

The Rights of National Minorities as Defined in the Statutes of the Communes

E. Petrič, Senior Research Officer of the Institute for National Minority Questions in Ljubljana

1. This contribution to the discussion and exchange of experience on the solving of specific problems in multi-national communities involves restriction to only a few questions. Thus when I refer to the legal provisions concerning the rights of national minorities, »nationalities«, in local autonomies, municipalities or communes of the Socialist Federal Republic of Yugoslavia, I shall confine myself to basic data and to an incomplete analysis of the local statutes. It is unnecessary to stress that the actual situation of the members of a national minority (nationality¹) and a minority as a whole can only be judged by the degree to which the given legal guarantee can be realized in everyday life.

2. The general human and civil rights, ensured irrespective of race, nationality, language etc., are indubitably a component part of the legal order, if we wish to consider a society as a social community of equal people. Within the relations of the nationally homogenous communities, formed in Central and Eastern Europe mainly independently of their own state formations and within the relations of communities with full national consciousness — which is not identical with the consciousness of a citizenship —, together with the conscious will of ethnic minorities to preserve their national characteristics and individualities, the framework of true equality,² besides the equitable ensurance of general human rights, indubitably has to include the guarantee of a number of »special« (or

¹ The term »nationality« is now increasingly used, although both terms have the same meaning. The Constitution of the Soc. Fed. Rep. of Yugoslavia, art. 43 (see supplement 2) introduces the term »nationality« instead of »national minority« in order to indicate that members of every nationality shall be in all respects secured equal rights and positions, irrespective of whether they belong to a national »majority« or »minority«. To simplify matters we are in this paper using the term »national minority« which is generally accepted throughout the world.

² Especially with reference to national minorities, we ought to stress Lenin's conception of equality: »Therefore the internationalism of a so-called »big nation« has to be founded not only on respect for the formal equality of nations, but also on such an equality as to replace, on the part of the big nation, the inequality that actually occurs in life. Whoever does not understand this, does not understand the true proletarian relation to the national question...«; quoted by J. Pleterški in: »Lenin on the Nationalism and Internationalism of Big and Small Nations« (Naši Razgledi, 17, 1956).

so-called »positive«) rights of members of autochthonous, but ethnically different national communities.³

3. New Yugoslavia has emerged as a state community of nations and nationalities — national minorities — on her territory, as the expression of the aspirations of the peoples and national minorities within her.⁴ This situation and the conscious will of her peoples and national minorities reflect Yugoslavia's socialist policy on the question of nationality in general, and of national minorities in particular.⁵ Under such tangible circumstances it is only possible to speak of true equality for members of national minorities if they are secured — besides their general human rights — all those rights to which they are entitled on the grounds of their nationality, i. e. emerging from their specific lingual, cultural, ethnic and national characteristics.⁶ Under the general conditions of the ethnic-political situation in Europe, any attempt to create conditions conducive to assimilation would actually be violence against nationality, and an undemocratic act against the national group in question.⁷ It is correct to say that under European conditions the special rights of the members of national minorities bring them actual equality and the confirmation of their general human rights.

³ I. L. Claude jun., *National Minorities*, Cambridge 1955 (Harvard Univ. Press), p. 18, distinguishes: (1) the rights of individuals as such rights unimpaired by membership in national minorities; (2) the rights of individuals as members of distinct minority groups, rights arising out of such membership and facilitating the maintenance and development of group life. The UNO Study: »Definition and Classification of Minorities« (E/CN 4/Sub 2/85), p. 3, speaks of the general human rights and of »positive services« or »special rights«.

⁴ The Constitution of the Socialist Federal Republic of Yugoslavia: Preamble: »The peoples of Yugoslavia, proceeding from the right of every people to self-determination, including the right to secession, on the basis of their common struggle and their will freely declared in the Peoples's Liberation War and Socialist Revolution, and in keeping with their historical aspirations, aware that the further consolidation of their brotherhood and unity is to their common interest, have united in a federal republic of free and equal peoples and nationalities, and have founded a socialist federal community of working people...«

⁵ The principles and applications of this policy are dealt with in greater detail in other papers of the Yugoslav delegation.

⁶ K. Jončić, *Position and Rights of National Minorities in the SFRY according to the New Draft Constitution*, In: *Arhiv za pravne i Društvene Nauke* 3 and 4/1962, p. 406: »Doubtless the Constitution and the Constitutional Law took as their point of departure the assumption of a unified socio-economic and political system, or polity... However, it was necessary to specially guarantee certain specific rights to these groups of citizens as such«; similarly L. Rehak, *The Position of the National Minorities According to the New Constitution*, in: *Arhiv* 3—4/1962, pp. 401, 403.

⁷ This is also stated in the bourgeois doctrine as, for instance, G. Decker »Das Selbstbestimmungsrecht der Nationen«, Göttingen, 1955, in which he reaches the correct conclusion that today in Europe there can be no question of peaceful assimilation in terms of altering ethnical borders.

4. The special rights of members of national minorities are linked to the territory on which they autochthonously reside.⁸ This is well illustrated in the Constitution of the Socialist Republic of Serbia⁹, which prescribes general equality of rights for members of national minorities (art. 82), and also »special« rights for members of national minorities on the territory where they autochthonically reside (art. 83—86). The same emerges from articles 74, 76 and 77, Constitution of the Socialist Republic of Slovenia.¹⁰ Obviously the conception of our policy towards national minorities, emerging from the ethnical-political situation in Europe, links what are termed the special rights of members of national minorities to autochthonous residence.

5. It would be contrary to the normal processes of life, and even inhuman, to prevent artificially various migration groups (nonautochthonous minorities) from getting integrated to their social surroundings, which is necessitated by modern life. On the contrary, in such cases individuals must be permitted to integrate themselves in work, in social management, and in self-government in all walks of public life (without maintaining any artificial, in fact discriminatory, isolation), so that ultimately individuals will be integrated ethnically, too. If these processes are to evolve unhindered, the ensurance of general human rights is necessary and sufficient. This normal process of including the individual in a given social milieu is accelerated by their inclusion into the mechanism of our self-governing system.

6. We cannot in detail dwell on theoretical questions as to which extent not only an individual member of a national minority but any minority as a whole is entitled to certain rights. Our Constitution secures every national minority (not only an individual) certain rights (art. 43). For instance the Constitution of the Socialist Republic of Serbia (artt. 82—86) defines the rights of members of national minorities, while the Constitution of the Socialist Republic of Slovenia (art. 77) also contains a general guarantee of universal development and progress for the Italian and Hungarian national minorities living in that republic.

The Statute of the Autonomous Region of Kosovo and Metohija gives the utmost care to the further development of the national culture, art etc. of members of national minorities (art. 40). The statutes of the communes, dealt with in this article, prescribe the rights of members of national minorities. Obviously, these are only different formulations of the same rights, legally covering the individual, while functionally these comprehensive rights ensure the growth and development of ethnic groups

⁸ I have used the term »autochthonous« in the meaning given in the Multilingual Demographic Dictionary, New York 1954 (ST/SOA) Series A, Population Studies no. 19).

⁹ The formulation »on territories inhabited by a larger number« can be understood only in the meaning of autochthonous living, as has been fully confirmed in practice; supplement 3.

¹⁰ See suppl. 4.

as wholes, as specifically stated in some of the documents referred to. Hence, in this country the national minorities are secured the right to national existence, and the right to preserve and develop their ethnical characteristics.

7. An analysis of our postwar legislature and of the true position of national minorities and their members show that the tangible, day-to-day, true realization of national minority rights preceded the normative formal legislative guarantees of their rights. These rights were realized within the framework of general socio-political processes, being mainly founded directly on the constitutional right to equality, on principle guaranteed by 1946 Constitution.¹¹ Later on, these rights were further elaborated in federal, state and local instruments.

8. The Federal Constitution, apart from guaranteeing on principle the rights of members of national minorities, enjoins the state constitutions¹² (and laws) to lay down these rights in details. The state constitutions,¹³ apart from laying down themselves a number of rights of national minority members, leave it to the statutes and decisions of the communes, districts and autonomous regions to further detail the conditions and methods how to carry through the rights¹⁴ of national minority members.

9. The Statute of a Commune is a basic general normative document, at the same time substantiating some constitutional principle.¹⁵ It is an autonomous constitutional instrument, decreed by a local political-territorial self-governing unit, and one of the basic documents ensuring socialist social relations.¹⁶ The communal statutes reflect the specific conditions prevailing in each commune. Therefore the statutory provisions in communes where national minorities live, are different. Naturally these are no differences in general legal rights, as laid down by the Constitution and the law, but there are differences in the tangible form of exercising the rights of national minority members in the communes where they reside.¹⁷

¹¹ See suppl. 1.

¹² See suppl. 2 (art. 43).

¹³ See suppl. 3 and 4.

¹⁴ As for instance in art. 77/2 of the Constitution, Socialist Republic of Slovenia (suppl. 4) and art. 84 of the Constitution, Socialist Republic of Serbia (suppl. 3).

¹⁵ Z. Kovačević, *The New Communal Statutes — Further Elaboration and Amendments of the Constitutional System*, see »Socijalizam« 2/1964.

¹⁶ E. Kardelj, *The New Constitution of Socialist Yugoslavia: Preliminary Draft for the Constitution of the Socialist Federal Republic of Yugoslavia*, *Komunist*, 1962, p. 108.

¹⁷ Selecting some statutes I decided in favour of the Communal Statutes of: Piran, lived in by an Italian national minority (see suppl. 10), Senta (Hungarian national minority, see suppl. 7), Djakovica (Albanian national minority see suppl. 8) and Bela Crkva (Rumanian, Hungarian and Czech national minorities, see suppl. 9).

10. We shall not enter into detailed discussion of the federal system in Yugoslavia, especially the autonomy with its extraordinarily wide competencies in both regions where national minorities reside in large areas (Vojvodina, Kosovo-Metohija). The statutes of both autonomous regions contain comprehensive provisions regarding the special rights of members of national minorities resident there, thus substantiating the federal and state constitutional provisions, while representing a general framework of the communal statutes on the territory of the respective region.

11. The subject of this paper is, in the first place, the statute of the commune, which is the basic self-governing territorial and political unit in the Yugoslav political system, and the basic socio-economic community of working people. The Federal Constitution (art. 96) explicitly enjoins the communes to ensure material and other prerequisites for human work and the development of the productive forces, to guide and coordinate the development of economy and social services in the commune, to determine and distribute the means for communal requirements, to create the conditions required to satisfy the material, social, cultural and other common needs of the citizens, to see to the development of the most direct social self-management, to organize the official organs, to ensure conditions enabling the citizens to exercise their rights etc.

12. The communal statutes are the normative reflection of these self-managing functions. In our socio-political system, it is in the commune that important decisions are passed on the development of the economy and all social relations in its territory. Here decisions are also passed on the method and rules of consuming the greater part of work surpluses. Typical of the commune (as it is of our working organizations) is such a social structure as to ensure the inclusion of citizens into the process of adopting decisions, both by the elected communal representatives and through direct democracy.¹⁸ Every commune independently passes its own statute as its basic normative instrument. It should be stressed that the draft statute, as well as the drafts of all major communal documents (development plans, financial plans, final accounts etc.) has to be presented for public discussion. This means that the citizens in the full sense of the word represent an important factor in the preparation and passing of self-governing documents appointing their mutual relations.

13. It is true that through the firmly established workers' management in the economy, and by the self-government of the working people in the commune, the national minority members »have been, especially in economic organizations, in villages or communes where they constitute a considerable part of the population, enabled to participate to a greater extent in policy-making, as well as in passing decisions on matters directly affecting their life and development. This is illustrated by the mass participation of members of all national minorities in all

¹⁸ On the sphere of competency see, for example, the Communal Statute of Senta, art. 6 (suppl. 7).

forms of democracy... in the organs of social self-management in economic organizations, institutions and communes where they live».¹⁹ Let us add that some of the statutes of communes where national minorities reside, specifically enjoin the working organizations to secure (in their statutes) the members of national minorities the use of their native language.²⁰

14. The Yugoslav Constitution ensures a wide range of civil and general human rights. In this the »classical« human rights (as contained in the U. N. General Declaration of Human Rights) are supplemented by comprehensive social, economic and special self-managing rights emerging from socialist social relations. The substance of the latter adequacy reflects the socio-economic system, based on social self-management under social ownership of the production means, i. e. on the right of the direct producers to manage production and all social affairs within the commune. The Yugoslav Constitution secures all citizens of Yugoslavia equality in the exercising of self-managing functions in the commune, including the national minority members.²¹ The statutes of the communes explicitly mention among other duties of the commune, the latter's responsibility for the exercise of civil rights on its territory, and for the protection of the rights of national minorities living there, and their equal participation in its social life.²² The communal statutes also contain concrete provisions concerning the several rights of national minority members as well as provisions on how these special rights shall be exercised.²³

15. The provisions of the statutes dealing with the rights of national minorities and those on the exercise of these rights reflect the principle that members of the national minorities actually have two spheres of rights, in view of the territorial scope where they are applied. It is revealing that only the statutes of communes with an autochthonous national minority contain provisions on the special rights of the latter. For instance, the Statute of the Commune of Djakovica provides for a number of special rights for members of the Shiptar (Albanian) minority, on the basis of their autochthonous residing on the territory of this commune. In this area the commune is bound to ensure organizational and material conditions enabling the Shiptars to carry on their national culture, to

¹⁹ K. Jončić: Position and Rights of National Minorities in the Socialist Federal Republic of Yugoslavia according to the New Draft Constitution, in: *Arhiv za Pravne i Društvene Nauke* 3 and 4/1962, p. 406.

²⁰ As for instance in the Communal Statute of Djakovica, art. 47 (see suppl. 8).

²¹ Explicitly in the Constitution of the Soc. Fed. Rep. of Yugoslavia, art. 3: »The citizens are equal in rights and duties, regardless of differences in nationality, race, creed, sex, language, education, or social position.«

»All shall be equal before the law«.

²² As for instance in the Communal Statutes of Djakovica, art. 61 (suppl. 8), and of Bela Crkva, art. 4 (suppl. 9).

²³ See suppl. 7, 8, 9, 10.

set up schools where tuition is given in their language, etc. Here the organs of the commune, of institutions and other organizations are bound to issue their documents in both languages, etc. On the territory of this commune all administrative and court proceedings with Shiptar parties are conducted in the Shiptar language, which means that the judge is in principle due to speak Shiptar.²⁴ The statutes of the communes wherever members of national minorities reside, contain similar provisions.²⁵

16. Outside the territory resided in by autochthonous national minorities their members possess, like every other citizen, all the general rights provided for in the Yugoslav Constitution. For instance, in Ljubljana by virtue of the provisions on the general rights of a party engaged in any kind of official proceedings and having no knowledge of the Slovene language, a Shiptar may, like any foreigner, demand an interpreter in court, while the actual proceedings will be conducted in Slovene. The Statute of the Commune of Piran in principle guarantees the equality of the Italian language in public and social life with the Slovene language (both languages being in official use), on the nationally mixed territory of the commune.²⁶ This obviates the restriction of the right to use the tongue of an ethnic minority to its members, and hence also eliminates any contingent ad hoc ascertainment of ethnic membership.

17. The organizing of schooling on the communal territory is one of the commune's self-governing competencies. Naturally, therefore, the communal statutes contain comprehensive provisions on school tuition in the languages on the national minorities.²⁷ Yugoslav legislation on schooling leaves many questions concerning national minority tuition to the jurisdiction of the commune, within the framework of general legal provisions. Thus, the statutes of the communes which we have been discussing, deal differently with certain concrete questions, in keeping with the conditions prevailing in the respective commune. On the whole, two types of schools for national minorities are provided for. These are schools in which tuition is carried on in the native language of the national minority in question; and bilingual schools. The Communal Statute of Piran, for instance, provides for members of the national minority only schools where tuition is given in Italian. This is not only the result of objective conditions and the desire of the Italian national minority, but also of our country's international obligations in this region. The Communal Statute of Djakovica provides for either schools where tuition is given in the language of the national minority, or bilingual schools. This question is regulated in the same way by the statutes of most communes national minorities reside. It ought to be stressed that bilingual schools, as part of the general school system, are intended for all the inhabitants

²⁴ See suppl. 8.

²⁵ For greater detail of the scope of these rights see suppl. 7, 8, 9, 10.

²⁶ Suppl. 10.

²⁷ See suppl. 7, 8, 9, 10.

of a given territory, and not only for members of an ethnic minority. Bilingual schools have won through especially in ethnically mixed regions. The schools with the tuitional language of the national minority, and bilingual schools, are naturally linked to the territory with an autochthonous population of national minorities, resp. to a territory with a mixed population.²⁸

18. Obviously bilingual usage in the work of administrative, court, and other organs, schools etc. requires continuous subsidies, and therefore the guarantee of all forms of bilingual usage laid down in the statutes of communes inhabited by national minorities would be a financial burden deterrent from bilingual practice. Hence, in view of the fact that the basic task of our social community is to ensure equal, universal development for all nationalities, as well as by the practical reasons mentioned, the wider social community (federation and state) takes it upon itself to ensure the necessary subsidies to cover the costs of maintaining the special rights of ethnic minority members.²⁹ This is specifically stated e. g. in art. 77, Constitution of the Soc. Rep. of Slovenia.

19. The special rights of ethnic minority members, as stated in the communal statutes, are actually a reflection of the law-making will of the very minorities. The inhabitants of the commune themselves (or through their representatives in the communal assembly) adopt the communal statute. This means that the members of the national minorities on territories where they reside, themselves define the manner in which their rights shall be exercised and substantiated, in conformity with the guarantees provided for in the constitution. In this manner the self-management system whose normatives are reflected in the communal statutes, allows and secures self-governing decisions and truly autonomous realization of the special lingual, cultural and other rights of minority members. Which is the essential function of the communes and their statutes viewed from the aspect of the problems inherent in the rights of the ethnic minorities.

Supplement 1

CONSTITUTION OF THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA

Article 13.

The national minorities in the Socialist Federal Republic of Yugoslavia enjoy the right to and the protection of their cultural development and the free use of their native languages.

²⁸ None the less there are exceptions in the case of special schools for the children of military officers, civil servants etc. temporarily dwelling in a locality where tuition is given in another language.

²⁹ See suppl. 4.

CONSTITUTION OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Article 41.

The citizen shall be guaranteed the freedom to express his nationality and culture, as well as the freedom to use his language.

The citizen is not bound to profess which nationality he belongs to, nor to declare himself for one of the nationalities.

The dissemination or pursuance of national inequality, as well as all incitement to national, racial or religious hatred or intolerance is unconstitutional and punishable.

Article 42.

The languages of the peoples of Yugoslavia and their scripts shall be equal.

Members of the peoples of Yugoslavia on the territories of federal republics other than their own shall have the right to school instruction in their own languages, in conformity with the law of that other federal republic.

As an exception, in the Yugoslav People's Army, commands, military drill and administration shall be in the Serbo-Croatian language.

Article 43.

In order to secure the freedom of the citizen to express his nationality and culture, every nationality — national minority — shall have the right to freely use its language, to develop its culture, to found organizations to this end, and to enjoy the other rights determined by the Constitution.

In the schools for members of the national minorities, instruction shall be given in their languages.

The other rights of the national minorities on the territories on which they live shall be also determined by the constitutions and laws of the federal republics.

Supplement 3

CONSTITUTION OF THE SOCIALIST REPUBLIC OF SERBIA

Article 82.

Siptars, Hungarians, Slovaks, Bulgarians, Turks, Ruthenians and members of other nationalities — national minorities — living in the Republic of Serbia, are in all respects equal with and enjoy the same

rights and duties provided for by constitution and law as the other citizens of the Republic of Serbia, and enjoy the right to freely use their native language, express and develop their culture, and found institutions to ensure these rights.

Article 83.

On territories on which major numbers of members of national minorities live, primary schools, or classes within these schools shall be founded in which tuition is given in the language of such minorities as medium of instruction.

On these territories, in keeping with the prevalent conditions and circumstances, tuition in the language of any resident national minority (as instructional medium) can also be introduced in vocational and secondary schools, or in classes of such schools. For certain subjects or groups of subjects, tuition in the language of the resident national minorities can also be introduced in collegiate schools and universities.

On territories on which members of the national minorities and of the Yugoslav nationalities live together, schools or classes with bilingual tuition can be introduced.

The establishment of schools for members of national minorities and the introduction of tuition in these schools in the language of these minorities as medium of instruction are effected within the framework and the provisions of the unified educational system laid down by the law.

Article 84.

Members of the several national minorities are guaranteed the right to use their native language in all proceedings with state organs and organizations engaged in public service.

In the autonomous regions, districts and communes with a larger population of national minority members, in keeping with the provisions of the law the language of the minority concerned can be introduced in state organs and institutions engaged in public service.

The statute or decision of an autonomous province, of a district or commune, in accordance with the law, prescribes the particulars and the procedure for the exercise of the rights of national minority members.

Article 85.

Working organizations employing members of national minorities lay down in their statutes the conditions securing these minority members the right to use their native language in the work of the self-management organs of the working organization where they are employed. The statute also provides for conditions and method of publishing the general documents of the working organization in the language of these minorities.

Article 86.

In the autonomous provinces, in the districts and communes with a major population of national minority members, provisions are made for publishing major decisions and other general documents of the organs of these communities also in the language of the minorities.

The autonomous provinces and the communes ensure to the members of these national minorities their being in their native language kept informed of the laws and other rules, especially those defining the rights and duties of citizens.

Supplement 4

CONSTITUTION OF THE SOCIALIST REPUBLIC OF SLOVENIA

Every one has the right to express his membership of a nation or nationality, to develop his own culture, and to use his native language.

Slovene is the official language of all public authorities, of working and other self-managing organizations engaged in public service on the territory of the Socialist Republic of Slovenia.

In proceeding of the authorities and organizations mentioned under paragraph 2, everyone has the right to use his own language, and the officiating civil servant shall inform him in that language of the substance of the record and work of the given authority.

Ignorance of the Slovene language shall not prevent anyone from defending and exercising his rights.

Article 76.

Every nationality — national minority — is secured the right to freely use its native language, to develop its culture and, to this end, to establish its institutions and exercise the other rights provided for this Constitution.

In schools for members of a national minority tuition is given in that minority language as medium of instruction.

Article 77.

The Italian and Hungarian minorities living on the territory of the Socialist Republic of Slovenia are secured equality and the opportunity of comprehensive development and progress.

On territories inhabited by members of the Slovene together with members of the Italian or Hungarian minorities, Italian and Hungarian are equal with Slovene in public and social life.

The Law and the communal statute lay down the manner in which the rights of Italian and Hungarian minority members shall be realized.

The socialist Republic of Slovenia provides for the development of schooling, press, radio and cultural education of the Italian and Hungarian minorities, and to this end extends the necessary assistance.

Supplement 5

STATUTE OF THE AUTONOMOUS PROVINCE OF VOJVODINA

Article 1.

The Autonomous Province of Vojvodina is a socio-political community within the Socialist Republic of Serbia.

The Autonomous Province of Vojvodina was set up as an autonomous unit in 1945 by a Decision of the People's Assembly, People's Republic of Serbia, in accordance with the special features of its historical and cultural-educational development and the specific national structure of the population, pursuant to the will of the population of Vojvodina.

Article 32.

The Hungarians, Slovaks, Rumanians, Ruthenians and the other national minorities living on the territory of the Autonomous Province of Vojvodina are in all respects equal with and have the same rights and duties (appointed by Constitution and Law) as the other citizens and enjoy the right to use their native language, to express and develop their culture and establish institutions ensuring these rights.

The national minorities are secured, in accordance with the law, the right to express themselves in their native language, using all modern media of information.

Article 33.

The members of national minorities living in major numbers in various parts of the Autonomous Province of Vojvodina are secured the right to have all major provincial decisions and general documents published in their native language. The decision (or the general documents) shall prescribe in which minority language it shall be published as translation from Serbo-Croatian.

The Autonomous Province of Vojvodina, in cooperation with the communes, secures the members of the national minorities opportunities of becoming acquainted in their own language with the laws and other rules, especially those providing for the rights and duties of citizens.

Article 34.

The members of national minorities resident on the territory of the Autonomous Province of Vojvodina are secured in accordance with the provisions of law, the right to use their native language in proceedings before the provincial authorities.

Article 35.

In accordance with the law, administrative proceedings before provincial authorities shall be conducted in the language of the national minorities whose members in major numbers live in the Province, whenever this is the interest of exercising the rights of such national minorities as provided for by the law, especially by enducing the following:

- oral and written communication between Provincial authorities and members of national minorities in their native language during proceedings before such authorities; in order to ensure this right, the Provincial authorities may issue administrative documents with parallel texts in the Serbo-Croatian language and the language of the national minority whose member is concerned in the proceedings;

- drawing up of important material from official sessions in the language of the respective national minority for members of the Provincial representations unless they ask for such materials in Serbo-Croatian;

- organization and permanent function of translation services in the languages of the respective national minority during the work of the Provincial representations;

- publication, if necessary, of the official publications of the Provincial authorities in the language of the respective national minority, and keeping of documentation.

The Provincial Assembly issues further regulations in accordance with the law, covering conditions and procedure for the conduct of administrative affairs in Serbo-Croatian and in the languages of the respective national minorities.

Article 36.

In keeping with the specific interests of the Autonomous Province of Vojvodina, following from the specific national structure of the population on this territory, the Provincial authorities, working and self-managing organizations engaged in affairs concerning the rights and duties of the Province, may extend to the communes and districts technical and other assistance in order to ensure the following:

- publication of decisions and other important general documents of their officials in the language of the national minority, whose members live in major numbers on the territory of the respective commune or district;

- use of the language of the respective national minority in proceedings before district and communal authorities;

- conduct of administrative proceedings by public authorities and institutions of communes and districts in the language of the respective national minority.

Article 37.

In order to ensure the right of national minority members to tuition in their native language as medium of instruction, the provincial authorities, working and self-managing organizations engaged in affairs concerning the rights and duties of the Province, in accordance with the law, and within the capacities of the Province, extend technical and other aid to the corresponding district and communal authorities, and to the corresponding working and self-managing organizations in the communes and districts, especially in the following:

- development of educational activities in institutions for pre-school instruction for members of these minorities;
- establishment of primary schools or classes within such schools for members of these minorities;
- creation and application of conditions conducive to the introduction of tuition in the native language (as tuition medium) of the respective minority in secondary and vocational schools, or classes within these schools;
- training of teachers for primary schools of national minority members, with tuition in their native language as medium of tuition;
- development of a school network with bilingual tuition on territories inhabited by members of national minorities together with populations of Yugoslav peoples.

Supplement 6

STATUTE OF THE AUTONOMOUS PROVINCE OF KOSOVO AND METOHIJA

Article 1.

The Autonomous Province of Kosovo and Metohija is a socio-political community in the Socialist Republic of Serbia based on self-government and on the power of the working people.

The Autonomous Province of Kosovo and Metohija, in accordance with the specific features of its population's historical and cultural-educational development and distinctive national characteristics, was established as an autonomous unit by decision of the People's Assembly of the People's Republic of Serbia in 1945, on the basis of the express will of the Kosovo-Metohija population.

Article 40.

The Province creates organizational, material and other prerequisites and establishes institutions to secure the members of national minorities

the employment of their right to express and develop their national culture, art, literature, history and language.

For this purpose, the Province establishes schools and cultural institutions, and organizes publishing activity, the press, public information media and other forms of cultural and educational activity.

Article 41.

On the territory of the commune where Shiptars or Turks live, primary schools or classes shall be set up with the Shiptar or Turkish language as medium of instruction. These schools or classes are established within and under the uniform system of schooling determined by the law.

In these areas, in accordance with the conditions and capacities, the Shiptar or Turkish language shall also be introduced as instruction medium in vocational and secondary schools or classes of these schools.

In conformity with the duties, social needs and working conditions in schools and universities in the Province, tuition in certain subjects or groups of subjects in these schools may also be organized in the Shiptar or Turkish language as medium of instruction.

In areas where Shiptars, Serbs, Montenegrins and Turks live together, schools or classes with bilingual instruction may be founded.

In all schools with instruction in the Shiptar or Turkish language as medium, the Serbo-Croatian language is a compulsory subject, whose learning and mastery as colloquial language are secured.

In all schools with instruction in Serbo-Croatian or Turkish as media, the Shiptar language may be introduced as an optional subject.

Article 42.

In order to secure the teaching in Shiptar and Turkish in schools with instruction in these languages as media, teacher's training schools shall be founded, and appropriate text-books and other literature published.

Article 43.

The Provincial authorities and institutions and other organizations realizing the rights and duties of the Province shall publish their regulations or general acts and announcements of concern to the citizens, in Serbo-Croatian and Shiptar.

Article 44.

The Province ensures the conditions necessary for acquainting the members of the Shiptar and Turkish nationalities with the major federal and state regulations in their native language.

Article 45.

In order to carry out the constitutional principle of conducting the administration also in the language of the nationalities concerned during proceedings before the Provincial authorities, Provincial courts, and other organizations realizing the rights and duties of the Province, the latter ensures the right of the citizens of Shiptar and Turkish nationalities to use their own language in proceedings before these authorities, institutions and organizations, and to present to them petitions, lodge complaints, enter actions and file other requests in their vernacular; and the right to receive in that language executions of decisions, rulings, testimonials, certificates, attestations and other documents deciding upon their rights and duties.

Article 46.

In the work of the Provincial Assembly and its authorities and in that of the managing officials of institutions and organizations realizing the rights and duties of the Province, the deputies, members of managing bodies and other persons taking part in their work are entitled to use their own language; speeches made at the meetings of these bodies shall be translated for those participants who do not know the language in which they were made.

Draft regulations, reports, plans and other documents prepared for discussion in the Provincial Assembly or other Provincial deliberative bodies or managements in institutions and organizations realizing the rights and duties of the Province, are presented to the members of these bodies and other interested persons also in the language of the nationality to which they belong.

Article 47.

The communes and working organizations on the territory of the Province determine (by their statutes or special decisions) the scope and method of administration conducted in the language of the nationalities living on that communal, or territory whose members are employed in a working organization or use its services.

Supplement 7

STATUTE OF THE COMMUNE OF SENTA

Article 6.

Through exercising their right to social self-government in the commune, directly or through their representatives and the officials of social self-government, the citizens:

— carry on the basic functions of the social community in the field of socio-economic relations, and especially ensure the material and other

conditions necessary for the development of the productive forces and human work, in keeping with the development of socialist social relations and within the possibilities of the commune;

- guide and coordinate economic work and the development of the social services;

- independently control the social resources of the commune;

- coordinate individual and common interests in all domains, especially in the distribution of the total product;

- provide the wherewithal to satisfy the material, cultural, social, health and other common needs of the citizens;

- set up and develop the most direct social-self-government;

- elect the public authorities and the social self-government, organize social services and the inter relations of common concern;

- safeguard legality and the security of people and property, and exercise social supervision in the commune.

These communal self-governing rights and duties are exercised by the Communal Assembly and its officials, by the local communities, by the citizens (at meetings of electors, by and through other forms of direct deciding on general and social affairs), by working and other self-governing organizations in accordance with the interests of the wider socio-political communities.

Article 24/3,4

...

Every citizen has access to all jobs, according to his abilities and professional qualifications, with the restriction that for such working posts as involve contact with the public the applicant must know the Serbo-Croatian and Hungarian languages.

To any citizen who does not speak one of these two languages, the commune is bound to provide the opportunity of learning it.

Article 25/4, 5, 6, 7

...

The citizens of the commune exercise their right to primary education by attending a primary school with instruction in the Serbo-Croatian and Hungarian languages as media of instruction.

Primary schools are set up by the Commune with instruction in the Serbo-Croatian and Hungarian languages as media; by suitable sites of such schools, the Commune provides every citizen with the optimum opportunity of exercising his right.

The commune may found a school or classes with bilingual instruction, with the previous agreement of the meeting of electors in that area.

The commune provides pre-school education for all children on its territory one year before the start of their compulsory primary schooling.

Article 37.

The citizens of the commune, regardless of nationality, have the right to use their language, to express and develop their culture, to set up institutions which ensure this right, and to express themselves in their own language through all modern media of public information.

Article 38.

For the benefit of their citizens the communal organs, working and other self-governing organizations are bound:

- to communicate orally and in writing with all parties in Serbo-Croatian and Hungarian, for which purpose they may issue administrative and other documents with a parallel translation of the Serbo-Croatian text into Hungarian;

- to draw up material from sessions in Serbo-Croatian and Hungarian for members of the communal assembly and other organs of social self-government, unless they request these documents in only one of the two languages;

- to set up and run a translation service.

The communal assembly by decree prescribes the details and procedure of conducting a bilingual administration.

Documents issued in Serbo-Croatian by the Communal Assembly and its officials, by working and other self-governing organizations, are considered as the originals.

Article 39.

In order to ensure the rights of the communal citizens and induce their realization, the commune secures the necessary number of officials in the communal administration, and provides schools with the necessary number of educational workers mastering the Serbo-Croatian language.

Article 105/1,8

In the interest of the comprehensive development of socialist social relations and the personality of each individual, the Communal Assembly and its officials, the schools and other educational and training establishments, their management, all other officials and organizations in the commune, and the citizens, within the material capacities of the commune, secure what is needed for education and training, especially in the following way:

...

Serbo-Croatian and Hungarian shall be taught in all kinds of schools.

Article 185

The regulations passed by the Communal Assembly and its officials are published in »The Official Gazette District of Subotica« in Serbo-

Croatian and Hungarian and, if necessary, made public through the press, the radio and pamphlets.

Article 187

The Communal Assembly has its own seal with inscription in Serbo-Croatian and Hungarian.

The contents form and size of the seal are determined in accordance with the law and other regulations.

Sepplement 8

STATUTE OF THE COMMUNE OF DJAKOVICA

Article 30.

This Statute and the decisions adopted by the Communal Assembly in accordance with the Constitution, the law and this Statute regulate the manner in which instruction in the Serbo-Croatian and Shiptar languages shall be carried on in schools and other educational institutions on the territory of the Commune.

Article 37.

In exercising their rights and duties in the Commune and other civil rights and duties appointed by the Constitution, the law and this Statute, all citizens in the Commune are equal, regardless of nationality, race, confession, sex, language, education or social standing.

In order to ensure the condition of full equality of rights and duties, citizens who are members of the Shiptar nationality in the Commune have equal rights and duties as appointed by the Constitution, the law and this Statute, as the other citizens of the Commune, and enjoy the freely to use their language, express and develop their culture, and establish such institutions as ensure the exercise of these rights.

Article 38.

The Commune creates organizational, material and other opportunities and establishes institutions which ensure the exercise of the right to express and develop the national culture, art, literature, history and language of members of the national minorities living on its territory.

For this purpose, the Commune establishes schools and cultural institutions, and organizes the publishing activity, the press, information media and other forms of educational and cultural activity.

Article 39.

On that communal territory where Shiptars live, primary schools or classes with instruction in the Shiptar language as medium are established.

Such schools and departments are established within the framework and according to the possibilities of the unified school system as appointed by the law.

In accordance with the possibilities and capacities of the Commune, instruction in the Shiptar language as medium is also given in technical and in secondary schools, or in classes of such schools.

On that territory of the Commune where Shiptars, Serbs and Montenegrins live together, schools or classes with bilingual instruction may be set up.

In all schools in which instruction is carried out in the Shiptar language as medium, the Serbo-Croatian language is a compulsory subject.

In all schools on the territory of the Commune, in which instruction is carried on in the Serbo-Croatian language as medium, the Shiptar language may be introduced as optional subject.

Article 40.

In order to ensure the teaching in schools with instruction in Shiptar as medium, the Commune shall found teacher's training schools and, with the aid of the social community, secure the material and other resources required for the work of these schools.

Article 41.

The communal authorities and other institutions and organizations which realize the rights and duties of the Commune shall publish their rules or such acts and publications as are of interest to the citizens, in the Serbo-Croatian and Shiptar languages.

All legal documents of general character, issued by the Assembly and its authorities, by institutions and organizations on the communal territory, such as the Statute, decisions, recommendations, orders, instructions, regulations, decrees and others, shall be adopted and published in the Serbo-Croatian and Shiptar languages.

The above authorities and institutions shall in both languages issue all general summonses and notices, warnings and the like concerning an indefinite or major numbers of citizens.

Article 42.

The Commune ensures that members of the Shiptar nationality are informed of all important federal, state and provincial regulations in their native language.

Article 43.

In order to secure the application of the constitutional principle of conducting the administration also in the languages of the nationalities during public proceedings before the communal court and institutions and other organizations realizing the rights and duties of the Commune,

citizens of Shiptar nationality are entitled to use their own language in proceedings before these authorities, institutions and organizations, to present to them petitions, to lodge complaints, enter actions and file other requests in their own language, and to receive in that language executions of decisions, rulings, testimonials, certificates, attestations and other documents deciding upon their rights and duties.

Article 44.

In the work of the Communal Assembly and its officials and in that of the managing officials in institutions and organizations which realize the rights and duties of the Commune, the committee men, councillors and commissioners of the Assembly, members of the managements in institutions and organizations, and other persons taking part in their work are entitled to use their native languages; speeches made at the meetings of these bodies shall be translated for those who do not know the language used by the speaker.

Draft regulations, reports, plans and other material prepared for discussion in the Communal Assembly or other communal deliberative or managing bodies of institutions and organizations, realizing the rights and duties of the Commune, are presented to members of these bodies and other interested persons also in the language of the nationality to which they belong.

Article 45.

Public inscriptions such as names of streets, facias, advertisements, notices, announcements and the like on the territory of the Commune shall be in the Serbo-Croatian and Shiptar languages.

Article 46.

How the bilingual administration is conducted in the Communal Assembly and which jobs require knowledge and use of Serbo-Croatian and Shiptar, is prescribed by a special decision of the Communal Assembly or by a decision passed by certain officials of the Assembly under its authorization.

Article 47.

Working and other organization on the Communal territory, employing members of the Shiptar nationality, shall in their respective statutes prescribe how to secure the workers who are members of the Shiptar nationality the following:

- the use of their native language in their work in the managing bodies of these organizations;
- the opportunity of presenting petitions, complaints and requests in their native language with the purpose of securing their rights on the basis of their employment contract and other rights deriving from their right to social self-management, and with the purpose of receiving

in their native language decrees and other written documents establishing their rights and duties;

— the notifying or publication of statutes, regulations, decrees and other general documents of working organizations and reports on their business results and management problems, again in their native language.

Article 61....

... ensures the realization of the rights and privileges of the citizens;

... safeguards the rights of the national minorities living on its territory and sees to their equal participation in the social life of the Commune;

Article 74.

The Communal regulations are published in »Službeni list Autonomne Pokrajine Kosova i Metohije« (»Official Gazette of the Autonomous Province of Kosovo and Metohija«) in Serbo-Croatian and come into force at the earliest on the eighth day after publication, unless otherwise prescribed by the regulations, in accordance with the law or other regulations passed by the broader socio-political community.

Supplement 9

STATUTE OF THE COMMUNE OF BELA CRKVA

Article 3.

Those living in the Commune enjoy all the rights and duties prescribed by the Constitution, the law and this Statute as the rights and duties of the Communal citizens.

Article 4.

The Rumanians, Hungarians, Czechs and members of the other national minorities living on the territory of the Commune are equal in every way with and have the same rights and duties fixed by the Constitution and the law as other citizens, and are entitled to use their native language, to express and develop their culture, and to set up institutions ensuring these rights.

In order to ensure the right of citizens to use their native language in proceedings before the administration, the Communal Assembly shall pass a separate decision on the conditions and measures to secure members of the Rumanian, Hungarian, Czech and other national minorities the exercise of this right.

The Commune secures members of national minorities the rights to use their native language in conducting public functions as committee-

men of the Communal Assembly, communal councillors and commissioners.

In the localities of Grebenac, Dobričevo, Češko selo and Kruščica, the Communal Assembly ensures that the members of the Rumanian, Hungarian and Czech national minorities are informed in their respective languages of its decisions, general and other important official documents, and of such documents enacted by its officials.

The Commune, in cooperation with the other interested communes and especially with the Autonomous Province of Vojvodina, shall endeavour, within the bounds of its material resources and other possibilities, to have the members of the Rumanian, Hungarian and Czech nationalities on its territory informed in their native languages of the laws and other regulations, especially those containing the rights and duties of citizens.

Article 8.

The Commune shall:

- provide material and other conditions necessary for human work and the development of productive forces; guide and coordinate the development of economy and the social services; provide and distribute the means for the common communal requirements; create opportunities of satisfying the material, social, cultural and other common needs of the citizens; coordinate individual and common interests with the general interests;

- realize the most direct social self-government and social services of common concern; create the conditions needful for the exercise of civic rights and freedoms; regulate the relations of direct concern in the commune; establish the general prerequisites for communal and similar organizations to carry on their activities; safeguard legality and the security of people and property; maintain public order and peace; exercise social supervision;

- execute other functions of the social community, except those stated by the Constitution as being the rights and duties of state or Federation.

The rights and duties of the Commune are established by the Constitution, by the law and by this Statute.

Article 48.

In order to secure the constitutional rights of members of the Rumanian and Hungarian national minorities living on the territory of the Commune at Grebenac and Dobričevo, a primary school with Rumanian as medium of instruction shall be opened at Grebenac; and a class of the primary school in Jasenov, with Hungarian as medium of instruction, shall be opened in Dobričevo.

Schools or classes for the first to the fourth form with the languages of the national minorities as teaching languages shall be opened in all other localities in which at least fifteen school-age children are members of a national minority.

Article 205.

In order to bring certain civil services nearer to the citizens and facilitate the exercise of civil rights and duties, local offices shall be set up in the following localities outside the seat of the Commune: Banatska Palanka, Banatska Subotica, Vračevgaj, Grebenac, Dobričevo, Dupljaja, Jasenov, Kajtasovo, Kaludjerovo, Kruščica, Kusić and Crvena Crkva.

At Grebenac and Dobričevo, where most of the population are members of the Rumanian and Hungarian national minorities, the officials of the local offices shall be members of these nationalities; in default of such officials, only officials with a good knowledge of the respective language may be appointed as local officials.

Article 5.

In order to ensure the exercise of the right ethnic minority members to their native the language as medium of instruction, the Commune shall provide the conditions necessary for such school instruction and shall help to set up a network of schools with bilingual instruction on the territory on which national minorities live.

By separate decision, the Communal Assembly shall enact, in which localities on its territory public inscriptions in the Serbo-Croatian and in the languages of the other nationalities shall be placed.

Supplement 10

STATUTE OF THE COMMUNE OF PIRAN

Article 11.

Pursuant to the Constitution of the Socialist Republic of Slovenia, the citizens of Italian nationality on the territory of this commune are secured equality and possibility of universal development, and the right to freely use their language, develop their culture and, to this end, to associate in cultural organizations and found institutions to realize these rights.

Citizens of Italian nationality are secured equality in entering and discharging public services and functions, especially as representatives in the communal assembly and other socio-political organizations.

In schools for citizens of the Italian national minority tuition is given in the Italian language as medium of instruction.

Article 12.

On the nationally mixed communal territory, i. e. inhabited by Slovenes and members of the Italian national minority, comprising the localities of Piran, Portorož, Lucija, Strunjan, Seča, Sečovelje, Parecag and Dragonja, the Italian language enjoys public and social equality with the Slovene language. The Commune secures and safeguards this equality, as provided for in Chapter V of this Statute.

Article 13.

The Commune of Piran, as a border-commune, in conformity with the principles of peaceful coexistence and active cooperation among states and nations along the border, develops an atmosphere of neighbourly relations by encouraging comprehensive contacts between the border populations, various authorities and organizations, exchanges of material and spiritual goods, and mutual information and knowledge.

CHAPTER V. POSITION OF THE CITIZENS OF ITALIAN NATIONALITY, AND BILINGUAL USAGE

Article 64.

Citizens of the Italian national minority shall freely use their language in the Communal Assembly and its bodies, throughout public and social life, in discharging public functions and other public duties, as well as in exercising their legal rights and in using their legal benefits.

Article 65.

Citizens of Italian nationality are secured primary schooling in their native language as medium of instruction.

The Commune, in cooperation with other communes, where citizens of Italian nationality reside, sees to their vocational training in secondary and in vocational schools and other educational establishments with Italian as medium of instruction.

Article 66.

Schools on the territory of the Commune, with Italian as medium of instruction, as guaranteed by the law on bilingual schools with the language of the respective national minority as teaching language, in the Socialist Republic of Slovenia, are the following:

1. The Italian primary school of Piran
2. The Italian primary school of Lucija

3. The Italian primary school of Strunjan
4. The Italian primary school of Sečovlje
5. The Italian secondary school of Piran

If necessary, the Commune founds other schools with Italian as teaching language, or assists the schooling of citizens of Italian nationality in secondary or collegiate schools or universities outside the commune.

Article 67.

In all schools on a territory with mixed nationalities where tuition is given in Slovene as teaching language, the Italian language is a compulsory subject in all classes.

In all schools with Italian as teaching language, on the territory with mixed nationalities, Slovene is a compulsory subject in all classes.

Article 68.

The Commune founds and supports pre-school institutions for children of Italian nationality.

Article 69.

The Commune materially assists cultural circles and other forms of cultural education in which Italian national minority members associate and participate, in keeping with the latter's activities and needs.

In this connexion the Commune also encourages the members of the Italian minority to associate themselves with the culture of the Italian people, thus strengthening the active role of rapprochement and inter-communication between the peoples of the two neighbouring countries.

Article 70.

In conformity with such legal regulations, equality of the Slovene and Italian language is secured in court and administrative proceedings.

Criminal and administrative penal procedure is conducted in the language of the defendant. All other proceedings in which a citizen appears are conducted in the language of that citizen-party.

Proceedings in which two or more parties appear, of whom one citizen is a member of the Italian national minority, are conducted in Slovene and Italian.

Civil servants, court and other officials issuing official documents in legal procedure, shall issue such documents to members of the Italian national minority in both languages.

In the case cited in the preceding paragraph, both documents are considered as originals.

Communication between civil servants on the communal territory and members of the Italian national minority or their working and other organizations is effected in the Italian language.

Article 71.

Authorities, institutions and working organizations which in the course of their work come into contact with citizens, shall have such situations planned and filled for which knowledge of both Italian and Slovene is compulsory.

Article 72.

Marriage ceremonies between citizens of Italian nationality are performed in the Italian language.

A marriage ceremony between members of both nationalities is performed in Slovene and Italian.

Article 73.

At celebrations, meetings and other public manifestations intended for the citizens, both nationalities and their languages shall be heard.

At voters' meetings in localities, inhabited by members of the Italian national minority, each citizen uses his own language.

Notices and other information in public places, intended for all citizens, shall be in both languages.

The authority convening a voters' meeting shall see the material for the meeting prepared in both languages.

Article 74.

Printed forms intended for all citizens on a territory with mixed minorities shall be bilingual.

The use of bilingual forms is compulsory especially in the registry office, the revenue office, the health service, the industrial safety and social protection services, in the social insurance service, as well as in the communal court and other services in regular contact with the citizens.

Article 75.

Civil servants and working organizations communicating with citizens, as well as political and other social organizations which have their seats on nationally mixed territories, in their contacts with the citizens of such territories, and in conformity with the law, shall use bilingual stamps and seals.

Article 76.

Street and place nameplates, traffic signs and regulations, information and notices shall be bilingual.

Public authorities and institutions performing public services, political and other social and working organizations on territories with mixed nationalities shall have bilingual notice-boards and other official notices in and on their premises.

Article 77.

Announcements on notice-boards of public authorities and other public notifications and information issued by authorities and socio-political organizations shall be bilingual.

Decisions and other general documents of the Communal Assembly and its bodies are promulgated in both languages.

Article 78.

In conformity with the Constitution of the Socialist Republic of Slovenia, with the legal decisions and decrees of this kind in this Statute, the local communities and working organizations, resident on the nationally mixed territory, shall also (by their statutes) regulate and determine the position of their citizens and workers of Italian nationality.