

- Andrija Krešić u svom i našem vremenu
- Ka бољој демографској будућности Србије
- Ka evropskom društvu – ograničenja i perspektive
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- Religion and Identity in the Time of Global Crises
- Klimatske promene – Pravni i društveni izazovi
- Monitoring Minority Rights: Twenty-five Years of Implementation of the Framework Convention for the Protection of National Minorities



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The Framework Convention for the Protection of National Minorities is the most comprehensive international law source designed to protect the rights of persons belonging to national minorities. It was adopted by the Council of Europe in 1995 and entered into force in 1998. The Framework Convention has been relevant in the past 25 years for addressing challenges related to realization of rights of persons belonging to national minorities. The principles contained and rights prescribed in this instrument of minority rights continue to guide member states in protecting and promoting the rights and freedoms of persons belonging to national minorities, promoting their identity, and ensuring their rights. The Convention prohibits discrimination against national minorities in various aspects of life, including in the areas of education, culture, language, and access to public services. It recognizes the importance of preserving and developing the culture, language, religion, and traditions of national minorities. States are encouraged to support minority languages and cultural diversity. The Convention promotes the participation of national minorities in public life, allowing them to express their views and participate in decision-making processes that affect them. The Convention is requiring that States provide education in the minority languages and to promote the study of minority cultures and histories.

Prof. Antonija Petričušić

The post-Yugoslav area, like other post-socialist countries, had to meet specific criteria for regulating the position of national minorities and still faces challenges related to ethnicity. Democratic processes in these areas have not been fully realized, and inter-ethnic relations and the rights of national minorities represent a challenge for the peoples of these areas, their governments and the international community. This thematic compendium highlights the achievements of multiculturalism policy in each country, successful solutions, as well as current issues that continue to complicate inter-ethnic relations and hinder the protection of the rights of national minorities.

Prof. Ana Čupeska

The thematically organized book fulfilled the goal of an academic overview of multiculturalism policies in the post-Yugoslav area in the context of the implementation of the Framework Convention for the Protection of National Minorities of the Council of Europe. The comparative method and argumentation based on quantitative data significantly contribute to the improvement of the scientific relevance of the text and its impact on the study of theories and practices of multiculturalism.

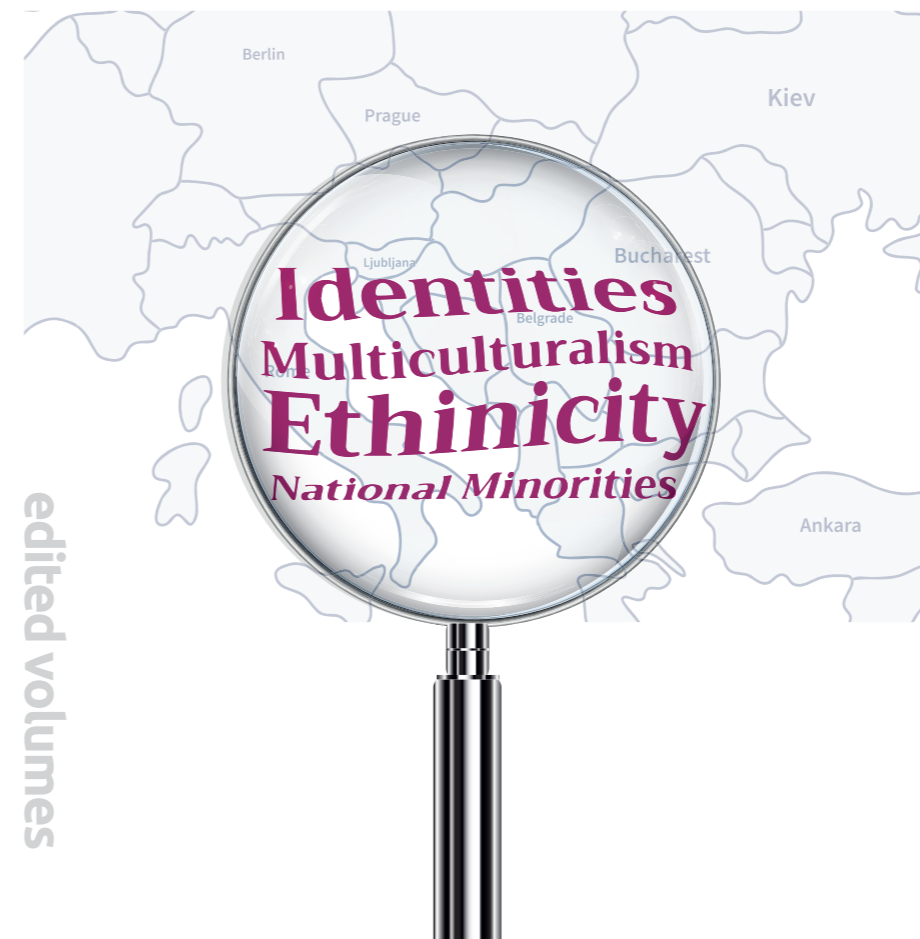
Prof. em. Silvo Devetak

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MONITORING MINORITY RIGHTS

EDITED BY: GORAN BAŠIĆ



MONITORING MINORITY RIGHTS

edited volumes

In the countries that formed on the territory of Yugoslavia, multiculturalism is a phenomenon that few people are truly happy about. Ethno-cultural differences were often the cause of conflicts, xenophobia and nationalism. The peoples in this area aspire to a life based on a monocultural outlook, on ethnically homogeneous territories populated by culturally, ethnically, linguistically and religiously close compatriots. In the last three decades, on the legacy of the conflicts that followed the breakup of Yugoslavia, but also on the experiences of the multiculturalism policy developed during its history and, in particular, on the standards for the protection of national minorities contained in the Framework Convention for the Protection of National Minorities of the Council of Europe and the recommendations of the High Commissioner on National Minorities of the Organisation for Security and Co-operation in Europe, the post-Yugoslav states have developed their own multiculturalism policies whose goals are the coexistence and security of people and the protection and preservation of the identity of national (ethnic) minorities.

For this purpose, national instruments and mechanisms have been established, funds are allocated in national budgets to support multiculturalism policies, and successful ones are awarded recognitions and awards. However, the persistence of pronounced social distance between ethnic communities and demographic changes that indicate intensive voluntary emigration of members of national minorities indicate that something is still not right with multiculturalism in the area from “Vardar to Triglav”. It is to be expected that after three decades of applying the “most liberal”, as the politicians from this area were prone to saying, policies, multiculturalism, coexistence and tolerance of differences have become part of regional and national societies. However, that ideal has not been reached neither in the countries from this area that have become European Union members nor in those that are pejoratively singled out in the geopolitical construction of the Western Balkans and are striving to become so.

Goran Bašić

MONITORING MINORITY RIGHTS

TWENTY-FIVE YEARS OF IMPLEMENTATION OF THE FRAMEWORK
CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

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INŠTITUT ZA NARODNOSTNA VPRAŠANJA
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Editor's Foreword

In the countries that formed on the territory of Yugoslavia, multiculturalism is a phenomenon that few people are truly happy about. Ethno-cultural differences were often the cause of conflicts, xenophobia and nationalism. The peoples in this area aspire to a life based on a monocultural outlook, on ethnically homogeneous territories populated by culturally, ethnically, linguistically and religiously close compatriots. In the last three decades, on the legacy of the conflicts that followed the breakup of Yugoslavia, but also on the experiences of the multiculturalism policy developed during its history and, in particular, on the standards for the protection of national minorities contained in the Framework Convention for the Protection of National Minorities of the Council of Europe and the recommendations of the High Commissioner on National Minorities of the Organisation for Security and Co-operation in Europe, the post-Yugoslav states have developed their own multiculturalism policies whose goals are the coexistence and security of people and the protection and preservation of the identity of national (ethnic) minorities.

For this purpose, national instruments and mechanisms have been established, funds are allocated in national budgets to support multiculturalism policies, and successful ones are awarded recognitions and awards. However, the persistence of pronounced social distance between ethnic communities and demographic changes that indicate intensive voluntary emigration of members of national minorities indicate that something is still not right with multiculturalism in the area from "Vardar to Triglav". It is to be expected that after three decades of applying the "most liberal", as the politicians from this area were prone to saying, policies, multiculturalism, coexistence and tolerance of differences have become part of regional and national societies. However, that ideal has not been reached neither in the countries from this area that have become European Union members nor in those that are pejoratively singled out in the geopolitical construction of the Western Balkans and are striving to become so.

Meanwhile, changes have taken place in Europe and around the world, in the course of which xenophobic populism, atavisms and fear of diversity are increasingly expressed. We once again live in a world that does not favour a multicultural outlook. More and more people believe that life in culturally, linguistically and religiously homogenous communities is the safest. Social atavisms are manifested more and more often, and hoping for populism and crises, they lead ethnic groups into *déjà vu* processes of ethnic homogenisation and xenophobia.

It is clear that the golden age of multiculturalism has passed, but it is also clear that multi-ethnicity is a condition that inexorably permeates modern societies and that it requires appropriate policies that will respect cultural and other differences and ensure stability. In the European context, the policies of multiculturalism are entrusted to the states to regulate them in accordance with established international standards and according to the peculiarities of their own multi-ethnicities. The supervision of that process is carried out by the Council of Europe, and the strongest pillar of the process of monitoring the protection of national minorities in Europe is the Framework Convention For The Protection Of National Minorities. This multilateral document entered into force a quarter of a century ago has largely influenced the development of

national multiculturalism policies. Experiences related to multiculturalism policies are different and their reach is evidenced by over 170 reports of the Advisory Committee on the Framework Convention sent to 39 countries that are expected and required to apply international standards for the protection of national minorities and to design multiculturalism policies appropriate to their own circumstances and peculiarities of multi-ethnicity.

The initiative to review the changes that occurred in the post-Yugoslav area during the implementation of the Framework Convention standards and the recommendations of the Advisory Committee and the resolutions of the Committee of Ministers was launched at the meeting of the Academic Network for Cooperation in South-east Europe (<https://ancsee.org/>) held at the beginning of May 2023 in Ulcinj (Montenegro). At that time, the debate about what the existing system of protection of national minorities in the region lacks was renewed, recommenced many times and never ended. In all states, the protection of national minorities is established in their constitutions, and in four states there are laws that ensure the protection of individual and collective rights of members of national minorities, cultural autonomy and “minority” self-government, participation in political decision-making, affirmative measures, and more. However, despite the acknowledgement of the argument that the social heritage in which these policies are developed is burdened with narratives about “historical” injustices and victims, memories of dark events from the distant and recent past and that the political culture in the region is rooted in the ethnicisation of social relations, the participants in the conversation, which lasted two days, agreed on the opinion that the efforts made in multiculturalism policies are not conducive to the desired goals. The fear of ethnic conflicts in the region continues to hover, the social distance between ethnic groups is not subsiding, populist rhetoric is receptive to people in the region, ethnic prejudices are alive... On the other hand, it is also a fact that people from these areas seek each other out. The existence and work of the Academic Network, whose founders are six academic institutions from post-Yugoslav states, is confirmation that there is a need for dialogue and cooperation. There are many other initiatives and collaborations that indicate that in addition to personal ties, cultural,

economic and other forms of cooperation are strongly pulsating along the former space that was connected by the cosmopolitan slogan of brotherhood and unity.

So what are the policies of multiculturalism lacking in these areas? Why, despite the implementation of various measures, is there social resistance to the diversity of the peoples who make up the national majority in the region, as well as to members of ethnic minorities? Are the consequences of conflicts in the past so rooted in the collective identities of ethnic groups that they do not allow for closer social ties? Or are multiculturalism policies based on narrower political interests and, depending on political goals and circumstances, serve as Potemkin villages for hiding failures, and if necessary they are used for mobilisation and political engineering of ethnic communities?

The papers in this Collection try to answer the mentioned and other questions. In them, you will also read about the contents of successful multicultural policies, especially about legal solutions that, in accordance with international standards, almost ideally regulate the position of national minorities, but you will also find examples that indicate that the main feature of multiculturalism policies in the region is social segregation, i.e. that connective tissues are broken among ethnic communities, that neighbouring ethnic groups are undesirable, and that ethnic borders are pronounced, tough, hardly permeable for cultural exchange. But, let's remember, fifteen years ago, a group of Council of Europe experts prepared, and the ministers of foreign affairs in the Council of Europe, adopted the "White Paper on Intercultural Dialogue" which had the slogan "living together as equals in dignity" in its subtitle. In the "White Paper", based on the brightest ideas of the European enlightenment and liberal theory, the future of Europe based on an intercultural model for managing cultural diversity is advocated. The ideas in this inspiring document for *multiculturalists* spring from the human dignity of the individual and the humanity and life of all. Intercultural dialogue was designed as a set of active European, national, regional and local policies that were supposed to establish common basic values: respecting the common heritage and cultural diversity and respecting the dignity of each individual with the aim of overcoming the social conditions of ethnic,

religious, linguistic and cultural divisions. The basic tools aimed at those goals are the democratic management of cultural diversity, strengthening of democratic citizenship, adoption of intercultural knowledge and creation and expansion of a space for intercultural dialogue. What happened to the ideas from the “White Paper” is not known, they disappeared in the increasingly turbulent political reality. But it still remembered that a few years after this document was published, it was announced that multiculturalism was dead and that muscular liberalism would regulate the issues of inter-ethnic relations in Europe. From then until today, not much has been intercultural in the European area, yielding to populist stabilocracies is slowly turning into autocracy, and history teaches us the subsequent outcome.

Finally, I would not like it to be left unsaid that this collection lacks a contribution that deals with the application of the Framework Convention and international standards for the protection of national minorities in Kosovo, no matter how you interpret the status of this European area. For the majority of citizens of Serbia, despite the knowledge that the Republic of Serbia does not exercise sovereign power on the territory of Kosovo, this area is part of Serbia. For the ethnic Albanians who make up the majority in Kosovo, it is an independent state. The conflict of historical and ethnic principles in Kosovo has not been overcome and is a source of instability in the region. The explanation of this problem and the interpretation of the status of ethnic communities in that area requires a deeper analysis, and we will certainly consider it in the future activities of the Academic Network. What makes us uneasy is the fact that until the final political solution to the status of Kosovo, people in that area should live safely, with dignity, and without consequences for personal happiness, which is not the case now.

As an editor, I did not have a difficult task, with minimal suggestions I accepted the works in, more or less, their original form because I believe that for this topic, in addition to the authors’ expertise, their honesty and autonomy are also important. I did not want to jeopardize those principles, which does not mean that I agree with all the views. To tell the truth, there was not even time for thorough reflection on the works because less than half a year passed from the idea to write them to their publication in this collection.

In that short time, a collection of papers was prepared dedicated to the idea of multiculturalism in retrospect to the application of the Framework Convention for the Protection of National Minorities of the Council of Europe. I would like to thank the colleagues who paid attention to this idea and prepared the papers, the reviewers who carefully read them and gave useful suggestions, and finally, the colleagues in the institutes in Belgrade and Ljubljana who accepted to publish the reading.