seventh Intergovernmental Conference on Serbia's Accession to the EU – chapter 6 (Company law) and chapter 30 (External relations) were opened.

LITERATURE

Akcioni plan za ostvarivanje prava nacionalnih manjina <http://www.ljudskaprava.gov.rs>

SlavenBačić, *Garantirano parlamentarno zastupstvo Hrvata u Republici Srbiji u svjetlu sporazuma o zaštiti manjina između Hrvatske i Srbije*, Srpsko-hrvatski odnosi rješavanje otvorenih pitanja, Novi Sad, Golubić, 133-146

SlavenBačić, *Desetljeće manjinske samouprave Hrvata u Republici Srbiji – pravni okvir i postignuća*, Hrvati u Vojvodini, identitet(i), procesi i društvene aktivnosti, Institut za migracije i narodnosti, Zagreb, Zavod za kulturu Vojvodanskih Hrvata, Zagreb, Subotica, 2012, 37 – 50

SlavenBačić, *Parlamentarno predstavništvo nacionalnih manjina i njihova zastupljenost u drugim tijelima državne i javne vlasti u Republici Srbiji*, Godišnjak za znanstvena istraživanja broj 7, Zavod za kulturu vojvodanskih Hrvata, Subotica, 2015, 137-156

Rosa Balfour and Corina Stratulat (ed), *EU member states and enlargement towards the Balkans*, EPC Issue Paper No 79, July 2015, 268

Elena Basheska, “The Good Neighborliness Condition in EU Enlargement“, *Contemporary Southeastern Europe*, 2014, 1 (1), 92-111, www.suedosteuropa.uni

Arie Bloed, Pieter Van Dijk, *Protection of Minority Rights Through Bilateral Treaties, The case of Central and Eastern Europe*, Kluwer Law International, The Hague, London, Boston, 1999

Caitlin Boulter, *Media Discourse and the Question of (New) Minority Definitions: Three Methodological Approaches*, Journal on Ethnopolitics and Minority Issues in Europe Vol 16, No 2, European Centre for Minority Issues, Flensburg, 2017, 87-107

VedranCeranić, *Političko predstavljanje nacionalnih manjina u ustavnom poretku Republike Hrvatske: Odluka Ustavnog suda Republike Hrvatske, U-I-3597/2010 and U-I-120/2011 and others*, Pravnik, vol. 45, no. 90/2011, p. 163-177

Mihailo Crnobrnja and Ana Trbović, *Impact Assesment of Serbia’s EU Accession*, fEFA, Belgrade, 2009, 250

Katharina Crepaz, *the Impact of Europeanization on Minority Communities*, Springer VS, Wiesbaden, 2016

Milana Černelić, *Nastojanja da se bačkim Bunjevcima ospori pripadnost hrvatskom narodu*, Studia ethnologica Croatica, Vol6, No.1, Odsjek za etnologiju i kulturnu antropologiju, Filozofski fakultet Sveučilišta u Zagrebu, Zagreb, 1995, 85-103

“Declaration of Romania to COREPER minutes of June 1, 2016, on Point II/9 (of agenda doc.9642/1/16)-Enlargement/Accession negotiations with Serbia“

Nataša Dragojlović i dr (ur), *Knjiga preporuka nacionalnog konventa o EU, 2016/2017*, Epus, Belgrade 2017, 224

Durđević, Nenad, “Izveštaj o analizi intervju sa predstavnicima nacionalnih saveta nacionalnih manjina“ u *Manjinska politika-Podsticanje integracije u Srbiju*, Forum za etničke odnose, Belgrade, July 2017

Durđević, Nenad, “Akcioni plan za ostvarivanje prava nacionalnih manjina i Platforma za strategiju integracije nacionalnih manjina u Republici Srbiji-uporedni prikaz aktivnosti predviđenih u oba dokumenta“ u *Manjinska politika-Podsticanje integracije u Srbiju*, Forum za etničke odnose, Belgrade, July 2017

“Enlargement-Accession negotiations with Serbia, Fulfilment of the opening benchmark on Chapter 23, Judiciary and Fundamental Rights“, Statement by Bulgaria.

Eli Gateva, *European Union Enlargement Conditionality*, Palgrave MacMillan, 2015, 267

Heather Grabbe, *The EU's Transformative Power, Europeisation through Conditionality in Central and Eastern Europe*, Palgrave MacMillan, 2006, 231

Arpad Hornyak, *Croatia's scientific and cultural relations with ethnic Croats living abroad*, Hungary's Neighbors as Kin – States, Political, Scholarly and Scientific Relations Between Hungary's Neighbors and Their Respective Minorities, Hungarian Academy of Sciences, Hungarian Science Abroad Presidential Committee, Budapest, 2016, 76 – 89

Beata Huzska, “Hungary“ in Rosa Balfour and Corina Stratulat (ed), *EU member states and enlargement towards the Balkans*, EPC Issue Paper No 79, July 2015, 115-129

Izveštaj o političkim pravima srpskog naroda u regionu za 2015/2016“, no. VIII, Napredni klub, Belgrade, 2016, www.napredniklub.org

Dušan Janjić, *Nove nacionalne manjine i demokratska manjinska politika*, Nacionalne manjine kao faktor stabilnosti u međunarodnim odnosima Hrvatske i Srbije, Institut za migracije i narodnosti, Zagreb, 2010, 209 – 218

Dušan Janjić, “Pregovori o članstvu u EU kao kontekst unapređenja manjinske politike“ in *Manjinska politika-Podsticanje integracije u Srbiju*, Forum for Ethnic Relations, Belgrade, July 2017

Mijo Karagić, *Očuvanje identiteta bačkih Hrvata*, Identitet Bačkih Hrvata, Zbornik radova sa međunarodnog znanstvenog skupa (Zagreb, 27 and 28 December 2008), Hrvatski institut zapovijest, Hrvatsko akademsko društvo, Zagreb, Subotica, 2010, 291 – 301

Alfred Kellermann et al. (ed), *The Impact of EU Accession on the Legal orders of new EU Member States and Candidate Countries*, The Asser Institute, The Hague, 2006

Alfred Kellermann et al (ed), *EU Enlargement, The Constitutional Impact at EU and National Level*, Asser Press, The Hague, 2001

Walter Kemp, Vesselin Popovski, Ramesh Thakur, *Blood and borders: The responsibility to protect and the problem of the kin-state*, United Nations University, United Nations University Press, Tokyo, New York, Paris, 2011

Marina Kolb, *The European Union and the Council of Europe*, Palgrave MacMillan, 2013, 245

Viktor Koska, *The Development of Kin – state Policies and the Croatian Citizenship Regime*, Minority studies No 16, Trends and Directions of Kin-State Policies in Europe and Across the Globe, Research Institute for Hungarian Communities Abroad, Lucidus Kiado, 2014

Duško Lopandić, *Evropska unija i Srbija - novo vreme i novo okruženje*, EPUS, Beograd, 2017, 130

Duško Lopandić, “Budućnost politike proširenja Evropske unije“, *Spoljnopolitičke sveske*, 3/2017, EPUS, Beograd, 2017, 7-13

Tove H. Malloy, *National Minorities in the 21st Century Europe: new discourses, new narratives?*, ECMI Brief # 24, European Centre for Minority Issues, Flensburg, 2010

Tove H. Malloy, *European Minority Rights Law: Unilateral Legislation in Favour of Kin – Minorities*, ECMI Working Paper 60, European Centre for Minority Issues, Flensburg, 2012

Mesić, Milan, Pojam nacionalnih manjina i njihovo političko predstavljanje, *Politička misao*, y. 50, no. 4, 2013, p. 124.

Tanja Mišćević, “Sedam decenija ideje EU – kako dalje ili kako nazad?“ u Jelica Minić (ur), *Budućnost EU i zapadni Balkan - pogled iz Srbije*, *Spoljnopolitičke sveske*, 03/16, EMINS, Beograd 2016, 7-13

Nacionalne manjine u odnosima Srbije sa susedima, Forum za etničke odnose, Belgrade, March 2017

“Okvirna konvencija za zaštitu nacionalnih manjina, www.prava.manjina.rs

“Okvirna konvencija za zaštitu nacionalnih manjina“, Treći periodični izveštaj dostavljen Generalnom sekretaru Saveta Evrope u skladu sa članom 25. Okvirne konvencije, Belgrade, December 2012

Andrea Ott and Kirstyn Inglis, *Handbook on European Enlargement, A Commentary*, Asser Press, The Hague, 2002, 1116

Merja Pentikäinen, *Social Integration of “Old” and “New” Minorities in Europe in Views of International Expert Bodies Relying on Human Rights: Contextual Balancing and Tailoring*, Journal on Ethnopolitics and Minority Issues in Europe, Vol 14, No 1, European Centre for Minority Issues, Flensburg, 2015, 26-47

Petričušić, antonija. 2012. “vijeća nacionalnih manjina – Institucija upitnog legitimiteta i uglavnom neostvarene nadležnosti”. *Revus – revija za ustavno teoriju in filozofiju prava*, 17: 91–104

Platforma za strategiju integracije nacionalnih manjina u Republici Srbiji“, Forum for Ethnic Relations, Beograd, August 2016

Priručnik za vijeća i predstavnike nacionalnih manjina, p. 12 and 14 <https://pravamanjina.gov.hr>

Strategija nacionalne sigurnosti Republike Hrvatske, *Narodne novine*, 73/ 2017, 26. 07. 2017

Izvešće o provođenju Ustavnog zakona o pravima nacionalnih manjina i utrošku sredstava osiguranih u Državnom proračunu Republike Hrvatske za 2014, <https://vlada.gov.hr>

Susanne Smidt and Arnd Wonka, „European Commission“ in Erik Jones et al, *The Oxford Handbook of the EU*, Oxford, 2012, 336-350

Sporazum između Savezne vlade Savezne Republike Jugoslavije i Vlade Rumunije o saradnji u oblasti zaštite nacionalnih manjina, www.ljudskaprava.gov.rs

Sabrina P. Ramet, Marko Valenta, *Ethnic Minorities and Politics in Post-Socialist Southeastern Europe*, Cambridge University Press, Cambridge, 2016.

Slobodan Samardžić (ur), *Srbija u procesu pridruživanja Evropskoj uniji*, Sl. glasnik, Belgrade, 2009, 289.

Andreja Sršen, Davor Piskač, *Hrvatski nacionalni identitet i Europska unija*, *Slavia Meridionalis* 12, SOW, Warszawa 2012, 159 – 170

Tatalović, Siniša; Jakešević, Ružica; Lacović, Tomislav: Funkcioniranje vijeća i predstavnika nacionalnih manjina u Republici Hrvatskoj, *Međunarodne studije*, vol. 10(2010), 3-4; p. 40-56

Tatalović Siniša, *Nacionalne manjine u Hrvatskoj*, STINA, Split, 2005, p. 60-61.

Tatalović, S., *Manjinski narodi i manjine*, Prosvjeta, Zagreb, 1997

Tatalović, Siniša, Utjecaj članstva u Evropskoj uniji na politiku Republike Hrvatske prema Zapadnom Balkanu, u *Nova Evropa i njena periferija*, Vujačić, Ilija i Beljinac, Nikola (ur.), Univerzitet u Beogradu – Fakultet političkih nauka, Belgrade 2015, p. 151-163

Tatalović, Siniša, Konstitucionalni okvir i zaštita nacionalnih manjina u Republici Hrvatskoj, u *Ustavi u vremenu krize: Postjugoslovenska perspektiva*, Podunavac, Milan i Đorđević, Biljana (ur.), Univerzitet u Beogradu – Fakultet političkih nauka, Belgrade, 2015, p. 357-373

Tatalović, Siniša, *Političko predstavljanje nacionalnih manjina: hrvatsko iskustvo*, u *Stanje i perspektive multikulturalizma u Srbiji i državama regiona*, Stanovčić, Vojislav i Bašić, Goran (ur.), SANU, Belgrade, 2016. p. 325-336

Ustav Republike Hrvatske, *Narodne novine*, elektronsko izdanje, www.nn.hr

Ustavni zakon o pravima nacionalnih manjina, *Narodne novine*, no. 155/2002

„Ustav Republike Srbije“, *Službeni glasnik*, 2017

Vukašinović Eva, “Analiza Akcionog plana sa prikazom aktivnosti čiji su nosioci nacionalni saveti nacionalnih manjina“ u *Manjinska politika-Podsticanje integracije u Srbiju*, Forum za etničke odnose, Belgrade, July 2017

Myra A. Waterbury, *From Irredentism to Diaspora Politics: States and Transborder Ethnic Groups in Eastern Europe*, Global Migration and Transnational Politics Working Paper no. 6, Center for Global Studies, George Mason University, 2009

Roberta Medda-Windischer, *Old and New Minorities: Reconciling Diversity and Cohesion: A Human Rights Model for Minority Integration*, Nomos, Baden-Baden, 2009

Roberta Medda-Windischer, *New minorities, old instruments? Diversity governance from the perspective of minority rights*, Migration Letters 13(2), Transnational Press London. London, 2016, 178-192

“Zakon o nacionalnim savetima nacionalnih manjina“, Službeni glasnik Republike Srbije br.72/2009, član 2 http://www.zenta-senta.co.rs/dokumenti/ostali_dokumenti/zonsnm_sr.pdf, 3.08.2017

Zakon o odgoju i obrazovanju na jeziku i pismu nacionalnih manjina, *Narodne novine*, broj 51/2000

Zakon o uporabi jezika i pisma nacionalnih manjina u Republici Hrvatskoj, *Narodne novine*, broj 51/2000

Zakon o izborima zastupnika u Hrvatski sabor, 2003 (<http://www.zakon.hr/z/355/Zakon-o-izborima-zastupnika-u-Hrvatski-sabor>)

Zakon o izboru članova predstavničkih tijela jedinica lokalne i područne (regionalne) samouprave, 2005 (<http://narodne-novine.nn.hr/clanci/sluzbeni/>)

Zakon o zaštiti prava i sloboda nacionalnih manjina (http://www.paragraf.rs/propisi/zakon_o_zastiti_prava_i_sloboda_nacionalnih_manjina.html)

Dražen Živić, *Demografsko starenje vojvođanskih Hrvata (1991-2011)*, Godišnjak znanstvena istraživanja br.5, Zavod za kulturu vojvođanskih Hrvata, Subotica, 2013, 209 - 225

Tomislav Žigmanov, *Izgradnja tzv. Bunjevačke nacije u Srbiji i vanjska politika Republike Hrvatske*, Identitet Bačkih Hrvata, Zbornik radova sa međunarodnog znanstvenog skupa (Zagreb, 27. i 28. studenoga 2008.), Hrvatski institut zapovijest, Hrvatsko akademsko društvo, Zagreb, Subotica, 2010, 319 - 357

Tomislav Žigmanov, *Hrvatska manjina u Srbiji i pitanje hrvatsko – srpskih odnosa nakon 2000*, Nacionalne manjine kao faktor stabilnosti u međunarodnim odnosima Hrvatske i Srbije, Institut za migracije i narodnosti, Zagreb, 2010, 23 – 38

Tomislav Žigmanov, *Osvajanje slobode, Hrvati u Vojvodini deset godina nakon listopadskog prevrata 2000*, Hrvatsko akademsko društvo, Subotica, 2011

Zoltan Horvath and Balint Odor, *The Union after Lisbon, The Treaty reform of the EU*, HVGORAC, Budapest, 2010, 436.

EU DOCUMENTS

Les Traités européens après le Traité de Lisbonne, textes comparés, La Documentation française, Paris, 2010, 431

Ugovori Evropske unije, Prečišćeni tekstovi (D. Lopandić, priređeno), SMN Office, Belgrade 2004, 273

European Council, *Conclusions of the Presidency*, Copenhagen, 21-22. June 1993

<http://www.consilium.europa.eu/media/21225/72921.pdf>.

Declaration, EU-Western Balkans Summit, Thessaloniki, June 21, 2003, http://europa.eu/rapid/press-release_PRES-03-163_en.htm

European Commission, *2016 Communication on EU Enlargement Policy*, COM (2016), 715 final, 9.11.2016

European Council, *Leader's Agenda, Building our future together*; October 2017

<http://www.consilium.europa.eu/media/21594/leaders-agenda.pdf>

European Commission, *State of the Union 2017, Letter of Intent*, p. 10

https://ec.europa.eu/commission/sites/beta-political/files/letter-of-intent-2017_en.pdf.

European Commission, *2016 Report on the Application of the EU Charter of Fundamental Rights, Communication*, Brussels, COM(2017) 239 final, 18.5.2017, p. 14

Fundamental Rights Agency, *Fundamental Rights Report 2017, FRA Opinions*, Vienna, 2017, p. 24

Fundamental Rights Agency, *Second EU Minority and Discrimination Survey*, Vienna, 2017, p. 130

EU AND SERBIA

Stabilization and Association Agreement EU-Serbia, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/serbia/key_document/saa_en.pdf.

European Commission, *Opinion on Serbia's application for membership of the European Union, Communication*, COM (2011) 668 final, Brussels, 12.10.2011, 13.

European Commission, *Serbia 2016 Report, Working document*, Brussels, 9.11.2016, SWD (2016) 361 final, 91.

European Commission, *Screening report, Chapter 23 – Judiciary and fundamental rights*, MD 45/14, 15.5.2014. <http://www.europa.rs/upload/2014/Screening-report-chapter-23-serbia.pdf>.

European Commission, *A credible enlargement perspective for the Western Balkans*, Brussels, 6.2.2018.

European Parliament resolution of 14 June 2017 on the 2016 Commission Report on Serbia. <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2017-0261+0+DOC+PDF+V0//EN>.

European union, *Negotiating framework*, Conference on Accession to the European Union – Serbia, general EU position, AD 1/14, CONF-RS-1/14, Brussels, 9. January 2014.

Conference on the Accession to the EU – Serbia, *European Union Common Position, Chapter 23 Judiciary and Fundamental Rights*, Accession document, Brussels, 8 July 2014, AD 20/16, CONF-RS 5.