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**Support to the Councils of National
Minorities in Areas of Special State
Concern**

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GAP ANALYSIS

**on the effectiveness of
Councils of National Minorities
in Areas of Special State Concern
of the Republic of Croatia**

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ABBREVIATIONS

ASSC	Areas of Special State Concern
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CFCU	Central Finance and Contracting Unit
CLNM	Constitutional Law on the Rights of National Minorities
CNM	(National) Council for National Minorities
CPM	Corporate Public Management
CODS	Central State Office for Development Strategy and Coordination of EU Funds
CSOA	Central State Office for Administration
EC	European Commission
EU	European Union
GONM	Governmental Office for National Minorities
LCNM(s)	(Local) Council(s) of National Minorities (advisory bodies-local and regional levels)
LCNM Co-ordination(s)	Co-ordination(s) of Councils of National Minorities
MF	Ministry of Finance
MSTTD	Ministry of Sea, Tourism, Transport and Development
RoC	Republic of Croatia
WYGI	White Young Green International

EXECUTIVE SUMMARY

This document has been prepared for the purposes of the project "Support to the Councils of National Minorities in Areas of Special State Concern", implemented within the EU CARDS 2003 programme "Sustainable Development in Areas of Special State Concern". The project is financially supported by the Delegation of the European Commission to the Republic of Croatia and it is implemented by an international consortium comprising the WYG International Ltd. (UK) and Corporate & Public Management Consulting Group (Latvia).

The document is divided into four thematic parts: (1) Introductory remarks; (2) Data collection and analysis methodology; (3) GAP Analysis Results and (4) Recommendations for improving the effectiveness of Councils of National Minorities (hereinafter: the LCNMs).

The Project Team collected and collated data in order to perform the GAP Analysis. Data collection and analysis were divided into two main phases:

- Phase I - initial data collection, was carried out from June-September 2006 and based on consultations and discussions with relevant stakeholders. The objective of this activity was to gather data and analyse it with qualitative methods with the aim of gaining a basic understanding and to note the attitudes of relevant stakeholders concerning the possible gaps in the LCNM effectiveness.
- Phase II – comparative data analysis was conducted from October – November 2006. It was based on results obtained in first phase. The objective of this phase was to carry out more detailed data processing and partly to quantify the data collected during the first stage. A representative sample of stakeholders gave answers to the questions contained in the semi-structured questionnaires.

Final recommendations for improving the effectiveness of LCNMs originate from the Workshop held on 17 January 2007 with more than 40 participants consisting of the targeted project stakeholders.

The 2002 Constitutional Law on the Rights of National Minorities (hereinafter: the CLNM) has laid down the legal framework establishing the right to participation of national minorities in the public life and the right to representation of their interests at the local level through the LCNM institutions. According to the official statistics, currently, 274 LCNMs are constituted at the level of local and regional self-government units, out of which 105 LCNMs exist in war affected areas i.e. the Areas of Special State Concern (hereinafter: the ASSC).

More than three years have elapsed from the first elections of the LCNM members mid 2003 and their constitution and registration of first LCNMs end of 2003. Only 10% of potential voters used their electoral rights during the elections held in May 2003 and then in February 2004.

The work of the LCNMs and establishing of their rights, as defined by the CLNM, is still burdened with certain difficulties and shortcomings, particularly in the ASSC. The most frequently raised issues that potentially have a negative effect on the efficiency of the LCNMs are the following: insufficient knowledge about and implementation of the relevant provisions of the CLNM; problems with adequate financing; weak logistical support provision and unsystematic membership capacity building; and

insufficient recognition of LCNMs as relevant factors and partners in the decision making processes at local levels.

The necessity of knowing and implementing the Constitutional Law is an issue not only for the LCNM members but also the authorities of self-government units.

22% of LCNM representatives declared that their members are insufficiently acquainted with the provisions of the CLNM. 31% of them believe that LCNM members are insufficiently acquainted with the legally prescribed role of the LCNM.

The majority, almost 90%, of self-government units assessed the LCNMs to be sufficiently or very well acquainted with the provisions of the Constitutional Law. 82% of self-government units assessed the LCNMs to be sufficiently or well acquainted with the role of the LCNMs.

About 95% surveyed representatives of self-government units and 70% of the LCNM representatives evaluated the local officials to be sufficiently well or well acquainted with the mentioned provisions and with the role of the LCNMs.

According to the LCNM representatives' opinion, the main problems concerning the implementation of the CLNM and support to the work of the LCNMs in certain local environments are caused by: non-existing sanctions determined by law in cases when legal provisions are not implemented; lack of knowledge about the legal framework by lower local officials; and ignoring the relevant legal provisions deliberately.

The percentage of the LCNMs, which consider that they mainly possess only minimum financial and logistic capacities and the percentage of LCNMs that consider quite the opposite, is almost identical. More than 80% of local and regional authority representatives consider that the LCNMs mainly have or receive a minimum financial and logistical support for their work.

Surveyed LCNM representatives stated the additional sources of financing to be the most significant type of support necessary for the LCNMs to improve their financial and logistical capacities in case the LCNMs want to establish their legal rights appropriately. They also considered the following to be significant: allocation of premises for work, provision of equipment, professional logistical support (e.g. a secretary, an accountant), and legal/expert support. They gave almost equal significance to professional logistical support as they did to other forms.

43% of surveyed LCNM representatives stated that local officials consider or mostly consider the LCNMs as partners in decision-making processes at local levels. More than 95% were of opinion that authorities of self-government units should improve their cooperation with the LCNMs.

Almost 90% of surveyed local / regional authority representatives pointed out the need for additional support in order to improve their capacities necessary for implementation of the CLNM and for the provision of support to the LCNMs. 68 % of them stated they needed additional financial support, and 18% included also education. Only 10% of self-government units received some kind of logistical support, mostly by means of trainings and provision of information.

93% of LCNM representatives and 82% of self-government units' officials considered the LCNMs to be an appropriate institution for improving, preserving and protecting the position of national minorities.

The recognition of LCNMs, including the strengthening of perception about them, as institutions that represent the interests of national minorities in local communities could also depend on an increase of potential voters at the next elections. Almost all

surveyed LCNM representatives believed that a wide-ranging media campaign and actions taken by the LCNMs on the promotion of their previous activities and achieved results could contribute to an increase in the percentage of voters. A certain number of them considered that organising LCNM elections simultaneously with regular elections of local authorities/representatives of self-government units would positively affect the increase of percentage of voters at the election for LCNM members.

One half of the surveyed LCNMs are the members of Co-ordinations of Councils of National Minorities (hereinafter: the LCNM co-ordination(s)) that have been established at the level of local and/or regional self-government units. Almost 3/4 of the LCNMs evaluated the work of co-ordination/s and the influence it/they make on the LCNM work and on the implementation of the LCNM provisions to be beneficial or very beneficial. Remaining 1/4 of the LCNMs considered the work of the co-ordinations in that regard insufficiently beneficial or unbeneficial. 60% of the LCNMs considered the Co-ordinations to be appropriate institutions for the strengthening of the LCNM position and capacities with regard to their individual work. 13% of them responded negatively to that statement.

The procedure of gaining the legal entity status is not regulated by law for these institutions. This legal gap leaves certain issues open in terms of the legal status and functioning of co-ordinations, establishing financial support for their work and in terms of initiating certain actions on behalf of their members.

In order to ensure efficient LCNM work, central authorities, local and regional self-government units including the LCNMs should undertake a number of actions/measures, which are also listed in three sets of recommendations at the end of the document.

Central authorities are recommended to:

- Develop updated databases to contain relevant information on all LCNMs;
- Plan and organise training and regular informative sessions for all relevant stakeholders;
- Strengthen monitoring mechanisms to supervise the implementation of the CLNM;
- Consider improvement of the Rulebook on Compensation of Expenses and on Awards for the Work of the Councils' Members and National Minorities' Representatives;
- Provide with appropriate financial and logistical support those self-government units which have no, or have insufficient, capacities to implement relevant provisions of the CLNM;
- Strengthen the institutional position of the Council for National Minorities;
- Create a specific legal framework which would enable the acquisition of legal entity status and registration of LCNM co-ordinations as specific minority institutions *sui generis*;
- Increase the LCNM visibility and facilitate their access to public media;
- Consider the requirements to hold the next LCNM elections simultaneously with the regular elections for local self-government representatives.

Local and regional self-government units are recommended to:

- Regulate, by their general acts, the manner, deadlines and the procedure for the exercise of the LCNMs rights stipulated by the CLNM;
- Secure LCNMs with appropriate financial means to perform their work in a quality manner;
- Ensure transparency in the spending of funds allocated to the LCNMs;
- Regulate, by general acts, the adequate amount of monthly rewards and reimbursement of expenses for the work performed by LCNM members in accordance with the provisions of the Rulebook;
- Assign a focal point for the communication and co-operation with the LCNMs;
- Regularly ask for opinions and proposals from the LCNMs while preparing draft general acts concerning regulation of the rights and freedoms of national minorities;
- Secure participation of their representatives in relevant educational events and information campaigns, and disseminate outcomes on local levels;
- In cooperation with the LCNMs, plan and take measures towards the promotion of inter-ethnic relations, inter-ethnic tolerance, cooperation and mutual respect;
- Contribute and support presentation of LCNMs in local media, and better acquaint the community with specificities of national minorities.

Councils of national minorities are recommended to:

- Contribute to the institutional development of LCNMs;
- Contribute intensively to the raising of public awareness about the LCNMs;
- Make distinction between the role and work of the LCNMs and minority organizations;
- Actively participate in decision-making processes on the issues in their scope of work, and those of interest of minority communities they are representing;
- Make use of their rights and commitments to request supervision and to undertake measures against inappropriate operations of self-government bodies concerning the implementation of the CLNM and special laws regulating the rights and freedoms of national minorities;
- Intensify their communication and cooperation with the Council for National Minorities;
- Regularly communicate their Statutes, financial plans and annual balance sheets to the self-government bodies in charge;
- Hold regular contacts with their voters and brief them about performed work;
- Develop networking of LCNMs on all levels in order to ensure a facilitated and better-quality co-operation and exchange of information.

1. INTRODUCTORY REMARKS

1.1. Demographics on national minorities in the Republic of Croatia

According to the 2001 Census, the Republic of Croatia has a total population of 4.437,480, out of which 331,383 or 7,47% represent national minorities. Statistically, the Census recorded 22 national minority communities in the RoC. The largest minority ethnicity is a Serbian ethnicity comprising 4,54% of total population in Croatia, followed by 0,47% Bosniak, 0,44 Italian, 0,37% Hungarian, 0,34% Albanian, 0,3& Slovenian, 0,3% Check and 0,21% Roma ethnicity out of the total population of Croatia.

National minorities are situated in all parts of the Republic of Croatia, with the larger concentration of certain minority communities in the border areas.

1.2. Legal and institutional framework protecting the national minorities in the Republic of Croatia

The legal framework for the protection of national minorities' rights in the RoC has been established in December 2002, by entering of the CLNM into force¹.

This Constitutional Law makes possible for the national minorities to exercise the following rights:

1. The use of their language and script, privately and in public use and in official use;
2. Education in the language and script that they use;
3. Use of their signs and symbols;
4. Cultural autonomy by way of preservation, development and expression of one's own culture and the preservation and protection of one's own cultural assets and tradition;
5. The right to profess one's religion and to establish religious communities together with other members of that religion;
6. Access to the media and the performance of activities of public information (receiving and disseminating information) in the language and script that they use;
7. Self-organising and associating for the purpose of exercising mutual interests;
8. Representation in the representative bodies at the state and local level and in administrative and judicial bodies;
9. Participation of members of national minorities in the public life and in management of local activities through the LCNMs and through representatives of national minorities;
10. Protection from any activity that endangers or may endanger their existence, the exercise of rights and freedoms.

Specific national minorities' rights are regulated more in detail by the Act on the Use of the Language and Script of National Minorities in the Republic of Croatia, the Act on Education in the Language and Script of National Minorities, the Act on Election of the Members of Representative Bodies from the Local, Regional Self-government Units, the Act on Election of the Representatives for the Croatian Parliament, the Civil Servants Act, the Act on Local and Regional Self-government, Act on Courts.

By taking into account the specific position and issues that the Roma national minority members are confronted with and the need to reintegrate them in the Croatian society, the Government of the RoC adopted the National Programme for Roma in October 2003. Also, The Republic of Croatia takes part in the Decade of Roma Inclusion (2005-2015) The National Action Plan for the Decade of Roma Inclusion was adopted in 2005.

The Republic of Croatia ratified the Framework Convention for the Protection of National Minorities and the Charter for Regional or Minority Languages, and is a signatory of the relevant UN agreements, such as the International Covenant on Civil and Political Rights; the International Covenant on Economical, Social and Cultural

¹ Official Gazette No.155/02

Rights; and the International Convention on the Elimination of All Forms of Racial Discrimination.

The Republic of Croatia signed bilateral agreements on mutual protection of national minorities with Italy, Hungary, Serbia and Montenegro.

Main institutions dealing with issues on establishing and protection of specific rights and freedoms of the national minority members in the RC are as follows:

- **Office of the Government of the Republic of Croatia for National Minorities (hereinafter: GONM)**, in compliance with the Regulation on the Office for National Minorities², performs expert activities as regards establishing the policy determined for exercising equality of national minorities in the RoC, as well as establishing of their rights laid down by the Constitution and by legislation; proposes measures for establishing those rights; prepares proposals for ensuring the funds for exercising constitutional rights of the national minorities members; provides proposals and opinions for financing certain needs of the national minorities and their associations; cooperates with competent ministries and other state administration bodies and other institutions; cooperates with local, regional self-government bodies in areas with a larger number of national minorities; cooperates with the Council of Europe in respect of the implementation of its documents concerning the establishing of the rights of national minorities; monitors international documents related to the rights of national minorities; cooperates with other international institutions which have shown interest for exercising the rights of national minorities; monitors the cooperation between associations and institutions of national minorities, the programmes of which are supported with the funds from the State budget, with institutions in their parent countries; prepares opinions and expert analyses pertaining to the application of international standards when exercising the rights of national minorities; performs also other entrusted tasks.

- **Council for National Minorities (Governmental umbrella organization) (hereinafter: CNM)** is established pursuant to the CLNM for the purpose of participation of national minorities in the public life of the RoC. It was established in particular due to considerations and proposals on solving the issues related to the exercising and the protection of rights and freedoms of national minorities;

- **Committee for Human Rights and National Minorities Rights of the Croatian Parliament** determines and monitors the implementation of politics on the human rights protection and the specific rights of national minorities. The Committee has the rights and obligations of the parent working body in the procedures of adopting laws and other regulations, and in proposing measures for exercising of the rights in the fields of protection and establishing of human rights and the rights of national minorities.

1.3. Councils of National Minorities

For the purpose of establishing the right to participation of national minorities in the public life and in representing their interests at the local level, the CLNM stipulates the possibility to elect and constitute the LCNMs at the level of local and regional

² Official Gazette No.70/01

authorities.³ 10 i.e. 15 members for each individual LCNM are elected at the town or municipality level, whereas 25 national minority members are elected for the LCNMs at the regional self-government level. The LCNM has a status of non-profit legal entity, and it realises this status by means of registration in the Register of Councils of National Minorities managed by the Central State Office for Administration (hereinafter: the CSOA).

Participation of national minorities in the public life at the national level is ensured by establishing of the CNM. The Government of the RoC appoints its members.

In case the number of persons belonging to a national minority is lower than the number legally established as sufficient to form a LCNM⁴, it is possible to elect an individual national minority representative when there are minimally 100 members of a national minority residing in the area of respective local / regional self-government unit.

Rights and performance of the LCNM in the local self-government unit are stipulated by the Constitutional Law⁵, as follows:

- the right to propose to the bodies of self-government unit the measures for the improvement of the position of a national minority in the state or in and area thereof, including the submission of proposals of general acts which regulate the issues of significance for a national minority to the bodies which adopt them;
- the right to propose candidates for duties in state administrative bodies and bodies of self-government units;
- the right to be informed about each issue which the working bodies of the representative body of a self-government unit will discuss, and which pertains to the position of a national minority;
- the right to provide opinions and proposals with regards to the programmes of radio and television stations at the local and regional level intended for national minorities or programmes which deal with minority issues.

The bodies of self-government units are obliged to regulate by their general acts the manner, deadlines and the procedure for the exercise of stipulated rights.⁶ Therefore, the LCNMs represent the counselling bodies with the right to provide opinions and proposals concerning the issues related to the position and rights of national minorities in local and regional communities.

Self-government units are obliged to secure resources for the LCNM work. They can also ensure the funds for the implementation of certain activities determined by the LCNM working programmes. Resources for the realisation of certain LCNM programmes can be also ensured from the RoC State budget.⁷

The LCNM members perform their tasks, as a rule, on a voluntary basis. From the available LCNM resources, they are only entitled to receive the reimbursement of

³ Article 23 of the Constitutional Law on the Rights of National Minorities: „Members of national minorities shall elect, in the manner and under the conditions stipulated by this Constitutional Law, their representatives for the reason of participation in the public life and management of local affairs through the councils and representatives of national minorities in self-government units, in order to improve, preserve and protect the position of national minorities in the society. „

⁴ If the members of national minority do not participate in the total population of the area of corresponding municipality, town or county with a minimum 1,5%; if less than 200 members of national minority reside in the area of the municipality or town; if less than 500 members of national minority resides in the area of the county.

⁵ Article 31 Paragraph 1 of the Constitutional Law on the Rights of National Minorities

⁶ Article 31 Paragraph 2 of the Constitutional Law on the Rights of National Minorities

⁷ Article 28 of the Constitutional Law on the Rights of National Minorities

accrued costs related to their work for the LCNM and the award⁸ pursuant to the Rulebook on the Compensation of Expenses and Awards for the Work to the Council Members and the National Minority Representatives⁹.

Aiming to harmonise and promote joint interests and to agree on the positions referring to the issues from their scope of activities, two or more LCNMs of one or more national minorities founded in the area of the same or different self-government units may establish LCNM co-ordinations.

The LCNMs - coordination members may authorise respective Co-ordination to undertake certain measures which, according to the CLNM, may be undertaken by LCNMs.

The CLNM foresees the possibility for the LCNMs constituted at the regional level to establish LCNM co-ordinations for entire territory of the RoC. Such coordination shall be considered justified when more than half of regional LCNMs have joined the agreement on the establishment of this co-ordination. Such co-ordination shall be in position, with the consent of the CNM, to pass decisions on signs and symbols and on the manner of celebration of holidays of national minorities.

The first elections for the LCNMs and the representatives of national minorities were carried out in May 2003, and additional elections held in February 2004. The main characteristic of these elections was a very weak turnout of about 10%. Out of possible 471 LCNMs, a total of 274 LCNMs were elected in two election rounds at the local and regional level of self-government units. Out of the total number of constituted LCNMs, 101 LCNMs are situated in areas which entirely or partially belong to I or II group of "Areas of Special State Concern", i.e. they are situated in war-affected areas of the RoC.

Certain difficulties preventing the effectiveness and the establishing of the LCNM rights are evident. The Progress Report of the European Commission of 8 November 2006 on the progress made by the Republic of Croatia in respect of the preparation process for the EU membership stipulated the following: *"Following regional seminars of Councils of National Minorities in December 2005 run by the State Council for National Minorities, it emerged that the capacity of Councils of National Minorities to advise local government in relation to minority issues - as outlined in the Constitutional Law on the Rights of National Minorities - continues to go unrecognised by the majority of local authorities. Progress was noted in Eastern Slavonia and some urban areas, especially Zagreb, but overall Councils of National Minorities, of which 274 have been elected to date, lack a clear understanding of their role and struggle to obtain premises and basic funding. It was noted that the local authorities need to institutionalise their relations with Councils of National Minorities. It was also suggested that Government efforts in this direction would be beneficial ahead of the next election of Councils of National Minorities in early 2007 "*

⁸ Article 30 of the Constitutional Law on the Rights of National Minorities

⁹ Official Gazette, No. 24/2006

1.4. Support to the Councils of National Minorities in Areas of Special State Concern (the Project)

The project "Support to the Councils of National Minorities in Areas of Special State Concern" is implemented within the EU CARDS 2003 programme "Sustainable Development in Areas of Special State Concern". It is initiated and financially supported by the Delegation of the European Commission to the Republic of Croatia. The implementation of this 18-months-project has begun in June 2006.

The Act on Areas of Special State Concern determines the three groups of areas of special state concern. The first and the second group comprise the territories of towns, municipalities and settlements, which were occupied and war-affected during the Homeland War. The third group comprises the municipalities lagging behind in development when compared with other parts of the RoC according to the criteria of economic development, structural difficulties, demography and the special criterion.

The project implementation has been contracted to the international consortium comprising the WYG International Ltd. (UK)-leader and CPM (Latvia).

The project partner is the Council for National Minorities and the Contracting Authority is the Central Unit for Financing and Contracting of the Ministry of Finance. The EC Delegation has a significant counselling role in the project implementation, whereas a 15-member Project Steering Committee - comprising the representatives from: the CNM; the GONM; the MF – CFCU; the MSTTD; CSOA, CODS, the LCNMs; local and regional self-government and civil society organisations - represents a technical body which manages and guidelines the overall implementation of the project.

The project is designed to complete three main tasks:

- carry out a specific analysis of needs and problems with which the LCNMs are confronted with;
- produce and publish a Handbook intended for the members of the LCNMs and the local and regional self-government authorities serving as an operational tool in their daily work;
- carry out a wide-range Public Awareness Campaign aimed at informing the general public and the minority population about the role of the LCNMs, and increasing the participation of the minority population in the next LCNM elections and increasing their active involvement in the LCNMs.

Expected project results are:

- to foster the active participation of the LCNMs in the public life and overall development of communities they are part to;
- to increase efficiency of the LCNMs;
- to improve the knowledge of the members of the LCNMs as well as those of the local and regional self-government authorities concerning the role of the LCNMs;
- to support the establishment of sustainable mechanisms for inter-ethnic and inter-institutional dialogue and co-operation at all levels;
- to increase an understanding and the confidence in the LCNM of the public at large, the local authorities and minority population, and to raise their interest in the forthcoming elections for the LCNMs.

2. DATA COLLECTION AND ANALYSIS METHODOLOGY

The Project Team collected the data in order to make a GAP Analysis on the effectiveness of the Councils of National Minorities in Areas of Special State Concern. The collection and analysis of collected information were divided into two main phases.

2.1. Phase I - initial data collection

Initial data collection was carried out from June-September 2006 in the form of consultations and discussions with the relevant stakeholders. The purpose was to collect data and to qualitatively analyse preliminary information in order to gain basic understanding and to note the attitudes of relevant stakeholders concerning the possible gaps in the LCNM effectiveness. The project team carried out discussions with the representatives from 36 LCNMs of eight national minorities constituted at the local and regional self-government level, with the representatives from 4 LCNM Co-ordinations, 6 representatives from local and regional authorities, and with the representatives from 3 civil society organisations. Consultations and discussions were conducted with the stakeholders who were selected by a random sampling method, which was partially corrected on the basis of the recommendations made by the members of the Project Steering Committee. During the selection process, the inclusion of stakeholders from geographically different areas and persons that represent the ethnically different LCNMs, the inclusion of the LCNM and the authority representatives from local and regional self-government was taken into account. Consultations and discussions were conducted with the stakeholders from the ASSC but also with the representatives from other geographical areas in the country.

Table 1. The number of LCNMs and LCNM Co-ordinations included in the first phase according to the ethnic breakdown structure of their members and the self-government units where they are constituted

Councils of National Minorities	Municipality	Town	County	Total
Bosniak	-	1	1	2
Czech	-	1	1	2
Hungarian	2	-	2	4
German	-	1	-	1
Roma	1	-	2	3
Slovak	-	-	2	2
Serbian	3	12	5	20
Ukrainian	2	-	-	2
Co-ordinations of Councils of National Minorities	Municipality	Town	County	Total
Hungarian	-	-	1	1
Several national minorities	-	1	2	3

During this phase, it was noted that neither the Central State Office for Administration, competent for keeping the Register of Councils of National Minorities, nor any other institution were in the possession of regularly updated central database on all relevant and/or altered facts concerning the LCNMs.

2.2. Phase II – data collection

The analysis of data was conducted from October – November 2006. It was based on the compiled data analysis results within the framework of the first phase. The purpose was to examine more thoroughly and, partially, to quantify the data originating from the first phase, by means of answers provided by the stakeholders (the representative sample) to the questions from the semi-structured questionnaires.

The first activity, within the framework of this second phase, served for identification and selection of the representative sample of all relevant stakeholders, who were asked on a voluntary basis, to fill in the semi-structured questionnaires and to submit it to the Project Team. The Project Team conducted the representative sample identification and selection based on the consultations made with the Project Steering Committee leading representatives.

2.3. Defined sample of stakeholders within the Phase II

2.3.1. Local and regional authorities

- **14 regional self-government units.** The basic criterion for the sample selection was to include all counties, the areas of which constitute towns and municipalities belonging to ASSC Group I and II. The Istria County is the only exception to this rule. It was included because it comprises a large number of LCNMs of different national minorities constituted within that county;

Table 2. The COUNTIES, which received the questionnaire, and the overview of the LCNMs registered within the county area

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey.]

No.	COUNTY	Total number of the LCNMs registered within the county and the number of the LCNMs constituted in ASSC Group I and II
1.	Sisak-Moslavina County	20 LCNMs, out of which 9 in ASSC
2.	Karlovac County	14 LCNMs, out of which 10 in ASSC
3.	Bjelovar-Bilogora County	21 LCNMs, out of which 8 in ASSC
4.	Lika-Senj County	6 LCNMs, out of which all 6 in ASSC
5.	Virovitica-Posavina County	7 LCNMs, out of which 1 in ASSC
6.	Požega-Slavonia County	13 LCNMs, out of which 6 in ASSC
7.	Slavonski Brod-Posavina County	6 LCNMs, out of which 2 in ASSC
8.	Zadar County	9 LCNMs, out of which 4 in ASSC
9.	Osijek-Baranja County	38 LCNMs, out of which 22 in ASSC
10.	Šibenik-Knin County	10 LCNMs, out of which 8 in ASSC
11.	Vukovar-Srijem County	29 LCNMs, out of which 24 in ASSC
12.	Split-Dalmatia County	10 LCNMs, out of which none in ASSC
13.	Istria County	37 LCNMs, out of which none in ASSC Group I and II
14.	Dubrovnik-Neretva County	3 LCNMs, out of which 1 in ASSC

- **13 town authorities.** The basic criteria for the sample selection were: to include the representative number of towns entirely belonging to Group I and II of ASSC, or that some of their settlements belong to the Group I and II of ASSC; and to include towns with a significant national minorities representation with established LCNMs; to include towns from different areas belonging to the ASSC Group I and II areas.

Table 3. The TOWNS, which received the questionnaire

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey.]

1.	Town of Daruvar
2.	Town of Grubišno polje
3.	Town of Beli Manastir
4.	Town of Lipik
5.	Town of Pakrac
6.	Town of Petrinja
7.	Town of Sisak
8.	Town of Drniš
9.	Town of Knin
10.	Town of Ilok
11.	Town of Vukovar
12.	Town of Benkovac
13.	Town of Obrovac

- 20 municipality authorities. The main criteria for the sample selection were the following: to include the representative number of municipalities entirely belonging to the Group I and II of ASSC ; to include the municipalities with a significant representation of national minorities with established LCNMs; and to include the municipalities from different geographical areas belonging to the ASSC Group I and II.

Table 4. Municipality authorities, which received the questionnaire

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey.]

1.	Municipality of Bilje
2.	Municipality of Darda
3.	Municipality of Erdut
4.	Municipality of Kneževi Vinogradi
5.	Municipality of Bogdanovci
6.	Municipality of Nuštar
7.	Municipality of Stari Jankovci
8.	Municipality of Tompojevci
9.	Municipality of Tordinci
10.	Municipality of Markušica
11.	Municipality of Borovo
12.	Municipality of Negoslavci
13.	Municipality of Nijemci
14.	Municipality of Trpinja
15.	Municipality of Vojnić
16.	Municipality of Topusko
17.	Municipality of Udbina
18.	Municipality of Vrhovine
19.	Municipality of Plitvička Jezera
20.	Municipality of Župa Dubrovačka

2.3.2. Councils of National Minorities

- 5 LCNMs constituted at the level of regional self-government, i.e. the County LCNMs, and 2 national minority representatives. The main criteria for the sample selection were: to include the representative number of LCNMs and representatives for national minorities from the counties with towns and municipalities belonging to the Group I and II of ASSC; and to include the LCNMs and representatives which represent the interests of different national minorities.

Table 5. LCNMs constituted at the county level which received the questionnaire

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey.]

1.	Council of Roma National Minority of Osijek-Baranja County
2.	County Council of Hungarian National Minority of Vukovar-Srijem County
3.	County Council of Slovak National Minority of Vukovar-Srijem County
4.	Council of Serb National Minority of Vukovar-Srijem County
5.	Council of Serb National Minority of Šibenik-Knin County
6.	The Representative of Albanian National Minority of Vukovar-Srijem County
7.	The Representative of Ukrainian National Minority of Vukovar-Srijem County

- 24 LCNMs constituted at the town level, and 2 representatives of national minorities. The main criteria for the sample selection were: to include the representative number of the LCNMs and representatives of national minorities from towns entirely belonging to the Group I and II of ASSC, or some of their settlements belong to the same; to include the towns from geographically different ASSC belonging to Group I and II; and to include the LCNMs and those representatives which represent the interests of ethnically different minorities.

Table 6. LCNMs constituted at the town level which received the questionnaire

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey.]

1.	Council of Serb National Minority of the Town of Beli Manastir
2.	Council of Hungarian National Minority of the Town of Beli Manastir
3.	Council of Serb National Minority of the Town of Benkovc
4.	Council of Czech National Minority of the Town of Daruvar
5.	Council of Serb National Minority of the Town of Drniš
6.	Council of Czech National Minority of the Town of Grubišno Polje
7.	Council of Hungarian National Minority of the Town of Grubišno Polje
8.	Council of Serb National Minority of the Town of Grubišno Polje
9.	Council of Slovak National Minority of the Town of Ilok
10.	Council of Serb National Minority of the Town of Ilok
11.	Council of Serb National Minority of the Town of Knin
12.	Council of Czech National Minority of the Town of Lipik
13.	Council of Serb National Minority of the Town of Lipik
14.	Council of Italian National Minority of the Town of Lipik
15.	Council of Serb National Minority of the Town of Obrovac
16.	Council of Czech National Minority of the Town of Pakrac
17.	Council of Serb National Minority of the Town of Pakrac
18.	Council of Italian National Minority of the Town of Pakrac
19.	Council of Bosniak National Minority of the Town of Sisak
20.	Council of Serb National Minority of the Town of Skradin
21.	Council of Hungarian National Minority of the Town of Vukovar
22.	Council of Ruthenian National Minority of the Town of Vukovar
23.	Council of Serb National Minority of the Town of Vukovar
24.	Council for Ukrainian National Minority of the Town of Vukovar
25.	The Representative of German National Minority of the Town of Beli Manastir
26.	The Representative of Roma National Minority for the Town of Beli Manastir

- 50 LCNMs constituted at the municipality level. The main criteria for the sample selection were: to include the representative number of The LCNMs and the representatives of national minorities from municipalities entirely belonging to ASSC, Group I and II; to include the municipalities belonging to geographically different areas of ASSC, the Group I and II; and to include the LCNMs and the representatives which represent the interests of ethnically different minorities.

Table 7. The list of the LCNMs constituted at the municipality level which received the questionnaire

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey]

1.	Council of Hungarian National Minority of the Municipality Bilje
2.	Council of Serb National Minority of the Municipality Bilje
3.	Council of Serb National Minority of the Municipality Biskupija
4.	Council of Albanian National Minority of the Municipality Bogdanovci
5.	Council of Ruthenian National Minority of the Municipality Bogdanovci
6.	Council of Serb National Minority of the Municipality Bogdanovci
7.	Council of Ukrainian National Minority of the Municipality Bogdanovci
8.	Council of Serb National Minority of the Municipality Borovo
9.	Council of Bosniak National Minority of the Municipality Brgat Gornji
10.	Council of Serb National Minority of the Municipality Civljane
11.	Council of Hungarian National Minority of the Municipality Ćeminac
12.	Council of Hungarian National Minority of the Municipality Darda
13.	Council of Roma National Minority of the Municipality Darda
14.	Council of Serb National Minority of the Municipality Darda
15.	Council of Hungarian National Minority of the Municipality Draž
16.	Council of Hungarian National Minority of the Municipality Erdut
17.	Council of Serb National Minority of the Municipality Erdut
18.	Council of Hungarian National Minority of the Municipality Ernestinovo
19.	Council of Serb National Minority of the Municipality Ervenik
20.	Council of Hungarian National Minority of the Municipality Jagodnjak
21.	Council of Serb National Minority of the Municipality Jagodnjak
22.	Council of Serb National Minority of the Municipality Kistanje
23.	Council of Hungarian National Minority of the Municipality Kneževi Vinogradi
24.	Council of German National Minority of the Municipality Kneževi Vinogradi
25.	Council of Serb National Minority of the Municipality Kneževi Vinogradi
26.	Council of Ukrainian National Minority of the Municipality Lipovljani
27.	Council of Hungarian National Minority of the Municipality Lovas
28.	Council of Serb National Minority of the Municipality Magadenovac
29.	Council of Serb National Minority of the Municipality Markušica
30.	Council of Serb National Minority of the Municipality Negoslavci
31.	Council of Serb National Minority Općine Nijemci
32.	Council of Hungarian National Minority Općine Nuštar
33.	Council of Hungarian National Minority Općine Petlovac
34.	Council of Roma National Minority Općine Petlovac
35.	Council of Serb National Minority Općine Petlovac
36.	Council of Serb National Minority Općine Plitvička Jezera
37.	Council of Hungarian National Minority Općine Popovac
38.	Council of Serb National Minority Općine Popovac
39.	Council of Hungarian National Minority Općine Stari Jankovci
40.	Council of Serb National Minority Općine Stari Jankovci
41.	Council of Serb National Minority Općine Šodolovci
42.	Council of Hungarian National Minority Općine Tompojevci
43.	Council of Ruthenian National Minority Općine Tompojevci
44.	Council of Serb National Minority Općine Topusko
45.	Council of Hungarian National Minority Općine Tordinci
46.	Council of Serb National Minority Općine Tovarnik
47.	Council of Serb National Minority Općine Trpinja
48.	Council of Serb National Minority Općine Udbina
49.	Council of Serb National Minority Općine Vojnić
50.	Council of Serb National Minority Općine Vrhovine

2.3.3. Co-ordinations of Councils of National Minorities

- **13 national and multinational LCNM Co-ordinations established at the local and regional level of self-government units.** The main criteria for the sample selection were: to include the representative number of the LCNM co-ordinations and the representatives of national minorities, and to include the national and multinational LCNM co-ordinations and the representatives of national minorities.

Table 8. LCNM co-ordinations established at the local and regional level of self-government units, which received the questionnaire

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey.]

1.	Co-ordination of Councils of National Minorities of the City Rijeka
2.	Co-ordination of Councils of National Minorities in Split-Dalmatia County
3.	Co-ordination of Councils of National Minorities of the City Split
4.	Co-ordination of Councils of National Minorities of the City Pula
5.	Co-ordination of National Minorities of the City Osijek
6.	Co-ordination of National Minorities of the Zadar County
7.	Co-ordination of Councils of Serb National Minority of North-Western Croatia
8.	Co-ordination of Councils of Serb National Minority of Sisak-Moslavina County
9.	Co-ordination of National Minorities of Sisak-Moslavina county
10.	Co-ordination of Councils of Serb National Minority of the Karlovac County
11.	Co-ordination of Councils of Hungarian National Minority in Osijek-Baranja County
12.	Co-ordination of Councils and Representatives of National Minorities of Osijek-Baranja County
13.	Co-ordination of National Minorities of Vukovar-Srijem County

- **9 LCNM Co-ordinations and the representatives of national minorities established at the level of the RC.** The main criterion for the sample selection was to include the representative number of LCNM Co-ordinations and the representatives of national minorities established at the national level.

Table 9. LCNM Co-ordinations established at the level of the RC, which received the questionnaire

[The identified stakeholder sample overview; the stakeholders who submitted completed questionnaires are marked grey.]

1.	Co-ordination of Councils of Albanian National Minority in the RC
2.	Co-ordination of Councils and Representatives of Bosniak National Minority in the RC
3.	Co-ordination of Councils of Monte Negro National Minority in the RC
4.	Co-ordination of Councils and Representatives of Hungarian National Minority in the RC
5.	Co-ordination of Councils and Representatives of Czech National Minority in the RC
6.	Co-ordination of Ukrainian National Minority in the RC
7.	All-Macedonian Co-ordination in the RC
8.	Co-ordination of Slovenian National Minority in the RC
9.	Serb National Council – National Co-ordination of Councils of Serb National Minority in the Republic of Croatia

The second activity, within the framework of the second phase, was to prepare and distribute the semi-structured questionnaires, and to collate and process the received answers. The sample was divided in four sub-groups: local and regional authorities, LCNMs, LCNM Co-ordinations established at the local and regional level, and LCNM Co-ordinations established at the national level. A special questionnaire was prepared for each sub-group. Their content was based on the first phase results, and was prepared by the Project Team based on the consultations made with the

Project Steering Committee leading representatives. The Questionnaires were delivered to the identified stakeholders by mail, fax or e-mail. In-depth interviews, based on the questionnaire, were carried out with the representatives of several LCNM Co-ordinations established at the regional level.

Table 10. Overview of thematically grouped questions per questionnaires

QUESTIONNAIRES per identified stakeholders groups			
Local and regional authorities	The LCNMs	LCNM Co-ordinations established at the local and regional level	LCNM Co-ordinations established at the RC level
Information on the local/regional self-government unit	Basic information on the LCNMs	Basic information on the Co-ordination	Basic information on The Co-ordination
Information on the LCNMs registered at the county/town/municipality level	Self-perception of capacities and information on the LCNM membership structure	Self-perception of membership capacities and co-ordination structure	Self-perception of the membership capacities and co-ordination structure
Self-perception of the work of local/regional self-government unit related to the LCNMs	Self-perception of LCNM financial and logistical capacities	Self-perception of Co-ordination financial and logistical capacities	Self-perception of Co-ordination financial and logistical capacities
Evaluation of work and capacities of the LCNMs	Co-operation between the LCNMs and local/regional authorities	Co-operation between the Co-ordination and local/regional self government authorities	Co-operation between the Co-ordination and the CNM
Position and perception of the LCNMs among citizens of local/regional self-government	Self-perception of the work of the LCNMs	Self-perception of the work of the Co-ordination	Self-perception of the work of the Co-ordination
	Participation of the LCNMs in LCNM Co-ordinations		
	Position and perception of the LCNMs among members of local and regional community		

2.4. Approach used in development of the GAP Analysis

The approach in creating the GAP analysis on the effectiveness of LCNMs in ASSC was based on the evaluation of the data collection results of the first and the second phase. The quantified data expressed in the Analysis are related to the stakeholder sample data. The completed questionnaires were submitted to the Project Team by the end of 2006. Due to the fact that a certain number of questionnaires were not filled-in entirely or provided answers could not be considered as relevant, some quantified data can be considered reliable with the possibility of smaller deviations.

The Project Team received the completed questionnaires from the following stakeholders within the given deadline:

- **28 local and regional self-government units (60% of the sample) as follows:** authorities from 9 counties, 7 towns and 12 municipalities;
- **44 LCNMs constituted at the local and regional level** as follows: 3 county-, 13 town- and 28 municipality LCNMs, **and 2 representatives of national minorities** (one at the county- and one at the town level) **comprising 55% of identified sample**;
- **9 LCNM Co-ordinations established at the local and regional level (comprising 69% of the sample)** as follows: 2 town-, 6 county- and 1 established at the level of several counties;
- **3 LCNM Co-ordinations established at the RC level (comprising 33% of the sample).**

2.5. Approach used for preparing the recommendations for improving the effectiveness of the LCNMs

The Project team prepared a draft document "GAP Analysis on the Effectiveness of Councils of National Minorities in Areas of Special State Concern" at the end of

December 2006. This draft included also a proposal of recommendations for improving the effectiveness of the LCNMs. It was communicated to the Project Steering Committee members for a review with the purpose to obtain initial feedback regarding the document. The majority of involved stakeholders were invited to the Technical Workshop organised by the Project Team and held in Zagreb on 17 January 2007. The aim of this Workshop was to obtain stakeholders' contributions for the finalisation of the analysis and to contribute to the improving of proposed recommendations. 41 stakeholders took part in the Workshop: Project Steering Committee members, representatives of the LCNMs and LCNM Co-ordinations, representatives of local and regional self-government authorities, and the Croatian Parliament representative of minorities. The findings of conducted GAP Analysis were presented to the participants. The short plenary discussion was followed by a workgroups session to consider the proposed recommendations. The final Group discussion and feedback was used for the preparation of final recommendations presented in this document.

3. GAP ANALYSIS RESULTS

The qualitative analysis of compiled information during the first data collection phase clearly pointed out **the four main issues** which potentially obstruct the LCNM effectiveness in line with the CLNM provisions:

1. Insufficient implementation of the Constitutional Law on the Rights of National Minorities;
2. Weak logistical support provision and unsystematic LCNMs membership capacity building;
3. Weak capacities of LCNMs and problems with adequate financing;
4. Insufficient recognition of LCNMs as relevant factors and partners in the decision making processes at local levels.

Accordingly, the analysis of results concerning the gaps in the LCNM effectiveness in ASSC, arising from the first and second data collection phase, was focused on the consideration of current situation divided into four thematic units:

1. Evaluation of LCNM capacities and their performed activities;
2. Evaluation of local authorities' work pertaining to the LCNMs;
3. The LCNM Co-ordinations self-perception of their work;
4. Evaluation of perception of the national minorities and the LCNMs by the local and regional self-government community members.

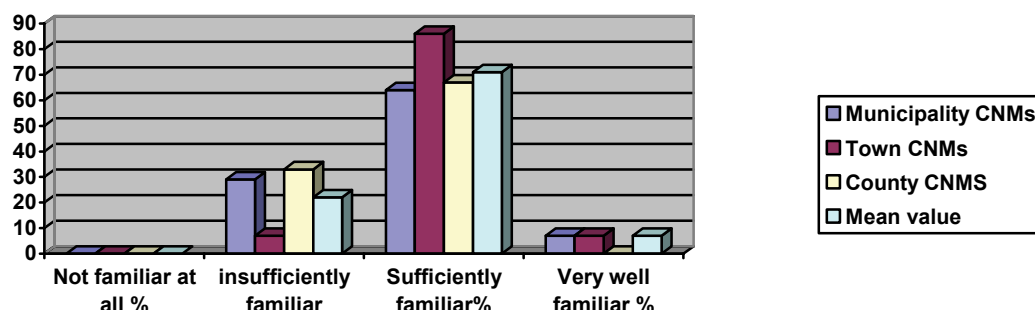
3.1. EVALUATION OF THE LCNM CAPACITIES AND PERFORMED ACTIVITIES

3.1.1. THE LCNM SELF-PERCEPTION OF THE MEMBERSHIP CAPACITIES AND THE STRUCTURE

The CLNM allows, for the first time, the legal right to members of national minorities to participation in the public life and in managing local affairs through the LCNMs and the Representatives of national minorities. The establishment, of these new institutions poses the question on familiarity the legal framework and its implementation established by the Constitutional Law.

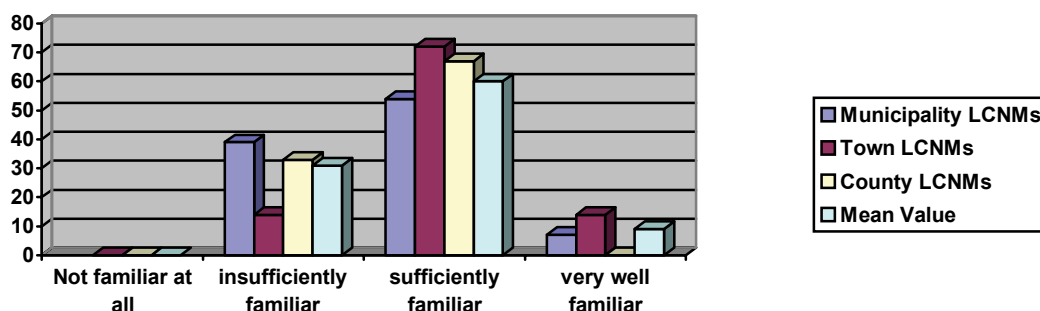
Examining the self-perception by the LCNMs on level of knowledge about the provisions of the Constitutional Law tells that 71% of LCNMs consider their members to be sufficiently familiar with the relevant legal framework whereas 22% feels that they are insufficiently familiar.

Chart 1. Self-perception of the LCNM members: familiarity with the provisions of the CLNM



In terms of knowledge of the Constitutional Law provisions on the specific roles of the LCNM, Councils feel that 31% of their members are insufficiently familiar, while 60% are sufficiently familiar. The collected data analysis has shown that the members of 45% of the LCNMs do not make a clear distinction between their role in the LCNM and the activities of minority associations.

Chart 2. Self-perception: familiarity with the role of the LCNM stipulated in the CLNM



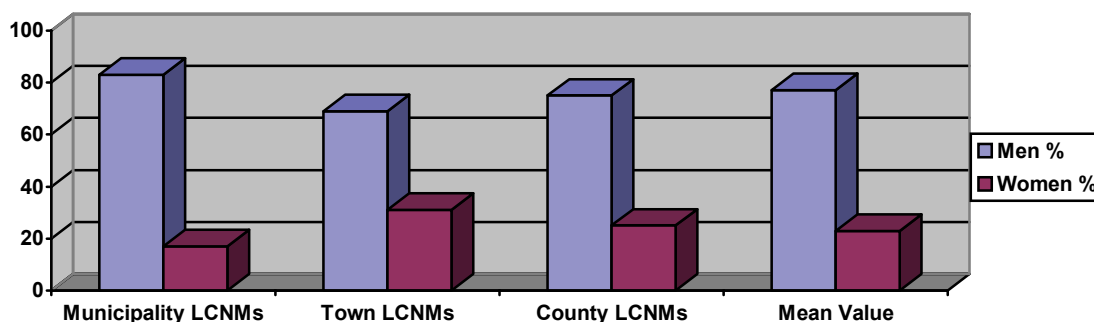
78% of the LCNMs receive some sort of support from central authorities, the Council for National Minorities, local/regional authorities, international (governmental, humanitarian, non-governmental) organisations, local non-governmental organisations and others, for the purpose of improving the knowledge and skills of their members on implementation of the CLNM and support to the work of the CNMs. The support provided is mainly training and information support, and to a lesser extent provision of publications adjusted to beneficiaries, legal and expert advice and financial support. 71% of LCNMs receiving support evaluated it as very beneficial or beneficial, 26% of them evaluated it as insufficiently beneficial, and only one LCNM evaluated it as totally non-beneficial.

The same percentage (78%) of the LCNMs requested such support.

The LCNMs constituted at the municipality level evaluated the percentage of their members who actively contribute to their work as between 20 and 100%. For the LCNMs at the town level, this value is estimated to be between 13% and 100%, and as for the LCNMs at the county level between 16-40%.

The analysis of the first phase of data indicated that the membership of a large number of LCNMs comprises older people. The questionnaire analysis has confirmed this - most LCNM members are over 40, and numbers of members, between 18 and 30 are very low. Most LCNM members have completed secondary school or gymnasium. The proportion of women who are LCNM members is relatively low (just under 20%) and in 25% of LCNMs constituted at the municipality level women are not represented at all.

Chart 3. LCNM members – gender structure

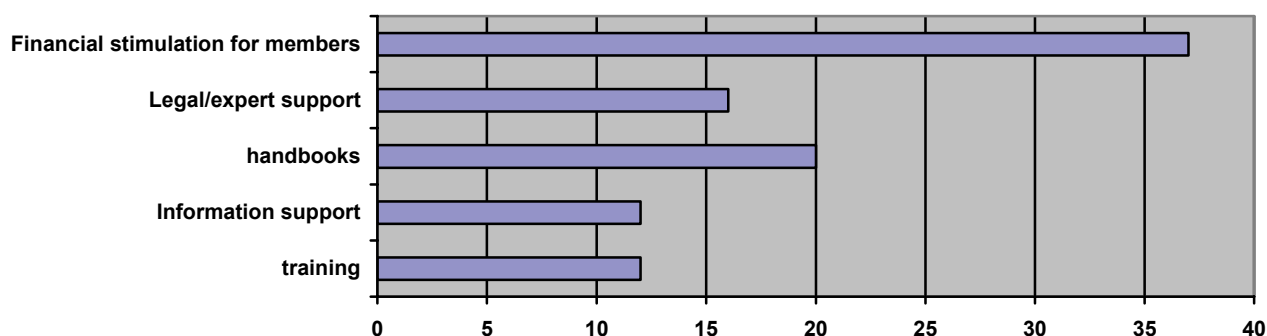


61% of LCNMs which filled the questionnaire considered that LCNM members had sufficient capacities to meet the necessary preconditions for establishing the rights stipulated by the CLNM in an appropriate manner.

The surveyed persons stated that the most significant type of support necessary for improving the capacity of the LCNM members and for improving their efficiency in establishing the rights stipulated by the CLNM would be:

- financial stimulation for the LCNM members;
- publications adapted to beneficiaries (e.g. handbooks); and
- legal/expert support

Chart 4. Support needed for improving the LCNM members capacities and their efficiency in establishing the rights stipulated in the CLNM in an appropriate manner [the values are presented according to the number of given answers]



3.1.2. LCNM SELF-PERCEPTION OF FINANCIAL AND LOGISTICAL CAPACITIES

Financial support to Councils of National Minorities

The CLNM stipulates that the resources for the work of the LCNMs, including the resources for performing administrative tasks for their needs, are to be provided by the self-government units, which may ensure also resources for implementing certain activities determined by the LCNM Working Programmes. The Law, however, does

not make any provision for penalty in cases where local self-governments do not fulfil this obligation.

89% of responding LCNMs stated that they receive a financial support for their work from the budget of local/regional self-government units, including the resources for performing administrative tasks for their needs, and 79% of them receive this support on a regular basis. 93% of the LCNMs are requesting the resources from the self-government units where they are constituted. 33% of responding LCNMs receive a financial support from the budget of the local self-government units for the purpose of performing specific activities in LCNM Working Programmes, whereas 11% of them have no specific activities within their Working Programmes.

In discussions with the LCNM representatives, the problem of financing has been identified as the crucial one concerning the ensuring of efficient and successful work of the LCNMs. Resources allocated to the LCNMs from the budget of self-government units are often considered insufficient or there is a delay in their allocation and resources provided are mostly used for covering their main administrative costs..

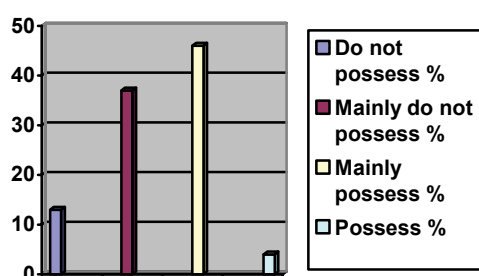
Although the Constitutional Law provides for this, only 9% of the LCNMs have resources not originating from self-government units, for instance from their own assets; from donations, gifts, inheritance; or on some other basis. Resources can also be obtained from the RoC State budget for the realisation of certain LCNM programmes.

Logistical support to the Councils of National Minorities

79% of the responding LCNMs requested from their self-government units some kind of non-pecuniary support for their work (premises, equipment, logistics, legal advice provision...), and such support is provided to 42%. The non-pecuniary support from other sources, for instance from central authorities, the Council for National Minorities, international (governmental, humanitarian, non-governmental) organisations, local non-governmental organisations and other, was requested by less than 50% of surveyed LCNMs, and 13% of the LCNMs receives such support. Professional personnel, for instance a secretary, for the support of the work of the LCNM have been engaged by less than 9% of LCNMs and only at the town and county level.

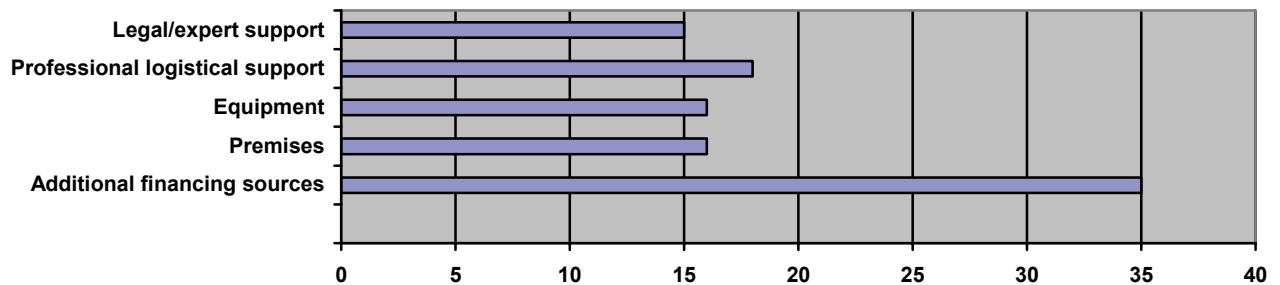
Most LCNMs consider that they have the minimum financial and logistical capacity to exercise the rights stipulated by the CLNM appropriately, although some LCNMs consider that they mainly do not.

Chart 5. LCNM evaluation of whether or not they have financial and logistical capacities to exercise rights stipulated in the CLNM in an appropriate manner [%]



Respondents stated that additional financing sources were the most significant type of support LCNMs needed to improve their financial and logistical capacity in order to exercise their rights stipulated by the CLNM appropriately. They also considered allocation of premises, equipment support, professional logistical support (e.g. secretary, accountant) and legal/expert support significant with similar level of importance attached to each of these.

Chart 6. LCNM evaluation of needed support types to improve financial and logistical LCNM capacities with the purpose to establish their rights stipulated in the CLNM in an appropriate manner [values are presented as the number of given answers]



3.1.3. THE LCNM SELF-PERCEPTION OF PERFORMED WORK

In the cases when the authorities of self-government units asked the LCNMs for their opinions and proposals in respect of the preparation of proposals of general acts regulating the rights and freedoms of national minorities, 28% of responding LCNMs said they responded always, 46% of LCNMs responded occasionally, and 28% said they never responded.

70% of surveyed LCNM representatives considered that the LCNMs had established at least one of their rights stipulated by Article 31 Paragraph 1 of the CLNM. 20% of the LCNMs evaluated their initiatives as successful, 40% as insufficiently successful, and 11% as not successful. The remaining 29% could not assess the success of their initiatives.

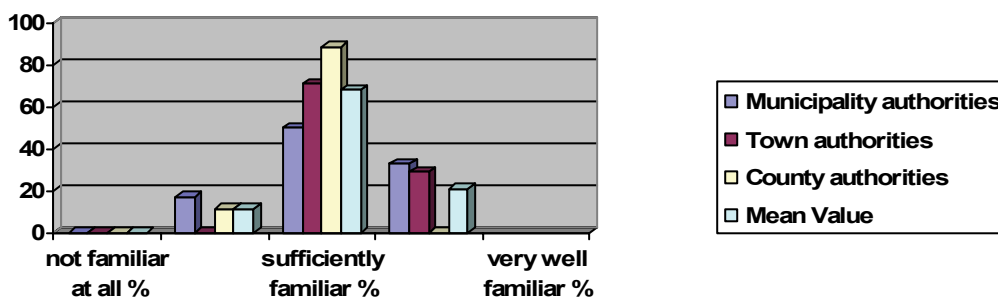
65% of the LCNMs considered themselves to be very active or active in their work, whereas 35% of them considered themselves insufficiently active. 82% of the LCNMs hold meetings on a regular basis. 82% of the LCNMs communicate their Statute, financial plans and annual balance sheets to their corresponding self-government units.

Almost all (93%) of LCNM representatives considered the LCNMs to be an appropriate institution for improving, preserving and protecting the position of national minorities.

3.1.4. EVALUATION BY THE LOCAL AUTHORITIES ON LCNM WORKING CAPACITIES

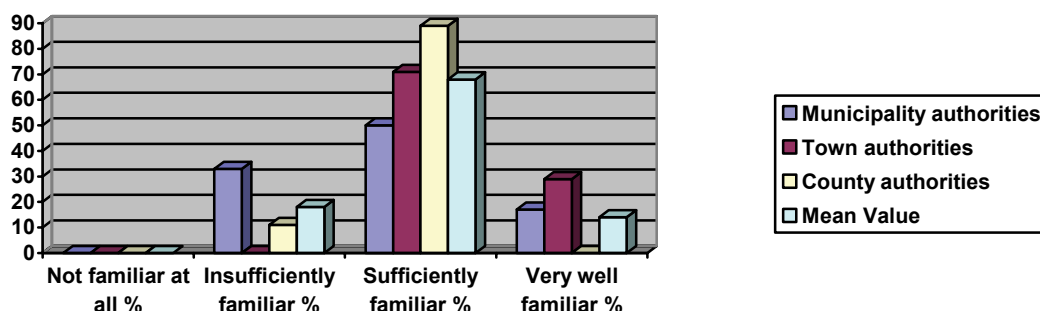
Almost 90%, of self-government units evaluated the LCNMs to be sufficiently familiar or very well familiar with the provisions of the CLNM.

Chart 7. Evaluation by self-governments of familiarity of LCNMs with the CLNM provisions



Moreover, 82% of self-government respondents assessed the knowledge of the LCNMs about their role (as stipulated by the CLNM) as either sufficiently familiar or very familiar.

Chart 8. Evaluation by self-governments of LCNMs familiarity with their roles stipulated in the CLNM



63% of representatives of self-government units thought that the LCNMs make a clear distinction between their own role and the activities performed by national minority associations, and that only a few do not respond to queries by the self-government administration regarding opinions and proposals of the LCNMs in respect of the preparation of proposals of general acts for provisions regulating the rights and freedoms of national minorities.

An almost identical number of representatives of self-government considered that LCNMs had most human/professional capacities necessary for establishing their rights under the CLNM appropriately, as those who considered that LCNMs did not have those capacities.

More than 80% of self-government representatives considered the LCNMs to have minimum financial and logistical support (from various sources) for their work, including the resources for performing administrative tasks for their needs. 86% of representatives of self-government units stated that the LCNMs, in addition to the financial support also ask for other types of support from the self-government units (e.g. premises, equipment, logistics, legal advice and similar).

2/3 of self-government representatives said that LCNMs mainly regularly or regularly communicate their Statutes, financial plans and annual balance sheets to be published in the official bulletin of the local or regional self-government units where they are established.

The LCNMs are considered by 2/3 of surveyed officials to be active or very active in their work. 82% of self-government representatives considered them to be appropriate institutions for improving, preserving and protecting the position of national minorities in the society, whereas 68% of respondents believed that national minority population shared these views.

3.2. EVALUATION OF THE LOCAL AUTHORITIES WORK PERTAINING TO THE LCNMs

3.2.1. LOCAL AUTHORITIES' SELF-PERCEPTION OF THE WORK PERTAINING TO THE LCNMs

Knowledge of the provisions of the CLNM by the officials of local and regional self-governments is crucial in ensuring the implementation of these provisions and for high quality co-operation with the LCNMs.

68% of responding self-government representatives estimated that officials of self-government units were sufficiently well familiar with the provisions of the CLNM, and 28% of them considered the officials to be very well familiar with them. Furthermore, 93% of them believe that the officials are sufficiently familiar or very well familiar with the LCNM role pursuant to the CLNM.

78% of respondents were of the opinion that local officials mainly consider or consider the LCNMs as partners in the decision-making processes at the level of self-government units. Among these, the belief prevails that almost 80% of local and regional authorities make a clear distinction between the LCNMs and existing minority associations.

89% of responding self-government representatives stated that the bodies of self-government units aligned their Statutes, in compliance with Article 31 Paragraph 2 of the Constitutional Law, that is, by means of their general acts, they regulated the manner, deadlines and procedure for establishing the LCNM rights determined under Article 31 Paragraph 1 of the Constitutional Law.

The percentage of respondents, who said that they did not seek LCNM opinions and proposals on provisions regulating the rights and freedoms of national minorities, is below 15%. 36% of self-government units did not seek for such opinions and proposals as there were no proposals of relevant general acts.

96% of self-government units said they ensured the main resources for the work and administrative costs of the LCNMs from separate items within their annual budgets. The resources provided are, with one exception, regularly allocated to the LCNMs. One half of the self-government units allocate also additional resources to the LCNMs necessary for the implementation of specific activities determined by the LCNM Programmes.

Table 11. The range and the proportion of total self-government budgetary funds for the support of the work of the LCNMs in 2006

Self-government units	Amount in kunas min/max	% of annual budget
Municipalities	5.000 – 60.000	0,5 – 0,65
Towns	8.100 – 700.000	0,02 – 0,34
Counties	40.000 – 750.000	0,03 – 0,37

A certain type of additional support to the LCNMs in the form of, for instance, premises, equipment, logistics and legal advice are allocated by more than 90% of self-government units responding. 70% of them appointed the contact person and/or the person to work with the LCNMs.

Only 10% of self-government units received the logistical support, mainly in the form of training and information provision. Almost 90% of respondents expressed certain needs concerning additional support necessary to improve the capacity of self-government units for the implementation of the provisions of the CLNM and for the provision of support to the LCNMs – the majority of them (68%) expressed the need for additional financial support, and 18% expressed also the need for education.

3.2.2. THE LCNM EVALUATION OF THEIR CO-OPERATION WITH LOCAL AUTHORITIES

More than 70% of responding LCNMs evaluated the officials of local and regional self-government to be sufficiently familiar or very well familiar with the provisions of the CLNM. An almost identical percentage of them stated that the bodies of self-government units aligned their Statutes in compliance with Article 31 Paragraph 2 of the said Law, that is, they aligned by means of their general acts the manner, deadlines and the procedure of establishing the rights of the LCNMs stipulated in Article 31 Paragraph 1 of the said Law. 54% of them considered the officials to be sufficiently professional or professional in their work with the LCNMs and in the implementation of the CLNM.

Chart 9. LCNM evaluation: Familiarity of officials of the local and regional self-governments with the provisions of the CLNM

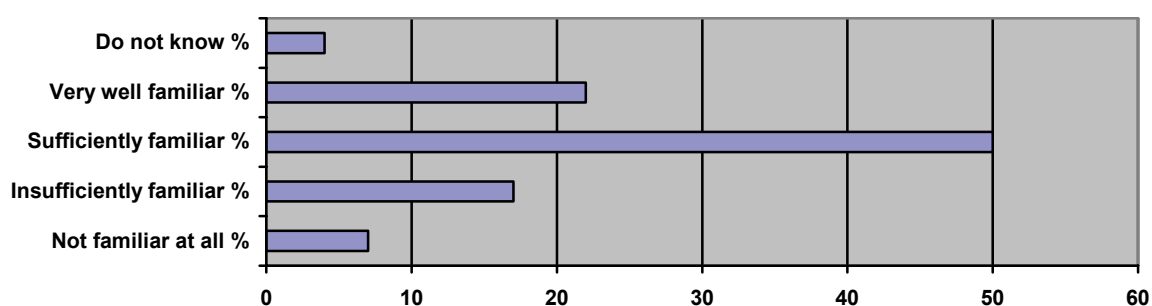
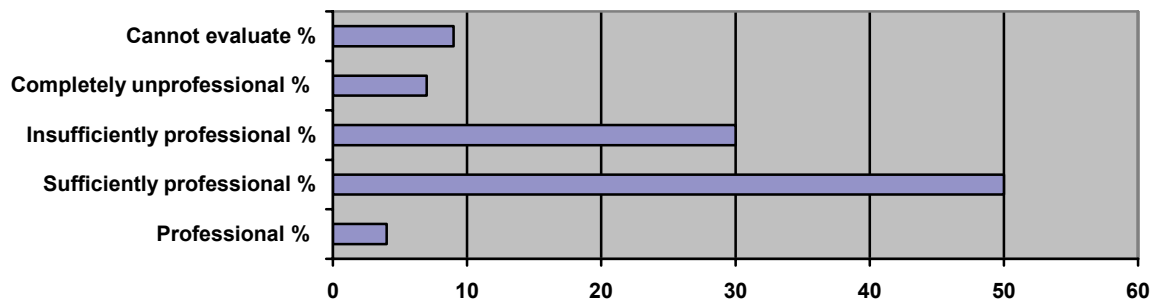


Chart 10. LCNM evaluation of the professionalism of local and regional officials in their work with the LCNMs and in the implementation of the provisions of the CLNM



The surveyed persons by answering the question whether the authorities of self-government units, in preparation of general acts proposals, asked the LCNM for opinions and proposals in connection with the provisions regulating the rights and freedoms of national minorities, 35% responded positively, 40% responded negatively, while 25% of them stated that there were no proposals of such general acts.

43% of respondents in LCNMs say that local government officials consider or mainly consider the LCNMs to be their partners in decision-making process at local or regional levels, whereas the rest of officials had no such attitude or mainly had not attitude in this regard.

A continuous and targeted communication between the LCNMs and the officials of local self-governments is another precondition for successful work of the LCNMs. 41% of LCNM respondents stated that the authorities of self-government units assigned an administrative department or service to be competent for the communication and co-operation with the LCNMs, whereas approximately the same percentage of surveyed persons, 37% of them, stated that the self-government units appointed the focal point for the same purposes.

More than 95% of responding LCNM representatives felt the authorities of self-government units need to improve their co-operation with the LCNMs. Examples of measures and needs proposed or stated are the following direct quotes:

- *"training responsible persons";*
- *"enthusiasm";*
- *"more (mutual) communication";*
- *"logistical support, ensure premises, financial support";*
- *"need for administrative department in charge of communication with the Councils of National Minorities";*
- *"work on joint projects, more frequent communication, recognition of the Councils as the institution, employing persons – advisers for national minorities in local and county administrations";*
- *"Councils need to be provided with a compensation...for one professional person which would co-ordinate the work between the Councils and local self-government";*
- *"premises; participation in the work of the Assembly, of the Executive Council and of the Administration ; financing; align statutes"...*

3.3. EVALUATION OF THE PERCEPTION OF NATIONAL MINORITIES AND THE LCNMs BY THE LOCAL AND REGIONAL COMMUNITY MEMBERS

LCNM respondents evaluated the members of local and regional communities to be mainly familiar or familiar with the role and the work of the LCNMs in about 70% cases, while representatives of self-government units considered it to be half smaller.

The LCNM representatives in almost identical proportions evaluated the attitude of local community towards the LCNMs to be negative, neutral or positive. Almost all of them (98%) considered that the position and perception of the LCNMs among the local community members should improve. They listed the following measures for improving the position and perception among local community:

- expressing better understanding by local authorities for the need of the LCNMs;
- raising awareness among people on differences,
- mutual understanding and tolerance;
- joined approach to solving of common problems to the benefit of total community; ensuring more media space for the LCNMs and highlighting of good practice examples in the media;
- providing necessary information to the population about the work of the LCNMs;
- better acquaintance of the society about the specificities of national minorities by the authorities, etc.

When asked whether the national minorities consider the LCNMs to be an appropriate institution for improving, preserving and protecting the position of national minorities in the society, 67% responded 'YES', 7% responded 'NO', while 26% of them responded 'DO NOT KNOW'. More than 80% of respondents considered the LCNMs to be institutions which represent the interests of the entire minority community.

42% of LCNM representatives believed that the percentage of minority voters at the next elections for the LCNMs will increase, 16% of them believed that it will not increase, while 42% of them could not say. Almost all surveyed persons believed that a wide-range media campaign and the activities by the LCNMs promoting their present activities and results would contribute to the increase of voters. Some respondents said they were of opinion that organisation of the elections of the LCNMs concurrently with the regular elections for self-government units' representatives would positively influence the turnout of voters.

3.4. THE LCNM CO-ORDINATIONS' SELF-PERCEPTION OF THEIR WORK

The specificity of LCNM Co-ordinations is that these institutions do not have a legal status. The procedure for gaining the legal status by these institutions is not regulated by law. This legal gap leaves open certain issues concerning the functioning of co-ordinations and initiating certain actions on behalf of their members. Only one of the surveyed co-ordinations managed partially to overcome this problem in the manner that the LCNMs – within the membership of the established Co-ordination, registered the association of citizens under the name 'Co-ordination of National Minorities'.

3.4.1. EVALUATIONS BY LCNMs

One half of the responding LCNM representatives stated that the LCNMs – members of LCNM Co-ordinations were established at the level of local and/or regional self-government units. 68% of them are members of co-ordinations for one national minority, 24% of them are in membership of co-ordinations for LCNMs of several national minorities, whereas the rest of 8% LCNMs participates both in mono-ethnic and in multi-ethnic co-ordinations of LCNMs.

Almost 3/4 of the LCNMs participating in the work of LCNM Co-ordinations established at the level of self-government units estimated that the work of co-ordination/s and the influence it/they make on the work of the LCNMs and implementation of the provisions of the CLNM is beneficial or very beneficial in practice, while the rest of the LCNMs considered the work of the Co-ordinations in that regard insufficiently beneficial or not beneficial. 60% of the LCNMs considered the Co-ordinations to be appropriate institutions for the strengthening of the LCNM position and capacities in their individual work, whereas 13% did not. 16% of the LCNMs-members of Co-ordinations considered the initiatives by the co-ordinations fully successful, and 44% insufficiently successful, while 40% of LCNMs stated that they were not yet in the position to evaluate results of such initiatives.

3.4.2. EVALUATION BY LCNM CO-ORDINATION REPRESENTATIVES

75% of LCNM Co-ordination representatives which are established at the level of self-government units and at the level of the Republic of Croatia considered the Co-ordination members to be familiar with the role of LCNM Co-ordinations in line with the provisions of the CLNM. Almost all LCNMs – the Co-ordination members actively participate in the work of co-ordinations.

Co-ordinations do not receive financial support for their work from the budget of self-government units or from the State budget. Coordination respondents said that Co-ordinations do not possess or mainly do not possess financial and logistical capacities for the implementation of activities stipulated in the Statute or by the Agreement on establishing the Co-ordination. For the purpose of ensuring financial and logistical capacities for their efficient work, the Co-ordinations have needs similar to the needs presented by the LCNMs that lack sufficient capacities.

2/3 of surveyed persons evaluated the Co-ordinations to be active in their work, while the rest of them considered them insufficiently active. All surveyed persons stated that Co-ordinations successfully or mainly successfully align their attitudes pertaining to issues from their scope of work. In addition, they all evaluated the influence of the work of the Co-ordination to the increase of efficiency of the work of the LCNMs to be beneficial or very beneficial.

4. RECOMMENDATIONS FOR IMPROVING THE EFFECTIVENESS OF COUNCILS OF NATIONAL MINORITIES

After considering the results of the survey and identifying the issues affecting the operation of the LCNMs, and after consultation and discussion with LCNM and local authority representatives, including the Technical Workshop, the following recommendations have been formulated for central authorities; local and regional authorities; and LCNMs:

4.1. Recommendations for central authorities

Central authorities and institutions that have competencies in the field of minority rights protection should:

- In the shortest period of time, develop updated databases to contain relevant information on all LCNMs in the Republic of Croatia;
- Plan and organise the provision of systematic and targeted forms of training for the LCNM members and local / regional authority officials; further to organise regular informative sessions for all relevant stakeholders. Training should focus on:
 - implementation of the CLNM provisions and other legislation relevant for establishing the minority rights;
 - international instruments targeting the protection of human / minority rights, and also specific acquired rights;
 - the possibilities and modalities on how to raise funds for LCNMs from alternative sources;
- Strengthen monitoring mechanisms to supervise the implementation of the CLNM in practice. All relevant laws and subordinate laws should be harmonised with the provisions of the CLNM. An efficient penalty system for the self-government units should be established in cases when they do not allocate financial sources to the LCNMs for performing their basic activities. CSOA must conduct supervision over the self-government units on the manner, deadlines and the procedure for the exercise of the rights stipulated in Article 31 Paragraph 1 of the CLNM;
- Whereas the Rulebook on Compensation of Expenses and on Awards for the Work of the Councils' Members and National Minorities' Representatives prescribes only on the maximum amount of monthly award, it is also necessary to determine its minimum amount;
- Consider, in consultation with the LCNMs and the representatives of national minorities, the Rulebook provision that equates LCNM members and the representatives of national minorities in respect of the highest monthly award amount. This particularly refer to the fact that individual representatives have the same rights and commitments as multi-member CLNMs. Individual representative is supposed to perform the same work as CLNM membership and thus should be entitled for higher amount of monthly award than an individual member of CLNM;
- Urgently provide with appropriate financial and logistical support those self-government units which have no, or have insufficient, capacities to implement relevant provisions of the CLNM;
- Consider the need for strengthening the institutional position of the Council for National Minorities as well as of its capacities to ensure systematic provision of legal/expert support to the LCNMs;

- In cooperation with the LCNMs, consider creating a specific legal framework which would enable the acquisition of legal entity status and registration of LCNM co-ordinations as specific minority institutions *sui generis*;
- Increase the LCNM visibility and facilitate their access to public media;
- In consultation with the LCNMs, consider the requirements to hold the next LCNM elections simultaneously with the regular elections for local self-government representatives. Harmonise in the future the election date for the LCNMs with the elections date for the representatives of local self-government units.

4.2. Recommendations for local and regional authorities

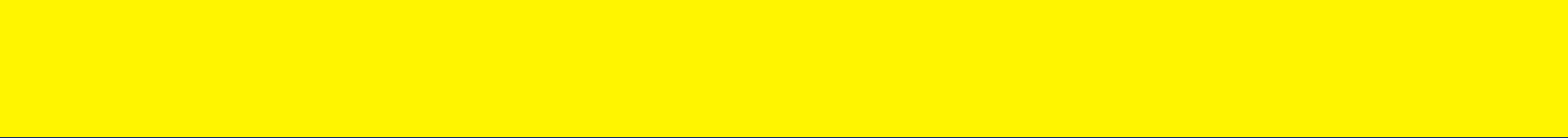
Authorities and the bodies of self-government units should:

- As soon as possible regulate, by their general acts, the manner, deadlines and the procedure for the exercise of the rights stipulated in Article 31 Paragraph 1 of the CLNM;
- Make additional efforts for securing LCNM with appropriate financial means to perform their work, including the funds for their administrative tasks. Further, they should consider possibilities to secure funds for specific activities set forth in the LCNMs' working programmes. All budgetary funds allocated for CLNMs should be presented within the framework of separate budget items;
- Ensure full transparency in the spending of funds allocated to the LCNMs;
- In agreement with LCNMs, discuss and establish the minimum additional logistical support (such as premises and equipment) necessary for their efficient administrative work, and review possibilities and manner of provision of such support, including allocation of appropriate funds needed to employ a professional Secretary of the LCNMs;
- When deciding on allocation of financial or other kind of support to LCNMs, avoid conflict of interest situations. This in particular refers to persons who perform functions - both in the self-government bodies (that decide on the provision of funds), and in the LCNMs (that are recipients of these funds);
- Regulate, by general acts, the adequate amount of monthly rewards and reimbursement of expenses for the work performed by LCNM members in accordance with the provisions of the Rulebook adopted by the CSOA;
- Assign a focal point to be in charge for the communication and co-operation with the LCNMs;
- Regularly ask for opinions and proposals from the LCNMs in line with the provisions of the CLNM, when preparing draft general acts concerning regulation of the rights and freedoms of national minorities;
- Secure participation of their representatives in relevant educational events and information campaigns, and disseminate outcomes on local levels;
- In cooperation with the LCNMs, plan and perform measures towards the promotion of inter-ethnic relations, inter-ethnic tolerance, cooperation and mutual respect;
- Contribute and support presentation of LCNMs in local media, and better acquaint the community with specificities of national minorities.

4.3. Recommendations for councils of national minorities

Councils of national minorities should:

- Contribute to the institutional development of LCNMs and motivate entire membership to actively take part in the work of LCNMs; furthermore, secure participation of their representatives in relevant educational events and information campaigns, and disseminate outcomes amongst their members;
- In co-operation with the representatives of local and regional self-governments, contribute intensively to the raising of public awareness about the LCNMs being legitimate institutions entitled to ensure participation of national minorities in the public life and in representing their interests on local levels;
- Make clear distinction between the role and work of the LCNMs and minority organizations through LCNM statutes and annual working programs;
- Actively participate in decision-making processes on the issues in their scope of work, and those of interest of minority communities they are representing;
- Make use of their rights and commitments to request supervision and to undertake measures against inappropriate operations of self-government bodies concerning the implementation of the CLNM and special laws regulating the rights and freedoms of national minorities;
- Intensify their communication and cooperation with the Council for National Minorities;
- Regularly communicate their Statutes, financial plans and annual balance sheets to the self-government bodies in charge;
- Hold regular contacts with their voters and brief them about performed work;
- Develop networking of LCNMs on all levels in order to ensure a facilitated and better-quality co-operation and exchange of information.



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