



Republic of Serbia
MINISTRY OF HUMAN AND
MINORITY RIGHTS

THE ALBANIAN NATIONAL MINORITY IN THE REPUBLIC OF SERBIA

Minority Rights Guaranteed by Internal Regulations

Individual and collective rights are guaranteed by the Constitution of the Republic of Serbia to the members of national minorities, whereas collective rights mean that „the members of national minorities, either directly or through their elected representatives, participate in the decision making process or decide on certain issues related to their culture, education, information system and official use of language and script, pursuant to law“. The Constitution guarantees the freedom of expression of national minorities and proclaims rights to expression and development of ethnic, cultural and religious specific features, the right to use the symbols of national minorities in public places, the right to freely use language and script, the right to have the proceedings also held by the state authorities in the language of the national minority in the communities with considerable national minority population, which makes a considerable part of the population, the right to education in the national minority language at the state institutions and the institutions of the autonomous provinces, the right to establish private educational institutions at all levels, the right to use names and surnames in minority languages, the right to have traditional local names, names of streets and dwelling areas written in the minority language, as well as the topographic signs in the communities with considerable minority population, the right to proportional representation at the assemblies of the autonomous provinces and the local self-government units where the population of mixed composition lives, the right to full, timely and impartial information in the national minority language and establishment of their own public information means, the right to associate, the right to co-operate with their compatriots in other countries. Another law governs the method of accomplishment of minority rights in certain spheres of social life. *The Law on Protection of Rights and Freedoms of National Minorities* in the domestic legal system prescribes the concept of cultural autonomy, which is held by the national councils of national minorities as advisory bodies to the state authorities and representatives of national minorities in the field of culture, education, information and official use of language and script. The newly adopted Law on National Councils of National Minorities prescribes the electoral procedure of national councils of national minorities as well as their competences, rights and obligations.

The educational laws in the Republic of Serbia (*the Law on Primary Education, the Law on Secondary Education, the Law on Basics of Educational and Upbringing System*) prescribe that the entire teaching shall be held in the languages of national minorities if there are at least 15 pupils enrolled for such teaching at primary and secondary schools. A school may have a section wherein the entire teaching is

conducted in a national minority language even with a smaller number of pupils, provided it shall get an approval from the competent authorities to do so. As for the pupils belonging to national minorities who attend classes in Serbian as the teaching language, it is provided to study mother tongue with elements of national culture. *The Law on Textbooks and Other Teaching Means of the Republic of Serbia* prescribes that the textbooks to be used in the educational process are also to be printed in the languages of national minorities. *The Law on Official Use of Language and Script of the Republic of Serbia* prescribes that the official use of language and script of national minority does not only imply that the names of local self-government units, dwelling places and other topographic signs are written in the languages of national minorities, but that the entire court and administrative proceedings are held in these languages as well. *The Law on Protection of Rights and Freedoms of National Minorities* prescribes that the language of some national minority shall be introduced into official use in the local self-government unit where the members of national minorities make more than 15% of the total number of inhabitants. *The Broadcasting Law of the Republic of Serbia* prescribes that the stakeholders of the public broadcasting service are obliged to provide that the members of national minorities have an option to watch certain programmes in their mother tongue and script as well. *The Law on Amendments and Supplements of the Law on Election of Deputies of the Republic of Serbia* prescribes that the election census of 5% shall be cancelled for the parties of national minorities within the framework of proportional elections for participation in the distribution of mandates for the National Assembly of the Republic of Serbia.

International Legal Framework of National Minorities

The international legal framework of minority rights in the Republic of Serbia consists of the Framework Convention for the Protection of National Minorities and the European Charter on Regional or Minority Languages of the Council of Europe and the bi-lateral agreements for the protection of national minorities. The Republic of Serbia has been implementing the Framework Convention for the Protection of National Minorities, as also acknowledged in the monitoring process by the competent bodies of the Council of Europe. The Advisory Committee of the Council of Europe, prescribed in Article 26 paragraph 1 of the Framework Convention for the Protection of National Minorities of the Council of Europe, which examines the state reports on the implementation of the Framework Convention, adopted its Opinion on the implementation of the Framework Convention in Serbia and Montenegro at its 18th meeting held on 27 November 2003 and in the Concluding Remarks to the Opinion it noted with pleasure that „*although the constitutional structures had experienced radical amendments, the authorities of Serbia and Montenegro undertook decisive steps in respect of protection of national minorities in the areas such as education and right to language*“. In paragraph 175 of the Opinion of the Advisory Committee it is found that in the country, „*in spite of the progress made there are still the expressions of inter-ethnic tension and that further efforts are to be made to build tolerance and confidence, the example related to the Albanian national minority in the South of Serbia to serve as a valuable example*“.

The Committee of Experts, the monitoring body investigating the application of the European Charter on Regional or Minority Languages, in its report adopted on 12 September 2008 established that the obligations undertaken in respect of Albanian language related to education, court powers, administrative authorities and public

services, public information means, cultural activities, economic relations and cross-border exchange have been mainly fulfilled.

Accomplishment of Rights of the Members of the Albanian National Minority in Practice

In the territory of the Republic of Serbia, according to the census from 2002, there were 61,647 members of the Albanian national minority, which made 0.82% of the total population of the Republic of Serbia, excluding AP Kosovo and Metohija. Their share is 1.1% in the Central Serbia and 0.1% in AP Vojvodina. Almost all members of the Albanian national minority live in the municipalities in the South of Serbia (57,959): Preševo (50.4% of the total number of the Albanians), Bujanovac (38.4%) and Medveđa (4.6%).

Education

The educational-upbringing activities in the Albanian language are carried out at three pre-school institutions, in 17 buildings, in the territory of the above mentioned three municipalities. The entire primary education in the Albanian language is carried out at schools in all three municipalities, as follows: in the municipality of Bujanovac teaching is conducted at six primary schools, in the municipality of Preševo at seven primary schools and in the municipality of Medveđa at three primary schools. Secondary education has been arranged at four schools at which the entire teaching is in the Albanian language, at one school in each Bujanovac and Medveđa and at two schools in Preševo.

In 2009 the Ministry of Education approved the establishment of Branches of the Faculty of Law and the Faculty of Economic Sciences of the University of Niš in Medveđa. The faculties shall also be established in Preševo and Bujanovac. The Co-ordination Body of the Republic of Serbia for the municipalities of Preševo, Bujanovac and Medveđa has been having talks with USAID on co-operation in this project and concrete assistance to translate all the textbooks into the Albanian language. The establishment of the faculties in all three municipalities in the South of Serbia is an important strategic step that shall not incite segregation of any community providing at the same time good quality education in Serbian and Albanian languages. In addition, the establishment of faculties is also important for economic and all other strengthening of all ethnic communities from this region.

Official Use of Language and Script

The Albanian language and script have been in official use in all three local self-government units in the South of Serbia where the Albanian national minority lives – in Bujanovac, Medveđa and Preševo. In the local self-government units where the Albanian language is in official use, court and administrative proceedings are also conducted in the Albanian language, at the Municipal Courts in Bujanovac and Preševo, as well as the District Court in Vranje. The traditional names in the territories of the municipalities of Bujanovac, Preševo and Medveđa where the Albanian language is officially used are as follows: Veliki Trnovac – Tërrnoc, Mali Trnovac – Mal Tërrnoci, Preševo – Preshevë, Medveđa – Medvegjë.

Information

Information in the Albanian language in the Republic of Serbia are rendered by means of printed and electronic media. *The Perspektiva* weekly is issued in the Albanian language in 3,000 copies, whose publishing is partly funded from the budget of the Republic of Serbia. In addition, *the Dielori* children's monthly journal is also published in the Albanian language (in 5,000 copies), *the Jehona* information-cultural magazine (in 1,000 copies) and *the Hapi* political-information periodical, whose publishing is funded by Norwegian People Aid – NPA. In the domain of electronic media, the Spektri Radio from Bujanovac broadcasts all-daily programme in the Albanian language. Additionally, radio programme in the Albanian language is also broadcast by the Bujanovac Radio (12 hours a day) and the Medveđa Radio (130 minutes a week), as public companies and the Aldi Radio from Preševo. Two TV stations from Bujanovac and one from Preševo broadcast television programmes.

Culture

The members of the Albanian national minority foster and promote their culture and customs through the cultural clubs as *the Jahona* from Bujanovac and *the Abdula Krašnica* from Preševo, where folk dance groups are very successful. Performances in the Albanian language are played by the amateur theatre group within the Abdula Krašnica cultural club from Preševo. This theatre group annually plays 5 performances for adults and children. The libraries in the above mentioned three municipalities in the South of Serbia possess over 40,000 books in the Albanian language, and the purchase of books for those libraries is co-funded by the Ministry of Culture of the Republic of Serbia. The most significant cultural manifestations of the Albanian national minority are: *The Albanian Comedian Days*, the Festival of Poetry Speakers and the International Folk Dance Festival. The Ministry of Culture of the Republic of Serbia takes care of, *inter alia*, the accomplishment of the rights to linguistic and cultural specific features of national minorities in the territory of the Republic of Serbia. Since 2003 this Ministry has been granting funds, on the grounds of the annual tender, for co-funding of projects /programmes contributing to the promotion of culture and art of the national minorities in respect of their quality. Since it has been noticed that the Albanian national minority did not take part in the tender previously, the information on all essential elements of the procedures of the Ministry were forwarded through the Co-ordination Body of the Republic of Serbia for the municipalities of Preševo, Bujanovac and Medveđa, which resulted in the proper applications from this region.

Participation in Political Life, Power and Public Services

Article 81 paragraph 2 of the Law on Election of Deputies prescribes that the legal census of 5% shall not be applied to the distribution of mandates for the parties and the coalitions of political parties of the national minorities. According to the latest elections held in 2008, at the National Assembly of the Republic of Serbia 1 deputy is an Albanian (a member of the Democratic Action Party) out of 250 deputies. The members of the Albanian national minority hold the positions of the presidents of municipalities in Bujanovac and Preševo.

The Co-ordination Body of the Government of the Republic of Serbia for the municipalities of Preševo, Bujanovac and Medveđa has been established in order to co-ordinate the competent state authorities and public services, the bodies of local

self-government and citizens of Preševo, Bujanovac and Medveđa. This administrative executive body has been established with the aim that those municipalities are developed as stable areas in the political, security and economic sense, having developed standards and quality of living of their citizens, together with respect for human, minority, religious, political and other rights and freedoms. On the grounds of the Agreement on the Principles of Reconstruction of the Co-ordination Body signed in 2009, the Albanians practically restored the membership in this body in the activities of which they had not taken part in the previous two years. The Decision on Regulation of Competences of the Co-ordination Body of the Government of the Republic of Serbia for the municipalities of Preševo, Bujanovac and Medveđa is an integral part of this agreement.

Proceeding from the rights of national minorities guaranteed by the Constitution and other laws governing the method of accomplishment of minority rights in certain areas of social life, the measures to improve the rights of the Albanian national minority have been undertaken in the Republic of Serbia. The establishment of multi-ethnic police forces in the three municipalities in the South of Serbia, in Preševo, Bujanovac and Medveđa, is one of the most important measures, and those are the municipalities inhabited by the Albanian national minority. The multi-ethnic police forces in the South of Serbia are not special police forces of that particular region but an integral part of the police forces of the Republic of Serbia. The establishment of these forces provides easier employment of the Albanians with the police forces of the Republic of Serbia, thus building confidence between different national communities in this region. After the completion of training in the middle of 2002, 435 candidates (276 Albanians, 155 Serbs and 4 members of other nationalities) joined the police units performing regular activities in the mentioned municipalities in the South of Serbia. Upon the establishment of the multi-ethnic police forces, the participation of the members of the Albanian national minority in the police forces amounted to 0.84% of the total number of employees, and the Albanians make 0.82% of the total number of population of the Republic of Serbia, excluding Kosovo and Metohija.

In practice, the members of the national minorities widely exercise the freedom of association guaranteed by the Constitution. The members of the Albanian national minority have several cultural, educational and other associations. In the region of the South of Serbia, *the Perspektiva* Albanian cultural club has been active as well as the Human Rights Committee, the Multi-Cultural Educational Centre, the Centre of Civil Initiatives, the Vision and other associations. The Albanians in the Republic of Serbia have several political parties – the Democratic Action Party, the Democratic Party of Albanians, the Democratic Valley Union, etc.

The Law on National Councils adopted on 3 September 2009 should also contribute to the improvement of the rights of the Albanian national minority. This law governs the establishment of national councils, mediating in the accomplishment of the right to self-government in the field of culture, education, information and official use of language and script. The Ministry of Human and Minority Rights has paid particular attention to the establishment of the National Council of the Albanian National Minority since the political leaders of this national minority have expressed interests that it is established.

DEPUTY MINISTER

Petar Antić