

# **P R O T O C O L**

## **of the 7th Session of the Hungarian-Croatian Minority Joint Committee (Zadar, May 5, 2005)**

The Hungarian-Croatian Minority Joint Committee (hereafter MJC) held its 7th session in Zadar on May 5, 2005. The leader of the Croatian delegation, dr. Slavko Leban, Deputy State Secretary of the Ministry of Foreign Affairs and European Integration, and the leader of the Hungarian delegation, Jozsef Balint-Pataki, President of the Government Office for Hungarian Minorities Abroad (HTMH), served as Co-Presidents of the MJC.

The Joint Committee, during the exchange of views regarding bilateral minority protection as well as about timely questions regarding the situation of Hungarian and Croatian minorities living in both countries, agreed upon the following:

1. The Republic of Hungary and the Republic of Croatia are committed to ensuring at a high level the communal minority rights of the Croats and Hungarians living on their territories, representing a highly important stabilizing element in relations between these two friendly strategic partner states.
2. "The Agreement regarding the protection of the Croatian minority living in the Republic of Hungary and the Hungarian minority living in the Republic of Croatia signed on April 4, 1995, in Osijek" (hereafter Agreement), ensures an adequate framework from the point of view of protecting the two concerned minorities' communal rights and improving their situation. The legal situation of the two minorities – in accordance with European minority protection norms – can be considered fundamentally in order. This was affirmed by the "Joint Declaration" of Hungarian Prime Minister Ferenc Gyurcsany and Croatian Prime Minister Ivo Sanader issued in Budapest on February 8, 2005
3. In the sense of the "Joint Declaration", the signatories "agreed that as allies their common task is to cooperate in the interest that in the wider Europe new ethnic dividing lines shall not develop, and the culture of dialog between the majority and minorities shall broaden. Therefore – in accordance with the idea of cultural diversity also stated in the Treaty Establishing a Constitution for Europe as well as on the basis of the principles of subsidiarity, local governance and the most suitable framework for our communal life – they ensured their support for the complete realization and future continual implementation of the minority cultural autonomy and minority self-government guaranteed by the Agreement and stated in the legislation of both countries.
4. The members of the MJC agreed that ensuring the subsistence of the Croatian Hungarians and Hungarian Croats, and the improvement of their situation requires even more intensified state and local government attention, and the complete validation and enforcement of the principles and goals of the Agreement.
5. The MJC highly appreciates that the Republic of Hungary by every possible means supports the efforts made by the Republic of Croatia in the interest of EU accession.

6. The MJC appreciates the support given by the Republic of Hungary to the Republic of Croatia in the introduction of the minority self-government system.

7. The Parties reviewed the status of the fulfillment of recommendations formulated at the previous MJC sessions, and the MJC summarized its related observations in the Protocol. The representatives of both minorities called to the MJC's attention that in some cases the MJC's recommendations have not been, or are only slowly being, realized.

8. The Parties shall forward their recommendations to their Governments in the interest of fulfilling the obligations arising from the bilateral Agreement. The MJC recommends that the Governments enhance the recommendations of the present Protocol through governmental decisions and make them the tasks and obligations of certain ministries. The MJC also recommends that the fulfillment of the Agreement in 2005 should happen at a faster pace and with greater consistency than in previous years.

The Parties agreed that they shall hold their next session in Hungary in 2006, timed so that it takes place before the budget planning process for 2007.

**The Joint Committee reviewed the fulfillment of recommendations accepted in earlier sessions of the MJC and established the following:**

### **In the area of general issues**

1. The possibility for the preservation of national identity and the freedom of expression is constitutionally and legally guaranteed for the Hungarian and Croatian minorities living on the territories of the state Parties. Although the institutional guarantees are given in a satisfactory way by both Parties, at the same time certain obstacles become apparent at the local level and during their execution, respectively.
2. The Hungarian minority is represented in the Sabor by an elected representative – on the basis of the mandate for national minorities ensured by legislation. Hungarian representatives chosen through local elections work in the Croatian county and district governments.
3. The Parties acknowledged with satisfaction that for minorities in Croatia, thus in the case of the Hungarians as well, the application has begun of the legislation of 2000 regarding "the use of minority mother tongues and writing," the legislation of 2000 that ensures "the use of mother tongues and writing for minority education and training," and the constitutional act of 2002 regarding minority rights.
4. The Hungarian Party acknowledged with satisfaction that the Croatian government, in keeping with its earlier promise, each year has raised by 10% the budgetary support for the institutions that ensure the provision of information, support for amateur art groups, and the preservation of identity.

5. The Hungarian Party welcomes that in Croatia the support advertised under the name "In Hungarian in the Homeland" made attractive the work of groups that preserve the mother tongue, in which children of other nationalities also participated.
6. The Croatian minority in Hungary still does not have its own representative in the Hungarian Parliament. As a result of the minority self-government elections held in Hungary on October 20, 2002, 107 Croatian minority self-governments were established, instead of the 74 that operated during the previous period. In 20 settlements the elected local self-governments transformed into minority self-governments, and some 20 Croatian mayors received mandates.
7. The constitutional act on the legal status of national minorities and the provisions of the separate law on local and territorial (regional) self-governments sufficiently guarantee for the members of the Hungarian national minority representation in the bodies that guide local governments. In the national minority council and representative elections held on May 18, 2003, and February 15, 2004, the selection of 31 councils and 8 representatives for the Hungarian minority took place.
8. In the last period as well, the Republic of Croatia – in accordance with the internal regulation concerning the financing of minority associations – provided support to Croatian minority organizations from the state budget primarily to carry out programs. The National Minority Council is an independent body that makes decisions about the use of money from the state budget designated for the needs of national minorities.
9. The Republic of Hungary formed a multi-channel support system for minorities (operating expenses, program financing, extra payments for minorities). The national and local Croatian self-governments partake of central budget support, while the budget supports the Association of Croatians in Hungary on the basis of competitions for funding. The ministries and public endowments – through competitions for funding – support the realization of numerous programs. The local self-governments usually guarantee operating conditions for the local minority self-governments as well, but this combined support is in many places not sufficient for the completion of the work of the minority self-governments. Following the significant increase in support in 2003, a major decrease has been experienced.
10. In recent years the renovation of border crossings took place on the common Hungarian-Croatian border, along with the expansion of their operating hours. Within the currently given possibilities, too many demands are put forth (the establishments of EU-type customs areas, tourist traffic and the facilitation of relations in the border region), but at the same time both minorities are aware that the increase and modernization of border traffic can only take place in accordance with European Union regulations.
11. With material support from the Croatian state, the renovation is underway of buildings and residences in the Croatian Danube Region, and thus of the homes

of Croatian citizens of Hungarian nationality and of the infrastructural facilities that are necessary for the activities of the Hungarian minority organizations and institutions. At the same time it is necessary for Croatia to take on a greater burden in the renovation or rebuilding of religious institutions destroyed or damaged in the war (the Catholic church in Novi Bezdán, renovation of the Reformed church in Laslovo, the Reformed church in Lasko).

12. In both countries the conditions for the issuing of bilingual personal documents are guaranteed. The Parties encouraged the official use of the Hungarian and Croatian minority languages in the territories of local self-governments and districts. In both states the placement of bilingual place-name signs, with a few exceptions, can be considered general in practice, while the designation of state and self-government offices in the minorities' languages in settlements continues to leave much to be desired. The newly adopted law on administrative procedures in Hungary recognizes the right of members of minority communities to use their mother tongues in official procedures, and the right of majority settlement self-governments to use the minority languages officially. In Croatia the constitutional act on the legal standing of minorities makes it possible for bilingual signs to be placed in every environment where members of the minority make up 1/3 of the populace.
13. The traditionally rich cross-border cooperation programs continued. Cooperation agreements are in effect between Zala, Vas, Varazdin, and Medžimurje Counties, while the Baranya County Government and Osijek-Baranya County worked out a Euroregion cooperation program. The two minority communities are also part and beneficiaries of these cooperation programs.

### **In the area of education**

1. It represents a further step in the restoration process of the pre-war mother-tongue educational network of the Hungarians in Croatia that the reactivation of the only eight-year elementary school of the Hungarians in Eastern Slavonia became possible. Ensuring the necessary instruments for the renovation of the above school within the framework of the CEB V Program falls under the competence of the Ministry of the Sea, Tourism, Transport and Development. The announcement and evaluation of the tender for the renovation of the school in Korog has taken place.
2. The Hungarian Center for Education and General Education in Osijek has operated since 1999. Beside its elementary school and secondary school classes, there is also a kindergarten. In Zagreb bilingual instruction takes place at the Ivan Gundulić Elementary School in the lower grades in two groups that combine grades 1 through 4, and in virtue of this one more teacher was hired in 2002. The Hungarian Ministry of Education continues to provide textbook support to the Croatian elementary schools in Hungary and to groups that preserve the mother tongue.
3. The signatories of the international agreement on the protection of national minorities consider the Training and Recreation Center of the Hungarian Croats established on the island of Pag to be a unique example of cooperation

between the two countries. The Government of the Republic of Croatia has given use of the property to the National Croatian Self-Government for a period of 20 years. On the basis Article 6 of the Contract regarding utilization of the property, the Ministry of Foreign Affairs and European Integration of the Republic of Croatia is entitled to exercise supervision of usage of the property. The Croatian and Hungarian Governments contributed equally to the renovation and modification of the building. The operation of the Center on Pag can have multiplied significance if the intention is realized that, in addition to the Hungarian Croats, Croats living in neighboring countries (Slovakia, Austria, Romania, Italy, Serbia and Montenegro) can also use it for general education, education and leisure purposes, and thus further develop their knowledge of their mother tongue in a genuine Croatian environment.

4. The MJC acknowledged with satisfaction that the Hungarian Accreditation Committee approved for a three-year trial period the request by the University of Pecs to start a university-level Croatian language and literature basic training school. In that sense university-level training can start in the Croatian Department in September 2005.
5. The MJC also acknowledged with pleasure that construction work on the Miroslav Krleža Croatian-Hungarian Educational Center began in fall 2004, and is expected to be completed in fall 2005. The institution's topping-out ceremony took place on April 7, 2005.
6. The competent ministries continue to make efforts to supply professional literature to the language departments operating in both countries, as well as to the libraries of the two minorities.
7. In the last period in Hungary the possibilities of support for the nationality schools from the central budget have grown. Even though self-governments that support Croatian nationality schools with low numbers of students receive additional support (small-settlement allowance, supplemental nationality support) beyond the basic support, they still struggle with financial problems. The MJC acknowledges with satisfaction that, with the modification of the parts of the Minority Law dealing with education, the legal and financial conditions have been created for the minority self-governments to take over the nationality public education institutions. In this manner, from 2005 the operating conditions for the bilingual Croatian elementary school in Hercegszanto have been ensured on the basis of an agreement between the National Croatian Self-Government and the Education Minister. It is welcome that in Szentpeterfa and in Felsoszentmarton bilingual nationality instruction was introduced in the system stemming from the initiative of the National Croatian Self-Government.
8. Both Parties continue to support minority schools in the other country, sufficiently providing them with necessary professional advice, textbooks and professional literature. They support direct relations between minority schools and the mother countries' schools. At the same time the Croatian schools in Hungary did not in every case receive teaching-material support sufficient for their needs.

9. The Parties continue to issue mutual invitations to minority educators for traditional summer continuing education seminars as well as to support direct relations between minority schools and the mother countries' schools, including student exchanges and field trips.
10. The MJC determines that the forwarding of scholarship documentation continues to be halting for both Parties. The Republic of Croatia's Ministry of Science, Education and Sport favorably evaluates those applications that request minority subject studies in the Republic of Croatia. The Croatian Party is ready to raise especially the number of scholarships related to the Croatian language and literature, and supporting the needs of the Croatian minority. The Ministry of Foreign Affairs and European Integration annually provides scholarships to students of Croatian nationality studying in Croatia.

### **In the area of culture, science and information**

1. Through the Republic of Hungary's institutional-maintenance funding competition, the National Croatian Self-Government established the Hungarian Croatian Researchers Institute. The Republic of Croatia's Ministry of Science, Education and Sport for the first time announced joint financing in regard to a Croatian-Hungarian scientific research project.
2. The Hungarian Center for Education and General Education in Osijek, due to the delay in hiring a general education staff member, is not able to completely fulfill the general education functions in its founding charter.
3. The Hungarian Croatian minority's supply of Croatian dailies, periodicals and books is occasional and unsystematic. Regular subscriptions to *Skolske novine* and the monthly *Meridian* were introduced for the Croatian schools in Hungary, for which funding is provided by the Ministry of Science, Education and Sport of the Republic of Croatia. Small steps forward took place in the provision of basic literature to the Croatian minority libraries and toward the provision of books to the libraries of the Hungarians living in the Danube Region, which were destroyed in the war.
4. Editorial work for the Hungarian-Croatian/Croatian-Hungarian intermediate dictionary has begun, but it is not proceeding at a satisfactory pace. The undertaking's completion deadline in 2007 demands increased efforts.
5. The support for the Croatian Theater in Pecs has increased through a competition for central Hungarian funding. The Croatica Information, Culture and Publishing Center also took on the coordination of the Croatian-language publishing that is going on in several places. Hungarian financial support for the weekly *Hrvatski glasnik* through open competitions continued; nevertheless in 2005 the National and Ethnic Minority Public Endowment struggles with serious operational disturbances, *Hrvatski glasnik* has not received any financial support in 2005, and thus solely with support from the National Croatian Self-Government does it appear.

6. For the Hungarian minority in Croatia funding sources for information purposes have grown, thus making possible the publication of more papers. The budget of the Republic of Croatia covers the appearance of the weekly *Uj Magyar Kepes Ujsag*, *Horvatorszagi Magyar Naplo*, the periodical *Horvatorszagi Magyarsag*, the children's paper *Barkoca* and the annual *Rovatkak*. The National Minority Council does the allocation of the funds.
7. National broadcasting of Croatian-language nationality radio programs continued, but in a regional respect the possibility of reception is limited. The MTV Pecs Region studio also prepares Croatian-language nationality programs for national broadcast. The independent TV and radio information institutions of the Hungarians in Croatia have not been reorganized following the war. There continues to be a rightful demand for the establishment of an independent Hungarian-language radio editorial office and broadcast in Osijek. The National Minority Council began the financing of programs broadcast in the minority language on the local Croatian Baranya Radio station (Pelmonostor). The National Minority Council also started the training of minority television reporters and presenters.
8. On the basis of the MJC's recommendations, development of the feasibility study regarding the plan for the central Croatian library in Hungary is underway. The National Croatian Self-Government undertook the preparation of the plan.
9. On the basis of the MJC's recommendations, development of the feasibility study for the consolidation of the Croatian media within the Croatia Public Company is underway. The National Croatian Self-Government undertook the preparation of the plan.

## **RECOMMENDATIONS**

### **of the 7th Session of the Hungarian-Croatian Minority Joint Committee**

The Joint Committee continues to consider valid those recommendations from earlier Protocols that have not been fulfilled or have only partly been fulfilled, and which the Governments of both countries have affirmed in resolutions. Beside these, it makes the following recommendations to both Governments, urging their realization in 2005 or the beginning of their realization in 2005.

### **General recommendations**

1. The MJC recommends that both Parties continue to do everything in the interest that the rights guaranteed by law for the two concerned minorities be fulfilled and become a functioning system. The MJC urges that the Hungarian Party, by modifying the minority and electoral rights laws, guarantee the conditions for cultural autonomy as well as for the legal and financial operation of the national and regional institutions.

2. On the basis of the 1993 judgment of the Hungarian Constitutional Court, in the coming parliamentary cycle the Hungarian Party shall endeavor that work on the legal basis for ensuring parliamentary representation for Hungary's minorities be completed in conjunction with the national legal-enactment and voting rights reform process, and thereby ensure that the Croatian minority can select its own parliamentary representative in the next parliamentary elections.
3. The Parties shall more coherently continue the economic development of the settlements inhabited by the two minorities. The MJC considers extraordinarily timely the comprehensive development of the settlements in the Croatian Danube Region inhabited by Hungarians. The Hungarian Party shall continue to offer assistance with the renovation of public buildings. The Croatian Party shall continue to drive the rebuilding of settlements, the building up of infrastructure and with every instrument contribute to the improvement of living conditions for the Hungarian minority in the Croatian Danube Region. The Parties further recommend that the Hungarian government, by taking advantage of EU sources (INTERREG III A), urge support in the international arena for the reconstruction of the Croatian Danube Region.
4. The Croatian Party shall do everything in the interest that significant progress take place in the area of supplying the Croatian Danube Region with public utilities.
5. The MJC recommends that the Hungarian Party confer continuous material support to the National Croatian Self-Government and its institutions. The Hungarian Party shall offer significant support to the Hungarian Croats' largest nongovernmental organization, the Association of Croats in Hungary. Support for local and professional organizations shall take place through program financing. The National Croatian Self-Government recommends that the total amount of the supports increase by at least such a degree that they reach the level of support in 2003.
6. The MJC recommends that, in working out the norms for system of support, the Hungarian Government settle the county, city and township support necessary for the work of the Hungarian councils.
7. The MJC recommends that the Hungarian Government proceed in the interest that the representative of the Croatian minority gain the right to vote in the National and Ethnic Minority Public Endowment.
8. The MJC recommends that the Government of the Republic of Croatia and the Government of the Republic of Hungary continue to guarantee sources of financing from the central budget for the operation of the Training and Recreation Center of the Hungarian Croats in Vlasici on the island of Pag, which they consider to be a unique example of cooperation between the two states from the standpoint of the preservation and protection of the minorities' sense of identity. The MJC recommends to the two governments that they urge the drawing upon of EU sources. At the same the Republic of Croatia shall ensure the use of the property by the National Croatian Self-Government for 50 years, instead of the 20 years undertaken until now.



## **In the area of education**

1. The MJC recommends that the responsible ministry of the Republic of Croatia continue the renovation and equipment of the elementary school in Korog. At the same time it recommends that, according to the possibilities, they look into the construction of the gymnasium of the school in Zmajevac.
2. The MJC recommends that the Croatian Party assume the responsibility for ensuring the operation of the pedagogical council (school inspectorate), which supervises all education for Hungarians in Croatia. It should further ensure the completion of the delayed expansion of the gymnasium and the provision of equipment for it.
3. The MJC recommends that the equipment of the gymnasium and classrooms of the Hungarian Center for Education and General Education be continued.
4. The MJC recommends that both Parties support the renovation of the Croatian educational institutions' old building in Pecs. The Hungarian Party, to the extent possible, should support the fulfillment of the necessary deduction for drawing upon secured EU funds.
5. The Croatian Party, as possibilities allow, shall assume its responsibility for the construction of a fifty-bed dormitory wing that, attached to the Hungarian Center for Education and General Education in Osijek, will ensure permanent accommodations for students from the countryside. It shall further ensure the creation of a sufficient number of dormitory-instructor positions.
6. The Croatian Party shall examine the possibility of establishing such a Hungarian terminology qualification at Osijek University that would ensure the replenishment of teaching staff at Hungarian schools in Croatia, in the first place classroom teachers (primary grade teachers at elementary schools), as well as the training of certain vocational teachers.
7. The Hungarian Party shall increase, as far as possible, support for the maintenance of Croatian nationality educational institutions. It shall provide enhanced support for the Croatian Kindergarten, Elementary School and Dormitory in Hercegszanto, as well as the uninterrupted and continuous operation of the bilingual Croatian institutions in Felsoszentmarton and Szentpeterfa.
8. The MJC urges the earliest possible signature of the interministerial work plan – which expired in 2000 – by the education ministries of both countries.

## **In the area of culture, science and information**

1. The Hungarian Center for Education and General Education (MOMK) in Osijek still is not a substantive and comprehensive cultural pursuit, and such a scope of activities has not even been created. The Croatian Party shall do everything in the interest of fulfilling the obligation it undertook. It shall dedicate increased attention to the MOMK's operations and programming, also taking into account the criteria

for financing. The Hungarian Party shall assist the work of this institution with professional and methodological materials.

2. The MJC considers it extremely important that in the interest of speeding up the dictionary project the competent bodies in both countries urgently specify the remaining professional tasks and the exact financing conditions in accordance with the MJC's pledges in this connection.
3. The MJC urges that, according to its assumed tasks, the Hungarian Center for Education and General Education in Osijek – without harming the sphere of responsibilities and legal status of the city library in Manastir – fittingly receive the status of central Hungarian library, and with this receive a full librarian position as well.
4. The MJC supports the idea of the National Croatian Self-Government in Hungary to establish a central Croatian minority library.
5. The MJC recommends that the Hungarian Party support the establishment and operation of the Croatian Christian Collection planned by the National Croatian Self-Government. The Croatian community in Hungary asks that support be ensured for the preservation and renovation of Croatian religious memorial places in Hungary.
6. The MJC recommends that the Hungarian Party continue to support the Croatian Theater in Pecs from the central budget and examine the possibility of supporting the renovation of the theater building. The Croatian Party shall provide financial support for the theater from Hungary to tour along the Danube for the purpose of satisfying the cultural needs of the Croatian Hungarian minority. It shall further support performances in Hungary by Croatian theaters.
7. The Parties affirm their earlier recommendation that the two competent ministries contribute direct material support, on a project basis, to the annual publication by both concerned minorities of at least 3 literary, scientific and professional works each.
8. The MJC recommends that in 2006 the Croatian Party, in keeping with its repeated promise, ensure the establishment of a Hungarian-language public radio editorial office – operating in Osijek – in accordance with the needs of the Hungarian community in Croatia. The MJC welcomes that a Hungarian-language television editorial office was established in Osijek with support from the Hungarian government, and asks the Croatian Party to ensure the material conditions for the beginning Hungarian-language broadcast, which can be considered continuous.
9. The MJC supports the National Croatian Self-Government in Hungary in its idea that the Croatian-language media be consolidated within the framework of Croatica Public Company.

10. The MJC recommends that Hungarian Radio improve the reception possibilities for the Croatian program and continue to ensure the sufficient material, personnel and broadcasting conditions of the Croatian editorial office.
11. Considering that the question of the premises of the Endre Ady Hungarian Culture House in Zagreb is still not settled, the MJC recommends that the Croatian Party take concrete steps toward a calming solution to the problem.
12. The MJC welcomes and follows with attention the realization of the cultural work plan between the two countries.

The MJC expresses its thanks to the wife of the mayor of Zadar and the bailiff of Zadar Country, to the representatives of local and regional bodies, and to the staff of the Zadar and Zadar County tourism organizations for the help they provided in organizing the session and for their high-level hospitality.

This Protocol was produced in two copies, in the Hungarian and Croatian languages. Both versions are authoritative.

Zadar, May 5, 2005

On behalf of the Croatian  
MJC delegation:

Dr. Slavko Leban

On behalf of the Hungarian  
MJC delegation:

Jozsef Balint-Pataki