

## RECOMMENDATIONS FROM THE POLICY MEETING

<b>Name of the consultant</b>	Simonida Kacarska
<b>Place and date of the meeting</b>	Staro Nagoricane, 27 August 2016
<b>Title of the "Open Days"</b>	
<b>Results from the meeting</b>	<p style="text-align: center;"><i>1. Please indicate which topic/topics was/were discussed during the meeting: culture, media, education, effective participation in political life, official use of languages and script...</i></p> <p>The main topics discussed at the meeting were culture, in relation to the projects in Krusevo and Staro Nagoricane and effective participation in political life (Tetovo, Saraj and Centar Zupa).</p> <p style="text-align: center;"><i>2. How could the small project result make a difference, help solve the problem, or improve the situation in beneficiary?</i></p> <p>The results of the small projects supported the maintenance of the culture of smaller communities (Vlach in Krusevo and Serbs in Staro Nagoricane) through their promotion and engaging the local authorities in ensuring their sustainability. Through the specific examples of the Vlach room and festival of Vlach culture in Krusevo, as well as the workshop and folk society in Staro Nagoricane the conditions for maintenance of the cultures of the Serb and Vlach community have improved in these two municipalities, but in the overall beneficiary.</p> <p>The three projects in Tetovo, Saraj and Centar Zupa provided support to the dialogue at the local level, through the support of the Commissions for inter-community relations (Tetovo and Saraj) as well as enabling opportunities for exchange between different ethnic groups (Centar Zupa - given the specific needs of its elderly population). In addition to supporting local consultative processes and the effective participation in public life, these projects have also contributed to decreasing the ethnic polarization and created opportunities for inter-ethnic dialogue largely missing otherwise.</p> <p style="text-align: center;"><i>3. What are the short-term and long-term implications of the results?</i></p> <p>At the short term, the projects dealing with culture (Krusevo and Staro</p>

	<p>Nagoricane) have promoted the culture of the Serb and Vlach community in the duration of the project. In the long term both projects have established practically in the two municipalities for promoting the culture of both communities. Both municipalities have undertaken the responsibility to continue supporting the results (the Vlach room and festival in Krusevo as well as the folk society and workshop in Nagoricane), thus creating long term effects.</p> <p>As for the Saraj and Tetovo projects, both have improved the consultation processes and contributed to inter-ethnic dialogue in their respective municipalities and beyond (Saraj municipality has signed a memorandum of understanding with a neighboring municipality Gjorce Petrov which is significant because of a legacy of tensions between the two). In addition, in both cases extensive analyses have been prepared which can be used for further advancing of the work of the Commissions and the equitable representation. Both projects have also contributed to raising of awareness among the municipal administration, media and civil society of the role of the Commissions for inter-community relations which can be classified as a long term change. The project in Zupa municipality has similarly addressed a local need of the community for a venue for inter-cultural exchange among the local ageing population and has continued to support the operation of the association of retirees.</p> <p style="text-align: center;"><i>4. How do the results relate to other municipalities in the beneficiary/region?</i></p> <p>As the projects in the former Yugoslav Republic of Macedonia could be classified in two groups: culture and effective participation they were related as to their results as well as ensuing recommendations. In relation to the former, the Vlach and Serb community as smaller non-majority communities in the beneficiary faced similar concerns of lack of support for the maintenance and promotion of their culture both at the national and local level. In this respect, the results of both projects (elaborated above) are linked in providing a remedy to this shortcoming while also raising the awareness of the responsibilities of local authorities in this respect.</p> <p>In relation to the latter projects dealing with effective participation the projects in Tetovo and Saraj while improving the consultation processes in both municipalities and providing venues for effective participation of national minorities, have highlighted a common recommendation for ensuring continuity in the work of the Commissions for inter-community relations. Facing similar challenges, these projects, including the project in Centar Zupa have also confirmed the need for working directly at the local level with the communities.</p>
<p><b>Compliance of the Small Project Results with the</b></p>	<ul style="list-style-type: none"> <li>• <i>Which Article(s) of the FCNM relates to the main Project findings?</i></li> </ul> <p>Article 5 of the FCNM: culture</p>

**last findings of the FCNM**

Article 15 of the FCNM: effective participation

- *Please indicate the relation between the Project's findings and the last Advisory Committee Opinion and the Committee of Experts Resolution.*

***Relation with the last Advisory Committee Opinion***

In relation to **article 5 on culture**, the Third Opinion on "the former Yugoslav Republic of Macedonia" of the Advisory Committee on the Framework Convention for the Protection of National Minorities, adopted on 30 March 2011 on several occasions notes the lack of sufficient state support for minority cultures especially of numerically smaller groups. In the section main findings – support for minority cultures in point 17 the Committee notes the following:

*"The funding allocated to the performing arts, cultural centres and cultural associations have remained at similar levels in the last five years. Various interlocutors have underlined that public financial support for national minorities' activities is still limited and insufficient to meet needs. In particular the limited funding allocated to cultural activities of the numerically-smaller groups, such as the Vlachs and Serbs, seriously undermines their efforts to carry out activities aimed at preserving their language and culture. Furthermore, representatives of national minorities are not sufficiently involved in the decision-making process on the distribution of funds for cultural projects".<sup>1</sup>*

Similar assessments be found in relation to the article by article findings. In the section on recommendations from the two previous cycles of monitoring in relation to article 5, in point 74 the Advisory Committee notes that:  
*"In the previous cycles of monitoring, the Advisory Committee urged the authorities to identify, in co-operation with representatives of the minorities, means of improving national minorities' access to financial support from the state for their cultural activities and recommended that appropriate attention be paid to supporting smaller communities, including those not mentioned in the constitution, to allow them to preserve and affirm their identities".<sup>2</sup>*

In terms of the present situation the Committee in point 75 notes that the "authorities continue to provide various forms of assistance to national minorities, funded by the Ministry of Culture and since 2004, following the decentralisation of the state, by the local authorities."<sup>3</sup> The local authorities obtained the competences in relation to culture with the decentralisation through the Ohrid Framework Agreement.

In the same section, in point 77 the advisory committee repeats the same

<sup>1</sup> Third Opinion on "the former Yugoslav Republic of Macedonia" of the Advisory Committee on the Framework Convention for the Protection of National Minorities, adopted on 30 March 2011

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

concern as from point 17 mentioned above. Hence, it reiterates that:  
*although the allocation of funds to the performing arts, cultural centres and "cultural associations have remained at similar levels in the last five years, and that various interlocutors have underlined that public financial support for national minorities' activities is still limited and insufficient to meet the needs. In particular the limited funding allocated to the cultural activities of the numerically- smaller groups, such as the Vlachs and Serbs seriously undermines their efforts to carry out activities aimed at preserving their language and culture. The Advisory Committee further notes that, according to representatives of national minorities, they are not adequately involved in the decision-making process on the allocation of funds for cultural projects.*<sup>4</sup>

On the basis of this assessment the Advisory Committee in point 78 recommends

*"The Advisory Committee invites the authorities to seek to increase their support for the cultural activities of the national minorities' organisations and to ensure that financial difficulties will not affect disproportionately persons belonging to national minorities. In this context, it is important to ensure that the national minority representatives are involved in the decisions on the allocation of funds to cultural projects."*<sup>5</sup>

The need for increased support for cultural activities is once more reiterated in the further recommendations, where the Committee recommends that the authorities:

*Seek to increase support for the cultural activities of the national minorities' organisations and ensure that financial difficulties will not affect disproportionately persons belonging to national minorities; involve national minority representatives in the decisions on the distribution of funds allocated to cultural project.*<sup>6</sup>

Lastly, in the third opinion of the Advisory Committee mentions the limited nature of the public funding for cultural activities of the members of national minorities in the issues of concern following two cycles of monitoring. In point 198 specifically, the Committee notes that:

*Although the funding allocated to the performing arts, cultural centres and cultural associations have remained at similar levels during the last five years, various interlocutors have underlined that public financial support for the activities of the national minorities is still limited and insufficient to meet the needs. In particular, the limited funding allocated to cultural activities of the numerically- smaller groups, such as the Vlachs and Serbs, seriously undermines their efforts to carry out activities aimed at preserving their language and culture. Representatives of national minorities are not sufficiently involved in the decision-making process on the distribution of*

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<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

*funds for cultural projects.*<sup>7</sup>

It is clear from the above-presented excerpts from the third opinion of the Advisory Committee that the low level of public funding to numerically-smaller groups is a reiterated concern which is directly linked to the projects of Krusevo and Staro Nagoricane, which was confirmed in the projects. In the case of Krusevo, the announcement for poem in Vlach language for the elementary school pupils was the first of its kind ever to be held in the country. In Staro Nagoricane as a rural municipality there was extraordinary interest among the children and young people for participation in the folk society as well as in the attendance at events, clearly highlighting the need for such activities

**In relation to article 15**, the Third Opinion on “the former Yugoslav Republic of Macedonia” of the Advisory Committee on the Framework Convention for the Protection of National Minorities, adopted on 30 March 2011 on several points notes the need for increased tolerance and dialogue as well as the need to facilitate the effective participation of national minorities in public affairs. The Committee provided the following relevant **recommendation in the last two cycles of monitoring** under point 165:

*“In previous cycles of monitoring, the Advisory Committee encouraged the authorities to ensure, in accordance with the Ohrid Agreement, the equitable representation of persons belonging to national minorities in public life, centrally and locally, and with due regard for the needs of numerically-smaller communities in this field”*

The due regard for *numerically-smaller communities* is also targeted by the proposal from Tetovo municipality, since the Commissions in question aim to provide a forum for consultation of the communities that are not represented in the Council of the municipality.

In terms of the present situation in the section article by article findings, the Committee notes in point 171 that

*“There has been some progress towards implementing the right to the equitable representation of ethnic communities in the public sector, at central and local levels, thus implementing the Law on Civil Servants”.*<sup>8</sup> At the same time however, it notes that *“persons belonging to numerically-smaller minorities (Bosniaks, Serbs, Turks, Vlachs and Roma) are still significantly underrepresented”.*<sup>9</sup>

***Relation with the last Committee of Ministers Resolution***

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<sup>7</sup> Ibid.

<sup>8</sup> Ibid

<sup>9</sup> Ibid

In relation to **culture** The resolution CM/ResCMN (2012)13 on the implementation of the Framework Convention for the Protection of National Minorities by “the former Yugoslav Republic of Macedonia” was adopted in July 2012 and also notes the lack of funding for cultural activities for numerically smaller groups.

The Committee of Ministers notes the lack of public financial support for the activities of the national minorities in the issues of concern section largely with the same wording as the opinion of the Advisory Committee examined above. It specifically states the following:

*Although the funding allocated to the performing arts, cultural centres and cultural associations has remained at similar levels during the last five years, various interlocutors have underlined that public financial support for the activities of the national minorities is still limited and insufficient to meet the needs. In particular, the limited funding allocated to the cultural activities of the numerically-smaller groups, such as the Vlachs and Serbs, seriously undermines their efforts to carry out activities aimed at preserving their language and culture. Representatives of national minorities are not sufficiently involved in the decision-making process on the distribution of funds for cultural projects.<sup>10</sup>*

It reiterates the need for increased support for cultural activities in the section on **further recommendations** by advising authorities to:

*Seek to increase support for the cultural activities of the national minorities’ organisations and ensure that financial difficulties will not affect disproportionately persons belonging to national minorities; involve national minority representatives in the decisions on the distribution of funds allocated to cultural projects.<sup>11</sup>*

In relation to the **effective participation**, the Committee of Ministers in the Resolution notes the following:

*“Many new employees belonging to national minorities, hired to increase the quota of such persons within the workforce, do not have clearly defined job descriptions, or even proper workplaces. Some of the newly-hired persons are paid all or part of their salary without having to report for work. This does not help to increase the effective participation of persons belonging to national minorities in the public sector. In addition, it could have a negative impact on the quality and consistency of services provided by the civil service and foster resentment in society.”*

In addition, in the section on **issues of concern** the Committee of Ministers notes that:

*“Society remains polarised along ethnic lines, with the principal national*

<sup>10</sup> Resolution CM/ResCMN (2012)13 on the implementation of the Framework Convention for the Protection of National Minorities by “the former Yugoslav Republic of Macedonia” was adopted in July 2012

<sup>11</sup> Ibid.

	<p><i>groups living without significant interaction with each other. Such a parallel co-existence is particularly evident in the education system, the media, the political parties and as regards living areas. There have been instances of interethnic tension caused by lack of dialogue, stereotyping and prejudice.</i><sup>12</sup></p> <p>In the <b>issues for immediate action</b>, the Resolution calls for the authorities to</p> <p><i>“Effectively implement the laws adopted to implement the Ohrid Framework Agreement; create opportunities for interethnic dialogue in all spheres of life, in particular aiming to involve in joint activities children and young people living in ethnically-mixed areas, undertake further measures to promote tolerance, mutual understanding, respect and intercultural dialogue, and further measures to combat prejudice towards persons belonging to national minorities”.</i><sup>13</sup></p> <p>The projects dealing with effective participation (Saraj, Tetovo and Centar Zupa) have all provided a remedy to these shortcomings in terms of supporting mechanisms for consultation and participation of communities in public life by engaging key stakeholders such as religious leaders, schools as well as the media. At an overall level, all the small projects have in effect contributed to mutual understanding and intercultural dialogue overcoming the problems of parallel co-existence noted in the issues of concern of the Council of Ministers Resolution.</p>
<p><b>Compliance of the Small Project Results with the last findings of the ECRML/where applicable</b></p>	<ol style="list-style-type: none"> <li>1. <i>Which Article(s) of the ECRML relates to the main Project findings?</i></li> <li>2. <i>Please indicate the relation between the Project’s results and the last Committee of Experts’ Evaluation Report and the Committee of Experts Recommendations.</i></li> </ol>
<p><b>Main strategic/legislative and institutional framework dealing with minorities in beneficiary</b></p>	<ol style="list-style-type: none"> <li>1. <i>What are the main strategies/policies/legislation related with minorities</i></li> </ol> <p>The country does not have a single strategy on national minorities, but the protection and advancement of the rights of the communities is enshrined in the Constitution, especially through the amendments that followed the signing and implementation of the Ohrid Framework Agreement.<sup>14</sup>On the</p>

<sup>12</sup> Resolution CM/ResCMN (2012)13 on the implementation of the Framework Convention for the Protection of National Minorities by “the former Yugoslav Republic of Macedonia”

<sup>13</sup> Ibid

<sup>14</sup> See Framework Agreement [in Macedonian]

[http://www.siofa.gov.mk/data/file/Ramkoven\\_dogovor\\_mk.pdf](http://www.siofa.gov.mk/data/file/Ramkoven_dogovor_mk.pdf)

	<p>basis of the Ohrid Framework Agreement, the Government in 2007 adopted a Strategy for equal representation,<sup>15</sup> which operationalises the principle of equitable representation at the local level as well.</p> <p>In addition, the issues related to the communities are further regulated with the Law on the Promotion and Protection of the Rights of the Members of Communities which are Less than 20% of the Population of the Republic of Macedonia (Official Gazette No. 92/2008). This law establishes the agency for the realisation of the rights of the communities.</p> <p style="text-align: center;"><i>2. What are the main central institutions responsible for minorities</i></p> <p>The Secretariat for implementation of the Ohrid Framework Agreement in the Government of the Republic of Macedonia.</p> <p>The Agency for Community Rights Realization established with a separate law for the protection and promotion of the rights of communities representing less than 20% of the population.</p>
<p><b>Compliance of the Small Project Results with the minority policies in beneficiary</b></p>	<p><i>How do the Project's results comply with the national legislation and local action plans?</i> The maintenance of good inter-ethnic relations based on the principles of mutual tolerance and respect, equal treatment of all before the law and implementation of the Ohrid Framework Agreement is a priority of the Government of the Republic of Macedonia for the period 2011–2015.<sup>16</sup></p> <p><b>As to the project results that relate to culture</b> (Staro Nagoricane and Krusevo), with the decentralisation processes that accompanied the implementation of the Ohrid Framework agreement in the country, numerous competences in the field of culture were transferred to the municipalities. The competences of municipalities in the area of culture are governed by the Law on Local Self-Government (Official Gazette No. 5/02). In relation to the issue of culture, under Article 21 of the Law on local self-government, the municipalities independently regulate and perform, within the law, activities of local significance. The municipalities are competent for institutional and financial support of culture institutions and projects, preserving folklore, customs, old crafts and similar cultural values, organizing cultural events and promoting various specific forms of creativity. Hence, the project results directly contribute to the fulfillment of the municipalities' responsibilities.</p> <p>In the national Strategy for equality and non-discrimination on grounds of ethnic belonging, age, mental and physical disability and gender 2012-2015</p>

<sup>15</sup> See Strategy for equal representation [in Macedonian] at [www.siofa.gov.mk](http://www.siofa.gov.mk)

<sup>16</sup> See Strategic priorities and objectives of the Government of the Republic of Macedonia, available at: <http://vlada.mk/node/260?language=en-gb>



in the specific strategic aims, the first aim is "Advancing of the realisation of the rights of communities which represent less than 20% of the population in the Republic of Macedonia, at the national and local level". In this context, the results of Krusevo and Staro Nagoricane are in the direction of fulfillment of the first the strategic aims of the National strategy for equality, as the most recent strategic document in relation to fighting discrimination on grounds of ethnic belonging in the country.

The strategic plan for 2013-2015 the Agency for community rights realisation underlines that it has determined the small number of cultural events at which the folklore and other cultural features of the communities are one of the key obstacles that need to be tackled for the full realisation of the rights of the communities. Thus, it has outlined the strategic priority to promote the cultural heritage and cultural achievements of the members of the communities, by supporting traditional and new manifestations, events and initiatives.<sup>17</sup>

In light of these obligations the project results related advancement of the rights of the Vlach community in Krusevo and the Serb community in Staro Nagoricane are in line with the national legislation and action plans. The project results ranging from the established Vlach room in Krusevo, workshop in Staro Nagoricane, traditional costumes in both municipalities as well as the engagement of the youth are all in line with the national policy on national minorities.

**As to the effective participation**, (projects Tetovo, Centar Zupa and Saraj), on the basis of the Ohrid Framework Agreement, the Government in 2007 adopted a Strategy for equal representation,<sup>18</sup> which operationalises the principle of equitable representation at the local level as well. The Strategy specifically assigns the responsibility for consultation with the Commissions for inter-community relations on issues related to employment at the local level. The Law on Local Self-Government adopted as part of the OFA (Official Gazette 5/2002) foresees the obligation for representation of the communities in the municipal administration and in the public enterprises established by the municipality.

The national Strategy for equality and non-discrimination on grounds of ethnic belonging, age, mental and physical disability and gender 2012-2015 establishes that the Commissions for inter community relations are the key bodies competent for issues of equality and non-discrimination at the local level. According to the Strategy for equality,  
*"The objectives of the Commissions for inter-ethnic relations are to develop*

<sup>17</sup> See Agency for the realisation of the rights of the communities, Draft Strategic Plan 2013-2015, available at: <http://aopz.gov.mk/materijali/Strateski%20plan%202013-2015.pdf>

<sup>18</sup> See Strategy for equal representation [in Macedonian] at [www.siofa.gov.mk](http://www.siofa.gov.mk)

	<p><i>and improve the relations between the various ethnic communities and to ensure their active participation in the decision making in relation to issues that are on the agenda of the Council and are also of interest to the communities. The Commissions thus play a twofold role in the socio economic context: ensuring institutional dialogue and enabling direct participation of the citizens in the decision making process”.</i><sup>19</sup></p> <p>The Strategic Plan of the Agency for the protection of the communities envisages in the course of 2014/2015 to conduct trainings and counsel the local self-government bodies and the Commissions for inter-community relations with respect to the implementation of governmental policies in relation to the rights of the communities.<sup>20</sup></p> <p>Overall, the results of the three projects dealing with effective participation (Tetovo, Centar Zupa and Saraj) are in line with the major strategic documents at the national level, but foremost through the implementation of the obligations of the Ohrid Framework Agreement.</p>
<p><b>Policy Recommendations</b></p>	<ol style="list-style-type: none"> <li>1. <i>Specifically state what should be done, the steps required to implement the recommendations, and the resources needed;</i></li> <li>2. <i>Indicate the benefits that could be achieved and what problems could be corrected or avoided;</i></li> <li>3. <i>Indicate the feasibility of the proposed recommendation;</i></li> </ol> <p>1. Improving inter-institutional coordination on matters related to the national minorities, including coordination of local authorities and national bodies for promotion of human rights, associations of communities and civil society. With this recommendation, the results of small scale projects could be better promoted at the national level and the national bodies could gain insight from the local level. The recommendation does not necessitate additional resources, except regular coordinating activities and is therefore highly feasible. Resources such as existing consultation bodies at the central and local level can be put into life.</p> <p>2. Increasing financial assistance to the associations of communities and/or for the purposes of promotion of the rights of communities. This recommendation could be realised by a) operationalising the Fund in the competence of the Agency for promotion of the rights of communities and b) more balanced distribution of funds in the competence of the Secretariat for the implementation of the Ohrid Framework Agreement. This recommendation necessitates additional financial support and is moderately</p>

<sup>19</sup> See National Strategy for equality and non-discrimination on grounds of ethnic belonging, age, mental and physical disability 2012-2015 [in Macedonian]

[http://mtsp.gov.mk/WBStorage/Files/strategija\\_ednakvost.doc](http://mtsp.gov.mk/WBStorage/Files/strategija_ednakvost.doc)

<sup>20</sup> See Agency for the realisation of the rights of the communities, Draft Strategic Plan 2013-2015, available at:

<http://aopz.gov.mk/materijali/Strateski%20plan%202013-2015.pdf>

	<p>feasible.</p> <p>3) Advancing the consultation process at the local level through ensuring continuity and professionalisation in the work of the Commissions for inter-community relations. This recommendation necessitates a legislative change of the Law on local self-government for the specification of the selection of members of the Commissions for inter-community relations, necessitates resources for supporting the work of these bodies and is moderately feasible.</p>
<p><b>Recommendations for the relevant institutions in the beneficiary</b></p>	<p><i>1. Make a formal recommendations that best support the main Projects' results.</i></p> <p>Local authorities <b>should:</b></p> <ul style="list-style-type: none"> <li>• Raise the capacity of the municipality staff for implementing projects, outreach as well as profesionalisation of staff for sustainability of results</li> <li>• Build partnerships with media and specific journalists for working on issues relating to the national minorities</li> <li>• Increase the transparency in the allocation of funds from municipalities to CSOs for building trust among the communities</li> </ul> <p>National authorities <b>should:</b></p> <ul style="list-style-type: none"> <li>• Increase the allocation of funds to the communities, especially for culture at the national level through: <ul style="list-style-type: none"> <li>○ More balanced distribution of funds for the communities from Secretariat for the implementation of the Ohrid Framework Agreement</li> <li>○ Allocating finances to the formally established Fund for supporting the cultural activities of the smaller communities at the disposal of the Agency.</li> </ul> </li> </ul> <p>National and local authorities <b>should:</b></p> <ul style="list-style-type: none"> <li>• Engage with a wide set of stakeholders including community representatives, religious leaders, community organisations is crucial for the success of any project aimed at advancing the position of non-majority communities</li> <li>• Support effective participation of civil society in the implementation of the projects is needed in order to avoid the instrumentalisation of their input and effort</li> <li>• Improve the cooperation between national bodies for promotion of rights</li> </ul>

	<p>of the communities (eg. the Agency for promotion of community rights) with the local authorities for improved promotion of results and outreach.</p> <ul style="list-style-type: none"><li>• Prepare and introduce legislative changes to the Law on local self-government in order to provide a framework for the uniform selection of the members of the Commissions for inter-community relations and continuity of the work of the Commissions</li></ul>
<b>Signature</b>	