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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN HUNGARY

5th monitoring cycle

- A. Report of the Committee of Experts on the Charter**
- B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Hungary**

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making recommendations for improving its language legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a Party is required to submit to the Secretary General. The report should be made public by the State. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee of Experts' role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee of Experts gathers information from the respective authorities and from independent sources within the State, so as to attempt to obtain a fair and just overview of the real language situation. After a preliminary examination of an initial periodical report, the Committee of Experts submits, if necessary, a number of questions to each Party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot visit" by a delegation of the Committee of Experts to the State in question. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention. This information-gathering process is designed to enable the Committee of Experts to evaluate more effectively the application of the Charter in the State concerned.

Having concluded this process of collecting information, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers, together with suggestions for recommendations that the latter may decide to address to the State Party.

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A. Report of the Committee of Experts on the application of the Charter in Hungary

adopted by the Committee of Experts on 16 November 2012
and presented to the Committee of Ministers of the Council of Europe
in accordance with Article 16 of the Charter

Chapter 1 Background information

1.1 The ratification of the Charter by Hungary

1. The Republic of Hungary signed the European Charter for Regional or Minority Languages (hereinafter referred to as “the Charter”) on 5 November 1992 and deposited its instrument of ratification (see Annex I) on 26 April 1995. The Charter entered into force in Hungary on 1 March 1998 and was published in the Official Gazette, Volume 1999, No. 34. In a declaration of 24 June 2008, the Government of the Republic of Hungary undertook, in accordance with Article 2.2 of the Charter, to apply provisions of Part III of the Charter in respect of the Romani and Beás languages.

2. Article 15, paragraph 1 of the Charter requires States Parties to submit three-yearly reports in a form prescribed by the Committee of Ministers. The Hungarian authorities were expected to present their fifth periodical report to the Secretary General of the Council of Europe in January 2012 and they presented it on 5 March 2012.

3. In its previous report (ECMRL[2010]2), the Committee of Experts of the Charter outlined particular areas where policies, legislation and practice could be improved. The Committee of Ministers took note of the report presented by the Committee of Experts and adopted recommendations (RecChL[2010]3), which were addressed to the Hungarian authorities.

1.2 The work of the Committee of Experts

4. The present report is based on the information obtained by the Committee of Experts from the fifth periodical report of Hungary as well as through interviews held with representatives of national minority self-governments in Hungary and governmental representatives during the on-the-spot visit, which took place from 10 to 12 September 2012. This report is based on the policies, legislation and practice prevailing at the time of the on-the-spot visit. Any later changes will be taken into account in the next report of the Committee of Experts concerning Hungary.

5. The Committee of Experts will firstly focus on the measures taken by the Hungarian authorities to respond to the recommendations addressed to the Hungarian government by the Committee of Ministers and then recall the outstanding issues raised in the fourth monitoring cycle regarding Hungary’s compliance with the provisions of Part II and Part III of the Charter. It will also highlight new issues detected during the fifth monitoring cycle.

6. This report was adopted by the Committee of Experts on 16 November 2012.

1.3 Presentation of the regional or minority language situation in Hungary: up-date

7. The Committee of Experts has neither received new official data on the number of minority language users, nor updated estimates from bodies or associations legally established in Hungary. A new census was carried out in 2011, but the results were not yet known at the time of the on-the-spot visit. The Committee of Experts understands from the information received by the authorities that the results will be available at the beginning of 2013. During the on-the-spot visit, several representatives of the speakers expressed their concern about the way in which the census has been carried out, especially with regard to the way the questions were drafted, leading to possible misunderstandings as to how some of the categories were to be understood. The representatives of the speakers were of the opinion that some of the questions gave rise to certain confusion between citizenship and minority identity. In the census, it was not obligatory to disclose the ethnic and religious identity of the person in question. According to some representatives of the minorities, the results of the census will therefore very likely be questionable as the number of persons having declared themselves belonging to a minority will be much smaller than the actual number. The fact that the amount of funding that will be given to the minorities is partly linked to the results of the census in terms of number of speakers is a supplementary concern for the minorities.

8. When ratifying the Charter, Hungary chose to apply the same undertakings in respect of all original Part III languages. In a Declaration, dated 24 June 2008, supplemented by a Note Verbale from the Permanent Representation of Hungary, dated 17 July 2008, registered by the Secretary General on 22 July 2008, the Government of the Republic of Hungary, based on the authorisation of the Parliament and according to Article 2, paragraph 2 of the Charter, undertook to apply Part III of the Charter in respect of the Romani and Beas languages. The Committee of Experts welcomes this extension of the application of Part III, which may allow for a better promotion and protection of these languages.

1.4 General issues arising from the evaluation of the report

Legislative changes

9. According to the information provided by the Hungarian authorities, various new legal norms have been adopted since the last evaluation report. Some of them already entered into force, while some of them will only be applicable from 1 January 2013.

10. These new norms establish the framework for resolute actions to be taken to promote regional or minority languages. For example:

- Article XXVII of the Basic Law of Hungary provides that: "Every nationality and ethnic group living in Hungary shall be considered a part of the state forming entity. National and ethnic minorities will have the right to use their own languages, to use their names in their own languages, to foster their culture and to education in their own languages. National and ethnic minorities in Hungary shall have the right to form local and national self-governments."

- the Act on the Rights of Nationalities (2011) establishes the possibility for the persons belonging to the national minorities to use their mother tongue in relation with the administrative authorities, in civil and criminal proceedings, in the Parliament and in local assemblies. The new legislation introduces the right to the use of a mother tongue and the right for the minorities to use their historical names of localities and streets as well as their traditional names for other geographical locations. The right to education of and in the languages of national minorities is also recognised and persons belonging to national minorities have the right to have access to information and to provide information via mass media in their mother tongue;

- the Act on Registration Proceedings (2010) recognises the possibility for a person belonging to a national or ethnic minority to give his/her child a name in his/her own language. It will enter into force on 1 January 2013.

- the Act on Media Services and Mass Media (2010) states that minorities are entitled to foster their culture and mother tongues and to regularly obtain information in their mother tongue by way of independent programmes broadcast in the public media service;

- the Decree on Nationality Scholarship (2011) establishes the possibility for the Minister of Public Administration and Justice to support students belonging to a national minority when studying in a bilingual secondary schools; and

- the Decree on the detailed rules of requesting supplementary aid for nationality educational duties (2010) recognises the possibility for nationality kindergartens and schools to be allocated with supplementary financial support.

Chapter 2 Conclusions of the Committee of Experts on how the State authorities have reacted to the recommendations of the Committee of Ministers RecChL(2010)3

Recommendation no. 1:

“develop a structured long-term policy and plan for education in all regional or minority languages and set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter”

11. There is at present no structured long-term policy and plan for education in all regional or minority languages in Hungary. However, legislative changes have made it easier for the national minority self-governments to take over additional education institutions.

12. The responsibilities given to the national minority self-governments in the field of education, where these have chosen to take over the running of education institutions, should be linked with an adequate budgetary increase, allowing them to fulfill their new tasks.

13. Hungary still lacks a dedicated mechanism according to Article 8 paragraph 1 sub-paragraph i. of the Charter which could monitor the measures taken and progress achieved in minority language education and which would produce public periodic reports of its findings.

14. Furthermore, those who do not speak a minority language, or speak it only to some extent, have no comprehensive framework of adult and continuing education at their disposal that would enable the “relearning of the mother-tongue”. This is particularly crucial for languages like Beás or Romani, because the languages were not spoken in the family circle.

Recommendation no. 2:

“improve further the financial situation of minority language education and increase the stability of resourcing”

15. The total aid for national minority self-governments has increased during the reporting period, from HUF 953 million (EUR 3 400 000) in 2009 to HUF 1219, 5 million (EUR 4 300 000) in 2011. The supplementary normative aid for minority language education has however decreased, from HUF 68 000/person/year in 2009 (EUR 242) to HUF 64 000/person/year (EUR 228) in 2011.

16. The results of the census, which was carried out in 2011, will be an important factor for the general budgetary appropriations given to the national minority self-governments. Serious concern has been expressed by several representatives of the speakers as to the way the questions were drafted, leading to a certain misunderstanding between the notions of identity and language. This could lead to a weaker budgetary grant for some minorities, which would not be in conformity with the real number of the speakers of these minority languages.

Recommendation no. 3:

“increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages, and increase accordingly the number of teachers able to teach subjects in these languages”

17. The number of minority and bilingual schools has increased during this monitoring cycle. The structural problems in education, however, still exist. Bilingual primary and secondary schools remain underrepresented compared to schools where there is only teaching of the language.

18. During the reporting period, additional schools have started mother-tongue education. This is especially the case for kindergartens and for primary education.

19. Continuity of minority language education from primary to secondary schools is, however, not secured because the offer of minority language education in secondary schools is very limited outside monolingual or bilingual minority language schools.

20. There are still problems concerning teacher training and it seems that there is no structured plan or strategy to improve the situation. Although sufficient numbers of teachers of minority languages have been trained, there exists a serious shortage of teachers teaching subjects *in* minority languages. There is a need to increase the number of teachers teaching general subjects in minority languages in bilingual and minority language education. Also, minority language teaching at the level of technical and vocational schools is underdeveloped.

Recommendation no. 4:

“improve the offer of minority language programmes on television and develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages”

21. The broadcasting time for television programmes for the Roma community has doubled. However, it is unclear to the Committee of Experts to which extent the programmes are in Beás or Romani.

22. There is no comprehensive scheme for the training of journalists and other media staff using minority languages.

Recommendation no. 5:

“take steps to ensure that the relevant judicial and administrative authorities implement the obligations under Articles 9 and 10 of the Charter, in particular by specifying those judicial and administrative districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Articles 9 and 10”

23. The judicial and administrative districts where organisational measures should be taken under Articles 9 and 10 of the Charter have not been specified by the authorities. Also the authorities have not provided specific information targeting speakers of regional or minority languages about their rights under Articles 9 and 10 of the Charter.

Recommendation no. 6:

“take further resolute measures in language planning for Romani and Beás with a view to making available on a wider scale teaching of and in these languages at all appropriate stages”

24. Considerable progress has been achieved in respect of the protection and promotion of Romani and Beás, including extending Part III protection to Romani and Beás.

25. However, the fundamental problems linked with the insufficient teaching of the languages at all stages and the deficits in teacher training, study and research have persisted. Substantial efforts by the Hungarian authorities are however being made in order to improve the situation of Romani and Beás in education as well as in the media.

Chapter 3 The Committee of Experts' evaluation in respect of Part II and Part III of the Charter

3.1 The evaluation in respect of Part II of the Charter

26. The following languages are protected only under Part II: Armenian, Bulgarian, Greek, Polish, Ruthenian and Ukrainian. With regard to these languages, the Committee of Experts considers that Ruthenian and Polish are territorial languages.

27. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in its fourth evaluation report and for which it did not receive any new elements requiring a revised assessment. Under Part II, this concerns Article 7 paragraphs 1.a; b; e; g; 3 and 4. The Committee of Experts reserves, however, the right to evaluate the implementation of these provisions again at a later stage.

Article 7

Paragraph 1

In respect of regional or minority languages, within the territories in which such languages are used and according to the situation of each language, the Parties shall base their policies, legislation and practice on the following objectives and principles:

a. the recognition of the regional or minority languages as an expression of cultural wealth;

28. The Committee of Experts welcomes the decision of the Hungarian authorities to extend the provisions of Part III of the Charter to the Romani and Beás languages, allowing thus for a better protection and promotion of these languages.

c. the need for resolute action to promote regional or minority languages in order to safeguard them;

Language planning

29. In the fourth monitoring cycle, the Committee of Experts "strongly urge[d] the Hungarian authorities to develop long-term strategies and structured plans for the preservation and promotion of each of the 14 minority languages".

30. The fifth periodical report does not contain any specific information about this issue.

31. The Committee of Experts considers that the promotion of minority languages in order to safeguard them also requires the development of language-specific long-term strategies and structured plans which take the situation of the individual language into account. Such strategies may, for example, define what year certain strategic objectives shall be achieved in co-operation with the minority language speakers. Such objectives or milestones may comprise the stabilisation of the number of speakers in the medium term, a quantified annual increase in the number of children enrolled in minority language pre-school education and an increase in the total number of speakers in the long term. In addition, measures could be taken to improve the rate of language transfer from minority language speaking (grand) parents to their children and to encourage those who have used or acquired the minority language at school to retain and use it in public life, making use of the infrastructure created by the Charter. The effectiveness of the measures taken could be monitored by language use surveys and the census. The Committee of Experts refers in this context to the existing practice of language planning in the United Kingdom.¹

The Committee of Experts strongly urges the Hungarian authorities to develop long-term strategies and structured plans for the preservation and promotion of each of the 14 minority languages.

Minority Self-Governments

32. The amount of funding allocated to the national minority self-governments has increased during the reporting period. It amounted to HUF 953 million (EUR 3 400 000) in 2009 and 2010 respectively and to HUF 1.219, 5 million (EUR 4 300 000) in 2011. The support provided for institutions operated by national minority

¹ See Reports by the Committee of Experts on the Application of the Charter in the United Kingdom, ECRML (2004) 1, paragraphs 96, 368, 369; ECRML (2007) 2, paragraphs 47-50; ECRML (2010) 4, paragraph 50

self-governments amounted to HUF 444, 5 million (EUR 1 600 000) in 2009 and 2010 respectively and to HUF 463 million (EUR 1 600 000) in 2011. The Committee of Experts has, however, received complaints from some representatives of the minorities during the on-the-spot visit, indicating that there was a reduction in real terms, because their institutions were asked to take over more tasks and responsibilities than before. Furthermore, the problems linked to the allocation of the task-based financial support operated by the Sándor Wekerle Fund Management were often underlined by the representatives of the minorities. The late transfer of the operational funds, sometimes lasting a year, and the complicated procedure were amongst the criticisms voiced against the Fund. The representatives of the authorities, whom the Committee of Experts met during the on-the-spot visit, stressed the fact that these problems were linked to the reorganisation process of the allocation of funds for the minorities. They also told the Committee of Experts that the overall support will be more user-friendly in the future. The authorities also stressed the fact that a part of the funding will be in the future linked to the results of the census, but that this would not have consequences for the education in minority languages, because, according to the legislation in place, education has to be organised when a minimum of parents of 8 pupils request it.

33. The Committee of Experts expects to be informed on any new development including new funding allocations resulting from the census data in the next periodical report.

d. the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;

Administrative authorities

34. In the fourth evaluation report, the Committee of Experts noted that the legal possibility to use Polish and Ruthenian in speech and writing at the public administration authority (Act CXL (2004) on the General Rules of Official Proceedings and Service in Public Administration) is not applied in practice.

35. The fifth periodical report does not report on this issue.

36. The Committee of Experts encourages the authorities to report on this issue in the next periodical report.

37. The Committee of Experts was informed about examples of the use of Beás and Romani for oral communication with state administration officials.

Media

38. The fifth periodical report mentions that all minorities have written press in their own mother tongues. The frequency of publication has increased for many printed media. The authorities mention that in 2011, the institutions maintained by national minority self-governments received HUF 463 million (EUR 1 650 000) in support.

39. It has to be noted as well that in 2011, the state support given to minority newspapers was integrated into the budget of the minority self-governments directly. Several representatives of the speakers, whom the Committee of Experts met during the on-the-spot visit, expressed their satisfaction concerning this new procedure, which allows for a permanent and long-term funding of their newspapers.

40. The Committee of Experts has been informed that the TV programme “Rondo”, a joint programme for the Armenian, Bulgarian, Greek, Polish, Ruthenian and Ukrainian minorities, currently broadcast twice a month lasting 52 and 26 minutes, will be increased by 26 minutes. The Committee of Experts has, however, been informed during the on-the-spot visit that the programme is no longer broadcast in Ukrainian. The Committee of Experts encourages the Hungarian authorities to comment on this in the next periodical report.

41. The authorities have furthermore informed the Committee of Experts that special efforts have been made with regard to the broadcasting hours for the minority programmes. They are now broadcast on different channels and at more accessible hours.

42. The authorities have also mentioned that more information about the minorities present in Hungary will be inserted in the general programmes.

f. the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;

43. In the fourth evaluation report, the Committee of Ministers recommended Hungary to “**develop a structured long-term policy and plan for education in all regional or minority languages**” and to

“improve further the financial situation of minority language education and increase the stability of resourcing”.

44. The authorities mention in their fifth periodical report that the curriculum for minority language education from grade 1 to 12 has been revised in consultation with representatives of the speakers in order for it to be in line with the national curriculum. The development tasks for each minority language were published in Hungarian and in the respective minority languages.

45. The fifth periodical report mentions that education in **Armenian**, or teaching of the language, does not exist at the moment.

46. According to the fifth periodical report, the **Bulgarian** secondary school in Budapest which was maintained by the Hungarian and the Bulgarian states to educate children of the Bulgarian minority was closed down during the reporting period. The Committee of Experts was informed during the on-the-spot visit that this was due to an insufficient number of pupils. In 2008/2009 one kindergarten was attended by 15 pupils and in 2009/2010 one kindergarten was attended by 18 pupils. On the level of primary schools, one institution was attended in 2009/2010 by 33 pupils and in 2010/2011 the number decreased to 23 pupils. Concerning secondary education in Bulgarian, one grammar school provided in 2009/2010 instruction for 12 students and in 2010/2011 the number had risen to 23 students. During the on-the-spot visit the Committee of Experts was informed that the Hungarian authorities were not able to provide educational material to be used by the Bulgarian National Self-Government. Bulgarian school textbooks, from grade 1 to 8, continue to be used. The Committee of Experts was informed by representatives of the Bulgarian National Self-Government that progress in developing and publishing textbooks dedicated to cultural awareness has been made through EU-funding.

47. Just like in the previous cycle, supplementary minority **Greek** education is provided in Budapest in a twelve-grade institution, and language teachers are trained at the Faculty of Humanities of the Eötvös Loránd University.

48. **Polish** education takes place within 18 locations in Hungary and operates in 12 grades. Language teachers are trained at the Faculty of Humanities of the Eötvös Loránd University. The Committee of Experts was informed during the on-the-spot visit by the representative of the Polish National Self-Government that at the University of Debrecen a department for Polish Philology has been created. During the on-the-spot visit the Committee of Experts was also informed that the National Polish language Centre operating in Budapest plays an active role. As regards kindergarten education, it still operates for the time being only on Saturdays, due to a small number of pupils. The textbooks used come from Poland and, being monolingual, are not suitable for this purpose. The Polish National Self-Government is planning to create facilities for secondary education.

49. In the fourth evaluation report, the Committee of Experts requested the Hungarian authorities to clarify, in the next periodical report, the situation of **Ruthenian** primary and secondary education, teacher training and textbook development. The authorities report that there has not been a significant progress in the recent years for education in Ruthenian, due to a lack of interest from the parents. During the on-the-spot visit, the Committee of Experts received information that the Ruthenian language continues to be in a precarious situation. Education in Ruthenian still takes place in two locations, Komlóska and Múcsony at elementary school level, for a total of 48 pupils. In Komlóska, there is also one kindergarten providing education in Ruthenian for 18 children, but the level of attendance has significantly decreased during the last two years and the fact that the teacher has now retired puts the existence of this education at risk. There is still no Ruthenian teacher training, although the University College of Nyíregyháza has been envisaging it for years. During the on-the-spot visit the Committee of Experts was informed that university training could be provided outside Hungary notably in Slovakia. Concerning teaching materials for elementary schools, the authorities have reported about the publication in 2010 of “Conversation in Ruthenian” and in 2011 of the “Ruthenian Alphabet”, thanks to joint efforts by several Ruthenian minority self-governments. The Committee of Experts welcomes this as it will allow a better promotion of the education in Ruthenian at all levels. The Committee of Experts was informed that through EU funding, the first school textbook in Ruthenian for elementary classes will soon be published. Other school textbooks still come from Serbia and Slovakia.

50. The fifth periodical report does not give any updated information concerning education in **Ukrainian**. The report mentions that it is taught as a foreign language in one school in Baktalórántháza and in the form of Sunday school for children belonging to the minority. The representatives of the speakers whom the Committee of Experts met during the on-the-spot visit confirmed that Sunday school teaching takes place for the children from the age of 3 to the age of 14 and that this education is funded by the Ukrainian National Self-Government.

51. The Committee of Experts encourages the Hungarian authorities to pursue their efforts to further consolidate the education offer in or of all Part II languages.

h. the promotion of study and research on regional or minority languages at universities or equivalent institutions;

52. In the fourth evaluation report, the Committee of Experts “urge[d] the Hungarian authorities to promote the study of Armenian and Ruthenian at least at one university or equivalent institution in Hungary”.

53. The authorities report that the University College of Nyíregyháza attempted to launch Armenian and Ruthenian training courses but without success so far.

54. Armenian is taught at the Department of Altaic Studies of the Szeged University. The Faculty of Humanities of the Eötvös Lóránd University is also planning to launch a separate Armenian course.

55. Ruthenian may be studied at the Department of Slavonic Studies of the Faculty of Humanities of the Eötvös Lóránd University in Budapest, mainly as part of PhD programmes.

56. The authorities mention in their fifth periodical report that researchers from the Research Institute of Linguistics, in cooperation with teachers speaking the languages, are conducting basic research in communities speaking the Romani and Beás languages as part of the project entitled “Dimensions of Linguistic Otherness – Prospects and Maintenance and Revitalization of Minority Languages”

i. the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.

57. In the fourth evaluation report, the Committee of Experts requested the Hungarian authorities to provide more specific information on how the use of each of the languages covered only by Part II of the Charter is facilitated and/or encouraged in transnational exchanges.

58. The fifth periodical report gives several examples of twinning contacts between localities where the same regional or minority language is used as well as of university partnerships. Only one, however, concerns Polish and Ruthenian, ie, the partnership of the university of Gödöllő with Żywiec (Poland), Beregovo (Ukraine), Gießen and Aichach (Germany) and Laxenburg (Austria).

59. The Committee of Experts would welcome more examples in the next periodical report of how the use of each of the languages covered only by Part II of the Charter is facilitated and/or encouraged in transnational exchanges.

Paragraph 2

The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.

60. In the fourth evaluation report, the Committee of Experts welcomed the decision of the authorities to take action against the traditional pattern of unjustified enrolment of Roma children in classes for disabled or mentally handicapped children and “encourage[d] the authorities to inform the Committee of Experts, in the [forthcoming] periodical report, in more detail of the progress made”.

61. According to the information available in the fifth periodical report, on the basis of a 2004 sociological study, classes with nonstandard curriculum operated in the majority of the schools investigated and approximately half of these have since been terminated. Most of these classes were terminated in 2007 (30%), and there has been a downward trend since. This occurred mostly in schools with a Roma majority.

62. The authorities report as well that by virtue of Decree No. 4/2010 (I. 19.) OKM on professional pedagogical services, additional guarantees have been put in place so that the existence of special educational needs is only established in justified circumstances. The Decree regulates the mandatory

procedure, identifies the professional content of the examination and prescribes the involvement of an equal opportunities expert in public education in the case of learners with multiple disadvantages.

Paragraph 5

The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.

63. In its evaluation of the situation of Armenian, Bulgarian, Greek and Ukrainian vis-à-vis Article 7 paragraphs 1-4 of the Charter, the Committee of Experts has kept in mind that those principles should be applied *mutatis mutandis*.

3.2 The evaluation in respect of Part III of the Charter

64. Hungary applies the provisions it has chosen under Part III of the Charter to Beás, Croatian, German, Romani, Romanian, Serbian, Slovak and Slovenian on the whole territory of the State.

3.2.1 Beás

Article 8 – Education

General issues

65. In the fourth evaluation report, the Committee of Experts “encourage[d] the Hungarian authorities to train more teachers who would be able to teach in [...] Beás and to actively promote the teaching in/of [Beás] at all appropriate stages”. Furthermore, the Committee of Ministers recommended Hungary to “**take further resolute measures in language planning for [...] Beás with a view to making available on a wider scale teaching of and in th[is] language [...] at all appropriate stages**”.

66. Following the adoption by the Hungarian Parliament of Act XLIII of 2008, the Hungarian authorities have undertaken to apply the provisions of Part III of the Charter also to the Romani and Beás languages. The authorities report that this new legal norm provides a regulated framework for these languages at the various levels of education.

67. The Committee of Experts welcomes the extension of the Part III undertakings to the Beás language which makes possible a better protection and promotion of the language, especially in the field of education

68. The authorities mention in their fifth periodical report that education in Beás has to be organised if a minimum of eight parents requests it. Following the 1993 Public Education Act, if the number of pupils does not permit the organisation of minority language education in the locality, the national minority self-government concerned can ask the metropolitan or county municipality to organise the teaching of the mother tongue and minority studies. This supplementary minority education may be organised in a division of the given school, through the establishment of schools providing minority language teaching or through the employment of travelling teachers.

69. The representative of the speakers, whom the Committee of Experts met during the on-the-spot visit, stressed that positive developments with regard to Beás and Romani education had occurred in the recent years, notably through the Roma Framework Strategy. The main challenge rests in the fact that often, Beas and Romani have to be re-taught to children at schools because the language is not used in the family sphere. It is therefore not possible at the moment to teach subjects in Beás and Romani at schools. Persons belonging to the Roma minority are also often ashamed of speaking their language and of using it in public. A new approach, based on education, is therefore needed in order to make speakers conscious of the value of their language.

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school education

- a. *i to make available pre-school education in the relevant regional or minority languages; or*
- ii to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
- iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
- iv if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;***

70. According to the information received in the fifth periodical report, bilingual minority education is available in Beás in three kindergartens, for a total of 175 children. The representative of the speakers whom the Committee of Experts met during the on-the-spot visit mentioned the positive impact of the “Safe start” programme which makes kindergarten education compulsory and which is supported by the European Union.

71. The authorities report as well that “in teacher and kindergarten teacher training the conditions for making the Romani and Beás languages as nationality languages an optional subject for students have also been created. In these areas of training, the same conditions have been created for the Roma as for all other minorities; that is, by virtue of Decree No. 24/2010 (V. 14.) OKM Decree No. 15/2006 (IV. 3) OM now contains the qualifications of nationality kindergarten teacher and nationality teacher in the lower grades as obtainable qualifications and, therefore, in the certificate itself the language of the particular nationality (Croatian, German, Romanian, Serbian, Slovak, Slovene) or Roma training orientation is displayed in brackets”.

72. The Committee of Experts considers the undertaking partly fulfilled and encourages the Hungarian authorities to expand the offer of pre-school education in Beás.

Primary education

- b. i to make available primary education in the relevant regional or minority languages; or*
- ii to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;***

73. According to the fifth periodical report, municipalities are obliged by law to assess the demand for minority kindergarten education and minority school education in cooperation with the local minority self-governments. Moreover, the 2004 medium-term development programme from the Ministry of Education puts emphasis on bilingual education.

74. According to the fifth periodical report, there is at the moment no primary school mother-tongue education in Beás, nor bilingual primary school education. Beás education takes place only in the form of language teaching and concerns 987 pupils in 11 institutions.

75. During the on-the-spot visit the Committee of Experts was informed that, thanks to an EU project, a first textbook for primary level, including audio-materials, is currently being developed at the Gandhi School.

76. The Committee of Experts was also informed during the on-the-spot visit that three elementary schools have been taken over by the Roma National-Self-Government and that they are willing and motivated to take over more schools in the future.

77. The Committee of Experts considers the undertaking partly fulfilled and encourages the Hungarian authorities to develop in cooperation with the speakers a structured plan to introduce more Beás education in primary schools including using a bilingual approach.

Secondary education

- c. *i to make available secondary education in the relevant regional or minority languages; or*
- ii to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;***

78. According to the available information, secondary education in Beás takes place only in the form of language teaching. This concerns two institutions with a total of 165 students for the academic year 2009/2010, whereas it concerned four institutions and 317 students for the academic year 2008/2009.

79. The Committee of Experts asks the Hungarian authorities to clarify the reasons for this decline in the next periodical report.

80. The Committee of Experts considers the undertaking partly fulfilled and encourages the authorities to increase the offer for secondary education in Beás.

Technical and vocational education

- d. *i to make available technical and vocational education in the relevant regional or minority languages; or*
- ii to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;***

81. There is to date no institution in Hungary providing technical and vocational education in Beás or any institution providing teaching of Beás as an integral part of the curriculum.

82. The Committee of Experts considers the undertaking not fulfilled. It encourages the Hungarian authorities to establish teaching in or of Beás in technical and vocational education.

University and higher education

- e. *i to make available university and other higher education in regional or minority languages; or*
- ii to provide facilities for the study of these languages as university and higher education subjects; or*
- iii if, by reason of the role of the State in relation to higher education institutions, subparagraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;***

83. The authorities report that Beás can be studied at the University of Pécs and the Kaposvár University.

84. In 2008, four applicants were awarded HUF 4 million (EUR 14 200) for the implementation of research designed to assist the teaching of the Romani and Beás languages and Roma studies, while in 2009, six applicants received aid to the amount of HUF 3.5 million (EUR 12 450) for the same purpose.

85. During the on-the-spot visit the Committee of Experts was informed by the representative of the Roma National Self-Government, that codification of the Romani and Beás languages still lacks commonly

agreed standards and that assistance from Hungarian linguists and academics knowledgeable in this domain would be most welcome.

86. During the on-the-spot visit the Committee of Experts was informed that the Roma National Self-Government is aiming at running higher education institutions as from 2013.

87. In view of the available information, the Committee of Experts considers the undertaking fulfilled.

Adult and continuing education

- f. i to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii to offer such languages as subjects of adult and continuing education; or*
- iii if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;***

88. According to the fifth periodical report, there is no comprehensive scheme of adult and continuing education in minority languages for a wider public. The authorities mention that there was no significant change in the system of adult training within the reporting period.

89. The report gives the example of the Zala County, where two cultural institutions (the Irka Adult Training Service Bureau in Nagykanizsa and the Culture Centre of Zalakomár) attained accreditation for adult training from EU funding during the reporting period. The former institution also launched a 160-hour Beás language course, as a result of which 9 persons successfully passed their language examinations.

90. During the on-the-spot visit the Committee of Experts was informed that the re-teaching of Beás is a major challenge and concerns not only the children, but mainly the parents and the adults in general. Therefore additional efforts to involve parents in adequate adult and continuing education programmes would be most beneficial for the overall use of the language.

91. The Committee of Experts considers the undertaking partly fulfilled and encourages the Hungarian authorities to strengthen their efforts to make adult and continuing education of Beás available.

Teaching of history and culture

- g. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;***

92. The authorities mention that several regulations on public education contain provisions on the teaching of the history and the culture of the users of minority languages and that the knowledge of the students concerning these issues is assessed during the secondary school-leaving examinations.

93. The fifth periodical report states that the teaching of the history and the culture which is reflected by the Beás language takes place in schools in the form of a fully or partially independent subject. Furthermore in mainstream education Roma studies can be chosen as an optional subject, in grades 1-6.

94. During the on-the-spot visit, the Committee of Experts was informed that a “framework curriculum” has been prepared by an expert from the Roma National Self-Government and that “Guidelines for National Minorities” have been redrafted with respect to the National Hungarian curricula. 6.000 books on Roma culture have also been ordered at national level.

95. In general, it appears to the Committee of Experts that there is a need for the speakers and for the majority population to recognise the Beás language as being an important element of their common culture.

96. The Committee of Experts asks the Hungarian authorities to include in the next periodical report information concerning the number of pupils choosing Roma studies as an optional subject.

Basic and further training of teachers

- h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;***

97. In the fourth evaluation report, the Committee of Experts “encourage[d] the Hungarian authorities to train more teachers who would be able to teach in [...] Beás”.

98. The representative of the speakers whom the Committee of Experts met during the on-the-spot visit mentioned that the availability of adequately trained teachers is one of the biggest challenges facing education in Beás and Romani.

99. The authorities mention that the number of teachers qualified to teach Beás is not sufficient. Creating and extending the conditions for the training of teachers teaching Beás remains an important task. Launching Beás teacher training courses is however now possible, given the fact that Romology studies are offered in several institutions.

100. The authorities report as well that support was granted to training facilities and research workshops on the teaching of the Romani and Beás languages and Roma studies: in 2008, HUF 4 million (EUR 14 000) in aid was provided for the implementation of 4 in-service teacher training programmes (with the participation of 120 persons), while in 2009 HUF 1,125,000 (EUR 4000) was granted for the implementation of 1 in-service teacher training programme (with 35 persons). In 2008, 4 applicants were awarded HUF 4 million (EUR 14 000) for the performance of research promoting the teaching of the Romani and Beás languages and Roma studies, while in 2009, 6 applicants received aid of HUF 3.5 million (EUR 12 500) for the same purpose.

101. Concerning training for kindergarten teachers, according to Decree No. 24/2010 (V. 14.) OKM amending Decree No. 15/2006 (IV. 3) OM it is possible to study Beás and Romani as part of the kindergarten teacher training.

102. Decree No. 24/2010 (V. 14.) OKM on Teacher Education and Qualification Requirements for Bachelor’s and Master’s degrees also establishes that Romology as a course for Bachelor’s and Master’s degrees may be taught at universities, like at the University of Pécs, where Beás language and culture, Romani language and culture, and Roma minority studies can be studied.

103. According to the authorities, textbooks for teaching Beás to pupils in grades 1 to 3 of elementary schools and a textbook for the education in minority studies have been completed. Textbooks for further grades are expected to be completed through another round of the tender. Educational programme packages, which also included the development of teaching aids, digital materials, in-service teacher training and general curricula, in addition to school textbooks, were developed in this respect. Textbooks for further grades are expected to be prepared through the same funding.

104. The Committee of Experts understands that a curriculum is being elaborated in respect of Beás under the supervision of the Nationality Group of the Hungarian Institute for Educational Research and Development. The schools may develop or amend their own pedagogical programmes on the basis of this document. The representatives of the minorities have been consulted during the preparations of these documents. The objective was to ensure that the fundamental requirements, structure and overall spirit of the National Curriculum should be fully enforced also in the course of the teaching of minority languages, literature and minority studies from grade 1 all the way to grade 12 or 13. It was additionally an important goal that the regulation should provide an opportunity for those pupils who wish to commence their studies regarding minority languages and minority culture at different stages following their enrolment in school. The development tasks identified for each minority were published in Hungarian and in the language of the given minority.

105. The Committee of Experts looks forward to receiving updated information on this issue in the next periodical report, and especially on the practical achievements in terms of teacher training. The undertaking is considered only partly fulfilled in view of the small number of teachers.

The Committee of Experts encourages the Hungarian authorities to train more teachers able to teach in Beás and to actively promote the teaching in/of this language at all appropriate stages.

Monitoring

- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.***

106. The authorities state in their fifth periodical report inter alia that the minority self-government has the right to be consulted in respect of issues related to Beás education.

107. The Committee of Experts underlines that this undertaking foresees a specific body or bodies with the responsibility of monitoring what is being done in the field of education and for assessing whether progress has been made. The said body or bodies should also be charged with drafting regular reports on their findings and these reports should be made public. Furthermore, the body or bodies should have a sufficient degree of autonomy.

108. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts encourages the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Beás and for producing periodical public reports.

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

109. According to the information provided by the authorities, the normal legal requirements for education in/or teaching of the minority language, i.e., a request from the parents of at least eight pupils, applies also outside the territories in which the Part III languages concerned are traditionally used. The Public Education Act also provides for the possibility of supplementary minority education in those cases in which the minimum numbers cannot be reached. Furthermore, the Act on National Public Education, entering into force on 1 September 2012, provides for boarding facilities for pupils attending minority education, allowing those living far away from the schools to also have education in/or of minority languages.

110. The Committee of Experts considers the undertaking fulfilled.

Article 9 – Judicial authorities

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

a. in criminal proceedings:

ii to guarantee the accused the right to use his/her regional or minority language; and/or

iii to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language; and/or

iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language

if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

111. The fifth periodical report states that Sections 9(2) and 114(1) of the Act on Criminal Procedure guarantee the use of a minority language and of interpreters during criminal proceedings. The costs incurred with regard to the use of the minority language are to be borne by the state.

112. The fifth periodical report does not mention however cases where the Beás language has been used in criminal proceedings during the reporting period.

113. In view of the available information, the Committee of Experts considers the undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of its implementation in practice with regard to Beás in the next periodical report.

b. in civil proceedings:

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or

iii to allow documents and evidence to be produced in the regional or minority languages,

if necessary by the use of interpreters and translations;

114. As a result of the amendment of Act III (1952) on Civil Procedure by Act CX (1999) on Civil Procedure, it is guaranteed that in civil proceedings all parties involved may use their mother tongues or their regional or minority languages, in speech and in writing. For this purpose, the court shall use an interpreter. Expenses for interpretation and translation have to be borne by the state.

115. The fifth periodical report does not provide examples of the practical implementation of this undertaking with respect to Beás.

116. In view of the available information, the Committee of Experts considers the undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of the implementation in practice with regard to Beás in the next periodical report.

c. in proceedings before courts concerning administrative matters:

ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or

iii to allow documents and evidence to be produced in the regional or minority languages,

if necessary by the use of interpreters and translations;

117. Act III (1952) on Civil Procedure (Section 20) as amended by Act CX (1999) and the general rules of civil procedure also apply to legal proceedings on administrative matters.

118. The fifth periodical report does not contain, however, examples of the practical implementation of this undertaking with respect to Beás .

119. In view of the available information, the Committee of Experts considers the undertaking formally fulfilled. It asks the Hungarian authorities to provide examples of its implementation in practice with regard to Beás in the next periodical report.

Paragraph 2

The Parties undertake:

c. not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.

120. In its first evaluation report, the Committee of Experts noted concerning the other Part III languages that from the general information at its disposal, it seemed that no provision of law excluded the validity of public, legally issued documents in a minority language. In its second evaluation report, the Committee of Experts concluded that the undertaking was fulfilled concerning all Part III languages. The second periodical report stated that "there are no clauses or provisions in the civil or criminal legislation of Hungary which would preclude the validity of these documents". The Committee of Experts has received no information indicating that the situation is different regarding Beás.

121. The Committee of Experts considers the undertaking fulfilled.

Article 10 – Administrative authorities and public services

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a. v to ensure that users of regional or minority languages may validly submit a document in these languages;***

122. According to Act CXL (2004) on the General Rules of Official Procedure and Servicing in Public Administration, “everyone has the right to use in speech and writing his or her mother tongue in public administrative proceedings”.

123. The Committee of Experts considers this undertaking formally fulfilled and asks the Hungarian authorities to inform in the next periodical report about its practical implementation.

- c. to allow the administrative authorities to draft documents in a regional or minority language.***

124. The act on the general rules of official procedure also lays down that “the requests submitted in a regional or minority language must be adjudged by a decision worded in Hungarian, and, upon the request of the client, translated into the language used in the request. This undertaking also affects orders”.

125. The Committee of Experts considers the undertaking formally fulfilled and asks the Hungarian authorities to inform in the next periodical report about its practical implementation.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- b. the possibility for users of regional or minority languages to submit oral or written applications in these languages;***

126. Act CLXXIX of 2011 on the Rights of Nationalities extends the opportunity to use minority languages in the field of the public administration of localities where there is a considerable number of inhabitants belonging to nationalities.

127. The Committee of Experts has however not received any information about the use of Beás in practice with regard to this undertaking. It therefore requests the Hungarian authorities to clarify the phrase “a considerable number”, and to report on the implementation in practice of this undertaking in the next periodical report.

- e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;***

128. The undertaking was considered formally fulfilled for all Part III languages in the previous monitoring cycles. The use of a minority language in regional assemblies was legally possible, but non-existent in practice.

129. The Committee of Experts did not receive information with regard to the practical implementation of this undertaking with regard to Beas. It therefore has to conclude that the undertaking is formally fulfilled and encourages the authorities to report on the implementation in practice of this undertaking in the next periodical report.

- f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;***

130. According to the legal framework it is possible for local authorities to use regional or minority languages in debates in their assemblies.

131. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-government institutions. It did not, however, receive information on the use of Beas by the regular local administrations.

132. The Committee of Experts considers the undertaking formally fulfilled and encourages the authorities to report on the implementation in practice of this undertaking in the next periodical report.

g. *the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.*

133. Pursuant to Act CLXXIX of 2011 on the Rights of Nationalities, the minorities, when exercising their rights pertaining to the use of names, are entitled to use historical, traditional names of localities, streets and other geographical indications intended for the community.

134. The fifth periodical report does not give, however, practical examples of the implementation of this undertaking with regard to Beás.

135. The Committee of Experts considers the undertaking formally fulfilled and encourages the authorities to report on the implementation in practice of this undertaking in the next periodical report.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. *to allow users of regional or minority languages to submit a request in these languages.*

136. There exists no legislation or other framework that would explicitly allow users of minority languages to submit a request in these languages to public services.

137. The authorities refer in their fifth periodical report to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However, this undertaking concerns “action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on²”.

138. The Committee of Experts considers the undertaking not fulfilled and encourages the Hungarian authorities to make it possible for Beás speakers to be able to submit requests in Beás to public service providers in practice.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. *translation or interpretation as may be required;*

139. Section 54 of the Act on Minorities stipulates that in localities inhabited by minorities, in the course of the appointment of public officials or public employees, preference shall be given to candidates who have command of minority languages.

140. In the fifth periodical report, the Hungarian authorities state that a survey conducted in Csongrád County has pointed out that in 7 municipalities there are public servants proficient in “Roma” languages. In Baranya County, the number of language certificates obtained in minority languages has been assessed. It corresponds to 27 persons for Beás. The data gathered does not provide the full picture because public servants who may speak such languages but have not taken a language exam are not indicated. Furthermore, the authorities mention that in Vas County, at the notary of Meggyeskovácsi in Szombathely 3 clerks and in Körmend 2 clerks speak the Lovari language. At the Government Office of Vas County, there

² Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

are public servants with knowledge of “Roma” languages and the communication with customers is ensured, if requested.

141. The Committee of Experts welcomes the information given concerning the recruitment of officials speaking Beás. The fifth periodical report does not, however, contain practical examples of translation and interpretation for Beás.

142. The Committee of Experts considers the undertaking partly fulfilled and asks the Hungarian authorities to provide information on its practical implementation in the next periodical report.

c. *compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.*

143. The fifth periodical report mentions several examples in Csongrád County, in Baranya County and in Vas County where there are public officials speaking Beás.

144. The Committee of Experts is, however, not in a position to conclude on the fulfilment of the undertaking and asks the Hungarian authorities to inform the Committee on the extent to which they comply with the requests from civil servants having knowledge of Beás to be appointed in the territory where the language is used.

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a. *to the extent that radio and television carry out a public service mission:*

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

145. According to the authorities, public service broadcasters broadcast radio and television programmes in all the regional and minority languages on a regular basis.

146. During the on-the-spot visit, the Committee of Experts was informed by the representative of the National Media and Info Communications Authority that a regular dialogue between the Authority and the national self-governments was established. The authorities also mentioned that the broadcasting time for the Roma community has been doubled during the reporting period. However, the Committee of Experts has not received any information as to the extent to which these programmes are in Beás or Romani.

147. Radio MR-4 broadcasts 30 minutes of radio programmes in Beás and Romani daily from Tuesday to Friday.

148. The Committee of Experts considers the undertaking partly fulfilled and asks for information in the next monitoring round about programmes in the Beás language on public radio.

b. *ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

149. The fifth periodical report mentions that the Roma minority has its own terrestrial radio station, Radio C, a community radio station that has existed for years and which can be received in the Budapest area. The central budget provided support during the reporting period for the funding of the radio.

150. However, the Committee of Experts has been informed that Radio C broadcasts almost exclusively in Hungarian, Beás and Romani being only symbolically used.

151. The Committee of Experts considers the undertaking not fulfilled. It encourages the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in Beás on a regular basis.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

152. The authorities report that individual 26-minute programmes are broadcast every week for the Roma minority. A 26-minute weekly Roma cultural portrait series has also started during the reporting period. It is not clear to the Committee of Experts, however, to what extent these programmes are in Beás or Romani.

153. During the on-the-spot visit, the Committee of Experts did not receive any additional information.

154. The Committee of Experts asks the authorities to clarify whether television programmes are broadcast in Beás in their next periodical report.

e. ii to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;

155. According to the information contained in the fifth periodical report, financial support has been granted by the Public Foundation for Minorities to five newspapers/periodicals in Beás and/or Romani during the reporting period for a total amount of HUF 31,900,000 (EUR 113 000) in 2011. These publications are: "Amaro Drom", "Glinda", "Kethano Drom", "Lungo Drom" and "Világunk". The Committee of Experts understands, however, that "Világunk" is only in Hungarian. It is unclear to the Committee of Experts if these publications are newspapers in the sense of the Charter.

156. In view of the available information and the number of publications receiving support, however, the Committee of Experts considers the undertaking fulfilled.

f. i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media; or

157. The Committee of Experts has not received any information regarding this undertaking. It asks the Hungarian authorities to provide such information in the next periodical report.

g. to support the training of journalists and other staff for media using regional or minority languages.

158. The fifth periodical report mentions that Roma internship programmes are being carried out with the cooperation of the Hungarian Television (MTV) for several graduates: editors, programme manufacturing staff, positions in the creation of news programming and film editors. Currently there are four young Roma people participating in the Roma television training programme. The aim of the programme was to start a dialogue between the Roma minority and the majority working in the media. A similar training programme started in March 2012.

159. The Committee of Experts welcomes this information and looks forward to receiving further information on this in the next periodical report. The Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

160. This undertaking was considered fulfilled for the Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities were entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

161. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of Trustees of Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's Advisory Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

162. According to the law the national self-governments are entitled to delegate one person to the Board. The Committee of Experts has been informed that the current representative is from the Serbian National Self-Government.

163. The Committee of Experts considers the undertaking fulfilled.

Article 12 – Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;

164. The Committee of Experts has not received any information concerning this undertaking and asks the Hungarian authorities to provide this in the next periodical report.

b. to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

165. The authorities refer in their fifth periodical report to several Roma theatre initiatives, such as the Karaván Art Foundation, the Cinka Panna Gypsy Theatre Foundation, the Romano Teatro Cultural Association in Miskolc or the Maladype/Meetings Theatre. The Committee of Experts was informed during the on-the-spot visit by a representative of the authorities that minority theatres are classified in a special category for funding, which includes a dedicated budget line and which provides for long-term financing.

166. The fifth periodical report does not, however, contain any information as to whether these theatre productions are in Beas or information on whether they are made accessible in other languages through translation, dubbing etc. The Committee of Experts asks the Hungarian authorities to provide information on this in the next periodical report.

c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;

167. The Committee of Experts has not received any information concerning this undertaking and asks the Hungarian authorities to provide this in the next periodical report.

d. to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing;

168. The fifth periodical report mentions several cases where the staff of the bodies responsible for organising or supporting cultural activities, like for example county libraries or the Nationality Department of the National Foreign Language Library, have a command of the minority languages. Several folklore festivals of nationalities are regularly organised and contribute to increase awareness of cultural pluralism as being part of the overall cultural richness of Hungary.

169. The Committee of Experts encourages the Hungarian authorities to provide information in the next periodical report as to the extent to which Beas speakers are involved in bodies responsible for organizing cultural activities.

f. to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;

170. This undertaking was considered fulfilled in the previous monitoring cycles for all Part III languages. In the first evaluation report, the Committee of Experts noted that cultural facilities are to a large degree provided and cultural activities planned by the minority self-governments themselves. The Committee of Experts also noted that in general, the Hungarian system is characterised by a high degree of participation of the users of minority languages in the decision-making on issues relating to minority languages

171. The fifth periodical report also mentions the Hungarian Institute for Culture and Art, which has a Roma organisational unit and also a separate Roma Cultural Expert Board. This Board organised cultural professional conferences and thematic workshops. It also organised biannual photography exhibitions, resulting in photo albums where the captions of the pictures are multilingual.

172. The Committee of Experts considers the undertaking fulfilled.

g. to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;

173. The Committee of Experts has not received any information concerning this undertaking and asks the Hungarian authorities to provide this in the next periodical report.

Paragraph 2

In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.

174. This undertaking has been considered to be fulfilled for all Part III languages since the first evaluation report, as the decentralised system in Hungary allows the minority self-governments to develop their cultural activities wherever they consider it necessary.

175. The fifth periodical report does not report specifically on the issue with regard to Beás . However, in view of the above information and in the absence of any complaints received by representatives of the speakers during the on-the-spot visit, the Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

176. The Committee of Experts underlines that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which Hungarian cultural institutions are active.

177. The fifth periodical report mentions that in the case of Roma artists, their guest performances have been facilitated in Hungarian institutes located in countries and continents further away.

178. The Committee of Experts considers the undertaking partly fulfilled.

Article 13 – Economic and social life

Paragraph 1

With regard to economic and social activities, the Parties undertake, within the whole country:

a. to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations;

179. This undertaking was considered to be fulfilled for all part III languages in the previous evaluation reports. The Act on Minorities expressly stipulates in its Section 51 that anybody can use their mother tongue freely, anywhere and at any time. As there is furthermore no legislation prohibiting or limiting the use of the Roma languages, the Committee of Experts considers this undertaking also fulfilled with regard to Beás.

Paragraph 2

With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

- c. to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;***

180. The fifth periodical report states that in the opinion of the Secretary of State responsible for Health Care within the Ministry of National Resources, "the aforementioned provision of the Charter, implemented within the framework of the Hungarian legal system concerning persons speaking (Roma) languages, establishes obligations for the Government within broad boundaries, allowing for significant room for manoeuvre. It 'requires' within reasonable boundaries (inter alia) from health care service providers for inpatient professional care to ensure that Roma-speaking persons are 'accepted and treated' in their protected language".

181. According to the 1997 Act CLIV on Health, Section 13(8), an interpreter can be called in, in order for the patient to be informed in a way which is comprehensible for him/her. According to the authorities, this legal provision shall also be implemented with regard to minority languages.

182. During the on-the spot visit the Committee of Experts was informed by representatives of the authorities that the Ministry of State for Healthcare is currently under restructuring and that the formal requirements as set out in the Charter will be respected. Furthermore no complaints have been received in this respect. Additional data on concrete implementation will only be available after the end of the on-going reform process (2014).

183. The Committee of Experts was informed that since the 1st of January 2012 national minority self-governments are entitled to set up and run social welfare institutions with the same opportunities of funding as the municipalities.

184. The Committee of Experts asks the Hungarian authorities to provide substantial information on the practical implementation with regard to Beas in the next periodical report.

Article 14 – Transfrontier exchanges

The Parties undertake:

- a. to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;***

185. The fifth periodical report mentions that Hungary has concluded a number of bilateral agreements on the protection of minorities with the homeland of minorities living within its territory. Minority joint committees have also been established and meet on an annual basis.

186. It is however not clear to the Committee of Experts how these treaties apply to Beás. The Committee of Experts encourages the authorities to report on this specific issue in the next periodical report.

- b. for the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.***

187. The fifth periodical report mentions several twin partnerships across borders. In 2009 the "Festival of Twin Cities" was organized, by seven cross-border twinning partners. The festival was supported by EU funds. The Slovak and Roma minorities took part in it.

188. It is however not clear to the Committee of Experts to which extent these partnerships are relevant to the Beás speakers. The Committee of Experts encourages the authorities to report on this specific issue in the next periodical report.

3.2.2 Croatian

189. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in the previous evaluation reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. These provisions are listed below:

Article 8 paragraph 1 e.iii; paragraph 2

Article 9 paragraph 1 sub-paragraph a.iii and paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 paragraph 4 sub-paragraph c ; paragraph 5

Article 11 paragraph 1 sub-paragraph b ii

Article 12 paragraph 1 sub-paragraphs b. d. f. g ; paragraph 2

Article 13 paragraph 1 sub-paragraph a

Article 14 a. and b.

190. In respect of these provisions, the Committee of Experts refers to the conclusions reached in its fourth evaluation report, but reserves the right to evaluate the situation again at a later stage.

Article 8 – Education

General issues

Awareness-raising

191. In the fourth evaluation report, the Committee of Experts “consider[ed] that more awareness-raising about the virtues of, and opportunities for, bilingual education is needed”. It “urge[d] the Hungarian authorities to actively promote minority language education among parents and pupils”. In particular, the Committee of Experts suggested that it “could be envisaged, for example, that the responsible authorities in municipalities on whose territory minority self-governments are active regularly provide parents of newly-born children with an information package about the opportunities of mother-tongue or bilingual education in the minority languages concerned”.

192. The fifth periodical report states in a general way that awareness-raising activities, like presentations about the teaching of minority languages at school open days, summer camps, post-curricular activities and publications, take place. It is, however, not clear which languages have benefited from these measures.

193. In light of the information received during the on-the-spot visit, the Committee of Experts remains of the view that the possibility of receiving instruction also in the minority languages should be more pro-actively promoted vis-à-vis the minority language speakers with a view to achieving in the medium term a shift from mainly teaching the minority language as a subject to teaching in minority languages, as recommended by the Committee of Ministers since the first monitoring round in 2001.

Financial situation of minority language education

194. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**improve further the financial situation of minority language education and increase the stability of resourcing**”. In addition, the Committee of Experts “urge[d] the Hungarian authorities to improve the financial situation of education in minority languages at all stages of education” and “... to secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by minority self-governments”.

195. The fifth periodical report does not contain specific information about these issues. In light of the information received during the on-the-spot visit, the Committee of Experts considers that funding of the minority education in Hungary remains tight.

Teaching materials

196. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to accelerate the production of textbooks for education in minority languages at all stages of education”.

197. The Hungarian authorities reply in their fifth periodical report that efforts are being made to have at least one textbook per education type and grade available for education in minority languages. The authorities report as well that minority education textbooks are currently being separated into textbooks and workbooks and that the translations are being paid by the Ministry of Education or through EU funding. In

addition, it is stated that several minorities use minority education textbooks of the kin-states. However, the periodical report does not specify with regard to each Part III language for which grades and subjects there are up-to-date textbooks in the respective language available.

198. During the on-the-spot visit the Committee of Experts was informed by the representative of the Croatian National Self-Government that the “Croatian Club” in Pécs is actively contributing to adapting Croatian textbooks to the Hungarian educational system and ensuring their publication..

Transport for pupils

199. In the fourth evaluation report, the Committee of Experts also “urged the Hungarian authorities to organise transport for pupils whose schools have been closed or merged”.

200. The Hungarian authorities mention in their fifth periodical report that they are providing financial incentives which shall make it possible that pre-school education and the first four grades of primary education can still be offered in smaller municipalities while education as of the fifth grade should, for reasons of cost efficiency, be organised in bigger places. In localities with 3 000 inhabitants or less where the primary school has been closed, the parents may submit a written application to demand the re-opening of the school so that children could be provided education and teaching locally at least in the 1-4th grades. So far, four institutions were awarded support for restart, which affects approximately 100 children. In addition, another 24 schools were selected for support that would have been shut down without aid. It is, however, not clear which minority languages have benefited from the measures referred to in these examples. Considering that many minority language speakers live in small municipalities, the Committee of Experts nonetheless welcomes this initiative.

201. As regards the organisation of transport for pupils of closed or merged schools, the fifth periodical report refers to localities where schools had been closed and where pupils are now transported by organised school buses. The examples, however, do not seem to concern Croatian-speaking pupils.

202. The Committee of Experts learned that for some minorities the school bus issue is still a problem. Many small villages have applied for funding, or parents have opted for the solution of car-sharing. The authorities have mentioned to the Committee of Experts that financial support has been provided to municipalities in order to buy busses and also to favour car-sharing among parents concerned and that some progress could be noted.

Conclusion

203. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**develop a structured long-term policy and plan for education in all regional or minority languages**”. It follows from the above that, despite some positive developments, many of the structural shortcomings identified in the previous monitoring cycles persist.

The Committee of Experts strongly urges the Hungarian authorities to
- secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by the Croatian National Self-Government
- further accelerate the production of textbooks for education in Croatian at all stages of education.

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school education

- a.
 - i. *to make available pre-school education in the relevant regional or minority languages; or*
 - ii. *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
 - iii. *to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
 - iv. ***if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above.***

204. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of further mother-tongue kindergartens and to address the negative trends in Croatian [...] pre-school education.” Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

205. According to the information provided by the Hungarian authorities in the fifth periodical report, in the 2008/2009 school year there were two minority language kindergartens (179 children) and 25 bilingual kindergartens (986 children). In the 2009/2010 school year there were nine minority language kindergartens (487 children), 18 bilingual kindergartens (757 children) and one kindergarten where 47 children received additional teaching in Croatian.

206. The Committee of Experts welcomes the fact that the number of children attending pre-school education in Croatian, as well as the number of minority language kindergartens has increased. However, the bilingual kindergartens still predominate over mother tongue kindergartens.³ In light of the wishes expressed by the speakers, the Committee of Experts maintains its view that at pre-school level the educational model of mother tongue kindergarten corresponds better to the situation of the Croatian language in Hungary. The Committee of Experts recalls that language revitalization takes place in kindergartens and considers that the Hungarian authorities should continue their efforts to actively promote the establishment of further mother tongue kindergartens.⁴

207. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

Primary education

- b. i. to make available primary education in the relevant regional or minority languages; or*
- ii. to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient.**

208. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of more bilingual primary schools”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

209. According to the information provided by the authorities in the periodical report, in the 2008/2009 school year, there were five bilingual schools (584 pupils) and 24 schools that taught Croatian (1,550 pupils). In the 2009/2010 school year, there were two Croatian language schools (181 pupils), six bilingual schools (500 pupils), 23 schools where 1,379 pupils were learning Croatian and two institutions where Croatian was taught as supplementary minority education (135 pupils).

210. The Hungarian authorities also mentioned that, in the Vas County Szentpéterfa Bilingual Primary School, there is not a single pupil whose parents did not request nationality education; consequently the education is provided in Croatian.

211. The Committee of Experts welcomes the increased availability of monolingual and bilingual primary education in Croatian. However, in general, the number of pupils enrolled in mother tongue or bilingual education remains relatively low compared to the number of pupils to whom Croatian is taught as a subject. While welcoming a trend towards more instruction in minority languages, the Committee of Experts considers that the efforts need to be pursued to increase bilingual education with a view to moving from the model of

³ See also 3rd report of the Committee of Experts on Hungary, ECRML (2007)5, paragraph 72-73

⁴ See also 3rd report of the Committee of Experts on Hungary, ECRML (2007)5, paragraph ...

only teaching the language as a subject to bilingual education in Part III languages, as recommended by the Committee of Ministers.

212. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

Secondary education

- c. i. *to make available secondary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii. *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. ***to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

213. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urged the Hungarian authorities to actively promote the establishment of more bilingual secondary schools”. Furthermore, the Committee of Ministers recommended Hungary to **“increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages”**.

214. According to the information provided by the authorities in the fifth periodical report, in the 2008/2009 and 2009/2010 school years, there were two Croatian or bilingual grammar schools in which 222 students were enrolled and no grammar school or secondary schools where Croatian was taught.

215. The Committee of Experts considers that the number of 222 students remains low compared to the number of Croatian-speakers in Hungary and insufficient to ensure an effective transmission of the language. To counter this tendency it would be necessary to raise the number of pupils receiving monolingual or bilingual education at primary level.

216. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts urges the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual primary and secondary schools in order to ensure continuity in the offer of teaching in/of Croatian.

Technical and vocational education

- d. i. *to make available technical and vocational education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii. *to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. ***to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

217. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to establish and/or increase in technical and vocational training the offer of teaching Part III languages as an integral part of the curriculum”.

218. According to the information provided by the authorities in the fifth periodical report, there is to date no institution in Hungary providing technical and vocational education in Croatian or providing teaching of Croatian as an integral part of the curriculum.

219. In light of this information the Committee of Experts must revise its conclusion and consider the undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to strengthen efforts to establish in technical and vocational training the offer of teaching in and of Croatian as an integral part of the curriculum.

Adult and continuing education

- f. i. *to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii. *to offer such languages as subjects of adult and continuing education; or*
- iii. ***if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education.***

220. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for Croatian. It "urge[d] the Hungarian authorities to develop and finance an adequate framework for teaching of minority languages in adult and continuing education and to actively promote such education".

221. The fifth periodical report states that there was no significant change in the system of adult training within the reporting period. The report further refers to the satisfactory in-service language training attendance of teachers working in primary schools of various minorities. In light of the above, the Committee of Experts understands that there is still no comprehensive scheme of adult and continuing education in minority languages for a wider public.

222. The Committee of Experts considers the undertaking partly fulfilled and urges the Hungarian authorities to develop and finance an adequate framework for teaching of Croatian in adult and continuing education and to actively promote such education.

Teaching of history and culture

- g. ***to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language.***

223. In the fourth evaluation report, the Committee of Experts "request[ed] the Hungarian authorities to provide specific information, including on the teaching of the history and the culture which is reflected by the minority languages in mainstream teaching for non-speakers of minority languages".

224. According to the information contained in the fifth periodical report, the teaching of the history and the culture which is reflected by Croatian is ensured for minority education. In the case of the Croats, nationality studies are integrated into the language classes in grades 1-4 and into several subjects in grades 5-8.

225. As far as the mainstream education is concerned, the teaching of the history and the culture which is reflected by the regional or minority languages present in Hungary is ensured through the legislation (Government Decree No. 243/2003 (XII. 17.) on the Development, Introduction and Implementation of the National Core Curriculum). In practice, this teaching is provided in the subject Man and Society cultural studies, and as of the 5th grade of elementary school, in the subjects Country and culture, History and Civic studies. Within the regulation concerning the educational outcome, these materials appear on every level as knowledge to be tested and the secondary school final examination requirements also include knowledge related to the history and culture of minorities.

226. During the on-the-spot visit the Committee of Experts was informed by the representative of the Croatian National Self-Government that the good cooperation established with the city of Zadar in Croatia enabled the Croatian National Self-Government to benefit from Croatian history books updating historic data with respect to content, thus improving publications prepared by the Croatian National Self-Government.

227. The Committee of Experts considers the undertaking fulfilled.

Basic and further training of teachers

h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party.

228. In the fourth evaluation report, the Committee of Experts noted that “the teacher training system has not changed” and considered that this undertaking remained partly fulfilled. It “strongly urged the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in minority languages”. Furthermore, the Committee of Ministers recommended Hungary to “**increase [...] the number of teachers able to teach subjects in [Part III] languages**” in order to enable bilingual or mother-tongue education on a wide scale.

229. In their fifth periodical report, the authorities acknowledge the increasing need for teachers teaching general subjects in minority languages in bilingual and minority language education. Subject-specific further training courses have therefore been organised, including theoretical training and class observation in the kin states for practising teachers teaching general subjects in minority languages in bilingual or mother tongue schools. Bilateral inter-ministerial action plans and agreements have been set up. Full-time training in the kin state, part-training and doctoral training, linguistic methodological and area-specific language training for practising teachers, opportunities for receiving foreign guest teachers are foreseen. During the reporting period, tenders organised by the Ministry of Education and providing for in-service nationality teacher training also allowed for more minority language teacher training. In the case of Croatian, there was one tender in 2008 and one in 2010.

230. During the on-the-spot visit, the Committee of Experts was informed by the representative of the Croatian National Self-Government that summer holiday camps and teacher training seminars are run by the Croatian National Self-Government with support of the city of Zadar (Croatia). The Committee of Experts would appreciate to get further information about the number of teachers involved. It would also welcome information on the progress made concerning the Croatian teachers training.

231. In general, however, the Committee of Experts notes that there have been no changes in the teacher training system with a view to ensuring that there is a sufficient number of teachers able to teach subjects in Croatian. It recalls that the lack of teachers remains a structural bottleneck in the provision of bilingual education⁵ and underlines that strengthened efforts are needed on the part of the Hungarian authorities in this respect.

232. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in Croatian.

Monitoring

i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public..

233. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Part III languages, and for producing periodical public reports.” Furthermore, the Committee of Ministers recommended Hungary to “**set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter**”.

234. The authorities state in their fifth periodical report inter alia that the minority self-governments have the right to be consulted in respect of issues related to minority education.

⁵ See 4th report of the Committee of Experts on Hungary, ECRML (2010)2, paragraph 104

235. The Committee of Experts underlines that this undertaking foresees a specific body or bodies with the responsibility of monitoring what is being done in the field of education and for assessing whether progress has been made. The said body or bodies should also be charged with drafting regular reports on their findings and these reports should be made public. Furthermore, the body or bodies should have a sufficient degree of autonomy.

236. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Croatian, and for producing periodical public reports.

Article 9 – Judicial authorities

General issues

Geographical scope of application/organisational measures

237. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter”. Furthermore, the Committee of Ministers recommended Hungary to **“take steps to ensure that the relevant judicial [...] authorities implement the obligations under Article [...] 9 [...] of the Charter, in particular by specifying those judicial [...] districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 9 [...]”**.

238. In the fifth periodical report, the Hungarian authorities state that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of judicial districts which, in turn, would call for a systemic reform to facilitate compliance with the requirements defined in Article 9 of the Charter. The commitments made through the ratification of the Language Charter apply to the whole territory of Hungary”.

239. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter.

Information and encouragement measures

240. In the fourth evaluation report, the Committee of Experts “again strongly urge[d] the authorities to actively inform citizens about the possibility to use a minority language in courts”.

241. According to the fifth periodical report, the parties involved are informed of their right to use minority languages at the beginning of and during court proceedings.

242. The fifth periodical report provides a few examples of cases where persons belonging to minorities have used their language before courts. The Committee of Experts notes, however, that there have been practically no developments as far as the actual use of minority languages before courts is concerned. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Croatian in court have been denied this possibility. In the view of the Committee of Experts, the Hungarian authorities should encourage the minority language speakers to use their languages before judicial authorities. As already stated in the previous reports, the judicial staff could encourage the use of minority languages through bi- or multilingual notices and signs in and on court buildings, and through information in public announcements or court forms.

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

Criminal proceedings

- a. *ii to guarantee the accused the right to use his/her regional or minority language.*

- iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language.*

243. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

244. In the fifth periodical report, no practical examples concerning the implementation of this undertaking are given by the Hungarian authorities.

245. The Committee of Experts considers these undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of their implementation in practice with regard to Croatian in the next periodical report.

Civil proceedings

- b. ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.*
- iii to allow documents and evidence to be produced in the regional or minority language.*

Proceedings before courts concerning administrative matters

- c. ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.*
- iii in proceedings before courts concerning administrative matters: to allow documents and evidence to be produced in the regional or minority languages.*

246. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

247. The fifth periodical report contains no examples on the practical implementation of these undertakings. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Croatian in court have been denied this possibility. Based on this and bearing in mind that interpretation and translation systems have been allocated to the courts, the Committee of Experts considers the undertakings fulfilled.

Article 10 – Administrative authorities and public services

General issues

Geographical scope of application/organisational measures

248. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, on whose territory local and county minority self-governments representing Part III languages are active, as the authorities that will be obliged to take organisational measures to implement the obligations under Article 10.” Furthermore, the Committee of Ministers recommended Hungary to “**take steps to ensure that the relevant [...] administrative authorities implement the obligations under Article [...] 10 of the Charter, in particular by specifying those [...] administrative districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 10**”.

249. In the fifth periodical report, the Hungarian authorities reiterate their view that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of districts which, in turn, would call for specific measures to facilitate compliance with the requirements defined in Article 10 of the Charter. The commitments defined in the Language Charter apply to the authorities on the whole territory of the country”.

250. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities that will be obliged to take organisational measures to implement the obligations under Article 10. These authorities would be those on whose territory local and county self-governments of the Croatian minority are active.

Information and encouragement measures

251. In the fourth evaluation report, the Committee of Experts noted that the Hungarian authorities have actively informed the national minorities of their language rights. Nevertheless, it “consider[ed] that a more systematic and thorough approach is needed”.

252. No information on this aspect has been provided in the fifth periodical report. The Committee of Experts encourages the Hungarian authorities to adopt a more systematic and thorough approach informing the Croatian speakers of their language rights in relation with administrative authorities and public services.

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

a. v to ensure that users of regional or minority languages may validly submit a document in these languages;

253. The Committee of Experts underlines that the undertakings under Article 10 paragraph 1 concern local branches of the central State administration whereas the undertakings under article 10 paragraph 2 concern local administrations.

254. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and requested more information in the next periodical report about its practical implementation.

255. In the fifth periodical report, no practical examples are given by the Hungarian authorities with regard to Croatian.

256. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Croatian-speakers to validly submit a document in Croatian to the local branches of State administration in practice.

c. to allow the administrative authorities to draft documents in a regional or minority language.

257. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the legal possibility to draft documents in a minority language more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars”.

258. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments. It did, however, not receive information on the use of Croatian by the regular administration.

259. The Committee of Experts considers this undertaking formally fulfilled. It strongly urges the Hungarian authorities to promote the legal possibility to draft documents in Croatian more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

b. the possibility for users of regional or minority languages to submit oral or written applications in these languages

260. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled as “there are no indications of a stable and regular implementation of this provision in practice”.

261. According to the information provided by the authorities in the fifth periodical report, the change in the financing system (Government Decree No. 342/2010 (XII. 28.)) of the minority self-governments encourages the minority self-governments to apply their competence given to them in the Act on Minorities. In the course of the appointment of civil servants for local municipalities, more and more of them took the initiative to favour candidates who have a command of a minority language. There are, however, no practical examples on how the Croatian language is used in regular local administrations. The authorities report that two administrators speak Croatian in Szentpéterfa (Petrovo Selo) and one in Felsőcsatár. Practical examples of the use of Croatian are, however, not mentioned.

262. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Croatian-speakers to submit oral and written applications in Croatian to local and regional administrations in practice.

e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

263. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

264. No information as to the implementation of this undertaking has been provided in the fifth periodical report.

265. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to promote the use by regional authorities of the Croatian language in debates in their assemblies.

f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

266. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the oral and written use of minority languages by local authorities in debates in their assemblies”.

267. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-government institutions. However, it did not receive information on the use of Croatian by the local authorities in debates in their assemblies.

268. The Committee of Experts concludes that this undertaking remains formally fulfilled. It strongly urges the Hungarian authorities to promote the oral and written use of Croatian by local authorities in debates in their assemblies.

g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

269. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to promote the *adoption* by the eligible municipalities of all local topographical names in the minority language(s) concerned and financially assist their *use* in conjunction with the official use of the Hungarian denominations”.

270. According to the information provided in the fifth periodical report, the 2011 Act on the Rights of Nationalities eliminates the inconsistencies of the previous legislation and stipulates that nationalities are entitled to use historical and traditional names of localities, streets and other geographical indications intended for the community.

271. The fifth periodical report further states that the Government Commissioner of Győr–Moson–Sopron County reported that in localities traditionally inhabited by persons belonging to the Croatian minority, signs displaying the traditional name of the locality in Croatian can be found at the boundaries of practically all of those localities. In general, however, a relatively low share of the relevant municipalities (i.e. where a local minority self-government is active) have adopted official place-names in a minority language. Also, the use of the minority place-name is usually limited to the signs at the entrance of the municipality and some signs on public buildings. Place-name signs at the exits of municipalities, street name signs, signposts and public transport signs bear the Hungarian place-names only. The use of official place-names in Croatian is not monitored. The Committee of Experts considers that an authority should be designated to carry out such monitoring, for example the road and traffic authority.

272. The Committee of Experts considers the undertaking partly fulfilled. It strongly urges the Hungarian authorities to promote the *adoption* by the relevant municipalities of all local topographical names in Croatian and financially assist their *use* in conjunction with the official use of the Hungarian names.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. to allow users of regional or minority languages to submit a request in these languages.

273. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to ensure that minority language users can submit requests in minority languages to public services in practice”.

274. The authorities refer in their fifth periodical report again to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However, the present undertaking concerns “action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on⁶”.

275. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to ensure that Croatian speakers can submit requests in Croatian to public service providers in practice.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. translation or interpretation as may be required;

276. In the fourth evaluation report the Committee of Experts considered this undertaking partly fulfilled and repeated its request to the Hungarian authorities to provide information on the practical implementation of this undertaking in the next periodical report.

277. The information provided in the fifth periodical report deals with recruitment of officials speaking minority languages, but does not contain practical examples of translation and interpretation for Croatian.

278. The Committee of Experts considers the undertaking still partly fulfilled and asks the Hungarian authorities again to provide information on its practical implementation in the next periodical report.

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a. to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

279. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It “strongly urge[d] the Hungarian authorities to improve the time-slots, time-schedules and financial support available for television programmes in minority

⁶ Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

languages". Furthermore, the Committee of Ministers recommended Hungary to **"improve the offer of minority language programmes on television"**.

280. In the fifth periodical report, the Hungarian authorities state that the quantity and timing of minority-language television programmes has remained the same during the reporting period. They moreover state that the rerun of minority television programmes was moved from channel M2 to the Duna Television, allowing reruns to reach a much larger audience on approx. 86% of the territory of Hungary. Before, the reruns on M2 were only available via satellite and cable networks. In addition while reruns used to be broadcast in the early morning, they are now broadcast on Duna Television at 11 a.m., which makes these programmes more accessible and helps to improve the ratings. There is no information about the financial situation of minority language broadcasting.

281. While welcoming the improvements made with regard to the reception of programmes, the Committee of Experts notes nonetheless that the offer of minority language programmes in Croatian on television as such has not improved as this would have implied the production of additional programmes rather than the broadcasting of reruns.

282. The Committee of Experts considers the undertaking fulfilled concerning radio and partly fulfilled concerning television. It urges the Hungarian authorities to improve the financial support available for television programmes in Croatian. Furthermore, the Committee of Experts encourages the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in Croatian for children.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

283. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for Croatian and "strongly urge[d] the Hungarian authorities to encourage and/or facilitate access of the minority language users to community cable television networks, local cable television reception as well as to television programmes from countries in which these languages are used". Furthermore, the Committee of Ministers recommended Hungary to **"improve the offer of minority language programmes on television"**.

284. The media services of a commercial nature have to be registered by the Office of the National Media and Infocommunication Authority (Section 66(5) of the Media Act). The Media Act also regulates the "must carry" obligation of media service providers regarding community media services intended to satisfy the special needs for information of national or ethnic minorities.

285. The Hungarian authorities report that 562 providers, which corresponds to 49 per cent of currently operating cable media service providers, made a commitment to broadcast programmes made for national or other minorities. The total national average broadcasting time of nationality programmes, mostly available at various programmes through local cable television networks, is 405 minutes a month. These figures show that cable media service providers, mainly local cable television programmes, provide an average of six hours and 45 minutes of programme intended for national or other minorities each month. It is not clear, however, to which extent the programmes are in Croatian. The Committee of Experts asks the Hungarian authorities to clarify this in the next periodical report.

286. The authorities also state in the fifth periodical report that in the localities of Szentpéterfa, Felsőcsatár and Narda (Vas County), upon the initiative of the Croatian Minority Self-Government and thanks to their financial contribution, the population of the villages can watch nationality programmes on 3 channels through cable television. The local TV station broadcast information and advertisements in both Croatian and Hungarian. In the locality of Narda, once a month the news is presented also in Croatian through the local village TV and the video gallery of Croatian nationality programmes can be viewed as well.

287. The Committee of Experts concludes that this undertaking is fulfilled.

e. i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages

288. In the fourth evaluation report, the Committee of Experts "encourage[d] the Hungarian authorities to maintain the previous financial support to newspapers in minority languages".

289. According to the information provided by the authorities in the fifth periodical report, in the reporting period, the funding for the publication of minority language newspapers was provided by the Public

Foundation for Minorities in 2009 and in 2010. In 2011, the state support given to minority newspapers was integrated into the budget of the minority self-governments directly.

290. As far as the Croatian *Hrvatski glasnik* newspaper is concerned, the support provided to it by the State increased from HUF 32,936,991 (EUR 117 000) in 2009, to HUF 35,095,000 (EUR 125 000) in 2010 and HUF 35,100,000 (EUR 125 000) in 2011. During the on-the-spot visit the Committee of Experts was informed by the representative of the Croatian National Self-Government that the overall financial support provided by the Hungarian authorities was satisfactory.

291. According to the information reported by the authorities, there are also independent local publications, such as in Szentpéterfa in Vas County. It is, however, not clear whether these publications can be qualified as “newspapers” in the sense of the Charter.

292. In Felsőcsatár and Narda, the minority self-governments ensure access to *Hrvatske Novine*, the newspaper published on the Austrian side of the border by the Croatian community.

293. The Committee of Experts considers the undertaking fulfilled.

f. i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media.

294. In the fourth evaluation report, the Committee of Experts “urge[d] the Hungarian authorities to establish a permanent funding system for programmes in minority languages”.

295. The fifth periodical report does not contain any specific information concerning the establishment of a permanent funding system for programmes in Croatian.

296. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities to provide information on this issue in the next periodical report.

g. to support the training of journalists and other staff for media using regional or minority languages.

299. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.” Furthermore, the Committee of Ministers recommended Hungary to “develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.”

300. According to the fifth periodical report, a Minority Media Working Group operated in the first half of the reporting period (2007-2010). Based on its recommendations, nationality media editorial boards carried out a staff exchange programme with the countries where their mother tongue is spoken within the framework of a cooperation agreement. The Committee of Experts welcomes this initiative. However, this arrangement does not constitute a comprehensive scheme for the training of journalists, as recommended in the previous evaluation report.

301. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Croatian.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

302. This undertaking was considered fulfilled for the Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities were entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

303. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of

Trustees of Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's Advisory Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

304. According to the law the national self-governments are entitled to delegate one person to the Board. The Committee of Experts was informed that the current representative is from the Serbian National Self-Government.

305. The Committee of Experts considers the undertaking still fulfilled.

Article 12 Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages.***

306. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “encourage[d] the authorities to establish a stable financial framework for the running of the cultural institutions”.

307. According to the information provided by the authorities, a significant number of libraries own collections in minority languages and organise cultural programmes on national minorities. A lack of funds was, however, noted. As far as the National Foreign Language Library is concerned, in 2011 the Ministry of National Resources reallocated HUF 2 million (EUR 7000) from other funds for the procurement of nationality documents.

308. During the on-the-spot visit the Committee of Experts was informed that the Croatian Club “August Šenoa” located in Pécs is functioning as an information center, as a focal point for cultural activities and as a publishing center providing textbooks, educational manuals and literature books. This center enables the Croatian National Self-Government to increase visibility in terms of cultural and linguistic services to be provided within the frame of its mandate. The Ministry of Public Administration and Justice reportedly supported the opening of this Croatian Club in Pécs.

309. According to the fifth periodical report, the “base museums” (a group of museums that belong to the organisation of county museums) include museological institutions related to national and ethnic minorities (*inter alia* the Dorottya Kanizsai Museum in Mohács, presenting Serbian, Croatian and Slovenian material). The legal status of these museums is settled, although the financing of their related tasks is controversial and not resolved. Another group of museological institutions related to national and ethnic minorities is made up of about 220 local history collections and reproduction peasant houses. In most of the cases they are operated by the local municipality or the local minority self-government. These institutions are eligible for state support funds to which each museum is entitled. Within the scope of such possibilities are the tenders invited by the Museum College of the National Cultural Fund of Hungary (NKA) as well as high priority funds aimed at the professional support of museums maintained by local municipalities. A large funding option consists of EU tenders. The funding required to run the cultural institutions taken over by the minority self-governments is incorporated into the annual budget of the national minority self-government concerned.

310. The Christian Croatian Collection in Hungary was also created during the reporting period, with substantial state aid.

311. In light of the available information, it appears that the running of the cultural institutions continues to depend largely on tenders and that there is still no stable financial framework for the running of such institutions in place.

312. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities.

313. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested information about dubbing, post-synchronisation and subtitling activities.

314. According to the information provided by the authorities in the fifth periodical report, minority theatre companies that are financed by the Ministry responsible for culture or supported by municipalities are predominantly producing performances in minority languages. However, their repertoire also includes translations from other languages and stage performances in Hungarian, ensuring translation into the majority language using conference interpretation technology or by the means of projection. An example of a theatre working in such a way is the Croatian Theatre in Pécs that operates successfully, with professional staff. Moreover, on the nationality public service television programmes the interviews that are broadcast in Hungarian are provided with subtitles in the language of the nationality.

315. The Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

316. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

317. According to the information contained in the fifth periodical report, the culture which is reflected by the minority languages is presented by the Hungarian cultural centres in the kin states but apparently not in other countries.

318. The Committee of Experts recalls that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which Hungarian cultural institutions are active.

319. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Hungarian authorities to make appropriate provision for the Croatian language and culture in their cultural policy abroad.

3.2.3 German

320. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in the previous evaluation reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. These provisions are listed below:

Article 8 paragraph 1 e.iii; paragraph 2

Article 9 paragraph 1 sub-paragraph a.iii and paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 paragraph 5

Article 11 paragraph 3

Article 12 paragraph 1 sub-paragraphs b. d. f. g; paragraph 2

Article 13 paragraph 1 sub-paragraph a

Article 14 a.

321. In respect of these provisions, the Committee of Experts refers to the conclusions reached in its fourth evaluation report, but reserves the right to evaluate the situation again at a later stage.

Article 8 – Education

General issues

Awareness-raising

322. In the fourth evaluation report, the Committee of Experts “consider[ed] that more awareness-raising about the virtues of, and opportunities for, bilingual education is needed”. It “urge[d] the Hungarian authorities to actively promote minority language education among parents and pupils”. In particular, the Committee of Experts suggested that it “could be envisaged, for example, that the responsible authorities in municipalities on whose territory minority self-governments are active regularly provide parents of newly-born children with

an information package about the opportunities of mother-tongue or bilingual education in the minority languages concerned”.

323. The fifth periodical report states in a general way that awareness-raising activities, like presentations about the teaching of minority languages at school open days, summer camps, post-curricular activities and publications, take place. It is, however, not clear which languages have benefited from these measures.

324. In light of the information received during the on-the-spot visit, the Committee of Experts remains of the view that the possibility of receiving instruction also in the minority languages should be more pro-actively promoted vis-à-vis the minority language speakers with a view to achieving in the medium term a shift from mainly teaching the minority language as a subject to teaching in minority languages, as recommended by the Committee of Ministers since the first monitoring round in 2001.

Financial situation of minority language education

325. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**improve further the financial situation of minority language education and increase the stability of resourcing**”. In addition, the Committee of Experts “urge[d] the Hungarian authorities to improve the financial situation of education in minority languages at all stages of education” and “... to secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by minority self-governments”.

326. The fifth periodical report does not contain specific information about these issues. In light of the information received during the on-the-spot visit, the Committee of Experts considers that funding of the minority education in Hungary remains tight. This structural problem notably discourages minority self-governments to take over additional educational institutions. In fact, representatives of the German National Self-Government stated during the on-the-spot visit that they are willing to take over more schools if the budgetary resources permit.

Teaching materials

327. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to accelerate the production of textbooks for education in minority languages at all stages of education”.

328. The Hungarian authorities reply in their fifth periodical report that efforts are being made to have at least one textbook per education type and grade available for education in minority languages. The authorities report as well that minority education textbooks are currently being separated into textbooks and workbooks and that the translations are being paid by the Ministry of Education or through EU funding. In addition, it is stated that several minorities use minority education textbooks of the kin-states. However, the periodical report does not specify with regard to each Part III language for which grades and subjects there are up-to-date textbooks in the respective language available.

329. During the on-the-spot visit, the Committee of Experts was informed by representatives of the speakers that very few textbooks are available, and that the German National Self-Government has to publish them. The German National Self-government is currently planning to publish an electronic atlas and history book, as well as a German literature manual. The situation is particularly problematic in the case for kindergarten education, where no German education material is available in Hungary.

Transport for pupils

330. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to organise transport for pupils whose schools have been closed or merged”.

331. The Hungarian authorities mention in their fifth periodical report that they are providing financial incentives which shall make it possible that pre-school education and the first four grades of primary education can still be offered in smaller municipalities while education as of the fifth grade should, for reasons of cost efficiency, be organised in bigger places. In localities with 3 000 inhabitants or less where the primary school has been closed, the parents may submit a written application to demand the re-opening of the school so that children could be provided education and teaching locally at least in the 1-4th grades. So far, four institutions were awarded support for restart, which affects approximately 100 children. In addition, another 24 schools were selected for support that would have been shut down without aid. It is, however, not clear which minority languages have benefited from the measures referred to in these examples. Considering that many minority language speakers live in small municipalities, the Committee of Experts nonetheless welcomes this initiative.

332. As regards the organisation of transport for pupils of closed or merged schools, the fifth periodical report refers to localities where schools had been closed and where pupils are now transported by organised school buses. The examples, however, do not seem to concern German-speaking pupils.

333. During the on-the-spot visit, the Committee of Experts was informed that as far German education is concerned the school bus issue is still a problem. Many small villages have applied for funding, or parents have opted for the solution of car-sharing. The authorities have mentioned to the Committee of Experts that financial support has been provided to municipalities in order to buy busses and also to favour car-sharing among parents concerned and that some positive progress could be noted.

Conclusion

334. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**develop a structured long-term policy and plan for education in all regional or minority languages**”. It follows from the above that, despite some positive developments, the structural shortcomings identified in the previous monitoring cycles persist.

The Committee of Experts strongly urges the Hungarian authorities to
- secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by the German National Self-government
- accelerate the production of textbooks for education in German at all stages of education

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school education

- a. *i. to make available pre-school education in the relevant regional or minority languages; or*
- ii. to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
- iii. to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
- iv. if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above.***

335. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of further mother-tongue kindergartens [...]”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

336. According to the information provided by the Hungarian authorities in the fifth periodical report, in the 2008/2009 school year there were nine German language kindergartens (495 children) and 189 bilingual kindergartens (14,718 children). In the 2009/2010 school year there were 23 German language kindergartens (1,541 children), 180 bilingual kindergartens (13,119 children) and six supplementary German kindergartens (250 children).

337. The Committee of Experts welcomes the fact that the number of children attending pre-school education in German as well as that of minority language kindergartens has increased. However, the overall number of children attending the three models of education has decreased. Moreover, the number of children enrolled in mother tongue kindergartens is still relatively low compared to the number of children enrolled in bilingual kindergartens.⁷ In light of the wishes expressed by the speakers, the Committee of Experts maintains its view that at pre-school level the educational model of mother-tongue kindergarten corresponds better to the situation of the German language in Hungary. The Committee of Experts also recalls that language revitalisation takes place in kindergartens and considers that the Hungarian authorities should continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

⁷ See also 3rd report of the Committee of Experts on Hungary, ECRML (2007)5, paragraph 72-73

338. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

Primary education

- b. i. *to make available primary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii. *to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient.**

339. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of more bilingual primary schools”. Furthermore, the Committee of Ministers recommended Hungary to **“increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages”**.

340. According to the information provided by the authorities in the fifth periodical report, in the 2008/2009 school year, there were two German language schools (294 pupils), 29 bilingual schools (4,235 pupils) and 239 schools teaching German (42,480 pupils). In the 2009/2010 school year, there were 12 German language schools (1,225 pupils), 29 bilingual schools (4,080 pupils) and 227 schools teaching German (39,937 pupils). In three institutions German was taught as part of supplementary minority education to 54 pupils.

341. The Committee of Experts welcomes the fact that the number of children attending primary education in German as well as that of minority language schools, has increased. However, the number of bilingual primary schools has remained the same while the number of pupils decreased. The overall number of children attending the three models of German education has also decreased. In general, the number of pupils enrolled in mother tongue or bilingual education remains relatively low compared to the number of pupils to whom German is taught as a subject. While welcoming a trend towards more instruction in minority languages, the Committee of Experts considers that the efforts need to be pursued to increase bilingual education with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages, as recommended by the Committee of Ministers.

342. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

Secondary education

- c. i. *to make available secondary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii. *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.**

343. In the fourth evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It “strongly urged the Hungarian authorities to actively promote the establishment of more bilingual secondary schools”. Furthermore, the Committee of Ministers recommended Hungary to **“increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages”**.

344. According to the information provided by the authorities in the fifth periodical report, in the 2008/2009 school year, there were eight German language or bilingual grammar schools (1,938 students), seven grammar schools where 518 students learnt German and two secondary schools where 229 students learnt German. In the 2009/2010 school year, there were eleven German language or bilingual grammar schools (2,021 students), seven grammar schools where 481 students learnt German and five secondary schools where 239 students learnt German.

345. The Committee of Experts notes that the number of students attending secondary German or bilingual education as well as that of schools providing such education has increased. The number of 2 021 students remains, however, relatively low compared to the number of German speakers in Hungary. Furthermore, the number of students learning German has slightly decreased.

346. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts urges the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual primary and secondary schools in order to ensure continuity in the offer of teaching in/of German

Technical and vocational education

- d. i. *to make available technical and vocational education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii. *to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. *to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

347. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to establish and/or increase in technical and vocational training the offer of teaching Part III languages as an integral part of the curriculum”.

348. According to the information provided by the authorities in the fifth periodical report, in the 2008/2009 school year, there were two specialised schools in which 168 students were attending German classes; in the 2009/2010 school year, there was only one specialised school, providing language teaching and bilingual education to 142 students. As to the vocational secondary education, the Committee of Experts understood that in the school year 2008/2009 only two institutions were teaching German to 229 students and in the 2009/2010 school year 5 institutions were teaching German to 239 students. It does, however, not seem that the teaching of German forms an integral part of the curriculum. In general, the number of students attending German-language education at technical and vocational levels remains very low in relation to the number of German speakers in Hungary.⁸

349. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to strengthen efforts to increase the offer of teaching in and of German as an integral part of the curriculum in technical and vocational education.

⁸ See 4th report of the Committee of Experts on Hungary, ECRML (2010)2, paragraph 96

Adult and continuing education

- f. i. *to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii. *to offer such languages as subjects of adult and continuing education; or*
- iii. ***if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education.***

350. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for German. It “urged the Hungarian authorities to develop and finance an adequate framework for teaching of minority languages in adult and continuing education and to actively promote such education”.

351. The fifth periodical report states that there was no significant change in the system of adult education during the reporting period. The report further refers to the satisfactory in-service language training attendance of teachers working in primary schools of various minorities. In light of the above, the Committee of Experts understands that there is still no comprehensive scheme of adult and continuing education in minority languages for a wider public.

352. The Committee of Experts considers this undertaking partly fulfilled and urges the Hungarian authorities to develop and finance adequate framework for teaching of German in adult and continuing education and actively promote such education.

Teaching of history and culture

- g. ***to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language.***

353. In the fourth evaluation report, the Committee of Experts asked the Hungarian authorities to provide specific information, including on the teaching of the history and the culture which is reflected by the minority languages in mainstream teaching for non-speakers of minority languages.

354. According to the fifth periodical report, the teaching of the history and the culture which is reflected by German is ensured for minority education and it is integrated into the curriculum of language and literature, history and skills-related subjects.

355. As far as the mainstream education is concerned, the teaching of the history and the culture which is reflected by the regional or minority languages in Hungary is foreseen by the Government Decree No. 243/2003 (XII. 17.) on the Development, Introduction and Implementation of the National Core Curriculum. In practice, this teaching is provided as part of the subject Man and Society cultural studies, and as of the 5th grade of elementary school, within the subjects Country and culture, History and Civic studies. Within the regulation concerning the educational outcome, these materials appear at each level as knowledge to be tested and the secondary school final examination requirements also include knowledge related to the history and culture of minorities.

356. The Committee of Experts considers the undertaking fulfilled.

Basic and further training of teachers

- h. ***to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party.***

357. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urged the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in minority languages”. Furthermore, the Committee of Ministers recommended Hungary to **“increase [...] the number of teachers able to teach subjects in [Part III] languages”** in order to enable bilingual or mother-tongue education on a wide scale.

358. In their fifth periodical report, the authorities acknowledge the increasing need for teachers teaching general subjects in minority languages in bilingual and minority language education. Subject-specific further training courses have therefore been organised, including theoretical training and class observation in the kin states for practising teachers teaching general subjects in minority languages in bilingual or mother tongue schools. Bilateral inter-ministerial action plans and agreements have been set up. Full-time training in the kin state, part-training and doctoral training, linguistic methodological and area-specific language training for practising teachers, opportunities for receiving foreign guest teachers are foreseen. During the reporting period, tenders organised by the Ministry of Education and providing for in-service nationality teacher training also allowed for more minority language teacher training. In the case of German, there were ten tenders in 2008, five in 2009 and two in 2010.

359. During the on-the-spot visit, the Committee of Experts was informed by representatives of the German National Self-Government that the Information and Cultural Centre they run in Budapest is applying for EU funding in order to get additional financial means to further provide for teacher training.

360. In general, however, the Committee of Experts notes that there have been no changes in the teacher training system with a view to ensuring that there is a sufficient number of teachers able to teach subjects in minority languages. It recalls that the lack of teachers remains a structural bottleneck in the provision of bilingual education⁹ and underlines that strengthened efforts are needed on the part of the Hungarian authorities in this respect.

361. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in German.

Monitoring

- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public..***

362. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Part III languages, and for producing periodical public reports.” Furthermore, the Committee of Ministers recommended Hungary to **“set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter”**.

363. The authorities state in their fifth periodical report inter alia that the minority self-governments have the right to be consulted in respect of issues related to minority education.

364. The Committee of Experts underlines that this undertaking foresees a specific body or bodies with the responsibility of monitoring what is being done in the field of education for and assessing whether progress has been made. The said body or bodies should also be charged with drafting regular reports on their findings and these reports should be made public. Furthermore, the body or bodies should have a sufficient degree of autonomy.

365. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of German, and for producing periodical public reports.

⁹ See 4th report of the Committee of Experts on Hungary, ECRML (2010)2, paragraph 104

Article 9 – Judicial authorities

General issues

Geographical scope of application/organisational measures

366. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter”. Furthermore, the Committee of Ministers recommended Hungary to “**take steps to ensure that the relevant judicial [...] authorities implement the obligations under Article [...] 9 [...] of the Charter, in particular by specifying those judicial [...] districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 9 [...]**”.

367. In the fifth periodical report, the Hungarian authorities state that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of judicial districts which, in turn, would call for a systemic reform to facilitate compliance with the requirements defined in Article 9 of the Charter. The commitments made through the ratification of the Language Charter apply to the whole territory of Hungary”.

368. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter.

Information and encouragement measures

369. In the fourth evaluation report, the Committee of Experts “again strongly urge[d] the authorities to actively inform citizens about the possibility to use a minority language in courts”.

370. According to the fifth periodical report, the parties involved are informed of their right to use minority languages at the beginning of and during court proceedings.

371. The fifth periodical report provides a few examples of cases where persons belonging to minorities have used their language before the courts. The Committee of Experts notes, however that there have been practically no developments as far as the actual use of minority languages before courts is concerned. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use German in court have been denied this possibility. In view of the Committee of Experts, the Hungarian authorities should encourage the minority language speakers to use their language before judicial authorities. As already stated in the previous reports, the judicial staff could encourage the use of the minority languages through bi- or multilingual notices and signs in and on court buildings, and through information in public announcements or court forms.

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

Criminal proceedings

- a. ***ii. to guarantee the accused the right to use his/her regional or minority language.***
- iv. to produce, on request, documents connected with legal proceedings in the relevant regional or minority language.***

372. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

373. In the fifth periodical report, no practical examples concerning the implementation of this undertaking are given by the Hungarian authorities.

374. The Committee of Experts considers these undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of their implementation in practice with regard to German in the next periodical report.

Civil proceedings

- b. ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.**
- iii. to allow documents and evidence to be produced in the regional or minority language.**

Proceedings before courts concerning administrative matters

- c. ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.**
- iii. in proceedings before courts concerning administrative matters: to allow documents and evidence to be produced in the regional or minority languages.**

375. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

376. The fifth periodical report contains no examples on the practical implementation of these undertakings. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use German in court have been denied this possibility. Based on this and bearing in mind that interpretation and translation systems have been allocated to the courts the Committee of Experts considers the undertakings fulfilled.

Article 10 – Administrative authorities and public services

General issues

Geographical scope of application/organisational measures

377. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, on whose territory local and county minority self-governments representing Part III languages are active, as the authorities that will be obliged to take organisational measures to implement the obligations under Article 10.” Furthermore, the Committee of Ministers recommended Hungary to **“take steps to ensure that the relevant [...] administrative authorities implement the obligations under Article [...] 10 of the Charter, in particular by specifying those [...] administrative districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 10”**.

378. In the fifth periodical report, the Hungarian authorities reiterate their view that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of districts which, in turn, would call for specific measures to facilitate compliance with the requirements defined in Article 10 of the Charter. The commitments defined in the Language Charter apply to the authorities on the whole territory of the country”.

379. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities that will be obliged to take organisational measures to implement the obligations under Article 10. These authorities would be those on whose territory local and county minority self-governments of the German minority are active.

Information and encouragement measures

380. In the fourth evaluation report, the Committee of Experts noted that the Hungarian authorities have actively informed the national minorities of their language rights. Nevertheless, it “consider[ed] that a more systematic and thorough approach is needed”.

381. No information on this aspect has been provided in the fifth periodical report. The Committee of Experts encourages the Hungarian authorities to adopt a more systematic and thorough approach informing the German speakers of their language rights in relation with administrative authorities and public services.

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

a. v to ensure that users of regional or minority languages may validly submit a document in these languages;

382. The Committee of Experts underlines that the undertakings under Article 10 paragraph 1 concern local branches of the central State administration whereas the undertakings under article 10 paragraph 2 concern local administrations.

383. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and requested more information in the next periodical report about its practical implementation.

384. In the fifth periodical report, no practical examples are given by the Hungarian authorities with regard to German.

385. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of German-speakers to validly submit a document in German to the local branches of State administration in practice.

c. to allow the administrative authorities to draft documents in a regional or minority language.

386. In the fourth periodical report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the legal possibility to draft documents in a minority language more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars”.

387. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments. However, it received only one example of the use of minority languages by the regular administration (information material presenting support to victims of a crime are also provided in German by the Government Commissioner of the Government Office of Komárom–Esztergom County).

388. During the on-the-spot visit, the Committee of Experts was informed that it is still not possible in practice to have identity cards in Hungarian and German, whereas this is allowed by the legislation. The authorities are conscious of the practical problems linked with the bilingual drivers' licenses and identity card.

389. The Committee of Experts considers this undertaking formally fulfilled. It strongly urges the Hungarian authorities to promote the legal possibility to draft documents in German more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

b. the possibility for users of regional or minority languages to submit oral or written applications in these languages

390. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled as “there were no indications of a stable and regular implementation of this provision in practice”.

391. According to the information provided by the authorities in the fifth periodical report, the change in the financing system (Government Decree No. 342/2010 (XII. 28.)) of the minority self-governments encourage the minority self-government to apply their competence given to them in the Act on Minorities. In the course of the appointment of civil servants for local municipalities, more and more of them took the initiative to favour candidates who have a command of a minority language. There are, however, no practical examples of German being used in regular local administrations. The authorities report that in Vas County, almost every administrator working for the municipalities can speak German. Practical examples of its use are, however, not mentioned.

392. The Committee of Experts considers the undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of German-speakers to submit oral and written applications in German to local and regional administrations in practice.

e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

393. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

394. No information as to the implementation of this undertaking has been provided in the fifth periodical report.

395. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to promote the use by regional authorities of the German language in debates in their assemblies.

f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

396. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the oral and written use of minority languages by local authorities in debates in their assemblies”.

397. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments institutions. It did, however, not receive information on the use German by the local authorities in debates in their assemblies.

398. The Committee of Experts concludes that this undertaking remains formally fulfilled. It strongly urges the Hungarian authorities to promote the oral and written use of German by local authorities in debates in their assemblies.

g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

399. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to promote the *adoption* by the eligible municipalities of all local topographical names in the minority language(s) concerned and financially assist their *use* in conjunction with the official use of the Hungarian denominations”.

400. According to the information provided in the fifth periodical report, the 2011 Act on the Rights of Nationalities eliminates the inconsistencies of the previous legislation and stipulates that nationalities are entitled to use historical and traditional names of localities, streets and other geographical indications intended for the community.

401. According to the fifth periodical report, the municipalities of Lébény/Leiden and Ágfalva/Agendorf are in the process of displaying the German names of the localities, streets, public offices and public service providers. Furthermore, the authorities have reported that in Szeged/Szegedin, German has been used for the name of a public institution. In general, however, a relatively low share of the relevant municipalities (i.e. where a local minority self-government is active) have adopted official place-names in a minority language. Also, the use of the minority place-name is usually limited to the signs at the entrance of the municipality and some signs on public buildings. Place-name signs at the exits of municipalities, street name signs, signposts and public transport signs bear the Hungarian place-names only. The use of official place-names in German

is not monitored. The Committee of Experts considers that an authority should be designated to carry out such monitoring, for example the road and traffic authority.

402. The Committee of Experts considers the undertaking partly fulfilled. It strongly urges the Hungarian authorities to promote the *adoption* by the relevant municipalities of all local topographical names in German and financially assist their *use* in conjunction with the official use of the Hungarian names.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. to allow users of regional or minority languages to submit a request in these languages.

403. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to ensure that minority language users can submit requests in minority languages to public services in practice”.

404. The authorities refer in their fifth periodical report again to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However, the present undertaking concerns “action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on¹⁰”.

405. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to ensure that German speakers can submit requests in German to public service providers in practice.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. translation or interpretation as may be required;

406. In the fourth evaluation report the Committee of Experts considered this undertaking partly fulfilled but repeated its request to the Hungarian authorities to provide information on the practical implementation of this undertaking in the next periodical report.

407. The information provided in the fifth periodical report deals with recruitment of officials speaking minority languages, but does not contain practical examples of translation and interpretation for German.

408. The Committee of Experts considers the undertaking still partly fulfilled and asks the Hungarian authorities again to provide information on its practical implementation in the next periodical report.

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a. to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

409. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It “strongly urge[d] the Hungarian authorities to

¹⁰ Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

improve the time-slots, time-schedules and financial support available for television programmes in minority languages". Furthermore, the Committee of Ministers recommended Hungary to **"improve the offer of minority language programmes on television"**.

410. In the fifth periodical report, the Hungarian authorities state that the quantity and timing of minority-language television programmes has remained the same during the reporting period. They moreover state that the rerun of minority television programmes was moved from channel M2 to Duna Television, allowing reruns to reach a much larger audience on approximately 86% of the territory of Hungary. Before, the reruns on M2 were only available via satellite and cable networks. In addition, while reruns used to be broadcast in the early morning, they are now broadcast on Duna Television at 11 a.m., making them more accessible. There is no information about the financial situation of minority language broadcasting.

411. While welcoming the improvements made with regard to the reception of programmes, the Committee of Experts notes nonetheless that the offer of minority language programmes in German on television as such has not improved as this would have implied the production of additional programmes rather than the broadcasting of reruns.

412. The Committee of Experts considers the undertaking fulfilled concerning radio and partly fulfilled concerning television. It urges the Hungarian authorities to the authorities to improve the financial support available for television programmes in German. Furthermore, the Committee of Experts encourages the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in German for children.

b. ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;

413. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled for German. It "urge[d] the Hungarian authorities to promote the broadcasting of programmes in German on private radio".

414. According to the information provided by the authorities in the fifth periodical report, in accordance with the existing legal provisions, anyone may apply for media broadcasting rights in order to ensure the information of national and ethnic minorities if the Media Council decides to publish a tender on the subject as a community issue. If this objective falls into the category of satisfying the needs of a community defined in Section 66 of the Media Act, no fee is payable by the broadcaster. It is also possible to submit tender applications with this objective in the case of media service provision opportunities of a commercial nature. According to the fifth periodical report, the Media Act foresees a new requirement in case of linear analogue radio tendering. All call for tenders and all bids must include the bidder's commitments with respect to daily minimum programmes covering the needs of national, ethnic or other minorities. In accordance with the invitation to the tender, the Media Council may take into consideration these commitments when evaluating the bids.

415. As far as German is concerned, however, the Committee of Experts notes that there is no private radio broadcasting programme in this language.

416. The Committee of Experts considers this undertaking not fulfilled. It strongly urges the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in German on a regular basis.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

417. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for German and "strongly urge[d] the Hungarian authorities to encourage and/or facilitate access of the minority language users to community cable television networks, local cable television reception as well as to television programmes from countries in which these languages are used". Furthermore, the Committee of Ministers recommended Hungary to **"improve the offer of minority language programmes on television"**.

418. The media services of a commercial nature have to be registered by the Office of the National Media and InfoCommunication Authority (Section 66(5) of the Media Act) and registered. The Media Act also regulates the "must carry" obligation of media service providers regarding community media services intended to satisfy the special needs for information of national or ethnic minorities.

419. The Hungarian authorities report that 562 providers, which correspond to 49 per cent of currently operating cable media service providers, made a commitment to broadcast programmes made for national or other minorities. The total national average broadcasting time of nationality programmes, mostly available at various programmes through local cable television networks, is 405 minutes a month. These figures show that cable media service providers, mainly local cable television programmes, provide an average of six hours and 45 minutes of programme intended for national or other minorities each month. It is not clear, however, to which extent the programmes are in German. The Committee of Experts asks the Hungarian authorities to clarify this in the next periodical report.

420. The authorities also state in the fifth periodical report that in the reporting period, one new programme provider, the "Association for Public Education in Vértessomló", acquired the right to broadcast television programmes for the German minority living in the locality of Vértessomló/Schemling, Komárom-Esztergom County. It is, however, not clear whether the programmes are broadcast in German.

The Committee of Experts considers this undertaking partly fulfilled. It strongly urges the Hungarian authorities to further encourage and/or facilitate the broadcasting of private television programmes in German on a regular basis.

e. i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages

421. In the fourth evaluation report, the Committee of Experts "encourage[d] the Hungarian authorities to maintain the previous financial support to newspapers in minority languages".

422. According to the information provided by the authorities in the fifth periodical report, the funding for the publication of minority language newspapers was provided by the Public Foundation for Minorities in 2009 and 2010. In 2011, the state support given to minority newspapers was integrated into the budget of minority self-governments directly.

423. As far as the German newspaper, Neue Zeitung, is concerned, the support provided to it by the State increased from HUF 30,884,348 (EUR 110 000) in 2009, to HUF 32,718,000 (EUR 116 367) in 2010 and HUF 32,700,000 (EUR 116 303) in 2011. According to the information provided by the authorities, there are also local German publications, such as those of Bonyhád/Bonnhard and Paks in Tolna County. It is, however, not clear whether these publications can be qualified as "newspapers" in the sense of the Charter.

424. The Committee of Experts considers the undertaking fulfilled.

f. i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media.

425. In the fourth evaluation report, the Committee of Experts "urge[d] the Hungarian authorities to establish a permanent funding system for programmes in minority languages".

426. The fifth periodical report does not contain any specific information concerning the establishment of a permanent funding system for programmes in German.

427. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities to provide information on this issue in the next periodical report.

g. to support the training of journalists and other staff for media using regional or minority languages.

428. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It "strongly urge[d] the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using minority languages." Furthermore, the Committee of Ministers recommended Hungary to "develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages."

429. According to the fifth periodical report, a Minority Media Working Group operated in the first half of the reporting period (2007-2010). Based on its recommendations, nationality media editorial boards carried out a staff exchange programme with the countries where their mother tongue is spoken within the framework of a cooperation agreement. The Committee of Experts welcomes this initiative. However, this arrangement does not constitute a comprehensive scheme for the training of journalists, as recommended in the previous evaluation report.

430. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using German.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

431. This undertaking was considered fulfilled for the Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities were entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

432. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of Trustees of Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's Advisory Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

433. According to the law the National self-governments are entitled to delegate one person to the Board. The Committee of Experts has been informed that the current representative is from the Serbian National Self-Government.

434. The Committee of Experts considers the undertaking still fulfilled.

Article 12 Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages.***

435. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “encourage[d] the authorities to establish a stable financial framework for the running of the cultural institutions”.

436. According to the information provided by the authorities, a significant number of libraries own collections in minority languages and organise cultural programmes on national minorities. A lack of funds was, however, noted. As far as the National Foreign Language Library is concerned in 2011 the Ministry of National Resources reallocated HUF 2 million (EUR 7000) from other funds for the procurement of nationality documents.

437. During the on-the-spot visit, the Committee of Experts was informed that the German National Self-Government has taken over the German theatre in Szegzed/Szegedin. In the fifth periodical report, mention is also made of the youth film festival of Germans in Hungary called “Abgedreht”. 14-19 year old young people can present German language films about opinions on Germans in Hungary. The films receive television, media and DVD publicity.

438. According to the fifth periodical report, the “base museums” (a group of museums that belong to the organisation of county museums) include museological institutions related to national and ethnic minorities (*inter alia* the Ethnographic Museum of the German Nationality). The legal status of these museums is settled, but the financing of their related tasks is controversial and not resolved. Concerning the German

Museum in Tata/Totis, operating under rather harsh material conditions, the State Secretariat for Culture is planning to conduct a targeted professional supervision audit.

439. Another group of museological institutions related to national and ethnic minorities is made up of about 220 local history collections and reproduction peasant houses. More than half of them are institutions keeping and exhibiting materials related to the German speakers living in Hungary. Their work is coordinated by the Heimatmuseum in Budaörs/Wudersch. In most cases they are operated by the local municipality or the local minority self-government. These institutions are eligible for state support funds to which each museum is entitled. Within the scope of such possibilities are the tenders invited by the Museum College of the National Cultural Fund of Hungary (NKA) as well as high priority funds aimed at the professional support of museums maintained by local municipalities. The largest funding option consists of EU tenders. The funding required to run the cultural institutions taken over by the minority self-governments is incorporated into the annual budget of the national minority self-government concerned.

440. In light of the available information, it appears that the running of the cultural institutions continues to depend largely on tenders and that there is still no stable financial framework for the running of such institutions in place.

441. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

c. *to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities.*

442. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested information about dubbing, post-synchronisation and subtitling activities.

443. According to the information provided by the authorities in the fifth evaluation report, minority theatre companies financed by the Ministry responsible for culture or supported by municipalities are predominantly producing performances in minority languages. However, their repertoire also includes translations from other languages and stage performances in Hungarian, ensuring translation into the majority language using conference interpretation technology or by the means of projection. There are various German theatre companies working in such a way, e.g. the Deutsche Bühne in Szekszárd/Seksard and the Deutsches Theater Budapest. Deutsche Bühne receives direct support from the central budget, while other theatre companies get annual operation supports via tenders. It is maintained jointly by the Tolna County and the National Self-Government of Germans in Hungary, and it will be taken over by the Tolna/Tolnau municipality in the future. Moreover, on the nationality public service television programmes the interviews that are broadcast in Hungarian are provided with subtitles in the language of the nationality.

444. The Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

445. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

446. According to the information contained in the fifth periodical report, the culture which is reflected by the minority languages is presented by the Hungarian cultural centres in the kin-states, but apparently not in other countries.

447. The Committee of Experts recalls that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which Hungarian cultural institutions are active.

448. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Hungarian authorities to make appropriate provision for the German language and culture in their cultural policy abroad.

3.2.4 Romani

Article 8 – Education

General issues

449. In the fourth evaluation report, the Committee of Experts “encourage[d] the Hungarian authorities to train more teachers who would be able to teach in Romani [...] and to actively promote the teaching in/of th[is] language[...] at all appropriate stages”. Furthermore, the Committee of Ministers recommended Hungary to “**take further resolute measures in language planning for Romani [...] with a view to making available on a wider scale teaching of and in th[is] language[...] at all appropriate stages**”.

450. Following the adoption by the Hungarian Parliament of Act XLIII of 2008, the Hungarian authorities have undertaken to apply the provisions of Part III of the Charter also to the Romani and Beás languages. The authorities report that this new legal norm provides a regulated framework for these languages at the various levels of education.

451. The Committee of Experts welcomes the extension of the Part III undertakings to the Romani language which makes possible a better protection and promotion of the language, especially in the field of education.

452. The authorities report in their fifth periodical report that education in Romani can be organised at the initiative of at least eight parents. Following the 1993 Public Education Act, if the number of pupils does not permit the organisation of minority language education in the locality, the national minority self-government concerned can ask the metropolitan or county municipality to organise the teaching of the mother tongue and minority studies. This supplementary minority education may be organised in a division of the given school, through the establishment of schools providing minority language teaching or through the employment of travelling teachers. Relevant development tasks have been elaborated for the curriculum in respect of Romani, under the supervision of the Nationality Group of the Hungarian Institute for Educational Research and Development.

453. The representative of the speakers, whom the Committee of Experts met during the on-the-spot visit, stressed that positive developments with regard to Beas and Romani education had occurred in the recent years, notably through the Roma Framework Strategy. The main challenge rests in the fact that often, Beas and Romani have to be re-taught to children at schools because the language is not used in the family sphere. It is therefore not possible at the moment to teach subjects in Beas and Romani at schools. Persons belonging to the Roma minority are also often ashamed of speaking their language and of using it in public. A new approach, based on education, is therefore needed in order to make speakers conscious of the value of their language.

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school education

- a. i to make available pre-school education in the relevant regional or minority languages; or***
- ii to make available a substantial part of pre-school education in the relevant regional or minority languages; or***
- iii to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or***

454. According to the information contained in the fifth periodical report, the number of kindergartens providing bilingual minority education in Romani has grown significantly in recent years, from 1 institution in 2008/2009 to 10 for the 2009/2010 school year. The number of children attending bilingual Romani education has also increased significantly, from 31 in 2008/2009 to 340 in 2009/2010. The representative of the speakers whom the Committee of Experts met during the on-the-spot visit mentioned the positive impact of the “Safe start” programme which makes kindergarten education compulsory and which is supported by the European Union.

455. The authorities report as well that “concerning teacher and kindergarten teacher training the conditions for making the Romani and Beás languages as minority languages an optional subject for students have also been created. In these areas of training, the same conditions have been created for the Roma as for all other minorities; that is, by virtue of Decree No. 24/2010 (V. 14.) OKM Decree No. 15/2006 (IV. 3) OM

now contains the qualifications of nationality kindergarten teacher and nationality teacher in the lower grades as obtainable qualifications and, therefore, in the certificate itself the language of the particular nationality (Croatian, German, Romanian, Serbian, Slovak, Slovene) or Roma training orientation is displayed in brackets”.

456. The Committee of Experts considers the undertaking partly fulfilled and encourages the Hungarian authorities to expand the offer of the pre-school education in Romani.

Primary education

- b. i to make available primary education in the relevant regional or minority languages; or*
- ii to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;**

457. In the fourth evaluation report, the Committee of Experts “encourage[d] the Hungarian authorities to train more teachers who would be able to teach in Romani [...] and to actively promote the teaching in/of th[is] language[...] at all appropriate stages”. Furthermore, the Committee of Ministers recommended Hungary to “**take further resolute measures in language planning for Romani [...] with a view to making available on a wider scale teaching of and in th[is] language [...] at all appropriate stages**”.

458. According to the information contained in the fifth periodical report, primary education in Romani only takes place in the form of language teaching. The number of pupils has however decreased in recent years, from a total of 1159 pupils in 18 institutions in 2008/2009 to a total of 932 pupils in 15 institutions in 2009/2010.

459. During the on-the-spot visit, the Committee of Experts was informed that, thanks to an EU project, a first textbook for primary level, including audio-materials, is currently being developed at the Gandhi School.

460. During the on-the-spot visit the Committee of Experts was informed that three elementary schools have been taken over by the Roma National Self-Government and that they are willing and motivated to take over more schools in the future.

461. The Committee of Experts considers the undertaking partly fulfilled, and encourages the Hungarian authorities to develop in cooperation with the speakers a structured plan to introduce more Romani education in primary schools including using a bilingual approach.

Secondary education

- c. i to make available secondary education in the relevant regional or minority languages; or*
- ii to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;**

462. According to the available information, secondary education in Romani takes place only in the form of language teaching. This concerns nine institutions with a total of 1112 students for the academic year 2009/2010, whereas it concerned twelve institutions and 1430 students for the academic year 2008/2009.

463. The Committee of Experts asks the Hungarian authorities to clarify the reasons for this decline in the next periodical report.

464. The Committee of Experts considers the undertaking partly fulfilled, and encourages the authorities to increase the offer for secondary education in Romani.

Technical and vocational education

- d. *i to make available technical and vocational education in the relevant regional or minority languages; or*
- ii to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;***

465. There is no institution in Hungary providing technical and vocational education in Romani, nor teaching of Romani as an integral part of the curriculum.

466. The Committee of Experts considers the undertaking not fulfilled. It encourages the Hungarian authorities to establish teaching in or of Romani in technical and vocational education.

University and higher education

- e. *i to make available university and other higher education in regional or minority languages; or*
- ii to provide facilities for the study of these languages as university and higher education subjects; or*
- iii if, by reason of the role of the State in relation to higher education institutions, subparagraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;***

467. The authorities report that Romani can be studied at University of Pécs, the University of Debrecen, the Faculty of Teacher Training at the University College of Nyíregyháza, the Apáczai Csere János Faculty at the University of West Hungary, the Tessedik Sámuel College Faculty of Pedagogy, and the Kaposvár University. There is Romani language training in the Apor Vilmos Catholic College in Vác.

468. In 2008, 4 applicants were awarded HUF 4 million (EUR 14 000) for the implementation of research designed to assist the teaching of the Romani and Beás languages and Roma studies, while in 2009, 6 applicants received aid of the amount of HUF 3.5 million (EUR 12 500) for the same purpose.

469. During the on-the-spot visit the Committee of Experts was informed by the representative of the Roma National Self-Government, that codification of the Romani and Beás languages still lacks commonly agreed standards and that assistance from Hungarian linguistics and academics knowledgeable in this domain would be most welcome.

470. During the on-the-spot visit the Committee of Experts was informed that the Roma National Self-Government is aiming at running a higher education institution as from 2013.

471. In view of the available information, the Committee of Experts considers the undertaking fulfilled.

Adult and continuing education

- f. *i to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii to offer such languages as subjects of adult and continuing education; or*
- iii if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;***

472. According to the information contained in the fifth periodical report, there is no comprehensive scheme of adult and continuing education in minority languages for a wider public. The authorities mention that there was no significant change in the system of adult training within the reporting period.

473. The authorities report in their fifth periodical report about the Zala County, where two cultural institutions (the Irka Adult Training Service Bureau in Nagykanizsa and the Culture Centre of Zalakomár) attained accreditation for adult training from EU funding during the reporting period. There are also persons of Roma origin amongst the beneficiaries of the free courses.

474. During the on-the-spot visit the Committee of Experts was informed that the re-teaching of Romani is a major challenge and concerns not only the children, but mainly the parents and the adults in general. Therefore, additional efforts to involve adults in adequate adult and continuing education programmes would be most beneficial for the overall use of the language.

475. The Committee of Experts considers the undertaking partly fulfilled and encourages the Hungarian authorities to strengthen their efforts to make adult and continuing education of Romani available.

Teaching of history and culture

g. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;

476. The authorities mention that several regulations on public education contain provision on the teaching of the history and the culture of the users of minority languages and that the knowledge of the students concerning these issues is assessed during the secondary school-leaving examinations.

477. The fifth periodical report states that the teaching of the history and the culture which is reflected by the Romani language takes place in schools in the form of a fully or partially independent subject. Furthermore, in mainstream education Roma studies can be chosen as an optional subject in grades 1-6.

478. During the on-the-spot visit, the Committee of Experts has been informed that a “framework curriculum” has been prepared by an expert from the Roma National Self-Government and that “Guidelines for National Minorities” have been redrafted with respect to the National Hungarian curricula. 6.000 books on Roma culture have also been ordered at national level.

479. In general, it appears to the Committee of Experts that there is a need for the speakers and for the majority population to recognise the Romani language as being an important element of their common culture.

480. The Committee of Experts asks the Hungarian authorities to include in the next periodical report information concerning the number of pupils choosing Roma studies as an optional subject.

Basic and further training of teachers

h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;

481. In the fourth evaluation report, the Committee of Experts “encourage[d] the Hungarian authorities to train more teachers who would be able to teach in [...] Romani”.

482. The availability of adequately trained teachers is reportedly still a problem, especially teachers teaching general subjects in minority languages in bilingual and mother-tongue education.

483. The authorities mention that the number of teachers qualified to teach Romani is not sufficient. Creating and extending the conditions for the training of teachers teaching Romani remains an important task for the authorities. Launching Romani teacher training courses is now possible, given the fact that Romology studies are offered in several institutions.

484. The authorities report as well that support was granted to training facilities and research workshops on the teaching of the Romani and Beás languages and Roma studies: in 2008, HUF 4 million (EUR 14 000) in aid was provided for the implementation of 4 in-service teacher training programmes (with the participation of 120 persons), while in 2009 HUF 1,125,000 (EUR 4000) was granted for the implementation of 1 in-service teacher training programme (with 35 persons). In 2008, 4 applicants were awarded HUF 4 million (EUR 14 000) for the performance of research promoting the teaching of the Romani and Beás languages and Roma studies, while in 2009, 6 applicants received aid of HUF 3.5 million (EUR 12 500) for the same purpose.

485. Concerning training for kindergarten teachers, Decree No. 24/2010 (V. 14.) OKM amending Decree No. 15/2006 (IV. 3) OM it is possible to study Romani and Beas as part of the kindergarten teacher training.

486. Decree No. 24/2010 (V. 14.) OKM on Teacher Education and Qualification Requirements for Bachelor's and Master's degrees also establishes that Romology as a course for Bachelor's and Master's degrees may be taught at universities, like at the University of Pécs, where Beás language and culture, Romani language and culture, and Roma minority studies can be studied.

487. Through EU funding, teaching materials have been made available. According to the authorities, textbooks for teaching Romani to pupils in grades 1 to 3 of elementary schools and a textbook for the education in minority studies have been completed. Textbooks for further grades are expected to be completed through another round of EU tenders. Educational programme packages, which also included the development of teaching aids, digital materials, in-service teacher training and general curricula, in addition to school textbooks, were developed in this respect. Textbooks for further grades are expected to be prepared through the same funding.

488. The Committee of Experts understands that a curriculum is being elaborated in respect of Romani, under the supervision of the Nationality Group of the Hungarian Institute for Educational Research and Development. The schools may develop or amend their own pedagogical programmes on the basis of this document. The representatives of the minorities have been consulted during the preparations of these documents. The objective was to ensure that the fundamental requirements, structure and overall spirit of the National Curriculum should be fully enforced also in the course of the teaching of minority languages, literature and minority studies from grade 1 all the way to grade 12 or 13. It was additionally an important goal that the regulation should provide an opportunity for those pupils who wish to commence their studies regarding minority languages and minority culture at different stages following their enrolment in school. The development tasks identified for each minority were published in Hungarian and in the language of the given minority.

489. The Committee of Experts looks forward to receiving updated information on this issue in the next periodical report, and especially on the practical achievements in terms of teacher training. The undertaking is considered to be only partly fulfilled in view of the small number of teachers.

The Committee of Experts encourages the Hungarian authorities to train more teachers to teach in Romani and to actively promote the teaching in/of this language at all appropriate stages.

Monitoring

- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.***

490. The authorities state in their fifth periodical report inter alia that the minority self-governments has the right to be consulted in respect of issues related to Romani education.

491. The Committee of Experts underlines that this undertaking foresees a specific body or bodies with the responsibility of monitoring what is being done in the field of education and for assessing whether progress has been made. The said body or bodies should also be charged with drafting regular reports on their findings and these reports should be made public. Furthermore, the body or bodies should have a sufficient degree of autonomy.

492. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts encourages the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Romani and for producing periodical public reports.

Paragraph 2

With regard to education and in respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage or provide teaching in or of the regional or minority language at all the appropriate stages of education.

493. According to the information provided by the authorities, the normal legal requirements, *i.e.*, a request for minority language education from the parents of at least eight pupils, applies also outside the territories in which the Part III languages concerned are traditionally used. The Public Education Act also provides for the possibility of supplementary minority education in those cases in which the minimum numbers can not be reached. Furthermore, the Act on National Public Education, entering into force on 1 September 2012, provides for boarding facilities for pupils attending minority education, allowing those living far away from the schools to also have education in/or of minority languages.

494. The Committee of Experts considers the undertaking fulfilled.

Article 9 – Judicial authorities

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

a. in criminal proceedings:

- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or*
- ii to guarantee the accused the right to use his/her regional or minority language; and/or***
- iii to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language; and/or***
- iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language,***
if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;

495. The fifth periodical report states that Sections 9(2) and 114(1) on Criminal Procedure guarantee the use of a minority language and of interpreters during criminal proceedings. The costs incurred with regard to the use of the minority language are to be borne by the state.

496. The fifth periodical report does not mention, however, cases where the Romani language has been used in criminal proceedings during the reporting period.

497. In view of the available information, the Committee of Experts considers the undertaking formally fulfilled. It asks the Hungarian authorities to provide examples of its implementation in practice with regard to Romani in the next periodical report.

b. in civil proceedings:

- ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or**
- iii to allow documents and evidence to be produced in the regional or minority languages,**
if necessary by the use of interpreters and translations;

498. As a result of the amendment of Act III (1952) on Civil Procedure by Act CX (1999) on Civil Procedure, it is guaranteed that in civil proceedings all parties involved may use their mother tongues or their regional or minority languages, in speech and in writing. For this purpose, the court shall use an interpreter. Expenses for interpretation and translation have to be borne by the state.

499. The fifth periodical report does not provide examples of the practical implementation of this undertaking with respect to Romani.

500. In view of the available information, the Committee of Experts considers the undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of the implementation in practice with regard to Romani in the next periodical report.

c. in proceedings before courts concerning administrative matters:

- i to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or**
- ii to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense; and/or**
- iii to allow documents and evidence to be produced in the regional or minority languages,**
if necessary by the use of interpreters and translations;

501. Act III (1952) on Civil Procedure (Section 20) as amended by Act CX (1999) and the general rules of civil procedure also apply to legal proceedings on administrative matters.

502. The fifth periodical report does not contain, however, examples of the practical implementation of this undertaking with respect to Romani.

503. In view of the available information, the Committee of Experts considers the undertaking formally fulfilled. It asks the Hungarian authorities to provide examples of its implementation in practice with regard to Romani in the next periodical report.

Paragraph 2

The Parties undertake:

- c. not to deny the validity, as between the parties, of legal documents drawn up within the country solely because they are drafted in a regional or minority language.**

504. In its first evaluation report, the Committee of Experts noted concerning the other Part III languages that from the general information at its disposal, it seemed that no provision of law excluded the validity of public, legally issued documents in a minority language. In its second evaluation report, the Committee of Experts concluded that the undertaking was fulfilled concerning all Part III languages. The second periodical report stated that "there are no clauses or provisions in the civil or criminal legislation of Hungary which would preclude the validity of these documents". The Committee of Experts has received no information indicating that the situation is different regarding Romani.

505. The Committee of Experts considers the undertaking fulfilled.

Article 10 – Administrative authorities and public services

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a. iv to ensure that users of regional or minority languages may submit oral or written applications in these languages; or***

506. According to Act CXL (2004) on the General Rules of Official Procedure and Servicing in Public Administration, “everyone has the right to use in speech and writing his or her mother tongue in public administrative proceedings”.

507. The Committee of Experts considers this undertaking formally fulfilled and asks the Hungarian authorities to inform in the next periodical report about its practical implementation.

- c. to allow the administrative authorities to draft documents in a regional minority language***

508. The act on the general rules of official procedure also lays down that “the requests submitted in a regional or minority language must be adjudged by a decision worded in Hungarian, and, upon the request of the client, translated into the language used in the request. This undertaking also affects orders”.

509. The Committee of Experts considers the undertaking formally fulfilled and asks the Hungarian authorities to inform in the next periodical report about its practical implementation.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- b. the possibility for users of regional or minority languages to submit oral or written applications in these languages;***

510. Act CLXXIX of 2011 on the Rights of Nationalities extends the opportunity to use minority languages in the field of the public administration of localities where there are a considerable number of inhabitants belonging to nationalities.

511. The Committee of Experts has however not received any information about the use of Romani in practice with regard to this undertaking. It therefore requests the Hungarian authorities to clarify the phrase “a considerable number” and to report on the implementation in practice of this undertaking in the next periodical report.

- e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;***

512. This undertaking was considered to be formally fulfilled for all Part III languages in the previous monitoring cycles. The use of a minority language in regional assemblies was legally possible, but non-existent in practice.

513. The Committee of Experts did not receive information with regard to the practical implementation of this undertaking with regard to Romani. It therefore has to conclude that the undertaking is formally fulfilled and encourages the authorities to report on the implementation in practice of this undertaking in the next periodical report.

- f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;***

514. According to the legal framework it is possible for local authorities to use regional or minority languages in debates in their assemblies

515. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-government institutions. It did not, however, receive information on the use of minority languages by the regular local administrations.

516. The Committee of Experts considers the undertaking formally fulfilled and encourages the authorities to report on the implementation in practice of this undertaking in the next periodical report.

g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

517. Pursuant to Act CLXXIX of 2011 on the Rights of Nationalities, the minorities, when exercising their rights pertaining to the use of names, are entitled to use historical, traditional names of localities, streets and other geographical indications intended for the community.

518. The fifth periodical report does not give, however, practical examples of the implementation of this undertaking with regard to Romani.

519. The Committee of Experts considers the undertaking formally fulfilled and encourages the authorities to report on the implementation in practice of this undertaking in the next periodical report.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. to allow users of regional or minority languages to submit a request in these languages.

520. There exists no legislation or other framework that would explicitly allow users of minority languages to submit a request in these languages to public services

521. The authorities refer in their fifth periodical report to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However this undertaking concerns “action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on¹¹”.

522. The Committee of Experts considers the undertaking not fulfilled and encourages the Hungarian authorities to make it possible for Romani speakers to be able to submit requests in Romani to public service providers.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. translation or interpretation as may be required;

523. Section 54 of the Act on Minorities stipulates that in localities inhabited by minorities, in the course of the appointment of public officials or public employees, preference shall be given to candidates who have command of minority languages.

524. In the fifth periodical report, the Hungarian authorities state that a survey conducted in Csongrád County has pointed out that in 7 municipalities there are public servants proficient in “Roma” languages. In Baranya County, the number of language certificates obtained in minority languages has been assessed. It corresponds to 3 persons for Romani. The data gathered does not provide the full picture because public servants who may well speak such languages but have not taken a language exam are not indicated. Furthermore, the authorities mention that in Vas County, at the notary of Meggyeskovácsi in Szombathely 3 clerks and in Körmen 2 clerks speak the Romani language. At the Government Office of Vas County there are public servants with knowledge of Roma languages and the communication with customers is ensured, if requested.

¹¹ Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

525. The Committee of Experts welcomes the information given concerning the recruitment of officials speaking Romani. The fifth periodical report does not, however, contain practical examples of translation and interpretation for Romani.

526. The Committee of Experts considers the undertaking partly fulfilled and asks the Hungarian authorities to provide information on its practical implementation in the next periodical report.

c. compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.

527. The fifth periodical report mentions several examples in Csongrád County, in Baranya County and in Vas County where there are public officials speaking Romani.

528. The Committee of Experts is, however, not in a position to conclude on the fulfilment of the undertaking and asks the Hungarian authorities to inform the Committee on the extent to which they comply with the requests from civil servants having knowledge of Romani to be appointed in the territory where the language is used.

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a. to the extent that radio and television carry out a public service mission:

ii to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages; or

529. Radio MR-4 broadcasts radio programmes in Beás and Romani (Lovari) for 30 minutes from Tuesday to Friday.

530. The Committee of Experts recalls that the present undertaking deals with encouragement or facilitation from the Hungarian authorities regarding the creation of at least one radio station and one TV channel in Romani. The Committee of Experts concludes that the undertaking is not fulfilled. The Committee of Experts encourages the authorities to take steps to encourage and/or facilitate the creation of at least one television channel in Romani.

b. ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;

531. The fifth periodical report mentions that the Roma minority has its own terrestrial radio station, Radio C, a community radio station that has existed for years and which can be received in the Budapest area. The central budget provided support during the reporting period for the funding of the radio.

532. However, the Committee of Experts has been informed that Radio C broadcasts almost exclusively in Hungarian, Beas and Romani being only symbolically used.

533. The Committee of Experts considers the undertaking not fulfilled. It encourages the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in Romani on a regular basis.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

534. The authorities report that individual 26-minute programmes are broadcast every week for the Roma minority. A 26-minute weekly Roma cultural portrait series has also started during the reporting period. It is not clear to the Committee of Experts, however to what extent these programmes are in Romani or Beas.

535. During the on-the-spot visit, the Committee of Experts did not receive any additional information on this subject.

536. The Committee of Experts asks the authorities to clarify whether television programmes are broadcast in Romani in their next periodical report.

d. to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;

537. According to a report on minority cultural rights by the Parliamentary Commissioner for National and Ethnic Minorities, the *Light-Shadow Art Association* has been making documentaries in Roma villages since 2000 with the active participation of the local population. The aim is to improve the communication between the Roma and the non-Roma, informing both communities about each other's cultural characteristics and building bridges between the two cultures. The intention is to enhance tolerance through generating interest in the majority community. They have filmed in more than 50 localities through state and private support. The films are shown to the local population, and in all other localities involved in the "Travelling Movie Project" photos taken there are displayed as well. Their documentaries have been broadcast by local cable television networks on several occasions, and DVD editions were made.

538. The Committee of Experts welcomes this information, but stresses, however, that it is not clear whether these documentaries are actually made in Romani.

539. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and asks the authorities to report on the issue in the next periodical report.

e. ii to encourage and/or facilitate the publication of newspaper articles in the regional or minority languages on a regular basis;

540. According to the information contained in the fifth periodical report, financial support has been granted by the Public Foundation for Minorities to five newspapers in Beas and/or Romani during the reporting period, for a total amount of HUF 31,900,000 (EUR 113 500) in 2011. These publications are: "Amaro Drom", "Glinda", "Kethano Drom", "Lungo Drom" and "Világunk". The Committee of Experts understands, however, that "Világunk" is only in Hungarian. It is unclear to the Committee of Experts if these publications are newspapers in the sense of the Charter.

541. In view of the available information and the number of publications receiving support, however, the Committee of Experts considers the undertaking fulfilled.

f. ii to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages;

542. The Committee of Experts has received no information concerning this undertaking and asks the Hungarian authorities to provide it in the next periodical report.

g. to support the training of journalists and other staff for media using regional or minority languages.

543. The fifth periodical report mentions that Roma internship programmes are being carried out with the cooperation of the Hungarian Television (MTV) for several graduates: editors, programme manufacturing staff, positions in the creation of news programming and film editors. Currently there are four young Roma people participating in the Roma television training programme. The aim of the programme was to start a dialogue between the Roma minority and the majority working in the media. A similar training programme was scheduled to start in March 2012.

544. The Committee of Experts welcomes this information and looks forward to receiving further information on this in the next periodical report. The Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

545. This undertaking was considered fulfilled for the Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities were entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

546. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of Trustees of the Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

547. According to the law the national self-governments are entitled to delegate one person to the Board. The Committee of Experts has been informed that the current representative is from the Serbian National Self-Government.

548. The Committee of Experts considers the undertaking fulfilled.

Article 12 – Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;***

549. The Committee of Experts has not received any information concerning this undertaking and asks the Hungarian authorities to provide this in the next periodical report.

- b. to foster the different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;***

550. The authorities refer in their fifth periodical report to several Roma theatre initiatives, such as the Karaván Art Foundation, the Cinka Panna Gypsy Theatre Foundation, the Romano Teatro Cultural Association in Miskolc or the Maladype/Meetings Theatre. The Committee of Experts was informed during the on-the-spot visit by a representative of the authorities that minority theatres are classified in a special category for funding, which includes a dedicated budget line and which provides for long-term financing.

551. The fifth periodical report does not, however, contain any information as to whether these theatre productions are in Romani or information on whether they are made accessible in other languages through translation, dubbing etc. The Committee of Experts asks the Hungarian authorities to provide information on this in the next periodical report.

- c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;***

552. The Committee of Experts has not received any information concerning this undertaking and asks the Hungarian authorities to provide this in the next periodical report.

- d. to ensure that the bodies responsible for organising or supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the undertakings which they initiate or for which they provide backing;***

553. The fifth periodical report mentions several cases where the staff of the bodies responsible for organising or supporting cultural activities, like for example county libraries or the Nationality Department of the National Foreign Language Library, have a command of the minority languages. Several folklore festivals

of nationalities are regularly organised and contribute to increase awareness of cultural pluralism as being part of the overall cultural richness of Hungary.

554. The Committee encourages the Hungarian authorities to provide information in the next periodical report as to the extent to which Romani speakers are involved in bodies responsible for organizing cultural activities.

f. to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;

555. This undertaking was considered fulfilled in the previous monitoring cycles for all Part III languages. In the first evaluation report, the Committee of Experts noted that cultural facilities are to a large degree provided and cultural activities planned by the minority self-governments themselves. The Committee of Experts also noted that in general, the Hungarian system is characterised by a high degree of participation of the users of minority languages in the decision-making on issues relating to minority languages.

556. The fifth periodical report also mentions the Hungarian Institute for Culture and Art, which as a Roma organisational unit and also a separate Roma Cultural Expert Board. This Board organised cultural professional conferences and thematic workshops. It also organised biannual photography exhibitions, resulting in photo albums where the captions of the pictures are multilingual.

557. The Committee of Experts considers the undertaking fulfilled.

g. to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages

558. The Committee of Experts has not received any information concerning this undertaking and asks the Hungarian authorities to provide this in the next periodical report.

Paragraph 2

In respect of territories other than those in which the regional or minority languages are traditionally used, the Parties undertake, if the number of users of a regional or minority language justifies it, to allow, encourage and/or provide appropriate cultural activities and facilities in accordance with the preceding paragraph.

559. This undertaking has been considered to be fulfilled for all Part III languages since the first evaluation report, as the decentralised system in Hungary allows the minority self-governments to develop their cultural activities wherever they consider it necessary.

560. The fifth periodical report does not report specifically on this issue with regard to Romani. However in view of the above information and in the absence of any complaints received by representatives of the speakers during the on-the-spot visit, the Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

561. The Committee of Experts underlines that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which the Hungarian cultural institutions are active.

562. The fifth periodical report mentions that in the case of Romani artists, their guest performances have been facilitated in Hungarian institutes located in countries and continents further away.

563. The Committee of Experts considers the undertaking partly fulfilled.

Article 13 – Economic and social life

Paragraph 1

With regard to economic and social activities, the Parties undertake, within the whole country:

- a. to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations;***
- c. to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;***

564. These undertakings were considered to be fulfilled for all Part III languages in the previous evaluation reports. The Act on Minorities expressly stipulates in its Section 51 that anybody can use their mother tongue freely, anywhere and at any time. As there is furthermore no legislation prohibiting or limiting the use of the Roma languages the Committee of Experts considers that these undertakings are also fulfilled with regard to Romani.

Paragraph 2

With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:

- c. to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons;***

565. The fifth periodical report states that in the opinion of the Secretary of State responsible for Health Care within the Ministry of National Resources, "the aforementioned provision of the Charter, implemented within the framework of the Hungarian legal system concerning persons speaking Roma languages, establishes obligations for the Government within broad boundaries, allowing for significant room for manoeuvre. It 'requires' within reasonable boundaries (inter alia) from health care service providers for inpatient professional care to ensure that Roma-speaking persons are 'accepted and treated' in their protected language".

566. According to the 1997 Act CLIV on Health, Section 13(8), an interpreter can be called in, in order for the patient to be informed in a way which is comprehensible for him/her. According to the authorities, this legal provision shall also be implemented with regard to minority languages.

567. During the on-the spot visit the Committee of Experts was informed by representatives of the authorities that the Ministry of State for Healthcare is currently under restructuring and that the formal requirements as set out in the Charter will be respected. Furthermore, no complaints have been received in this respect. Additional data on concrete implementation will only be available after the end of the on-going reform process (2014).

568. The Committee of Experts was informed that since the 1st of January 2012, national minority self-governments are entitled to set up and run social welfare institutions, with the same opportunities of funding as the municipalities.

569. The Committee of Experts asks the Hungarian authorities to provide substantial information on the practical implementation with regard to Romani in the next periodical report.

Article 14 – Tran frontier exchanges

The Parties undertake:

- a. to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and permanent education;***

570. The fifth periodical report mentions that Hungary has concluded a number of bilateral agreements on the protection of minorities with the homeland of minorities living within its territory. Minority joint committees have also been established and meet on an annual basis.

571. It is however not clear to the Committee of Experts how these treaties apply to Romani. The Committee of Experts encourages the authorities to report on this specific issue in the next periodical report.

b. for the benefit of regional or minority languages, to facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory the same language is used in identical or similar form.

572. The fifth periodical report mentions several twin partnerships across borders in 2009 the “Festival of Twin Cities” was organized by seven cross-border twinning partners. The festival was supported by EU funds. The Slovak and Roma minorities took part in it.

573. It is however not clear to the Committee of Experts to which extent these partnerships are relevant to the Romani speakers. The Committee of Experts encourages the authorities to report on this specific issue in the next periodical report.

3.2.5 Romanian

574. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in the previous evaluation reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. These provisions are listed below:

Article 8 paragraph 1.e.iii; 2

Article 9 paragraph 1 sub-paragraph ail and paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 paragraph 4 sub-paragraph c ;paragraph 5

Article 11 paragraph 1 sub-paragraph b .

Article 12 paragraph 1 sub-paragraphs b. d. and f ; paragraph 2

Article 13 paragraph 1 sub-paragraph a

Article 14 a.

575. In respect of these provisions, the Committee of Experts refers to the conclusions reached in its fourth evaluation report, but reserves the right to evaluate the situation again at a later stage.

Article 8 – Education

General issues

Awareness-raising

576. In the fourth evaluation report, the Committee of Experts “consider[ed] that more awareness-raising about the virtues of, and opportunities for, bilingual education is needed”. It “urge[d] the Hungarian authorities to actively promote minority language education among parents and pupils”. In particular, the Committee of Experts suggested that it “could be envisaged, for example, that the responsible authorities in municipalities on whose territory minority self-governments are active regularly provide parents of newly-born children with an information package about the opportunities of mother-tongue or bilingual education in the minority languages concerned”.

577. The fifth periodical report states in a general way that awareness-raising activities, like presentations about the teaching of minority languages at school open days, summer camps, post-curricular activities and publications, take place. It is, however, not clear which languages have benefited from these measures.

578. In light of the information received during the on-the-spot visit, the Committee of Experts remains of the view that the possibility of receiving instruction also in the minority languages should be more pro-actively promoted vis-à-vis the minority language speakers with a view to achieving in the medium term a shift from mainly teaching the minority language as a subject to teaching in minority languages, as recommended by the Committee of Ministers since the first monitoring round in 2001.

Financial situation of minority language education

579. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**improve further the financial situation of minority language education and increase the stability of resourcing**”. In addition, the Committee of Experts “urge[d] the Hungarian authorities to improve the financial situation of education in minority languages at all stages of education” and “... to secure the necessary

financial support for maintaining the mother tongue or bilingual schools taken over by minority self-governments”.

580. The fifth periodical report does not contain specific information about these issues. In light of the information received during the on-the-spot visit, the Committee of Experts considers that funding of the minority education in Hungary remains tight.

Teaching materials

581. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to accelerate the production of textbooks for education in minority languages at all stages of education”.

582. The Hungarian authorities reply in their fifth periodical report that efforts are being made to have at least one textbook per education type and grade available for education in minority languages. The authorities report as well that minority education textbooks are currently being separated in textbooks and workbooks and that the translations are being paid by the Ministry of Education or through EU funding. In addition, it is stated that several minorities use minority education textbooks of the kin-states. However, the periodical report does not specify with regard to each Part III language for which grades and subjects there are up-to-date textbooks in the respective language available.

Transport for pupils

583. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to organise transport for pupils whose schools have been closed or merged”.

584. The Hungarian authorities mention in their fifth periodical report that they are providing financial incentives which shall make it possible that pre-school education and the first four grades of primary education can still be offered in smaller municipalities while education as of the fifth grade should, for reasons of cost efficiency, be organised in bigger places. In localities with 3 000 inhabitants or less where the primary school has been closed, the parents may submit a written application to demand the re-opening of the school so that children could be provided education and teaching locally at least in the 1-4th grades. So far, four institutions were awarded support for restart, which affects approximately 100 children. In addition, another 24 schools were selected for support that would have been shut down without aid. It is, however, not clear which minority languages have benefited from the measures referred to in these examples. Considering that many minority language speakers live in small municipalities, the Committee of Experts nonetheless welcomes this initiative.

585. As regards the organisation of transport for pupils of closed or merged schools, the fifth periodical report refers to localities where schools had been closed and where pupils are now transported by organised school buses. The examples, however, do not seem to concern Romanian-speaking pupils.

586. The Committee of Experts learned that for some minorities the school bus issue is still a problem. Many small villages have applied for funding, or parents have opted for the solution of car-sharing. The authorities have mentioned to the Committee of Experts that financial support has been provided to municipalities in order to buy busses and also to favour car-sharing among parents concerned and that some positive progress could be noted.

Conclusion

587. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to **“develop a structured long-term policy and plan for education in all regional or minority languages”**. It follows from the above that, despite some positive developments, many of the structural shortcomings identified in the previous monitoring cycles persist.

The Committee of Experts strongly urges the Hungarian authorities to
- secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by Romanian National Self-government
- further accelerate the production of textbooks for education in Romanian at all stages of education.

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school education

- a.
 - i. *to make available pre-school education in the relevant regional or minority languages; or*
 - ii. *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
 - iii. *to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
 - iv. ***if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above.***

588. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of further mother-tongue kindergartens [...]”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

589. According to the fifth periodical report, there were three Romanian mother tongue kindergartens in 2009/2010 (195 children). The number of bilingual kindergartens diminished from nine institutions (626 pupils) in 2008/2009 to five institutions (366 pupils) in 2009/2010.

590. The Committee of Experts welcomes the establishment of minority language kindergartens. However, the overall number of children attending minority language or bilingual kindergartens has decreased. Moreover, the number of children enrolled in mother-tongue kindergartens is still relatively low compared to the number of children enrolled in bilingual kindergartens.¹² In light of the wishes expressed by the speakers, the Committee of Experts maintains its view that at pre-school level the educational model of mother tongue kindergarten corresponds better to the situation of the Romanian language in Hungary. The Committee of Experts also recalls that language revitalisation takes place in kindergartens and considers that the Hungarian authorities should continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

591. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

Primary education

- b.
 - i. *to make available primary education in the relevant regional or minority languages; or*
 - ii. *to make available a substantial part of primary education in the relevant regional or minority languages; or*
 - iii. *to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
 - iv. ***to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient.***

592. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of more bilingual primary schools”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

593. According to the fifth periodical report, in the 2008/2009 school year, there was no Romanian language school; there were five bilingual schools (383 pupils) and six schools that taught Romanian (674 pupils). In the 2009/2010 school year, there was one Romanian language school (124 pupils), five bilingual schools (372 pupils), five schools teaching Romanian (545 pupils) and one institution where Romanian was taught as supplementary minority education to 43 pupils.

¹² See also 3rd report of the Committee of Experts on Hungary, ECRML (2007)5, paragraph 72-73

594. The Committee of Experts welcomes the establishment of the Romanian language school. However, the number of bilingual primary schools has remained the same, which is also the case concerning the number of pupils. The Committee of Experts also notes that there are still a high number of pupils attending only teaching of the language. While welcoming a trend towards more instruction in minority languages, the Committee of Experts considers that efforts need to be pursued to increase bilingual education with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages, as recommended by the Committee of Ministers.

595. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

Secondary education

- c. i. *to make available secondary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii. *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. *to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

596. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urged the Hungarian authorities to actively promote the establishment of more bilingual secondary schools”. Furthermore, the Committee of Ministers recommended Hungary to **“increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages”**.

597. According to the fifth periodical report, the situation has not changed during the reporting period concerning secondary education in Romanian. Bilingual secondary education is provided in one institution, for a total of 168 students. The Committee of Experts considers this number, however, relatively low compared to the number of Romanian speakers in Hungary and insufficient to ensure an effective transmission of the language. To counter this tendency it would be necessary to raise the number of pupils receiving monolingual or bilingual education at primary level.

598. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts urges the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual primary and secondary schools in order to ensure continuity in the offer of teaching in/of Romanian.

Technical and vocational education

- d. i. *to make available technical and vocational education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii. *to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. *to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

599. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled for Romanian. It “strongly urge[d] the Hungarian authorities to establish and/or increase in technical and vocational training the offer of teaching Part III languages as an integral part of the curriculum”.

600. According to the fifth periodical report, there is still no institution in Hungary providing technical and vocational education in Romanian, or providing teaching of Romanian as an integral part of the curriculum.

601. Therefore, the Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to establish in technical and vocational training the offer of teaching in and of Romanian as an integral part of the curriculum.

Adult and continuing education

- f. i. *to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii. *to offer such languages as subjects of adult and continuing education; or*
- iii. ***if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education.***

602. In the fourth evaluation report, the Committee of Experts considered that this undertaking remained partly fulfilled for Romanian. It “urged the Hungarian authorities to develop and finance an adequate framework for teaching of minority languages in adult and continuing education and to actively promote such education”.

603. The fifth periodical report states that there was no significant change in the system of adult education during the reporting period. In light of the above, the Committee of Experts understands that there is still no comprehensive scheme of adult and continuing education in minority languages for a wider public.

604. The Committee of Experts considers the undertaking partly fulfilled and urges the Hungarian authorities to develop and finance an adequate framework for teaching of Romanian in adult and continuing education and to actively promote such education.

Teaching of history and culture

- g. ***to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language.***

605. In the fourth evaluation report, the Committee of Experts “request[ed] the Hungarian authorities to provide specific information, including on the teaching of the history and the culture which is reflected by the minority languages in mainstream teaching for non-speakers of minority languages”.

606. According to the information contained in the fifth periodical report, Romanian culture and traditions are taught through tradition promoting workshops, in addition to the subject of Romanian language and literature, for students attending minority education.

607. As far as the mainstream education is concerned, the teaching of the history and the culture which is reflected by the regional or minority languages present in Hungary is ensured through the legislation (Government Decree No. 243/2003 (XII. 17.) on the Development, Introduction and Implementation of the National Core Curriculum). In practice, this teaching is provided in the subject “Man and Society Cultural studies”, and as of the 5th grade of elementary school, in the subjects of Country and culture, History and Civic studies. Within the regulation concerning the educational outcome, these materials appear at each level as knowledge to be tested and the secondary school final examination requirements also include knowledge related to the history and culture of minorities.

608. The Committee of Experts considers the undertaking fulfilled.

Basic and further training of teachers

- h. ***to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party.***

609. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urged the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in minority languages” Furthermore, the Committee of Ministers recommended Hungary to **“increase [...] the number of teachers able to teach subjects in [Part III] languages”** in order to enable bilingual or mother-tongue education on a wide scale.

610. In their fifth periodical report, the authorities acknowledge the increasing need for teachers teaching general subjects in minority languages in bilingual and minority language education. Subject-specific further training courses have therefore been organised, including theoretical training and class observation in the kin states for practising teachers teaching general subjects in minority languages in bilingual or mother tongue schools. Bilateral inter-ministerial action plans and agreements have been set up. Full-time training in the kin state, part-training and doctoral training, linguistic methodological and area-specific language training for practising teachers, opportunities for receiving foreign guest teachers are foreseen. During the reporting period, tenders organised by the Ministry of Education and providing for in-service nationality teacher training also allowed for more minority language teacher training. In the case of Romanian, there was one tender in 2009.

611. During the on-the-spot visit, the Committee of Experts was informed that it remains very difficult to recruit teachers, especially in Szeged. One of the solutions to address this challenge could be to seek further exchanges with Romania. The representative of the Romanian National Self-Government also stated that teacher training is organized by the Romanian National Self-Government, in Budapest and in close cooperation with Romanian universities.

612. In general, however, the Committee of Experts notes that there have been no changes in the teacher training system with a view to ensuring that there is a sufficient number of teachers able to teach subjects in Romanian. It recalls that the lack of teachers remains a structural bottleneck in the provision of bilingual education¹³ and underlines that strengthened efforts are needed on the part of the Hungarian authorities in this respect.

613. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in Romanian.

Monitoring

- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public..*

614. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Part III languages, and for producing periodical public reports.” Furthermore, the Committee of Ministers recommended Hungary to “**set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter**”.

615. The authorities state in their fifth periodical report inter alia that the minority self-governments have the right to be consulted in respect of issues related to minority education.

616. The Committee of Experts underlines that this undertaking foresees a specific body or bodies to monitor what is being done in the field of education, and assess the progress made and to draft regular reports that are made public. Furthermore, the body should have a sufficient degree of autonomy to present independent reports on progress made in Romanian-language education.

617. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Romanian, and for producing periodical public reports.

¹³ See 4th report of the Committee of Experts on Hungary, ECRML (2010)2, paragraph 104

Article 9 – Judicial authorities

General issues

Geographical scope of application/organisational measures

618. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter”. Furthermore, the Committee of Ministers recommended Hungary to **“take steps to ensure that the relevant judicial [...] authorities implement the obligations under Article [...] 9 [...] of the Charter, in particular by specifying those judicial [...] districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 9 [...]”**.

619. In the fifth periodical report, the Hungarian authorities state that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of judicial districts which, in turn, would call for a systemic reform to facilitate compliance with the requirements defined in Article 9 of the Charter. The commitments made through the ratification of the Language Charter apply to the whole territory of Hungary”.

620. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter.

Information and encouragement measures

621. In the fourth evaluation report, the Committee of Experts “again strongly urge[d] the authorities to actively inform citizens about the possibility to use a minority language in courts”.

622. According to the fifth periodical report, the parties involved are informed of their right to use minority languages at the beginning of and during court proceedings.

623. The fifth periodical report provides a few examples of cases where persons belonging to minorities have used their languages before courts. The Committee of Experts notes, however, that there have been practically no developments as far as the actual use of minority languages before courts is concerned. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Romanian in court have been denied this possibility. In view of the Committee of Experts, the Hungarian authorities should encourage the minority language speakers to use their languages before judicial authorities. As already stated in the previous reports, the judicial staff could encourage the use of minority languages through bi- or multilingual notices and signs in and on court buildings, and through information in public announcements or court forms.

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

Criminal proceedings

- a. ***ii. to guarantee the accused the right to use his/her regional or minority language.***
- iv. to produce, on request, documents connected with legal proceedings in the relevant regional or minority language.***

624. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

625. In the fifth periodical report, no practical examples concerning the implementation of this undertaking are given by the Hungarian authorities.

626. The Committee of Experts considers these undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of their implementation in practice with regard to Romanian in the next periodical report.

Civil proceedings

- b. ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.**
- iii. to allow documents and evidence to be produced in the regional or minority language.**

Proceedings before courts concerning administrative matters

- c. ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.**
- iii. in proceedings before courts concerning administrative matters: to allow documents and evidence to be produced in the regional or minority languages.**

627. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

628. The fifth periodical report contains no examples on the practical implementation of these undertakings. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Romanian in court have been denied this possibility. Based on this and bearing in mind that interpretation and translation systems have been allocated to the courts, the Committee of Experts considers the undertakings fulfilled.

Article 10 – Administrative authorities and public services

General issues

Geographical scope of application/organisational measures

629. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, on whose territory local and county minority self-governments representing Part III languages are active, as the authorities that will be obliged to take organisational measures to implement the obligations under Article 10.” Furthermore, the Committee of Ministers recommended Hungary to **“take steps to ensure that the relevant [...] administrative authorities implement the obligations under Article [...] 10 of the Charter, in particular by specifying those [...] administrative districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 10”**.

630. In the fifth periodical report, the Hungarian authorities reiterate their view that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of districts which, in turn, would call for specific measures to facilitate compliance with the requirements defined in Article 10 of the Charter. The commitments defined in the Language Charter apply to the authorities on the whole territory of the country”.

631. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, which will be obliged to take organisational measures to implement the obligations under Article 10. These authorities would be those on whose territory local and county minority self-governments of the Romanian minority are active.

Information and encouragement measures

632. In the fourth evaluation report, the Committee of Experts noted that the Hungarian authorities have actively informed the national minorities of their language rights. Nevertheless, it “consider[ed] that a more systematic and thorough approach is needed”.

633. No information on this aspect has been provided in the fifth periodical report. The Committee of Experts encourages the Hungarian authorities to adopt a more systematic and thorough approach informing the Romanian speakers of their language rights in relation with administrative authorities and public services.

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

a. v to ensure that users of regional or minority languages may validly submit a document in these languages;

634. The Committee of Experts underlines that the undertakings under Article 10 paragraph 1 concern local branches of the central State administration whereas the undertakings under article 10 paragraph 2 concern local administrations.

635. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and requested more information in the next periodical report about its practical implementation.

636. In the fifth periodical report, no practical examples are given by the Hungarian authorities with regard to Romanian.

637. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Romanian-speakers to validly submit a document in Romanian to the local branches of State administration in practice.

c. to allow the administrative authorities to draft documents in a regional or minority language.

638. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the legal possibility to draft documents in a minority language more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars”.

639. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments. It did not, however, receive information on the use of Romanian by the regular administration.

640. The Committee of Experts considers this undertaking formally fulfilled. It strongly urges the Hungarian authorities to promote the legal possibility to draft documents in Romanian more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

b. the possibility for users of regional or minority languages to submit oral or written applications in these languages

641. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled as “there are no indications of a stable and regular implementation of this provision in practice”.

642. According to the information provided by the authorities in the fifth periodical report, the change in the financing system (Government Decree No. 342/2010 (XII. 28.)) of the minority self-governments encourages the minority self-government to apply their competence under article in Section 53(1) of the Act on Minorities. In the course of the appointment of civil servants for local municipalities, more and more of them took the initiative to favour candidates who have command of a minority language. However, only one example is provided with respect to Romanian. The authorities mention that, during the reporting period, one application was handed in in a minority language in the county seat of Szolnok, where a client contacted the notary in writing in Romanian to deal with official matters. The Hungarian decision was translated into Romanian, and interpretation was provided in the course of the proceedings. In addition, an employee of the authority had a command of the Romanian language and was available during the complete procedure. The interpreter assisted the client in understanding the specialised language.

643. The Committee of Experts considers the undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Romanian-speakers to submit oral and written applications in Romanian to local and regional administrations in practice.

e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

644. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

645. No information as to the implementation of this undertaking has been provided in the fifth periodical report.

646. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to promote the use by regional authorities of the Romanian language in debates in their assemblies.

f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

647. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the oral and written use of minority languages by local authorities in debates in their assemblies”.

648. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments institutions. It did not, however, receive information on the use of Romanian by the local authorities in debates in their assemblies.

649. The Committee of Experts concludes that this undertaking remains formally fulfilled. It strongly urges the Hungarian authorities to promote the oral and written use of Romanian by local authorities in debates in their assemblies.

g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

650. In the fourth evaluation report, the Committee of Experts noted the measures taken to provide bilingual street, place-name and other signs and considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to promote the adoption by the eligible municipalities of all local topographical names in the minority language(s) concerned and financially assist their use in conjunction with the official use of the Hungarian denominations”.

651. According to the information provided in the fifth periodical report, the 2011 Act on the Rights of Nationalities eliminates the inconsistencies of the previous legislation and stipulates that nationalities, when exercising their rights pertaining to the use of names, are entitled to use historical, traditional names of localities, streets and other geographical indications intended for the community.

652. The authorities mention in their fifth periodical report that Romanian has been used in Magyarcsanád/Cenadul Unguresc for the name of the locality, the name of a public office and the name of a public institution.

653. In general, however, a relatively low share of the relevant municipalities (i.e. where a local minority self-government is active) have adopted official place-names in a minority language. Also, the use of the minority place-name is usually limited to the signs at the entrance of the municipality and some signs on public buildings. Place-name signs at the exits of municipalities, street name signs, signposts and public transport signs bear the Hungarian place-names only. The use of official place-names in Romanian is not monitored. The Committee of Experts considers that an authority should be designated to carry out such monitoring, for example the road and traffic authority.

654. The Committee of Experts considers the undertaking partly fulfilled. It strongly urges the Hungarian authorities to promote the adoption by the relevant municipalities of all local topographical names in Romanian and financially assist their use in conjunction with the official use of the Hungarian names.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. to allow users of regional or minority languages to submit a request in these languages.

655. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to ensure that minority language users can submit requests in minority languages to public services in practice”.

656. The authorities refer in their fifth periodical report again to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However, this undertaking concerns “action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on.”¹⁴

657. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to ensure that Romanian speakers can submit requests in Romanian to public service providers in practice.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. translation or interpretation as may be required;

658. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled but repeated its request to the Hungarian authorities to provide information on the practical implementation of this undertaking in the next periodical report.

659. The information provided in the fifth periodical report deals with recruitment of officials speaking minority languages. The authorities refer to one case in Szolnok where an interpreter for Romanian was available.

660. The Committee of Experts considers the undertaking still partly fulfilled, and asks the Hungarian authorities again to provide information on its practical implementation in the next periodical report.

¹⁴ Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a. to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

661. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It “strongly urge[d] the Hungarian authorities to improve the time-slots, time-schedules and financial support available for television programmes in minority languages”. Furthermore, the Committee of Ministers recommended Hungary to **“improve the offer of minority language programmes on television”**.

662. In the fifth periodical report, the Hungarian authorities state that the quantity and timing of minority-language television programmes has remained the same during the reporting period. They moreover state that the rerun of minority television programmes was moved from channel M2 to Duna Television, allowing reruns to reach a much larger audience on approximately 86% of the territory of Hungary. Before the reruns on M2 were only available via satellite and cable networks. In addition, while reruns used to be broadcast in the early morning, they are now broadcast on Duna Television at 11 a.m., making them more accessible and helping to improve the ratings. There is no information about the financial situation of minority language broadcasting.

663. While welcoming the improvements made with regard to the reception of programmes, the Committee of Experts notes nonetheless that the offer of minority language programmes in Romanian on television as such has not improved as this would have implied the production of additional programmes rather than the broadcasting of reruns.

664. The Committee of Experts considers the undertaking still fulfilled concerning radio and partly fulfilled concerning television. It encourages the Hungarian authorities to improve the time-slots, for television programmes in Romanian and urges the authorities to improve the financial support available for television programmes in Romanian. Furthermore, the Committee of Experts encourages the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in Romanian for children.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

665. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for Romanian and “strongly urge[d] the Hungarian authorities to encourage and/or facilitate access of the minority language users to community cable television networks, local cable television reception as well as to television programmes from countries in which these languages are used”. Furthermore, the Committee of Ministers recommended Hungary to **“improve the offer of minority language programmes on television”**.

666. The media services of a commercial nature have to be registered by the Office of the National Media and InfoCommunication Authority (Section 66(5) of the Media Act) and registered. The Media Act also regulates the “must carry” obligation of media service providers regarding community media services intended to satisfy the special needs for information of national or ethnic minorities.

667. The Hungarian authorities report that 562 providers, which correspond to 49 per cent of currently operating cable media service providers, made a commitment to broadcast programmes made for national or other minorities. The total national average broadcasting time of nationality programmes, mostly available at various programmes through local cable television networks, is 405 minutes a month. These figures show that cable media service providers, mainly local cable television programmes, provide an average of six hours and 45 minutes of programme intended for national or other minorities each month. It is not clear, however, to which extent the programmes are in Romanian. The Committee of Experts asks the Hungarian authorities to clarify this in the next periodical report.

668. The Committee of Experts considers the undertaking partly fulfilled.

e. i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages

669. In the fourth evaluation report, the Committee of Experts encourage[d] the Hungarian authorities to maintain the previous financial support to newspapers in minority languages”.

670. According to the information provided by the authorities in the fifth periodical report, the funding for the publication of minority language newspapers was provided by the Public Foundation for Minorities in 2009 and 2010. In 2011 the state support given to minority newspapers was integrated into the budget of minority self-governments directly.

671. According to the information reported by the authorities, support was granted in the reporting period to two newspapers, “Cronica” and “Foaia”, for a total of HUF 36.700.000 (EUR 130 500) per year.

672. The Committee of Experts considers the undertaking fulfilled.

f. i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media.

673. In the fourth evaluation report, the Committee of Experts “urge[d] the Hungarian authorities to establish a permanent funding system for programmes in minority languages”.

674. The fifth periodical report does not contain any specific information concerning the establishment of a permanent funding system for programmes in Romanian.

675. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities to provide information on this issue in the next periodical report.

g. to support the training of journalists and other staff for media using regional or minority languages.

676. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.” Furthermore, the Committee of Ministers recommended Hungary to “**develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.**”

677. According to the fifth periodical report, a Minority Media Working Group operated in the first half of the reporting period (2007-2010). Based on its recommendations, nationality media editorial boards carried out a staff exchange programme with the countries where their mother tongue is spoken within the framework of a cooperation agreement. The Committee of Experts welcomes this initiative. However, this arrangement does not constitute a comprehensive scheme for the training of journalists, as recommended in the previous evaluation report.

678. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Romanian.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

679. This undertaking was considered to be fulfilled for the Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities are entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

680. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of Trustees of Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's

Advisory Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

681. According to the law the National self-governments are entitled to delegate one person to Board. The Committee of Experts was informed that the current representative is from the Serbian National Self-Government.

682. The Committee of Experts considers the undertaking still fulfilled.

Article 12 Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages.***

683. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “encourage[d] the authorities to establish a stable financial framework for the running of the cultural institutions”.

684. According to the information provided by the authorities, a significant number of libraries own collections in regional or minority languages and organise cultural programmes on national minorities. A lack of funds was, however, noted. As far as the National Foreign Language Library is concerned, in 2011 the Ministry of National Resources reallocated HUF 2 million (EUR 7000) from other funds for the procurement of nationality documents.

685. According to the fifth periodical report, the “base museums” (a group of museums that belong to the organisation of county museums) include museological institutions related to national and ethnic minorities. The legal status of these museums is settled, although the financing of their related tasks is controversial and not resolved.

686. Another group of museological institutions related to national and ethnic minorities is made up of about 220 local history collections and reproduction peasant houses. In most of the cases they are operated by the local municipality or the local minority self-government. These institutions are eligible for state support funds to which each museum is entitled. Within the scope of such possibilities there are the tenders invited by the Museum College of the National Cultural Fund of Hungary (NKA) as well as the high priority funds aimed at the professional support of museums maintained by local municipalities. The largest funding option consists of the scope of EU tenders. The funding required to run the cultural institutions taken over by the minority self-governments is incorporated into the annual budget of the national minority self-government concerned.

687. In light of the available information, it appears that the running of the cultural institutions continues to depend largely on tenders and that there is still no stable financial framework for the running of such institutions in place.

688. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

- c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities.***

689. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested information about dubbing, post-synchronisation and subtitling activities.

690. According to the information provided by the authorities in the fifth evaluation report, minority theatre companies that are financed by the Ministry responsible for culture or supported by municipalities are

predominantly producing performances in nationality languages. However their repertoire also includes translations from other languages and stage performances in Hungarian, ensuring translation into the majority language using conference interpretation technology or by the means of projection.

691. During the on-the-spot, the Committee of Experts was informed that there is no theatre currently operating only in Romanian, but that the theatres feature guest performances in Romanian.

692. On the nationality public service television programmes the interviews that are broadcast in Hungarian are provided with subtitles in the language of the nationality. On television and in the cinemas, a substantial number of films produced in the kin-states are broadcast in the original language with subtitles in Hungarian.

693. The Committee of Experts considers the undertaking fulfilled. Nevertheless, it asks the authorities to provide more specific information concerning Romanian in the next periodical report.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

694. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

695. According to the information contained in the fifth periodical report, the culture which is reflected by the minority languages is presented by the Hungarian cultural centres in the kin states, but apparently not in other countries.

696. The Committee of Experts recalls that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which Hungarian cultural institutions are active.

697. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Hungarian authorities to make appropriate provision for the Romanian language and culture in their cultural policy abroad.

3.2.6 Serbian

698. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in the previous evaluation reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. These provisions are listed below:

Article 8 paragraph 1 e.iii; 2
 Article 9 paragraph 1 sub-paragraph a. iii and paragraph 2 sub-paragraph a. [b. and c. are redundant]
 Article 10 paragraph 5
 Article 11 paragraph 3
 Article 12 paragraph 1 sub-paragraphs b., d. and f. as well as paragraph 2
 Article 13 paragraph 1 sub-paragraph a
 Article 14 a.

699. In respect of these provisions, the Committee of Experts refers to the conclusions reached in its fourth evaluation report, but reserves the right to evaluate the situation again at a later stage.

Article 8 – Education

General issues

Awareness-raising

700. In the fourth evaluation report, the Committee of Experts “consider[ed] that more awareness-raising about the virtues of, and opportunities for, bilingual education is needed”. It “urge[d] the Hungarian authorities to actively promote minority language education among parents and pupils”. In particular, the Committee of Experts suggested that it “could be envisaged, for example, that the responsible authorities in municipalities on whose territory minority self-governments are active regularly provide parents of newly-born children with an information package about the opportunities of mother-tongue or bilingual education in the minority languages concerned”.

701. The fifth periodical report states in a general way that awareness-raising activities, like presentations about the teaching of minority languages at school open days, summer camps, post-curricular activities and publications, take place. It is, however, not clear which languages have benefited from these measures.

702. In light of the information received during the on-the-spot visit, the Committee of Experts remains of the view that the possibility of receiving instruction also in the minority languages should be more pro-actively promoted vis-à-vis the minority language speakers with a view to achieving in the medium term a shift from mainly teaching the minority language as a subject to teaching in minority languages, as recommended by the Committee of Ministers the since first monitoring round in 2001.

Financial situation of minority language education

703. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**improve further the financial situation of minority language education and increase the stability of resourcing**”. In addition, the Committee of Experts “urge[d] the Hungarian authorities to improve the financial situation of education in minority languages at all stages of education” and “... to secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by minority self-governments”.

704. The fifth periodical report does not contain specific information about these issues. In light of the information received during the on-the-spot visit, the Committee of Experts considers that funding of the minority education in Hungary remains tight.

Teaching materials

705. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to accelerate the production of textbooks for education in minority languages at all stages of education”.

706. The Hungarian authorities reply in their fifth periodical report that efforts are being made to have at least one textbook per education type and grade available for education in minority languages. The authorities report as well that minority education textbooks are currently being separated in textbooks and workbooks and that the translations are being paid by the Ministry of Education or through EU funding. In addition, it is stated that several minorities use minority education textbooks of the kin-states. However, the periodical report does not specify with regard to each Part III language for which grades and subjects there are up-to-date textbooks in the respective language available.

Transport for pupils

707. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to organise transport for pupils whose schools have been closed or merged”.

708. The Hungarian authorities mention in their fifth periodical report that they are providing financial incentives which shall make it possible that pre-school education and the first four grades of primary education can still be offered in smaller municipalities while education as of the fifth grade should, for reasons of cost efficiency, be organised in bigger places. In localities with 3 000 inhabitants or less where the primary school has been closed, the parents may submit a written application to demand the re-opening of the school so that children could be provided education and teaching locally at least in the 1-4th grades. So far, four institutions were awarded support for restart, which affects approximately 100 children. In addition, another 24 schools were selected for support that would have been shut down without aid. It is, however, not clear which minority languages have benefited from the measures referred to in these examples. Considering that many minority language speakers live in small municipalities, the Committee of Experts nonetheless welcomes this initiative.

709. As regards the organisation of transport for pupils of closed or merged schools, the fifth periodical report refers to localities where schools had been closed and where pupils are now transported by organised school buses. The examples, however, do not seem to concern Serbian-speaking pupils.

710. The Committee of Experts learned that for some minorities the school bus issue is still a problem. Many small villages have applied for funding, or parents have opted for the solution of car-sharing. The authorities have mentioned to the Committee of Experts that financial support has been provided to municipalities in order to buy busses and also to favour car-sharing among parents concerned and that some positive progress could be noted.

Conclusion

711. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to **“develop a structured long-term policy and plan for education in all regional or minority languages”**. It follows from the above that, despite some positive developments, many of the structural shortcomings identified in the previous monitoring cycles persist.

The Committee of Experts strongly urges the Hungarian authorities to
- secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by Serbian National Self-Government
- further accelerate the production of textbooks for education in Serbian at all stages of education.

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school education

- a. i. *to make available pre-school education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*

- iii. to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
- iv. if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above.**

712. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of further mother-tongue kindergartens and to address the negative trends in Serbian pre-school education.” Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

713. According to the information provided by the Hungarian authorities in the fifth periodical report, in the 2008/2009 school year there were two minority language kindergartens in Serbian (48 children) and three bilingual Hungarian-Serbian kindergartens (132 children). In the 2009/2010 school year there were four minority language kindergartens in Serbian (61 children) and one bilingual kindergarten (18 children).

714. The Committee of Experts welcomes the fact that the number of minority language kindergartens has increased. However, it notes that the number of children attending mother tongue or bilingual kindergartens has decreased. The Committee of Experts recalls that language revitalization takes place in kindergartens and considers that the Hungarian authorities should continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

715. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

Primary education

- b. i. to make available primary education in the relevant regional or minority languages; or*
- ii. to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient.**

716. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of more bilingual primary schools”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

717. According to the information provided by the authorities in the fifth periodical report, in the 2008/2009 school year, there were three Serbian language schools (92 pupils), one bilingual school (69 pupils) and one school that taught Serbian (41 pupils). In the 2009/2010 school year, there were three Serbian language schools (149 pupils), two schools teaching Serbian (42 pupils) and one institution where Serbian was taught as supplementary minority education (31 pupils).

718. The Committee of Experts welcomes the increase in the number of pupils attending minority language education. However, it notes that there were no bilingual schools in the 2009/2010 school year. The Committee of Experts considers that the efforts need to be pursued to increase bilingual education with a view to moving from the model of only teaching the language as a subject to bilingual education as recommended by the Committee of ministers.

719. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

Secondary education

- c. i. *to make available secondary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii. *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.**

720. In the fourth evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It “strongly urges the Hungarian authorities to actively promote the establishment of more bilingual secondary schools”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

721. According to the information provided by the Hungarian authorities in the fifth report, in the 2008/2009 school year there was one bilingual grammar school (118 students). In the 2009/2010 school year there was still one bilingual grammar school (120 students) and one grammar school providing language teaching for 13 students.

722. The Committee of Experts notes a slight increase in the number of students attending bilingual education, compared to the previous monitoring cycle. Nevertheless, the number of 120 students remains low compared to the number of Serbian-speakers in Hungary and insufficient to ensure an effective transmission of the language.

723. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts urges the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual primary and secondary schools in order to ensure continuity in the offer of teaching in/of Serbian.

Technical and vocational education

- d. i. *to make available technical and vocational education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii. *to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.**

724. In the fourth evaluation report, the Committee of Experts considered the undertaking remained not fulfilled for Serbian. It “strongly urge[d] the Hungarian authorities to establish and/or increase in technical and vocational training the offer of teaching Part III languages as an integral part of the curriculum”.

725. According to the fifth periodical report, there is no technical and vocational education for Serbian in Hungary.

726. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to strengthen efforts to establish in technical and vocational training the offer of teaching in or of Serbian as an integral part of the curriculum.

Adult and continuing education

- f. i. *to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii. *to offer such languages as subjects of adult and continuing education; or*
- iii. if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education.***

727. In the fourth evaluation report, the Committee of Experts considered that this undertaking remained not fulfilled for Serbian. It "urge[d] the Hungarian authorities to develop and finance an adequate framework for teaching of minority languages in adult and continuing education and to actively promote such education".

728. The fifth periodical report states that there was no significant change in the system of adult education during the reporting period. The report further refers to the satisfactory in-service language training attendance of teachers working in primary schools of various minorities. In light of the above, the Committee of Experts understands that there is still no comprehensive scheme of adult and continuing education in minority languages for a wider public.

729. The Committee of Experts considers this undertaking partly fulfilled and urges the Hungarian authorities to develop and finance an adequate framework for teaching of Serbian in adult and continuing education and actively promote such education.

Teaching of history and culture

- g. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language.***

730. In the fourth evaluation report, the Committee of Experts "request[ed] the Hungarian authorities to provide specific information, including on the teaching of the history and the culture which is reflected by the minority languages in mainstream teaching for non-speakers of minority languages."

731. According to the information contained in the fifth periodical report, the teaching of the history and the culture which is reflected by Serbian is ensured for minority education.

732. As far as the mainstream education is concerned, the teaching of the history and the culture which is reflected by the regional or minority languages present in Hungary is ensured through the legislation (Government Decree No. 243/2003 (XII. 17.) on the Development, Introduction and Implementation of the National Core Curriculum). In practice, this teaching is provided in the subject Man and Society cultural studies, and as of the 5th grade of elementary school, in the subjects of Country and culture, History and civic studies. Within the regulation concerning the educational outcome, these materials appear on every level as knowledge to be tested and the secondary school final examination requirements also include knowledge related to the history and culture of minorities.

733. The Committee of Experts considers the undertaking fulfilled.

Basic and further training of teachers

- h. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party.***

734. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It "strongly urged the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in minority languages" Furthermore, the Committee of Ministers recommended Hungary to **"increase [...] the number of teachers able to teach subjects in [Part III] languages"** in order to enable bilingual or mother-tongue education on a wide scale.

735. In their fifth periodical report, the authorities acknowledge the increasing need for teachers teaching general subjects in minority languages in bilingual and minority language education. Subject-specific further training courses have therefore been organised, including theoretical training and class observation in the kin states for practising teachers teaching general subjects in minority languages in bilingual or mother tongue schools. Bilateral inter-ministerial action plans and agreements have been set up. Full-time training in the kin state, part-training and doctoral training, linguistic methodological and area-specific language training for practising teachers, opportunities for receiving foreign guest teachers are foreseen. During the reporting period, tenders organised by the Ministry of Education and providing for in-service nationality teacher training also allowed for more minority language teacher training. In the case of Serbian, there were two tenders in 2009 and in 2010.

736. In general, however, the Committee of Experts notes that there have been no changes in the teacher training system with a view to ensure there is a sufficient number of teachers able to teach subjects in Serbian. It recalls that the lack of teachers remains a structural bottleneck in the provision of bilingual education¹⁵ and underlines that strengthened efforts are needed on the part of the Hungarian authorities in this respect.

737. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in Serbian.

Monitoring

- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public..***

738. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Part III languages, and for producing periodical public reports.” Furthermore, the Committee of Ministers recommended Hungary to “**set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter**”.

739. The authorities state in their fifth periodical report inter alia that the minority self-governments have the right to be consulted in respect of issues related to minority education.

740. The Committee of Experts underlines that this undertaking foresees a specific body or bodies with the responsibility of monitoring of what is being done in the field of education, and for assessing whether progress has been made. The said body or bodies should also be charged with drafting regular reports on their findings and these reports should be made public. Furthermore, the body or bodies should have a sufficient degree of autonomy.

741. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Serbian, and for producing periodical public reports.

Article 9 – Judicial authorities

General issues

Geographical scope of application/organisational measures

742. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter”. Furthermore, the Committee of Ministers recommended Hungary to “**take steps to ensure that the relevant judicial [...] authorities implement the obligations under Article [...] 9 [...] of the Charter, in particular by specifying those judicial [...] districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 9 [...]**”.

¹⁵ See 4th report of the Committee of Experts on Hungary, ECRML (2010)2, paragraph 104

743. In the fifth periodical report, the Hungarian authorities state that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of judicial districts which, in turn, would call for a systemic reform to facilitate compliance with the requirements defined in Article 9 of the Charter. The commitments made through the ratification of the Language Charter apply to the whole territory of Hungary”.

744. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter.

Information and encouragement measures

745. In the fourth evaluation report, the Committee of Experts “again strongly urge[d] the authorities to actively inform citizens about the possibility to use a minority language in courts”.

746. According to the fifth periodical report, the parties involved are informed of their right to use minority languages at the beginning of and during court proceedings.

747. The fifth periodical report provides a few examples of cases where persons belonging to minorities have used their language before courts. The Committee of Experts notes, however, that there have been practically no developments as far as the actual use of minority languages before courts is concerned. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Serbian in court have been denied this possibility. In the view of the Committee of Experts, the Hungarian authorities should encourage the minority language speakers to use their languages before judicial authorities. As already stated in the previous reports, the judicial staff could encourage the use of minority languages through bi- or multilingual notices and signs in and on court buildings, and through information in public announcements or court forms.

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

Criminal proceedings

- a. ***ii. to guarantee the accused the right to use his/her regional or minority language.***
- iv. to produce, on request, documents connected with legal proceedings in the relevant regional or minority language.***

748. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

749. In the fifth periodical report, no practical examples concerning the implementation of this undertaking are given by the Hungarian authorities.

750. The Committee of Experts considers these undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of their implementation in practice with regard to Serbian in the next periodical report.

Civil proceedings

- b. ***ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.***
- iii. to allow documents and evidence to be produced in the regional or minority language.***

Proceedings before courts concerning administrative matters

- c. *ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.*
- iii. in proceedings before courts concerning administrative matters: to allow documents and evidence to be produced in the regional or minority languages.*

751. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

752. The fifth periodical report contains no examples on the practical implementation of these undertakings. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Serbian in court have been denied this possibility. Based on this and bearing in mind that interpretation and translation systems have been allocated to the courts, the Committee of Experts considers the undertakings fulfilled.

Article 10 – Administrative authorities and public services

General issues

Geographical scope of application/organisational measures

753. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, on whose territory local and county minority self-governments representing Part III languages are active, as the authorities that will be obliged to take organisational measures to implement the obligations under Article 10.” Furthermore, the Committee of Ministers recommended Hungary to “**take steps to ensure that the relevant [...] administrative authorities implement the obligations under Article [...] 10 of the Charter, in particular by specifying those [...] administrative districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 10**”.

754. In the fifth periodical report, the Hungarian authorities reiterate their view that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of districts which, in turn, would call for specific measures to facilitate compliance with the requirements defined in Article 10 of the Charter. The commitments defined in the Language Charter apply to the authorities on the whole territory of the country”.

755. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities that will be obliged to take organisational measures to implement the obligations under Article 10. These authorities would be those on whose territory local and county minority self-governments of the Serbian minority are active.

Information and encouragement measures

756. In the fourth evaluation report, the Committee of Experts noted that the Hungarian authorities have actively informed the national minorities of their language rights. Nevertheless, it “consider[ed] that a more systematic and thorough approach is needed”.

757. No information on this aspect has been provided in the fifth periodical report. The Committee of Experts encourages the Hungarian authorities to adopt a more systematic and thorough approach informing the Serbian speakers of their language rights in relation with administrative authorities and public services.

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a. v to ensure that users of regional or minority languages may validly submit a document in these languages;***

758. The Committee of Experts underlines that the undertaking under Article 10 paragraph 1 concern local branches of the central State administration whereas the undertakings under article 10 paragraph 2 concern local administrations.

759. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and requested more information in the next periodical report about its practical implementation.

760. No relevant information has been provided in the fifth periodical report with regard to Serbian.

761. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Serbian-speakers to validly submit a document in Serbian to the local branches of State administration in practice.

c. to allow the administrative authorities to draft documents in a regional or minority language.

762. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the legal possibility to draft documents in a minority language more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars”.

763. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments. It did not, however, receive information on the use of Serbian by the regular administration.

764. The Committee of Experts considers this undertaking formally fulfilled. It strongly urges the Hungarian authorities to promote the legal possibility to draft documents in Serbian more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

b. the possibility for users of regional or minority languages to submit oral or written applications in these languages

765. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled as “there are no indications of a stable and regular implementation of this provision in practice”.

766. According to the information provided by the authorities in the fifth periodical report, the change in the financing system (Government Decree No. 342/2010 (XII. 28.)) of the minority self-governments encourages the minority self-government to apply their competence under article in Section 53(1) of the Act on Minorities. In the course of the appointment of civil servants for local municipalities, more and more of them took the initiative to favour candidates who have command of a minority language. There are, however, no practical examples on how the Serbian language is used in regular local administrations.

767. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Serbian-speakers to submit oral and written applications in Serbian to local and regional administrations in practice.

e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

768. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

769. No information as to the implementation of this undertaking has been provided in the fifth periodical report.

770. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to promote the use by regional authorities of the Serbian language in debates in their assemblies.

f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

771. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the oral and written use of minority languages by local authorities in debates in their assemblies”.

772. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments institutions. It did, however, not receive information on the use of Serbian by the local authorities in debates in their assemblies.

773. The Committee of Experts concludes that this undertaking remains formally fulfilled. It strongly urges the Hungarian authorities to promote the oral and written use of Serbian by local authorities in debates in their assemblies

g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

774. In the fourth evaluation report, the Committee of Experts noted the measures taken to provide bilingual street, place-name and other signs and considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to promote the adoption by the eligible municipalities of all local topographical names in the minority language(s) concerned and financially assist their use in conjunction with the official use of the Hungarian denominations”.

775. According to the information provided in the fifth periodical report, the 2011 Act on the Rights of Nationalities eliminates the inconsistencies of the previous legislation and stipulates that nationalities, when exercising their rights pertaining to the use of names, are entitled to use historical, traditional names of localities, streets and other geographical indications intended for the community.

776. The authorities mention in their fifth periodical report that Serbian has been used in the locality of Deszk/ Деца (Deska) for the name of the locality and for the name of a public institution, and also in the locality of Magyarcsanád/ Чанад (Čanad) for the name of the locality, the name of a public office and the name of a public institution. Magyarcsanád provided for a trilingual, Hungarian, Romanian and Serbian display of the name of the locality.

777. In general, however, a relatively low share of the relevant municipalities (i.e. where a local minority self-government is active) have adopted official place-names in a minority language. Also, the use of the minority place-name is usually limited to the signs at the entrance of the municipality and some signs on public buildings. Place-name signs at the exits of municipalities, street name signs, signposts and public transport signs bear the Hungarian place-names only. The use of official place-names in Serbian is not monitored. The Committee of Experts considers that an authority should be designated to carry out such monitoring, for example the road and traffic authority.

778. The Committee of Experts considers the undertaking partly fulfilled. It strongly urges the Hungarian authorities to promote the adoption by the relevant municipalities of all local topographical names in Serbian and financially assist their use in conjunction with the official use of the Hungarian names.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. to allow users of regional or minority languages to submit a request in these languages.

779. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. There existed no legislation or other framework that would explicitly allow users of minority languages to submit a request in these languages to public services. The degree of practical implementation was furthermore unclear. It “strongly urge[d] the Hungarian authorities to ensure that minority language users can submit requests in minority languages to public services in practice”.

780. The authorities refer in their fifth periodical report again to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However, this undertaking concerns “action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on¹⁶”.

¹⁶ Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

781. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to ensure that Serbian speakers can submit requests in Serbian to public services in practice.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. translation or interpretation as may be required;

782. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled but repeated its request to “the Hungarian authorities to provide information on the practical implementation of this undertaking in the next periodical report”.

783. The information provided in the fifth periodical report deals with recruitment of officials speaking minority languages, does not contain practical examples of translation and interpretation for Serbian.

784. The Committee of Experts considers the undertaking still partly fulfilled, and asks the Hungarian authorities again to provide information on its practical implementation in the next periodical report.

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a. to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

785. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It “strongly urge[d] the Hungarian authorities to improve the time-slots, time-schedules and financial support available for television programmes in minority languages”. Furthermore, the Committee of Ministers recommended Hungary to “**improve the offer of minority language programmes on television**”.

786. In the fifth periodical report, the Hungarian authorities state that the quantity and timing of minority-language television programmes has remained the same during the reporting period. They moreover state that the rerun of minority television programmes was moved from channel M2 to Duna Television, allowing reruns to reach a much larger audience on approximately 86% of the territory of Hungary. Before the reruns on M2 were only available via satellite and cable networks. In addition, while reruns used to be broadcast in the early morning, they are now broadcast on Duna Television at 11 a.m., making them more accessible. There is no information about the financial situation of minority language broadcasting.

787. While welcoming the improvements made with regard to the reception of programmes, the Committee of Experts notes nonetheless that the offer of minority language programmes in Serbian on television as such has not improved as this would have implied the production of additional programmes rather than the broadcasting of reruns.

788. The Committee of Experts considers the undertaking fulfilled concerning radio and partly fulfilled concerning television. It urges the authorities to improve the financial support available for television programmes in Serbian. Furthermore, the Committee of Experts encourages the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in Serbian for children.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

789. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled and “strongly urge[d] the Hungarian authorities to encourage and/or facilitate access of the minority language users to community cable television networks, local cable television reception as well as to television programmes from countries in which these languages are used”. Furthermore, the Committee of Ministers recommended Hungary to “**improve the offer of minority language programmes on television**”.

790. The media services of a commercial nature have to be registered by the Office of the National Media Info Communication Authority (Section 66(5) of the Media act). The media Act also regulates the “must carry” obligation of media service providers regarding community media services intended to satisfy the special needs for information of national or ethnic minorities.

791. The Hungarian authorities report that 562 providers, which corresponds to 49 per cent of currently operating cable media service providers, made a commitment to broadcast programmes made for national or other minorities. The total national average broadcasting time of nationality programmes, mostly available at various programmes through local cable television networks, is 405 minutes a month. These figures show that cable media service providers, mainly local cable television programmes, provide an average of six hours and 45 minutes of programme intended for national or other minorities each month. It is not clear, however, which is the extent of the programmes in Serbian. The Committee of Experts asks the Hungarian authorities to clarify this in the next periodical report.

792. The Committee of Experts considers the undertaking partly fulfilled.

e. i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages

793. In the fourth evaluation report, the Committee of Experts “encourage[d] the Hungarian authorities to maintain the previous financial support to newspapers in minority languages”.

794. According to the information provided by the authorities in the fifth periodical report, the funding for the publication of minority language newspapers was provided by the Public Foundation for Minorities in 2009 and 2010. In 2011, the state support given to minority newspapers was integrated into the budget of minority self-governments.

795. According to the information reported by the authorities, the weekly newspaper “Srpske Nedeljne Novine” received HUF 29.100.000 (EUR 103 500) in 2011 from the state support.

796. The Committee of Experts considers this undertaking fulfilled.

f. i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media.

797. In the fourth evaluation report, the Committee of Experts “urge[d] the Hungarian authorities to establish a permanent funding system for programmes in minority languages”.

798. The fifth periodical report does not contain any specific information concerning the establishment of a permanent funding system for programmes in Serbian.

799. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities to provide information on this issue in the next periodical report.

g. to support the training of journalists and other staff for media using regional or minority languages.

800. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.” Furthermore, the Committee of Ministers recommended Hungary to “**develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.**”

801. According to the fifth periodical report, a Minority Media Working Group operated in the first half of the reporting period (2007-2010). Based on its recommendations, nationality media editorial boards carried out a staff exchange programme with the countries where their mother tongue is spoken within the framework of a cooperation agreement. The Committee of Experts welcomes this initiative. However, this

arrangement does not constitute a comprehensive scheme for the training of journalists, as recommended in the previous evaluation report.

802. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Serbian.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

803. This undertaking was considered to be fulfilled for the Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities are entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

804. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of Trustees of Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's Advisory Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

805. According to the law the National self-governments are entitled to delegate one person to the Board. The Committee of Experts was informed that the current representative is from the Serbian National Self-Government.

806. The Committee of Experts considers the undertaking still fulfilled.

Article 12 Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages.***

807. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “encourage[d] the authorities to establish a stable financial framework for the running of the cultural institutions”.

808. According to the information provided by the authorities, a significant number of libraries own collections in regional or minority languages and organise cultural programmes on national minorities. A lack of funds is however noted. As far as the National Foreign Language Library is concerned, in 2011 the Ministry of National Resources reallocated HUF 2 million (EUR 7000) from other funds for the procurement of nationality documents.

809. According to the fifth periodical report, the “base museums” (a group of museums that belong to the organisation of county museums) include museological institutions related to national and ethnic minorities (inter alia the Dorottya Kanizsai Museum in Mohács, presenting Serbian, Croatian and Slovenian material). The legal status of these museums is settled, although the financing of their related tasks is controversial and not resolved.

810. Another group of museological institutions related to national and ethnic minorities is made up of about 220 local history collections and reproduction peasant houses. In most of the cases they are operated by the local municipality or the local minority self-government. These institutions are eligible for state support funds to which each museum is entitled. Within the scope of such possibilities there are the tenders invited by the Museum College of the National Cultural Fund of Hungary (NKA) as well as high priority funds aimed at the professional support of museums maintained by local municipalities. The largest funding option consists of the scope of EU tenders. The funding required to run the cultural institutions taken over by the minority self-governments is incorporated into the annual budget of the national minority self-government concerned.

811. In light of the available information, it appears that the running of the cultural institutions continues to depend largely on tenders and that there is still no stable financial framework for the running of such institutions in place.

812. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities.

813. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested information about dubbing, post-synchronisation and subtitling activities.

814. According to the information provided by the authorities in the fifth evaluation report, minority theatre companies that are financed by the Ministry responsible for culture or supported by municipalities are predominantly producing performances in minority languages. However their repertoire also includes translations from other languages and stage performances in Hungarian, ensuring translation into the majority language using conference interpretation technology or by the means of projection. The Serbian theatre is maintained and financed by the Serbian National Self-Government. Moreover, on the minority public service television programmes the interviews that are broadcast in Hungarian are provided with subtitles in the language of the minority. On television and in the cinemas, a substantial number of films produced in the kin-states are broadcast in the original language with subtitles in Hungarian.

815. The Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

816. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

817. According to the information contained in the fifth periodical report, the culture which is reflected by the minority languages is presented by the Hungarian cultural centres in the kin states but apparently not in other countries. The Committee of Experts recalls that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which Hungarian cultural institutions are active.

818. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Hungarian authorities to make appropriate provision for the Serbian language and culture in their cultural policy abroad.

3.2.7 Slovak

819. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in the previous evaluation reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. These provisions are listed below:

Article 8 paragraph 1.e.iii; 2

Article 9 paragraph 1 sub-paragraph a. iii, sub-paragraph b ii; paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 paragraph 5

Article 11 paragraph 3

Article 12 paragraph 1 sub-paragraphs b. d. and f; paragraph 2

Article 13 paragraph 1 sub-paragraph a

Article 14 a.

820. In respect of these provisions, the Committee of Experts refers to the conclusions reached in its fourth evaluation report, but reserves the right to evaluate the situation again at a later stage.

Article 8 – Education

General issues

Awareness-raising

821. In the fourth evaluation report, the Committee of Experts “consider[ed] that more awareness-raising about the virtues of, and opportunities for, bilingual education is needed”. It “urge[d] the Hungarian authorities to actively promote minority language education among parents and pupils”. In particular, the Committee of Experts suggested that it “could be envisaged, for example, that the responsible authorities in municipalities on whose territory minority self-governments are active regularly provide parents of newly-born children with an information package about the opportunities of mother-tongue or bilingual education in the minority languages concerned”.

822. The fifth periodical report states in a general way that awareness-raising activities, like presentations about the teaching of minority languages at school open days, summer camps, post-curricular activities and publications, take place. It is, however, not clear which languages have benefited from these measures.

823. In light of the information received during the on-the-spot visit, the Committee of Experts remains of the view that the possibility of receiving instruction also in the minority languages should be more pro-actively promoted vis-à-vis the minority language speakers with a view to achieving in the medium term a shift from mainly teaching the minority language as a subject to teaching in minority languages, as recommended by the Committee of Ministers in since the first monitoring round in 2001.

Financial situation of minority language education

824. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**improve further the financial situation of minority language education and increase the stability of resourcing**”. In addition, the Committee of Experts “urge[d] the Hungarian authorities to improve the financial situation of education in minority languages at all stages of education” and “... to secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by minority self-governments”.

825. The fifth periodical report does not contain specific information about these issues. In light of the information received during the on-the-spot visit, the Committee of Experts considers that funding of the minority education in Hungary remains tight.

Teaching materials

826. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to accelerate the production of textbooks for education in minority languages at all stages of education”.

827. The Hungarian authorities reply in their fifth periodical report that efforts are being made to have at least one textbook per education type and grade available for education in minority languages. The authorities report as well that minority education textbooks are currently being separated in textbooks and workbooks and that the translations are being paid by the Ministry of Education or through EU funding. In addition, it is stated that several minorities use minority education textbooks of the kin-states. However, the periodical report does not specify with regard to each Part III language for which grades and subjects there are up-to-date textbooks in the respective language available.

828. During the on-the-spot visit, the Committee of Experts was informed that the National Slovak Self-Government has taken care of this responsibility and that a whole set of textbooks for all the education grades from primary school to secondary school is now available in Slovak thanks to these efforts.

Transport for pupils

829. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to organise transport for pupils whose schools have been closed or merged”.

830. The Hungarian authorities mention in their fifth periodical report that they are providing financial incentives which shall make it possible that pre-school education and the first four grades of primary education can still be offered in smaller municipalities while education as of the fifth grade should, for reasons of cost efficiency, be organised in bigger places. In localities with 3 000 inhabitants or less where the primary school has been closed, the parents may submit a written application to demand the re-opening of the school so that children could be provided education and teaching locally at least in the 1-4th grades. So far, four institutions were awarded support for restart, which affects approximately 100 children. In addition, another 24 schools were selected for support that would have been shut down without aid. It is, however, not clear which minority languages have benefited from the measures referred to in these examples. Considering that many minority language speakers live in small municipalities, the Committee of Experts nonetheless welcomes this initiative.

831. As regards the organisation of transport for pupils of closed or merged schools, the fifth periodical report refers to localities where schools had been closed and where pupils are now transported by organised school buses. The examples, however, do not seem to concern Slovak-speaking pupils.

832. The Committee of Experts learned that for some minorities the school bus issue is still a problem. Many small villages have applied for funding, or parents have opted for the solution of car-sharing. The authorities have mentioned to the Committee of Experts that financial support has been provided to municipalities in order to buy busses and also to favour car-sharing among parents concerned and that some positive progress could be noted.

Conclusion

833. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to **“develop a structured long-term policy and plan for education in all regional or minority languages”**. It follows from the above that, despite some positive developments, many of the structural shortcomings identified in the previous monitoring cycles persist.

***The Committee of Experts strongly urges the Hungarian authorities to
- secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by Slovak National Self-government
-further accelerate the production of textbooks for education in Slovak at all stages of education.***

Paragraph 1

Pre-school education

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a. *i. to make available pre-school education in the relevant regional or minority languages; or*
- ii. to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
- iii. to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*

iv. if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above.

834. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of further mother-tongue kindergartens and to address the negative trends in Slovak pre-school education.” Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

835. According to the fifth periodical report, there has been an increase of mother tongue education, be it in the number of institutions (four in 2008/2009, six in 2009/2010) or in the total number of pupils (161 in 2008/2009, 279 in 2009/2010). This has been done at the expenses of bilingual kindergartens, which saw their numbers diminish (from 44 institutions and 2323 pupils in 2008/2009 to 38 institutions and 2052 pupils in 2009/2010). Supplementary minority education has also been provided in the school year 2009/2010 for 247 pupils in 7 institutions.

836. The Committee of Experts welcomes the increase of the number of children attending pre-school education in Slovak as well as of the number of minority language kindergartens. Nevertheless, the number of children enrolled in mother-tongue kindergartens is still relatively low. The Committee of Experts recalls that language revitalisation takes place in kindergartens and considers that the Hungarian authorities should continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

837. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

Primary education

- b. i. to make available primary education in the relevant regional or minority languages; or*
- ii. to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient.***

838. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of more bilingual primary schools”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

839. According to the information provided by the authorities in the fifth periodical report, in the 2008/2009 school year, there was one Slovak language school (67 pupils), four bilingual schools (787 pupils) and 37 schools that taught Slovak (3,760 pupils). In the 2009/2010 school year, there were three Slovak language schools (125 pupils), four bilingual schools (791 pupils), 37 schools where 3,559 pupils were learning Slovak and 1 institution where Slovak was taught as supplementary minority education (79 pupils).

840. The Committee of Experts welcomes the increased availability of mother tongue education. However, in general, the number of pupils enrolled in mother tongue or bilingual education remains relatively low compared to the number of pupils to whom Slovak is taught as a subject. While welcoming a trend towards more instruction in Slovak, the Committee of Experts considers that efforts need to be pursued to increase bilingual education with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages, as recommended by the Committee of Ministers.

841. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

Secondary education

- c. i. *to make available secondary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii. *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. ***to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

842. In the fourth evaluation report, the Committee of Experts this undertaking partly fulfilled. It “strongly urged the Hungarian authorities to actively promote the establishment of more bilingual secondary schools”. Furthermore, the Committee of Ministers recommended Hungary to **“increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages”**.

843. According to the fifth periodical report, the situation has remained the same concerning Slovak. Two institutions offer bilingual education, for a total of 89 students.

844. The authorities report that in order to increase the number of students attending the existing Slovak grammar schools in Békéscsaba and Budapest, a business association of the National Self-Government of Slovaks, Legatum Kft., established the non-profit foundation “For Slovaks in Hungary” whose scholarship programme assists this process also financially amongst primary school pupils. The foundation was awarded HUF 3 million (EUR 10 700) in 2008 and 2009, HUF 4.1 million (EUR 15 000) in 2010 and HUF 4.5 million (EUR 16 000) 2011 in state aid for this purpose.

845. The Committee of Experts considers that the number of 89 students is low compared to the number of Slovak-speakers in Hungary and insufficient to ensure an effective transmission of the language. .

846. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts urges the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual primary and secondary schools in order to ensure continuity in the offer of teaching in/of Slovak.

Technical and vocational education

- d. i. *to make available technical and vocational education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii. *to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. ***to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

847. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for Slovak. It “strongly urge[d] the Hungarian authorities to establish and/or increase in technical and vocational training the offer of teaching Part III languages as an integral part of the curriculum”.

848. According to the information contained in the fifth periodical report, there is no institution in Hungary that provides technical and vocational education in Slovak or teaching of Slovak as an integral part of the curriculum.

849. The Committee of Experts therefore considers the undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to strengthen efforts to establish in technical and vocational education the offer of teaching in or of Slovak as an integral part of the curriculum.

Adult and continuing education

- f. i. *to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii. *to offer such languages as subjects of adult and continuing education; or*
- iii. ***if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education.***

850. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for Slovak. It "urge[d] the Hungarian authorities to develop and finance an adequate framework for teaching of minority languages in adult and continuing education and to actively promote such education".

851. The fifth periodical report states that there was no significant change in the system of adult education during the reporting period. In light of the above, the Committee of Experts understands that there is still no comprehensive scheme of adult and continuing education in minority languages for a wider public.

852. The Committee of Experts considers this undertaking partly fulfilled and urges the Hungarian authorities to develop and finance an adequate framework for teaching of Slovak in adult and continuing education and actively promote such education.

Teaching of history and culture

- g. ***to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language.***

853. In the fourth evaluation report, the Committee of Experts "request[ed] the Hungarian authorities to provide specific information, including on the teaching of the history and the culture which is reflected by the minority languages in mainstream teaching for non-speakers of minority languages".

854. According to the information contained in the fifth periodical report, the teaching of the history and the culture which is reflected by Slovak is ensured for minority education. Slovak minority studies constitute a fully or partially independent subject in the schools providing for Slovak minority education.

855. As far as the mainstream education is concerned, the teaching of the history and the culture which is reflected by the regional or minority languages present in Hungary is ensured through the legislation (Government Decree No. 243/2003 (XII. 17.) on the Development, Introduction and Implementation of the National Core Curriculum). In practice, this teaching is provided in the subject "Man and Society cultural studies", and as of the 5th grade of elementary school, in the subjects of Country and culture, History and civic studies. Within the regulation concerning the educational outcome, these materials appear on every level as knowledge to be tested and the secondary school final examination requirements also include knowledge related to the history and culture of minorities.

856. The Committee of Experts considers the undertaking fulfilled.

Basic and further training of teachers

- h. ***to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party.***

857. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It "strongly urges the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in minority languages" Furthermore, the Committee of Ministers recommended Hungary to **"increase [...] the number of teachers able to teach subjects in [Part III] languages"** in order to enable bilingual or mother-tongue education on a wide scale.

858. In their fifth periodical report, the authorities acknowledge the increasing need for teachers teaching general subjects in minority languages in bilingual and minority language education. Subject-specific further training courses have therefore been organised, including theoretical training and class observation in the kin states for practising teachers teaching general subjects in minority languages in bilingual or mother tongue schools. Bilateral inter-ministerial action plans and agreements have been set up. Full-time training in the kin state, part-training and doctoral training, linguistic methodological and area-specific language training for

practising teachers, opportunities for receiving foreign guest teachers are foreseen. During the reporting period, tenders organised by the Ministry of Education and providing for in-service nationality teacher training also allowed for more minority language teacher training. In the case of Slovak, there was no tender in the reporting period.

859. During the on-the-spot visit, the Committee of Experts was informed that the Slovak Research Institute and the Foundation of Slovaks in Hungary are contributing to help to improve the offer for teacher training in Hungary. In addition, a Methodology Centre has been set up in the framework of the mandate of the Slovak National Self-Government.

860. In general, however, the Committee of Experts notes that there have been no changes in the teacher training system with a view to ensuring that there is a sufficient number of teachers able to teach subjects in Slovak. It recalls that the lack of teachers remains a structural bottleneck in the provision of bilingual education¹⁷ and underlines that strengthened efforts are needed on the part of the Hungarian authorities in this respect.

861. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in Slovak.

Monitoring

- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public..*

862. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Part III languages, and for producing periodical public reports.” Furthermore, the Committee of Ministers recommended Hungary to “**set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter**”.

863. The authorities state in their fifth periodical report inter alia that the minority self-governments have the right to be of consulted in respect of issues related to minority education.

864. The Committee of Experts underlines that this undertaking foresees a specific body or bodies with the responsibility of monitoring of what is being done in the field of education, and for assessing whether progress has been made. The said body or bodies should also be charged with drafting regular reports on their findings and these reports should be made public. Furthermore, the body or bodies should have a sufficient degree of autonomy.

865. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Slovak, and for producing periodical public reports.

Article 9 – Judicial authorities

General issues

Geographical scope of application/organisational measures

866. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter”. Furthermore, the Committee of Ministers recommended Hungary to “**take steps to ensure that the relevant judicial [...] authorities implement the obligations under Article [...] 9 [...] of the Charter, in particular by specifying those judicial [...] districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 9 [...]**”.

¹⁷ See 4th report of the Committee of Experts on Hungary, ECRML (2010)2, paragraph 104

867. In the fifth periodical report, the Hungarian authorities state that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of judicial districts which, in turn, would call for a systemic reform to facilitate compliance with the requirements defined in Article 9 of the Charter. The commitments made through the ratification of the Language Charter apply to the whole territory of Hungary”.

868. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter.

Information and encouragement measures

869. In the fourth evaluation report, the Committee of Experts “again strongly urge[d] the authorities to actively inform citizens about the possibility to use a minority language in courts”.

870. According to the fifth periodical report, the parties involved are informed of their right to use minority languages at the beginning of and during court proceedings.

871. The fifth periodical report provides a few examples of cases where persons belonging to minorities have used their language before courts. The Committee of Experts notes, however, that there have been practically no developments as far as the actual use of minority languages before courts is concerned. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Slovak in court have been denied this possibility. In the view of the Committee of Experts, the Hungarian authorities should encourage the minority language speakers to use their languages before judicial authorities. As already stated in the previous reports, the judicial staff could encourage the use of minority languages through bi- or multilingual notices and signs in and on court buildings, and through information in public announcements or court forms.

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

Criminal proceedings

- a. ***ii. to guarantee the accused the right to use his/her regional or minority language.***
- iv. to produce, on request, documents connected with legal proceedings in the relevant regional or minority language.***

872. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

873. In the fifth periodical report, no practical examples concerning the implementation of this undertaking are given by the Hungarian authorities.

874. The Committee of Experts considers these undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of their implementation in practice with regard to Slovak in the next periodical report.

Civil proceedings

- b. ***ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.***
- iii. to allow documents and evidence to be produced in the regional or minority language.***

Proceedings before courts concerning administrative matters

- c. *ii. to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.*
- iii. in proceedings before courts concerning administrative matters: to allow documents and evidence to be produced in the regional or minority languages.*

875. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

876. The fifth periodical report contains no examples on the practical implementation of these undertakings. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Slovak in court have been denied this possibility. Based on this and bearing in mind that interpretation and translation systems have been allocated to the courts, the Committee of Experts considers the undertakings fulfilled.

Article 10 – Administrative authorities and public services

General issues

Geographical scope of application/organisational measures

877. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, on whose territory local and county minority self-governments representing Part III languages are active, as the authorities that will be obliged to take organisational measures to implement the obligations under Article 10.” Furthermore, the Committee of Ministers recommended Hungary to “**take steps to ensure that the relevant [...] administrative authorities implement the obligations under Article [...] 10 of the Charter, in particular by specifying those [...] administrative districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 10**”.

878. In the fifth periodical report, the Hungarian authorities reiterate their view that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of districts which, in turn, would call for specific measures to facilitate compliance with the requirements defined in Article 10 of the Charter. The commitments defined in the Language Charter apply to the authorities on the whole territory of the country”.

879. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, which will be obliged to take organisational measures to implement the obligations under Article 10. These authorities would be those on whose territory local and county minority self-governments of the Slovak minority are active.

Information and encouragement measures

880. In the fourth evaluation report, the Committee of Experts noted that the Hungarian authorities have actively informed the national minorities of their language rights. Nevertheless, it “consider[ed] that a more systematic and thorough approach is needed”.

881. No information on this aspect has been provided in the fifth periodical report. The Committee of Experts encourages the Hungarian authorities to adopt a more systematic and thorough approach informing the Slovak speakers of their language rights in relation with administrative authorities and public services.

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a. v to ensure that users of regional or minority languages may validly submit a document in these languages;***

882. The Committee of Experts underlines that the undertaking under Article 10 paragraph 1 concern local branches of the central State administration whereas the undertakings under article 10 paragraph 2 concern local administrations.

883. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and requested more information in the next periodical report about its practical implementation.

884. In the fifth periodical report, no practical examples are given by the Hungarian authorities with regard to Slovak.

885. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Slovak-speakers to validly submit a document in Slovak to the local branches of State administration in practice.

c. to allow the administrative authorities to draft documents in a regional or minority language.

886. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the legal possibility to draft documents in a minority language more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars”.

887. The Committee of Experts welcomes the examples provided in the fifth evaluation report on the use of the minority languages by the self-governments. However, it did not receive information on the use of Slovak by the regular administration.

888. The Committee of Experts considers this undertaking formally fulfilled. It strongly urges the Hungarian authorities to promote the legal possibility to draft documents in Slovak more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

b. the possibility for users of regional or minority languages to submit oral or written applications in these languages

889. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled as “there [were] no indications of a stable and regular implementation of this provision in practice”.

890. According to the information provided by the authorities in the fifth periodical report, the change in the financing system (Government Decree No. 342/2010 (XII. 28.)) of the minority self-governments encourage the minority self-government to apply their competence given to them in the Act on Minorities. In the course of the appointment of civil servants for local municipalities, more and more of them took the initiative to favour candidates who have command of a minority language. There are, however, no practical examples on how the Slovak language is used in regular local administrations.

891. The Committee of Experts considers the undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Slovak-speakers to submit oral and written applications in Slovak to local and regional administrations in practice.

e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

892. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

893. No information as to the implementation of this undertaking has been provided in the fifth periodical report.

894. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to promote the use by regional authorities of the Slovak language in debates in their assemblies.

f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

895. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the oral and written use of minority languages by local authorities in debates in their assemblies”.

896. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-governments institutions. It however did not receive information on the use of Slovak by the local authorities in debates in their assemblies.

897. The Committee of Experts concludes that this undertaking remains formally fulfilled. It strongly urges the Hungarian authorities to promote the oral and written use of Slovak by local authorities in debates in their assemblies.

g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

898. In the fourth evaluation report, the Committee of Experts noted the measures taken to provide bilingual street, place-name and other signs and considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to promote the adoption by the eligible municipalities of all local topographical names in the minority language(s) concerned and financially assist their use in conjunction with the official use of the Hungarian denominations”.

899. According to the information provided in the fifth periodical report, the 2011 Act on the Rights of Nationalities eliminates the inconsistencies of the previous legislation and stipulates that nationalities are entitled to use historical and traditional names of localities, streets and other geographical indications intended for the community.

900. The authorities report that in Ambrózfalva, a locality in the county of Csongrád, a public institution had its name displayed in Slovak. In Piliscév and Totkomols, Slovak has been used for the name of the locality, the name of a public office, the name of a public institution and the name of an organisation providing public service.

901. In general, however, a relatively low share of the relevant municipalities (i.e. where a local minority self-government is active) have adopted official place-names in a minority language. Also, the use of the minority place-name is usually limited to the signs at the entrance of the municipality and some signs on public buildings. Place-name signs at the exits of municipalities, street name signs, signposts and public transport signs bear the Hungarian place-names only. The use of official place-names in Slovak is not monitored. The Committee of Experts considers that an authority should be designated to carry out such monitoring, for example the road and traffic authority.

902. The Committee of Experts considers the undertaking partly fulfilled. It strongly urges the Hungarian authorities to promote the adoption by the relevant municipalities of all local topographical names in Slovak and financially assist their use in conjunction with the official use of the Hungarian names.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. to allow users of regional or minority languages to submit a request in these languages.

903. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to ensure that minority language users can submit requests in minority languages to public services in practice”.

904. The authorities refer again in their fifth periodical report to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However, the present undertaking concerns “action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on¹⁸”.

¹⁸ Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

905. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to ensure that Slovak speakers can submit requests in Slovak to public services in practice.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. translation or interpretation as may be required;

906. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled but repeated its request to “the Hungarian authorities to provide information on the practical implementation of this undertaking in the next periodical report”.

907. The information provided in the fifth periodical report deals with recruitment of officials speaking minority languages, but does not contain practical examples of translation and interpretation for Slovak.

908. The Committee of Experts considers the undertaking still partly fulfilled, and asks the Hungarian authorities again to provide information on its implementation in practice in the next periodical report.

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

a. to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

909. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It “strongly urge[d] the Hungarian authorities to improve the time-slots, time-schedules and financial support available for television programmes in minority languages”. Furthermore, the Committee of Ministers recommended Hungary to “**improve the offer of minority language programmes on television**”.

910. In the fifth periodical report, the Hungarian authorities state that the quantity and timing of minority-language television programmes has remained the same during the reporting period. They moreover state that the rerun of minority television programmes was moved from channel M2 to Duna Television, allowing reruns to reach a much larger audience on approximately 86% of the territory of Hungary. Before the reruns on M2 were only available via satellite and cable networks. In addition, while reruns used to be broadcast in the early morning, they are now broadcast on Duna Television at 11 a.m., making them more accessible. There is no information about the financial situation of minority language broadcasting.

911. While welcoming the improvements made with regard to the reception of programmes, the Committee of Experts notes nonetheless that the offer of minority language programmes in Slovak on television as such has not improved as this would have implied the production of additional programmes rather than the broadcasting of reruns.

912. The Committee of Experts considers the undertaking fulfilled concerning radio and partly fulfilled concerning television. It urges the authorities to improve the financial support available for television programmes in Slovak. Furthermore, the Committee of Experts encourages the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in Slovak for children.

b. ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;

913. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It urged the Hungarian authorities to promote the broadcasting of programmes in Slovak on private radio.

914. According to the information provided by the authorities in the fifth periodical report, in accordance with the existing legal provisions, anyone may apply for media broadcasting rights in order to ensure the information of national and ethnic minorities if the Media Council decides to publish a tender on the subject as a community issue. If this objective falls into the category of satisfying the needs of a community defined in Section 66 of the Media Act, no fee is payable by the broadcaster. It is also possible to submit tender applications with this objective in the case of media service provision opportunities of a commercial nature. According to the fifth periodical report, the Media Act foresees a new requirement in case of linear analogue radio tendering. All call for tenders and all bids must include the bidder's commitments with respect to the daily minimum programme covering the needs of national, ethnic or other minorities. In accordance with the invitation to the tender, the Media Council may take into consideration these commitments when evaluating the bids.

915. As far as Slovak is concerned, however, the Committee of Experts notes that there is no private radio broadcasting programmes in this language.

916. The Committee of Experts considers the undertaking not fulfilled. It strongly urges the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in Slovak on a regular basis.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

917. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled and "strongly urge[d] the Hungarian authorities to encourage and/or facilitate access of the minority language users to community cable television networks, local cable television reception as well as to television programmes from countries in which these languages are used". Furthermore, the Committee of Ministers recommended Hungary to "**improve the offer of minority language programmes on television**".

918. The media services of a commercial nature have to be registered by the Office of the National Media and InfoCommunication Authority (Section 66(5) of the Media Act) and registered. The Media Act also regulates the "must carry" obligation of media service providers regarding community media services intended to satisfy the special needs for information of national or ethnic minorities.

919. The Hungarian authorities report that 562 providers, which corresponds to 49 per cent of currently operating cable media service providers, made a commitment to broadcast programmes made for national or other minorities. The total national average broadcasting time of nationality programmes, mostly available at various programmes through local cable television networks, is 405 minutes a month. These figures show that cable media service providers, mainly local cable television programmes, provide an average of six hours and 45 minutes of programme intended for national or other minorities each month. It is not clear, however, to which extent the programmes are in Slovak. The Committee of Experts asks the Hungarian authorities to clarify this in the next periodical report.

920. The Committee of Experts considers this undertaking partly fulfilled.

e. i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages

921. In the fourth evaluation report, the Committee of Experts "encourage[d] the Hungarian authorities to maintain the previous financial support to newspapers in minority languages".

922. According to the information provided by the authorities in the fifth periodical report, the funding for the publication of minority language newspapers was provided by the Public Foundation for Minorities in 2009 and in 2010. In 2011, the state support given to minority newspapers was integrated into the budget of minority self-governments directly.

923. According to the information reported by the authorities, the newspaper "L'udové Noviny" received HUF 34.800.000 (EUR 124 000) in 2011, compared to HUF 32. 655.671 (EUR 116 000) in 2009.

924. The representatives of the speakers, whom the Committee of Experts met during the on-the-spot visit, expressed their satisfaction with regard to the long-term financing of the newspaper.

925. The Committee of Experts considers this undertaking fulfilled.

f. i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media.

926. In the fourth evaluation report, the Committee of Experts considered that “[t]he information provided [was] not sufficiently specific to enable [it] to reach a conclusion and “urge[d] the Hungarian authorities to establish a permanent funding system for programmes in minority languages”.

927. The fifth periodical report does not contain any specific information concerning the establishment of a permanent funding system for programmes in Slovak.

928. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities to provide information on this issue in the next periodical report.

g. to support the training of journalists and other staff for media using regional or minority languages.

929. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.” Furthermore, the Committee of Ministers recommended Hungary to “develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.”

930. According to the fifth periodical report, a Minority Media Working Group operated in the first half of the reporting period (2007-2010). Based on its recommendations, nationality media editorial boards carried out a staff exchange programme with the countries where their mother-tongue is spoken within the framework of a cooperation agreement. The Committee of Experts welcomes this initiative. However, this arrangement does not constitute a comprehensive scheme for the training of journalists, as recommended in the previous evaluation report.

931. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Slovak.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

932. This undertaking was considered to be fulfilled for the Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities are entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

933. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of Trustees of Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's Advisory Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

934. According to the law the national self-governments are entitled to delegate one person to the Board. The Committee of Experts was informed that the current representative is from the Serbian National Self-Government.

935. The Committee of Experts considers this undertaking fulfilled.

Article 12 Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages.***

936. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “encourage[d] the authorities to establish a stable financial framework for the running of the cultural institutions”.

937. According to the information provided by the authorities, a significant number of libraries own collections in regional or minority languages and organise cultural programmes on national minorities. A lack of funds is however noted. As far as the National Foreign Language Library is concerned, in 2011 the Ministry of National Resources reallocated HUF 2 million (EUR 7000) from other funds for the procurement of nationality documents.

938. According to the fifth periodical report, the “base museums” (a group of museums that belong to the organisation of county museums) include museological institutions related to national and ethnic minorities. The legal status of these museums is settled, although the financing of their related tasks is controversial and not resolved.

939. Another group of museological institutions related to national and ethnic minorities is made up of about 220 local history collections and reproduction peasant houses. In most of the cases they are operated by the local municipality or the local minority self-government. These institutions are eligible for state support funds to which each museum is entitled. Within the scope of such possibilities there are tenders invited by the Museum College of the National Cultural Fund of Hungary (NKA) as well as high priority funds aimed at the professional support of museums maintained by local municipalities. The largest funding option consists of EU tenders. The funding required to run the cultural institutions taken over by the minority self-governments is incorporated into the annual budget of the national minority self-government concerned.

940. The Self-government institutions of the Slovak Documentation Centre and the professional organisation of Slovak reproduction peasant houses, Legatum Kft., operate with nation-wide competence.

941. In light of the available information, it appears that the running of the cultural institutions continues to depend largely on tenders and that there is still no stable financial framework for the running of such institutions in place.

942. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

- c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities.***

943. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested information about dubbing, post-synchronisation and subtitling activities.

944. According to the information provided by the authorities in the fifth evaluation report, minority theatre companies that are financed by the Ministry responsible for culture or supported by municipalities are predominantly producing performances in minority languages. However their repertoire also includes translations from other languages and stage performances in Hungarian, ensuring translation into the majority language using conference interpretation technology or by the means of projection. The Vertigo Slovak Theatre is maintained and financed by the Slovak National Self-Government. Moreover, on the nationality public service television programmes the interviews that are broadcast in Hungarian are provided with subtitles in the language of the nationality. On television and in the cinemas, a substantial number of films produced in the kin-states are broadcast in the original language with subtitles in Hungarian.

945. The Committee of Experts considers the undertaking fulfilled.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

946. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

947. According to the information contained in the fifth periodical report, the culture which is reflected by the minority languages is presented by the Hungarian cultural centres in the kin states, but apparently not in other countries. The Committee of Experts recalls that that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which Hungarian cultural institutions are active.

948. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Hungarian authorities to make appropriate provision for the Slovak language and culture in their cultural policy abroad.

3.2.8 Slovenian

949. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in the previous evaluation reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. These provisions are listed below:

Article 8 paragraph 1.e.iii; 2

Article 9 paragraph 1 sub-paragraph a.iii; sub-paragraph b ii; paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 paragraph 4 sub-paragraph a.

Article 10 paragraph 5 Article 11 paragraph 3

Article 12 paragraph 1 sub-paragraphs b. d. and f. as well as paragraph 2

Article 13 paragraph 1 sub-paragraph a

Article 14 a.

950. In respect of these provisions, the Committee of Experts refers to the conclusions reached in its fourth evaluation report, but reserves the right to evaluate the situation again at a later stage.

Article 8 – Education

General issues

Awareness-raising

951. In the fourth evaluation report, the Committee of Experts “consider[ed] that more awareness-raising about the virtues of, and opportunities for, bilingual education is needed”. It “urge[d] the Hungarian authorities to actively promote minority language education among parents and pupils”. In particular, the Committee of Experts suggested that it “could be envisaged, for example, that the responsible authorities in municipalities on whose territory minority self-governments are active regularly provide parents of newly-born children with an information package about the opportunities of mother-tongue or bilingual education in the minority languages concerned”.

952. The fifth periodical report states in a general way that awareness-raising activities, like presentations about the teaching of minority languages at school open days, summer camps, post-curricular activities and publications, take place. The fifth periodical report mentions as well that in 2009, the National Slovenian Self-Government and the Association of Slovenians in Hungary organised a Slovenian Open Day, similar to the one organised in 2008, with the objective to inform the parents of would-be first-grade pupils about the opportunities offered by learning Slovenian. For this purpose, a bilingual colour manual entitled “The Slovenian Language: an Opportunity for Your Child” was published. The Committee of Experts welcomes this information and encourages the authorities to extend this awareness-raising activity to other minority languages.

953. In light of the information received during the on-the-spot visit, the Committee of Experts remains of the view that the possibility of receiving instruction also in the minority languages should be more pro-actively promoted vis-à-vis the minority language speakers with a view to achieving in the medium term a shift from mainly teaching the minority language as a subject to teaching in minority languages, as recommended by the Committee of Ministers since the first monitoring round in 2001.

Financial situation of minority language education

954. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**improve further the financial situation of minority language education and increase the stability of resourcing**”. In addition, the Committee of Experts “urge[d] the Hungarian authorities to improve the financial situation of education in minority languages at all stages of education” and “... to secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by minority self-governments”.

955. The fifth periodical report does not contain specific information about these issues. In light of the information received during the on-the-spot visit, the Committee of Experts considers that funding of the minority education in Hungary remains tight.

Teaching materials

956. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to accelerate the production of textbooks for education in minority languages at all stages of education”.

957. The Hungarian authorities reply in their fifth periodical report that efforts are being made to have at least one textbook per education type and grade available for education in minority languages. The authorities report as well that nationality textbooks are currently being separated in textbooks and workbooks and that the translations are being paid by the Ministry of Education or through EU funding. In addition, it is stated that several minorities use minority education textbooks of the kin-states. However, the periodical report does not specify with regard to each Part III language for which grades and subjects there are up-to-date textbooks in the respective language available.

Transport for pupils

958. In the fourth evaluation report, the Committee of Experts also “urge[d] the Hungarian authorities to organise transport for pupils whose schools have been closed or merged”.

959. The Hungarian authorities mention in their fifth periodical report that they are providing financial incentives which shall make it possible that pre-school education and the first four grades of primary education can still be offered in smaller municipalities while education as of the fifth grade should, for reasons of cost efficiency, be organised in bigger places. In localities with 3 000 inhabitants or less where the primary school has been closed, the parents may submit a written application to demand the re-opening of the school so that children could be provided education and teaching locally at least in the 1-4th grades. So far, four institutions were awarded support for restart, which affects approximately 100 children. In addition, another 24 schools were selected for support that would have been shut down without aid. It is, however, not clear which minority languages have benefited from the measures referred to in these examples. Considering that many minority language speakers live in small municipalities, the Committee of Experts nonetheless welcomes this initiative.

960. As regards the organisation of transport for pupils of closed or merged schools, the fifth periodical report refers to localities where schools had been closed and where pupils are now transported by organised school buses. The examples, however, do not seem to concern Slovenian-speaking pupils.

961. The Committee of Experts learned that for some minorities the school bus issue is still a problem. Many small villages have applied for funding, or parents have opted for the solution of car-sharing. The authorities have mentioned to the Committee of Experts that financial support has been provided to municipalities in order to buy busses and also to favour car-sharing among parents concerned and that some progress could be noted.

Conclusion

962. In the fourth monitoring cycle, the Committee of Ministers recommended Hungary to “**develop a structured long-term policy and plan for education in all regional or minority languages**”. It follows from the above that, despite some positive developments, many of the structural shortcomings identified in the previous monitoring cycles persist.

***The Committee of Experts strongly urges the Hungarian authorities to -
- secure the necessary financial support for maintaining the mother tongue or bilingual schools taken over by Slovenian National Self-governments
- further accelerate the production of textbooks for education in Slovenian at all stages of education.***

Paragraph 1

With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

Pre-school education

- a. i. *to make available pre-school education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*
- iii. *to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or*
- iv. if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above.**

963. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of further mother-tongue kindergartens [...]”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

964. According to the information contained in the fifth periodical report, in the 2008/2009 school year there were two Slovenian mother-tongue kindergartens (57 children) and two bilingual kindergartens (13 children). In the 2009/2010 school year, the number of institutions remained the same, with a slight increase of the number of pupils (61 for the mother-tongue education and 18 for the bilingual education).

965. The Committee of Experts welcomes that the number of children attending a form of pre-school education in Slovenian has increased. Nevertheless, the Committee of Experts is of the view that the number of children enrolled in mother-tongue or bilingual kindergartens is still relatively low. The Committee of Experts recalls that language revitalisation takes place in kindergartens and considers that the Hungarian authorities should continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

966. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

Primary education

- b. i. *to make available primary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of primary education in the relevant regional or minority languages; or*
- iii. *to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient.**

967. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of more bilingual primary schools”. Furthermore, the Committee of Ministers recommended Hungary to “**increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages**”.

968. According to the information provided by the Hungarian authorities in the fifth periodical report, in the 2008/2009 school year there were two primary schools providing bilingual education for 93 pupils and 53 pupils receiving language teaching in Slovenian. In the 2009/2010 school year there was one minority language institution (9 pupils), two primary schools providing bilingual education (93 pupils) and two institutions providing language teaching (30 pupils).

969. The Committee of Experts welcomes the setting up of mother tongue education. However, in general, the number of pupils enrolled in mother tongue or bilingual education remains low. While welcoming a trend towards more instruction in Slovenian, the Committee of Experts considers that the efforts need to be pursued to increase bilingual education with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages, as recommended by the Committee of Ministers.

970. The Committee of Experts considers this undertaking partly fulfilled. It urges the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

Secondary education

- c. i. *to make available secondary education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of secondary education in the relevant regional or minority languages; or*
- iii. *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. ***to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

971. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to actively promote the establishment of more bilingual secondary schools”. Furthermore, the Committee of Ministers recommended Hungary to **“increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages”**.

972. The information given by the Hungarian authorities indicates that in the 2008/2009 school year 22 students attended Slovenian or bilingual education, while one grammar school and two secondary schools provided Slovenian language teaching to two, respectively 12 students. In the 2009/2010 school year 26 students attended Slovenian or bilingual education, while one grammar school and two secondary schools provided Slovenian language teaching to 25, respectively 11 students.

973. The Committee of Experts notes that the number of students attending secondary Slovenian or bilingual education has only slightly increased. The number of 26 students remains, furthermore, relatively low compared to the number of Slovenian speakers in Hungary and insufficient for efficient language transmission.

974. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts urges the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual primary and secondary schools in order to ensure continuity in the offer of teaching in/of Slovenian.

Technical and vocational education

- d. i. *to make available technical and vocational education in the relevant regional or minority languages; or*
- ii. *to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or*
- iii. *to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*
- iv. ***to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient.***

975. In the fourth evaluation report, the Committee of Experts this undertaking not fulfilled for Slovenian. It “strongly urge[d] the Hungarian authorities to establish and/or increase in technical and vocational training the offer of teaching Part III languages as an integral part of the curriculum”.

976. According to the fifth periodical report, no institution in Hungary provides technical and vocational education in Slovenian or teaching of Slovenian as an integral part of the curriculum.

977. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Hungarian authorities to strengthen efforts to establish in technical and vocational training the offer of teaching in or of Slovenian as an integral part of the curriculum.

Adult and continuing education

- f. i. *to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages; or*
- ii. *to offer such languages as subjects of adult and continuing education; or*
- iii. ***if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education.***

978. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “urge[d] the Hungarian authorities to develop and finance an adequate framework for teaching of minority languages in adult and continuing education and to actively promote such education”.

979. The fifth periodical report states that there was no significant change in the system of adult education during the reporting period. In light of the above, the Committee of Experts understands that there is still no comprehensive scheme of adult and continuing education in minority languages for a wider public.

980. The Committee of Experts considers this undertaking not fulfilled and urges the Hungarian authorities to develop and finance an adequate framework for teaching of Slovenian in adult and continuing education and to actively promote such education.

Teaching of history and culture

- g. ***to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language.***

981. In the fourth evaluation report, the Committee of Experts “request[ed] the Hungarian authorities to provide specific information, including on the teaching of the history and the culture which is reflected by the minority languages in mainstream teaching for non-speakers of minority languages”.

982. According to the information contained in the fifth periodical report, the teaching of the history and the culture which is reflected by Slovenian is ensured for minority education.

983. As far as the mainstream education is concerned, the teaching of the history and the culture which is reflected by the regional or minority languages present in Hungary is ensured through the legislation (Government Decree No. 243/2003 (XII. 17.) on the Development, Introduction and Implementation of the National Core Curriculum). In practice, this teaching is provided in the subject “Man and Society cultural studies”, and as of the 5th grade of elementary school, in the subjects of country and culture, history and civic studies. Within the regulation concerning the educational outcome, these materials appear on every level as knowledge to be tested and the secondary school final examination requirements also include knowledge related to the history and culture of minorities.

984. The Committee of Experts considers the undertaking fulfilled.

Basic and further training of teachers

- h. ***to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party.***

985. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urged the Hungarian authorities to take resolute steps with a view to increasing the number of teachers who are able to teach subjects in minority languages” Furthermore, the Committee of Ministers

recommended Hungary to “**increase [...] the number of teachers able to teach subjects in [Part III] languages**” in order to enable bilingual or mother-tongue education on a wide scale.

986. In their fifth periodical report, the authorities acknowledge the increasing need for teachers teaching general subjects in minority languages in bilingual and minority language education. Subject-specific further training courses have therefore been organised, including theoretical training and class observation in the kin states for practising teachers teaching general subjects in minority languages in bilingual or mother tongue schools. Bilateral inter-ministerial action plans and agreements have been set up. Full-time training in the kin state, part-training and doctoral training, linguistic methodological and area-specific language training for practising teachers, opportunities for receiving foreign guest teachers are foreseen. During the reporting period, tenders organised by the Ministry of Education and providing for in-service nationality teacher training also allowed for more minority language teacher training. In the case of Slovenian, there was one tender in 2008

987. In general, however, the Committee of Experts notes that there have been no changes in the teacher training system with a view to ensuring that there is a sufficient number of teachers able to teach subjects in Slovenian. It recalls that the lack of teachers remains a structural bottleneck in the provision of bilingual education¹⁹ and underlines that strengthened efforts are needed on the part of the Hungarian authorities in this respect.

988. The Committee of Experts considers the undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to take resolute steps with the view to increasing the number of teachers who are able to teach subject in Slovenian.

Monitoring

- i. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.***

989. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It “strongly urge[d] the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Part III languages, and for producing periodical public reports.” Furthermore, the Committee of Ministers recommended Hungary to “**set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter**”.

990. The authorities state in their fifth periodical report inter alia that the minority self-governments have the right to be consulted in respect of issues related to minority education.

991. The Committee of Experts underlines that this undertaking foresees a specific body or bodies with the responsibility of monitoring of what is being done in the field of education, and for assessing whether progress has been made. The said body or bodies should also be charged with drafting regular reports on their findings and these reports should be made public. Furthermore, the body or bodies should have a sufficient degree of autonomy.

992. The Committee of Experts considers the undertaking not fulfilled.

The Committee of Experts strongly urges the Hungarian authorities to establish a dedicated mechanism for monitoring the measures taken and progress achieved in the teaching of Slovenian, and for producing periodical public reports.

¹⁹ See 4th report of the Committee of Experts on Hungary, ECRML (2010)2, paragraph 104

Article 9 – Judicial authorities

General issues

Geographical scope of application/organisational measures

993. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter”. Furthermore, the Committee of Ministers recommended Hungary to “**take steps to ensure that the relevant judicial [...] authorities implement the obligations under Article [...] 9 [...] of the Charter, in particular by specifying those judicial [...] districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 9 [...]**”.

994. In the fifth periodical report, the Hungarian authorities state that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of judicial districts which, in turn, would call for a systemic reform to facilitate compliance with the requirements defined in Article 9 of the Charter. The commitments made through the ratification of the Language Charter apply to the whole territory of Hungary”.

995. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to specify those judicial districts in which the number of residents using the minority languages justifies organisational measures to implement the obligations under Article 9 of the Charter.

Information and encouragement measures

996. In the fourth evaluation report, the Committee of Experts “again strongly urge[d] the authorities to actively inform citizens about the possibility to use a minority language in courts”.

997. According to the fifth periodical report, the parties involved are informed of their right to use minority languages at the beginning of and during court proceedings.

998. During the on-the-spot visit the Committee of Expert was informed that in the Rába Region all requests addressed by local residents in terms of announcements and forms are made available in Slovenian in the framework of their relations with judicial authorities.

999. The fifth periodical report provides a few examples of cases where persons belonging to minorities have used their language before courts. The Committee of Experts notes, however, that, as far as the actual use of minority languages before courts is concerned, there have been practically no developments. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Slovenian in court have been denied this possibility. In view of the Committee of Experts, the Hungarian authorities should encourage the minority speakers to use their languages before judicial authorities. As already stated in the previous reports, the judicial staff could encourage the use of minority languages through bi- or multilingual notices and signs in and on court buildings, and through information in public announcements or court forms.

Paragraph 1

The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is not considered by the judge to hamper the proper administration of justice:

Criminal proceedings

- a. ii to guarantee the accused the right to use his/her regional or minority language.***
- iv to produce, on request, documents connected with legal proceedings in the relevant regional or minority language.***

1000. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

1001. In the fifth periodical report, no practical examples concerning the implementation of this undertaking are given by the Hungarian authorities.

1002. The Committee of Experts considers these undertakings formally fulfilled. It asks the Hungarian authorities to provide examples of their implementation in practice with regard to Slovenian in the next periodical report.

Civil proceedings

- b. ii** *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.*
- iii** *to allow documents and evidence to be produced in the regional or minority language.*

Proceedings before courts concerning administrative matters

- c. ii** *to allow, whenever a litigant has to appear in person before a court, that he or she may use his or her regional or minority language without thereby incurring additional expense.*
- iii** *in proceedings before courts concerning administrative matters: to allow documents and evidence to be produced in the regional or minority languages.*

1003. In the fourth evaluation report, the Committee of Experts considered these undertakings formally fulfilled.

1004. The fifth periodical report contains no examples on the practical implementation of these undertakings. On the other hand, the Committee of Experts has not received any information indicating that persons wanting to use Slovenian in court have been denied this possibility. Based on this and bearing in mind that interpretation and translation systems have been allocated to the courts, the Committee of Experts considers the undertakings fulfilled.

Article 10 – Administrative authorities and public services

General issues

Geographical scope of application/organisational measures

1005. In the fourth evaluation report, the Committee of Experts “strongly urge[d] the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities, on whose territory local and county minority self-governments representing Part III languages are active, as the authorities that will be obliged to take organisational measures to implement the obligations under Article 10.” Furthermore, the Committee of Ministers recommended Hungary to **“take steps to ensure that the relevant [...] administrative authorities implement the obligations under Article [...] 10 of the Charter, in particular by specifying those [...] administrative districts where organisational measures should be taken and informing speakers of regional or minority languages of their rights under Article [...] 10”**.

1006. In the fifth periodical report, the Hungarian authorities reiterate their view that “[i]n Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of districts which, in turn, would call for specific measures to facilitate compliance with the requirements defined in Article 10 of the Charter. The commitments defined in the Language Charter apply to the authorities on the whole territory of the country”.

1007. The Committee of Experts again strongly urges the Hungarian authorities, without minimizing the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities that will be obliged to take organisational measures to implement the obligations under Article 10. These authorities would be those on whose territory local and county minority self-governments of the Slovenian minority are active.

Information and encouragement measures

1008. In the fourth evaluation report, the Committee of Experts noted that the Hungarian authorities have actively informed the national minorities of their language rights. Nevertheless, it “consider[ed] that a more systematic and thorough approach is needed”.

1009. No information on this aspect has been provided in the fifth periodical report. The Committee of Experts encourages the Hungarian authorities to adopt a more systematic and thorough approach informing the Slovenian speakers of their language rights in relation with administrative authorities and public services.

Paragraph 1

Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:

- a. v to ensure that users of regional or minority languages may validly submit a document in these languages;***

1010. The Committee of Experts underlines that the undertaking under Article 10 paragraph 1 concern local branches of the central State administration whereas the undertakings under article 10 paragraph 2 concern local administrations.

1011. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and requested more information in the next periodical report about its practical implementation.

1012. No relevant practical information has been provided in the fifth periodical report with regard to Slovenian.

1013. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to take measures to promote the possibility of Slovenian-speakers to validly submit a document in Slovenian to the local branches of State administration in practice.

- c. to allow the administrative authorities to draft documents in a regional or minority language.***

1014. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the legal possibility to draft documents in a minority language more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars”.

1015. No information as to the implementation of this undertaking has been provided in the fifth periodical report with regard to Slovenian.

1016. The Committee of Experts considers this undertaking formally fulfilled. It strongly urges the Hungarian authorities to promote the legal possibility to draft documents in a minority language more actively vis-à-vis relevant state administrative authorities, e.g. by means of ministerial decrees and circulars.

Paragraph 2

In respect of the local and regional authorities on whose territory the number of residents who are users of regional or minority languages is such as to justify the measures specified below, the Parties undertake to allow and/or encourage:

- b. the possibility for users of regional or minority languages to submit oral or written applications in these languages***

1017. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled as “there [were] no indications of a stable and regular implementation of this provision in practice”.

1018. According to the information in the fifth periodical report, the change in the financing system (Government Decree No. 342/2010 (XII. 28.)) of the minority self-governments encourages the minority self-governments to apply the competence given to them in the Act on Minorities. In the course of the appointment of civil servants for local municipalities, more and more of them took the initiative to favour candidates who have a command of a minority language. In Vendvidék, Vas County, in the localities Apátistvánfalva/Števanovci, Kétvölgy/Verica-Ritkarovci and Orfalu/Andovci (with Apátistvánfalva/Števanovci as the district notary’s seat) almost 90% of the population belong to the Slovenian minority, but they mainly use dialect. As a rule, the elderly use their mother tongue orally, but otherwise the administration is performed exclusively in Hungarian. The district notary’s office in Apátistvánfalva/Števanovci employs two administrators who speak Slovenian.

1019. During the on-the-spot visit, the Committee of Experts was informed that in the town halls located in the Raba region and in Szentgotthárd/Monošter, service is provided in Slovenian and that the situation is satisfactory.

1020. The Committee of Experts considers the undertaking fulfilled.

e. the use by regional authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

1021. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled.

1022. No information as to the implementation of this undertaking has been provided in the fifth periodical report.

1023. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Hungarian authorities to promote the use by regional authorities of the Slovenian language in debates in their assemblies.

f. the use by local authorities of regional or minority languages in debates in their assemblies, without excluding, however, the use of the official language(s) of the State;

1024. In the fourth evaluation report, the Committee of Experts considered this undertaking formally fulfilled and “urge[d] the Hungarian authorities to promote the oral and written use of minority languages by local authorities in debates in their assemblies”.

1025. The Committee of Experts welcomes the examples provided in the fifth periodical report on the use of the minority languages by the self-government institutions. It did, however, not receive information on the use of Slovenian by regular local administrations.

1026. The Committee of Experts concludes that this undertaking remains formally fulfilled. It strongly urges the Hungarian authorities to promote the oral and written use of Slovenian by local authorities in debates in their assemblies.

g. the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

1027. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to promote the *adoption* by the eligible municipalities of all local topographical names in the minority language(s) concerned and financially assist their *use* in conjunction with the official use of the Hungarian denominations”.

1028. According to the information provided in the fifth periodical report, the 2011 Act on the Rights of Nationalities eliminates the inconsistencies of the previous legislation and stipulates that nationalities, when exercising their rights pertaining to the use of names, are entitled to use historical and traditional names of localities, streets and other geographical indications intended for the community.

1029. The fifth periodical report mentions that the locality name signs of Slovenian localities in the Rába region are bilingual and that in certain places, the street signs are also bilingual.

1030. In general, however, a relatively low share of the relevant municipalities (i.e. where a local minority self-government is active) have adopted official place-names in a minority language. Also, the use of the minority place-name is usually limited to the signs at the entrance of the municipality and some signs on public buildings. Place-name signs at the exits of municipalities, street name signs, signposts and public transport signs bear the Hungarian place-names only. The use of official place-names in Slovenian is not monitored. The Committee of Experts considers that an authority should be designated to carry out such monitoring, for example the road and traffic authority.

1031. The Committee of Experts considers the undertaking partly fulfilled. It strongly urges the Hungarian authorities to promote the *adoption* by the relevant municipalities of all local topographical names in Slovenian and financially assist their *use* in conjunction with the official use of the Hungarian names.

Paragraph 3

With regard to public services provided by the administrative authorities or other persons acting on their behalf, the Parties undertake, within the territory in which regional or minority languages are used, in accordance with the situation of each language and as far as this is reasonably possible:

c. to allow users of regional or minority languages to submit a request in these languages.

1032. In the fourth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It "strongly urge[d] the Hungarian authorities to ensure that minority language users can submit requests in minority languages to public services in practice".

1033. The authorities refer again in their fifth periodical report to the Public Administration Act which regulates the language use of bodies of local, regional and national minority self-governments. However, the present undertaking concerns "action by bodies providing public services, whether under public or private law, where they remain under public control: postal services, hospitals, electricity, transport, and so on"²⁰.

1034. The Committee of Experts considers this undertaking not fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to ensure that Slovenian speakers can submit requests in Slovenian to public services in practice.

Paragraph 4

With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:

a. translation or interpretation as may be required;

1035. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled but repeated its request to the Hungarian authorities to provide information on the practical implementation of this undertaking in the next periodical report.

1036. The information provided in the fifth periodical report deals with recruitment of officials speaking minority languages, but does not contain practical examples of translation and interpretation for Slovenian.

1037. The Committee of Experts considers the undertaking still partly fulfilled, and asks the Hungarian authorities again to provide information on its practical implementation in the next periodical report

Article 11 – Media

Paragraph 1

The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:

²⁰ Explanatory report of the European Charter for Regional or Minority Languages, paragraph 102, p. 29.

a. to the extent that radio and television carry out a public service mission:

iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

1038. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It “strongly urge[d] the Hungarian authorities to improve the time-slots, time-schedules and financial support available for television programmes in minority languages”. Furthermore, the Committee of Ministers recommended Hungary to **“improve the offer of minority language programmes on television”**.

1039. In the fifth periodical report, the Hungarian authorities state that the quantity and timing of minority-language television programmes has remained the same during the reporting period. They moreover state that the rerun of minority television programmes was moved from channel M2 to Duna Television, allowing reruns to reach a much larger audience on approximately 86% of the territory of Hungary. Before the reruns on M2 were only available via satellite and cable networks. In addition, while reruns used to be broadcast in the early morning, they are now broadcast on Duna Television at 11 a.m., making them more accessible. There is no information about the financial situation of minority language broadcasting.

1040. While welcoming the improvements made with regard to the reception of programmes, the Committee of Experts notes nonetheless that the offer of minority language programmes in Slovenian on television as such has not improved as this would have implied the production of additional programmes rather than the broadcasting of reruns.

1041. The Committee of Experts considers the undertaking fulfilled concerning radio and partly fulfilled concerning television. It urges the authorities to improve the financial support available for television programmes in Slovenian. Furthermore, the Committee of Experts encourages the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in Slovenian for children.

b. ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;

1042. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled for Slovenian.

1043. During the on-the-spot visit, the Committee of Experts was informed that the radio in Slovenian, which has been broadcasting since 1997 8 hours per week, has started since 2012 to broadcast 4 hours every day. Support has been received by the authorities for this.

1044. The Committee of Experts welcomes this increase in the offer of radio programmes in Slovenian. It considers the undertaking fulfilled.

c. ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;

1045. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled and “strongly urge[d] the Hungarian authorities to encourage and/or facilitate access of the minority language users to community cable television networks, local cable television reception as well as to television programmes from countries in which these languages are used”. Furthermore, the Committee of Ministers recommended Hungary to **“improve the offer of minority language programmes on television”**.

1046. The media services of a commercial nature have to be registered by the Office of the National Media and InfoCommunication Authority (Section 66(5) of the Media Act) and registered. The Media Act also regulates the “must carry” obligation of media service providers regarding community media services intended to satisfy the special needs for information of national or ethnic minorities.

1047. The Hungarian authorities report that 562 providers, which corresponds to 49 per cent of currently operating cable media service providers, made a commitment to broadcast programmes made for national or other minorities. The total national average broadcasting time of nationality programmes, mostly available at various programmes through local cable television networks, is 405 minutes a month. These figures show that cable media service providers, mainly local cable television programmes, provide an average of six hours and 45 minutes of programme intended for national or other minorities each month.

1048. The authorities also state in the fifth periodical report that in the reporting period, a network for providing community cable television services in some localities in the Rába region for the Slovenian speakers has been launched, within the framework of the *Slovenia-Hungary Cross-border Cooperation Programme 2007-2013*.

1049. During the on-the-spot visit the Committee of Experts was informed that television broadcasting hours in Slovenian have been increased from 30 minutes every 2nd week to a weekly programme lasting 30 minutes. The Committee of Experts welcomes this increase in the offer of television programmes in Slovenian.

1050. The Committee of Experts considers the undertaking fulfilled.

e. i to encourage and/or facilitate the creation and/or maintenance of at least one newspaper in the regional or minority languages

1051. In the fourth evaluation report, the Committee of Experts “encourage[d] the Hungarian authorities to maintain the previous financial support to newspapers in minority languages”.

1052. According to the information provided by the authorities in the fifth periodical report, in the reporting period, the funding for the publication of minority language newspapers was provided by the Public Foundation for Minorities in 2009 and in 2010. In 2011, the state support given to minority newspapers was integrated into the budget of minority self-governments directly.

1053. According to the information reported by the authorities, the weekly newspaper “Porabje” received HUF 22.400.000 (EUR 80 000) in 2011, compared to HUF 21.001.643 (EUR 75 000) in 2009.

1054. The Committee of Experts considers the undertaking fulfilled.

f. i to cover the additional costs of those media which use regional or minority languages, wherever the law provides for financial assistance in general for the media.

1055. In the fourth evaluation report, the Committee of Experts “urge[d] the Hungarian authorities to establish a permanent funding system for programmes in minority languages”.

1056. According to the information provided by the Hungarian authorities in the fifth periodical report, in 2011, the Media Council provided direct support through 4 invitations to tender offering non-refundable support, open to radio and television stations broadcasting in the language of a national or ethnic minority and to radio and television stations broadcasting in accordance with the public service principles and norms laid down in Section 83 of the Media Act. There has been no tender specifically for purposes involving national and ethnic minorities. However, only one minority language radio participated in these invitations to tender: a Slovenian radio, *Radió Monošter*.

1057. During the on-the-spot visit the Committee of Experts was informed by the representative of the Slovenian National Self-Government about the successful running of the Slovenian *Radió Monošter*, and its increasing airtime and audience. *Radió Monošter* has been broadcasting 4 hours a day since 1 January 2012.

1058. While welcoming this information, the Committee of Experts notes that there is still no specific information concerning the establishment of a permanent funding system for programmes in Slovenian.

1059. The Committee of Experts considers this undertaking fulfilled.

g. to support the training of journalists and other staff for media using regional or minority languages.

1060. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It “strongly urge[d] the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.” Furthermore, the Committee of Ministers recommended Hungary to “develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.”

1061. According to the fifth periodical report, a Minority Media Working Group operated in the first half of the reporting period (2007-2010). Based on its recommendations, nationality media editorial boards carried

out a staff exchange programme with the countries where their mother tongue is spoken within the framework of a cooperation agreement. The Committee of Experts welcomes this initiative. However, this arrangement does not constitute a comprehensive scheme for the training of journalists, as recommended in the previous evaluation report.

1062. The Committee of Experts considers this undertaking partly fulfilled.

The Committee of Experts again strongly urges the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Slovenian.

Paragraph 3

The Parties undertake to ensure that the interests of the users of regional or minority languages are represented or taken into account within such bodies as may be established in accordance with the law with responsibility for guaranteeing the freedom and pluralism of the media.

1063. This undertaking was considered fulfilled for all Part III languages in the previous evaluation reports. According to the Broadcasting Act of 1996, the minorities are entitled to delegate one representative to the Hungarian Public Television Foundation Board of Trustees, as well as to the Board of Trustees of the Hungarian Public Radio Foundation.

1064. The Hungarian authorities mention, however, that the structure of public service media has been modified during the reporting period. In the interest of rationalisation and cost optimisation, the Boards of Trustees of Hungarian Television, Hungarian Radio and Duna Television were abolished, as was the Owner's Advisory Board of MTI. The Public Foundation for Public Service was set up to replace them, with an 8-member presidency and a 14-member Public Service Board.

1065. According to the law the National self-governments are entitled to delegate one person to the Board. The Committee of Experts was informed that the current representative is from the Serbian National Self-Government.

1066. The Committee of Experts considers the undertaking still fulfilled.

Article 12 Cultural activities and facilities

Paragraph 1

With regard to cultural activities and facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, vernacular forms of cultural expression, festivals and the culture industries, including inter alia the use of new technologies – the Parties undertake, within the territory in which such languages are used and to the extent that the public authorities are competent, have power or play a role in this field:

- a. to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages.***

1067. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for all languages. It “encourage[d] the authorities to establish a stable financial framework for the running of the cultural institutions”.

1068. According to the fifth periodical report, the Hungarian authorities have continued to provide financial support to several cultural facilities and activities of national minorities, notably in the field of theatre, libraries and museums. The Ministry of Public Administration and Justice supported the opening of the Slovenian Memorial House in Felsőszölnök.

1069. A significant number of libraries own collections in regional or minority languages and organise cultural programmes on national minorities. A lack of funds was, however, noted. As far as the National Foreign Language Library is concerned, in 2011 the Ministry of National Resources reallocated HUF 2 million (EUR 7000) from other funds for the procurement of nationality documents.

1070. The “base museums” (a group of museums that belong to the organisation of county museums) include museological institutions related to national and ethnic minorities. (inter alia the Dorottya Kanizsai Museum in Mohács, presenting Serbian, Croatian and Slovenian material). The legal status of these

museums in is reportedly settled, although the financing of their related tasks is controversial and not resolved.

1071. Another group of museological institutions related to national and ethnic minorities is made up of about 220 local history collections and reproduction peasant houses. In most of the cases they are operated by the local municipality or the local minority self-government. These institutions are eligible for state support funds to which each museum is entitled. Within the scope of such possibilities there are the tenders invited by the Museum College of the National Cultural Fund of Hungary (NKA) as well as high priority funds aimed at the professional support of museums maintained by local municipalities. The largest funding option consists of EU tenders. The funding required to run the cultural institutions taken over by the minority self-governments is incorporated into the annual budget of the national minority self-government concerned.

1072. In light of the available information, it appears that the running of the cultural institutions continues to depend largely on tenders and that there is still no stable financial framework for the running of such institutions in place.

1073. The Committee of Experts considers this undertaking fulfilled. It encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

c. to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities.

1074. In the fourth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested information about dubbing, post-synchronisation and subtitling activities.

1075. According to the information provided by the authorities in the fifth evaluation report, minority theatre companies that are financed by the Ministry responsible for culture or supported by municipalities are predominantly producing performances in minority languages. However their repertoire also includes translations from other languages and stage performances in Hungarian, ensuring translation into the majority language using conference interpretation technology or by the means of projection. The authorities refer to amateur theatre companies concerning Slovenian, and it is not clear to the Committee of Experts if the authorities actually support financially translation, dubbing, post-synchronisation and subtitling in this respect. On the minority public service television programmes the interviews that are broadcast in Hungarian are provided with subtitles in the minority language of the nationality. On television and in the cinemas, a substantial number of films produced in the kin-states are broadcast in the original language with subtitles in Hungarian.

1076. The Committee of Experts considers this undertaking fulfilled.

Paragraph 3

The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, for regional or minority languages and the cultures they reflect.

1077. In the fourth evaluation report, the Committee of Experts considered this undertaking partly fulfilled.

1078. According to the information contained in the fifth periodical report, the culture which is reflected by the minority languages is presented by the Hungarian cultural centres in the kin states but apparently not in other countries. The Committee of Experts recalls that the concept of “cultural policy abroad” not only refers to states in which the minority languages are used, but also obliges the Hungarian authorities to show the multilingual nature of Hungary more generally in countries in which Hungarian cultural institutions are active.

1079. The Committee of Experts considers the undertaking partly fulfilled. It encourages the Hungarian authorities to make appropriate provision for the Slovenian language and culture in their cultural policy abroad.

Chapter 4 Findings of the Committee of Experts in the fifth monitoring cycle

A. The Committee of Experts commends the Hungarian authorities for the continued excellent level of co-operation and their constructive approach. The fifth periodical report was prepared in consultation with national self-governments. The Committee of Experts also expresses its gratitude with regard to the well prepared and organised meetings during the on-the-spot visit. The Committee of Experts recognises the value of the unique system of minority self-government, which is in principle beneficial to the protection and promotion of minority languages. Further mention needs to be made of supplementary minority education, which is provided if the statutory requirement of eight pupils cannot be met and which the Committee of Experts considers good practice.

B. The commitment on behalf of Hungary to develop the status of regional and minority languages is reflected by the decision to give Part III status to Beas and Romani. Also, the funding for regional and minority language education has not been reduced even though Hungary has also been affected by the economic crisis. The protection and promotion of minority languages in Hungary still need, however, additional efforts to have the necessary long-term effects.

C. Minority self-governments have continued to take over schools and kindergartens which provides a possibility for improvement of regional or minority language education. However, there is still no long term policy for providing education in regional or minority languages for all those who may want it and according to the situation of each language. In particular, there is still a need to extend the use of bilingual models of education in schools although certain positive steps have been taken.

D. Hungary still lacks a dedicated mechanism according to Article 8 paragraph 1 sub-paragraph i. of the Charter which could monitor the measures taken and progress achieved in minority language education.

E. Concerning minority languages covered only under Part II there has been a deterioration regarding education for Armenian and Bulgarian and regarding TV broadcasts in Ukrainian. Ruthenian continues to be in a precarious situation.

F. The percentage of Roma who speak Romani or Beas is declining. The lack of qualified teachers remains a fundamental problem. The situation concerning schoolbooks has improved. Substantial efforts by the Hungarian authorities are still needed to improve the situation of Romani and Beás in education as well as in the media.

G. The structural deficits in education have to a certain extent stayed the same throughout the five monitoring cycles. Bilingual primary and secondary schools remain underrepresented compared to schools where there is only teaching of the language although there has been some positive development. Because of the school revitalization programme and improved school transport facilities there are better possibilities for those pupils whose parents would like to secure education in or of regional or minority languages. Continuity of minority language education from primary to secondary schools is not secured because the offer of minority language education at regular secondary schools is very limited. Also, minority language teaching at the level of technical and vocational schools hardly exists. Although a sufficient number of teachers able to teach many of the regional and minority languages have been trained, there still exists a serious shortage of teachers who are able to teach subjects *in* regional or minority languages.

H. Concerning Articles 9 and 10, Hungary does not see a need to define the areas in which organisational measures have to be taken in order to implement the undertakings ratified, the argument being that the provisions of Articles 9 and 10 apply to the whole territory of Hungary. The lack of defined areas, however, seriously hampers the implementation of the undertakings chosen by Hungary under Article 10. There is a need for the Hungarian authorities to take concrete measures encouraging minority language speakers to make use of their rights in these areas under the Charter.

I. The system for support for minority newspapers has been changed so that the economic support from the state authorities is now included in the overall budget of the individual national self-governments. This allows for a long-term planning in this area and the change has been very positively received by the representatives of the minorities. The representation on the new Media Board of regional and minority language speakers has been retained even though there has been a reduction in the number of board members. The time-slots for regional and minority language programmes on television have been improved, but the amount of programmes and airtime remains inadequate. Also, there is no comprehensive training scheme for minority language journalists.

J. The Hungarian authorities still tend to rely too much on the initiative of the minority language users instead of systematically taking proactive measures. Although the delegation of operational responsibilities to

the national self-governments is a positive step in itself, the state retains the ultimate responsibility for the fulfillment of the undertakings chosen by Hungary.

The Hungarian government was invited to comment on the content of this report in accordance with Article 16.3 of the Charter. The comments received are attached in Appendix II.

On the basis of this report and its findings the Committee of Experts submitted its proposals to the Committee of Ministers for recommendations to be addressed to Hungary. At the same time it emphasised the need for the Hungarian authorities to take in to account, in addition to these general recommendations, the more detailed observations contained in the body of the report.

At its 1176th meeting on 10 July 2013, the Committee of Ministers adopted its Recommendations addressed to Hungary, which is set out in Part B of this document.

Appendix I: Instrument of ratification



Hongrie

Declarations contained in the instrument of ratification, deposited on 26 April 1995 - Or. Engl. and completed by a Note verbale (1) from the Ministry of Foreign Affairs of Hungary, dated 12 March 1999, registered at the Secretariat General on 16 March 1999 - Or. Fr.

Hungary declares, according to Article 2, paragraph 2, and Article 3, that it applies to the Croatian, German, Romanian, Serbian, Slovak and Slovene languages, the following provisions of Part III of the Charter:

In Article 8 :

Paragraph 1, sub-paragraphs a (iv), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, i
Paragraph 2

In Article 9 :

Paragraph 1, sub-paragraphs a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii)
Paragraph 2, sub-paragraphs a, b, c

In Article 10 :

Paragraph 1, sub-paragraphs a (v), c
Paragraph 2, sub-paragraphs b, e, f, g
Paragraph 3, sub-paragraph c
Paragraph 4, sub-paragraphs a, c
Paragraph 5

In Article 11 :

Paragraph 1, sub-paragraphs a (iii), b (ii), c (ii), e (i), f (i), g
Paragraph 3

In Article 12 :

Paragraph 1, sub-paragraphs a, b, c, f, g
Paragraph 2
Paragraph 3

In Article 13 :

Paragraph 1, sub-paragraph a

In Article 14 :

Paragraph a
Paragraph b.

[(1) Note from the Secretariat:

The Note Verbale read as follows:

" The Ministry of Foreign Affairs of the Republic of Hungary presents its compliments to the Secretariat General of the Council of Europe and has the honor to draw its attention to a technical error contained in the instrument of ratification deposited by the Republic of Hungary, namely that the languages enumerated in respect of which Hungary makes undertakings concerning Part III of the European Charter for Regional or Minority Languages, do not include the Serbian language.

Indeed, the Republic of Hungary, by Decision No. 35/1995 (IV.7) of the Parliament, of which an official translation in French is appended, has ratified Part III of the Charter, accepting also the Serbian language and with the same options as those enumerated in the instrument of ratification of 19 April 1995. Hungary's obligations with regard to the Serbian language become therefore operative from the date of entry into force of the European Charter for Regional of Minority Languages in respect of Hungary.

**Decision of the Parliament No. 35/1995 (IV.7)
On the ratification of the European Charter on Regional or Minority Languages
and on the undertakings taken by the Republic of Hungary
in conformity with its Article 2, litt. 2,**

The Parliament, on a proposition from the Government:

1. Ratifies the European Charter on Regional or Minority Languages, elaborated on 5 November 1992, which text is reproduced in Appendix No. 1.
2. Agrees that the undertakings taken in conformity with Article 2, litt. 2, of the Charter reproduced in Appendix No. 2 extend to the Croatian, German, Romanian, Serbian, Slovakian, Slovenian languages.
3. Invites the President of the Republic to issue the instrument of ratification.
4. Invites the Minister of Foreign Affairs to deposit the instrument of ratification and the inventory of the undertakings taken."]

Period covered: 01/03/98 -

The preceding statement concerns Article(s): 10, 11, 12, 13, 14, 2, 3, 8, 9

Declaration contained in a Note Verbale from the Permanent Representation of Hungary, dated 24 June 2008, supplemented by a Note Verbale from the Permanent Representation of Hungary, dated 17 July 2008, registered at the Secretariat General on 22 July 2008 - Or. Engl.

The Government of the Republic of Hungary, based on the autorisation of the Parliament and according to Article 2, paragraph 2, of the Charter, undertakes to apply the following provisions in respect of the Romani language :

Article 8

Paragraph 1, sub-paragraphs a (iii), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, i
Paragraph 2

Article 9

Paragraph 1, sub-paragraphs a (ii) (iii) (iv), b (ii) (iii), c (ii) (iii)
Paragraph 2, sub-paragraph c

Article 10

Paragraph 1, sub-paragraphs a (iv), b, c
Paragraph 2, sub-paragraphs b, e, f, g
Paragraph 3, sub-paragraph c
Paragraph 4, sub-paragraphs a, c

Article 11

Paragraph 1, sub-paragraphs a (ii), b (ii), c (ii), d, e (ii), f (ii), g
Paragraph 3

Article 12

Paragraph 1, sub-paragraphs a, b, c, d, f, g
Paragraph 2
Paragraph 3

Article 13

Paragraph 1, sub-paragraphs a, c
Paragraph 2, sub-paragraph c

Article 14

Paragraph a
Paragraph b.

The application of the Charter in respect of this language took effect on 28 June 2008.

Period covered: 28/6/2008 -

The preceding statement concerns Article(s) : 2

Declaration contained in a Note Verbale from the Permanent Representation of Hungary, dated 24 June 2008, supplemented by a Note Verbale from the Permanent Representation of Hungary, dated 17 July 2008, registered at the Secretariat General on 22 July 2008 - Or. Engl.

The Government of the Republic of Hungary, based on the autorisation of the Parliament and according to Article 2, paragraph 2, of the Charter, undertakes to apply the following provisions in respect of the Beás language :

Article 8

Paragraph 1, sub-paragraphs a (iv), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, i

Paragraph 2

Article 9

Paragraph 1, sub-paragraphs a (ii) (iii) (iv), b (ii) (iii), c (ii) (iii)

Paragraph 2, sub-paragraph c

Article 10 Paragraph 1, sub-paragraphs a (v), c

Paragraph 2, sub-paragraphs b, e, f, g

Paragraph 3, sub-paragraph c

Paragraph 4, sub-paragraphs a, c

Article 11

Paragraph 1, sub-paragraphs a (iii), b (ii), c (ii), e (ii), f (i), g

Paragraph 3

Article 12

Paragraph 1, sub-paragraphs a, b, c, d, f, g

Paragraph 2

Paragraph 3

Article 13

Paragraph 1, sub-paragraph a

Paragraph 2, sub-paragraph c

Article 14

Paragraph a

Paragraph b.

The application of the Charter in respect of this language took effect on 28 June 2008.

Period covered: 28/6/2008 -

The preceding statement concerns Article(s) : 2

Appendix II: Comments by the Hungarian authorities

Chapter 4, 4.1, E: “(...) there has been a deterioration regarding education for Armenian and Bulgarian and regarding TV broadcasts in Ukrainian. Ruthenian continues to be in a precarious situation.”

Regarding the language education of **Armenian**, the Department of Nationalities of the Ministry of Human Resources would like to draw attention to the fact that the school age-group speaking Armenian is statistically undetectable in Hungary; therefore it is not a question of a real nationality demand. As the fifth periodic report also indicates, the number of individuals speaking minority languages as their mother tongue in the smallest numbers, **Bulgarians, Armenians and Ruthenians** only exceeded one hundred in one or two counties besides Budapest, and their concentration does not reach in any of the counties the level that would impose a duty on the given region's institutions in connection with the use of minority languages. Therefore, the **Armenian** nationality is not concentrated within one region, and minority language usage is only characteristic to the community to a small extent – in case of the Armenians living in Hungary, rather a cultural identity is typical.

Concerning **Bulgarian** language education, the Department of Nationalities indicated that the statement about the situation deteriorating is not appropriate: On the one hand, unfortunately the ministry responsible for education in Bulgaria has not signed the agreement to transfer the maintenance of the school with an inter-ministerial agreement to the Bulgarian National Self-Government in Hungary instead of closing it down; thus the school was dissolved without a legal successor. On the positive side however, the Bulgarian National Self-Government established a new kindergarten in place of the kindergarten that used to operate as part of the *Hriszto Botev Bulgarian School*, and which was closed down already before the school was. Besides this, the *Bulgarian Nationality Language School* providing additional nationality education currently also operates under the maintenance of the national self-government. On the other hand, the Bulgarian National Self-Government received – through the instrumentality of the Hungarian authorities, among others – the management right of the property in Budapest where the former school also used to operate. Therefore, the Kindergarten and the Bulgarian Nationality Language School maintained by the national self-government currently operate in this place. All in all, it was the leaving of the Bulgarian state that caused a difficult situation in this issue, yet the Hungarian authorities cooperate with the Bulgarian National Self-Government and strive to find possibilities to improve the opportunities of Bulgarian language education. The adoption of an inter-ministerial work plan between the ministries responsible for education of the two countries is in progress for the sake of the mother country support of the school and of the kindergarten.

The situation of the **Ruthenian** language is special, as practically a unified Ruthenian language does not exist, there are only regional dialects. Nevertheless e.g. in Komlóska it is being taught from textbooks from Slovakia. As far as the **Ukrainian** language is concerned, significant progress has been made in negotiations for the sake of the accreditation of the three-level (basic, intermediate and advanced) Ukrainian language exam.

Chapter 4, 4.1, H: “There is a need for the Hungarian authorities to take concrete measures encouraging minority language speakers to make use of their rights in these areas under the Charter.”

According to the regulation (in force from 2014) of Act CLXXIX of 2011 on the Rights of Nationalities, **nationality rights regarding language usage** are expanded based on the census data, in localities where the **ratio of nationalities within the population reaches ten or twenty per cent**. Decrees and announcements of the local municipality are also to be published in the mother tongue of the nationality, similarly to the forms used in public administration proceedings, the inscriptions of signs displaying the names of public offices and agencies providing public services or displaying locality and street names. In localities where the media service provider is operated or financed by the local municipality, nationality public service programmes and press products have to be provided regularly. Therefore, provisions of the new Nationalities Act may – through the support of regional or minority language usage – represent the first steps in making the presence of nationalities within the regions more visible.

Chapter 4, 4.1, 1: “Also, there is no comprehensive training scheme for minority language journalists.”

The development in this field is indicated by the fact that due to the support of the Ministry of Human Resources, *Croatia Non-profit Ltd.* is launching an accredited training course in March 2013, offered specifically for journalists belonging to nationalities. The aim of the professional training, which is open to every nationality, is “that participants get acquainted with the basics of journalism as well as of nationality journalism in theory and in practice”. According to the description of the programme, target groups include „those wishing to get engaged in journalism, in nationality journalism, unemployed young people with a university or college degree”. The form of the training is group education in case of the theory (1-25 persons) and in the case of the internal practice (1-12 persons), and individual mentoring during the editorial internship. The accreditation of the training programme is valid until 18 April 2016.

Chapter 4, 4.2, 1-3., especially: “Develop a structured long-term policy and plan for education in all regional or minority languages (...)”

The Government of Hungary has formulated strategies in a number of fields in order to reach its goals. The Ministry of Human Resources has started to elaborate the strategies for 2014-2020 and to assess their preliminary effects in all professional fields, so as to create a predictable and secure environment for the following 5-6 years. A total of about 37 strategic documents and impact assessments concerning the human resources are being elaborated this year, so by the end of 2013 there is going to be a newly adopted or revised strategy in every professional field covered by the Ministry of Human Resources. Strategies prepared by the Ministry include, among others, the civil and state subsidy strategy, the education strategy, the cultural strategy, and the long-term strategy on social dialogue. Among these, the preparation of the strategy concerning the field of education is going to be completed until 31 October 2013, and it is going to include nationality education – and within this, the development of nationality bilingual education and teacher training as well. Thus, as a result, the Romani and Boyash teacher training and language teaching, among others, is also gaining new momentum in the future.

Chapter 4, 4.2, 4: “Take steps to ensure that the relevant administrative authorities implement the obligations under Article 10 of the Charter (...)”

The already mentioned 10% and 20% regulation of the Nationalities Act obliges more firmly to promote language usage. The new Act strengthens nationality language rights, according to the previous regulations (and also according to § 95 (1) of the Nationalities Act, in force until 25 June 2012), it is obligatory to prepare Hungarian or bilingual minutes of meeting. The previous act bound the guarantee of language rights to “justification”, which was not clearly defined, and thus passed it to the discretionary authority of the local municipality. As opposed to this, § 5-6 of the Nationalities Act **defines those conditions** – the ratio registered of the given nationality during the census and the nationality initiative – which, if implemented, make it **obligatory for the local municipality to use the minority language in local administration** (decrees and announcements published, the inscriptions of signs displaying the names of public offices and agencies providing public services or displaying locality and street names, nationality media service, providing information in minority language). According to § 95 (1), the minutes of meeting of the board of representatives (assembly) may even be prepared solely in the language of the nationality.

Chapter 4, 4.2, 5: “(...) develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.”

The above mentioned training of Croatia Non-profit Ltd., supported by the Ministry of Human Resources, is a step forward in the education of journalists speaking regional or minority languages. Skills and competences that can be acquired based on the 640-hour *Nationality Journalist Training* include such as the ability to select nationality topics of public interest, the ability to write articles in line with the best practices in journalism, to write articles discussing nationality topics, incorporating material parts, etc. During the programme, theoretical training takes place in groups of 1-25 persons, while the practice is realized in groups of 1-12 persons. Each module of the programme concludes with an exam – participants receive a certificate about all modules completed with a satisfactory result.

B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Hungary

Recommendation CM/RecChL(2013)5 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Hungary

(Adopted by the Committee of Ministers on 10 July 2013 at the 1176th meeting of the Ministers' Deputies)

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Having regard to the instrument of ratification submitted made by Hungary on 26 April 1995;

Having taken note of the evaluation made by the Committee of Experts on the Charter with respect to the application of the Charter by Hungary;

Bearing in mind that this evaluation is based on information submitted by Hungary in its fifth periodical report, supplementary information given by the Hungarian authorities, information submitted by bodies and associations legally established in Hungary and information obtained by the Committee of Experts during its on-the-spot visit;

Having taken note of the comments made by the Hungarian authorities on the contents of the Committee of Experts' report,

Recommends that the authorities of Hungary take account of all the observations and recommendations of the Committee of Experts and, as a matter of priority:

1. develop a structured long-term policy and plan for education in all regional or minority languages and set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter;
2. further increase bilingual education at all stages with a view to moving from the model of only teaching the language as a subject to bilingual education in Part III languages, and increase accordingly the number of teachers able to teach subjects in these languages;
3. take resolute measures in order to increase the number of teachers for Romani and Beás;
4. take steps to ensure that the relevant administrative authorities implement the obligations under Article 10 of the Charter, in particular by specifying those administrative districts where organisational measures should be taken, and informing speakers of regional or minority languages of their rights under Article 10;
5. further improve the offer of minority language programmes on television and develop and finance a comprehensive scheme for the training of journalists and other media staff using minority languages.