

ECONOMIC AND SOCIAL COUNCIL
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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties
under articles 16 and 17 of the Covenant

Addendum
CROATIA*, **

[4 July 2000]

* The information submitted by Croatia in accordance with the guidelines concerning the initial part of reports of State parties is contained in the core document (HRI/CORE/1/Add.32/Rev.1).

** The annexes to the present report are available from the Committee's secretariat.

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420. Article 86 of the Constitution guarantees freedom of scientific and scholarly, cultural, artistic, intellectual and other kinds of creativity, and the moral and material rights that derive from this. The Republic encourages and helps the development of science, culture and art, and protects scientific, cultural and artistic assets as being national spiritual values.

423. It is important to stress that in the Republic of Croatia there are no restrictions to prohibit or restrict freedom of expression, creativity, the exchange of cultural and scientific information.

424. The Republic of Croatia has ratified 21 and signed 25 treaties about cultural, scientific and educational cooperation, and 12 programmes of cultural collaboration.

425. With regard to the legislative measures taken to realize the right of everyone to enjoy the benefits of scientific progress and its application, including those aimed at the conservation, development and diffusion of science, the Government of the Republic of Croatia has enacted six legal documents:

Scientific Research Activities Law

Higher Education Law

National Scientific Research Programme

Law on signing and executing international treaties

Law on recognition of equivalence of certificates and diplomas obtained abroad

Law on monitoring scientific, cultural, educational, technical and technological cooperation with foreign countries.

426. The Scientific Research Activities Law provides for freedom of scientific research and creativity, free public access to work, the protection of intellectual property rights, the competitiveness of scientific programs and initiatives, the autonomy and safety of human individuality and dignity, the ethics and responsibility of scientists and researchers concerning the consequences of their activities, the care for environmental protection, the interdependence of scientific research and higher education, involvement in the international scientific effort.

427. In the efforts to expand the cultural and material quality of life and economic progress, the Republic of Croatia is providing the conditions and financial support for:

- (a) Broadening scientific knowledge and achievements;
- (b) Enlarging the volume and quality of scientific research activities;
- (c) Publishing scientific achievements;
- (d) Providing the conditions for the application of the results of scientific research;
- (e) Supporting and stimulating scientists, researchers and the education of senior scientific fellows.

428. The institutional system, within which scientific and research activities are carried out, is organized in four main types of institutions: public (State) institutes and institutions of higher education within four universities; industrial institutes and other corporate bodies such as the Croatian Academy of Arts and Sciences; independent institutes; and health-care institutes. All these institutions act freely and independent of Government in entering into agreements and in performing international cooperation at the level of individual institutions or researchers.

429. Pursuant to article 3 of the Higher Education Law, institutions of Higher Education are based on the principle of academic autonomy and freedom in accordance with the Constitution of the Republic of Croatia and this Law.

430. Academic freedom is particularly expressed in freedom of scientific, artistic, and technological research and creation; establishment of educational scientific, artistic, and professional programmes; election of lecturers and heads; decisions on student enrolment criteria; establishment of student entry requirements; determination of course rules; and determination of internal organization.

431. CARNet (the Croatian Academic and Research Network), a part of Internet, is a private and multiprotocol network which contributes significantly to promoting the diffusion of information of scientific progress. Presently it includes more than half of the scientific community. By the end of 1995, every academic and scientific institution was connected to CARNet. This means that every institution has at least one UNIX server whose purpose is to store and publish (on the Internet) scientific and general data about the institution. CARNet is also a gateway for scientists (and students) that enables them to access a wealth of information around the world. CARNet is the infrastructure for numerous databases and information services. The most important is the System of Scientific Information, which encompasses thematic centres for various fields that

collect papers and other information from scientists and scholars, bibliographical references and complete archives of papers.

432. With regard to new trends of industrialisation and technological development which have potential danger for mankind's natural heritage and healthy and pure environment, it appears that, from the legal point of view, instruments for the protection of rights of ownership have limited legal effects in terms of the protection of endangered persons and public goods. Notwithstanding this, these disadvantages in the field of civil law protection might be successfully solved through the system of rules for preventive protection, set out in the Environmental Protection Law and other regulations.

433. While entering into an international agreement in the field of science, technology, higher education and information science, the Ministry of Science and Technology as a competent body, provides for the protection of intellectual property rights and copyrights in order to guarantee minimum standards of protection, in accordance with international standards contained in e.g. Universal Copyright Convention and the Berne Convention for the Protection of Literary and Artistic Works. When it comes to the implementation of agreed cooperation agreements or signed agreements, it depends on the cooperating institutions to arrange these questions in such a way as they find appropriate.

434. The Industrial Property Law and Law on Copyrights are leading legal documents for the full implementation of the results of scientific activities. These documents include provisions for the protection of intellectual property rights and copyrights.

435. With regard to conservation, the development and diffusion of science it should be pointed out that the political and economic changes in Croatia from 1991 to 1996 paved the way for the implementation of a new science policy in accordance with the newly established market economy, privatization processes and conditions of ownership. The Constitution of the Republic of Croatia, in article 68, guarantees the freedom of scientific, cultural and artistic activity, encourages the development of science, culture and art, protecting these values as national spiritual values.

436. The Scientific Research Activities Law and the National Scientific Research Programme (NSRP) provide the legal framework for the reconstruction of the science and technology organization and management system. NSRP is the first strategic document on science and technology policy. It gives an overview of the present state of science, defines the general approach and guidelines for the long-term science and technology policy and foresees future steps concerning the implementation of this policy.

437. The main principles of the science and technology policy are as follows:

(a) The involvement of all research capabilities in the current process of the restructuring and revitalisation of the economy, and the fostering of entrepreneurship;

(b) Interdependence among science, technology and industry is indispensable for economic growth and social welfare. Government-supported research must complement industry efforts by emphasising generic, pre-competitive research, and an appropriate funding system has to be applied to encourage such an approach;

(c) All industries should be encouraged to exploit research results and to create new industrial niches capable of applying new technologies and attracting new investments, especially foreign ones;

(d) The establishment of market research and other mechanisms for closer cooperation between research institutions and the business sector, in particular industrial enterprises.

438. Not only does CARNet provide freedom of exchange of scientific and technical information, but there were also about 2,000 libraries registered in Croatia in 1995; 160 rank as scientific libraries, four of which are university libraries. There are 91 faculty libraries, 60 libraries attached to research institutes and one central library (attached to the Croatian Academy of Sciences and Arts). The Zagreb National and University Library (NSB) plays the central role in the Croatian library system.

439. There are no legal restrictions on the freedom of exchange of scientific and technical information. The present organization of science and the existing legal regulations make possible cooperation with the main aim of making the participation of the research community in international scientific cooperation as free as possible. The main obstacles are the international political environment; an inadequately developed system of monitoring and coordinating international cooperation; and the lack of financial resources to enable Croatia to invest more in this cooperation.

440. Though inadequately developed, the system of monitoring international cooperation is based on the Law on monitoring scientific, cultural, educational, technical and technological cooperation with foreign countries. It contains information about the extent of international cooperation (number of visits, participation in conferences, seminars, symposium). It is important for budgetary planning for the forthcoming fiscal period.

441. The Ministry of Science and Technology is the leading authority for the creation and the development of the national science and technology policy. It controls the allocation of the national budgetary resources necessary for the encouragement and development of international contacts and cooperation.

442. In 1991 the Ministry of Science and Technology introduced project funding to break away from the prevailing institutional funding based on lump-sum allocation without any differentiation among projects in terms of quality of researchers and the research itself. The main purpose is to reduce the number of projects and to redistribute public financial resources to stimulate high-quality research and cooperation between science and industry. In accordance with NSRP these projects will receive 38% of all funds while the remaining approved projects will receive 20%. The Programme also foresees a young researcher's project award (5%), which is a completely new category in science policy. The main purpose of these awards is to prevent the brain drain and to initiate research competition within the academic environment.

443. The Republic of Croatia has so far signed 21 bilateral agreements on cooperation in the field of science, technology and higher education and about 26 are to be signed in due course. It is worth mentioning that almost all of the signed bilateral agreements have significantly contributed to the promotion of scientific cooperation. They also allow scientists to take part in a number of international scientific conferences, seminars and symposiums.