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THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

**Initial Periodical Report
presented to the Secretary General of the Council of Europe
in accordance with Article 15 of the Charter**

HUNGARY

**Report of the Republic of Hungary
on the implementation of commitments
prescribed in Article 2, Point 2 of the
European Charter for Regional or Minority Languages
of the Council of Europe.**

Budapest, February 1999

The Council of Ministers of the Council of Europe accepted the European Charter for Regional or Minority Languages (hereafter: Charter) on 22 June 1992. Eleven states – among them Hungary – signed the document on 5 November 1992.

The Charter includes the provisions undertaken by the signatories on the use of the languages of the minorities in education, in the courts, in public administration, in the mass media, economic, cultural and social life, and the strengthening of the role played by the languages of the minorities in the above areas.

At its session on 7 January 1993 the Hungarian government agreed that, in order to prepare for the ratification of the Charter, the foreign minister and the minister without portfolio charged with overseeing minority affairs would establish an expert committee with the participation of the Ministry of Foreign Affairs, Ministry of the Interior, Ministry of Justice, Ministry of Culture and Education, and representatives of the National and Ethnic Minorities Office and the Office of Hungarians Living Abroad.

The expert committee explored all those more important facts and data which could serve as the basis for the government submission on the proposed ratification.

The government submission was completed in May 1994. However, with attention focused on the coming general elections the document was ratified in April 1995.

With the acceptance of Parliamentary Resolution 35/1995 (IV. 7) OGY on 7 April 1995, the Hungarian Parliament was among the first to ratify the Charter. The legal code in Hungary starts from the basic principles worded in the Charter's preamble, but as regards implementation the following characteristics have to be considered in the case of Hungary:

1. Even though certain of Hungary's minorities live in larger concentrations in particular counties and regions, their situation is better characterized by geographical fragmentation. As regards a single language, it is not possible to speak of one area in which the regional language is spoken exclusively.
2. Identical legal regulations guarantee the protection of languages spoken by the 13 minorities listed in the Hungarian legal code. Hungarian law does not provide separate special protection or provisions which would differentiate any of the languages.
3. Identical legal provisions also assist in the teaching and use of the six languages highlighted in Part III. Thus in our report we will outline the regulations regarding the use of language of all the minorities in the same chapter, and to avoid a six-

fold repetition we will not set down the otherwise identical legal background regarding each language and related to the commitments made in Part III.

In the sense of the definition given to regional or minority languages in the Charter, the languages of all 13 legally recognized national and ethnic minorities in Hungary are qualified as minority languages. This is absolutely clear if – from the point of view of the subject of language rights – we compare the definition of regional or minority language in the Charter with the definition of minority in Act LXXVII of 1993 on the Rights of National and Ethnic Minorities:

European Charter for Regional or Minority Languages:

Preamble

“As regards the present Charter:

- a. the expression “regional or minority languages” is understood to mean languages*
 - i. which are traditionally used in the territory of the given state by those citizens of the state who form a numerically smaller group than the balance of the population of the state, and*
 - ii. which differ from the official language/languages of the given state, but which neither include the dialects of the official language/languages of the state, nor the languages of immigrants.”*

Act LXXVII of 1993 on the Rights of National and Ethnic Minorities

Chapter I (2)

“In accordance with this act, national and ethnic minorities (hereafter: minorities) are all groups of people that have lived in the territory of the Republic of Hungary for at least one century; they represent a numerical minority in the country's population; their members are Hungarian citizens; they are distinguished from the rest of the population by their own languages, cultures, and traditions; they demonstrate a consciousness of an affinity that is aimed at preserving all of these and expressing and protecting the interests of their historical communities.”

In accordance with this it is not the definition “**a person speaking a regional or minority language**” which forms the basis for the establishment of the subject of language rights in Hungarian regulations, but rather belonging to “a national and ethnic minority”.

The most important acts protecting the languages of minorities

Section 68 of the **Constitution** (Act XX of 1949) (hereafter: the Constitution) stipulates the position of national and ethnic minorities in Hungarian society, stating that the national and ethnic minorities living in Hungary share the people's power: **they are part of the state**. The Constitution guarantees the minorities collective

participation in public life, the establishment of local and national self-governments, the nurturing of their own cultures, the use of their native languages, education in their native languages, and the right to use their names in their own languages.

Act LXXVII of 1993 on the Rights of National and Ethnic Minorities (hereafter: the minorities act) passed by Parliament with a 96% majority on 7 July 1993, ensures the 13 minorities that are native to Hungary individual and collective minority rights, the right to personal autonomy and the right to establish self-government bodies.

Subsection (2) of Section 32/B of the Constitution created the institution of Parliamentary commissioner for national and ethnic minority rights to protect the constitutional rights of minorities. Parliament elected a **Parliamentary commissioner for national and ethnic minority rights** (hereafter: the minorities ombudsman) on 6 July 1995. Citizens are able to turn to the minorities ombudsman in those cases in which, in their judgement, they have suffered injury due to the infringement of their constitutional rights as a result of the proceedings or measures of any authority, or in cases in which they consider there is a danger that their constitutional rights may be violated.

The most fundamental measures necessary for creating consonance with the minorities act were taken with the enactment of **Act LXXIX of 1993 on Public Education** (hereafter: the public education act), and its amendment in 1996.

Act I of 1996 on Radio and Television Broadcasting made the preparation of programmes that depict the culture and lives of minorities a compulsory responsibility of the public service media. Public service programmes are obliged to provide information in native languages.

Act CXL of 1997 on the Protection of Cultural Goods and Museum Institutions, the Supply of Public Libraries and Public Education defines the preservation of the national and ethnic minorities' cultural traditions, their continuation in a worthy manner, the improvement of personal, spiritual and economic conditions of community and individual education, the promotion of activities which improve the quality of life of citizens, and the operation of institutions and organizations established to realize all of these points as the common tasks of society as a whole.

Similarly, other acts include provisions regarding the rights of minorities and within this the use of language; the provisions on the use of language in the minority act agree with these or are more favourable.

* * *

The following summary refers to the most important elements in legal regulations regarding the use of languages.

1. The Constitution of the Republic of Hungary

Act XX of 1949

Section 68 (1) The national and ethnic minorities living in the Republic of Hungary share the people's power: they are part of the state.

(2) National and ethnic minorities are protected by the Republic of Hungary. They are guaranteed collective participation in public life, the *nurturing of their own cultures, the use of their native languages, education in their native languages, and the right to use their names in their own languages.*

(3) The laws of the Republic of Hungary guarantee representation to the national and ethnic minorities living in the territory of the country.

(4) National and ethnic minorities may establish their own local and national self-governments.

Section 70/A (1) The Republic of Hungary guarantees the human rights and civil liberties of all of the people who are in its territory, regardless of race, colour, gender, *language*, religion, political or other creed, national or social origin, or differences deriving from property, birth, or any other conditions.

(2) The law strictly punishes anyone who discriminates against another person on the basis of Subsection (1).

(3) The Republic of Hungary helps to implement equality before the law with measures that eliminate inequality of opportunity.

2. Act LXXVII of 1993 on the Rights of National and Ethnic Minorities

Individual minority rights

Section 11 Individuals belonging to a minority have the right to respect the minority traditions concerning the family, to nurture their family ties, to continue family celebrations in the native language, and to conduct religious services related to these events in their native language.

Section 12 (1) Individuals belonging to a minority have the right to freely choose their own and their children's first names, to register their family and first names in line with the rules of their native language and, within the framework defined in the legal regulations, to have them appear in official documents. In the case of registration not occurring in the Latin alphabet, the phonetic Latin-style alphabet must be used at the same time.

(2) It is also possible to request issuance of registration and other personal documents in two languages – according to the definitions in Subsection (1).

Section 13 Individuals belonging to a minority have the right to:

- a) recognize, nurture, expand and continue their native language, history, culture, and traditions;

- b) participate in native language education and culture;
- c) protection of personal data related to an individual's minority status is prescribed in a separate law.

Community minority rights

Section 18 (1) Public service radio and television ensure – according to provisions in a separate law – the regular preparation and broadcasting of national or ethnic minority programmes.

(2) The state – also on the basis of international conventions – promotes the transmission of radio and television programmes from the mother country in those areas inhabited by minorities.

(3) Minority communities have the right to:

- a) initiate the establishment of the conditions for pre-school instruction, primary, secondary and higher education in the native language, or instruction of their native language (in the native language as well as in the Hungarian language);
- b) establish, within the framework of the law, their own instructional, educational, cultural and scientific national network of institutions.

(4) The Republic of Hungary ensures, within the framework of the law, the peaceful and uninterrupted holding of events and celebrations of the minority communities, the right to the preservation, nurturing and handing down of their architectural, cultural and religious monuments, and traditions, and the use of their emblems.

Cultural and educational self-administration of the minorities

Section 42 According to the act, the languages used by minorities in Hungary are Armenian, Bulgarian, Croatian, German, Gypsy (Romany and Bea), Greek, Polish, Romanian, Ruthenian, Serbian, Slovakian, Slovenian and Ukrainian.

Section 43 (1) The state recognizes that the native language is a cohesive force in keeping minority communities living in Hungary together, and supports its teaching – where there is demand for such – in educational institutions which do not belong to the minority settlement self-governments, according to Subsections (2)-(4) and Sections 44-49.

(2) Children belonging to a minority participate, respectively may participate in education in their native language, or of their native language (in their native language and in Hungarian) or in the Hungarian language, according to the decision of the child's parents or the child's guardian.

(3) Education in the minority native language or of the minority native language can be carried out in minority pre-school, at school, in school classes or in groups according to local circumstances and demand.

(4) Upon the request of the parents or legal representatives of at least eight school children of one and the same minority, it is mandatory to organize and maintain a minority class or study group.

Section 44 The additional costs incurred in providing education in the minority native language or of the minority native language according to Section 43 are to be borne by the state or by the respective local self-government, as prescribed in the act.

Section 45 (1) In respect of the legal regulation of public education and higher education, when determining the structure and content of educational-instructional activities and concerning the supervision of such, the specific cultural and educational interests appropriate to the cultural autonomy of minorities need to be enforced in accordance with the act.

(3) It is mandatory for educational-instructional institutions established for the minorities according to Section 43, Subsections (3)-(4) to provide an understanding of the minority folk identity, to teach the history of the minority and the mother country, and to present the minority cultural traditions and values.

Section 46 (1) Local and minority self-governments cooperate in determining the demand for minority education and in organizing teaching.

(2) Training native language teachers for the education of minorities in their native language or of their native language is the state's responsibility.

(3) The state is also bound by international conventions to provide for minority populations to take part in educational and culture heritage courses in their respective minority languages offered by foreign institutions, either on full-time or part-time basis or in the form of further or scientific training.

(4) In order to achieve the condition set down in Subsection (2) the state provides support for the employment of teachers coming from the minorities' mother or language country as guest teachers in Hungary.

(5) In respect of any person of any minority group studying in a foreign country in a university, college, other educational institution or an institute of cultural heritage in his/her native language, the diploma or graduation degree earned in such institutions shall, with due regard to the relevant acts and international conventions, be considered equivalent as if awarded in the Republic of Hungary.

Section 47 A minority settlement self-government or local minority self-government can take over an educational institution from another organization only on condition that the standard of education can be guaranteed to be maintained. The level of state support provided to the transferred institution may not be reduced because of the transfer.

Section 48 (1) The minority educational institution can be used by those who do not belong to the concerned minority only if the institution still has available places after meeting all the demands of the given minority. Admission (registration) is conducted on the basis of the previously detailed regulations.

(2) Hungarian language classes have to be provided in minority educational institutions, with the number of hours and to the level necessary to ensure mastery of the language.

(3) In settlements where the local Hungarian native language population, or any other national or ethnic group, is a numerical minority, the local self-government is required to ensure education in the native or of the native language for the Hungarian native language, respectively other native language children, as prescribed in the act.

Section 49 (1) Minority organizations are entitled to conduct public education activities and to establish, within legal frameworks, institutions for this purpose, which institutions are allowed to maintain international relationships.

(2) The national self-government is entitled to establish and run minority theatres, museum exhibitions, public collections with nation-wide coverage, libraries, publishing houses, nation-wide cultural, art and scientific institutions. It may apply for budgetary support for such purposes.

(3) A network of minority libraries supplies minorities with literature in their native languages.

(4) In settlements which do not have a minority settlement self-government, the settlement self-government is responsible for supplying the minority population with native language literature.

(5) Minority public collection rights do not extend to those documents which, according to the relevant archive regulations, have to be passed to archives for safekeeping.

Section 50 (1) The state ensures the publication of textbooks and the production of teaching equipment for minority education.

(2) The state supports

- a) the collection of objects related to the cultures of the minorities, and the establishment and expansion of public collections;
- b) the publishing of books and periodicals by minorities;
- c) the promulgation of laws and any announcements of public interest in the minority native languages;

- d) the arrangement of religious ceremonies related to minority family events in the native languages of the minorities, respectively religious activities of the churches conducted in the native languages of the minorities.

Use of language

Section 51 (1) In the Republic of Hungary everyone may use freely, at any time and anywhere, his/her native language. The state is obliged to ensure, in cases stipulated in a separate act, the conditions for the use of the languages of the minorities.

(2) During civil and criminal procedure, as well as in public administrative procedure, the use of the native language is guaranteed by the relevant laws on procedural rights.

Section 52 (1) Representatives belonging to the minorities may also use their native language in Parliament.

(2) Minority representatives in the local self-government representative bodies may also use their native languages. If a statement is made in a minority language, then the Hungarian-language text of the speech or summary of the statement must be attached to the minutes of the meeting.

(3) If a settlement includes individuals belonging to a minority, the minutes and resolutions of the representative body can be formulated or conducted in the given minority language, in addition to Hungarian. In disputes over interpretation the Hungarian-language version is considered definitive.

Section 53 The settlement self-government is obliged, in compliance with the demands of the local minority self-government operating in the relevant territory, to guarantee that

- a) the announcement of its decrees and the posting of announcements take place in the native language of the minority in addition to Hungarian;
- b) official forms used in the course of the public administration procedure are also made available in the minority native language;
- c) writing on signs indicating place and street names, public offices, and the name of bodies carrying out public services or communications related to their operation can be read, in addition to the Hungarian language text, with the same content and form in the minority language as well.

Section 54 When filling public official and public employee job vacancies in those settlements inhabited by minorities, the employment of individuals with a knowledge of the native language of the given minority, in addition to observing the general professional qualifications, should be guaranteed.

Section 55 (1) In order to enforce the rights of minorities living in Hungary the state provides financial support according to Subsections (2)-(4).

(2) The state provides, to the level defined in the prevailing budget act,

a) supplementary normative subsidies for instruction in minority pre-schools, respectively school education in the native language (of the native language);

(3) A public foundation must be established in order to receive support for activities that serve to protect the identity of the minorities living in Hungary, preserve and pass on their traditions, nurture and develop the native language, maintain their spiritual and material heritage, and lessen the cultural and political disadvantages that stem from existence as a minority

3. Parliamentary Decree 46/1994 (IX. 30) OGY on the Rules of the House of the Parliament of the Republic of Hungary

Language of debate

Section 40 (1) Hungarian is the language of debate used in parliamentary sessions.

(2) If a representative's native language is not Hungarian, then he/she may speak in his/her native language. Notification of the intention to do so must be made one day prior to the session in which he/she wishes to speak. The Office of the National Assembly provides interpreting facilities.

(3) Representatives who do not have Hungarian as their native language must, at their request, be provided with continuous interpreting facilities.

(4) The Office of the National Assembly has the official documents of Parliament translated into the native languages of representatives who do not have Hungarian as their native language, at their request.

4. Regulations governing the use of language in state administration, 4.1 Act IV of 1957 on the General Rules of State Administrative Procedure

Section 2 (5) ... In state administrative procedure everybody is entitled to use his/her native language - both orally and in writing. Nobody may suffer any disadvantage because of the lack of command of the Hungarian language.

4.2 Act LXIV of 1990 on the Election of Local Self-government Representatives and Mayors

Section 48 (1) In appointing and electing national and ethnic minority self-government representatives, the minorities act and the provisions of this act have to be implemented in full accordance with the divergences and supplements prescribed within this chapter.

4.3 Law-Decree 17 of 1982 on Registration, Marriage Procedures and Name Bearing

Section 22 (1) Marriage partners may use their native languages at the wedding ceremony.

(2) If either the wedding partner or the witness, or both, do not speak Hungarian, furthermore if the registrar does not understand the foreign language spoken by the marriage partner or the witness, or both, an interpreter must be employed. The wedding couple must arrange for the interpreter.

Section 27 (1) Hungarian citizens have a family and a given name

(4) The family and the given name which the individual concerned bears at the time of birth, marriage or death should be registered in the Register. It is allowed to enter into the Register, in the order determined by the parents, a maximum of two, unless otherwise stipulated by legal regulations, given names appropriate to the sex of the child and listed in the Hungarian Book of Given Names complemented by nationality given names. Nationalities, respectively those with a nationality native language, living in Hungary – without verification of belonging to a nationality – can bear given names appropriate to their nationality.

5. Administration of justice, criminal procedure

5.1 Act I of 1973 on Criminal Procedure

Use of the native language

Section 8 (1) Criminal procedure is conducted in Hungarian. Nobody may suffer any disadvantage because of the lack of command of the Hungarian language.

(2) In criminal procedure everybody is entitled to use his/her native language - both orally and in writing.

Section 47 The participation of a defence counsel in criminal procedure is compulsory if

c) the accused is deaf, dumb, blind, mentally disabled or does not have a command of the Hungarian language;

Section 80 (1) If a non-native Hungarian speaker wishes to use his/her native language during criminal procedure, an interpreter must be made available;

Section 150 (1) Instead of minutes, a report may be drafted

- a) on the hearing conducted during the detailing of the charge
- b) on the questioning of witnesses, visit to the scene of the incident, examination of evidence, the seizure and the body search.

(2) Subsection (1) is not applicable if during the questioning or in the course of the confrontation the non-native Hungarian speaker wishes to use his/her native language.

Section 218 (1) The state (.) also bears those cost arising from the inability of the accused to understand Hungarian, and those which, on the basis of Section 217 Subsections (2)-(3) the court rules as being costs which the accused does not have to bear.

Section 375 (4) The prosecutor and interested parties have to be kept informed of the proceedings; if the interested parties are unknown or cannot be located, or if they do not understand Hungarian, the court orders a representative on their behalf.

5.2 Act III of 1952 on Civil Procedure

Ensuring the use of the native language

Section 8 (1) Court procedure is conducted in Hungarian. Nobody may suffer any disadvantage because of the lack of command of the Hungarian language.

(2) In court procedure everybody is entitled to use his/her native language.

5.3 Law-Decree 11 of 1979 on the Implementation of Punishments and Measures

Section 2 (1) Only legal penalties stipulated in the sentence of the law may be employed against a convicted individual.

(2) A convicted individual has the right

a) to learn the provisions concerning his/her rights and obligations in the native language or other language that he/she knows; nobody may suffer any disadvantage because of the lack of command of the Hungarian language;

b) to use his/her native language in the course of the implementation of punishment.

(3) Discrimination between convicted individuals according to their national or ethnic affiliation, religious or political conviction, social origin, gender, or financial situation is strictly forbidden.

6. Armed services

6.1 Act CX of 1993 on National Defence

Section 56 (2) Soldiers – depending on the legal status of their service – may practice the basic rights listed below within the restrictions defined in the act on military legal status:

(.)

g) the right to the use of and teaching of the native language;

6.2 Act XLIV of 1996 on the Conditions of National Military Service

Section 20 (1) During national military service everybody is entitled to use his/her native language.

6.3 Act XLIII of 1996 on the Conditions of Service for Members of the Regular Armed Forces

Section 22 (1) Members of the regular armed forces may freely use their native language.

7. Public education

7.1 Act LXXIX of 1993 on Public Education

Section 5 The language to be used in pre-school instruction, in school instruction and education and residential hall instruction is Hungarian, respectively the language of national and ethnic minorities. Based on the choice set forth in the law on the rights of national and ethnic minorities, children and students from national and ethnic minorities have the right to pre-school instruction, school instruction and education and residential hall instruction in their native language, respectively in their native language and Hungarian, or Hungarian. Instruction and teaching can be conducted – partly or wholly – in another language.

Section 9 (5) Students are required to take school-leaving examinations in obligatory and optional subjects. The following are compulsory subjects: Hungarian language and literature, history, and additionally for those participating in a national or ethnic minority education programme, native language and literature, furthermore, if there are no regulations to the contrary, mathematics and – with the exception of those participating in a national or ethnic minority education programme – a foreign language. The individual subjects making up the school-leaving examination can be taken at two different levels.

Section 48 (1) The school pedagogical programme defines:

- a) the objectives of the instruction and teaching conducted in schools
- b) the school's local curriculum, and within this
 - the subjects taught during the school year, the obligatory and optional classes and their duration, prescribed teaching material and requirements,
 - the principles to be followed when selecting textbooks, teaching aids and teaching equipment,
 - the conditions under which a student may move up a class,
 - the requirements and ways of conducting school examinations, the conditions for the assessment and grading of the conduct and diligence of pupils, and, within the

frames of the legal regulations, the ways of assessing and grading the performance, conduct and diligence of pupils,

- as regards instruction and education in national and ethnic minority schools, the national and ethnic minority native language, historical, geographical, cultural and folk identity study material to be employed,
- as regards those pupils receiving instruction and education in national and ethnic minority schools, the study material which can provide mastery of the Hungarian language and an understanding of Hungarian culture; as regards those pupils not of a national or ethnic minority background, the study material which serves to provide an understanding of the culture of the national or ethnic minority living in the settlement,

7.2 Government Decree 130/1995 (X. 26) Korm. on the National Master Curriculum

The cultural areas of the National Master Curriculum (hereafter: NMC)

1. Native language and literature

The distinctive elements of national and ethnic minority education:

The education of national and ethnic minorities in Hungary functions as an integral part of the Hungarian educational system. Consequently, it shall provide equal opportunities and a basic education with fundamentally the same content and value and which is suitable to serve as a basis for further education. Therefore, the requirements set forth in the NMC shall apply to the education of national and ethnic minorities as well.

The distinctive objective of minority education is to preserve and strengthen the identity of the various minorities. As such, it strives to:

- promote mastery of the native language of the minority as it is spoken, written and generally used at an educated level,
- present and nurture folk-poetry, music, arts, customs and traditions,
- teach historical heritage, native language culture, and national and ethnographic characteristics,
- encourage tolerance, and develop an understanding and respect for differences by emphasizing the values of the various cultures,
- provide instruction on the life, culture and history of the mother country,

Any of the thirteen native languages of the minorities living in Hungary may be employed in minority education as a language for teaching and can be taught as a second language.

Instruction and teaching of the national minorities has to allow for a period of language tuition – appropriate to individual pedagogical periods and educational types – in which by teaching the language of the minorities as a second language such a

standard can be achieved on which dual-language, respectively native language education can be built.

Folk identity as a subject comprises educational material containing the most important information on the culture, history and traditions of each minority, and interlinked to the general fields of studies prescribed in the NMC. Language studies, dual-language, native language and intercultural education programmes and special school programmes for the academic improvement of ethnic Gypsies must contain elements of minority folk identity studies. Minority folk identity studies may be built into the general fields described in the NMC, or integrated into intercultural education programmes or into special school programmes for the academic improvement of ethnic Gypsies, or may be taught as independent subjects.

The objective of native language education is to provide complete and balanced minority education. The language used in this type of education is the native language of the minority. It is important to ensure that in native language minority education Hungarian is taught as the second language.

The objective of bilingual minority education is to develop linguistic abilities in two languages in a balanced fashion. Classes in bilingual minority education are taught in the native language of the minority and in Hungarian. Participating schools are to designate the general fields of education instructed in the minority language in their local curricula. At least half of the general subjects prescribed in the NMC are required to be taught in the minority languages as well.

The objective of minority language training instruction is to teach predominantly Hungarian-speaking minority students their native language as a second language. The language used in this particular type of schooling is the Hungarian language, while the minority language is taught from the 1st grade, bearing in mind the requirements set forth in the NMC for the teaching of spoken foreign languages. Schools may also include other spoken foreign languages in their pedagogical programme, in addition to the minority native language.

Minority schools have to teach the national native language and literature in the appropriate native language on the basis of a separate decree (guidelines for the pre-school instruction of national and ethnic minorities and guidelines for the school education of national and ethnic minorities) approved by the minister for culture and education, and the Hungarian language and literature as a foreign language according to the directions of the NMC.

8. Public education

8.1 Act CXL of 1997 on the Protection of Cultural Goods, Museum Institutions, the Supply of Public Libraries, and Public Education

The preservation of the national and ethnic minorities' cultural traditions, their continuation in a worthy manner, the improvement of personal, spiritual and economic conditions of community and individual education, the promotion of activities which improve the quality of life of citizens, and the operation of institutions and

organizations established to realize all of these points is in the common interest of the entire community.

Section 4 Everybody has the right

- a) to learn of his/her cultural heritage and its significance in shaping history and in the formation of national, nationality and ethnic minority self-awareness, as well as to gain an understanding – through the activities of museum institutions and library services, education, the press and mass media – related to the protection of all these,
- b) to take advantage of the services offered by the public library supply system and museum and public education institutions,
- c) to enrich his/her education and skills in every area of life, to establish a community to realize public education rights, and to form and operate an organization in compliance with regulations contained in a separate act,
- d) to receive organizational and substantive assistance in the public education community sphere (hereafter: community sphere) for the realization of cultural aims specified in the act.

Section 66 The county library, functioning across the county as a whole,

- b) organizes cooperation between the libraries operating in its area
- c. conducts or organizes the library supply for national or ethnic minorities living in the county.

Public education tasks of the settlement self-government

Section 76 (1) The settlement self-government is obliged to provide support for local public education activities.

(2) In particular: (...)

- c) to acquaint and foster an understanding and encourage acceptance of the cultural values of universal and national cultures as well as the cultures of the nationalities and other minorities, and to preserve the cultures of feast days and celebrations,

9. The media

9.1 Act I of 1996 on Radio and Television Broadcasting

Section 25 Only the following programmes may receive support in public service broadcasting and public broadcasting:

- a) programmes with a religious and spiritual content,
- b) programmes which present and broadcast artistic and cultural events,

- c) programmes in the native language of a national or ethnic minority, or programmes which present the life and culture of national and ethnic minorities,
- d) programmes designed for the elderly, the mentally handicapped or physically disabled, and socially disadvantaged groups.

Section 26 (1) Public service broadcasters are obliged to assist in looking after the culture and native language of the national and ethnic minorities in Hungary and to provide regular information in their native languages. This duty is carried out in national, or (taking account of the geographical location of the minority) regional or local broadcasting, by programmes, by subtitles on television where necessary or by transmission in several languages corresponding to the demands of the minority. The duration of the nationality programmes, both as regards its national and its regional content, may not be less than the amount specified in the act at the time it came into force.

(2) The national self-governments – and where these are not available national organizations – of the national and ethnic minorities independently decide on the principles of use of the programme time available for public service broadcasting. Public service broadcasters are obliged to take account of these decisions – which, however, may not influence the content and editing of the programmes.

Section 29 (2) As regards public service broadcast regulations and broadcast regulations, it is mandatory to regulate:

- d) the form for the presentation of the culture and life of national and ethnic minorities in Hungary, with reference to Subsection (2) of Section 26 of the act,
- e) the system for the objective presentation of culture, science and the diversity of world views and faiths,

Section 95 (5) ... with regard to the rights of the national and ethnic minorities prescribed in other acts the National Radio and Television Commission guarantees without resort to tender at least four and at most eight hours of broadcast time per week to a public utility company in the exclusive ownership of a national or ethnic minority self-government, as a non-profit broadcaster licensed to broadcast programmes, if in the broadcast region defined in the invitation to tender there is no other opportunity to fulfil the demands for national and ethnic minority native language broadcasting.

Minority languages in Hungary

The following text appears in the introduction to the minorities act: “The language, the material and intellectual culture, the historical traditions and other characteristics of national and ethnic minorities living as Hungarian citizens in the territory of the Republic of Hungary form a part of their personal and collective identity.

“The preservation, nurturing and expansion of all these special values is not only the fundamental right of the national and ethnic minorities, but it is in the interest of the Hungarian nation and, in the final analysis, of that of the community of states and nations.”

According to the minorities act languages used by minorities in Hungary are as follows: Armenian, Bulgarian, Croatian, German, Gypsy (Romany and Beá), Greek, Polish, Romanian, Ruthenian, Serbian, Slovakian, Slovenian and Ukrainian. These nationalities or ethnic minorities are scattered right across the country. The decisive majority live in settlements where even on a local level they represent a minority of the inhabitants of the community. There is virtually no demand on the part of minorities living in Hungary in relatively small numbers – the Bulgarians, Greeks, Poles, Armenians, Ruthenians and Ukrainians – related to the use of their languages and cultures, but even so the minorities act also guarantees their language rights even though their dispersal makes it impossible to define a geographical area or region where the spoken language is used.

The Republic of Hungary only undertakes commitments defined in Part III of the Charter regarding the languages of those minorities who live in sufficient concentrations in well defined regions of the country (*Romanians, Slovenians*), or who although scattered in several regions or counties have, because of their numbers, a developed structure for native language education and cultural life (*Croatians, Germans, Serbians, Slovaks*).

The *Bulgarians* live scattered throughout the country. They are to be found in significant numbers in Budapest and settlements around the capital, and in Miskolc and in Pécs.

Gypsies are also found across the entire territory of Hungary. In their case, it is important to highlight that from the point of view of language the vast majority speak Hungarian as the native language, while it is difficult to define geographically those areas where the two Gypsy languages are used.

The majority of *Greeks* living in Hungary are found in Budapest, Miskolc, Pécs and Tatabánya. The Hungarian government settled Greeks fleeing the civil war after the Second World War in the village of Beloiannis in Fejér county. A sizeable Greek community still lives there.

The traditional settlements of *Croatians* living in Hungary lie in the south and western border regions of the country (the southern parts of Bács-Kiskun and Baranya counties, along the river Dráva, in Zala county, Vas and Győr-Sopron counties). Sizeable Croatian communities are also found around Budapest.

Poles living in Hungary are centred in a few settlements in the north-east of the country, as well as in the larger industrial towns.

Large numbers of *Germans* live in Baranya county, Budapest, in Győr-Moson-Sopron, Tolna, Pest, Komárom-Esztergom and Bács-Kiskun counties.

Armenians are to be found living primarily in Budapest and the major towns. Their numbers are relatively small.

The largest communities of *Romanians* living in Hungary are settled in Békés county, but one can also find significant numbers of Romanians in communities in the other two counties on the Romanian border (Hajdú-Bihar and Csongrád counties) as well as in Budapest.

Two larger communities of *Ruthenians* are to be found in the north-east of Hungary, in Komlóska and Múcsony. Besides these settlements we know of smaller Ruthenian communities in Sárospatak and the capital.

Significant numbers of *Serbians* living in Hungary reside in Budapest and the outskirts, on the Hungary-Yugoslav border (Csongrád county) and in Baranya and Békés counties.

Slovakians can be found living in three larger regions of Hungary. Some 60% are in Békés and Csongrád counties, and besides this in Nógrád, Pest and Komárom-Esztergom counties, Borsod-Abaúj-Zemplén and Szabolcs-Szatmár-Bereg counties.

Slovenians living in Hungary are found in a closely defined area on the Hungarian-Austrian border, in seven adjacent settlements south of Szentgotthárd. In addition, Slovenian communities can be found in a few larger towns and cities (Budapest, Mosonmagyaróvár and Szombathely).

Ukrainians resident in Hungary live in relatively limited numbers in Budapest and county towns.

The following figures were recorded in the 1980 and 1990 censuses according to the "native language" and "nationality" of the national and ethnic minorities in Hungary.

Population of Hungary in 1980: 10,709,463

Population of Hungary in 1990: 10,374,823

According to Native Language

Minorities	Number of People		Percentage of the Population in 1990
	1980	1990	
Slovakian	16,054	12,745	0.1228
Romanian	10,141	8,730	0.0841
Croatian	20,484	17,577	0.1694
Serbian	3,426	2,953	0.0285
Slovenian, Wend	3,142	2,627	0.0253
German	31,231	37,511	0.3616
Gypsy	27,915	48,072	0.4634

Armenian	-	37	0.0004
Greek	-	1,640	0.0158
Bulgarian	-	1,370	0.0132
Polish	-	3,788	0.0365
Ukrainian, Ruthenian	-	674	0.0065
Total	112,393	137,724	1.3275

Source: MAPSTAT Central Statistical Office software, Budapest, 1992

According to Nationality

Minorities	Number of People		Percentage of the Population in 1990
	1980	1990	
Slovakian	9,101	10,459	0.1008
Romanian	8,874	10,740	0.1035
Croatian	13,895	13,570	0.1308
Serbian	2,805	2,905	0.0280
Slovenian, Wend	1,731	1,930	0.0186
German	11,310	30,824	0.2971
Gypsy	6,404	142,683	1.3753
Other minorities	16,369	19,640	0.1893
Total	70,489	232,751	2.2434

Source: MAPSTAT Central Statistical Office software, Budapest, 1992

The figures of the 1990 census indicate an interesting duality compared to those of 1980. While the **number of native-speaking minorities** continued to decline (with the exception of the Germans and Gypsies), the number of people who declared themselves not of Hungarian nationality increased (with the exception of the Croatians).

When reviewing age distribution, we can see a steady decline in several minorities (the Slovenians and Croatians, for example) as we move towards the younger generations. The lack of young people is reflected primarily in the native language figures. The earlier multi-children families have been replaced by ageing households. (For example, 33.5% of the Serbian nationality is above the age of 60 and only 9.1% below the age of 15.)

Full and natural integration and the freedom to choose identity might reduce the chances of perpetuation: some 40%-60% of the adult minority population lives in ethnically **mixed marriages** – the percentage is highest among the Slovakian minority community. Obviously, many of the children born of such marriages are "lost" to their ethnic minorities, thus reducing the minority's already weakened ability to perpetuate itself. In 1990, 20.5% of the total Hungarian population was children, and 18.9% was over the age of 60. In the German minority, the percentage of children under the age of 15 decreased from 26% in 1941 to 12%, while the percentage of people over the age of 60 increased from 13% to 28%. The percentage of children in the Slovakian minority is 7%, and 9% in the Serbian minority.

Estimated figures:

The 1990 figures based on the estimates of the minority organizations and self-governments show a significant difference from the official statistics.

Minorities	Estimated Number
Gypsy	400,000-600,000
German	200,000-220,000
Slovakian	100,000-110,000
Croatian	80,000-90,000
Romanian	25,000
Polish	10,000
Serbian	5,000-10,000
Slovenian	5,000
Bulgarian	3,000-3,500
Greek	4,000-4,500
Armenian	3,500-10,000
Ukrainian	2000
Ruthenian	6000,
Total:	835,000 -,1,083,955

Source: minority organizations

Communities of national and ethnic minorities exist in approximately 1,500 settlements in Hungary. This situation is unique because they are geographically scattered, usually as a minority even within a settlement, forming the community of the given settlement together with the Hungarians and other minorities. For example, Slovaks, most of whom have dual identities, live in 105 settlements in 11 counties. Only the Ruthenians, and the Slovenians who live in seven adjacent settlements in western Hungary, live in relative concentrations in the same sub-region. Although most of the Romanians living in Hungary are settled along the Hungarian-Romanian border, they also have communities with centuries-old traditions in Budapest as well.

The actual population with minority identity and commitment is somewhere between the census figures and the estimated figures. The great difference between the estimated and declared figures can best be explained by bitter historical experience: for instance, in the case of the German minority, census data from 1941 served as the basis for deportation after the Second World War, and as a basis for collective disenfranchisement.

Definition of an individual speaking a regional or minority language

In Hungarian law language rights are not established on the basis of the definition of “*an individual speaking a regional or minority language*” but on belonging to a “national or ethnic minority”. The minorities act includes the following definition of “national or ethnic minority”: “*national and ethnic minorities (...) are all groups of people that have lived in the territory of the Republic of Hungary for at least one century; they represent a numerical minority in the country's population; their*

members are Hungarian citizens; they are distinguished from the rest of the population by their own languages, cultures, and traditions; they demonstrate a consciousness of an affinity that is aimed at preserving all of these and expressing and protecting the interests of their historical communities.” (Section 1, minorities act.)

Thus the law guarantees language rights to those ***persons and communities which belong to minorities in Hungary*** and which meet the above definition.

The organizational background to the protection of regional or minority languages

Due to the consistent and continuous minorities policy conducted by the Republic of Hungary the necessary legislative background has been established to ensure minority protection in Hungary, and within this the protection of minority languages. A considerable proportion of the activities of several state organizations (including the minority self-governments) and civil organizations go to ensuring the protection of languages and minority protection. The Hungarian Parliament's *Committee on Human Rights, Minorities, and Religious Affairs* oversees the drafting of legal regulations at the highest legislative level to ensure that the principles of the protection of the minorities, and within this the protection of the languages of the minorities, are not contravened. The institution of the ***Parliamentary Committee for the Rights of Minorities*** stands at the next level; this body examines complaints lodged with it, including cases where rights to the use of language have been contravened, and it formulates recommendations for the resolution of such cases. The ***National and Ethnic Minorities Office*** can also play a role in the observation of the implementation of the language rights of minorities.

The duty undertaken by the ***national minority self-governments*** is to protect the interests of the given minority. Aside from this the self-governments are the highest mediators at local, regional and national level ensuring compliance of rights related to the use of language by the minorities.

Organizations involved in the drafting of the report

In drawing up the report the National and Ethnic Minorities Office involved the national self-governments of the affected minorities – Croatians, Germans, Romanians, Serbians, Slovaks and Slovenians living in Hungary – and the ***competent divisions*** of the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Education and the Ministry of National Cultural Heritage. In the frame of administrative harmonization the draft report was despatched to all the portfolios, the Central Statistical Office and the Attorney General for comment.

Following ratification the Charter was published in full in the government's official gazette, the Hungarian Gazette, with a list of the commitments accepted by the Republic of Hungary. In addition, the information was passed on to the minority national self-governments with the assistance of the National and Ethnic Minorities Office. The minority and Hungarian press also carried features about the Charter.

The general minority policy of the Republic of Hungary, with specific reference to the points in Chapter II of the Charter

Objectives and principles

1. *The Parties establish their policy, legislation and practice appropriate to the situation of each language, regarding the regional or minority languages in those areas where these languages are used, with the following objectives and principles:*
 - a) *recognizing the regional or minority languages as an expression of cultural richness;*
 - b) *respecting the geographical boundaries of each individual regional or minority language in order to ensure that existing administrative divisions or those that may be established later do not pose an obstacle to the support of regional or minority languages;*
 - c) *supporting measures in the interests of safeguarding the regional or minority languages and serving the development of these languages;*
 - d) *easing and/or encouraging the use of the regional or minority languages in private and public life, both orally and in writing;*
 - e) *preserving and developing contacts between some groups using regional or minority languages and other groups in the same state which use the identical or similar language, within the regions defined in the Charter, and the establishment of cultural contacts with other groups in the state which use different languages;*
 - f) *ensuring the appropriate forms and means for the teaching and education of regional or minority languages at every appropriate level;*
 - g) *ensuring the means whereby those inhabitants living in areas where regional and minority languages are used but who do not speak the language, have the opportunity, if they so wish, to study the language;*
 - h) *supporting study and research of the regional or minority languages in universities or parallel institutions;*

- i) *within the areas defined in the present Charter, supporting appropriate forms for international exchanges – in an identical or similar form – between two or more states regarding regional or minority languages.*
2. *The Parties agree – if they have not done so already – to abolish every unwarranted discrimination, exclusion, restriction or unfair advantage with regard to the use of any regional or minority language, and which has the objective of discouraging or endangering the protection or development of the language. The special measures serving the interest of regional or minority languages aim to achieve equality between those who use the languages and the other section of the population, furthermore, while taking into consideration their special situation, do not qualify as discrimination against those who use the more widespread languages.*
3. *The Parties agree, using appropriate means, to promote mutual understanding between all the country's language groups, and in particular that the principle of respect, understanding and tolerance towards the regional and minority languages will be one of the objectives of education and training conducted across the country, and that the mass media will be encouraged to follow these same objectives.*
4. *The Parties agree that in the course of formulating policies related to regional or minority languages they will take into consideration the demands and wishes of the groups using these languages. The Parties will, if necessary, encourage the establishment of organizations which may provide advice and information to the authorities on every question related to the regional or minority languages.*
5. *The Parties agree mutatis mutandis to apply Subsections 1-4 above to the languages that cannot be localized to the area. However, in the case of these languages the nature and extent of the measures serving the effectiveness of this Charter have to be defined flexibly, taking into consideration the needs and wishes of groups using the language in question, respecting their traditions and characteristics.*

The role played by the national and ethnic minorities in Hungarian society is established in the Constitution of the Republic of Hungary. The Constitution states that the national and ethnic minorities living in Hungary share the people's power: they are part of the state. The Constitution guarantees the minorities collective participation in public life, the establishment of local and national self-governments, the nurturing of their own cultures, the use of their native languages, education in their native languages, and the right to use their names in their own languages.

The programmes of successive governments since the change of regime in 1990 have clearly undertaken to fully ensure the rights of minorities in accordance with European norms.

Hungary strives to develop a social atmosphere in which none of the minorities has to suffer any discrimination. In the course of implementing our policy on the minorities, we rely on the active cooperation of the national and ethnic minorities and the

activities of their legitimate and elected bodies. Accordingly, the Hungarian government, with the involvement and cooperation of the minorities, presented the minorities act to Parliament, which then passed the law in 1993.

The minorities act, which Parliament passed with a 96% majority, ensures the minorities that are native to Hungary individual and collective minority rights, the right to personal autonomy and the right to establish self-government bodies.

In connection with this, there is an independent chapter in Act LXIV of 1990 on Local Self-governments concerning minority self-governments. The act, amended in 1994, stipulates the legal framework for electing minority self-government representatives.

The amendment of Act XXXVIII of 1992 on the State Budget legally ensured the financial and economic autonomy of local minority self-governments.

On the basis of the relevant provisions of the Constitution, Parliament elected the Parliamentary commissioner for the rights of national and ethnic minorities (hereafter: the minorities ombudsman). The *minorities ombudsman* is responsible for investigating/having investigated any kind of abuse of the rights of national or ethnic minorities that comes to his/her attention and initiating general and individual measures in order to remedy it. Act LXXX of 1993 on the Parliamentary Commissioner for Civil Rights stipulates in detail the tasks of the parliamentary commissioner for the rights of national and ethnic minorities. Citizens are able to turn to the minorities ombudsman in those cases in which, in their judgement, they have suffered injury due to the infringement of their constitutional rights as a consequence of the proceedings or measures of some authority or public service organization or their failure to take measures, as well as in those cases in which there is a danger that their constitutional rights may be violated. The minorities ombudsman reports to Parliament on an annual basis.

In accordance with the Constitution, Parliament promulgated Act LXIII of 1992 on the Protection of Personal Data and the Public Disclosure of Public Data, which contains the fundamental regulations for enforcing the right to the protection of personal data and of access to public data.

The most fundamental measures necessary for creating consonance with the minorities act were taken with the enactment of the public education act, and its amendment in 1996. As a first step toward modernizing public education, the National Master Curriculum defines the special basic principles of minority education. Providing supplementary standard funding for minority education is an important element of government funding of public education.

With the amendment of Act IV of 1978 on the Criminal Code (hereafter: the criminal code) by Act XVII of 1996, the Republic of Hungary complied with the requirements stipulated in the "International Convention On Fighting and Punishing the Crimes of Apartheid", which was adopted by the United Nations General Assembly on 30 November 1973. The amendment creates the potential for fighting criminal forms of racial discrimination. It introduces a new criminal concept so that violent criminal acts

against national, ethnic, racial, or religious groups can be condemned even if the crimes are committed against persons solely because they belong to such a group.

Act I of 1996 on Radio and Television Broadcasting (hereafter: the broadcasting act) made the preparation of programmes that depict the culture and lives of minorities a compulsory responsibility of the public service media. Public service programmes are obliged to provide information in native languages.

Act CXXVII of 1996 on the National News Agency contains provisions that ensure equal opportunity for national and ethnic minorities.

The system of minority self-government, which is gradually developing in Hungary on the basis of the appropriate legal regulation and is in fact already functioning, fulfils an increasingly important role in helping minorities organize their own affairs.

Regarding the protection of national identity, the responsibility of the minority self-governments and social organizations is increased within the actual limits of minority autonomy, backed by guarantees of complete legal equality and appropriate emphasis to compensate for the objective disadvantages of existence as a minority.

The government is responsible for informing people that coexistence with national and ethnic minorities is natural and has been going on for many centuries. It is also the task of the government to make people aware of the ways in which the various national and ethnic groups enrich the common culture. In this respect, the government does not view minorities as groups engaged in a struggle against the majority for their rights. Rather, it conceives of minorities as aggregates of individuals who, together with the majority, bear responsibility for common virtues and faults and share the same destiny as the majority.

The government supports the minorities in strengthening their identities, and it endeavours to make people aware of the common values of the past and a sense of joint responsibility for the future. The government would like to improve the minority self-government system and achieve the cultural autonomy of minorities.

The Hungarian minority policy of the past decade has attracted enormous international attention. Our immediate neighbours pay close attention to any developments in the situation of minorities in Hungary. Beyond the neighbouring countries, West European democracies and international organizations also continuously evaluate our minority-related measures and their impact.

The report prepared in 1997 by the European Commission concerning Hungary's application to the European Union determines, among other things, that minority rights are secured and protected in Hungary.

Key laws that guarantee the rights of national and ethnic minorities in Hungary and which are continuously being harmonized serve as the background for the findings of the European Union, the Council of Europe and other international organizations concerning Hungarian minority policy.

Commitments undertaken by the Republic of Hungary

With the ratification of the European Charter for Regional or Minority Languages the Republic of Hungary undertook commitments related to the languages spoken by the following minorities living in the territory of the country: Croatians, Germans, Romanians, Serbians, Slovenians and Slovaks. The commitments are the same for each of the listed languages and are valid across the entire territory of the country. As such the enforcement of commitments is identical for each of the listed languages. For this reason we have prepared a summary report instead of reports divided according to language. In our report we have highlighted the coherences of the minorities under discussion, and detailed those features which are specific to the given minority and differentiate them from other groups.

Most minorities living in Hungary live scattered across virtually the entire territory of the country. However it is possible to identify geographical regions in the country where some minorities live in more concentrated numbers, and besides these there are individuals or communities belonging to a given minority whose rights to the use of language are identical to those living in a potentially contiguous region. As such the validity of legal regulations in Hungary governing the protection of regional or minority languages *extends across the entire territory of the country*.

As a result of the unique history of the minorities living in Hungary no minority population statistics can be considered exact. However, during national censuses the country's citizens are questioned not only about their native language but also about which other language (languages) they speak. This data – processed by county and also taking into consideration German and its role as a world language as well as other minority statistical data – provides some assistance in defining the number of those who can be treated as a target group regarding the regional or minority language.

Population according to command of language, by county, 1980, 1990

Language	Budapest	Bács-Kiskun	Baranya	Békés	Borsod-A.-Z.	Csongrád	Fejér	Győr-Moson-Sopron	Hajdú-Bihar	Heves
1980										
Population	2 059 347	568 903	434 078	436 910	809 468	456 300	421 740	429 141	551 448	350 360
Slovakian	11 491	3 102	533	30 464	4 593	1 512	774	899	360	1 063
Romanian	13 505	811	2 359	10 093	939	1 740	737	648	2 668	444
Croatian	2 545	6 486	11 337	239	87	249	361	4 132	60	59
Serbian	3 707	2 099	2 149	822	101	1 718	346	128	78	68
Slovenian	259	68	67	27	28	28	42	99	18	10
German	170 154	14 884	40 631	4 162	8 097	7 943	9 303	16 668	6 076	3 468
1990										
Population	2 016 774	544 748	418 642	411 887	761 963	438 842	420 628	424 439	548 728	334 408
Slovakian	7 734	1 959	541	23 506	4 463	1 284	816	868	376	800

Romanian	13 816	1 256	2 473	9 242	1 398	1 963	1 316	1 028	3 361	791
Croatian	2 583	4 467	10 293	97	126	345	312	3 834	98	60
Serbian	3 487	3 032	2 998	730	125	1 700	375	192	93	69
Slovenian	270	105	67	23	21	35	35	153	20	13
German	177 398	18 513	42 797	5 999	11 633	11 034	14 476	23 623	8 881	5 226

**Population according to command of language, by county, 1980, 1990
(continued)**

Language	Jász-Nagykun-Szolnok	Komárom-Esztergom	Nógrád	Pest	Somogy	Szabolcs-Szatmár-Bereg	Tolna	Vas	Veszprém	Zala
1980										
Population	446 708	321 470	240 251	973 709	360 270	593 829	266 273	285 498	386 462	317 298
Slovakian	402	7 095	4 833	16 833	283	805	298	152	502	154
Romanian	520	837	230	2 391	733	582	1 678	298	649	442
Croatian	79	138	35	789	2 937	44	326	4 041	264	5 806
Serbian	89	140	32	2 084	348	44	463	64	127	154
Slovenian	10	42	14	109	45	9	27	3 262	59	64
German	3 009	13 314	1 684	24 656	6 892	2 486	15 946	6 657	11 455	4 547
1990										
Population	426 491	315 208	227 137	949 749	344 708	572 301	253 675	275 944	382 153	306 398
Slovakian	356	6 369	4 457	13 239	310	570	329	158	501	216
Romanian	797	1 042	401	4 125	943	1 411	1 874	455	983	680
Croatian	94	165	33	927	2 388	63	297	3 645	223	5 800
Serbian	87	162	22	2 040	480	63	453	74	165	252
Slovenian	10	47	7	86	126	13	29	2 984	63	86
German	5 079	18 142	2 643	35 670	11 017	4 525	17 002	12 051	17 797	9 711

Source: Central Statistical Office

* * *

Our commitments in the order of the Sections and Subsections of the Charter

Article 8 – Education

1. *Regarding education, the Parties agree that in those areas where these languages are used and according to the situation of all these languages, and without prejudice to the education of the state official language/languages, they will*
 - i) make pre-school education available in the concerned regional or minority languages, or
 - ii) make an essential part of pre-school education available in the concerned regional or minority languages, or
 - iii) employ one of the measures according to the points i) and ii) above at least for those pupils whose families so wish, and where the number is sufficient for such, or

iv) promote and/or encourage the application of measures according to points i) and iii) above in cases where the public offices do not have a direct sphere of authority over pre-school education.

The legal background for the fulfilment of commitments is ensured by the following decrees in addition to those laws listed in the introduction.

Government Decree 137/1996 (VIII. 28) on the Issuance of the National Master Programme for Pre-school Instruction

- Pre-school institutions, building on the interests and curiosity typical of children of this age, provide children with a variety of activities through which they can gain experience of the natural and social environment.
- The development of the native language and the establishment of the different forms of communication – by providing correct examples – receives particular emphasis in the overall activities of pre-school instruction. It is necessary to devote particular attention to maintaining children's interest in speaking, listening to children, prompting children to ask questions and answering these questions.

** Points highlighted in italics refer to the commitments of the Republic of Hungary.*

Ministry of Culture and Education Decree 32/1997 (XI. 5) on the Issuance of the Guidelines for the Pre-school Instruction of National and Ethnic Minorities and the School Education of National and Ethnic Minorities

The objective of minority pre-school instruction

- Minority pre-school instruction, suited to the characteristics and individual development of pre-school-age children, serves to introduce the language and culture, and transmits and develops the cultural traditions of the minority.

The objective and task of minority instruction is to:

- Provide a native language environment for the child;
- Nurture and develop traditions and customs related to the minority lifestyle and culture;
- Prepare children to learn the minority language at school;
- Assist in the formation and development of the consciousness of a minority identity.

1. During the process of minority instruction in pre-school it is important, besides establishing a sense of emotional security in the children, to attempt to communicate in the minority language as far as is possible – naturally taking into consideration the children's command of the language. By regularly returning to communication-based situations the pre-school instructor can ensure mastery of the language founded on emulation.

Forms of minority pre-school instruction

Native language (minority language) pre-school

The native language pre-school organizes all of pre-school life in the minority language. The native language (minority language) is used in the various activities of pre-school life. Pre-schools instructing in the native language should also provide the opportunity for children to acquaint themselves with the Hungarian language and the values of Hungarian literature and music.

Dual-language pre-schools conducting minority instruction

Dual-language pre-schools conducting minority instruction serve the development of both languages (the minority language and the Hungarian language). Both languages are used in the various activities of pre-school life. In deciding the relative proportion of the use of the two languages in the curriculum programme, the command of the languages the group of children starting pre-school has is decisive. Emphasis should be placed on the development of the minority language.

Pre-schools providing national and ethnic minority pre-school instruction draft and accept their instructional programme taking into consideration the guiding principles. Pre-school model programmes for all the minorities included in commitments made in the Charter have been drawn up over the last year, supported by the Ministry of Culture and Education. The ministry has despatched these programmes to all relevant pre-schools.

The Republic of Hungary recognizes that the task of pre-schools instructing in the languages of the minorities, or instructing in the languages of the minorities and in Hungarian, represents an additional financial burden for the pre-schools, and as such these institutions are able to seek supplementary support to the amount stipulated in the valid budgetary act.

The following table shows the number of minority pre-schools and children studying in them in the 1997/98 school year:

Minority	Number of groups studying in the native language	Number of pupils studying in the native language	Number of groups studying in two languages	Number of pupils studying in two languages
Croatian	15	335	114	1,250
German	40	942	618	13,802
Romanian	5	137	6	480
Serbian	5	83	15	81
Slovakian	4	96	102	2,893
Slovenian	0	0	5	88

Source: Ministry of Education

(The National Self-government of Germans living in Hungary indicated during the preliminary harmonization stages that it did not agree with the number of children's groups instructed in the German language. An investigation was initiated by the Self-government to establish the true proportion of German language instruction in the pre-schools. The investigation is still continuing.)

* * *

Article 8 b)

- (i) make primary school education available in the concerned regional or minority languages, or
- (ii) **make an essential part** of primary school education available in the concerned regional or minority languages, or
- (iii) ensure that that the teaching of the concerned regional or minority languages is an integrated part of the primary school curriculum, or
- (iv) *employ one of the above provisions (i)-(iii) at least for those pupils whose families so wish, and where the number of pupils is sufficient for such;*

In addition to the abovementioned minorities act, the act on public education also reinforces the rights related to primary-level education. This legal regulation similarly stipulates the statutory minimum number – on the basis of the related provision (Section 43 Subsection (4)) in the minorities act – as eight pupils.

Parliament passed Act LXXIX on Public Education in 1993 with the aim of ensuring the rights to education defined in the Constitution of the Republic of Hungary based on equal opportunity, enforcing freedom of conscience, freedom of religion, instruction of a love of the homeland in public education, realization of the right to native language education of the national and ethnic minorities, enforcing academic freedom and the freedom of teaching, defining the rights and duties of children, pupils, parents and those employed in public education, furthermore the management and operation of a public education system which provides up-to-date knowledge, and which provides for the use of the native languages of the minorities as follows:

“Section 5 The language of instruction at pre-school, instruction and education at school and instruction in residential halls is Hungarian, respectively the languages of the national and ethnic minorities. Children and students belonging to a national or ethnic minority – on the basis of the choice defined in the act on the rights of the national and ethnic minorities – may receive pre-school instruction, school instruction and education and instruction in residential halls in their native language, or in the native language and in Hungarian, or in Hungarian. Instruction and education may also be conducted either partly or wholly in another language.”

Thus the two acts mentioned above (the minorities act and the education act) provide the legislative background to the organization of public education in the minority languages. However both acts stipulate that it is mandatory to start an independent class or study group on the initiative of the parents of at least eight school children.

Inasmuch as such a demand is apparent, the self-government maintaining the institution is obliged to organize and maintain minority education in a form which meets the demands of the parents.

Ministry of Culture and Education Decree 32/1997 (XI. 5) on the Issuance of the Guidelines for the Pre-school Instruction and School Education of National and Ethnic Minorities (hereafter: Guidelines) drafted on the basis of the provisions of the education act contains details of the objectives of minority education, organizational means, types of education as well as the nationality-specific requirements of areas of education related to the minorities (native language and literature, folk identity) by language.

According to the formulation of the Guidelines, in addition to meeting the general objectives and tasks of school instruction and education, minority education – as part of public education in Hungary – also ensures the teaching of the minority language, tuition conducted in the minority language, presentation of the history, spiritual and material culture of the minority, the preservation and creation of traditions, formation of self-awareness, and the presentation and practice of minority rights.

Minority education helps those individuals belonging to a national or ethnic minority discover, preserve and develop their identity, accept their differences, acknowledge and present to others their minority values, and strengthen community bonds.

Minority education and instruction conducted in institutions must endeavour to,

- a) manifest to students the particular language and cultural economic advantages, and form in the students' minds a realistic picture of the nation and of the minority,
- b) in order that students are capable of recognizing the different forms that prejudice and exclusion take, present the background to such occurrences, the dangers, and the incidents of infringements of human, civil and minority rights.

Forms of minority education

1. Taking into account the language and cultural differences of the national and ethnic minorities living in Hungary, as well as the diversity of the minorities, the following forms of education may be organized:
 - a) native language education,
 - b) dual-language minority education,
 - c) language tuition minority education,
 - d) academic improvement Gypsy education,
 - e) intercultural education.

Native language education

1. Education and instruction in native language education – apart from Hungarian language and literature – are conducted in the minority language. The pedagogical programme includes studies in the native language, literature and folk identity. (...)

Dual-language minority education

1. Dual-language minority education contributes to the realization of the objectives of minority education by deepening the command of the language and through the application of this as a language of education. This form of education provides the opportunity, in the school environment, to use the language in real situations, and ensures the formation of balanced dual-language language skills. The pedagogical programme includes studies in the native language, literature and folk identity.

Language tuition minority education

1. Language tuition minority education contributes to the realization of the objectives of minority education by teaching the language and literature and minority folk identity. (...)

Intercultural education

1. Intercultural education can be organized in schools conducting any of the “Forms of minority education” listed in Paragraphs a) – d) for those who do not participate in minority education in the given school.
2. The objective of intercultural education is that in the frame of jointly organized, voluntary classes made up of those who do not take part in minority education and those who do, participants can learn about the culture of the minority in question.

The new form of education included in the Guidelines, intercultural education conducted in settlements where minorities also live and which can be organized for those who do not belong to a minority, besides providing an understanding of the culture and history of the minority can also teach participants the language of the minority.

The following table shows the numbers involved in minority language education in the 1997/98 school year:

Nationality	Number of groups studying in the native	Number of native language pupils	of	Number of dual-language groups	of	Number of dual-language pupils	of	Number of groups studying language	of	Number of pupils studying a language	of
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	language					
Croatian	23	293	0	0	165	2,183
German	50	787	407	5,911	2,514	37,640
Romanian	41	508	8	54	46	656
Serbian	18	144	0	0	8	83
Slovakian	42	595	24	276	272	3,538
Slovenian	0	0	7	40	14	80

Source: Ministry of Education

(The National Self-government of Germans in Hungary indicated during the harmonization stages that it did not agree with the data based on statistics given by the schools themselves. It said the number of students taking part in language studies was unrealistically high. An investigation was initiated to determine the true numbers, and this investigation is still continuing.

It should be mentioned here that the determination of the types of education conducted in schools has, for the last few years, been based on information given by the schools themselves. This situation changed in the 1998/99 school year with the issuance of Ministry of Culture and Education Decree 32/1997 (XI. 5). The appendix of the decree contains the language requirements as regards the different school types. Nevertheless, statistics for the previous school year can be regarded as official.)

Section 48, Subsection (1) of the minorities act states that persons not belonging to a minority may participate in forms of education teaching in the minority language, or teaching the language, where the institution, having met the demands of the given minority, still has available places.

Article 8 c)

(i) make secondary school education available in the concerned regional or minority languages, or

(ii) make an essential part of secondary school education available in the concerned regional or minority languages, or

(iii) ensure that the teaching of the concerned regional or minority languages is an integrated part of the secondary school curriculum, or

(iv) employ one of the above provisions (i)-(iii) at least for those students who wish so, or in the given case whose parents wish so, and where the number of pupils is sufficient for such;

In accordance with the educational levels discussed above, secondary minority language education also has to be initiated by the parents of eight students. Secondary education offers the least adequate minority language education in Hungary. As a consequence of the regional fragmentation of minorities in Hungary regional or national secondary schools – the majority four-class grammar schools offering general

intermediate education – were established over the last few decades. An experimental minority language vocational training programme was launched during the 90s, also in those regions with larger minority populations.

The following are supplementary legal regulations related to secondary minority education:

Ministry of Culture and Education Decree 24/1997 (VI. 5) on the Issuance of Examination Regulations for Basic Education Examinations

Section 3 (1) Candidates must be marked on their knowledge in at least six tested subjects – three compulsory and three chosen subjects, and for those in national or ethnic minority education four compulsory and two chosen subjects. Chosen subjects must be selected from given subject groups unless the examination regulations allow otherwise (furthermore – obligatory chosen subjects).

(2) Every candidate must be marked on his/her knowledge of the compulsory examination subjects – unless the examination regulations allow otherwise. Compulsory examination subjects are:

- a) Hungarian language and literature (oral and written),
- b) mathematics (written),
- c) history and social studies (oral and written),
- d) for those in national or ethnic minority school education, native language (nationality language) and literature (oral and written)

(9) At least two of the subjects of the basic education examination testing the national or ethnic minority language – including native language (nationality language) and literature – must be conducted in the national or ethnic minority language.

Section 21 (1) The maximum time available to candidates in the written examinations, per subject:

- a) sixty minutes,
- b) using the national or ethnic minority language, respectively target language, ninety minutes,
- a. for the following subjects: Hungarian language and literature, and national or ethnic minority native language and literature, ninety minutes.

Government Decree 100/1997 (VI. 13) on the Issuance of Examination Regulations for the School-leaving Examination

Section 6 (4) Unless the examination regulations allow otherwise, the following are compulsory subjects for the school-leaving examination:

- Hungarian language and literature,
- History,
- For those in national or ethnic minority school education, native language (nationality language) and literature,
- Mathematics,
- A foreign language, with the exception of those in national or ethnic minority school education.

The following table presents data on secondary schools teaching in a minority language or teaching a minority language (1997/98 school year):

Nationality	School	Number of institutes	Number of students
Croatian	Grammar school	2	214
German	Grammar school	11	1,447
	Vocational secondary school	1	112
Romanian	Grammar school	1	104
Serbian	Grammar school	1	92
Slovakian	Grammar school	2	119
	Vocational secondary school	3	76
Slovenian	Grammar school	1	7

Source: Ministry of Education

The teaching of a minority language and education in a minority language conducted in grammar schools are integrated parts of the Hungarian education system. The legislative background to this principle is provided in the education act and the Guidelines for the school education of national and ethnic minorities – in compliance with the subsections quoted above.

Article 8 d) (i) make vocational secondary school and trade school education available in the concerned regional or minority languages, or

(ii) make a substantial part of vocational secondary school and trade school education available in the respective regional or minority languages, or

(iii) ensure that the teaching of the concerned regional or minority languages is an integrated part of the vocational secondary school and trade school curriculum, or

(iv) employ one of the above provisions (i)-(iii) at least for those students who wish so, or in the given case whose parents wish so, and where the number of pupils is sufficient for such;

The legislative background is identical for trade school education. Here too, to introduce teaching in the nationality or ethnic minority language or language tuition it is sufficient that the parents of eight minority students request the establishment and maintenance of an independent class or study group. Such a demand is only rarely made. There are only a few trade schools in the country which provide the opportunity to study a technical trade in a minority language. A total of 129 students on the catering industry course at the trade school in Balassagyarmat study in Slovakian, while the German minority can enrol on building industry, wood industry, mechanical engineering and agriculture courses taught in German in trade schools in Bóly, Mohács and Pécs.

Article 8 e) (i) make university and other higher education available in the concerned regional or minority languages, or

(ii) create the conditions under which these languages can be studied as university or higher education subjects, or

(iii) inasmuch as the state role in the system of contacts maintained with higher education institutions is not appropriate for the implementation of Paragraphs (i) and (ii) above, to encourage and/or licence university education, or studies in other higher education institutions, in regional or minority languages, or to create the conditions under which these languages can be studied as university or higher education subjects;

In accordance with the provisions of the minorities act:

Section 18 (3) Minority communities have the right to:

- a) initiate the establishment of the conditions for pre-school instruction, primary, secondary and *higher* education in the native language, or instruction of their native language (in the native language as well as in the Hungarian language);

Section 45 (1) In respect of the *legal regulation* of public education and *higher education*, when determining the structure and content of educational-instructive activities and concerning the supervision of such, the specific cultural and educational interests of the cultural autonomy of minorities need to be enforced in accordance with this act.

Section 46 (2) It is the state's responsibility *to train native language teachers* for the education of minorities in their native language or instruction of their native language.

(3) The state is also bound by international conventions to provide for minority populations to take part, either on a full-time or part-time basis or in the form of further or scientific training, in courses in foreign institutions which nurture their culture and which teach in the languages of the minorities.

Section 46 (5) In respect of any person of any minority group studying in a foreign country in a university, college, other educational institution or an institute of cultural heritage in his/her native language, the diploma or graduation degree earned in such institutions shall, with due regard to the relevant acts and international conventions, be considered equivalent as if awarded in the Republic of Hungary.

By signing international conventions with the mother countries of the minorities, the Republic of Hungary endeavours to establish all-round mother country education opportunities for the minorities. Full scholarship opportunities are currently available for studies in Croatia, Romania, Yugoslavia, Slovakia and Slovenia. Minority students from Hungary may attend part and post-graduate courses in Germany.

Act LXXX of 1993 on Higher Education (hereafter: higher education act) prescribes the following methods of enforcing minority language rights:

Section 8 Hungarian is the general language of higher education; however, studies may be conducted in any national and minority language, and – either in part or wholly – in another language too.

(4) The diploma must be issued in Hungarian or Hungarian and Latin, or in the case of national and ethnic minority education in the language of the national and ethnic minorities, furthermore (exceptionally, and in accordance with the decision of the higher education institution) in the language studies were conducted in.

Government Decree 158/1994 (XI. 17) on the Qualification Requirements for Teachers, Conductive-Teachers and Pre-school Teachers in Basic Training regulates the demands related to the training of minority teachers:

Section 2 (1) A college qualification, respectively teaching, conductive-teaching and children's pre-school teaching qualification can be obtained on the basic training courses for teachers, conductive-teachers and pre-school teachers.

(2) Preparatory departments for the acquisition of a teaching or conductive-teaching qualification:

b) "nationality teacher" department,

(with respect to the languages used by the minorities detailed in Section 42 of Act LXXVII of 1993 on the Rights of National and Ethnic Minorities)

which grants entitlement for teaching-instructing in the Hungarian language in school classes 1 through 4 in any area (subject), and subjects taught in the languages used by the minorities (minority native language education in classes 1 through 6; environmental studies, singing-music and gymnastics in classes 1 through 4 in the languages used by the minorities).

(4) Preparatory departments for the acquisition of a pre-school teaching qualification:

b) “nationality pre-school teacher” department,

(with respect to the languages used by the minorities detailed in Section 42 of Act LXXVII of 1993 on the Rights of National and Ethnic Minorities)

which grants entitlement for instructing pre-school children in the Hungarian language and in the minority native language.

Qualification requirements for the nationality teachers department:

1. Name of department: nationality (Croatian, German, Romanian, Serbian, Slovakian, Slovenian) teacher.
2. The objective: to train pedagogical specialists who, on the basis of a theoretical understanding, skills and aptitude, are able to carry out instruction-teaching duties in all subjects in classes 1 through 4 in primary school, and carry out nationality native language instruction tasks in classes 1 through 6.

The nationality teacher is characterized as a nationality intellectual, with a progressive general education, social sensitivity, language skills permitting the person to learn about the native language culture, a community sense of responsibility and willingness to undertake responsibilities, desire and ability for constant learning, respect for universal, human and national, nationality values and ethical norms; the person also has the practical skills necessary for nationality native language instruction and deepening the nationality identity.

3. Qualifications

3.1 A nationality teacher qualification can be obtained at college level.

3.2 Course duration: four-year college course constituting 3,200 hours in full-time studies.

3.3 Qualification cited on the diploma: nationality teacher.

The nationality teacher qualification grants entitlement for teaching-instructing in the Hungarian language in school classes 1 through 4 in any area (subject), and subjects taught in the nationality languages (Croatian, German, Romanian, Serbian, Slovakian, Slovenian) (minority native language instruction in classes 1 through 6; environmental studies, singing-music and gymnastics etc. in grades 1 through 4 conducted in the nationality language).

Qualification requirements for the nationality pre-school teachers department:

1. Name of department: nationality (Croatian, German, Romanian, Serbian, Slovakian, Slovenian) pre-school teacher.

1. The objective: to train pre-school pedagogical specialists who, having a well-founded general and specialist education, advanced pre-school pedagogical capabilities, self- and human awareness, a child-centric and sensitive approach – being able to cooperate with the family and social environment – are suitable for the conscious development and instruction of pre-school children, the transmission of universal and national values and ethical norms, and providing nationality native language instruction.

Modern general, scientific and nationality native language instruction and the strengthening of the national and nationality identity – features of nationality pre-school pedagogy – demand particular pedagogical capabilities which can be employed in a creative manner.

Teachers should have: an advanced understanding of the language, social sensitivity, community awareness, and the desire and ability for constant learning.

3. Qualifications

3.1 A nationality pre-school teacher qualification can be obtained at college level.

3.2 Course duration: three-year college course constituting 2,780 hours in full-time studies.

3.3 Qualification cited on the diploma: nationality pre-school teacher.

The nationality pre-school teacher qualification grants entitlement for instructing pre-school children in the Hungarian language and in the nationality native language.

The following table presents numbers of students studying minority languages in higher education (1996/97 and 1997/98 school years):

Nationality	Number of students in the 1996/97 school year	Number of students in the 1997/98 school year
Croatian	83	83
German	195 (4,396)*	115 (4,260)
Romanian	92	90
Serbian	58	78
Slovakian	217	363
Slovenian	8	7

Source: Ministry of Education

* Figures in parenthesis for the German statistics show the number of students studying German as a foreign language (department of German studies, language teacher department of the German department).

Article 8 f) (iii) inasmuch as the public authorities do not have direct authority in adult education, they shall grant preferences and/or encourage the use of these languages in adult education and further education;

The Hungarian system of “longlife learning” in adult education is still being drafted. Due to the special language situation of those who use a minority language (minorities) – as discussed in detail above – in this area demand is more apparent for pedagogical further education or professional and language further education for those working in public education. Teacher training institutions organize pedagogical further education. These teacher training institutions have their further education programmes accredited and then advertised on the basis of the relevant provisions in the education act. It is mandatory for teachers working in minority education to participate in language and professional further education every seven years.

Education act, Section 17

(3) If the language of pre-school instruction, school instruction and education and residential hall instruction is the language of a national or an ethnic minority, respectively a non-Hungarian language, then the person who may conduct the instruction and teaching in the given language – depending on the type of instruction-teaching institution – must,

- a) hold a nationality pre-school teacher, nationality teacher diploma, or
- b) hold a higher education qualification and a teacher, language teacher qualification granting entitlement to teach the language of school instruction and teaching, and residential hall instruction, as defined in Subsection (1).

(8) Teachers must participate in at least one further education course every seven years, as prescribed in the legal regulations. Teachers who participate in further education and successfully complete their studies must – as prescribed in the legal regulations – receive financial recognition of the fact. Those teachers who through their own fault do not attend further education training, or who do not successfully complete their studies, may (with reference to the employment act Section 89 Subsection (3), respectively the public employee act Section 30 Subsection (1) Paragraph d)) be dismissed from their work, respectively dismissed as a public employee. Teachers who pass the teacher examination or any other examination prescribed in the legal regulations do not have to take part in further education for seven years from the date of the examination.

The majority of minority language departments are currently working on developing further education programmes, and for this reason the Ministry of Education – on the basis of individual requests – provides additional support for language and specialist further education organized by the minority faculties. Similar support is available for the further education of minority teachers in the mother country language. Responsibility for co-ordinating these mother country programmes lies partly with the national self-governments of the minorities, while in those

areas where the ministry has inter-portfolio cooperation agreements related to the further education of teachers, the competent ministerial department carries out organizational tasks.

Article 8 g) ensure that measures are taken to teach the history and culture implicit in the regional or minority languages;

The National Master Curriculum (hereafter: NMC) issued by Government Decree 130/1995 (X. 26) was promulgated with the aim of modernizing the entire public education system. The master curriculum breaks from the traditional determination of study material split up into subjects, instead defining the requirements for students by so-called education areas at the end of the fourth, sixth, eighth and tenth school years.

One of the requirements of the Human and Social Culture module of the NMC is a study of the culture of minorities living in Hungary. The NMC sets out in detail those areas of learning which every student taking part in public education in Hungary has to know, to a level appropriate for the particular age of the student.

The NMC serves to teach common national values. It has an important role to play in the development of national traditions and a national awareness of identity including the nurturing and evolution of the identity of those who belong to the nationalities and minorities of the country.

The document, in harmony with the above points, draws attention to common problems facing humanity. As regards universal questions, it emphasises the responsibility, the opportunities and the tasks of individuals, the state and societies in resolving these questions, as well as ways of reducing the dangers that threaten humanity and individual communities alike. The NMC serves to promote openness and an understanding of different cultures. It cultivates awareness and respect for the traditions, cultures, customs and lifestyles of other peoples.

As a general principle it states that students should be open to learning about and respecting the values and achievements of other peoples and groups living in Hungary and in neighbouring countries.

A modification (1996) to the education act, which came in the wake of the publication of the NMC, prescribed that every school had to complete its local pedagogical programme and local curriculum by September 1998. The local curriculum has to meet all of the requirements set down in the NMC, that is students in the same class in every school across the country have to be taught at least to the same minimum requirements. Thus this legal regulation guarantees that every student in Hungary will gain an understanding of the culture, history and present of the minorities living in the country.

Article 8 h) ensure necessary basic and further education for teachers in order to be able to realize the points accepted by the Party in Paragraphs a)-g) above;

Minority language higher education studies can be pursued within a faculty of arts or in teacher training studies. Hungary has several independent minority language and literature departments and departmental groups. Autonomy in higher education extends to the freedom to open independent departments, on condition that the department receives accreditation from the Hungarian Committee for Accreditation. The present structure guarantees the teaching of the given minority language and literature in the higher education institutions located in regions where the minorities live. The following higher education institutions have minority departments:

Croatian language and literature training;

- Eötvös Loránd University of Sciences Faculty of Arts, Department of Slavic Philology, Budapest
- Janus Pannonius University of Sciences Faculty of Arts, Croatian Department, Pécs
- Berzsenyi Dániel Teacher Training College, Croatian Department, Szombathely,
- Eötvös József Teacher Training College, Nationalities and Foreign Language Department, Baja
- Benedek Elek College of Teachers, Nationalities and Foreign Language Department, Sopron;

German language and literature training;

- Eötvös Loránd University of Sciences Faculty of Arts, Institute of German Studies, Budapest,
- Eötvös Loránd University of Sciences Faculty of Arts, Research and Teacher Training Centre of Germans in Hungary, Budapest,
- Janus Pannonius University of Sciences Faculty of Arts, Department of German Linguistics, Pécs,
- Janus Pannonius University of Sciences Faculty of Arts, Department of German-language Literature, Pécs,
- Benedek Elek College of Teachers, Nationalities and Foreign Language Department, Sopron,
- Eötvös József Teacher Training College, Baja,
- Illyés Gyula College of Teachers, Szekszárd,
- Budapest Teacher Training College, Budapest,
- Vitéz János Roman Catholic Teacher Training College, Esztergom,
- Juhász Gyula Teacher Training College, Department of German Language and Literature, Szeged;

Romanian language and literature training;

- Eötvös Loránd University of Sciences Faculty of Arts, Department of Romanian Language and Literature, Budapest,
- Juhász Gyula Teacher Training College, Romanian Department, Szeged
- Körös College, Department of Eastern European Languages and Cultures, Békéscsaba, Szarvas;

Serbian language and literature training;

- Eötvös Loránd University of Sciences Faculty of Arts, Department of Slavic Philology, Budapest,
- József Attila University of Sciences Faculty of Arts, Slavic Institute, Szeged,
- Budapest Teacher Training College, Budapest;

Slovakian language and literature training;

- Eötvös Loránd University of Sciences Faculty of Arts, Department of Slavic Philology, Budapest,
- Pázmány Péter Catholic University, Slovak Institute, Piliscsaba,
- Juhász Gyula Teacher Training College, Slovakian Department, Szeged
- Vitéz János Roman Catholic Teacher Training College, Slovakian Department, Esztergom
- Körös College, Department of Eastern European Languages and Cultures, Békéscsaba, Szarvas;

Slovenian language and literature training;

- Berzsenyi Dániel Teacher Training College, Slovenian Department, Szombathely.

The further education of teachers teaching minority languages is carried out in coordination with these institutions. Government Decree 277/1997 (XII. 22) on the Further Education of Teachers regulates the further education of minority teachers as follows:

Section 2 (1) Those teacher training colleges and universities with a licence to open a department may prepare teachers for the teacher examination.

(2) Every natural and legal entity, furthermore partnerships which do not have personal legal entity, may organize further education, respectively cooperate in its organization, if their sphere of activities has thus been authorized (hereafter: further education organizer), and they hold the licence prescribed in this decree.

Section 5 (2) Regarding further education every seven years (.)

b) teachers instructing and teaching in the national or ethnic minority language can participate in language preparation in the country according to the national or ethnic minority language, teachers teaching in the target language in dual-language schools can participate in language preparation in the appropriate country according to the target language, and language teachers can participate in language preparation in the appropriate country according to the foreign language

- teachers participating in national and ethnic minority pre-school instruction, school instruction and education can participate in further education related to the teaching of the folk identity in the mother country,
- participate in further education organized on the basis of international conventions.

(3) Where the further education is designed for teachers participating in national and ethnic minority pre-school instruction, school instruction and education, for issuance of the founding licence the minister of culture and education will seek the opinion of the National Committee of Minorities established on the basis of Section 98 Subsection (1) of the education act.

(6) If the further education of teachers participating in national and ethnic minority pre-school instruction, school instruction and education is not resolved, the minister of culture and education – on the initiative of the National Committee of Minorities – publishes an open invitation to tender for the drafting of a further education programme, or for the initiation of further education.

(7) If an external evaluation and efficiency assessment of the system of further education

a) is carried out on further education organized in the area of national and ethnic minority pre-school instruction, school instruction and education, the concerned minority self-government

representative may take part in the programme.

Article 8 i) establishment of a supervisory organization(s) in order to observe the measures and development made in the creation and development of the teaching of the regional or minority languages, and to draft occasional reports on questions of public interest.

The government of the Republic of Hungary established the National and Ethnic Minorities Office (hereafter: Office) with Government Decree 34/1990 (VIII. 30) in order to implement state tasks related to the national and ethnic minorities living in Hungary. The Office is tasked with observing the enforcement of the rights of the minorities deriving from the minorities act, and participation in drafting the governmental programme serving the implementation of the law, and coordinating implementation of the government programme related to the minorities. Besides these tasks the Office cooperates – as prescribed in the government's minorities act – in drafting the report on the situation of the minorities which is then submitted to Parliament every two years.

The Office initiates measures in cases where the rights to the use of language and education rights of minorities have been infringed.

Minority *national self-governments* were established in the wake of the 1994 and 1998 self-government elections. These bodies a) take part in the drafting of the government minority education development programme, and b) offer assessments and, having reached agreement, endorse principle educational material, as well as express a view of proposed government legislation concerning the teaching of minority languages. The *National Committee of Minorities*, which operates alongside the Ministry of Education, was established with the same objective. It is an advisory body formed from professionals delegated by the minorities. No decree connected to the teaching of minority languages can be approved without the Committee's prior agreement.

* * *

Article 8 2. The Parties agree to allow, encourage or establish education in the regional or minority language or the teaching of these languages at all appropriate education levels in those areas which, as regards educational affairs, are not qualified as areas where regional or minority languages are traditionally used, if the number of those using the regional or minority language so warrants.

The paragraphs of the minorities act as detailed above provide the opportunity in education whereby, upon the request of eight parents, it is mandatory to establish the conditions for the teaching of a minority language, or teaching in the minority language. Such initiatives have most frequently arisen in the larger towns and cities of the country. So far there have not been any problems related to the fulfilment of such demands.

Autonomy in higher education extends to the organization of minority language departments too. The Department of Serbian Language and Literature of the Budapest Teacher Training College was thus organized in the last school year. Its launch received the support of the competent department in the Ministry of Education.

Article 9

Judicial authority

1. In those judicial districts where the number of persons using the regional or minority language so warrants, the Parties undertake – in accordance with the situation of all these languages and on condition that the utilization of the opportunities afforded by the present Subsection is not qualified by the judge as an obstacle to the correct and proper procedure of the judiciary –

a) in criminal procedures:

(ii) to guarantee the accused the right to use his/her own regional or minority language, and/or

(iii) ensure that propositions, oral and written evidence are not ruled as inadmissible simply on the grounds that they are in a regional or ethnic minority language, and/or

(iv) on request, that all documents connected to the judicial procedure are provided in the regional or ethnic minority language, and that the employment of the interpreters and use of translations, if necessary, does not represent an additional cost to the interested parties;

b) in civil procedures:

(ii) inasmuch as the party in a case has to appear before the court in person, to permit this party to use his/her own regional or minority language, and that this does not represent an additional cost to this party, and/or

(iii) to permit the submission of documents and evidence prepared in the regional or minority language, if necessary with the assistance of interpreters and use of translations;

c) in matters of public administration, in procedures held before the competent judicial bodies:

(ii) inasmuch as the party in a case has to appear before the judicial body in person, to permit this party to use his/her own regional or minority language, and that this does not represent an additional cost to this party, and/or

(iii) to permit the submission of documents and evidence prepared in the regional or minority language, if necessary with the assistance of interpreters and the use of translations;

In the course of making modifications to the legal regulations of the judiciary, the listed commitments undertaken by Hungary at the time of the ratification of the Charter were built into all levels of the Hungarian judicial system. Thus one can state that the legal statutory background is compliant in this area too. Over the last few years neither the minorities ombudsman nor the National and Ethnic Minorities Office has received any complaint related to the denial of language rights.

The following legal regulations currently in force regulate the use of minority languages in the judicial system (with the exception of acts detailed in the introductory chapter):

Act I of 1973 on Criminal Procedure

Use of the native language

Section 8 (1) Criminal procedure is conducted in Hungarian. Nobody may suffer any disadvantage because of the lack of command of the Hungarian language.

(2) In criminal procedure everybody is entitled to use his/her native language - both orally and in writing.

Section 47 The participation of a defence counsel in criminal procedure is compulsory if

c) the accused is deaf, dumb, blind, mentally disabled or does not have a command of the Hungarian language;

Section 80 (1) If a non-native Hungarian speaker wishes to use his/her native language during criminal procedure, an interpreter must be made available;

Section 150 (1) Instead of minutes, a report may be drafted

a) on the hearing conducted during the detailing of the charge

b) on the questioning of witnesses, visit to the scene of the incident, examination of evidence, the seizure and the body search.

(2) Subsection (1) is not applicable if during the questioning or in the course of the confrontation the non-native Hungarian speaker wishes to use his/her native language.

Section 218 (1) The state (.) also bears those cost arising from the inability of the accused to understand Hungarian, and those which, on the basis of Section 217 Subsections (2)-(3) the court rules as being costs which the accused does not have to bear.

Section 375 (4) The prosecutor and interested parties have to be kept informed of the proceedings; if the interested parties are unknown or cannot be located, or if they do not understand Hungarian, the court orders a representative on their behalf.

In cases where the accused does not have a command of the Hungarian language, as a consequence of regulations (Section 250 II. Paragraph d)) stipulating the mandatory presence of the counsel for the defence, procedural actions are considered invalid where they are conducted in the absence of the counsel for the defence or an interpreter, and the procedural action has to be repeated as does the trial as a whole. Through this regulation the act guarantees that accused parties who do not speak Hungarian may not be sentenced at proceedings where they do not have access to appropriate language (interpretation) and legal (counsel for the defence) assistance.

If the person participating in the procedure (not only the accused, but the injured party and others interested parties) couldn't practice his/her important procedural rights because the authorities contravened the law, this can lead to the annulment of the decision of the first court and the procedure being repeated. Court practice is the same if the procedural authorities do not ensure the right to the use of language.

Re. Section 8, Section 47 Paragraph c) and Section 80 of the act: in case No. 10 of Court Rulings 1989 Fejér County Court stated that according to the correct

interpretation of Sections 8 and 80 of the act, an accused person who is not a Hungarian native language speaker but who is a Hungarian citizen, and who speaks the Hungarian language proficiently, may use his/her own native language in criminal procedure. The accused can signal his/her wish to use his/her own native language at any point in the procedure, from which moment the authority is obliged to arrange for interpretation facilities for the accused. If however the accused does not understand Hungarian, or does not speak Hungarian proficiently, a defence counsel and an interpreter must be officially assigned to the accused.

In verdict 304 of 1994 of the Court Rulings Békés County Court stated that at the time of preliminary arrest it is not sufficient to serve the charge sheet in the Hungarian language to an accused who does not understand Hungarian, because for this reason the accused is not in the position to prepare his/her defence. According to the verdict of the court the charge sheet must be served in the language the accused understands.

In case 353 of 1996 of the Court Rulings Szabolcs-Szatmár-Bereg County Court formulated a position whereby during the course of the investigation an accused person capable of speaking Hungarian but not able to read or write Hungarian is entitled to be questioned in the Hungarian language – insofar as the accused does not request to use his/her native language – but two authorized witnesses must be present for the rereading of the record of the statement, and if this does not happen the statement thus made is considered invalid.

Section 9, Subsection (3) of the new Criminal Procedure Act XIX of 1998 allows for court proceedings to take place in the national minority language.

It is also important to emphasise that the new law, taking on the practical experiences of the courts as already mentioned into the provisions of the act, stipulates that where the accused does not have a command of the Hungarian language, then the part of the charge sheet related to the accused must be translated into the native language of the accused, or on request into a language known to the accused and used earlier in the procedure, and it has to be presented to the court in this form (Section 219 Subsection (3)). The new act also contains similar regulations on the plea (Section 262 Subsection (6)).

Act III of 1952 on Civil Procedure

Guarantees the use of the native language.

Section 8 (1) Hungarian is the language of judicial procedure. Nobody can suffer disadvantage because of the lack of command of the Hungarian language.

(2) Everybody is entitled to use his/her native language in judicial procedure.

Law-Decree 11 of 1979 on the Implementation of Punishments and Measures

Section 2 (1) Only those legal penalties stipulated in the sentence and in law may be employed against a convicted individual.

(2) A convicted individual has the right

- a) to learn the provisions concerning his/her rights and obligations in the native language or other language that he/she knows; nobody may suffer any disadvantage because of the lack of command of the Hungarian language;
- b) to use his/her native language in the course of the implementation of punishment;

Ministry of the Interior Decree 19/1995 (XII. 13) on the Police Detention-Room

Section 2 (8) At the time of arrest the arrested person is entitled to be informed in his/her native language or in another language known to the arrested person in writing, or if warranted verbally

- a) of his/her rights and obligations, and means of exercising such
- b) the detention-room schedule,
- c) means of lodging complaints and requests,
- d) disciplinary offences, permitted disciplinary punishments, their duration, and opportunities for legal redress.

Section 19 (2) It is mandatory to post in each cell the schedule in writing in the native language of the detained individual, or in a language which the detained individual can understand.

Section 27 (4) Any disciplinary procedure – besides ensuring the right to the use of the native language – has to be conducted within five days of the report of the disciplinary offence being received by the person responsible for administering the disciplinary procedure.

Ministry of Justice Decree 11/1996 (X. 15) on the Disciplinary Responsibilities of Individuals under Detention in Penal Institutions

Section 6 (3) During the disciplinary process the detained individual may use his/her native language or other language which he/she understands, and the detained individual has the right to be informed of his/her rights and obligations related to the disciplinary procedure in this language.

Ministry of Justice Decree 6/1996 (VII. 12) on Regulations Concerning the Implementation of Confinement and Custodial Proceedings

Section 2 (3) It is mandatory for the institution to inform the detained individual of provisions related to his/her rights and obligations in the native language or other language that the detained individual knows. The fact that this took place and was understood must be recorded in writing.

The right to the use of the native language in court and administrative procedures is one measure promoting equality of opportunities.

The new criminal procedure act represents a further step forward. According to this, those concerned are entitled to use another language that they have indicated as known in addition to the native language during the procedure. On the basis of Subsection (3) of Section 9 of the act and according to a special legal provision, the national minority language can also be the language of procedure in court.

These regulations are also stipulated in Section 8 of Act III of 1952 on Civil Procedure, which states that nobody can suffer any disadvantage in civil procedure because of the lack of command of the Hungarian language. Everybody is entitled to use his/her native language in court procedures. People who do not speak Hungarian must be provided with an interpreter. In civil procedure, in addition to the above there is an opportunity to submit documents in the minority language.

Article 9 2. The Parties agree that

- a) legal documents prepared in the state may not be ruled as inadmissible simply on the grounds that they are written in a regional or ethnic minority language; or*
- b) legal documents prepared between the Parties in the country may not be ruled as inadmissible simply on the grounds that they are written in a regional or ethnic minority language, and ensure that those interested third Parties who do not speak the language can also be called, on the condition that these interested third Parties will be informed of the content of documents by the person(s) calling on the interested third parties; or*
- c) legal documents prepared between the Parties in the country may not be ruled as inadmissible simply on the grounds that they are written in a regional or ethnic minority language*

Safeguards in the Hungarian legal code mean that nobody taking part in court proceedings but who does not speak Hungarian as his/her native language can suffer any disadvantage because of the lack of command of the Hungarian language. The abovementioned details of regulations serve as special frames which promote compliance with commitments. No such problems have been experienced in Hungarian legal practice in the last few years.

Parliament elected a minorities ombudsman to protect the constitutional rights of the minorities. Individuals, communities and local or national minority self-governments can turn to the minorities ombudsman with their complaints. The minorities ombudsman is empowered to investigate abuses, and to assist this process he/she may gain access to all official documents related to the case, and propose measures to settle the matter, respectively report to Parliament with suggested modifications to the law which caused this unfavourable situation.

So far the ombudsman has not been asked to investigate a single complaint with regard to the implementation of minority language rights.

Article 10

Administrative authorities and public service bodies

1. *In those administrative districts of the state where the undermentioned measures are justified due to the number of persons using a regional or minority language, the Parties, in accordance with the situation of each language, and to a reasonable degree, agree that*
 - a)
 - (v) *they will take care that users of the regional or minority languages can legally file documents in these languages;*
 - c) *allow the administrative authorities to draft documents in the regional or minority languages.*
 2. *Regarding those local or regional authorities in whose regions the number of persons using a regional or minority language warrant the following measures, the Parties agree that they will permit and/or encourage:*
 - e) *the use of regional or minority languages in general assembly debates of regional bodies, which at the same time does not rule out the use of the official language/languages of the state;*
 - f) *the use of regional or minority languages in general assembly debates of local bodies, which at the same time does not rule out the use of the official language/languages of the state;*
 - g) *as regards place names, the use or acceptance of the traditional and correct forms in the regional or minority languages, and if necessary used together with the name according to the official language(s).*
 3. *Regarding the administrative authorities or public service bodies operated by other individuals acting in their (the administrative authorities) name, the Contracting Parties, in areas where the regional or minority languages are used, in accordance with the situation of each language, and to a reasonable degree, agree that*
 - c. *they will allow those who use the regional or minority languages to file a request in these languages.*

The minutes and resolutions of the representative body of a settlement where individuals belonging to a minority live may be conducted, respectively drafted in the given minority language as well as in Hungarian.

It is mandatory for settlement self-governments, in compliance with the self-government act and the demands of the local minority self-government operating in the relevant territory, to guarantee that

- a. the announcement of decrees and the posting of announcements take place in the minority's native language, in addition to Hungarian;
- b. official forms used in the course of the public administration process are also made available in the minority native language;
- c. writing on signs indicating place and street names, public offices, and the name of bodies carrying out public services or communications related to their operation can be read, in addition to the Hungarian language text and style, and with the same content and form, in the minority native language as well.

One of the basic principles of Act IV of 1957 on State Administrative Procedures prescribes that in state administrative procedures everybody is entitled to use his/her native language - both orally and in writing. Nobody may suffer any disadvantage because of the lack of command of the Hungarian language.

It is mandatory for settlement self-governments, in compliance with the provisions of the minorities act and the demands of the local minority self-government operating in the relevant territory, to guarantee that writing on signs indicating place and street names, public offices, and the name of bodies carrying out public services can be read, in addition to the Hungarian language text and style, and with the same content and form, in the minority language as well.

The specifications of local authority powers for settlement self-governments also contain the same obligations.

In Hungary even before the drafting of the minorities act it was common practice for place name signs to appear in the native languages of the minorities. In 1980 the names of about 180 settlements appeared in the minority population's native language for the first time, and since then ever more settlements have included the name of the settlement in the minority language as well. From 1993 dual-language written signs appeared in settlements inhabited by minorities.

Article 9 4. With regard to the implementation of the approved provisions of Subsections 1, 2 and 3, the Parties agree to pass one or more of the following measures:

- a) *incidental necessary translation or interpretation;*
- c) *to meet as far as is possible those demands in areas where a regional or minority language is used calling for the appointment of public officials who understand the regional or minority language.*

Section 54 of the minorities act states that when filling local public official and public employee posts, the employment of individuals with a knowledge of the native language of the given minority should be guaranteed. The national self-governments of the minorities have not reported differences in practice to either the minorities ombudsman or the National and Ethnic Minorities Office.

In line with the demands of the settlement minority self-governments it is mandatory for the settlement representative body to make public its decrees, decisions influencing the life of the minority, and minutes of its sessions in the native language of the minority as well, and to guarantee the employment of the minority language in public life. The legal rights of the local minority self-governments prescribed in the minorities act guarantee implementation of the provision.

Specialist language training of public officials speaking the minority languages has only been partly resolved. The German and Slovak national self-governments have already taken steps in this direction, naturally with the active assistance of the mother countries.

Article 10 5. The Parties agree to allow, on request, the use and registration of family names in the regional or minority languages.

According to the minorities act individuals belonging to a minority have the right to freely choose their own and their children's first names, to register their family and first names in line with the rules of their native language, and, within the framework defined in the legal regulations, to have them appear in official documents. In the case of registration not occurring in the Latin alphabet, the phonetic Latin-style alphabet must be used at the same time. It is also possible to request issuance of registration and other personal documents in two languages.

Authoritative guidelines for employment in Registry administration and the form of the extraction of the registration appropriate to the use of the name by the nationality were included in the minorities act.

The government, at its meeting of 28 January 1999, amended the Government Decree 147/1993 (X. 26) on Temporary Provisions for Keeping Records and on the Issuance of Personal Identity Cards. Section 1 of the decree was supplemented with a new paragraph, 4, according to which the name of the individual belonging to a national or ethnic minority in Hungary has to be registered in his/her identification card in two languages according to the aforementioned paragraph of the minorities act, on the basis of the dual-language registration documents.

Legal regulation in Hungary guarantees the opportunity for individuals to change their family or first name or to change it back to their earlier family or first name. In order to do this a simple request must be submitted to the Ministry of the Interior where, in practice, it will be authorized without delay.

In the course of modifications to the act on duties with Act LX of 1998, in registry procedures the issuance of certificates is free of charge if any Hungarian citizen requests a correction of his/her name in the Registry in a minority language.

There is no statistical information on the number of amendments carried out – on the basis of the act – in the registry office and on dual-language registration. On the basis of indications from registrar managers, however, the number of people taking

advantage of the opportunity guaranteed in the law and making such applications is minimal.

The legally-binding Law-Decree 17 of 1982 on the Register, Marriage Procedures and Name Bearing stipulates in relation to name bearing and the Register that the family and given names which the individual concerned bears at the time of birth, marriage or death should be registered in the Register. It is allowed to enter into the Register, in the order determined by the parents, a maximum of two, unless otherwise stipulated by legal regulations, given names appropriate to the sex of the child and listed in the Hungarian Book of Given Names, complemented by nationality given names. Minorities living in Hungary - without verification of belonging to a nationality - can bear given names appropriate to their nationality.

Article 11

Means of mass communication

- 1. For those who use regional or minority languages in the areas where these languages are used and according to the situation of all of these languages, to the extent that the public offices have in an indirect or direct manner a sphere of influence, and authoritative legal sphere of influence, or role, in this area, and respecting the principles of independence and autonomy of the means of mass communication, the Parties agree*
 - a) to the degree that radio and television provides a public service*
 - iii) to take the appropriate measures so that programmes in the regional or minority languages are also included in their broadcast schedules;*
- b)*
 - (ii) to encourage and/or facilitate the regular transmission of radio programmes in the regional or minority language;*
- c)(ii) to encourage and/or facilitate the regular transmission of television programmes in the regional or minority language;*

In the mass media it is primarily the public service radio and television which prepare broadcasts in the minority native languages. Hungarian language subtitling allows those who do not speak the language, or who speak the language only poorly, or Hungarian viewers to understand the programme.

The broadcasting act establishes that public service broadcasters have the obligation to prepare programmes presenting the culture and lifestyle of the minorities. One of the mandatory services of public service providers is to provide information in the native language. This can be achieved in national or (taking into consideration the geographical location of the minority) regional or local broadcasts, with the number of

broadcasts appropriate to the minority demand, and with subtitling on television or multi-language transmissions if necessary.

The act determines which type of programmes may be supported in public service broadcasting. Figuring among these are programmes in the languages of the national and ethnic minorities.

The act stipulates that the duration of programmes in the languages of the minorities cannot decrease. The national self-governments of the national and ethnic minorities decide independently on the principles of the use of programme time available with the public service programme provider. The act makes it obligatory for the public service programme provider to take into consideration the decision of the minority self-government.

The act stipulates that the programming licence can be acquired via tender. The conditions of the invitation to tender must satisfy the programme demands of national and ethnic minorities, if in the given reception area the freedom to provide and receive information and cultural variety does not exist. The invitation to tender should contain the average planned time each month for programmes serving minority interests.

Non-profit organizations which are in the exclusive ownership of the national self-governments of national or ethnic minorities may be entitled to receive programming rights without resorting to the tendering process if the native language information demands of the minorities are not ensured in the reception area.

Hungarian Television introduced the provisions relating to minorities contained in the Act on Radio and Television Broadcasting into its Public Service Broadcasting Regulations.

Hungarian Television has transmitted minority programming since 1978. (At first broadcasts were prepared for the Croatian, German, Serbian and Slovenian minorities, and Romanian and Slovakian language programmes have also been transmitted since 1982). Television programmes are regularly broadcast once a week for the Croatian, German, Romanian and Slovakian minorities, and every two weeks for the Serbian and Slovenian minorities. Broadcasts last 25 minutes. They are transmitted in the afternoon on different days of the week on the national terrestrial channel, MTV 1. The broadcasts are repeated on Saturday mornings of the given week on the satellite channel MTV 2.

Hungarian Radio transmits programmes in Croatian, German, Romanian, Serbian, Slovakian and Slovenian. The Slovakian minority has the greatest amount of programming time (870 minutes weekly). The Croatian, German and Romanian minorities each have 840 minutes programming time weekly. The Serbian minority has 420 minutes broadcasting time weekly, and the Slovenians 60 minutes of minority programmes a week broadcast by public service Hungarian Radio.

Radio and television studios owned by the settlements' self-governments and other operators regularly broadcast minority language programmes:

- Baja Community TV transmits programmes in German
- Sátoraljaújhely Zemplén TV, Tótkomlós Komlós TV, and Békéscsaba Csaba TV transmit in the Slovakian language,
- Gyula Radio also transmits programmes in Romanian.

More than 30 local editorial boards handed in subsidy claims for the invitation to tender published in 1998 by the Public Foundation for National and Ethnic Minorities in Hungary (hereafter: Public Foundation for Minorities) for preparing and broadcasting local minority programmes. The board of trustees has ensured support for the preparation of programmes in the Croatian, German, Romanian, Serbian and Slovakian languages.

Article 11

e) (i) encourage and/or facilitate the establishment and/or maintenance of at least one press medium using the regional or minority languages, or

f) (i) if in general the legal regulations permit financial support of mass communications, cover the additional costs of mass communication means using the regional or minority languages,

The press in the Republic of Hungary has been publishing in the minority languages for decades. Due to the continuous decline in readership numbers these press products cannot be published on a market basis, and for this reason between 1991-1994 the budget act marked as a special item a separate resource to be used for subsidising the minorities' written press. As from 1995, material support has come from the Public Foundation for Minorities.

The Public Foundation for Minorities offers budgetary support to at least one nationally distributed paper for each of the groups of people. The amount of support in 1998 was as follows:

Minority readership, title of the paper (publication frequency)	Total support provided in 1998
Croatian - Hrvatski Glasnik (weekly)	HUF 22,727,000
German - Neue Zeitung (weekly)	HUF 25,828,000
Romanian - Foaia Romaneasca (weekly)	HUF 16,208,000
Serbian - Srpske Narodne Novine (weekly)	HUF 22,968,000
Slovakian - •udové noviny (weekly)	HUF 22,727,000
Slovenian - Porabje (biweekly)	HUF 6,733,000

Besides supporting nationally distributed papers material assistance is provided for the publishing of local or regional written press papers in the minority languages, furthermore the publishing of supplements and articles written in the minority languages and appearing in local or regional Hungarian-language papers.

The minority self-governments or their organizations own all the nationally distributed minority papers.

Over and above this the Public Foundation for Minorities provides financial support for the editorial board of the national daily *Magyar Nemzet* in order to publish four-page, monthly supplements covering minority topics, occasionally in a minority language.

The electronic media also receives budgetary support for carrying out services related to the minorities. This support goes to regional studios preparing broadcasts in the minority languages.

Article 11 g) support the training of journalists and other personnel in mass communications means using regional or minority languages.

Each year the Public Foundation for Minorities publishes an invitation to tender for minority students studying in institutions of higher education. Among those students who received support on the basis of the decision of the board of trustees are young people already active in the press and others preparing themselves for a career as journalists.

Each year the Ministry of Education of the Republic of Hungary publishes an invitation to apply for scholarship for young minority individuals to undergo training in the mother country. A significant proportion of journalists working today in the minority language press completed their training in journalist departments in the mother country on such scholarships.

Article 11 3. The Parties shall ensure that the interests of those who use the regional or minority languages shall be taken into consideration in those bodies established in compliance with the laws that guarantee the freedom and plurality of the means of mass communication.

In compliance with the broadcasting act one member of the national and ethnic minorities national self-governments in Hungary may be delegated to the Hungarian Radio Public Foundation Board of Trustees, and one member to the Hungarian Television Public Foundation Board of Trustees.

The minorities delegated one member to the Hungarian Television Public Foundation Board of Trustees in 1996. In 1997 the national self-governments of the minorities did not avail themselves of their right to delegate a member before the pre-set deadline. In 1998 a Serbian representative was delegated to the board of trustees of the public service Hungarian Television.

The right to delegate a member to the Board of Trustees of the Hungarian Radio Public Foundation and Duna Television Public Foundation was similarly passed up in 1997. In 1998 a Polish minority representative was delegated to the board of trustees of Duna Television.

Article 12

Cultural activities and cultural institutions

1. *As regards cultural activities and cultural institutions, in particular libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, literary and film works, the cultural self-expression of the people, festivals, and – including amongst other the use of new technologies – the cultural sector, in those areas where these languages are spoken and to the extent the authorities have a sphere of influence and authoritative legal sphere of influence or role, the Parties agree*
 - a. *to encourage self-expression in the regional or minority languages, or initiatives aimed at this, and to promote the different means of presenting art works created in these languages;*
 - b. *to support the different means of presenting in other languages those works of art created in the regional or minority languages, with the assistance and development of translations, synchronization, post-synchronization and subtitling;*
 - c. *to support the different means of presenting in the regional or minority languages those works of art created in other languages, with the assistance and development of translations, synchronization, post-synchronization and subtitling.*

In compliance with Section 49 of the minorities act the organizations and national self-governments of the minorities are entitled to conduct public education activities, and to establish and maintain public education institutions. Budgetary support may be requested for these activities.

A network of minority libraries ensures the supply of minority native language literature. In those settlements where minorities live but where a minority self-government was not elected, the settlement self-government is responsible for supplying the minority population with native language library material.

Section 49 of the minorities act guarantees the right of the minorities to establish public collections with a nation-wide coverage, minority theatres, museums, libraries, publishing houses, national cultural, art and scientific institutions.

The state predominantly supports the culture of the minorities. State funding reaches target communities and those communities preserving, nurturing and developing minority language culture in different ways, through public foundations and via ministerial budgets.

The majority of financing expressly going to support the culture of the minorities appears in the budget of the Public Foundation for Minorities, and a smaller part in the budget of the National and Ethnic Affairs Division in the Ministry of National Cultural Heritage. These resources regularly and continuously appear in the annual budget of the Republic of Hungary.

However, tender-based target supports mentioned above account for only a small part of total financing of minority culture. State budgetary contributions which can be employed in the operation of cultural institutions amount to a multiple of the mentioned resources, but these are received by the settlement self-governments and are used to finance their own institutions and mandatory public education responsibilities.

Educational institutions located in regions and settlements also populated by minorities can be split into two clearly differentiated groups. One group includes those cultural institutions for which – as far as obligations regarding the minorities living in the settlement go – it is sufficient to provide for in a passive manner, merely guaranteeing the infrastructural background.

The second, larger group, are active institutions. These, over and above the fact that they provide the institutional background for the minorities' own initiatives, also arrange their own programmes for the benefit of the minority population.

There are also cases where certain minorities, using rights given them in law, establish their own educational institutions. These are primarily located in the larger settlements. In these cases generally the headquarters of the minority self-governments and associations are established in the same building, the minority language library moves here, possibly a video library, and cultural events of the minorities tend to concentrate here as well. Examples of such institutions:

- the Lénau House in Pécs, for the German minority,
- the Békéscsaba Slovak Cultural House.

All six minorities under discussion have minority native language library services. The local community public libraries and school libraries maintained by the settlement self-governments occupy the basic level of the system. In general these institutions face great difficulties, with minimal resources available for the acquisition of books. Assistance in making up the shortfall in acquisitions, or at least a part of the shortfall, came from an invitation to tender published by the Public Foundation for Minorities last year.

The intermediate level of the supply system comprises 17 nationality base libraries which carry out professional organization and collection development programmes. Each base library maintains contacts with the settlement libraries in its region, making sure that all requests are met through a system of inter-library loans.

The National Foreign Language Library deals with national duties related to the supply of the minority libraries (further training, consultation on expanding collections, professional-methodological approaches, the provision of professional

bibliographies and other centralized services) and with the general development of the supply system.

Native language book publishing for the Croatian, German, Romanian, Serbian, Slovakian and Slovenian minorities in Hungary is based almost entirely on central budgetary support. There have been experiments backed by local and minority self-governments and foundations, although these are capable of assisting in publishing to a limited degree only.

A significant proportion of the financing of book publishing in the minority languages derives from state resources, through invitations to tender and with the participation of the Ministry of National Cultural Heritage, the Ministry of Education and the Public Foundation for Minorities. Until 1997 the Nationalities Editorial Council, which consists of representatives of the national self-governments of the minorities, decided on the granting of ministerial support. In 1998 the Ministry of National Cultural Heritage called upon a professional body to carry out this task.

The minority organizations and self-governments publish books in minority languages. The Cultural Association of Romanians in Hungary established a Romanian publishing company called *Noi* in 1992, and the Serbian Democratic Alliance established a Serbian publisher under the name *Izdan* in 1993. Other publishers also publish books in minority languages (e.g. Etnikum Publisher – publications in Slovakian, Croatian and German; Útmutató Publisher- publications in Slovakian and German; and Comp-press Publisher).

The Public Foundation for Minorities similarly uses invitations to tender as a means to support publications in the minority languages, and publishing in Hungarian which is important from the point of view of gaining an understanding of the minorities.

The last few years have seen the two abovementioned institutions shift support away from written publications and rather towards the publication of video recordings and CD ROMs, as well as the production of documentary-type films.

Support for minority language theatrical productions also features in the budget of the Ministry for National Cultural Heritage. Plays performed at the Deutsche Bühne in Szekszárd (in German), the Croatian Theatre in Pécs and the Joakim Vuity Serbian Theatre in Pomáz all receive support after submitting tenders. The Public Foundation for Minorities also supports minority language theatrical performances and the staging of theatrical productions from the mother countries of minorities in settlements around Hungary where minorities live.

In the last few years television productions broadcast for the minorities on public service television have been accompanied by on-screen subtitling in Hungarian.

Furthermore the Public Foundation for Minorities has supported through tenders the translation from minority languages into Hungarian of those publications which the given minority considers important to receive a wider readership.

In 1997 the National Cultural Fund invited tenders for support aimed at popularizing Hungarian literature in foreign languages. The tender was not primarily designed to supply the minorities living in Hungary with literature in their native languages, although some of the publications which appeared in German, Slovakian and Romanian (we know of support for translations into these languages) certainly ended up with minority readers living in Hungary.

Article 12 1. f) to support the direct participation of representatives of users of the regional or minority languages in ensuring the means and in the planning of cultural programmes;

Minority language and literature studies have been conducted in Hungarian higher education for several decades. Graduates are awarded a language and literature teaching degree and they also fulfil to a certain extent the demands for specialists in educational institutions. At the same time the Ministry of Education offers scholarships to young minority individuals interested in the departments of librarianship, museology and archives to gain a diploma in the mother country (language country). Scholarships are also open to those interested in different forms of artistic training in the mother country.

Language and professional further training for those working in education is arranged by the Hungarian Cultural Institute (hereafter: HCI).

Ministry of Culture and Education Decree 1/1992 (I. 20) MKM on the Establishment of the Hungarian Cultural Institute establishes that the Institute's tasks are as follows:

Section 1 The minister of culture and education does establish the Hungarian Cultural Institute (hereafter: Institute) on 1 January 1992 with the purpose of analysing the cultural activities conducted in communities, settlements, associations, social organizations and cultural institutions; establishing development programmes for the creation of the conditions for community culture; supporting new cultural initiatives; the creative passing on of the living cultural traditions of folk art as an integral part of universal culture, of the Hungarians and of the nationalities living in the country; mediating the cultural values of Hungarians living beyond the border and of neighbouring countries, and establishing cooperation between their cultural institutions and organizations.

Section 2 The tasks of the Institute:

- the training and further training of cultural professionals;
- promoting cultural community development and settlement development activities;
- adult education, training courses outside school, folk colleges, amateur artistic movement, educational methodology;

Following the establishment of the Institute the government of the Republic of Hungary, with a view to the tasks related to the cultural life of the minorities, drafted

Resolution 1012/1992 (III. 11) which created an independent national and ethnic minority department within the Institute charged with overseeing professional duties related to the cultural activities of the minorities.

In the wake of an examination of the activities of the Institute the Deed of Foundation of the Hungarian Cultural Institute is due to be modified, although it is not expected that this will lead to any narrowing of the tasks related to the minorities.

In questions concerning the nurturing of local traditions and culture, the representative body of the settlement self-government can reach a decision only with the full agreement of the local minority self-government representing the minority population. On a national level this sphere of authority is due to the national self-governments of the minorities.

The minority organizations and self-governments take an active part in the organization of local, regional and national cultural events. The state offers support to the cultural events of the minorities through tenders published annually by the Public Foundation for Minorities and the Ministry of National Cultural Heritage.

Article 12 1. g) encourage and/or facilitate the establishment of such an organization/such organizations which would be responsible for the collection and securing of works of art created in the regional or minority languages, and for their presentation to the general public;

The collection of literary works created in the languages of the minorities and making such works available to the reading public is the task of the National Széchényi Library. In compliance with Act CXL of 1997 on the Protection of Cultural Goods and Museum Institutions, the Supply of Public Libraries and Public Education, six copies of every publication published in the territory of the country must be deposited with the National Széchényi Library.

In the area of museums, an institutional network capable of collecting, providing primary research and finally presenting the history, cultural traditions and representative ethnographical material of the Croatians, Germans, Romanians, Serbians, Slovakians and Slovenians was formed in the 1980s.

Currently there are three base museums: the German Nationality Museum in Tata is the central collection and research centre for the material of the Germans living in Hungary, the Munkácsy Mihály Museum in Békéscsaba for the Slovakian and Romanian minorities, and the Kanizsai Dorottya Museum in Mohács for the Croatians and Serbians living in this country. Besides these there are 12 minority German museums, one Slovenian and one Romanian museum. Around 40 regional houses designed to accommodate local minority collections and maintained by the local self-governments have been established. The Museum of the Hungarian Orthodox Church in Miskolc and the Serbian Ecclesiastical Art Collection in Szentendre boast rich material recalling the religious lives of the minorities.

In addition to the listed institutions, other museums have material related to the minorities. Among them perhaps the most important is the Hungarian Museum of Ethnography, which hosts the Hungarian Ethnographical Society Nationality Group. This research group publishes a series on the ethnographical findings of the national minorities, first and foremost a richly illustrated publication detailing research in the minority languages.

Television programmes in the minority languages are stored in the archives of the Regional Studios of Hungarian Television. Access to this material is restricted, primarily for financial reasons.

The situation is the same for minority programmes prepared by the Hungarian Radio. Last year minority editorial offices attempted to have these programmes – either partly or in their entirety – published in print, although (again for lack of financial resources) we are still awaiting these publications.

Article 12 2. Regarding those areas which fall outside the areas where the regional or minority languages are traditionally used, the Parties agree that in accordance with the preceding paragraph they will permit, encourage and/or guarantee appropriate cultural activities and cultural establishments if warranted by the number of those using the regional or minority language.

Croatians, Germans, Romanians, Serbians, Slovaks and Slovenians living in Hungary are to be found scattered throughout the entire territory of the country. As such, in the course of ratifying the Charter the Republic of Hungary is warranted in applying the commitments related to the languages of the minorities across the country as a whole. Thus separate measures are not necessary as regards the above point. Any such demands are met in part by the minority civil organizations, and in part by the minority self-governments. Experience shows that, for instance in Budapest where not one of the minorities listed above lives in any great proportion, minority cultural programmes tend to be concentrated.

Article 12 3. The Parties agree to guarantee an appropriate position in their foreign cultural policy to the regional and minority languages and the culture implicit in these languages.

The Republic of Hungary endeavours to establish Hungarian cultural institutes in the capital cities of the mother countries of all the minorities living in Hungary, and where possible in the more important larger towns as well. In compliance with Section 2 Subsection (2) Paragraph h) of Government Decree 101/1997 (VI. 13) on Hungarian Cultural Institutes Abroad, Hungarian institutes operating abroad assist in the presentation of the educational and cultural achievements of the national and ethnic minorities living in Hungary, and in the nurturing of institutional contacts which promote this objective.

The minutes of sessions of the minority joint commissions (established on the basis of agreements signed between the Republic of Hungary and the mother countries of the

minorities) contain proposals that the Hungarian cultural institute operating in the given country should promote in the mother country a broad-based presentation of the culture of the minority living in Hungary. Experience garnered over the past few years shows that the institutions of the mother countries are also interested in the culture of the minorities living in Hungary, and thus they too approach the Hungarian cultural institutes operating in their countries with these requests.

Article 12

Economic and social life

1. Regarding economic and social activities, the Parties, with a view to the entire country, agree that

a) they will eliminate from their legislation every provision which forbids or limits without justification the use of the regional or minority languages in the documents of economic or social life, especially in work contracts and in technical documents such as the users' guides for products and equipment.

Every minority language may be used without restriction in both official and private life in the Republic of Hungary. Since there is no statute which regulates the official language, there is no similar valid regulation in economic life which specifies the language of relations within companies, respectively between companies. The sole regulation which could be highlighted here is Section 51 Subsection (1) of the minorities act which states: "In the Republic of Hungary everyone may use freely, at any time and anywhere, his/her native language."

Section 5, Subsection (1) of Act XXII of 1992 on the Labour Code stipulates that it is prohibited to discriminate between employees in connection with employment according to their gender, age, nationality, race, origins, religion, (.). Discrimination deriving from the nature of the work does not qualify as disadvantageous discrimination.

Regulations covering economic life in Hungary do not contain any form of prescription, respectively prohibition on the use of language. The Hungarian language or any of the languages spoken by the minorities living in Hungary are used in dealings in domestic and international business according to the economic interests of the enterprises.

Most minority self-governments have endeavoured, and continue to strive, to use the native language and the system of contacts in the mother country when mediating between entrepreneurs belonging to the given minority and partners from the mother country (language country). Each year the minority self-governments organize meetings of entrepreneurs at national and regional level. These events, utilizing existing language capabilities, can assist the minority entrepreneurial sphere to link in to international economic cooperation.

The Hungarian economy is a market economy and the role of the state is restricted and its influence is gradually declining. In those areas of economic life where there is a

specific economic interest, both independent players in the economy and the state promote the publication of invitations to tender and privatization tenders in the languages of the minorities. Recently such tenders have typically appeared in the German language, although there have been instances of invitations to tender published in Romanian too.

Article 13

Exchange contacts beyond the borders

The Parties agree that

- a) *they will employ existing bi- and multilateral agreements containing obligations against such states where the same language is used in the same or similar form or – if necessary – they will strive to sign agreements promoting contacts between the users of the same language living in the concerned states in the area of culture, education, information, professional training and further education;*
- b) *in the interest of the regional or minority languages, they facilitate and/or support cooperation beyond the borders and particularly cooperation between regional or local bodies in those areas where the same language is used in the same or similar form.*

The Republic of Hungary endeavours to maintain correct partner relations with the mother countries of minorities living in the territory of the Republic of Hungary. In the course of drafting conventions to be signed between Hungary and the mother country of one of the minorities, the opinions of the given minority are sought, and every effort is made to see that the demands of the minorities are asserted in the final text of the convention.

The Treaty on amicable cooperation and partnership in Europe signed with the *Federal Republic of Germany* was the first such agreement to be signed with a mother country of one of the minorities living in Hungary. The Treaty refers to the basic principles laid down in the document drafted at the meeting of the Organization for Security and Cooperation in Europe in Copenhagen. It declares that the German minority living in the Republic of Hungary may freely use its native language, and it has the right to disseminate, exchange and access information in its native language. In the Treaty the Republic of Hungary undertakes to protect and strengthen the identity of the German minority living in the territory of the country with concrete supportive measures.

The Treaty also contains reference to the fact that the two Parties will provide wide-ranging opportunities to allow those interested to gain an understanding of the language and culture of the other country, and to distribute the literature of the other country in the original language and in translation.

The contracting Parties expressed their willingness to assist in the teaching of the language of the other Party in the country at all levels, and to support the establishment of dual-language schools.

The Treaty on amicable cooperation and partnership in Europe signed between the Republic of Hungary and the Federal Republic of Germany was promulgated by Parliament in Act LXXIX of 1995.

The next convention guaranteeing support for the minority languages was the Treaty on friendship and cooperation signed between the Republic of Hungary and the *Republic of Slovenia* on 1 December 1992.

This document also contains references to the standards accepted at the Copenhagen meeting of the Organization for Security and Cooperation in Europe. The Treaty guarantees the language and cultural rights of the Hungarian, respectively Slovenian minority living in the territory of the two countries. The two Parties also make mention of their intention to allow the free distribution and availability of press organs published in the languages of the two countries.

The Treaty was promulgated by Parliament in Act XLVI of 1995. Following this the two countries signed an Agreement on the assurance of special rights of the Slovenian national minority living in the Republic of Hungary and of the Hungarian national community living in the Republic of Slovenia. This Agreement ensures wide-ranging language rights to the minorities.

The two Parties to the convention established a minority joint committee to oversee the implementation of the rights of the minorities; the committee's members include representatives of the Slovenian minority in Hungary and the Hungarian minority in Slovenia.

Parliament promulgated the Agreement on the assurance of special rights of the Slovenian national minority living in the Republic of Hungary and of the Hungarian national community living in the Republic of Slovenia in Act VI of 1996.

A Treaty on amicable relations and cooperation with the *Republic of Croatia* was signed on 16 December 1992. The Treaty guarantees the rights of the minorities to the use of their language and the right to the freedom of distribution of press organs appearing in the respective languages and published in the two countries. The contracting Parties support the intensification of educational, scientific and cultural cooperation between the two countries.

Parliament promulgated the Treaty on amicable relations and cooperation signed between the Republic of Hungary and the Republic of Croatia in Act XLVII of 1995.

Following the signing of the Treaty the two countries worked on an Agreement on the protection of the rights of the Croatian minority living in the Republic of Hungary and the Hungarian minority living in the Republic of Croatia. This document also contains commitments protecting the individual and collective rights of the two minorities. In compliance with the conditions of the Agreement a minority joint committee was established with the purpose of overseeing the implementation of minority rights including language rights; the committee's members include representatives of the Croatian minority in Hungary and the Hungarian minority in Croatia.

The Agreement between the Republic of Hungary and the Republic of Croatia on the protection of the rights of the Croatian minority in the Republic of Hungary and Hungarian minority in the Republic of Croatia was promulgated by Parliament in Act XVI of 1997.

The Republic of Hungary signed a Treaty on good neighbourly relations and amicable cooperation with the *Republic of Slovakia* in Paris on 19 March 1995. Article 12 of the Treaty regulates the system of cultural contacts between the two countries, and ensures the freedom of institutions, unions, associations, settlements, self-governments, groups established on the initiative of citizens, respectively cooperation between individuals based on mutual demands and interests

The contracting Parties support cooperation between educational, other cultural institutions and scientific research institutes, and on the basis of agreement they recognize school-leaving certificates and qualifications awarded in each other's countries, as well as diplomas certifying the achievement of scientific degrees.

Likewise, the Parties will endeavour to expand the opportunities to obtain an understanding of the culture, literature and language of the other contracting Party in institutions of higher education.

All of Article 15 of the Treaty is devoted to activities conducted in order to protect the minorities of the two countries. The provisions in the article serve to reinforce the validity of related international conventions ratified by the two countries, and itemise the rights of the Hungarian, respectively Slovakian minority living in the two countries. These rights are in complete harmony with the document drafted at the Copenhagen meeting of the Organization for Security and Cooperation in Europe, with United Nations General Assembly Declaration 47/135 on the Rights of People of National or Ethnic, Religious and Language Minorities, as well as Recommendation No. 1201 (1993) of the Parliamentary General Meeting of the Council of Europe. The Parties adopt as legal obligations the norms and political obligations stipulated in the two international documents.

The Treaty between the Republic of Hungary and the Republic of Slovakia on good neighbourly relations and amicable cooperation was promulgated by Parliament in Act XLIII of 1997.

In line with the provisions of the Treaty a Hungarian-Slovakian minority joint committee was formed in 1999; the committee's members include representatives of the Slovakian minority in Hungary and the Hungarian minority in Slovakia.

A similar convention between the Republic of Hungary and *Romania* was signed in Timisoara on 16 September 1996. This agreement also contains articles defining the frames for cultural and scientific cooperation, and points guaranteeing the rights of the minorities. With regard to the minorities living in the two countries the Treaty adopts as a legal obligation the regulations defining the rights of individuals belonging to the national minorities as contained in United Nations General Assembly Declaration 47/135 on the Rights of People of National or Ethnic, Religious and Language

Minorities and Recommendation No. 1201 (1993) of the Parliamentary General Meeting of the Council of Europe.

In accordance with the above the Parties to the Treaty agree to respect the rights of the minorities to the use of their languages, the right to access native language information, the right to participate in politics, cultural rights and the right to maintain contacts across the borders.

The Treaty between the Republic of Hungary and Romania on understanding, cooperation and good neighbourly relations was promulgated by Parliament in Act XLIV of 1997.

All the above conventions guarantee the free and unhindered maintenance of contacts between individuals, organizations, self-governments and institutions belonging to the minorities living in the territories of the countries. They encourage the expansion and strengthening of cultural and economic cooperation.

The minorities act provides the opportunity for minorities to maintain contacts with groups of people with the same language and culture in the same way as the contents of the listed bilateral conventions but in an expanded form when it declares that individuals belonging to minorities have the right to maintain contacts with the state and community institutions of the mother countries and language nations, as well as with minorities living in other countries.

Up until the time of the ratification of the Charter, of the listed minority languages in Hungary only the bilateral convention related to the Serbian language and serving to guarantee minority rights had not been signed.

State bodies and organizations devote enormous attention to the culture and language of all the minorities living in the territory of the Republic of Hungary. Guarantees of the rights of minorities are based on the international documents signed and ratified by Hungary as well as in the system of legal regulation in Hungary. The minorities ombudsman, the National and Ethnic Minorities Office, and the national and local self-governments of the minorities are particularly involved in ensuring the implementation of the rights of minorities. On the basis of the experience of the past decade it is possible to state categorically that the language, cultural and political rights of the minorities living in Hungary are not questioned by any social grouping or political force in Hungary today. Indeed, one can say that minority policy belongs to that part of public life where we find the broadest consensus of opinion.