

Nation-Building in Croatia and the Treatment of Minorities: Rights and Wrongs

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Introduction¹

The end of the Cold War unleashed different effects of nationalism in Yugoslavia of that time. It was directly initiated by decades of the corrupted communist regime and the chaos of the failed economy of that country. Therefore, it is from a historical distance not surprising to understand how easily politicians (and former political dissidents who regained power) and other actors who contributed to ethno-mobilisation (such as army leaders, major religious figures, prominent intellectuals) manipulated the mass-media in order to stir up nationalism, eventually contributing to the start of inter-ethnic conflicts in the country.

In October 1990 the Serb leaders declared the creation of the Srpska Autonomna Oblast (SAO) Krajina (Serbian Autonomous Region of Krajina), in this way restructuring the formerly proclaimed Community of Municipalities of Northern Dalmatia and Lika.² The independence of Krajina from Croatia was declared by the Serbian National Council on 16 March 1991. In the meantime,

1. The earlier versions of the present paper were published as country reports within FP6 funded project "Human and Minority Rights in the Life Cycle of Ethnic Conflicts" (MIRICO), available at < <http://www.eurac.edu/mirico>>.

2. On the establishment of the Serbian autonomous areas in Croatia see Nikica Barić, *Srpska pobuna u Hrvatskoj 1990.-1995*, Golden marketing – Tehnička knjiga, Zagreb, 2005, 93-108.

an armed conflict began in early May 1991 between the Serbs and the Croat police in Eastern Slavonia, the eastern region of Croatia bordering Serbia across the Danube River. After Croatia declared independence in June 1991, the militant Serbs backed by the Yugoslav People's Army (JNA) launched offensives to establish control of the regions with a significant Serb population: Eastern Slavonia and parts of the counties of Baranja and Srijem, declaring them part of the Serbian Autonomous Region (SAO) of Eastern Slavonia, Baranja and Western Srem. The Serbian forces also assumed control over parts of Western Slavonia, eventually retaining control in and around the town of Okučani. On 19 December 1991, the president of the SAO Krajina Milan Babić and the leader of the SAO Eastern Slavonia, Baranja and Western Srem Goran Hadžić proclaimed a new state, the Republika Srpska Krajina (RSK), announcing that the areas were being joined to form a single Serbian state in Croatia. In February 1992, the two areas officially declared their independence from Croatia. The RSK consisted of the Serbian region of Krajina (North-Western Dalmatia, Eastern Lika, Kordun and Banija), the Serbian region of Western Slavonija and the Serbian region of Eastern Slavonija, Baranja and Western Srem.³

The Croatian authorities of that time, aiming at international recognition of the country in late 1991 and early 1992, were conditioned to fulfil requirements to accommodate the Serb minority, offering them even territorial autonomy in those areas where the Serbs constituted a substantial minority of the population and that were in the meantime occupied by the Serb rebels. However, in spite of the fact that several legislative attempts to accommodate the Serb minority had been prepared, the 'solution' of the ethnic question in Croatia could not be reached at that time.

Since the open conflict between the Serb rebels, backed by the JNA forces, with the Croatian authorities took place predominantly during 1991, the majority of victims was registered in that period. It is estimated that in 1991, 3652 Croatian policemen and soldiers were killed, whereas until the termination of conflict there were 4000 more.⁴ Some other authors estimate there were as much as 16,000 killed or missing soldiers, policemen and civilians in the 1991-1995 war in Croatia.⁵ The data of the Ministry of Health from 1999 reported 4137 civilian victims that were killed as a result of the Serb aggression.⁶ In this number

3. On prosecution of Croats and other non-Serb population from Krajina See ICTY Babić Case (IT-03-72) against former President of the Republic of Serbian Krajina Milan Babić. See also Edith Marko-Stöckl, "The Making of Ethnic Insecurity: A Case Study of the Krajina Serbs", 1 (2) *Human Security Perspectives*, 2004, 24-33.

4. Nikica Barić, *op. cit.*, 124.

5. Dražen Živić, "Izravni demografski gubitci (ratne žrtve) Hrvatske (1990.-1998.) uzrokovani velikosrpsom agresijom i neke njihove posljedice", 53 (10) *Društvena istraživanja, Časopis za opća društvena pitanja*, 2001, 451-484, Nikica Barić, *op. cit.*, 125.

6. Nikica Barić, *op. cit.*, 124-125.

the victims on the side of the Serbs were not calculated. The Scholars' Initiative stipulate 22,000 dead on both sides (15,000 Croats and 7,000 Serbs).⁷ Other victims of the 1991-1995 war were refugees and internally displaced persons of Croatian and other non-Serb ethnic origin. It is estimated that until the end of 1991 300,000 persons were expelled from the territories occupied by the Serb rebels.⁸

The Serbs were as well victims of the ethnic mobilization and the conflict that followed in the first part of 1990s. It is estimated that 200,000 of them left the territory controlled by the Croatian authorities at the beginning of 1990s.⁹ They found new settlements either in the Republika Srpska Krajina or in Serbia or Bosnia and Herzegovina. They left mostly urban areas where they settled after the end of the Second World War as a result of industrialisation in Yugoslavia. Some authors find the reason for their flight not only in their fears for personal integrity, but mostly in their dissatisfaction with the new Croatian authorities (which were presented as "ustashoid" by the Serbian propaganda and media published in Serbia). (Mass)-execution of the Serbs in cities of Gospić, Sisak, Karlovac, Zadar and Split committed by the Croatian (para) military forces or the collecting camp for Serbs in Zagreb at the beginning of the ethnic conflicts contributed to the climate of intolerance and fear on the side of the Serb population.¹⁰ Therefore, being physically threatened and not being willing to accept the change of the political system, some Serbs who left Croatia were hoping they could return to the towns (such as Sisak, Karlovac, Zadar) after those would be "regained" by the Serbs and the JNA.¹¹ Finally, the issue of minority protection in Croatia has remained since 1995 closely linked to the return and reintegration of the Serbian minority that had left the territory in a second exodus after the military actions of 1995. Official data reveal that only 130,000 persons have registered as returnees of the Serb origin. However, many of returnees just used a possibility to gain Croatian citizenship and repair their destroyed housings with the state subsidies, but because of the lack of economic opportunities in their places of origin, at to a smaller extent due to feeling of insecurity, continued to live in neighbouring Bosnia and Herzegovina and Serbia.

7. Scholars' Initiative Team Seven, *The War in Croatia*, < http://www.salzburgseminar.org/ihjr/si/si/Team_7_Full_Text_Report.pdf >

8. Ibid. See also Anđelko Milardović, *Ujedinjeni narodi – Rezolucije o Republici Hrvatskoj – UNPRFOR* (Osijek, 1995), 118-127, cited in Nikica Barić, *op. cit.*, 125.

9. Marcus Tanner, *Croatia: A Nation Forged in War*, Yale University Press, New Haven and London, 1997, 327-328.

10. Drago Kovačević, *Kavez. Krajina u dogovorenom ratu*, Srpski demokratski forum, Beograd, 2003, 53.

11. Nikica Barić, *op. cit.*, 132.

Nation-Building and Nationalism in the Early 1990s: Processes Fuelled by Ethno-Mobilisation

Analyzing the concept of the “nation”, Joseph Marko distinguishes between “two ‘ideal-types’ of the relationship of the concepts of ‘state’ and ‘nation’, namely the ‘French’ model of a ‘state-nation’ based on ‘cultural indifference’ and the ‘German’ model of constructing ‘ethnic difference’ and ascribing to it social and political significance so that, based on this ‘recognition’ of ethnicity, ‘ethnic difference’ becomes legally institutionalized as the underlying structure of the concept of the ‘nation-state’.”¹²

The Croatian political elite of the 1990s definitely did not have in mind the creation of a civic state, but the emerging Nationalist movements were typical examples of the so-called nineteenth-century nationalism that attempted to create a political organization dominated by one ethnic group.¹³ However, this was not the case with Croatia. The nation-building at that time was closely linked to the Croatian National Revival (*Hrvatski narodni preporod*) or Illyrian Movement, a movement for national renewal and unity of all Southern Slavs within the Habsburg Monarchy that started in the beginning of the 1830s. The unification of all the Southern Slavs should have been facilitated through the adoption of a single literary language. The Illyrianists indeed succeeded in integrating the linguistically and administratively divided Croats. Nevertheless, the nation-building initiated in the nineteenth century was not completed, since Croatia joined firstly the Kingdom of Serbs, Croats and Slovenes in 1918 and later the Yugoslav federation.

Criticizing a false dichotomy of right and wrong (in other words, patriotism vs. nationalism or ‘civic’ vs. ‘ethnic’ nationalism), Marko claims that “this dichotomy of the two opposing models cannot be a starting point for any theory or practice of ‘diversity management’.”¹⁴ Nevertheless, Carr asserts that the ethno-nationalism emerging in former Yugoslavia in the late 1980s is an ethnic, racial nationalism in contrast to the Western European (civic) one that resulted in the emergence of nation-states after the French Revolution.¹⁵ Ethnic nationalism, according to him, created by an expanded sense of ethnic identity, is expansionistic and chauvinistic.

12. See Joseph Marko, “The Law and Politics of Diversity Management: A Neo-Institutional Approach”, 6 *European Yearbook on Minority Issues*, 2006/2007, 251-279, 362.

13. See Edward H. Carr, *Nationalism: A report by a Study Group of Members of the Royal Institute of International Affairs* (London: Oxford University Press for the RIIA, 1939). See also Hannah Arendt, *Elemente und Ursprünge Totaler Herrschaft* (The Origin of Totalitarianism), Frankfurt am Main, 1955.

14. Joseph Marko, (2008), *op. cit.*, 263.

15. Hannah Arendt, *Elemente und Ursprünge Totaler Herrschaft* (The Origin of Totalitarianism), Frankfurt am Main, 1955.

The ethnic mobilization on both sides, among the majority of Croats and on the side of the Serb minority, was conducted by political leaders who exploited “traits of history, myth and alleged ethnic difference in order to pursue their own power goals and to divert public attention from other pressing questions that could not be so easily resolved.”¹⁶ The ruling elites had been “threatened by changes in the economic and political structures that sustained them from mid-1980s onwards.”¹⁷ In order to preserve or to gain power, ethnic entrepreneurs started the ethnic mobilization. On the side of the Serb population it was fuelled by the galloping nationalism manifested in Milošević’s policy that was at that time wrapped into the idea of the preservation of the Yugoslav federation. The ethno-mobilization campaigns conducted by media as well as the use of mob rallies throughout Yugoslavia, predominantly in rural areas, and directed by Milošević’s regime built the myth of the genocidal nature of other Yugoslav nations that were accused of threatening the integrity of the Serbian nation. The Kosovo Albanians for example were demonized as internal enemies who were eradicating the Serb population in Kosovo, both by killings of the Serbs and by their high birth rate resulting in demographic growth that was changing the ethnic structure of the province. The Croats on the other hand were pointed at because of their collaborationist’s past. With the aim of reminding and mobilizing the Serbs, both in Serbia but predominantly in Croatia the Second World War Ustashe atrocities against Serbs, Jews and Roma were recalled.

Those nationalist political campaigns were possible due to the loyalty of the media controlled by the League of Communists of Serbia – the Serbian communist party – to the Milošević regime (e.g. the daily *Politika*, the political weekly *NIN*, Belgrade Radio Television etc.). In this way the Serbian population in the other republics of Yugoslavia, “was mobilised to generate the sympathy of the majority population in their home base, Serbia.”¹⁸ Nevertheless, after it became apparent it would be impossible to realize the idea of re-centralised Yugoslavia in which Serbia would have even greater stand, to a great extent due to the emergence of multiparty democratic systems in Croatia and Slovenia in 1990, a nationalist strategy that pursued the creation of a Greater Serbia (i.e. the country that would re-unite the Serbian nation within one state) was elaborated. It aimed at aligning ethnicity and territory, suggesting the creation of an entity that should have consisted of Serbia and Montenegro plus the parts of Croatia and Bosnia &

16. On mobilization agents see Espen Barth Eide, “‘Conflict Entrepreneurship’: On the ‘Art’ of Waging Civil War”, in McDermott, Anthony (Ed.), *Humanitarian Force*, Oslo: The Norwegian Institute for Human Rights and International Peace Research Institute, 1997, 54. See also V.P. Gagnon Jr., *The Myth of Ethnic War: Serbia and Croatia in the 1990s*, Cornell Univ. Press, Ithaca, 2006.

17. V.P. Gagnon Jr., “Ethnic Nationalism and International Conflict: The Case of Serbia”, 19 (3) *International Security*, 1994/95, 130-166, cited in Espen Barth Eide, *op. cit.*, 55.

18. Espen Barth Eide, *op. cit.*, 56.

Herzegovina where either the Serbs constituted the majority of the population, or which were conquered through ethnic cleansing operations that were supported by the JNA.

Even though a small minority of the total number of Croatia's Serbs had supported the nationalist Serbian Democratic Party (SDS) in the 1990 elections, it enjoyed support of the Serb population in the Krajina region. It "rejected all compromises with Zagreb; held mass rallies and erected barricades; threatened moderate Serbs and non-SDS members who refused to go along with the confrontational strategy; provoked armed incidents with the Croatian police, and stormed villages adjacent to the regions already controlled by the Serbian forces and annexed them to their territory".¹⁹ In spite of the fact that some argue that conciliatory moves by the Croatian regime could have been conducted in more efficient ways²⁰, it is true that all attempts to negotiate compromise with the rebellious Serb population were rejected by their local political leaders. At the same time, "moderate Serbs who disagreed with Belgrade's conflictual strategy were branded as traitors".²¹

The ethnic mobilisation on the side of the Croats was reinforced after the nationalist Croatian Democratic Union (HDZ) won the elections in May 1990. The newly established media entities (e.g. the National News Agency, HINA) or the ethnically purged old ones (e.g. the Croatian Radio Television) were contributing to the process of ethnic mobilization and to the 'war of words' in which the Serbs were labeled as secessionists, unpatriotic and Yugo-nostalgic. In this way, both the Serbian and the Croatian "elites mutually reinforced each other's claim, becoming mirrors of one another and doing, in effect, exactly what the opposing side accused them of doing."²² Ethnically based inflammatory speeches held during public events or circulated in the media in early 1990s were recurrent on both sides. It was soon inevitable that the 'war of words' turned into a 'war of bodies'²³, and the rebellion of the Serb minority, starting already in summer of 1990, turned into bloodshed in the 1991 and led to open warfare between improperly armed Croatian police forces and the insurgents backed by the JNA. A violent conflict along ethnic cleavages was thus provoked by elites "in order to create a domestic political context where ethnicity is the only politically rel-

19. V.P. Gagnon, Jr., 1994/95, *op. cit.*

20. The idea that a deployment of non-radical and not nationalist negotiators on the side of the Croatian authorities who could have approached local Serbs, offering them a settlement that would prevent break up of a violent conflict in 1991 is asserted in the works of Ivica Đikić, *Domovinski obrat. Politička biografija Stripe Mesića*, V.B.Z., Zagreb, 2004; and Drago Kovačević, *op. cit.*

21. V.P. Gagnon, Jr., 1994/95, *op. cit.*

22. Espen Barth Eide, *op. cit.*, 59.

23. Those concepts were introduced by Espen Barth Eide, *op. cit.*

evant identity".²⁴ By December 1991 the Serbs supported by the JNA controlled 15.000km² or 25.5% of the Croatian territory.²⁵

In order to affirm the Croatian nation and reinforce its unity, President Tuđman introduced the idea of national reconciliation or pan-Croatian reconciliation ('nacionalno pomirenje', 'svehrvatska pomirba') and promoted the overcoming of historical cleavages among parts of the Croatian nation that was ideologically fractioned in the Second World War among communists, profascists and supporters of the Kingdom of Yugoslavia. Tuđman allowed himself to take rigid nationalistic positions in public. For example, he stated that the Independent State of Croatia had not only been a "fascist crime, but also an expression of the historic aspirations of the Croatian people for an independent state."²⁶ In another chauvinistic declaration from the time, President Tuđman proudly stated that he was married neither to a Serb, nor a Jew. Some other highly ranking politicians of the Croatian Democratic Union were also using hate speech in the beginning of the 1990s, particularly in pre-electoral campaigns. Vladimir Šeks for example, a prominent HDZ politician, spoke of the "evil Jews", while an ultra-radical former minister Šime Đodan proclaimed that "Serbs and Jews are conducting a campaign against Croatia abroad."²⁷ Historian Goldstein asserted that "[m]any members of the new government were drunk with success and behaved as if they had forgotten, or perhaps only underestimated, the fact that Croatia was still in Yugoslavia with over half a million Serbian citizens who relied on Yugoslavia and were being increasingly manipulated from Serbia."²⁸

On the level of symbols, the newly proclaimed state required notions of self-identification. However, the abrupt change of the symbols (e.g. the flag, particularly a coat of arms that resembled the Independent State of Croatia's one, street names, names of public institutions, the introduction of new, "Croaticised" vocabulary etc.) contributed to unease among the Croatian Serbs, who feared revanchism that would resemble the one of the profascist regime. Particularly because of the attempt of one part of media to "rehabilitate the NDH (Independent State of Croatia), or at least improve its historical image. Among the Serbs this generated even greater apprehension and animosity."²⁹ Goldstein refers to this

24. V.P. Gagnon, Jr., 1994/95, *op. cit.*

25. Ozren Žunec, "Rat u Hrvatskoj 1991.-1995., 1. dio: uzroci rata i operacije do sarajevskog primirja", 1 (2) *Polemos: časopis za interdisciplinarna istraživanja rata i mira* (*Polemos, Journal of interdisciplinary research on war and peace*), 1998, 89.

26. Quoted in Večernji list, 25 February 1990, 5.

27. Laslo Sekelj, "Antisemitism and Jewish Identity in Serbia After the 1991 Collapse of the Yugoslav State", at <http://sicsa.huji.ac.il/12sekelx.html>.

28. Ivo Goldstein, 381-382.

29. Ivo Goldstein, *op. cit.*, 215.

period as the time of “Croatian national euphoria”.³⁰ Indeed, there were numerous examples where government employees of Serb origin were forced to resign or were dismissed or pensioned. Monuments erected in the time of communism glorifying the Second World War heroes and anti-fascism were in numerous cases demolished or removed. At the same time, monuments glorifying Croatian history that had been removed by the communist regime were solemnly re-erected. The standard Croatian language was “purified”, particularly in the state controlled public broadcaster and print media. The only orthography that was taught in schools was the Latinic one, since Cyrillic was banned in 1992. In addition to this, discriminatory provisions in the 1991 Law on citizenship denied the population of Serb origin who were not residing any longer in Croatia the right to apply for and receive citizenship. Consequently, they lost the right to vote. Later, as a consequence of the international community’s pressure, such discriminatory treatment has been rectified.³¹

The history teaching in 1900s has been adjusted to the new political elite “in order to legitimize their politics. In such a context, history teaching, and in accordance with that history textbooks have become weapons of politics and means of indoctrination.”³² A controversy remained around history teaching, which has only recently been tackled, after the initiative to offer a pluralism of textbooks starting from school year 2007/08 was put in place. This in return offered different interpretations of recent history, i.e. the 1990s conflict with the Serb minority. At least one of the textbooks did not take up the stereotypical picture of the Serbs purely as an enemy and addressed the issue of war crimes towards the Serbs committed by the Croatian soldiers.

When Wrongs Turn Into Rights: The Influence of the Process of Europeanisation

The wording of the 1991 Constitution’s Preamble “reaffirmed [...] millenary statehood” of Croatia, as well as “[t]he millenary identity of the Croatian nation and the continuity of its statehood”.³³ The very same Preamble establishes “the Republic of Croatia [...] as the national state of the Croatian nation and the state of the members of autochthonous national minorities”.³⁴ For the Serbs in Croatia, the Constitution that ranked their ethnic group as a national minor-

30. Ibid.

31. See Brad K. Blitz, “Refugee Returns in Croatia: Contradictions and Reform”, 23 (3) *Politics*, 2003, 181-191.

32. See Snježana Koren, “Učenje povijesti: Udžbenici nisu nacionalna biografija”, *Jutarnji list*, 21.07.2007. See also Stefano Petrungaro, “Ne treba biti hladan prema povijesti”, *Jutarnji list*, 21.07.2007.

33. Croatian Constitution, Official Gazette 41/01, corrections in Official Gazette 55/01.

34. Ibid.

ity was unacceptable, or at least unsatisfactory. The Serbs found the basis for this position in the fact that the 1974 Constitution treated them as the one of the constituent nationalities in Croatia. This Constitutional change has widely been used as an argument by the Serb political leaders for ethnic mobilization of the Serbs in Krajina to start the violent uprising.³⁵ They simply disregarded the fact that under the previous Constitution and political regime the Serbs, like the Croats, had not been given a possibility to organize in associations and parties along ethnic lines. In addition, they intentionally ignored that in accordance with the earlier Constitution of SR Croatia from 1974, the Serbs were not allowed territorial autonomy or secession.³⁶

Apart from the Constitutional guarantee of minority rights, several other documents were passed already at the beginning of 1990s with the aim to prevent the break-up of the country and the violent Serb uprising: the "Charter on the Rights of Serbs and Other Nationalities in the Republic of Croatia" and the "Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities or Minorities in the Republic of Croatia". The improvements in the minority regime came as a consequence of the country's desire to become a member of several international organizations at the beginning of 1990s. In the mid-1990s, when Croatia became a member of the Council of Europe, it took on an obligation to align its minority legislation with the Framework Convention for the Protection of National Minorities. The commitment was met, but only in 2002, when the country passed the Constitutional Law on the Rights of National Minorities. However, in spite of legislative mechanisms called for at the beginning of 1990s, pre-existing Serbian nationalism clashing with the equally present and ever more visible Croat nationalism in 1990, prevented peaceful accommodation of the Serb minority and a mutually satisfactory solution.

In the second part of 1990s, after the occupied territories were liberated by Croatian forces and the exodus of the Serb population from Krajina took place in 1995, the government of that time was not interested in solving the minority question and in properly implementing the minority legislation. On the contrary, it allowed for the settlement of the refugees of Croatian origin from Bosnia and Herzegovina and Kosovo in the housings of the Serbs in Krajina. Due to the autocratic rule of President Tuđman as well as to the deterioration of the rights of Serbs who were discouraged to return, the country was falling into international isolation.

35. Marcus Tanner, *op. cit.*, 269.

36. Nikica Barić, *op. cit.*, 89-90.

Improvements of minority policy came with the change of government in 2000³⁷ which then passed the Constitutional Law on the Rights of National Minorities (CLNM) in December 2002.³⁸ It was framed on the blueprint of the most developed international minority rights standards, introducing new instruments for minority participation (e.g. national minority councils), assuring proportional representation of minorities in the all levels of governance, prescribing the set of rights that can be jointly described as cultural autonomy etc. In order to fully realise the rights prescribed by the Constitutional Law on the Rights of National Minorities, national minority representatives in the Parliament (in total, eight of them, representing the principal national minority communities proportionally to their size) are bound to become a coalitional partner of any elected government. Indeed, this became a practice after the parliamentary elections held in late 2003, allowing for the formation of a minority government led by the Croatian Democratic Union (HDZ). The government, re-elected in November 2007, fostered its coalition with all minority representatives, this time also electing a member of the Independent Democratic Serb Party to the position of vice president.

It is unquestionable that the European integration process has played a pivotal role in the realisation of the minority rights in Croatia since the official policy towards minorities has become more inclusive, and the government assures funding for the realisation of various minority associations and institutions.³⁹ Croatia was awarded candidate status in June 2004, more than a year after it submitted its application for membership in February 2003. However, only after the country has demonstrated a full cooperation with the International Criminal Tribunal for the former Yugoslavia, the accession negotiations were opened in October 2005. The first phase of the accession process, the analytical examination of the *acquis* (so called 'screening'), was completed in October 2006. The issue of minority protection is negotiated within the Chapter 23 dealing with judiciary and fundamental rights that is yet to be negotiated and closed. The issue of minority rights has been given particular attention by the Commission that requested passing of a comprehensive action plan for the implementation of the Constitutional Law on the Rights of National Minorities, in order to proceed with the negotiations.

37. Antonija Petričušić, "Wind of Change: Croatian Government's Turn towards Policy of Ethnic Reconciliation", 6 *European Diversity and Autonomy Papers*, 2004, at < <http://www.euarc.edu/edap/> >.

38. Constitutional Law on the Rights of National Minorities in the Republic of Croatia, Official Gazette 155/02. See also Antonija Petričušić, "Croatian Constitutional Law on the Rights of National Minorities", 2 *European Yearbook of Minority Issues*, 2004, 607-629.

39. Antonija Petričušić, "European Integration Process in Croatia: Powerful Tool for Minority Rights Improvement", in Emma Lantschner, Joseph Marko and Antonija Petričušić (eds.), *European Integration and its Effects on Minority Protection in the South East European Countries*, Nomos, Baden Baden, 2008. See also Snjezana Bokulic and Galina Kostadinova, "Pushing for Change: South East Europe's Minorities in the EU Progress Reports", *Minority Rights Group International*, 2007, at < <http://www.mrg.org/> >, 18-21.

Although progress reports on Croatia have been acknowledging steady developments vis-à-vis the minority regime in Croatia, they continuously point towards the shortages in the fulfilment of certain minority rights (e.g. the return of refugees of the Serb ethnic origin from Krajina, insufficient representation of national minorities in the state administration, ethnically motivated incidents or discriminatory treatment of public officials towards Serb minority members or discrimination of Roma minority in educational process).⁴⁰ The latest Progress Reports, pointed towards partial implementation of the Constitutional Law on the Rights of National Minorities, what leaves space for the improvement of the rights of minorities, particularly the Serb and the Roma, who are pictured in the progress reports as the most vulnerable ethnic groups in the country.

Conclusion

The status of national minorities, particularly the Serb minority, has improved significantly after the change of government in 2000, in comparison to the chauvinistic treatment to which they were exposed in the 1990s. The implementation of the Constitutional Law on the Rights of National Minorities still represents one of the conditions for Croatia's accession to the EU. Striving to get the country into the Union, the government has been active in the implementation of minority related legislation at all levels of governance since 2000. Since the political aspects of the 2002 Constitutional Law on the Rights of National Minorities have called for minority representation in the Parliament and in regional and local self-government units, nation-wide and local elections held ever since have predominantly assured minority representation in all spheres of political life in the country. Nevertheless, the return of the Serb population is still far from being completely resolved in spite of the fact that the government adopted several strategies which aim to resolve the issue of refugee return gradually. However, the change of government's attitudes and policies contribute to the change of attitudes of the public towards the rights and needs of Serb returnees and minority communities. The general conclusion reads that the advanced minority protection in the country achieved in the last eight years is directly linked to the country's aspiration to be welcomed into international associations, and into the European Union in particular.

40. See e.g. European Commission, Croatia 2007 Progress Report, (COM(2007) 663 final); European Commission, Croatia 2006 Progress Report, (COM(2006) 649 final); European Commission, 2005 Progress Report on Croatia (COM(2005) 561 final).