

Strasbourg, 18 September 2017

Working document

Compilation of Opinions of the Advisory Committee relating to Article 11 of the Framework
Convention for the Protection of National Minorities (4th cycle)

"Article 11

- 1 The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.
- 2 The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.
- 3 In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications."

Note: this document was produced as a working document only and does not contain footnotes. For publication purposes, please refer to the original opinions.

TABLE OF CONTENTS

1. Armenia	3
2. Austria.....	3
3. Croatia.....	4
4. Czech Republic	6
5. Denmark	7
6. Estonia	8
7. Finland	9
8. Germany	10
9. Hungary.....	12
10. Italy	13
11. Moldova, Republic of	15
12. Norway.....	17
13. Slovak Republic	17
14. "The former Yugoslav Republic of Macedonia"	18
15. United Kingdom	19

As of 18 September 2017, the Advisory Committee on the Framework Convention for the Protection of National Minorities had adopted a total of 24 opinions, among which 15 opinions on Article 11, of which 15 are public.

NOTE

Based on the information currently at its disposal, the Advisory Committee considers that implementation of certain articles does not give rise to any specific observations.

This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. On the contrary, the nature of the obligations of the Framework Convention requires a sustained and continued effort by the authorities to respect the principles and achieve the goals of the Framework Convention. Furthermore, a certain state of affairs may be considered acceptable at one stage but that need not necessarily be so in further cycles of monitoring. It may also be the case that issues that appear at one stage of the monitoring to be of relatively minor concern prove over time to have been underestimated.

Armenia

Adopted on 26 May 2016

Article 11 of the Framework Convention

Topographical indications

The Advisory Committee notes with regret that the situation concerning the use of minority languages for topographical indications has not changed in Armenia since the adoption of the previous opinion. The existing regulations provide that topographical indications and signposting should be done in Armenian and English. Persons belonging to national minorities have not been consulted, even locally in the municipalities where they live, in substantial numbers about the existing demand for such indications in minority languages.

The Advisory Committee notes in this context that the constitutional amendments adopted in December 2015 provide for an adoption of a law which would increase possibilities for direct participation of community residents in the administration of municipal affairs. It is important that such a law provides possibilities for residents in areas where a substantial number of people belonging to national minorities live to be consulted on the existing demands and needs including on the use of minority languages for topographical indications in the municipalities concerned.

Recommendations

The Advisory Committee invites the authorities to adopt the necessary legislative provisions which would allow for direct participation of residents in the administration of community affairs, and with a view to facilitating consultations on the existing demands and needs pertaining to the use of minority languages for topographical indications in municipalities inhabited by a substantial number of persons belonging to national minorities.

The authorities are invited to conduct an awareness-raising campaign on the possibilities, offered by the law, and to engage in a constructive dialogue with representatives of municipalities and national minorities on the introduction of topographical indications in minority languages in municipalities with substantial national minority populations.

Austria

Adopted on 13 October 2016

Article 11 of the Framework Convention

Minority languages on topographical signs and in identity documents

Present situation

The amendment of the National Minorities Act in July 2011 (see Article 10) also produced a list of localities where the Slovenian, Croatian and Hungarian minority languages shall be displayed on topographical signs. The list contains 164 villages in 24 municipalities with respect to the Slovenian language, 28 municipalities with respect to Croatian and four with respect to Hungarian. Interestingly, the right to bilingual topographical signs is thus implemented in more localities than the right to use one's language in official contacts, despite the fact that the Framework Convention attaches more conditionality to the former. While welcoming the fact that the actual placement of the bilingual

signposts in Carinthia reportedly occurred without major difficulty, the Advisory Committee reiterates its deep concerns regarding the overall approach taken by the authorities and the resulting denial of a possibility to seek an effective legal remedy for persons belonging to national minorities. It further regrets that the definition of “signs and inscriptions of a topographical nature” refers exclusively to place names but not to street names or other topographical indications, despite the fact that these are explicitly mentioned in Article 11(3) of the Framework Convention. National minority representatives in the bilingual areas should also be consulted with respect to the new street names that are being introduced in the context of ongoing efforts to comply with emergency service regulations. It is welcome, however, that in some municipalities in Burgenland and Carinthia, additional bilingual signposts have been displayed on municipal buildings and other institutions that offer public services.

In addition to the list of localities where bilingual place names must be displayed, municipal councils may also voluntarily decide to do so. However, no such decision has been taken thus far. In one case, an application was made by residents, yet it was rejected by a majority vote. As regards the issuance of personal documents in minority languages, the Advisory Committee notes that practice also varies. In some municipalities, birth certificates in minority languages are regularly issued in addition to German-language birth certificates. In others, such a request has never been made, as persons belonging to national minorities are not aware of that possibility. It is noteworthy, however, that the necessary technical adjustments for the use of diacritic signs in line with spelling and grammar rules of the national minority languages have been completed and personal identity documents are now issued without errors. The Advisory Committee underlines that any applications made to correct previous inaccuracies in identity documents must be responded to efficiently and free of charge.

Recommendation

The Advisory Committee calls on the authorities and on national minority representatives to demonstrate flexibility and openness towards dialogue with respect to bilingual topographical indications, in line with Article 11(3) of the Framework Convention. Persons belonging to national minorities must in particular have the opportunity to seek redress through an effective legal remedy.

Croatia

Adopted on 18 November 2015

Article 11 of the Framework Convention

Minority languages on topographical signs and in identity documents

Present situation

The Advisory Committee is pleased to note that bilingual and even trilingual signposts are visible in a number of regions of Croatia in recognition of the long-standing presence of national minorities. Implementation of the legal provisions contained in the Law on Use of Languages and Scripts of National Minorities thus again varies (see Article 10) according to the level of societal cohesion and the extent to which national minorities are respected. The situation is again particularly favourable with regard to the use of Italian on topographical signs. It is of deep concern to the Advisory Committee, however, that violent protests were organised in Vukovar in 2013 by the veteran association “Headquarters for the Defence of Croatian Vukovar” as soon as first steps had been made to implement the Law on Use of Languages and Scripts of National Minorities by displaying bilingual signs in Latin and Cyrillic script.

Bilingual plaques that had been set up were repeatedly removed by force and destroyed. At the end of 2013, the association called for a referendum on increasing the threshold regulating the right to use minority languages from 30% to 50% of the population. While the call gathered sufficient signatures for the referendum to go ahead, the Constitutional Court ruled in August 2014 that the questions proposed to be put to the public were not in line with the Constitution. It further held that the City of Vukovar should regulate the use of bilingual scripts in line with the legislative framework within one year and that the Government should not use coercive measures towards the implementation of the Law. Within one year, however, the Government should propose a legal mechanism to regulate situations where representative bodies of local self-government units do not execute or obstruct the implementation of the obligations from the Law on Use of Languages and Scripts of National Minorities in Croatia.

The Advisory Committee notes that a draft law was prepared by the Ministry for Public Administration and duly submitted to Parliament in summer 2015. It shares the concern of civil society and national minority representatives that no effort was made to consult the public and in particular national minority representatives in the preparation of the draft law. The draft foresees a possibility for the central government to dissolve a local council that fails to carry out its obligations in line with the Law on Use of Languages and Scripts of National Minorities. On 17 August 2015, the City of Vukovar amended its statute to the effect that no Cyrillic script will be shown on any of the municipal institutions, official buildings or street names. The City Council further decided to consider on a yearly basis whether the “rights of members of the Serbian national minority who live in Vukovar may be expanded”, depending on the level of understanding and tolerance amongst citizens that has been achieved. The Advisory Committee understands that the Ministry for Public Administration requested further instructions from the Constitutional Court on how to order the direct application of the law without coercive means and was informed that the procedure established by the Law on Local and Regional Self-government should be followed. The latter Law, however, allows for enforcement measures such as the dissolution of the respective local councils only in case of *frequent* acts that are contrary to the legislative framework. The Advisory Committee highly appreciates the efforts of the Ministry towards resolving the situation and is pleased to note that some progress appears to have been made already in some of the municipalities where there had been resistance before. Indeed, it considers that dialogue and awareness-raising initiatives at local level may be the most appropriate tools for the promotion of cohesion and peaceful co-existence of different cultures and languages that constitute the spirit of Article 11 of the Framework Convention.

It is of deep concern to the Advisory Committee, however, that the above-mentioned violence and tensions in Vukovar since 2013 have prompted a country-wide campaign against the use of Cyrillic script that results in many persons belonging to national minorities who use the Cyrillic script, such as the Serb or the Ruthenian minorities, choosing not to invoke their rights rather than risking new hostilities. It learned from minority representatives in some regions that their fears concerned less the local population than outsiders who could come from other parts of the country to inflict inter-ethnic discord and tension in an effort to discourage any use of Cyrillic script in Croatia (see also Article 6).

The Advisory Committee further notes with concern that the use of minority languages in identity cards is also highly uneven. According to the State Report, 6,524 Croatian-Italian bilingual identity cards were issued in 2013 while there were only 114 Croatian-Serbian bilingual identity cards, using Latin and Cyrillic script, issued in the same year. In view of the particular personal significance of seeing the minority language recognised in identity documents, the Advisory Committee notes with deep concern reports from representatives of national minorities who use the Cyrillic script that persons belonging to those minorities often refrain consciously from requesting a bilingual identity document. According to

the representatives, the repercussions of having to provide an identity card in Cyrillic script during a regular traffic control by the police or other daily occurrences are far too negative.

Recommendations

The Advisory Committee urges the authorities to raise awareness amongst the public of Croatia's international and national legal obligations towards national minorities, and to promote close consultations among local authorities with representatives of minorities and the majority regarding the display of bilingual or trilingual signposts as a demonstration of the diverse character of the region, traditionally and at present.

It further urges them to ensure that persons belonging to national minorities throughout Croatia are enabled and encouraged to enjoy their rights according to the national legislative framework without any negative consequences resulting from that choice.

Czech Republic

Adopted on 16 November 2015

Article 11 of the Framework Convention

Surnames and first names in minority languages

Present situation

The Advisory Committee recalls that under the provisions of the Registries Act persons belonging to national minorities can request to have their name written in the register in a minority language with language-specific diacritical marks and in addition that women belonging to a national minority may have their surname written in their documents without the Czech language female suffix, "ová".

The Advisory Committee notes with satisfaction that the Registries Act was amended in 2013 to clarify that the right to have the name written in the register in a minority language applies both to first names and surnames, which was not clear previously. Also, the amendments expanded this right to cover registered partnerships.

The Advisory Committee notes with satisfaction that representatives of national minorities did not indicate particular problems with the application of the Registries Act by civil registry officials in a manner accommodating the needs expressed by persons belonging to national minorities, in accordance with the principles set out in Article 11 of the Framework Convention.

Recommendation

The Advisory Committee invites the authorities to continue to interpret the Registries Act in accordance with the principles set out in Article 11 of the Framework Convention.

Bilingual signs and place-names

Present situation

The Advisory Committee recalls that the exercise of the right to display bilingual signs and indications of place-names is conditioned on the number of persons belonging to the national minority constituting no less than 10% of all residents of the municipality and on the establishment there of a committee for national minorities. It notes that, following the release of the census data gathered in 2011, the legal

requirements for displaying bilingual Czech and Polish signs and inscriptions are met in thirty municipalities in the Frýdek-Místek and Karviná districts, Czech and Slovak signs in eight municipalities in the Brtnál, Břeclav, Cheb, Karlovy Vary and Jeseník districts and Czech and German in three municipalities in the Sokolov district.

The Advisory Committee notes with satisfaction that the number of municipalities in the Frýdek-Místek and Karviná districts where bilingual Czech-Polish signs and place-names are displayed has increased from thirteen municipalities in 2010 to all thirty municipalities concerned now. It is also pleased to note that whereas in 2010 there were no bilingual Czech and Slovak signs, such signs are currently displayed in two municipalities located in the Frýdek-Místek and Český Krumlov districts. Finally, the Advisory Committee notes with interest that discussions are ongoing about installing bilingual Czech and German signs in the Sokolov district.

Recommendation

The Advisory Committee invites the authorities to continue to encourage local authorities in those districts where the right to display bilingual signs and indications of place-names is not implemented in practice, to take measures in order to ensure that the provisions of Article 11, paragraph 3 of the Framework Convention are effectively implemented.

Denmark

Adopted on 20 May 2014

Article 11 of the Framework Convention

Display of traditional local names, street names and other topographical indications

The Advisory Committee learns that there has been no progress as regards display of traditional local names, street names and other topographical indications in German. German minority representatives consider that although this issue is not as crucial for the preservation of their identity in Denmark as is schooling in the German language (see further below comments with respect to Article 14), it is indicative of the attitude of the majority towards accepting the minority identity as part of South Jutland's heritage and as a lasting presence.

The Advisory Committee considers that the refusal of the Danish Road Directorate to authorise placing of a German language sign indicating Knivsbjerg, a cultural centre significant for the German minority, sent a strong negative signal to local authorities. This is particularly regrettable as it is a national level administration that has set the standard, which is then followed by local authorities. The Advisory Committee recalls that it is the national government which is ultimately responsible for implementing the Framework Convention and therefore it is up to the national authorities to take appropriate measures on the issue of topographical indications in the minority language.

In this context, the Advisory Committee notes that representatives of the German minority are reluctant to spend considerable effort on an issue which seems to be controversial and which appears to be blocked at the national level, and which can only be resolved by central authorities showing good will and positive example.

Recommendation

The Advisory Committee invites the central authorities to seek solutions which would allow the display of traditional local names, street names and other topographical indications and signs in places of particular interest to the German national minority in South Jutland.

Estonia

Adopted on 19 March 2015

Article 11 of the Framework Convention

Display of traditional local names, street names and other topographical indications

Present situation

The Advisory Committee notes with regret that no significant developments have taken place since the adoption of the previous Opinion. In accordance with the Place Names Act of 2004 topographical indications in minority languages may be introduced at the request of local authorities with the agreement of the Minister of Interior (which remains a dead letter of the law as no applications have been made) or in a simplified procedure “within the territory of a settlement of which the majority of the residents were non-Estonian speakers as of 27 September 1939” and where the non-Estonian name may be established as the principal name pursuant to subsections 11 (3) and (4) of the Place Names Act (i.e. for historically and culturally justified reasons). A number of settlements in particular on the Vormsi and Ruhnu Islands and in Noarootsi Municipality have made use of the right to display topographical indications in Swedish. The said legislative provisions could apply equally to Alajõe, Kasepää, Peipsiääre and Piirissaare rural municipalities located on the shores of the Lake Peipus, where all villages are entitled to use the Russian language in topographical indications. The Advisory Committee notes with regret that in practice no signs in the Russian language have been used.

The Advisory Committee would like to point out in this context that reference to the linguistic situation of 75 years ago is anachronistic and does not correspond to the modern day context. Even if fully applied, the Place Names Act does limit the possibility to display signs in languages of national minorities to small settlements and villages in spite of the fact that the majority of persons belonging to minorities reside in cities. The Advisory Committee wishes to point out that in its Commentary on Linguistic Rights it recommended that “authorities should interpret and apply legislation in a flexible manner without relying too strictly on the threshold requirement”.

During the visit to Narva, the Advisory Committee observed a complete absence of Russian language street signs and other topographical indications, notwithstanding the fact that an overwhelming majority of the population of the town is Russian-speaking. In this context the Advisory Committee notes with regret that the absence of Russian language signs demonstrates that, despite significant efforts to promote integration, no practical steps are taken to promote social cohesion and reduce separation based on ethnicity and language barriers.

Recommendation

The Advisory Committee calls again on the authorities to expand the opportunities to introduce minority language place names in line with the principles contained in Article 11 of the Framework Convention, and allow topographical indications in minority languages, alongside Estonian.

Recording of Patronyms

Present situation

There have been no significant developments, including legislative developments as regards modalities for the use of personal names containing patronyms. As observed in the previous Opinions, Estonian legislation provides for recording a person's official name consisting of a forename and a surname, without the possibility of a patronym being entered in personal identity documents. Consequently there is no legally secured right to use one's surname (patronym) in the minority language, as provided for in the Framework Convention.

Recommendation

The Advisory Committee reiterates its previous recommendation to seek appropriate legislative solutions for the registration of patronyms in official personal documents, in consultation with persons belonging to national minorities.

Finland

Adopted on 19 March 2015

Article 11 of the Framework Convention

Use of Sámi forenames and surnames

Present situation

The Advisory Committee understands that the IT system currently used by the public administration in Finland still does not allow the typing of all diacritic signs for the Sámi languages. The Population Register Centre indicated that the population registering system is due to be renewed, possibly starting in 2017 or 2018, and when available, the new UNICODE system will allow the registering of Sámi names respecting the language diacritic signs. However, there is no final decision yet. The Advisory Committee also notes that this new system is already available with respect to producing signposts.

Recommendation

The Advisory Committee calls on the authorities to take the necessary steps to guarantee the registration of Sámi names respecting the language diacritic signs in public registries, passports, and other public documents without further delay.

Germany

Adopted on 19 March 2015

Article 11 of the Framework Convention

Personal names and official documents

Present situation

The Advisory Committee notes that the growing use of electronic processing systems has led to complaints from representatives of Sorbs in so far as certain characters specific to the Sorbian language cannot be properly represented in such systems. This makes it increasingly difficult to register correctly the names of individuals and legal entities. The Advisory Committee notes with interest that this problem has been remedied progressively in Saxony, and indeed was expected to be resolved by April 2014. Different software being used in Brandenburg and certain other *Länder* cannot represent all diacritical marks, however; it is planned to introduce new software for all *Länder* that would resolve this problem, but this is not expected to be done until 2016. The Advisory Committee regrets that it has not been possible to resolve this issue in the meantime, and draws attention to the importance, once the new software is introduced, of ensuring that Sorbian names are correctly represented in it from the outset.

The Advisory Committee moreover notes with regret that the situation regarding the use of suffixes such as “-owa” in official documents for the names of women and girls belonging to the Sorbian minority has not changed, with the authorities considering that this suffix cannot be used for female names unless the relevant law is amended. This prohibition contradicts the traditional Sorbian practice as regards gender declension names and constitutes, in the Advisory Committee’s view, discrimination against Sorbian women on the grounds of their gender and ethnic origin. Representatives of the Sorbian minority have however indicated that there appears to be no political will to change the applicable law.

The Advisory Committee maintains its view that this situation is not in line with Article 11, paragraph 1 and the overall principle of inclusive interpretation of the Framework Convention. It nonetheless underlines that in the meantime, nothing prevents States Parties from applying the provisions of the Framework Convention directly.

Recommendations

The Advisory Committee encourages the authorities to ensure that the introduction of new software for the management of electronic registers by 2016 resolves from the outset all issues related to the correct representation of names in minority languages. It further encourages them to ensure that Sorbian names that were previously represented incorrectly can be corrected in the new system, at no cost to the persons concerned.

The Advisory Committee recommends that the authorities amend without delay the law governing the use of names in minority languages in a way that brings it fully into line with the principles set out in Article 11 of the Framework Convention. In the meantime, it encourages them to issue guidance to the relevant administrative authorities regarding the possibility of applying the provisions of the Framework Convention directly.

Topographical signs

Present situation

The Advisory Committee welcomes the adoption of a decree in Brandenburg in June 2014 regarding the installation of bilingual roadsigns and signposts. This decree recognises that the towns and villages in the traditional settlement area of Sorbs officially bear a bilingual name in German and Lower Sorbian, which must accordingly be included as a mandatory component of directional road signs (*Wegweisung*) and of signposts indicating the names of localities (*Ortstafel*). When new signposts are set up or existing ones replaced, the name must moreover be indicated in a uniform font-size in both languages. The Advisory Committee also welcomes the indication that the *Land* of Brandenburg will henceforth take over the expense of bilingual signposting, which previously fell to local authorities and the cost of which was frequently prohibitive for them.

As noted above, in Brandenburg, the traditional settlement area of Sorbs is defined by the Sorbs/Wends Act, which now sets more flexible criteria in this regard (see above, Article 4), but does not provide for automatic inclusion in this area if these criteria are met. It is not clear how many additional localities will apply before the deadline of 21 May 2016 set by this Act to be included in the traditional settlement area, and may therefore meet the requirements for benefiting from bilingual topographical signs in future.

In Lower Saxony, while bilingual signposts at the entry to and exit from villages where Sater Frisian is spoken have been in place for a number of years, roadsigns to Saterland remain monolingual. According to information provided by representatives of Sater Frisians, the authorities have indicated that bilingual signs could be installed on a new road being constructed around Saterland, but that the costs would not be borne by the *Land*. Sater Frisians have also requested the installation of brown tourist signs on the main north-south highway past Saterland, but without success. The Advisory Committee has also been informed that a 2009 decree of Schleswig-Holstein allowing municipalities to put in place topographical indications in minority languages has so far been implemented only sporadically.

Recommendation

The Advisory Committee encourages the authorities to proceed expeditiously with installing bilingual topographical signs, in particular in Brandenburg, and to promote and actively support the installation of additional bilingual signs around Saterland and in Schleswig-Holstein, as a measure to increase the visibility and public profile of minority languages.

Hungary

Adopted on 25 February 2016

Article 11 of the Framework Convention

Use of the name and first names in minority languages

Present situation

The Advisory Committee notes that in its previous opinions it acknowledged that there were no particular difficulties as regards the possibility to register surnames and first names in languages of national minorities.

The Act on the Rights of Nationalities of 2011 confirms the provisions that existed in the earlier legislation and provides for the right of persons belonging to national minorities to use their surnames and first names in their minority language and to have such names recognised in official documents and registers (Article 16 § 1). The Act further stipulates that the names should be recorded taking into account the grammatical rules of the minority language in question and, as regards languages using alphabets other than Latin, that a “phonetic transcription” must be applied.

Recommendation

The Advisory Committee reiterates its invitation to the authorities to continue their efforts to ensure the implementation of Article 11 of the Framework Convention as regards the proper use and registration of names and first names.

Topographical indications

Present situation

The Act on the Rights of Nationalities of 2011 stipulates that in municipalities where persons belonging to a national minority constitute, according to the last census, no less than ten percent of the inhabitants, signs displaying the name of a locality and street names shall be displayed in the language of the national minority concerned (Article 6 § 1(d)). Furthermore, the signs displaying the names of public offices and agencies providing public services or messages relating to the operation thereof shall also be displayed in the language of the national minority concerned, together with Hungarian (Article 6 § 1 (c)).

The Advisory Committee notes that there are only very few municipalities in Hungary where persons belonging to national minorities live in substantial numbers to meet the threshold of ten percent. Regrettably, the right to display topographical indications in minority languages is very rarely used in practice, and no data on the number of municipalities where such signs are displayed is available. Bilingual signs have been introduced in addition to the Hungarian language, in Gyula (in Romanian), in Békéscsaba (in Slovak) and in Sopron (in German). The Advisory Committee regrets to note that, according to available information, nowhere in Hungary have there been any signs introduced in either of the two languages used by the Roma (Romani and Beash).

Recommendation

The Advisory Committee asks the authorities to encourage those municipalities, where the right to display bilingual signs and indications of place names is not implemented in practice, to take measures

in order to ensure that the provisions of Article 11, paragraph 3, of the Framework Convention are effectively implemented.

Italy

Adopted on 19 November 2015

Article 11 of the Framework Convention

Surnames and first names in minority languages

Present situation

The Advisory Committee notes that the right to use surnames and first names in official documents in minority languages is territory-based and effectively implemented in the Autonomous Region of Valle d'Aosta/Vallée d'Aoste, the Autonomous Province of Bolzano/Bozen and the Autonomous Region of Friuli Venezia Giulia. Whereas in the first two of the above-mentioned territories, identity documents of all residents are by default issued in the bilingual format (in Italian-French and Italian-German, respectively), in Friuli Venezia Giulia bilingual Italian-Slovenian documents are issued upon request.

According to the authorities and the Slovene minority representatives, the problems which had been experienced hitherto with correct spelling of names in the Slovenian language, arising out of computer use of the various diacritical signs specific to that language, have been largely resolved in recent years. Some problems remain however in some branches of specialised administrations, such as the national health service (SSN) and the Office of Motor Vehicles (*Ufficio Motorizzazione Civile* - responsible for the delivery of drivers' licences) not all of which have been equipped with software compatible with the Slovenian language. The Advisory Committee notes that these problems are of a technical nature and can be resolved easily.

The Advisory Committee wishes to point out that the existing territory- and language-based legislation leads to unequal and discriminatory treatment of different linguistic minorities. It allows for effective implementation of the right to use surnames and first names in minority languages only in respect of three languages in three territorial units (French in Valle d'Aosta/Vallée d'Aoste, German in the Province of Bolzano/Bozen and Slovenian in Friuli Venezia Giulia). The rights of persons belonging to linguistic minorities residing outside these territories, and of some other smaller linguistic groups residing in Valle d'Aosta/Vallée d'Aoste, the Province of Bolzano/Bozen and in Friuli Venezia Giulia are not respected.

Recommendations

The Advisory Committee invites the authorities to review legislative and administrative provisions concerning the right to use surnames and first names in official documents in minority languages to ensure that rights of all persons belonging to national minorities are respected in this regard, irrespective of their place of residence and the particular minority they are associated with. Efforts should be made to ensure that technical obstacles do not undermine effective access to rights.

The authorities are invited to raise the awareness on the part of civil registry personnel as well as of those concerned as regards the rights of the persons belonging to national minorities to use minority languages to record their first and surnames in a minority language in the register of civil status and identity documents.

Bilingual signs and place names

Present situation

The Advisory Committee recalls its earlier observation that widespread bilingualism has been in place for long time in Italy in some areas inhabited by persons belonging to linguistic minorities, such as the Autonomous Province of Bolzano/Bozen and the Autonomous Region of Aosta Valley. In other territories, traditionally inhabited by numerically smaller linguistic minorities, such as the Albanian minority, the Catalan minority, the Croatian minority, the Ladin minority, the Franco-Provençal speaking minority and the Occitan minority some steps have been taken to introduce topographical indications in minority languages. The funding for introducing topographical signs is provided by the Technical Committee set up to implement Law No. 482/1999. This is welcomed as it eliminates the financial aspect from the local debates and decisions on the desirability of the introduction of bilingual signage.

The Advisory Committee welcomes the progress achieved since the adoption of its last Opinion regarding the use of the Slovenian language for local topographical indications and other bilingual indications. It notes however that some administrations, such as the Roads Authority *Azienda Nazionale Autonoma delle Strade/ANAS* are taking their time in introducing bilingual Italian/Slovenian road signs, which is arguing that the deadline introduced by the 2008 regional government decree, pursuant to Law No.°38/2001, obliges it to do so by 2019. Consequently, according to Slovene minority representatives there are no bilingual road signs on the 40 km stretch of the highway running through the territory of Gorizia.

The Advisory Committee welcomes the entry into force of Aosta Valley Regional Law No. 4/2011 which clarified the criteria for local names, drawing inspiration from the consolidated centuries-old spelling traditions and derived from archives and the oral traditions of the Valley. Also the signing in September 2013, of a Memorandum of Understanding between the Minister for Regional Affairs and the President of the Autonomous Province of Bolzano on the toponyms to be used on some 1,500 mountain signposts in South Tyrol is to be welcomed. However, the Advisory Committee deeply regrets that attempts are constantly being made to diverge from the principle of bilingualism in signposts and toponyms in South Tyrol, irrespective of whether this is done to the detriment of minority or majority languages. The Advisory Committee reiterates its view that on the contrary, the use of bilingualism in signposts conveys the message that a given territory is shared in harmony by various population groups.

Recommendation

The Advisory Committee invites the authorities to pursue, in consultation with regional authorities and organisations of national minorities, a constructive dialogue with regard to the use of minority languages to indicate place names. In particular the authorities should seek solutions which would allow the display of traditional local names, street names and other topographical indications and signs in places of particular interest to the national minorities.

Moldova, Republic of
Adopted on 25 May 2016

Article 11 of the Framework Convention

Personal names

Present situation

Following amendments to the Law on Identity Documents and National Passport Systems adopted in December 2012, personal names in identity documents issued as of March 2013 are recorded in the state language only, despite the fact that field titles are indicated in both the state language and in Russian (in Cyrillic script). The changes were reportedly adopted despite the sustained objections brought forward by national minority representatives (see also Article 15), with the explanation that the use of several languages could not be accommodated on the smaller format of identity cards that is compliant with European Union regulations. The Advisory Committee points out that the practice in European Union member states shows that different languages and scripts can indeed be used in parallel without any obstacle. In addition, it reiterates its viewpoint that the script is an integral part of the minority language and must not be subjected to a separate rule. Moreover, there are reportedly no efforts made to ensure that the transliteration of Russian language names into the Latin script is done consistently and in line with international unified standards. As a result, the same names are reportedly spelled differently by the various authorities that issue documents, which has significant practical repercussions for the document holders, such as when property title must be proven or in the context of inheritance proceedings.

While, according to Article 11 of the Framework Convention, authorities may require that personal identity documents contain a phonetic transcription of the personal name into the official language, the Advisory Committee notes with concern reports regarding the practice of adjusting the personal name in line with the state language norms, which results in at times substantial changes, such as from “Sergei” into “Sergiu”. In addition, only state language diacritics are reportedly used, thus changing the Gagauz names “Güüllü” into “Ghiuliu” or “Kürkcü” into “Chiurciu”, for instance. The Advisory Committee considers that the new practice raises serious issues with regards to the right to use one’s personal name in a minority language and to have it officially recognised, which is widely viewed as a core linguistic right that is closely linked to personal identity and dignity.

Moreover, since the above-mentioned legislative amendments, personal names in identity documents are entered exclusively according to a binary naming convention, that is, one that no longer allows the possibility of entering patronymics, middle names or other additional names. This change is of deep concern, not only to persons belonging to the Russian, Ukrainian and other national minorities using Slavic language traditions, but also to Roma, for instance, who have, over decades of residing in Russian-speaking regions, adopted the tradition of carrying their fathers’ names as an integral element of their personal names. The Advisory Committee notes with interest a decision released by the Riscani District Court in Chisinau following a complaint by an individual because an identity card had been issued to him that did not contain his patronymic. The court ordered the respective body to re-issue the identity document with the complete name of the individual, in line with the applicable legislative framework. The decision was reportedly overruled by the Chisinau Court of Appeal in April 2016, however, with the argument that the respective body could not issue a document with a patronymic because the relevant application form did not contain that information.

Recommendation

The Advisory Committee urges the authorities to take all the necessary measures, including through the development of a coherent legislative framework, to ensure that persons belonging to national minorities have their personal names officially recognised in the minority languages, including in their identity documents, in line with Article 11 of the Framework Convention. It specifically calls on them to ensure that international standards regarding the transliteration and transcription of names are respected, making full use of contemporary technological facilities in the use of diacritics.

Topographical signs and indications

Present situation

The Advisory Committee notes that in general, it is mainly the state language that is used on topographic signs, which appears not to be in line with Article 10 of the Law on National Minorities. In some regions, Russian appears to be used on topographic signs, and the Ukrainian language is reportedly also sometimes visible, such as when indicating the name of a school or a public building. There is, however, no systematic application of rules regarding bilingual or trilingual signposting, as persons belonging to national minorities appear unaware of the available mechanisms through which they could address such requests. Representatives report that the few signs that are available have often been there for many years without being maintained and sometimes display spelling mistakes. The Advisory Committee regrets this apparent lack of appreciation for the important role that the use of minority languages on place names can have for the development of a sense of inclusion amongst the population, and to demonstrate that the diverse character of a specific region, traditionally and at present, is acknowledged and valued.

The Advisory Committee further notes that strict naming conventions that are exclusively based on the state language are also applied to topography, which is regrettable as the transformation of traditional names may be interpreted as disrespectful and unappreciative of the specific identity and history of a locality. While recognising the necessity of maintaining official lists of place names for administrative purposes, the Advisory Committee notes that the exclusive use of the state language has resulted in a situation where the officially accepted use of minority languages is hindered. It notes, for instance, a decision of the Audiovisual Co-ordinating Council of January 2016, where the practice of 13 television channels is criticised for incorrectly referring to place names in their Russian language broadcasts. The Advisory Committee notes with interest that the question was referred to the Academy of Science for its consideration of the issue from a linguistic point of view. While commending the decision to seek expert advice on a complex question, it considers it vital to comprehensively consider the symbolic significance of place names in a multilingual environment, and to ensure that persons belonging to national minorities are closely consulted and their views and concerns taken into account in the identification of a suitable solution.

Recommendations

The Advisory Committee calls on the authorities to raise awareness of the legislative framework in place with respect to the use of minority languages in topography, and to promote close consultations between local authorities and representatives of the population regarding the display of bilingual or trilingual signposts in relevant locations as a meaningful demonstration of the presence of diversity and of its appreciation.

It further calls on the authorities to comprehensively assess, in close consultation with national minority representatives, the current practice with respect to the use of naming conventions and official lists of place names and to develop a system for the use of place names in minority languages that is in line with Article 11 of the Framework Convention.

Norway

Adopted on 31 October 2016

Article 11 of the Framework Convention

Use of topographical signs

Present situation

The Advisory Committee appreciates the existing legal framework on place names. Relevant legislation respects the principle that multiple forms of place names in multilingual areas shall be used on maps, road signs and in official documents according to traditional use and in conformity with inherited name usage. Furthermore, the legislation provides guidance on the spelling of place names in the languages of the national minorities. As regards the Kven language, the Kven place name service (*Paikannimi Palvelus*) runs a database in which all Kven place names are registered along with their Norwegian or Sami equivalents. Public bodies are responsible for using appropriate Kven names in their services and on public signs. The Advisory Committee notes that signs can be 'bi- or tri-lingual', the order being decided according to the presence of minorities in a given area. It understands, however, from some interlocutors that compliance with the legal framework differs among municipalities, although it has improved overall. Regulations concerning postal addresses provide that municipalities should take into account traditional names in the different languages when deciding street names. However, as opposed to the legislation on place names, bilingual names are not an obligation for streets and practices vary among municipalities. Kven representatives considered that the implementation of the regulations may be problematic as it could favour Norwegian names.

Recommendation

The Advisory Committee encourages the authorities to continue ensuring the effective implementation of the existing legal framework on multilingual signs of place names, as well as to promote other public displays of multilingualism by municipalities. It calls on authorities to consult with national minorities when deciding on street names in areas inhabited by persons belonging to national minorities.

Slovak Republic

Adopted on 3 December 2014

Article 11 of the Framework Convention

Minority languages in documents and on topographical signs

Present situation

The Advisory Committee welcomes that in the designated municipalities personal documents such as birth or marriage certificates or other documents such as building permits shall upon request be issued bilingually. It regrets, however, reports that the bilingual issuance is sometimes explicitly refused, in particular with regard to birth certificates. The Advisory Committee considers that relevant civil servants must be made aware of their obligations under national legislation as well as Article 11 (1) of the

Framework Convention and measures taken to ensure their implementation, in particular when it comes to the issuance of personal identity documents.

The Advisory Committee further notes that the Minority Language Act also provides that topographical and traffic signs in designated municipalities as well as signs on public administration buildings shall be displayed in minority languages, in addition to and below the state language. Representatives of national minorities report that most municipalities adhere to the law and display signs in minority languages, with least adherence reported for Romani signs. The Minority Language Act further stipulates that on signs for railway stations or bus stops as well as other road signs in municipalities, the minority language *may* also be provided, in addition to the state language and using a smaller font size. While appreciating efforts of the authorities to implement this provision where possible, the Advisory Committee learned with regret that the lack of clarity on exactly where and how minority languages may be used on touristic welcoming boards, for instance, has sometimes created tension at local level, particularly in southern Slovakia, where residents belonging to national minorities feel that their rights are not sufficiently taken into account while persons belonging to the majority population consider that there are too many signs, including of a private nature, displayed exclusively in minority languages. The Advisory Committee considers that a closer dialogue between municipal authorities and national minority representatives should be maintained to ensure that pragmatic solutions can be found within the legislative framework, that appropriately take the symbolic value of minority languages on topographical and other signposts into account. Overall, the Advisory Committee considers that the use of bilingualism in sign posts and other public displays should be promoted where possible as a positive tool of integration which conveys the message that a given territory is shared in harmony by various population groups.

Recommendations

The Advisory Committee calls on the authorities to ensure that the rights contained in Article 4 of the Minority Language Act are effectively implemented in all designated municipalities and with regard to all relevant languages, including Romani.

The Advisory Committee further encourages the authorities to engage in close consultations with representatives of all national minorities to identify pragmatic and flexible solutions that accommodate the demands of the population in line with the principles contained in Article 11 of the Framework Convention.

“The former Yugoslav Republic of Macedonia”

Adopted on 24 February 2016

Article 11 of the Framework Convention

Minority languages in documents and on topographical signs

Present situation

While the issuance of bilingual identity cards featuring both the Macedonian language in Cyrillic script and the languages and scripts used by national minorities remains possible upon request according to the 2005 amendments to the Law on Identity Cards, most persons belonging to national minorities do not make use of this provision but have opted for the regular Macedonian/English version. The Advisory

Committee is not aware of particular concerns in this regard. When it comes to topographical signs and street names, Article 40 of the Law on the Use of Languages also foresees the possibility of using two or three languages in the municipalities where one or more minority communities account for at least 20% of the population. In Gostivar, for instance, some official signs are indicated in three languages and the official website also features some information in all three languages. The Advisory Committee notes, however, that some controversy exists in the city of Skopje which, though itself a self-government unit, comprises ten municipalities. Overall, Albanians make up 20.49% of the city's population. Accordingly, all streets and buildings that are under the competence of the City of Skopje should display bilingual signs and names. This, however, is not the case and no mechanisms exist to ensure that the legislation is implemented by the local authority. The Advisory Committee reiterates its emphasis on the highly symbolic significance of bilingualism or trilingualism in signposting to demonstrate appreciation for the diverse character of a given territory, historically and at present.

Recommendation

The Advisory Committee calls on the authorities to ensure that the Law on the Use of Languages with respect to the use of minority languages in topography is effectively implemented by the central authorities and at local level, including in the City of Skopje, and its symbolic value for the integration of society adequately appreciated.

United Kingdom

Adopted on 25 May 2016

Article 11 of the Framework Convention

Use of topographical signage

Present situation

In Wales all road signs are bilingual, while bilingual street names depend on local authorities. However, there is no additional cost for local authorities to set them up. In Cornwall, the visibility of Cornish on place-name signs, street and housing estate signs and Cornwall Council buildings was highlighted by all interlocutors as one of the most significant developments for Cornish in recent years. Although bilingual signs currently represent only 16% of the total, there is a policy to replace old and worn signs with bilingual signs where appropriate. Finally, the Advisory Committee appreciates that part of the London borough of Tower Hamlets shows bilingual signage in English and Bengali.

In Northern Ireland, the Local Government (Miscellaneous) Order 1995 permits the erection of bilingual street signs, but implementation is patchy and often subject to legal controversy. No legal framework exists for bilingual signage for roads and other place names, and it is a criminal offence to put up an unofficial Irish language sign. The Advisory Committee understands that some councils decided to erect signage other than street names under their 'general power of competence', while other councils have proposed very restrictive policies, making it virtually impossible to reach a decision on its merits. Interlocutors of the Advisory Committee explained that the language of signage can cause tensions at local level, depending on the composition of the local population and of the local council itself. Signage thus appears to have assumed a 'territorial marker' connotation, which continues to lead to an official policy of not posting such signs for fear that they may cause controversy or put at risk public authorities' duty to promote 'good relations'. The Advisory Committee is very concerned by the politicisation of signage; it is contrary to what should be the goal of such measures, as protected by Article 11(3), that is,

to appropriately take due account of the symbolic importance of minority languages on topographical and other signposts. The Advisory Committee considers that the use of bilingualism on signage and other public displays should be promoted where possible as a positive tool of integration to convey the message that a given territory is shared in harmony by various population groups.

Recommendation

The Advisory Committee calls for a closer dialogue on signage among the government and local authorities in Northern Ireland to identify pragmatic and flexible solutions that accommodate the demands of the population in line with the principles contained in Article 11 of the Framework Convention.