

use of minority languages in higher education or set limitations on their use in private institutions, the current draft law provides for instruction in minority languages only in the pedagogical faculties, as well as in some subjects in other faculties related to the promotion of the cultural and national identities of minorities; and, the draft law does not expressly prohibit use of minority languages at private institutions, but it is argued that the government could use its regulatory powers under the law to deny official registration to private institutions which use minority languages.

In commentary on "Tetovo University", in which instruction is in Albanian, the SR noted that the institution has continued to function without major influence from the government. In May 1997 the institution received renewed support from the Albanian community and its political leaders, with the mayors of 22 municipalities governed by political parties of ethnic Albanians declaring themselves formally co-founders of the institution, taking responsibility for its future and stating that, if the government continued to fail to give financial support they would be compelled to take concrete measures for its financing. The SR noted that: the moment was approaching when the first students would graduate from "Tetovo University", after spending four years of their lives in acquiring what would appear to be invalid university diplomas; as a result, the situation will become more complicated and there will be an increased need for dialogue among the parties to reach a satisfactory solution to the problem; and, the government continues to take the position that it is under no obligation to support minority-language institutions of higher education, despite the need to take into account the futures of the graduates of "Tetovo University".

The report addresses the right to foster cultural identity and the sensitive issue of flags, recalling that the events in Gostivar were the culmination of a controversy over the issue of the use of flags as cultural symbols. Recalling the establishment of the new system of local self-government in late 1996, the report notes that local authorities in some communities in the western part of the country, ruled by the Democratic Party of the Albanians, have taken the position that the right of minorities under the law to use cultural symbols extended to the display of Albanian and Turkish flags in front of municipal buildings and, further, that the flags which have been used are identical to the state flags of Albania and Turkey. Elements in the controversy include: decisions of the Constitutional Court in May which held that the flags impermissibly represented the sovereign attributes of Albania and Turkey; the insistence of local authorities that the flags have only cultural and ethnic significance; the Law on the Usage of Flags by Which Persons Belonging to National Minorities in the Republic of Macedonia Express Their Identity and National Attributes, approved by Parliament (8 July 1997) and the Law on the Usage of the Coat of Arms, the Flag and the Anthem of the Republic of Macedonia (3 July 1997), which give legal shape to the right of minorities to use flags which they consider to express their identities and national attrib-

utes. These laws impose no conditions on the design of the minority flags or their use at private occasions but do stipulate that minority flags must be smaller in size than the state flag of FYR Macedonia and may only be displayed on national holidays at local self-governed municipalities where a national minority makes up a majority of the municipal population.

With regard to freedom of religion, the report refers to the new Law on Religious Communities and Religious Groups (July 1997) and notes that the law is based on the view that there are two different types of religious associations — one consisting of the three largest religions in the country (the Macedonian Orthodox Church, the Islamic Community and the Roman Catholic Church) which are classified as "religious groups" and the other encompassing all remaining religions, which are classified as "religious communities". The Law has been strongly criticized by many religious groups on the basis that it favours "traditional" religions over so-called "new" religions, and because provisions stipulate that religious services may be performed only by communities or groups registered by the government. Further criticism of the law was made indicating that the Law restricts the use of printed materials and employment of foreign lecturers, and hinders religious instruction of children.

The SR noted that the long-standing issue of the inability of persons belonging to the Serb minority to exercise freely their religion and register religious communities of the Serb Orthodox Church remains unresolved and the Serb Orthodox Church clergy continue to be prohibited from entering the country or holding services for the Serb population. The SR referred to the view expressed by some that passage of the new Law on Religious Communities and Religious Groups makes resolution of this issue even less likely.

Concerning the media, commentary is included on the Law on Broadcasting (April 1997), noting that the law provides for nationwide public and private electronic media outlets, approved for operation by government concession, based on the recommendation of the Radio-Diffusion Council (RDC) an independent body of citizens which, among other roles, supervises the granting of concessions and government funds for broadcasting. Private outlets may broadcast nationwide on the condition that they reach at least 70 per cent of the population but concerns over the law have been expressed on the basis that it allows "programming quality" to be used as a criterion for the granting of concessions.

The report notes that: the economic situation continued to have a negative impact on the right to an adequate standard of living in such areas as unemployment, delays in payment of salaries, and a steady increase in the cost of living; the embargo imposed by Greece has had a lingering impact; a slight increase in industrial production held out the prospect for new jobs; most refugees who came to FYR Macedonia, mainly from Bosnia and Herzegovina, have left for third countries or been repatriated; those refugees who remain, mainly women and children, are housed in collective centres in generally satisfactory