



Helsinki Committee for Human Rights in Serbia

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**National Minorities in Serbia:
In Conflict With a State Ethnic Identity**

Introduction

The October 5 ouster of Slobodan Milosevic opened the door to Serbia's normalization and a push to transition and reforms. Premier Zoran Djindjic's assassination stalled all transitional processes and made possible the continuity with Milosevic's policy. The progress made in the showdown with organized crime was annulled. Cooperation with The Hague Tribunal came to rest. Solution to the minority issue was put to an end, while inter-ethnic relations backslided to 1990s.

Nationalistic parties' success in the December 2003 early parliamentary elections heartened nationalists and extremists. Having failed to react adequately, the government and some ministries (of the interior and justice in the first place) made Serbia's situation extremely difficult – at domestic and international levels. Therefore, the ongoing deterioration of inter-ethnic relations in Vojvodina was to be expected. For the Serbian government it is a final warning to thoroughly reconsider its minority policy, and take strategic steps so as to pacify the situation and then improve the tumbledown inter-ethnic relations. A dangerous process of either perfidious or overt pressure and intimidation of members of other minority communities proceeds in the shadow of the pressing Hungarian minority issue. This is about the process that corrals a minority community and radicalizes its feelings not only for the majority nation and its own country, but also for other minorities. Constant degradation of the state union and defamation of its institutions marginalized the Ministry of National Minorities. Serbia is still being profiled as an ethnic state. The upcoming change of the Serbian constitution is a unique opportunity for the creation of an utterly new and different Serbia. Unfortunately, this opportunity will hardly be seized bearing in mind today's political constellation and will. Deprived of potential for change, guided by conservative and clerical-nationalistic forces, and unaware and afraid of contemporary European and global trends, Serbia once again blames minorities for its frustrated expectations.

The manner in which the so-called "big" minorities, such as Hungarians, responded to the challenge can hardly be applied by the rest. However, big as it is and closely tied with its mother country, the Hungarian minority cannot take any protection for granted in the event of further radicalization and separation across ethnic lines. The majority nation, and the ruling elite in particular, turn a blind eye to all these developments. This cannot but lead to general instability and further destabilize social relations. The fact that relevant authorities fail to manifest support to and moral sensitivity for every minority's problems and specificity encourages not only nationalists, but also the majority of the citizens. Any manifestation of otherness – ethnic otherness in particular – meets with the latter's intolerance, refusal, or negation. In addition, the parties that make up today's Serbian government – constantly at loggerheads over policies – contributed to the high-strung climate in which neither the judiciary nor the police function. Exposed to all forms of pressure and discrimination, national minorities are thus left to their own devices. As the biggest and best organized minority community, Hungarians proved that they are prepared and strong enough to fight for their status and the position of each individual member. However, most other minority communities can hardly use the same pattern. Though the radicalization of the Serbs is on the upswing and turns Vojvodina into a neuralgic spot, the high percentage of national minorities in the overall population guarantees, in a way, their security and survival. The situation of national minorities in the so-called Central Serbia is by far worse. Their percentage in the overall population is significantly lower, they are not as organized as minority communities in Vojvodina, and their ties (if any) with their mother countries are inappropriate or burdened with the state union's relations with these countries.

The period covered by the Helsinki Committee's fact-finding missions and research – October 1, 2003 – October 31, 2004 - was marked not only by ever weaker reformist endeavor, but also by the government's hesitation to pursue the reforms that have already been launched. Several facts should be added here to better explain the political background against which this research has been conducted. Firstly, the process of ex-Yugoslavia's dissolution is not over yet. Secondly, the process of Serbia's constitutionalization has been low-g geared. Last but not least, the issue of Vojvodina (which, like Kosovo, enjoyed high level of autonomy in ex-Yugoslavia) has not been solved. Vojvodina's autonomy is questioned today, while the province itself treated as an exclusively Serbian territory. The number of ethnically motivated incidents have been on the upswing in the period covered by this research, and particularly so after the early parliamentary election of December 2003. Initially targeting Hungarian and Croat communities, ethnic violence has spread to Slovak, Ruthenian and other minority communities. The victims of ethnically motivated violence were not only ordinary people and outstanding minority figures, but also diplomatic representatives. One cannot but be concerned with such developments, the same as with ongoing attempts to banalize and minimize the scope of ethnically motivated violence.

When compared with the first post-October administration that, for instance, ratified the Framework Convention on the Protection of National Minorities, and passed the Law on the Protection of Rights and Freedoms of National Minorities, what we have now is an obvious setback. Not only by far less seats in today's Serbian parliament are occupied by representatives of minority communities, but also the overall political situation has been dangerously radicalized.

General Background About National Minorities

Serbia is a heterogeneous society – it is multiethnic, multilingual and multireligious. These characteristics are not, however, equally distributed. Unlike Vojvodina as the Republic's most heterogeneous part, Central Serbia is almost ethnically homogeneous. According to the 2002 census, 82.86 percent of Serbia's population (without Kosovo) are Serbs, while 14.38 percent come from minority communities. Ethnically undeclared citizens, as well as those who identified themselves in regional terms (i.e. whose ethnic origin is officially unknown) make up the remaining 2.76 percent of population.

Hungarians figure as the biggest minority community in Serbia (over 3 percent of the population). They are followed by Bosniaks, Roma, Yugoslavs, Croats, Albanians, Slovaks, Wallachians, Rumanians, Macedonians, etc. Together with Bosniaks and Roma, Hungarians make up for almost 50 percent of the minority population (7.17 percent). Apart from numbers, minorities in Serbia can be differentiated by other characteristics. Some – such as Hungarian or Bosniaks – have influential political and cultural elites, which enables them to more efficiently stand for their rights. Others, like Germans or Czechs, are too small to get organized in the same manner. Differences are also notable in the domain of education. For instance, they are no illiterates among the members of the Jewish community, while illiteracy dominates in Roma and Ashkalia communities. As a most significant resource, education decides any minority's capability to join the processes of modernization and secure a position in the society. Therefore, Roma and Ashkalia are socially marginalized more than any other minority community. Further, minorities can be differentiated by the opportunity provided for them to get educated in their mother tongues. While such educational arrangements are available to members of Slovak, Hungarian, Rumanian and other communities, Macedonians are not provided schooling in their mother tongue. Further, ethnic awareness is very strong among members of the communities such as Hungarian and Slovak, while weak or just emerging when it comes to Wallachians or Macedonians.

Identity-building infrastructures (schools, media, political parties, NGOs, etc.) are also the criteria by which minority communities can be differentiated. Besides, some national minorities mostly inhabit towns (such as Croats or Hungarian), while other are usually located in rural areas (Ruthenians and Rumanians). Some are territorially concentrated (Hungarians, Bosniaks or Albanians), while others are dispersed (Roma in the first place). What is also characteristic of Serbia is that members of different ethnic communities live in the same town, municipality or region, which makes the position of an ethnic minority or majority prone to variation. For instance, though they make the largest population in Serbia, Serbs figure as an ethnic minority in the Sandzak region, where Bosniaks are in the majority. Similar situation is to be found in some municipalities in Vojvodina with Hungarians in the majority. These facts are noteworthy as they influence interethnic relations. During Milosevic's rule, for example, local self-government authorities were ethnically monopolized by Serbs, which frustrated members of minority communities and fueled their sense of being discriminated.

Some authors classify minorities by the criterion whether or not they have "a mother country," i.e. whether their "mother state" is a neighboring country (Albanians, Hungarians, Rumanians and Bulgarians) or an ex-Yugoslav republic (Croats, Slovenians, Macedonians and Bosniaks). In this context, Yugoslavs stand for a specific minority, given that their identification state has disappeared. Finally, in terms of descent minorities can be classified into European (Czechs, Slovaks, Ruthenians, Germans, etc.) and non-European (Roma, Jews, Egyptians, Ashkalia). Taking into account the nature of Milosevic's regime, minorities can be classified in the context of repression against them. Namely, the then regime has not treated all minority communities in the same

way – some were used as instruments of its legitimacy (such as Slovaks), while repression against others (Croats, Albanians or Bosniaks) has been either encouraged or tolerated. War, violence, ethnically motivated persecution, massive poverty and meager prospects forced a number of citizens – from majority and minority communities alike – to leave Serbia. This brain drain particularly affected minority communities, as it deprived them of their "organic intellectuals" whose role in the safeguard and development of a minority culture is extremely important. On the other hand, the fact that several refugee waves have brought a considerable number of Serbs to Serbia additionally complicated the majority-minority relationship and prompted people from minority communities to move out. In the period between two censuses, the number of Serbs increased, the same as the number of Roma, Wallachians and Ukrainians, while the number of people coming from Croat, Hungarian, Bosniak and Slovak communities decreased. The former can be explained by the mechanical inflow of people from the war-stricken territories of ex-Yugoslavia (Serbs and Roma), as well as by raised awareness about one's ethnic identity (Wallachians, Ukrainians and, partially, Roma). To explain the latter, along with above-mentioned factors, one must also take into account demographic aspects. The problem of low birthrate is more prominent among minority population than among the ethnic majority.

Large differences between Serbia's minorities – in terms of their demographic potential, material resources, identity-building infrastructures, educational levels and political organization – considerably influence the implementation of minority rights. Though the rights to which members of a certain minority are entitled do not depend on the minority's size, the numbers evidently imply some advantages – in the domain of education, for instance. Demographic potentials crucially determine preferential rights. Members of small ethnic minorities are more interested in individual than in collective rights, given that they lack the resources necessary for the full exercise of the latter.

Finally, speaking about national minorities and censuses, the following should be taken into account:

Firstly, a new ethnic community, the Ashkalia, "emerged" in the period between the two censuses. Being the "youngest" minority in Serbia, Ashkalia are often equated with Roma or Albanians. Bearing in mind their animosity towards Albanians, such treatment is a permanent source of tension.

Secondly, according to some minority representatives, the 2002 census has been the "freest" one up to now. Such judgments, however, should be accepted with caution since there has been serious criticism about the latest census. However, as a census is not just a statistical operation immune of politics, these judgments are not totally ungrounded. Namely, the 1991 census was conducted at the time of high political tensions, media demonization of other ex-Yugoslav nations, chauvinistic hysteria and preparations for a war. On the other hand, the 2002 census took place after Milosevic's ouster and with the DOS in power. In 2002, people were more at ease when it came to declaring their ethnic origin than in 1991, when straightforwardness about one's ethnicity did not imply just degradation, but also existential risk.

Thirdly, most censuses in Yugoslavia after the WWII were conducted against the backdrop of dramatic political developments – the 1948 census coincided with Yugoslavia's open confrontation with Cominform, the 1971 census took place at the time of highly radicalized relations between ex-Yugoslav republics and the federation, the 1981 one was marked by the conflicts in Kosovo, while the 1991 census by a forthcoming war.

The wars over ex-Yugoslav territory deeply scarred the society's ethnic structure and practically pushed Serbia towards a nationally homogeneous community. For instance, in today's Serbia not a single minority numbers more than 300,000 people. On the other hand, Kosovo, where ethnic Albanians make a predominant majority, is no longer under Serbia's jurisdiction. Without Kosovo, Serbia's minorities have been reduced by half when compared with total population. Minorities that once stood for one-third of Serbia's population now make less than one-sixth of it.

Regulation of Minority Rights

The manner in which the issue of minorities is being solved in a multiethnic community is the litmus test that determines its democratic potential. This particularly refers to Serbia, which – as a self-proclaimed imperial power in the Balkans – not only confronted its own minorities, but also the nations within the federation it has been a part of, and the international community. Solution of the minority question, therefore, is not only crucial in the context of Serbia's democratization, but also that of normalization of neighborly relations and the country's integration into the international community.

Intent to draw a clear-cut demarcation line between the post-October 5 era and the period of Milosevic's rule, the new administration opened up the minority issue. It displayed its readiness to adopt and implement modern standards in this domain by signing the Framework Convention on the Protection of National Minorities (May 11, 2001) that was later on ratified by the federal parliament. In late February 2002, the Law on the Protection of Rights and Freedoms of National Minorities was passed. A year later, the federal parliament, as well as Serbian and Montenegrin parliaments, adopted the Constitutional Charter of the State Union of Serbia and Montenegro (February 4, 2003) and then also the Human and Minority Rights, and Civil Liberties Charter (February 28,

2003). The Charter, being a component part of the Constitutional Charter, lays down all major provisions of the Law on the Protection of Rights and Freedoms of National Minorities.

Adoption of this law initiated the process of building a legislative framework for the protection of minority rights. At the same time, this complex and delicate process faces the challenges of unfinished constitutionalization, destroyed institutions, poor democratic culture and high political tensions. However, the crucial step towards building of the above-mentioned framework – passing of a new Serbian Constitution – has not been taken so far. It is only logical that minorities are highly interested both in the contents of the future constitution, i.e. guaranteed rights and liberties, and in the manner in which it would define Serbia. Further, representatives of minority communities are interested in partaking in the process of drafting the constitution. On the other hand, Serbia's political elite – still hampered by ethno-centrism – has not become aware yet of the significance of minority participation. A state counting on loyalty of its minorities and aspiring to their full integration into society should incorporate minority representatives in the process of constitution drafting. For, turning a deaf ear to minorities in this crucial stage can only lead a society as a whole towards a permanent crisis of legitimacy.

The lack of a clear-cut and coherent minority policy additionally hinders and slows down regulation of minority rights. And, consequently, there is a legal discrepancy. This is probably best illustrated by the incongruity between the minority law and the local self-government law. The former provides that members of minority communities, in the areas where their mother tongue is recognized as official, may use their national symbols on holidays and other minority-related occasions (Article 16), while the latter restricts this right (Article 118).

The two laws have been passed at two different levels of administration: the first at the federal, while the second at the republican level. The two laws mirror the relationship between federal and republican authorities – or, to put it precisely, they show that the former are growing weaker, and the latter stronger. Erosion of the authority invested in federal institutions that are in charge of human and minority rights opened the door to fear that Serbia's forthcoming legislation would reduce minority rights, laid down in the Law on the Protection of Rights and Freedoms of National Minorities. The Law, unanimously passed by the federal parliament, is the most important regulation in the domain of minority rights.

The Law recognizes both individual and collective rights, the freedom of ethnic declaration and expression, as well as the right of the members of minority communities to cooperate with their compatriots at home and abroad. Members of minority communities are also entitled to self-government in the domains significant for the safeguard of their ethnic identity – official use of their mother tongue and alphabet, information, education and culture. Several novelties testify of lawmakers' wish to upgrade the protection of minority rights – through the Federal Council for National Minorities – and to enable minority self-government bodies, national councils, to make or, at least, participate in making the decisions that are vital for them, as well as to establish relevant institutions. The Law also provides that state bodies are obliged to consult national councils whenever deciding matters that may affect the safeguard of ethnic identities. The key section of the Law fully takes into account that the principle of the safeguard of a variety of languages, cultures, customs, traditions and national histories is crucial for a democratic society, as it protects minority identities. Actually, the Law lays down a number of rights – the right to opt for a minority's name, the right to official use of a minority's mother tongue and alphabet, the right to cherish its culture and tradition, the right to education in its mother tongue, the right to use of its symbols and the right to public information in minority languages.

The Law prohibits all measures that might hinder implementation of these and other minority rights. Under the Law, no one shall suffer the consequences of having declared his or her ethnic origin, or denying to disclose it. Any registration whereby members of minority communities are supposed to declare their ethnic origin against their will is also prohibited, the same as forced assimilation, all forms of discrimination, and ethnic engineering in the areas inhabited by members of minority communities. The Law incorporates two major instruments – the protection of acquired rights and "positive discrimination" in the case of the minorities such as Roma that have been marginalized for years.

When compared with the previous situation, the Law figures as a step in the right direction. Though mostly declarative as it does not provide sanctions, the Law mirrors the intention to speed up the FRY's integration into the international community. Actually, passing of this law was among the prerequisites of the country's admission to the Council of Europe. On the other hand, the Law clearly messages minorities that they will no longer be treated as public enemies, but as associates in building up a modern society, mindful of the problems of its minority population. Such democracy-oriented intention has its follow-up in the Human and Minority Rights, and Civil Liberties Charter.

The above-mentioned acts are just initial, though major steps in the domain of minority protection. Some other laws are also of crucial importance for minorities, particularly those dealing with education, public information or elections. Further, minority protection is also regulated by other significant instruments such as bilateral agreements signed with neighboring countries or the Vojvodina Legislature's decree specifying the official use of minority languages and alphabets.

Institutional Prerequisites to the Implementation of Minority Rights

Several days after the federal parliament passed the Law on the Protection of Rights and Freedoms of National Minorities, the Serbian Parliament adopted the Law on Local Self-Government. Both laws are most significant as they institutionalize the minority right to decide on the protection of ethnic identity. So, the federal law stipulates that the Federal Council for National Minorities, the Federal Fund for National Minorities and national councils shall be added to the existing institutional system, while the republican law provides establishment of councils for interethnic relations in all multiethnic municipalities.

Under the federal law, the Federal Council for National Minorities and the Federal Fund for National Minorities shall be set up by the federal government with a view to upgrade and protect ethnic, religious, linguistic and cultural specificities of national minorities, and encourage their social and economic development. The right of national minorities to set up their national councils is, under the republican law, facultative. If a national minority decides to elect a national council of its own, the council will figure as its self-government body in the domains of official use of language and alphabet, public information, education and culture. Actually, the council represents the said minority, and participates in decision-making or makes decisions in these domains. Whenever matters from these domains are on their table, state bodies, territorial autonomy administrations and local self-government authorities are obliged to consult national councils. A national council is entitled to address higher authorities in connection with all issues that influence the situation of a national minority and its rights, and can be partially empowered in the areas covered by self-government. Should that be the case, the state must secure necessary funds. While deciding the scope and type of the power a national council will be invested with, the state must take into account its requests.

The law provides that national councils shall be set up voluntarily, by election and in accordance with the principles of proportionality and democratic procedure, while election rules shall be regulated under a bylaw. However, though the Law on the Protection of Rights and Freedoms of National Minorities was passed more than two years ago, this by-law has not been enacted yet – up to now, all national councils have been elected by electoral assemblies. Such indirect elections question democratic legitimacy of national councils envisaged to act as bodies representing national minorities.

Under the Law on Local Self-Government councils for interethnic relations – composed of representatives of all national and ethnic communities – shall be established in multiethnic areas. The municipalities wherein one national minority – judging by the latest census - makes up over 5 percent of total population or more minorities figure for over 10 percent of overall population are treated as multiethnic. Minority communities making over 1 percent of a municipality's population may have their representatives in the council. A council as such discusses realization, protection and improvement of ethnic equality, and informs a municipal assembly about its conclusions and recommendations. Whenever deciding the matters that may affect the rights of national and ethnic minorities, a municipal assembly is bound to consult a council for interethnic relations. If a decision or regulation passed by a municipal assembly violates minority rights, a council is entitled to initiate proceedings with the Constitutional Court. It is worth mentioning that Vojvodina has introduced an institutional novelty. Namely, the provincial legislature decided to appoint the first Ombudsman in Serbia. The Ombudsman is defined as an independent body in charge of the protection and advancement of human rights and civil liberties whenever these rights are violated by the provincial or a municipal administration, organizations or public services invested with administrative authority, the founder of which is the province or a municipality. The Ombudsman has five deputies. One of them is in charge of monitoring the implementation of minority rights and instituting criminal, disciplinary or other proceedings before relevant bodies in the event these rights have been violated. The same person also monitors the implementation of international standards, observes the process of passing new regulations or amendments to existing ones that are related to the position of national minorities and the exercise of their rights, submits annual reports on the implementation of minority rights, etc.

Apart from the institutions referred to in the paragraphs above, several others are also most important for the implementation and protection of minority rights. The Ministry for Human and Minority Rights is, for sure, the key one at the level of the state union. The Committee for Interethnic Relations of the Serbian parliament, Vojvodina's Secretariat for Administration, Regulations and National Minorities, the Vojvodina Legislature's Committee for Interethnic Relations, as well as other institutions such as the Ministry of Education, the Ministry of the Media and Culture, and relevant secretariats in Vojvodina also play major roles in all areas of minority concern.

Activities of NGOs and other organizations making Serbia's civil society, particularly those focused on human and minority rights also figure as major prerequisites for the full implementation of minority rights.

There is yet another institution the members of minority communities perceive as a major legal instrument of advancement and protection of their rights. This is about autonomy, i.e. various forms of autonomy – cultural, personal and territorial – or an adequate special status. Relevant proposals have already been put forth by representatives of some minority communities such as Croat, Hungarian or Bosniak. However, the state bodies have ignored them, to put it mildly. Serbian authorities, though on their guard when it comes to a territorial

autonomy based on ethnicity, have proposed this model as the most appropriate one for the protection of the Serbian minority in Kosovo. True, the situation in Kosovo can hardly be compared with the one in Vojvodina. However, one cannot get rid of the impression that this is about double standards.

Conclusions and Recommendations

After the 5 October 2000 coup in Serbia some progress was made in promotion of minorities rights, notably more in the realm of normative regulations, than in the realm of real relations in the society. However, changes in the normative realm are also wanting, for some key acts more precisely defining minority rights are yet to be passed. Added to that the Act on Protection of Rights and Freedoms of National Minorities was adopted at the level of the State Union of Serbia and Montenegro. Initial political consensus on that issue fell apart during the DOS-led Administration. Hence the lack of political will and agreement for adoption of new minorities-related legislative acts. Consequently the issue of national minorities was put on the back burner. No priority attached to that issue became obvious when Vojvodina recently faced a series of ethnic incidents. Elected thanks to support of Milosevic Socialists, the new Serb government first ignored those incidents, and the fact that they spread fast and covered members of almost all national minorities.

Contrary to this, essentially, denigrating official stance, deterioration of inter-ethnic relations attracted attention and interest of neighbouring countries, notably of Hungary. Hungarian officials have repeatedly asked the Serb authorities to stop incidents and make possible a peaceful cohabitation in the province. After having expressed their conviction that the Serb authorities are able to solve that problem, Hungarian officials have however cautioned that they would demand a debate on the status of the Hungarian minority in the EU fora, unless the incidents were stopped. That announcement was criticized by the Serb authorities which assessed that "there are no motives or reasons for internalization of that issue." Political circles assessed the threat of internationalization as "a cheap trick, and an inadequate move... unlikely to improve the situation", as "an attempt to interfere into our internal affairs", as "an attempt to revise the Trianon Agreement", and as a continuation of policy of "destruction of Serbia", etc. Although internationalization of the issue of Hungarian minority was used amply as an element in the ongoing, internal political showdown, it in fact laid bare the fact that the minority issue was sidelined, the absence of a pro-active minority policy in Serbia, and that the government refused to face up to the problem of upset inter-ethnic relations. Instead of facing up to that problem, the Serb authorities decided to minimize it and reduce it to "isolated cases".

By such, essentially, ignorant approach, the authorities tried to justify and normalize nationalism as a ruling ideology in the society. A productive response of liberals and civil society-minded backers failed to materialize, for such an option is too weak to prevent external influences on Vojvodina's inter-ethnic relations, and does not have interlocutors or collaborators in the top echelons of the Belgrade authorities. On the other hand consolidation of the Serb ethnic territory in Vojvodina has been going on for a decade now. The state proper is backing that consolidation, while the Serb Orthodox Church and the Popular Movement "Svetozar Miletic" have been also playing an active role in that process. Their strategy is focused on the process of assimilation of smaller national minorities and segregation of larger ones which are slowly becoming extinct.

In the aftermath of 5 October 2000, international community marked the minority issue as a high-priority one, but as the time passed, it was sidelined, for the majority nation was not willing to renounce its project of ethnic state. Added to that efforts to strengthen foundations of an ethnic state, directly exclude minorities from "ownership of the state". And finally, a state constituted on ethnicity cannot resolve the minority issue in a democratic way, for thus constructed state treats minorities as "an upsetting factor". Once excluded from a broader political community of the majority people, minorities reject the identity of the order which legitimizes itself by exclusive ethnic values and interests of the majority nation and seek a way-out in the shape of various degrees of autonomy and special status. Such claims and aspirations by extension raise doubts about their loyalty and strengthen conviction that ethnic pluralism is an unwanted burden. Attempts to solve that problem by dint of various elimination-minded policies failed in the past, and they are also doomed now because of stiff resistance of international community. Thus internationalization is useful, and its most direct result is announcement of an imminent formation of the Republican Council for National Minorities, of an institution tasked with promotion and protection of national minorities.

Institutional innovations however do not suffice, unless a host of obstacles hindering implementation of minorities rights is not removed. Recent developments in Vojvodina indicated that an increasing number of citizens in the province felt threatened. In view of the fact that the fear is not evenly distributed-it is more pronounced in Backa than in Banat – it must be pointed out the said fear is only one of the hurdles limiting exercise of collective rights. Added to the fear, there are other obstacles-of cultural, economic and formal-legal nature, and also inherited political culture. That culture is authoritarian, and not sensitive or responsive to violations of minority rights. Gross and blatant violations of the rights of Croats in Srem, Bosniaks in Sandzak and recent incidents targeting members of Hungarian and other minorities in Vojvodina, have not been properly tackled. Lack of aforementioned sensitivity is also visible in the sphere of education and public opinion. Though

some progress has been made in education of the Croat minority, their art, culture and history, like the ones of Bosniaks, Vlachs and Romany, have not been covered by the 2004 primary and secondary school curricula. Aforementioned plans and programs are still of ethno-centric character and socialization of minorities members unfolds through a cultural pattern of the majority nation. Advocacy of multiculturalism in the sphere of public opinion hinges on the prevailing ideological mind-set, and not on principled orientation. Media coverage of minorities is highly politicized, and reduced to stories about conflict situations and incidents. Such an undifferentiated approach/angle breeds prejudices that minorities "in contrast to us", are homogenous and "are all identical". Any attempt to portray their diversity in a different, socially acceptable way, ends up in a pre-modern perception of minorities as exotic, folklore groups. Ultimately such perception boosts assimilation, and not affirmation of different cultural values.

Attainment of minorities rights to a large extent depends on economic circumstances in the state. Act on Minorities made possible founding of some new institutions, alike national councils, but failed to resolve in a systematic way the issue of their funding or adequate work premises. Absence of substantive financial support affects more 'weak' minorities, notably Romany, Vlachs or Croats, for they are bereft of economic resources. Minorities power to cinch favourable economic arrangements in negotiations with the state is limited, for it primarily depends on their political 'weight'. In that sense, situation is made even worse by formal, legal hurdles. Act on Protection of Rights and Freedoms of National Minorities enroaches on prerogatives of the Republic, which, within the framework of its legislative activities, on several occasions limited the rights of minorities. And finally organization of the state, is also an important element. During Milosevic regime Serbia was built as a stongly centralized state, which resulted in reduction of minorities rights. Hence moved by their wish to improve their status representatives of minorities in Serbia rightly insist on decentralization, for it enables their participation in adoption of key decisions in areas vital for preservation of their identity, notably in the sphere of education, information, culture, etc.

Despite some recent progress made possible by support and assistance of institutions of international community, economic, social and political situation in Serbia does not favour attainment and exercise of minorities rights. National homogenization, chauvinistic campaigns, and the state policy have left their indelible mark on inter-ethnic relations. In that regard due to a heavy military rout and financial collapse the starting position of Serbia is much weaker than the one of other post-Communist states. As concerted efforts were not made to shape public opinion in line with a given situation, frustration of citizens mounted. At the same time sacrifices exacted by transition, loss of social status and poor existential prospects, alongside the non-acceptance of a new set of values based on market economy and responsibility, have contributed to the process of sidelining of the issue of minorities status. In that sense democracy is not viewed as an universally accepted value, notably because democracy in its current shape, that is reduced to electoral mechanisms and representative procedures, in fact suppresses, or additionally marginalizes minorities.

Insight into the status of collective rights indicated that the position of the 'new', with respect to the position of 'old' minorities in several aspects was considerably less favourable. First of all, new minorities are not sufficiently instutionalized, they do not have a strong elite devoted to articulation of interests of their community, they are poorly integrated, poorly organized, and members of that community are simply not ready to engage in realization of their collective interests. Their political parties are leader-minded, while political leaders harbour only the ambition to impose themselves as the only and exclusive representatives of interests of given national minority.

Policy of country of origin also affects the status of minorities. Active interest of the Republic of Hungary in the status of its fellow-countrymen in Vojvodina was assessed by part of public opinion as 'meddling in internal affairs of our state', or rather as instrumentalization of Vojvodina Hungarians in internal strife of Hungarian parties in the province. Such a perception is partly realistic, since Lazlo Kovach, Hungarian Foreign Secretary, stated that the status of Hungarian diaspora should not be used in internal patriotic jockeying for power by the authorities and opposition. However, it should be said that Hungary was the transition-gearred country which best resolved the status of its minorities in neighbouring countries notably through inter-state agreements.

Various NGOs, notably those dealing with human rights may render a true support to realization of minority rights. Some of them are however publicly villified in view of their fight against minorities-related public prejudices in the course of their defence of interests and rights of jeopardized minorities. NGOs are also an important instrument in promotion and advancement of minorities rights, for they contribute to better organization of minorities and represent an important communication channel in relations between minorities and authorities, and minorities and their fellow-countrymen in the country and abroad. But it bears stressing that in addition to organizations bent on producing and implementing emancipating projects, in the midst of the civil society there are also organizations generating strong and virulent nationalistic and racist impulses, notably "Obraz" or SNP "Svetozar Miletic". And finally important activities of NGOs are geared towards deconstruction of various myths and prejudices targeting minorities and spreading animosity towards them. The role of NGOs in creation of a positive mood in the society and sensitivizing the general public with respect to interests of minorities is of a paramount importance, notably if that role is backed by the media.

Having in mind negative trends in treatment of minorities, the Helsinki Committee for Human Rights in Serbia considers that a suspended process of promotion of status of national minorities must be continued. In other words the process initiated by adoption of the Framework Convention for Protection of National Minorities must be continued by dint of adoption of other important international instruments, and also by betterment and updating of internal, legal regulations. Hence the Helsinki Committee recommends:

- A swift adoption of the European Charter on Regional and Minority Languages is a must. In view of plans for drafting a new constitution of Serbia, minorities as an important constituent element through their representatives must take part in that process;

- As regards minorities-related legislation it is necessary to pass some key laws – election law, law on national councils, anti-discrimination law, and legal norms containing or facilitating discrimination should be removed.

- Decentralization is a key prerequisite for essential betterment of status of minorities in society. But decentralization being essentially a political issue, its implementation presupposes consensus of political prime movers. That consensus must show respect for fundamental interests of minorities, notably their right to preservation and promotion of minority identity. Guidelines of such a decentralization must be incorporated into a new Constitution.

- Promotion of general legal culture in the society is one of the best ways for promoting protection of guaranteed rights through elimination of voluntarism, arbitrariness and selectivity in the work of specialized agencies, notably the police and prosecution.

- One of the most important instruments in promoting status of minorities are bilateral agreements. It is necessary to accelerate their conclusion, whereby minorities proper should be actively engaged in the process of their drafting.

- Opening up of Serbia and its active inclusion in the process of European integration may lead to perception of the minority issue as a more complex and subtle, while in parallel it may also activate a modernizing and developmental potential of minorities proper.

Setting up of a Serbian ministry for human rights and minority rights, as well as passing of a republican minority law.

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	Republic of Serbia	%	Central Serbia	%	Vojvodina	%
Total	7,498,001	100.00	5,466,009	100.00	2,031,992	100.00
Serbs	6,212,838	82.86	4,891,031	89.48	1,321,807	65.05
Montenegrin	69,049	0.92	33,536	0.61	35,513	1.75
Yugoslavs	80,721	1.08	30,840	0.56	49,881	2.45
Albanians	61,647	0.82	59,952	1.10	1,695	0.08
Bosniaks	136,087	1.81	135,670	2.48	417	0.02
Bulgarians	20,497	0.27	18,839	0.34	1,658	0.08
Burjevci	20,012	0.27	246	0.00	19,766	0.97
Vlachs	40,054	0.53	39,953	0.73	101	0.00
Goranci	4,581	0.06	3,975	0.07	606	0.03
Hungarians	293,299	3.91	3,029	0.06	290,207	14.28
Macedonians	25,847	0.34	14,062	0.26	11,785	0.58
Moslems	19,503	0.26	15,869	0.29	3,634	0.18
Germans	3,901	0.05	747	0.01	3,154	0.16

	Republic of Serbia	%	Central Serbia	%	Vojvodina	%
Total	7,498,001	100.00	5,466,009	100.00	2,031,992	100.00
Roma	108,193	1.44	79,136	1.45	29,057	1.43
Rumanians	34,576	0.46	4,157	0.08	30,419	1.50
Russians	2,588	0.03	1,648	0.03	940	0.05
Ruthenians	15,905	0.21	279	0.01	15,626	0.77
Slovaks	59,021	0.79	2,384	0.04	56,637	2.79
Slovenians	5,104	0.07	3,099	0.06	2,005	0.10
Ukrainians	5,354	0.07	719	0.01	4,635	0.23
Croats	70,602	0.94	14,056	0.26	56,546	2.78
Czechs	2,211	0.03	563	0.01	1,648	0.08
Others	11,711	0.16	6,400	0.12	5,311	0.26
Undeclared/undeclared	107,732	1.44	52,716	0.96	55,016	2.71
Regional belonging	11,458	0.15	1,331	0.02	10,154	0.50
Unknown	75,483	1.01	51,709	0.95	23,774	1.17

Republican Statistics Bureau of Serbia: "Population of Serbia According to Nationality: the 2002 Census"