

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**LAW ON THE USE OF LANGUAGE AND SCRIPT
OF THE NATIONAL MINORITIES IN THE
REPUBLIC OF CROATIA**

THE LAW

**ON THE USE OF LANGUAGE AND SCRIPT OF THE NATIONAL
MINORITIES IN THE REPUBLIC OF CROATIA**

I. BASIC PROVISIONS

Article 1

This Law shall regulate the conditions of official use of national minority language and script, thereby ensuring equality with the Croatian language and Latin script, in accordance with the Law.

Article 2

This Law shall not alter nor repeal the rights of the members of ethnic minorities obtained on the basis of the international agreements to which the Republic of Croatia is a party.

This Law shall not alter nor repeal the rights to the use of national minority language and script obtained according to the regulations applied prior to this Law coming into effect.

Article 3

The provisions of this Law shall not be applied in the procedures held before central bodies of the state administration, commercial courts, before the Administrative Court, the High Magistrates Court and the Supreme Court of the Republic of Croatia, as well as before the Constitutional Court of the Republic of Croatia, and other central bodies of the state authority, unless otherwise stipulated by a constitutional law or another law.

The provisions of this Law shall not be applied to the keeping of official registers, nor to the public documents serving their purpose abroad, unless otherwise stipulated by a special law.

II. CONDITIONS FOR EQUAL OFFICIAL USE OF NATIONAL MINORITY LANGUAGE AND SCRIPT

Article 4

Equal official use of national minority language and script shall be exercised in accordance with the provisions of the Constitutional Law on Human Rights and Freedoms and the Rights of the Ethnic and National Communities or Minorities in the Republic of Croatia, the Framework Convention for Protection of National Minorities of the Council of Europe and this Law under the following conditions:

1. when the members of a particular national minority constitute the majority of inhabitants in the territory of a municipality or town, in accordance with the provisions of the Constitutional Law on Human Rights and Freedoms and the Rights of the Ethnic and National Communities or Minorities in the Republic of Croatia, the Framework Convention for Protection of National Minorities of the Council of Europe and this Law,
2. when it is envisaged by international agreements to which the Republic of Croatia is a party,
3. when the municipalities and towns have stipulated it by their Statute, in accordance with the provisions of the Constitutional Law on Human Rights

and Freedoms and the Rights of the Ethnic and National Communities or Minorities in the Republic of Croatia, the Framework Convention for Protection of National Minorities of the Council of Europe and this Law,

4. when the county, in the area of which, in particular municipalities and towns, the national minority language and script are in equal official use, has stipulated it by the Statute, in relation to the work of its bodies, within the scope of self-government.

The data from the census that immediately preceded the regulation of these issues by the Statute of a municipality or town shall be relevant for exercising equal official use of national minority language and script on the basis of Paragraph 1, Item 1 of this Article.

Article 5

In the territory of a municipality, town or county, equal official use of national minority language and script shall be exercised:

1. in the work of representative and executive bodies of a municipality, town or county,
2. in the proceedings before administrative bodies of a municipality, town or county,
3. in the proceedings before bodies of the state administration of first instance, before organisational units of central bodies of the state administration acting in first instance, before judicial bodies of first instance, public prosecutors' offices and public attorneys' offices of first instance, notaries public and legal persons with public powers, authorised to act in the territory of a municipality or town, which introduced minority language and script in the equal official use.

The bodies from Paragraph 1 of this Article shall provide for the use and recognise the validity of private legal documents written in the territory of the Republic of Croatia and when they are written in national minority language or script.

Article 6

Equal official use of national minority language and script, as a rule, shall be introduced for the entire territory of a particular municipality or town.

Exceptionally to Paragraph 1 of this Article, equal official use of national minority language and script may be introduced only in the part of the territory of a particular municipality or town when it may also be foreseen by the Statute, to a narrower extent than the rights determined by this Law, but the right to using one's own language may not be excluded in the procedures before the bodies as per Article 5, Item 3 of this Law, as well as the right to obtaining public documents also in national minority language and script.

Article 7

Municipalities, towns and counties, and the state bodies as per Article 5, Item 3 of this Law shall keep the originals of all cases, regulations, acts and documents in the Croatian language and Latin script.

A) Equal official use of national minority language and script in representative and executive bodies and in the procedure before administrative bodies of municipalities, towns and counties

Article 8

In municipalities, towns and counties in which national minority language and script is in equal official use, the work of municipal and town councils, and municipal and town administrations, as well as the work of county assemblies and administrations shall be conducted in the Croatian language and Latin script and the national minority language and script which are in equal official use.

In municipalities, towns and counties as per Paragraph 1 of this Article the following shall be provided in a bilingual or multilingual form:

1. inscription of the text on seals and stamps in the same font size;
2. inscription boards of bodies of representatives, executive and administrative bodies of municipalities, towns and counties, as well as legal persons with public authorities in the same font size;
3. inscription of the headings of acts in the same font size.

A councillor, member of the town administration or citizen in municipalities, towns and counties as per Paragraph 1 of this Article shall be entitled to be provided with the following in a bilingual or multilingual form:

1. delivery of materials for a session of municipal or town council and administration, as well as the county assembly and administrations;
2. record-taking and announcement of conclusions;
3. publication of official notifications and summons of representative, executive and administrative bodies of municipalities, towns and counties, as well as session materials for representative and executive bodies.

Article 9

In the municipalities, towns and counties in which a national minority language and script is in equal official use, the following shall be provided to the citizens in a bilingual or multilingual form:

1. issuance of public documents,
2. printing of forms used for official purposes.

Article 10

In the municipalities and towns in which a national minority language and script is in equal official use, the following shall be written in a bilingual or multilingual form, in the same font size:

1. written traffic signs and other written signs in traffic,
2. names of streets and squares,

3. names of places and geographic sites.

The Statute of the municipality or town in which a national minority language and script is in equal official use shall stipulate whether the rights as per Paragraph 1 of this Article will be exercised in the entire territory or only in particular places, and whether and in which places the traditional names of the places and sites shall be used.

The Statute of the municipality or town may stipulate that in the territory in which a national minority language and script is in equal official use, the names of all legal and natural persons performing public activity shall be written in a bilingual or multilingual form.

Article 11

The members of ethnic minorities whose language and script is in equal official use are entitled to the same rights in the procedures of first and second instance before the administrative bodies of municipalities, towns and counties as in the procedure before the bodies of state administration of first instance.

B/ Equal official use of national minority language and script in the procedure before state bodies of first instance and legal persons vested with public powers

Article 12

The bodies of state administration of first instance, organisational units of the central bodies of state administration acting in first instance, the judicial bodies of first instance, the Public Prosecutors Office and the Public Attorneys Office of first instance and the legal persons vested with public powers, which are authorised to act in the territory in which, besides the Croatian language and Latin script, a national minority language and script is in equal official use, shall be obliged to instruct the party from the territory of the municipality or town, which have introduced the national minority language and script in equal official use, on the right of use of the national minority language and script in a procedure, and enter into the records a statement as to which language and script the party will be using in the procedure.

If the records of the procedure are not kept, the party's statement as to which language he/she would like to use or about a request for issuance of bilingual documents, shall be entered as an official entry.

Article 13

In the municipalities, towns and counties in which a national minority language and script is in equal official use, the first letter of the procedure shall be forwarded to the party in the Croatian language and Latin script and in the national minority language and script in equal official use.

The language and script in which the first party's submission is filed, or communicated, shall be considered the language and script which the party wishes to use in the procedure.

Article 14

When a party to a procedure opts for the use of the national minority language and script which is in equal official use, the body conducting the procedure shall be obliged, in accordance with the procedural regulations, to ensure the party's participation in the procedure in the language and script used by the national minority.

Dispatches of the acts in the proceedings in which the parties have opted for the use of a national minority language and script shall be delivered to the party, not only in the Croatian language and Latin script, but also in the language and script which the party is using in the proceeding.

Article 15

If the participants to a procedure have opted for the use of two or more languages and scripts which are in equal official use, the language and script on the use of which the parties to the procedure agree, shall be used in the procedure, besides the Croatian language and Latin script.

If the agreement as per Paragraph 1 of this Article is not reached, the national minority language and script used by the majority of participants to that procedure shall be used in the procedure, with the provision of an interpreter for the remaining participants to the procedure. If neither in the stated manner can the use of the national minority language and script used by the ethnic minority members be ensured, the procedure shall be conducted only in the Croatian language and Latin script, with the provision of an interpreter.

The agreement of the participants on the language and script in which the procedure will be conducted, besides the Croatian language and Latin script, shall be entered into the records or an official entry shall be made in the document, if the records of the procedure are not kept.

Article 16

The state administration bodies of first instance, organisational units of the central bodies of state administration acting in first instance, public prosecutors' offices and public attorneys' offices of first instance, notaries public and legal persons with public powers shall be obliged to deliver all acts to all of the parties and other participants to a procedure, not only in the Croatian language and Latin script, but in the national minority language and script in equal official use, used by a party, or another participant to the procedure.

A party and other participants to a procedure send their submissions in the Croatian language or in the language and script they use, which is in equal official use.

Article 17

The state administration bodies of first instance, organisational units of the central bodies of state administration of first instance, judicial bodies of first instance, Public Prosecutors Offices and Public Attorneys Offices of first instance and legal persons with public powers, deliver to the parties letters, submissions and dispatches of other acts of a procedure of the second instance in the Croatian language and Latin script and in the language and script which were in use in the procedure of first instance.

Article 18

State administration bodies of first instance, organisational units of the central bodies of the state administration, acting in first instance, judicial bodies of first instance, public prosecutors' offices and public attorneys' offices of first instance, notaries public and legal persons with public authorities, as well as those with their offices and branches in municipalities, towns and counties in which, aside from the Croatian language and Latin script, a minority language and script are in official use, shall, in the Croatian language and Latin script, bilingually or multilingually:

1. Issue public documents,

2. Print forms used for official purposes.

State administration bodies of first instance, organisational units of the central bodies of the state administration, acting in first instance, judicial bodies of first instance, public prosecutors' offices and public attorneys' offices of first instance, notaries public and legal persons with public authorities, as well as those with their offices and branches in municipalities, towns and counties in which, aside from the Croatian language and Latin script, a national minority language and script are in official use, shall, bilingually or multilingually:

3. Write the text of the seals and stamps, in the same size of font,

4. Write inscription boards,

5. Write headings of acts in the same size of font.

Article 19

The bodies conducting second instance procedures shall perform them in the Croatian language and Latin script.

Exceptionally to Paragraph 1 of this Article, if parties that have used national minority language and script in equal official usage in the first instance proceeding participate directly before a body of second instance, the proceeding shall be conducted as first instance proceeding.

Article 20

Legal persons with public powers for conducting affairs for members of ethnic minorities may use only the national minority language and script in mutual direct relations.

III. IMPLEMENTATION OF THE LAW

Article 21

The state administration bodies of first instance, organisational units of the central bodies of state administration acting in first instance, judicial bodies of first instance, public prosecutors' offices and public attorneys' offices of first instance, notaries public, legal persons with public powers, and municipalities, towns and counties in the territory of which a minority language and script is in equal official usage, shall provide a required number of staff who can conduct procedures and take necessary action also in the national minority language and script in equal official usage.

In the reports on work and solving of cases, the bodies from Paragraph 1 of this Article must separately show the number of cases conducted in national minority language and script in equal official usage.

Article 22

The funds for implementation of this Law and regulations adopted pursuant to the Law, shall be provided from the State Budget of the Republic of Croatia as of 1 January 2000.

Article 23

The implementation of this Law shall be supervised by the central state administration body authorised for the supervision of application of the laws regulating the system of the state administration the system of local self-government.

When executive and administrative bodies of municipalities, towns and counties that have introduced equal official usage of minority language and script act contrary to the provisions of this Law, the head of the body from Paragraph 1 of this Article shall request from the representative body to discuss the situation and take measures for legal action of executive and administrative bodies, as well as take other measures in accordance with the Law.

Article 24

If a municipality, town or county have not regulated the usage of minority language and script by its Statute, and are obliged to do so pursuant to provisions of this Law, or have regulated it contrary to the provisions of this Law, the head of the central state administration body from Article 23 of this Law shall suspend the application of the Statute, or specified provisions therein, and instruct on direct application of the Law and submit to the Government of the Republic of Croatia a proposal to initiate proceedings for assessment of conformity with the Constitution and legality of the Statute or another generic act of the municipality, town or county in accordance with the Law.

Article 25

Non-application of equal official use of a minority language and script in a municipality, town or county which has been introduced by their Statute, or its application contrary to the provisions of this Law in proceedings before bodies obliged to implement equal official use of minority language and script, shall represent a significant violation of the procedure.

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IV. INTERIM AND FINAL PROVISIONS

Article 26

The head of the central state administrative body, authorised to monitor the application of this Law, may adopt more detailed regulations on the manner of application of this Law by the judicial bodies, bodies of state administration, bodies of municipalities, towns and counties, as well as legal entities with public powers.

The provisions of sublegal regulations shall be harmonised with the provisions of this Law within six months from the day of its coming into force.

Article 27

The provision of Article 4, Paragraph 1, Item 1 and Paragraph 2 of this Law shall not be applied until the publication of the official results of the first census after coming into force of this Law, but the provision of Article 4, Paragraph 1, Items 2 and 3 of this Law shall be applied to all municipalities and towns.

Article 28

Municipalities, towns and counties must harmonise their statutes with the provisions of this Law within six months from the day of its coming into force and forward them without delay to the central state administration body authorised to supervise the application of this Law.

Article 29

By coming into force of this Law, the Decree on the Manner and Conditions of Use of Minority Languages and Script in the proceedings before bodies of administration and organisations performing public authorities (Official Gazette, number 5/81) shall cease to be valid.

Article 30

This Law shall come into force on the eight day from the day of its publication in the Official Gazette.

Zagreb, 11 May 2000

**HOUSE OF REPRESENTATIVES OF THE
CROATIAN STATE PARLIAMENT**

Speaker of the
House of Representatives
of the Croatian State Parliament
Zlatko Tomčić, B.Sc., signed