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International seminar
**MODELS OF POLITICAL
PARTICIPATION AND SELF-
GOVERNANCE OF NATIONAL
MINORITIES IN CENTRAL
EUROPEAN INITIATIVE
MEMBER STATES**

SCHEDULE AND ABSTRACT BOOK

Trieste, June 17th 2016
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International seminar

Models of political participation and self-governance of national minorities in Central European Initiative Member States

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FOREWORD

The international seminar “**Models of political participation and self-governance of national minorities in Central European Initiative Member States**” focuses on the models of political participation and self-governance of national minorities in the CEI area. The aim is to discuss a series of relevant issues concerning diversity management in both EU and non-EU member states, i.e., the different models of representation of national minorities in elective bodies and of power-sharing, minority consultative mechanisms, models of minority self-governance and self-government including minority political and civil society organisations, their involvement in cross-border cooperation policies and programmes. The seminar highlights both theoretical approaches and concrete experiences.

Speakers and participants from the academic world and research institutes as well as representatives from different national minorities from Austria, Bosnia and Hercegovina, Croatia, Hungary, Italy, Macedonia, Romania, Serbia, Slovakia and Slovenia take part in the event.

The expected result is to provide knowledge and evaluation of the current situation concerning political participation of national minorities in both EU and non-EU countries in order to foster an exchange of best practices and experiences, knowledge transfer and sharing, in particular from EU CEI Member States to non-EU CEI Member States to support the EU accession and integration process.

The international seminar is organized by the Slovene Research Institute SLORI (www.slori.org) in Trieste (Trst) (Italy) in cooperation with the Institute for Ethnic Studies in Ljubljana (Slovenia) (www.inv.si). The event is co-financed by the Central European Initiative (www.cei.int). The event is organized under the patronage of the Friuli Venezia Giulia Autonomous Region, the Municipality of Trieste, the Province of Trieste, the Consulate General of the Republic of Slovenia in Trst/Trieste, the Slovene Cultural and Economic Union and the Confederation of Slovene Organisations with the financial support of ZKB-*Zadruža kraška banka/Credito cooperativo del Carso*.

SCHEDULE

8.30-9.00 Registration

9.00-9.45 Opening and welcome addresses

9.45-10.30 Keynote speaker: Mitja Žagar, Institute for Ethnic Studies, Ljubljana
Social and political participation of minorities

10.30-11.00 Coffee break

(11.00-13.00) Stream I, Chair: Sara Brezigar, Institute for Ethnic Studies, SLORI

11.00-11.30 Jovan Teokarević, Faculty of Political Sciences, University of Belgrade
Political participation of ethnic minorities in Serbia: current forms and alternative suggestions

11.30-12.00 Aleksandar Stojanovski, Faculty of Security, Skopje
National minorities in Macedonia. The means and mechanisms of participation in self-governance and decision-making

12.00-12.30 Marius Lupşa Matichescu, West University of Timisoara
Political representation of ethnic minorities in the Romanian Parliament

12.30-13.00 Drino Galičić, Delegation of the European Union/EU Special Representative in Bosnia and Herzegovina
De jure vs. de facto minority protection in Bosnia and Herzegovina: what lies beneath Dayton?

13.00-14.30 Lunch break

(14.30-16.30) Stream II, Chair: Sonja Novak Lukanovič, Institute for Ethnic Studies

14.30-15.00 Zaira Vidau, Slovene Research Institute SLORI, Trieste/Trst
Instruments of political participation among the Slovene national minority in Italy

15.00-15.30 Andrea Bartole, Coastal self-governing community of the Italian nationality, Koper/Capodistria
Self-governance authorities for Italian minorities in Slovenia and Croatia

15.30-16.00 William Cisilino, Regional Agency for the Friulian language ARLEF, Udine/Udin
Political participation and representation of the Friulian minority in the Italian legal system

16.00-16.30 Coffee break

(16.30-18.30) Stream III, Chair: Zaira Vidau, SLORI

16.30-17.00 László Öllös, Forum Minority Research Institute, Šamorin/Somorja
Three questions regarding the national minorities' representation in Slovakia

17.00-17.30 Daniel Wutti, Alps-Adria-University Klagenfurt, Slovenian Scientific Institute Klagenfurt/Celovec
Between self-governance and political participation. The Slovene minority in Kärnten/Koroška/Carinthia, Austria

17.30-18.30 Paulina M. Borowska, Institute for Studies on Federalism and Regionalism, EURAC, Bolzano/Bozen
Political participation and self-governance of national / linguistic minorities in the Autonomous Province of Bolzano/Bozen (Alto Adige/Südtirol) in Italy

18.30 Closing remarks

ABSTRACTS

Mitja Žagar

Institute for Ethnic Studies, Ljubljana

Social and political participation of minorities

Contemporary societies could be described as dynamic, structured, usually asymmetric processes which are constantly evolving and changing. They are characterized by their plurality, at least some diversity, complexity and particularly complex social organization. The fabric of this social organization is made up of intertwined and interdependent individuals and various collective entities, from less formal ones such as families, groups and local communities to the very formalized and organized nation and state, with a variety of possibilities in between. The concept and perceptions of nations and nation states as ethnically and otherwise socially homogenous collective entities can be declared a myth that does not reflect the reality of our plural and diverse societies; in reality, plurality and diversity exist everywhere. Observing the complex and intertwined fabric of social relations, structures, organizations and networks in modern societies as well as the existing and ever-changing structure (make-up) of the population our societies could be interpreted as coalitions of socially relevant segments, possibly a coalition of diverse minorities. In this context, we shall be aware of the fact that ethnic diversity is just one of the divisions, dividing factors and lines in contemporary societies. However, in this contribution, attention will be focused on the ethnic dimension of diversities and the inclusion and integration of ethnic and particularly national minorities (as their special type). Different kinds of types, forms, procedures and models of social and political participation will be presented and analyzed, considering their social impacts and functions, particularly their roles in successful inclusion and integration (which shall be voluntary, equal and full) of national minorities into societies.

Jovan Teokarević

Faculty of Political Sciences, University of Belgrade

Political participation of ethnic minorities in Serbia: current forms and alternative suggestions

The main goal of the paper is the evaluation of the political participatory power that ethnic minorities in Serbia have on the basis of both the legislation and the specific political context in the country since its turn to democracy in 2000.

Although considerable progress has been made in both the legislation and in a political climate conducive to the better treatment and position of minorities in the aftermath of severe ethnic conflicts within Serbia and former Yugoslavia during the 1990s, many problems still remain. They are being currently treated in Serbia's membership negotiations with the European Union, which this paper will refer to.

The state of individual and collective minority rights, including those in the area of political participation, is often a topic of heated discussions in Serbia's political and expert circles. This gave rise to a number of solutions different than the ones prescribed in the Serbian Constitution and the appropriate laws. The paper will thus present and compare the current main forms of political participation of ethnic minorities with the main alternatives that have appeared in Serbia's political life in the last decade and a half. The analysis will cover three areas of contestation: individual vs. collective rights, territorial vs. non-territorial autonomy and guaranteed vs. non-guaranteed representation of ethnic minorities in the Parliament, Government and in the state administration.

Aleksandar Stojanovski

Faculty of Security, Skopje

National minorities in Macedonia. The means and mechanisms of participation in self-governance and decision-making

The models and methods of representation of national minorities in different structures and bodies within the Macedonian socio-political context are quite diverse and are undergoing a process of development and change. Ever since gaining independence from the federation of Yugoslavia in 1991, Macedonia has remained a regional example in resolving issues related to the rights of national minorities and is a pioneer in developing new ways in which it addresses the representation of national minorities throughout various social and political contexts.

The presentation about Macedonia's national minorities and their current position in our society will be focused on the following points:

- The "Badinter principle" in the decision making process of the parliamentary branch;
- The presence of national minorities in the central and local governance bodies in Macedonia;
- The use of the "forum method" for citizens to remain involved in deliberating and deciding on priorities at the local level;

- The presence and the role of CSOs, which focuses on improving the position and the rights of national minorities throughout Macedonia.

Marius Lupşa Matichescu

West University of Timisoara

Political representation of ethnic minorities in the Romanian Parliament

This paper explores the effects that different institutional mechanisms for legislative representation have on ethnic diversity in the lower chamber of the Romanian parliament. It uses an original data set to examine representational outcomes generated by a combination of proportional representation and reserved seat provisions. The findings highlight the benefits that Romania's choice of electoral rules generated for smaller minority communities and the limitations that these rules impose on the nature and extent of legislative representation of large minority groups. The paper provides evidence for qualifying the scholarly support in favour of proportional representation. It also draws attention to potential trade-offs between communal representation and ethnic inclusiveness of the main political parties which might encourage the use of special mechanisms for minority representation.

Drino Galičić

Delegation of the European Union/EU Special Representative in Bosnia and Herzegovina

De jure vs. de facto minority protection in Bosnia and Herzegovina: what lies beneath Dayton?

The present paper explores the implementation of minority standards in Bosnia and Herzegovina, also looking beyond its narrow legislative and institutional framework. Contextually, reflecting upon peculiar domestic concepts of constituent peoples on one side, and minorities (including the so called "Others") on the other, it tries to answer the question of whether minority protection mechanisms as applied were helpful in consolidating democratic governance, In particular how these mechanisms which affected post war reconciliation and confidence building amongst majority communities themselves are examined. In so doing, the paper brings empirical evidence on discriminatory practices on the ground and argues that the more exclusive minority protection is sought

by a given community, the more the majority has difficulties understanding and ultimately conceding any advantage to the latter in reality. Furthermore, it studies the influence of European integration and its conditions for respect of human and minority rights as well as the regional context on inter-community and majority-minority relations in the country. It concludes that only legislating and establishing the necessary institutions as per required standards do not necessarily result in the desired acceptance of minority rights, and consequently that additional efforts regarding diversity management tools and techniques are needed.

Zaira Vidau

Slovene Research Institute SLORI, Trieste/Trst

Instruments of political participation among the Slovene national minority in Italy

The instruments of political participation among the Slovene national minority in Italy are comprised of elected political representatives on the national, regional and local levels, different institutional representative and consultative bodies and two representative umbrella organisations. The already established ways of political representation in elected bodies face now important changes due to reforms concerning the Senate in the Italian parliament, the abolition of provinces and a regional reform in the Friuli Venezia Giulia region concerning the municipalities. These reforms can weaken its involvement into the political and decisional processes. Nevertheless, different institutional representative and consultative bodies have connections with centres of power on the national level in Italy and Slovenia as well as at the regional and local levels. Moreover, two umbrella organisations act as representatives of the Slovene national minority in Italy when dealing with national, regional and local levels of authority.

Andrea Bartole

Coastal self-governing community of the Italian nationality, Koper/Capodistria

Self-governance authorities for Italian minorities in Slovenia and Croatia

Both Slovenian and Croatian legislation guarantees special rights to the ethno-national minorities living in their geographical areas. In order to exercise these legal rights, it is foreseen by law that the minorities can establish their own self-governing authorities.

The presentation will offer an overview of the Slovenian and Croatian legal framework which regulates the existing models of the self-governance authorities of the Italian minorities, and will go through the role and functions of those authorities, and their participation in the decision-making process, comparing the existing differences between the two legal systems.

William Cisilino

Regional Agency for the Friulian language ARLEF, Udine/Udin

Political participation and representation of the Friulian minority in the Italian legal system

The document refers to the Regional Law No. 26 of December 12, 2014, regarding the “Reorganization of the Regional-Municipality system of Friuli Venezia Giulia. Reorganization of inter-municipal territorial unions and reassignment of administrative functions”. This piece of legislation established the Language Community Assemblies, which are the organizations responsible for the promotion and protection of the territorial, social and economic cohesion of the Friulian, Slovenian and German language communities currently living in the region.

The Language Community Assemblies are formalized through the signing of agreements between the mayors of the municipalities and the language minorities pursuant to Article 3 of Law No. 482 of December 15, 1999 (rules concerning the protection of historical language minorities).

The Language Community Assemblies take care of the promotion, policy-making, planning, coordination and consultation for the protection and enhancement of the cultural and language identity of the regional community.

The regional draft law and the general documents related to the protection of the rights of minorities as provided by EU regulations, the Italian Constitution, the Statute of the Friuli Venezia Giulia Region and the Laws are approved only upon consulting the Language Community Assemblies.

In addition, the document describes the main elements of the claim submitted to the Constitutional Court against the new electoral law in Italy (cd. Italicum). The reason is that the complainant considers the current applicable legislation to be giving an unjustified privilege to minority languages such as French and German. Despite the clearly higher status granted by Law No. 482/1999, Friulian and Sardinian enjoy no recognition for electoral purposes; at the same time, Slovenes are totally disregarded in a great number of constituencies. Such unfair treatment is a clear violation on Article 6 of the Italian Constitution.

László Öllös

Forum Minority Research Institute, Šamorin/Somorja

Three questions of the national minorities' representation in Slovakia

The position of the national minorities in Slovakia depends not only on the knowledge of successful European models, but essentially on the value system of citizens and especially of the political elite. The value system, however, is in a controversial condition. The forms of minority representation reflect this controversial condition. In its present shape, it is not effective for the minorities, and incapable of changing the value system of the majority. Finding a solution to this problem is one of the core issues for the country's future, as well as its relation to the EU.

Daniel Wutti

Alps-Adria-University Klagenfurt, Slovenian Scientific Institute
Klagenfurt/Celovec

Between self-governance and political participation. The Slovene minority in Kärnten/Koroška/Carinthia, Austria

The Slovene minority in Kärnten/Koroška/Carinthia was exposed to anti-Slovene political pressure for decades even after the drastic period of National Socialism and World War Two. Attempts to include the demands of the minority in a broader political sphere in Carinthia were blocked in the 1970s, when ruling parties changed electoral franchise in order to make it impossible for smaller parties to enter the so-called "Kärntner Landtag". Despite this, since that time political actors from the minority mainly followed a strategy of building up their own political minority structures in their own local parties instead of including themselves in Austrian and Carinthian mainstream parties. Over the last decades, more and more Carinthian Slovenes are actively involved in larger parties, holding important positions in Carinthia. The presentation will give a detailed overview of the minority's struggle between self-governance and political participation, introduce its important political actors and attempt to find an outlook on the political viewpoints of young people themselves.

Paulina M. Borowska

Institute for Studies on Federalism and Regionalism, EURAC, Bolzano/Bozen

Political participation and self-governance of national / linguistic minorities in the Autonomous Province of Bolzano/Bozen (Alto Adige/Südtirol) in Italy

The presentation will provide an overview of the legal instruments and institutions of territorial self-government and minority protection in the Autonomous Province of Bolzano/Bozen (Alto Adige/Südtirol), being a power-sharing system based on strict separation and forced cooperation between major linguistic groups (German, Italian, Ladin) as enshrined in the Second Autonomy Statute of 1972.

The presentation will include details on the ethnic quota system, the representation in and the working of the Provincial Council and Government as well as the special joint commission between the Autonomous Province and the Italian State. Education and cross-border cooperation will be briefly illustrated as examples of policy fields within the autonomous competences. Finally, the recently started participatory process for the revision of the Autonomy Statute will be explained.

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