

**INTERNATIONAL
CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION**



Distr.
GENERAL

CERD/C/20/Add.27
25 September 1978

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF
RACIAL DISCRIMINATION
Nineteenth Session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Fifth periodic reports of States Parties due in 1978

Addendum

YUGOSLAVIA^{1/}

[24 August 1978]

^{1/} The fifth periodic report of Yugoslavia was due on 5 January 1978. For previous reports submitted by the Government of Yugoslavia and the summary records of meetings of the Committee at which such reports were considered, see:

- (1) Initial report - CERD/C/R.3/Add.27 (CERD/C/SR.45 and 56);
- (2) Second periodic report - CERD/C/R.30/Add.22 (CERD/C/SR.139);
- (3) Third periodic report - CERD/C/3 (CERD/C/SR.237-238);
- (4) Fourth periodic report - CERD/C/R.90/Add.7 and CERD/C/6 (CERD/C/SR.283-284).

The Socialist Federal Republic of Yugoslavia, in accordance with the established objectives of its foreign policy regarding observance of the principles inscribed in the Charter of the United Nations in respect of recognition of the dignity and the equal and inalienable rights of all persons, having accepted the obligations deriving from the Charter relevant to the promotion of and respect for human rights and freedoms, has acceded to the International Convention on the Elimination of All Forms of Racial Discrimination. It has been taking measures for the consistent implementation of that Convention, as pointed out in the periodical reports submitted by the Government of the SFR of Yugoslavia to the Committee for the Elimination of Racial Discrimination. Four such reports have been submitted to date. It was endeavoured in these reports to comply as fully as possible with the recommendations of the Committee regarding the reports of States Parties and also to provide answers to the questions raised by some members during the discussion in the Committee of the reports of the Government of the SFR of Yugoslavia.

In the fifth periodical report, the Government of the SFR of Yugoslavia has supplied answers and detailed explanations on questions raised in the discussion conducted in the Committee on the Fourth Progress Report of the Government of the SFR of Yugoslavia.

1. The right of citizens of the SFRY to opt for the nation or nationality of their choice

In Article 170 of the Constitution of the SFRY, citizens are guaranteed the right to opt for the nation or nationality of their choice, to express their national culture and to use their language and alphabet freely. This means that no one may bring pressure to bear or in any other inadmissible way influence the choice of nation or nationality by citizens. To ensure that this right may be exercised as fully as possible, the aforementioned Article of the Constitution of the SFRY states that no citizen shall be obliged to state his affiliation with a nation or nationality, nor to opt for any one of the nations and nationalities. This is a logical consequence of the free expression of national affiliation. It ensures that citizens will not be compelled to opt for a specific nationality if they do not, for any reason whatsoever, wish to do so (for instance, the children of parents belonging to different nationalities may not wish to opt for the nationality of one of the parents, and so on).

This humanist approach is to the greatest possible extent commensurate with personal and national freedom, and also in keeping with the principles of national equality and prohibition of discrimination.

2. The rights of members of nationalities and the status of citizens of German descent living in the Socialist Autonomous Province of Vojvodina

The broadly humanist approach to the principle of guaranteeing all rights and freedoms to every person living in the territory of the Socialist Federal Republic of Yugoslavia, is one of the features of the constitutional system of the SFRY in its treatment of individual freedoms and rights. Only some of the freedoms and rights, and in even greater measure duties,

are inherently of such a nature that they can be exercised or discharged only by citizens of the SFRY, but in these cases, too, there may be no discrimination among citizens on any grounds whatsoever. Article 154 of the Constitution of the SFRY states that citizens shall be equal in their rights and duties in all spheres of the life of society regardless of nationality, race, sex, language, religion, education or social status. The Constitution explicitly guarantees the equality of all citizens before the law, as a specific form of equality.

The equality of citizens in rights and duties, and the prohibition of discrimination, constitute an integral principle which is realized directly through a number of concrete rights and duties established by the Constitution and in other ways. Accordingly, the principle of equality which is directly applied to social relations simultaneously serves as a general guideline for legislators, for all government and self-management bodies and for anyone discharging social functions or invested with authority. It has further been concretized in the constitutions and laws of all the constituent socialist republics and socialist provinces of the SFRY.

In the Socialist Autonomous Province of Vojvodina, inhabited by the members of several nations and nationalities, the equality of the languages of these nations and nationalities, and of their alphabets, is guaranteed by Articles 5, 237, 276 and 308 of the Constitution of the Socialist Autonomous Province of Vojvodina. According to Article 5 of the aforementioned Constitution, the Serbo-Croatian (also called the Croato-Serbian), Hungarian, Slovak, Rumanian and Ruthenian languages are equal in the Socialist Autonomous Province of Vojvodina. Equality in the use of the above-mentioned languages in accordance with

Article 276 of the Constitution of the Socialist Autonomous Province of Vojvodina is assured by commune statutes. Further, according to the foregoing Article 276 of the Constitution of the Socialist Autonomous Province of Vojvodina, the statutes of the communes and the general enactments of Organizations of Associated Labour and of other selfmanaged organizations, ensures equality in the use of other languages in the areas inhabited by members of nations and nationalities speaking those languages. Equality in the use of the languages and alphabets of the nations and nationalities living in a commune particularly encompasses the following, in accordance with the aforementioned provisions of the Constitution of the Socialist Autonomous Province of Vojvodina: the publication of decisions and regulations; the issue of official publications of interest to citizens; the preparation of materials for sessions of the commune assembly and other assembly bodies; oral and written communication between citizens and the authorities; the conduct of proceedings; the conduct of administrative affairs directly concerning citizens.

According to Article 237 of the Constitution of the Socialist Autonomous Province of Vojvodina, every person is guaranteed the right, in proceedings before a court of law or before other state agencies, or Organizations of Associated Labour and other selfmanaged organizations and communities which in the discharge of their public functions make decisions regarding the rights and obligations of citizens, to the use of his own language and to be acquainted with the facts of the proceedings in his own language. Government bodies and organizations which discharge public functions conduct proceedings in Serbo-Croatian - Croato-Serbian, Hungarian, Slovak, Rumanian and Ruthenian and in other languages accorded the status of equal use by the commune statute. In any event, according to an explicit provision of the Constitution of the SFRY (Article 214), ignorance of the language in which proceedings are conducted shall not be an obstacle to the defense and realization of the rights and justified interests of citizens and organizations.

Equality in the use of language and alphabet in proceedings before a court of law or administrative agency is guaranteed by laws which regulate these matters. Thus the Law on Criminal Procedure (Article 7) provides that parties to a dispute, witnesses and other persons participating in the proceedings have the right to use their own language during the principal hearing or during the conduct of interrogation or other juridical actions, whereas it is the duty of the court to provide a translation of the statements made by the above-mentioned persons and of the evidence submitted, if such persons do not know the language in which the proceedings are being conducted. Article 6 of the Law on the Procedure in Law Suits provides that parties to a dispute and other participants in the proceedings have the right to use their own language and alphabet and to have written communications submitted to them in the languages of the nations and nationalities of Yugoslavia. Similar provisions are found in other laws regulating the use of the languages and alphabets of the nations and nationalities of Yugoslavia.

Similarly, the general enactments of Organizations of Associated Labour and other self-managed organizations having a multinational labour structure ensure equality in the use of the languages and alphabets of all the nations and nationalities to which the workers belong, particularly as regards the publication of general enactments, the preparation of materials for meetings of management bodies, mutual oral and written communication within the organization, and the use of their own language by the workers in the proceedings of management bodies. The material rights guaranteed citizens by the laws and other general enactments of the commune are equally accessible to all irrespective of nationality.

It is clear from the foregoing that in the SFRY, at large, as in the Socialist Autonomous Province of Vojvodina, the right of the nations, nationalities and ethnic groups living

in Yugoslavia to use their own language and alphabet is applicable to all. Accordingly, citizens of German descent living in the Socialist Autonomous Province of Vojvodina have the same rights and responsibilities as all other citizens of the SFRY including the freedom to opt for the nationality of their choice, to express their national culture and freely to use their language and alphabet.

3. The status of the Romanies in Yugoslavia

The legislation of the Socialist Federal Republic of Yugoslavia guarantees the status and rights of ethnic groups, including the Romanies. Ethnic groups living in the various constituent republics and autonomous provinces have been granted basically the same rights as members of the nations and nationalities. These rights are inscribed in the constitutions of the republics and provinces, as well as in the statutes of the communes where the members of these ethnic groups live. Thus, for instance, the Constitution of the Socialist Republic of Macedonia provides in Article 221 that members of ethnic groups living in the Socialist Republic of Macedonia are equal with the Macedonian nations and nationalities and have the same rights and duties; Article 222 of the same Constitution guarantees members of ethnic groups the right to free use of their language, to development and expression of their culture and to the founding of institutions and organizations that assure the exercise of these rights. It is also provided that the communes concern themselves with the development of radio, television, press and cultural activities in the languages of the ethnic groups. Thus, for instance, the Statute of the Commune of Tetovo stipulates that the Tetovo Radio Station will have a programme also in the language of the Romany ethnic group.

4. Commune assemblies ensure the equality of the languages and alphabets of the nations and nationalities living in their respective communes

The statute of a commune guaranteeing equality in the use of the languages and alphabets of the nations and nationalities living in that respective commune is promulgated by the assembly of that commune at a joint session of all chambers by a majority vote of the total number of delegates in the competent chambers.

5. Administrative and other measures /excepting judicial/ in cases of appeals filed by individuals /the right of individuals to submit appeals directly to an organ of the second instance/

The Constitution of the SFRY of 1974, as well as all earlier Constitutions beginning with the year 1946, guarantees everyone the right to equal protection of his rights in proceedings before a court of law, state and other bodies and organizations which take decisions on his rights, obligations and interests. Article 180, Para. 1 and 2 of the Constitution guarantees everyone the right to appeal or other legal remedy against decisions of courts of law, state agencies and other bodies and organizations which make decisions on his rights or interests founded on statute. An appeal may be filed with the competent authority against decisions and other acts of courts of the first instance, while in exceptional and specific cases, appeal may be ruled out but only if protection of rights and of the rule of law is ensured in some other way. (Article 215 of the Constitution of the SFRY).

Provisions with the same substance are found in the constitutions of the republics and autonomous provinces (for instance, Article 238 of the Constitution of the Socialist Republic of Serbia, and Article 238, of the Constitution of the Socialist Autonomous Province of Vojvodina, etc.).

The Law on General Administrative Procedure (Article 10 and 223) provides that parties have the right to file an appeal against a decision handed down by an administrative authority of the first instance to the appropriate administrative authority which is its immediate superior. The appeal is submitted in person or may be sent by mail to the authority which made the decision in the first instance, although it may also be delivered directly to the authority of the second instance. Upon receipt of the appeal, the authority of the first instance examines the appeal to ascertain its validity, to see if it has been submitted within the time limit set by law, and made by an authorized person (the party involved). If the appeal has not been submitted within the prescribed time limit, if it is not valid or has been filed by an unauthorized person, the authority of the first instance will reject it by a decision. If, however, the authority of the first instance finds that the appeal is justified, and there is no need for a new proceeding of examination to be instituted, the case may be decided otherwise and a new decision may replace the decision against which the appeal has been filed, with the proviso that the party also has the right of appeal against the new decision. However, if the authority of the first instance does not replace the decision against which the appeal has been filed with another decision, it is under the obligation to send the appeal without delay to the authority competent for deciding appeals. The authority of the second instance will reject the appeal if it establishes that the procedure preliminary to the decision was properly executed, that the decision is valid and lawful, and the appeal unfounded. If the authority of the second instance establishes that injustice was done in the procedure of the first instance and that the decision is therefore null and void, it will proclaim that decision null and void if it finds that, in the procedure of the first instance, the facts were not fully presented or were erroneously determined,

or if account was not taken in the proceedings of the rules covering such proceedings and that this influenced the decision. It will then, by a decision of its own, invalidate the decision of the first instance and decide the case itself or return the case to the authority of the first instance for renewal of the proceedings.

It is evident from the foregoing provisions of the Law on General Administrative Procedure that any party may appeal directly against the first-instance decision of the competent authority, a party in the sense of the aforementioned law being any physical or juridical person who has instituted proceedings or against whom proceedings have been instituted, or who has the right to take part in the proceedings for the purpose of protecting his rights or legal interests. The legality of final administrative acts making decisions on rights or obligations is determined by the court in the administrative dispute, unless the law provides another type of juridical protection for the particular case in question (Article 239 of the Constitution of the Socialist Republic of Serbia and the Constitution of the Socialist Province of Vojvodina). If, in such a case, a decision having the force of law has been made on a matter on which administrative proceedings may not be conducted, the public prosecutor may submit a demand for protection of legality, if he deems that the decision has violated the law.

A physical or juridical person has the right to institute proceedings if he considers that a right or personal interest based on law has been violated by the administrative act in question (Article 2 of the Law on Administrative Disputes).

Article 196 of the new Criminal Code of the Socialist Federal Republic of Yugoslavia, dating from October 1976, provides that violation of the right to request legal remedy be qualified as a special criminal act. According to this provision, an official who abuses his official position or authority for the purpose of preventing someone from having recourse to this right to appeal will be liable to punishment amounting from three months to one year imprisonment. The length of the penalty will always be decided by a court of law, taking into account all the circumstances in the concrete case (extenuating and incriminating).

A party who considers that an administrative enactment is based on a law that is not in conformity with the Constitution of the SFRY or the constitutions of the constituent republics or autonomous provinces, or that the republic or province laws are incompatible with the federal law, may take the initiative for instituting proceedings to assess the constitutionality and legality of the enactment. If the constitutional court finds that the initiative is warranted and accepts it, it takes a decision to institute proceedings for assessment of the constitutionality of the respective law or other general enactment. If the constitutional court establishes that the provision on the basis of which an enactment was adopted is not in conformity with the Constitution of the SFRY, the constitution of a republic or the constitution of an autonomous province, or with other legislation, the enforcement of such an enactment is not permitted, and if enforcement has been initiated, it will be stopped.

6. Sanctions against the incitement of national hatred and dissension in the criminal legislation of the SFRY

Article 134 of the Criminal Code of the Socialist Federal Republic of Yugoslavia provides that the incitement of national, racial and religious hatred, dissension and intolerance be qualified as a special criminal act punishable by from one to ten years. Further, Article 154 of the foregoing law provides that racial and other kinds of discrimination be considered as a criminal deed involving a penalty of from six months to five years.

According to Article 254 of the aforementioned Criminal Code, members of organizations formed for the purpose of inciting racial hatred, dissension and intolerance are liable to punishment.

7. Prohibition of the functioning of associations whose activities are directed to the incitement of national hatred

Regulations relating to the association of citizens provide that a ban may be placed on the functioning of an organization if its activity is directed to the incitement of national, racial and religious hatred (for instance, Article 13, Para. 1, Item 2 of the Law on the Association of Citizens of the Socialist Republic of Serbia; Article 14, Para. 1, Item 2 of the Law on the Association of Citizens of the Socialist Autonomous Province of Vojvodina, and so on).

The decision to prohibit the functioning of an association is taken by the commune organ of internal affairs. An appeal may be filed against such a decision, but it does not stop the enforcement of the decision. The commune agency with which an association is registered is empowered to supervise the legality of the association of citizens.

8. Are there any regulations providing for sanctions against the incitement of national hatred by persons outside the SFRY

The provisions of criminal laws in the legal system of Yugoslavia adhere to the territorial principle, meaning that the criminal legislation of Yugoslavia is applicable to anyone committing a crime in the territory of the SFRY.

Furthermore, the Yugoslav criminal code also applies to citizens of the SFRY who commit acts that are qualified as crimes in Yugoslav law (including the criminal act of inciting national hatred) if they are found in the territory of the SFRY or are extradited. The same applies to foreigners outside Yugoslavia who commit a criminal act against the SFRY or its citizens.

9. Measures for the protection of economic and social rights

The Constitution of the SFRY explicitly guarantees, as an inviolable and inalienable right of the working man and citizen, the right to self-management, that is, to make decisions on his own personal and on common interests in Organizations of Associated Labour and in all other forms of association on self-management lines and of mutual integration. The entire social system in Yugoslavia is based on "the socio-economic status of the working man which ensures him that, by working with socially-owned resources and by deciding directly and on an equal footing with other working people in associated labour on all matters concerning social reproduction under conditions and relations of mutual interdependence, responsibility and solidarity, he shall realize his personal material and moral interests and the right to benefit from the results of his current and past labour and from the achievements of general material and social progress, and that on this basis he shall satisfy his personal and social needs and develop his working and other creative abilities". (Constitution of the SFRY, Basic Principles, Section II, paragraph 3).

Similarly, the Constitution guarantees every citizen the rights determined in Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, to wit: the right to work (Article 159, para. 1), the freedom of work (Article 160), the right to working conditions that ensure his physical and moral integrity and security (Article 161), the right to relief during temporary unemployment, under conditions specified in a special law (Article 159, para. 5), the right to limited working hours which may not exceed 42 hours a week, the right to daily and weekly rest, and an annual holiday with pay of not less than eighteen working days (Article 162, Para.1 - 4), the right to health care (Article 186), the right to health and other kinds of care and personal security at work (Article 162). Every citizen is also guaranteed the right freely to choose his occupation and job and to have

access, on equal terms, to every job and function in society (Article 160); the right to acquire, under equal conditions specified by statute, knowledge and vocational training at all levels of education, in all kinds of schools and other institutions of education (Article 165); the right to acquire a tenancy title to a dwelling in social ownership for the satisfaction of his personal and family housing needs (Article 164) and the right to freedom of association, including association in trade unions.

Further, the Constitution guarantees citizens of the SFRY other rights established in the aforementioned Article 5 of the Convention, to wit: freedom of movement and abode (Article 183), the right to contract marriage by the free consent of the prospective spouses (Article 190), the right of inheritance (Article 194), the right of ownership of movable property used for personal consumption or for the satisfaction of their cultural and other personal needs, and the right to own residential houses and dwellings which serve personal and family needs (Article 78), the right of ownership of arable agricultural land up to a maximum of ten hectares per household, as well as other land, forests and woodland in the limits specified by law (Article 80).

According to an explicit provision of the Constitution of the SFRY (Article 203), the freedoms and rights guaranteed by the Constitution may not be denied or restricted, nor may they be used to stir up national, racial or religious hatred or intolerance. Restriction of the rights of citizens established by the Constitution is singled out as a specific criminal act in the provisions of republic laws. Also qualified as a specific criminal act is restriction of the rights of citizens established by law, by other regulations or general enactments under self-mangement law, or the granting of privileges or prerogatives to citizens on the basis of differences in nationality, race, religion, ethnical affiliation and language (Article 60 of the Criminal Code of the Socialist Republic of Serbia, and so on).

10. Characteristics of the Criminal Code of the SFRY
subsequent to the promulgation of the Constitution
of 1974

The Criminal Code of the SFRY, promulgated on 28.IX.1976 (eight months after the fourth periodical progress report), and published in the "Official Gazette of the SFRY" No. 44/76 and came into force on July 1, 1977. Almost all the criminal codes of the constituent republics and autonomous provinces were officially promulgated by the end of June 1977.

The new constitutional system introduced some fundamental changes in jurisdiction in the field of criminal legislation, that is, it divided up legislative jurisdiction between the federal government and the governments of the constituent republics and autonomous provinces.

The principal substantive charges in the new Yugoslav criminal legislation are as follows:

a) the penalty of severe imprisonment was abolished and the penalty of imprisonment retained. This constitutes a notable advance in the sense of the humanization of the new Yugoslav criminal legislation,

b) major charges in the criminal codes of the republics and provinces are found in the section dealing with criminal acts against the freedoms and rights of man and citizen. These meet the need for protection of the personal life of man and its inviolability,

c) protection of the right to self-management acquired a special place in the new Yugoslav criminal legislation, and

d) considerable changes are also found in the sections dealing with criminal acts against the general security of person and property, which had to be expanded through the addition of new criminal acts concerning protection of the human environment.

Furthermore, the Criminal Code of the SFRY retained three criminal acts found in the preceding Criminal Code relating to protection of the equality of citizens, to wit: incitement of national, racial and religious hatred, dissension or intolerance (Article 134 of the Criminal Code of the SFRY); racial and other kinds of discrimination (Article 154 of the Criminal Code of the SFRY) and genocide (Article 141 of the Criminal Code of the SFRY)

11. Has the Constitution of the SFRY retained the provisions of Article 67 of the preceding Constitution?

The provisions of Article 67 of the preceding Constitution are also found in the Constitution of the SFRY of 1974 in Article 180, which reads:

"Every person shall be entitled to equal protection of his rights in proceedings before a court of law, state agencies and other bodies and organizations which decide on his rights, obligations and interests. Everyone shall be guaranteed the right to appeal or another legal remedy against decisions of courts of law, state agencies and other bodies and organizations which decide on his rights or interests founded on statute".

12. Concluding Remarks

The entire conception of individual freedoms and rights, and their institutional framework in Yugoslavia, rests on self-management understood in the full sense of the word, as a system of social relations established by people through the mutual integration of their labour and through their management of society's affairs. In this sense, self-management forms the basis of all rights.

The Constitution of the SFRY establishes that working people and citizens have the inalienable and inviolable right to selfmanagement which enables each individual to decide on his personal and common interests in Organizations of Associated Labour, local territorial communities, self-managing communities of interest and other self-managing

organizations and communities and socio-political communities, and in all other forms of their integration and mutual linkage on self-management lines. (Constitution of the SFRY, Article 155).

Thus, in the SFRY, apart from civic and political rights, citizens are guaranteed the right to self-management, on the basis of which every working man, on an equal footing with others, shall decide on his own labour and on the conditions and results of labour, on his own and common interests, and on the guidance of social development, and shall exercise power and manage other social affairs (Constitution of the SFRY, Basic Principles, Section II).

The Law on Associated Labour, promulgated at the end of 1976, provides in Article 1 that workers, in realizing their position in associated labour, manage their own and the whole range of social labour in the Basic and other Organizations of Associated Labour, other self-managing organizations and communities and throughout society as a whole.

Annex: excerpts from laws

THE CRIMINAL CODE OF THE SFRY

Incitement of national, racial and religious hatred, dissension
or intolerance

Article 134.

1) Whosoever by propaganda or in any other way provokes or incites national, racial or religious hatred or dissension among the nations and nationalities living in the SFRY shall be punished by imprisonment of from one to ten years.

2) Whosoever by insulting citizens or in any other way provokes national, racial or religious intolerance shall be punished by imprisonment of from three months to three years

3) Whosoever systematically engages in the activities enumerated under 1) and 2) of this Article, by exploiting position or authority, in a group, or if as a result of such activities, disorder, violence or other grave consequences ensue shall be punished for acts under para. 1 by imprisonment for at least one year

and for acts under para, 2 by imprisonment of from six months to five years.

Racial and other kinds of discrimination

Article 154.

1) Whosoever on the basis of differences in race, colour, nationality or ethnic origin violates the basic human rights and freedoms recognized by the international community, shall be punished by imprisonment of from six months to five years.

2) The penalty under para. 1) of this Article will be applied to anyone who persecutes organizations or individuals for their advocacy of the equality of men.

3) Whosoever disseminates ideas of the superiority of one race over another, or propagates racial hatred, or incites racial discrimination

shall be punished by imprisonment of from three months to three years.

Genocide

Article 141.

Whosoever with the intention of completely or partially exterminating a national, ethnical, racial or religious group orders the killing or grave bodily injury or grave injury to physical or social health of the members of a group, or the enforced resettlement of the population or the emplacement of a group in such living conditions as lead to the complete or partial extermination of the group, or the implementation of measures preventing birth among the members of a group, or the enforced resettlement of children to another group, or whosoever with the same intention commits any of the foregoing deeds

shall be punished by imprisonment of at least five years or by capital punishment.

Violation of the Equality of Citizens of the SFRY

Article 186.

An official who, on the basis of differences in nationality, race, religion, ethnical affiliation, sex, language, education or social status denies or restricts the rights of citizens established by the Constitution, laws or other regulations and general enactments, or who on the basis of these differences grants privileges or prerogatives to citizens,

shall be punished by imprisonment of from five months to five years.

THE CRIMINAL CODE OF THE SOCIALIST REPUBLIC OF SERBIA
Violation of the Equality of Citizens

Article 60.

Whosoever on the basis of differences in nationality, race, religion, ethnical affiliation, sex, language, education or social status denies or restricts the rights of citizens established by the Constitution, laws or other regulations, or general enactments, or whosoever on the basis of these differences grants privileges or prerogatives to citizens

shall be penalized by imprisonment of from three months to five years.

Article 61.

Whosoever contrary to provisions relevant to equality in the use of the languages or alphabets of the nations and nationalities of Yugoslavia denies or restricts the right of a citizen to the use of his own language or alphabet in the exercise of his rights or in communication with authorities or organizations, shall be punished by imprisonment of one year.

Deriding the nations and nationalities of Yugoslavia

Article 100.

whosoever derides the nations or nationalities of the Socialist Federal Republic of Yugoslavia or the ethnic groups living therein

shall be punished by imprisonment of from three months to three years.

THE CRIMINAL CODE OF THE SOCIALIST REPUBLIC OF BOSNIA & HERZEGOVINA
Violation of the equality of citizens

Article 49.

1) Whosoever on the basis of differences in nationality, race, religion, ethnic affiliation, sex, language, education or social status denies or restricts the right of citizens established by the Constitution, laws or general enactments or whosoever on the basis of these differences grants privileges and prerogatives to citizens

shall be punished by imprisonment of from three months to five years.

2) Whosoever contrary to the provisions regarding equality in the use of the languages or alphabets of the nations and nationalities living in the SFRY denies or restricts the right of a citizen to use his own language or alphabet in exercising his rights or communicating with authorities or organizations

shall be punished by imprisonment up to one year.

Offenses against the prestige of the socialist republics and socialist autonomous provinces, of the nations and nationalities of Yugoslavia

Article 85.

1) Whosoever derides the Socialist Republic of Bosna & Herzegovina or any other socialist republic, their flag, emblem or anthem, their highest ranking bodies or the representatives of those bodies, or the socialist autonomous provinces, their highest bodies or the representatives of those bodies

shall be penalized by imprisonment of from three months to three years.

2) The penalty under para. 1 of this Article will be applied to anyone who derides the nations or nationalities of the Socialist Federal Republic of Yugoslavia or the ethnic groups living therein.

THE CRIMINAL CODE OF THE SOCIALIST REPUBLIC OF MACEDONIA

Violation of the equality of citizens

Article 50.

Whosoever on the basis of differences in nationality, ethnical affiliation, race, religion, sex, language, education or social status denies or restricts the rights of man and citizen as established by the Constitution, laws or other regulations and general enactments, or whosoever on the basis of these differences grants privileges or prerogatives to citizens shall be punished by imprisonment of from three months to five year.

Deriding the Nations and Nationalities of Yugoslavia

Article 91.

Whosoever derides the nations or nationalities of the Socialist Federal Republic of Yugoslavia or the ethnic groups living in the Socialist Federal Republic of Yugoslavia shall be punished by imprisonment of from three months to three years.

THE CRIMINAL CODE OF THE SOCIALIST REPUBLIC OF SLOVENIA

Article 60.

1) Whosoever on the basis of differences in nationality, race, religion, ethnic affiliation, sex, language, education or social status denies or restricts the rights of citizens as established in the Constitution, laws or other regulations or general enactments, or whosoever on the basis of these differences grants privileges or prerogatives to citizens shall be punished by imprisonment for three months to five years.

2) Whosoever denies or restricts the right to equality in the use of language and alphabet, established by the Constitution, laws, other regulations or self-management enactments, shall be punished by imprisonment up to one year.

Deriding the nations and nationalities of Yugoslavia

Article 113.

Whosoever derides the nations and nationalities of Yugoslavia or the ethnic groups living therein shall be punished by imprisonment up to three years.

CRIMINAL CODE OF THE SOCIALIST REPUBLIC OF CROATIA

Violation of the equality of citizens

Article 46.

1) Whosoever on the basis of differences in nationality, race, colour, religious orientation, ethnic affiliation, sex,

education, social status, social origin or property status denies or restricts the freedom and rights of man and citizen as established by the Constitution, laws, or other regulations of general enactments, or whosoever grants privileges or prerogatives to citizens on the basis of these differences

shall be punished by imprisonment from three months to five years.

2) Whosoever in contradiction to the provisions regarding equality in the use of the languages and alphabets of the nations and nationalities of Yugoslavia denies or restricts the right of citizens to use their own language or alphabet in exercising their rights or communicating with authorities or organizations

shall be punished by imprisonment up to one year.

Deriding the Socialist Republic of Croatia and other republics, autonomous provinces, nations and nationalities of Yugoslavia

Article 80.

1) Whosoever derides the Socialist Republic of Croatia, or any other republic or autonomous province, or their flag, emblem, or anthem, their highest bodies or the representatives of those bodies

shall be punished by imprisonment of from three months to three years.

2) The penalty under para. 1. of this article shall be applied to anyone who derides the nations or nationalities of the Socialist Federal Republic of Yugoslavia or the ethnic groups living therein.

THE CRIMINAL CODE OF THE SOCIALIST REPUBLIC OF MONTENEGRO Violation of Equality

Article 52.

1) Whosoever on the basis of differences in nationality, ethnical affiliation, race, religion, sex, language, education or

social status denies or restricts the right of man and citizen as established by the Constitution and laws, other regulations or general enactments, or grants them privileges or prerogatives on the basis of these differences

shall be punished by imprisonment of from three months to five years.

2) Whosoever in contradiction to provisions relating to equality in the use of the languages and alphabets of the nations and nationalities of Yugoslavia denies or restricts the right of citizens to use their own language or alphabet in exercising their rights or communicating with authorities or organizations,

shall be punished by imprisonment of from three months to three years.

THE CRIMINAL CODE OF THE SOCIALIST AUTONOMOUS PROVINCE OF VOJVODINA
Violation of the equality of citizens

Article 41.

Whoever in contradiction to provisions concerning equality in the use of the languages or alphabets of the nations or nationalities of Yugoslavia denies or restricts the right of citizens to use their own language or alphabet in exercising their rights or communicating with authorities or organizations,

shall be punished by imprisonment up to one year.

Deriding the nations and nationalities of Yugoslavia

Article 65.

Whosoever derides the nations and nationalities of the Socialist Federal Republic of Yugoslavia or the ethnic groups living therein

shall be punished by imprisonment of from three months to three years.

THE CRIMINAL CODE OF THE SOCIALIST AUTONOMOUS PROVINCE OF KOSOVO
Violation of the equality of languages and alphabets

Article 45.

1) Whosoever denies or restricts the right of citizens as established by the Constitution, laws, other regulation or self-management general enactment to equality in the use of language and alphabet

shall be punished by imprisonment up to one year.

2) If an act under para. 1 is perpetrated by an official in the course of his official duties

he shall be punished by a sentence of up to three years.

Deriding the nations and nationalities of Yugoslavia

Article 71.

Whosoever derides the nations or nationalities of the Socialist Federal Republic of Yugoslavia or ethnic groups living therein

shall be punished by imprisonment of from three months to three years.