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EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

APPLICATION OF THE CHARTER IN HUNGARY

6th monitoring cycle

A. Report of the Committee of Experts on the Charter

(adopted on 18 March 2016)

B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Hungary

(adopted on 14 December 2016)

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in State Parties with a view to, where necessary, making recommendations for improving their 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. 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 periodical report shall be made public by the State in accordance with Article 15, paragraph 2.

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, in order to obtain a fair and just overview of the real language situation. After a preliminary examination of a 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, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective State Party for possible comments within a given deadline. Subsequently, the evaluation report is submitted to the Committee of Ministers, together with suggestions for recommendations that, once adopted by the latter, will be addressed to the State Party. The full report also contains the comments which the authorities of the State Party may have made.

CONTENTS

A.	Report of the Committee of Experts on the application of the Charter in Hungary	4
	Executive Summary	4
	Chapter 1 Background information	5
	1.1. The ratification of the Charter by Hungary	5
	1.2. The work of the Committee of Experts	5
	1.3. Presentation of the regional or minority language situation in Hungary: update.....	5
	1.4. General issues arising from the evaluation of the report	8
	Chapter 2 Conclusions of the Committee of Experts on how the State authorities have reacted to the recommendations of the Committee of Ministers RecChL(2013)	5
	Chapter 3 The Committee of Experts' evaluation in respect of Part II and Part III of the Charter	13
	3.1. The evaluation in respect of Part II of the Charter.....	13
	3.2. The evaluation in respect of Part III of the Charter.....	18
	3.2.1 Beás	18
	3.2.2 Croatian	29
	3.2.3 German.....	37
	3.2.4 Romani	47
	3.2.5 Romanian	60
	3.2.6 Serbian	69
	3.2.7 Slovak.....	78
	3.2.8 Slovenian.....	89
	Chapter 4 Findings of the Committee of Experts in the sixth monitoring cycle	98
	Appendix I: Instrument of ratification	100
	Appendix II: Selected legal texts which have entered into force since 1 January 2012	103
	Appendix III: Comments from the Hungarian authorities	104
B.	Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Hungary	106

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

adopted by the Committee of Experts on 16 June 2016
and presented to the Committee of Ministers of the Council of Europe
in accordance with Article 16 of the Charter

Executive Summary

1. Hungary has highly detailed and complex legislation governing national minority policy and the use of all 14 minority languages. The new Hungarian Constitution, which entered into force on 1 January 2012, raises minorities' rights to the level of fundamental rights. Institutional structures dealing with minorities and minority languages are in place at parliamentary level and at executive level. In parallel to the new constitution, the Nationality Act also entered into force in 2012 and now determines the Hungarian policy towards national minorities.
2. Since the last elections, held in 2014, all 13 legally recognised national minority groups have their own spokesperson at the Hungarian Parliament. Despite centralisation of power at national level, national minority self-governments continue to play an important role in the promotion and protection of minority languages at county and local levels pursuant to the applicable law.
3. The school policy relies on the centralisation of public education management and the development of teachers' professional skills as a means of providing better quality education. Profound changes in the competences at county and local levels do not seem to have harmed the provision of education in/of minority languages. Minority education is well ensured and protected in co-operation with the national minority self-governments, apart from some minorities such as those of the Armenians, Roma or Ukrainians. However, the current centralisation of education and the financial schemes based on tenders leave less flexibility to national minority self-governments in operating minority schools or classes. It is not clear how the new school inspectorate system will cover minority education.
4. A well-established offer of bilingual education in minority languages exists. However, there is still a need to extend it at all levels of education. No new mother-tongue schools, including kindergartens, were created during the monitoring period. Lack of continuity of minority language education from primary to secondary schools remains a problem and deserves special attention from the authorities. Minority language teaching at the level of technical and vocational schools hardly exists. Significant challenges persist regarding the inclusiveness and flexibility of the educational system, the drop-out rate from the minority schools or classes, and the teacher training in minority languages. Major progress has been made with regard to issuing teaching materials in some languages such as German and Croatian while further improvements are needed in producing teaching materials in Romanian, Serbian, Slovak and Slovenian. Substantial efforts have to be made in drafting and publishing teaching materials in Beás and Romani.
5. The undertakings concerning the use of minority languages in judicial and administrative proceedings are only formally fulfilled for almost all minority languages. The legal framework guarantees the use of minority languages but they are rarely employed in practice. More efforts are needed by the authorities to promote the use of minority languages in the judicial system. In the field of administration, 10% and 20% thresholds have been introduced as preconditions of the practical implementation measures to facilitate the use of minority languages.
6. The availability of newspapers for all minority languages is satisfactory. Specific and immediate measures are necessary in the field of radio and television programmes. Despite important financial allocations, public broadcast media do not meet the expectations of the minority languages' speakers. Speakers of Part II languages rather rely on their own resources and means to keep informed, often via their kin-state media and possibilities offered by new technologies. The offer in private broadcast media in minority languages hardly exists.
7. The Roma minority still experiences a number of obstacles in using their languages. Unjustified enrolments of Roma children into schools and classes for children with disabilities have to be stopped. Awareness-raising and promotion of tolerance vis-à-vis the minority languages and cultures, especially Romani and Beás, are needed among the majority population.

Chapter 1 Background information

1.1. The ratification of the Charter by Hungary

8. 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 Appendix 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, and 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.

9. 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 presented their sixth periodical report to the Secretary General of the Council of Europe on 10 March 2015.

10. The Committee of Experts regrets that the sixth periodical report was submitted by Hungary with a one-year delay. Such delays severely hamper the monitoring process and the functioning of the Charter mechanism. The Committee of Experts therefore calls upon the Hungarian authorities to comply with their reporting obligation as provided by Article 15.1 of the Charter.

11. In its previous report (ECRML(2013)6), 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(2013)5), which were addressed to the Hungarian authorities.

1.2. The work of the Committee of Experts

12. The present report is based on the information obtained by the Committee of Experts from the sixth periodical report of Hungary that covers the period between January 2012 and January 2014, and through interviews with the speakers and the authorities during the on-the-spot visit, which took place from 13 to 15 October 2015. It includes or refers to some relevant observations by other Council of Europe bodies as well as some documentary evidence by other international bodies, researchers and the Hungarian Ombudsperson. The Committee of Experts notes that due to inadequacies in the translation of the sixth periodical report into English, there were problems in interpreting its content.

13. The Committee of Experts regrets that not all of the national minority self-governments responded to the invitation to exchange views on the current situation of their minority languages during the on-the-spot visit. It was however helpful to meet local-level representatives in Szeged as well as some “nationality advocates”/national minority spokespersons at the Hungarian Parliament.

14. 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 on 10 July 2013 (RecChL(2013)5), and then recall the outstanding issues raised in the fifth 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 sixth monitoring cycle. The report is based on the policies, legislation and practice prevailing at the time of the on-the-spot visit in October 2015. Any later changes will be taken into account in the next report of the Committee of Experts concerning Hungary.

15. The Committee of Experts adopted this report on 18 March 2016.

1.3. Presentation of the regional or minority language situation in Hungary: update

16. The Committee of Experts has received new official data on the number of minority language users, according to the results of the general census that was carried out in October 2011 in conformity with the European Statistical System rules. On this occasion, according to the governmental sources, 6.5% of the total population of Hungary (644,524 people out of 9,938,000 people) claimed to belong to at least one of thirteen autochthonous minorities of Hungary: Armenians, Bulgarians, Croatians, Germans, Greeks, Roma, Poles, Romanians, Ruthenians, Serbians, Slovaks, Slovenians and Ukrainians. For this last general census, questions related to the ethnic and religious identity, and the use of regional or minority languages were optional and open-ended, according to the principle of self-identification by persons concerned. According to some researchers, since the previous census of 2001, the number of national minority members increased

by around 145% (from 314,060 in 2001 to 768,735 persons in 2011¹), while the total population fell by 2.6% (from 10,200,000 in 2001 to 9,900,000 in 2011)². Thus, instead of assimilation, a certain dissimilation or shift in identities can be observed during the first decade of the 21st century.

Population of Hungary 2001–2011

Ethnic group	census 2001		census 2011	
	Number	%	Number	%
<u>Hungarians</u>	9,416,045	97.3%	8,314,029	98.0%
<u>Roma</u>	189,984	2.0%	308,957	3.6%
<u>Germans</u>	62,105	0.6%	131,951	1.6%
<u>Slovaks</u>	17,693	0.2%	29,647	0.3%
<u>Romanians</u>	7,995	0.1%	26,345	0.3%
<u>Croats</u>	15,597	0.2%	23,561	0.3%
<u>Serbs</u>	3,816	0.0%	7,210	0.1%
Slovenians	3,025	0.0%	2,385	0.0%
Others	57,059	0.6%	73,399	0.9%
Not stated	570,537	5.6%	1,455,883	14.7%
Total	10,198,315		9,937,628	

Chart I. Population of Hungary according to 2 successive censuses held in 2001 and 2011³.

17. Taking into account that 7.9% of the total Hungarian population did not respond to the census' questions regarding "Nationality, linguistic adherence, religion", it is worth recalling that the Hungarian Fundamental Law (i.e. Hungarian Constitution, article XXIX), as accepted in April 2011 and entered into force on 1 January 2012, has introduced the notion of "nationality" in the Hungarian public law to replace the previous notion of "national and ethnic minority" (see also Act CLXXIX of 2011 on the Rights of Nationalities, hereinafter called "Nationality Act", that replaced the Act on National and Ethnic Minorities of 1993). The new legislation, in its definition of "nationality", has confirmed minority rights to Hungarian citizens who are, in addition, part of autochthonous or "historical" or ethnic minorities connected to a territory for at least one century, and its local government.

18. Furthermore, the Nationality Act has introduced the notion of "nationality language" that was used in the 2011 census, and gives the possibility to opt for more than one language besides Hungarian. 1.49% of the population, i.e. 148,155 people indicated at least one of the "nationality languages" as their mother-tongue, 228,353 people (3.3%) declared using a "nationality language" with their family members and/or friends on a regular basis, and 1,489,460 people declared speaking a language that is one of the 'nationality languages' in Hungary, i.e. 15% of the whole population.

¹ If the number of people belonging to a minority is of 768,735 persons out of 9,938,000 Hungarian people, the minority population rate is of 7.7% in the light of the 2011 census (see footnote below)

² Andrea SZEKELY, *Minorités nationales des pays voisins en Hongrie, Belgeo* [En ligne], 3 | 2013, downloaded on 24 May 2014, Web. 5 Nov. 2015. URL : <http://belgeo.revues.org/11557>

³ "Hungarian census 2001 - Population by ethnic minorities and main age groups, 1941, 1980–2001". nepszamlalas2001.hu. "Hungarian census 2011 - final data and methodology" (PDF). ksh.hu. "Notes: i) In 2001 570,537, in 2011 1,455,883 people did not give answer for ethnicity. Chart I percentages are calculated excluding these people. Moreover, people were able to give more than one answer on the question asking for the minorities (for example, people were allowed to write Hungarian as their nationality and German as a nationality being influenced by), hence the sum of the above exceeds the number of population; ii) Methodology had changed in 2001 and 2011 also, so ethnicity results of the censuses are not comparable very well."

Minority groups ("nationalities")	Number of persons belonging to the "nationality"		Percentage of persons with this mother-tongue	
	2001	2011	2001	2011
Bulgarians	2,316	6,272	56%	46.2%
Roma	205,720	315,583	23.5%	17.2%
Greeks	6,619	4,642	29%	40.3%
Croats	25,730	26,774	55.7%	51.2%
Poles	5,144	7,001	50%	43.5%
Germans	120,344	185,696	28%	20.6%
Armenians	1,165	3,571	25%	12.4%
Romanians	14,781	35,641	57%	39%
Ruthenians	2,079	3,882	53.5%	25.7 %
Serbs	7,350	10,038	46%	37%
Slovaks	39,266	35,208	30%	28%
Slovenes	4,832	2,820	65.8%	61%
Ukrainians	7,393	7,396	66%	45.7%

Chart II. "Use of native language for "nationalities" and education"⁴

19. In general terms, the results of the 2011 census determined the "nationality policy" in Hungary. According to the Nationality Act, the census data are a precondition for the implementation of the minorities' linguistic rights that are not only individual, but also collective and have a territorial and community dimension. Several minorities are concentrated in Budapest and its region but they mainly live in diaspora in a range of counties throughout Hungary. As indicated by the representatives of minority languages during the on-the-spot visit, in 2011 Hungarian minorities were not adequately informed of the possible impact of the data collected through the population census on the minority protection policies, including the establishment of "nationality self-governments" or representation at the Hungarian Parliament. It is worth recalling that in Hungary, national minority self-governments are strategic partners of the central and local authorities in dealing with specific minority issues, in particular education, culture and use of language.

20. The Nationality Act states in its Articles 5.4., 5.5. and 6 that the results of the census are the practical precondition for the implementation of the minorities' linguistic rights. It shall be highlighted that the percentage of a national minority within a territorial district, as registered in the census, has a different relevance for the implementation of the linguistic rights on the ground: 10% for the use of a minority language by the local administration for its documents, forms, place names and for media, including broadcasting public service programmes, and 20% for the decisions of the board of local elected representatives, and the recruitment of persons with minority language knowledge within the local public administration.

21. The Committee of Experts considers that the aforementioned thresholds may prevent the Charter from being applied to those minority languages whose speakers do not reach the thresholds, but who constitute a sufficient number for the relevant Charter provisions to be applied⁵. In fact, speakers of several Part III languages are traditionally present, and constitute a relevant number for the purpose of Articles 10 and 11, in areas other than those where the thresholds are met. Therefore, the Committee of Experts considers that Articles 10 and 11 apply also to those territories where the minority language speakers do not attain the thresholds, but represent nevertheless a sufficient number of speakers for the purpose of the respective undertakings. The Committee of Experts encourages the Hungarian authorities to apply the Charter irrespective of thresholds in such cases.

⁴ ACFC/SR/IV(2015)002 – extract from the Fourth report submitted by Hungary pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities, Introduction, pp. 9-10

⁵ See 1st Report of the Committee of Experts on Serbia, ECRML (2009) 2, paragraphs 28-30; 1st Report of the Committee of Experts on Slovakia, ECRML (2007) 1, paragraphs 44/47; 2nd Report of the Committee of Experts on Sweden, ECRML (2006) 4, paragraph 16

1.4. General issues arising from the evaluation of the report

Legislative changes

22. Besides the new constitution and the Nationality Act, several other laws with relevance to minority languages have been adopted since 2010 (see Appendix II hereafter). The Nationality Act guarantees the rights of the minorities in the main areas such as education, culture, private and public use of the mother-tongue, access to media and participation. Another positive change resulted in the increase of the state subsidies for the national minorities' self-governments, which doubled in 2015.

Official representation at the Parliament

23. The new Hungarian electoral system remedies a deficiency in the parliamentary representation of minorities in Hungary dating back more than two decades. The electoral regulations offer the opportunity of a preferential mandate in Parliament for the top candidate on each of the "nationalities" electoral lists. If, however, a list does not garner sufficient votes, then the candidate at the top of that list can enter Parliament as that minority's spokesperson. Following the last parliamentary elections held on 6 April 2014 in the light of the new legislation and on the basis of the 2011 census results, no national minority has obtained a preferential mandate at the National Assembly. Currently all 13 minorities⁶, irrespective of their size have a spokesperson/advocate at the Parliament.

24. A spokesperson for a national minority is entitled to participate in the legislative process with regard to minority matters in an advisory capacity only. The spokespersons have however an influence at the Parliament, where a special committee on minorities has been set up to make recommendations and monitor issues related to minorities. All minority languages can be used during parliamentary debates (interpretation should be provided upon request). The latter linguistic opportunity is an important step forward, even if not often used, in the protection of minorities' political and linguistic rights.

Education

25. With regard to the educational system, the main change is a general centralisation of education administration and increased direct state responsibility in the field. An inspection or monitoring of the school system seems to be missing in practice, in general and in the sense of the European Charter for Regional or Minority Languages, as observed during the on-the-spot visit. The right of children and young people to receive education and training in their mother-tongue, corresponding to their status is guaranteed by law (Acts CXC and CCIV of 2011), and implemented in practice for the majority of the languages protected under the Charter. Since the legislative changes entered into force, minorities' self-governments have taken over more schools in which minority languages are used, and enjoyed a higher level of financing from the state budget.

26. Shortcomings in teacher training persist although teacher training is in general within the competences of the Klebelsberg Institution Support Centre. In 2013, all primary and secondary level schools that had been run by municipalities – the majority of schools – were taken over by the Hungarian state. As a result, the state has ultimately become responsible for providing education and is now the employer of all pedagogical staff. A special ministerial agency, the Klebelsberg Institution Maintenance Centre, was set up to carry out these tasks in 198 school districts⁷.

27. The legislative Act CCIV of 2011 on national higher education, effective as of 1 September 2012 (Higher Education Act), provides the state with the responsibility in higher education for minority teacher training. During the reporting period, the access to higher education considerably changed, but the enrolment options for minority teacher training remained unchanged. The authorities consider however that it would be difficult to justify minority teacher training where often only one or two public educational institutions deliver classes in a given language. In lower grades, teacher training (for pre-schools that remain in the remit of the local governments/authorities), more students are enrolled and more training locations are offered. Moreover, several accredited training programmes are available, for example in connection with the textbook improvement programme (SROP⁸3.4.1 on minority student education and training assistance), which is supported by the European Union and offers the applicant with the opportunity to develop further teacher training programmes. Such development is in progress but assistance is expected from the kin-

⁶ Romani and Beás speakers are represented together by one Roma spokesperson/advocate.

⁷ According to CEDEFOP (<http://www.cedefop.europa.eu/en/news-and-press/>; Web. 15 March 2016)

⁸ SROP - Social Renewal Operational Programme

states. During the reporting period, such programmes were implemented in four European Union languages: German, Croatian, Slovenian and Slovak.

28. Several changes are now needed following a new centralised core curriculum, and the concentration of competences at the Klebelsberg Institution Maintenance Centre. In some cases, it leads to problems in the provision of new teaching materials in minority languages. Concerning the teaching materials, there is a large discrepancy between different minorities. In the reporting period, funding from the European Union accelerated the national minority curriculum development. The process was arranged in two phases, and is now in its phase two that started in 2012. Under this second tender, smaller minority groups received an amount up to 50,000,000 forints (160,194 Euros)⁹, while larger minority groups received a maximum of 200,000,000 forints (645,161 Euros). Applications in both phases had to be submitted by consortiums consisting of minority public educational institutions or pedagogical institutions and the respective minority's national self-government, thus each national minority could have one application implementation opportunity. The programme made it possible to develop appropriate content requirements for new teaching materials, but also for visual aids, measuring instruments, digital learning materials, teacher further training programmes and methodological materials for kindergartens as well as increasing the efficiency and effectiveness of education and training.

29. As far as vocational education and training is concerned, it appears that the vocational education and training system was fragmented during the reporting period, and as regards minority languages, they were just an additional subject in the teaching process, with no job-oriented objectives. As of 1 July 2015, administration of most vocational schools was transferred from Klebelsberg Institution Maintenance Centre to the Ministry of National Economy. The ministry transferred its responsibilities to the national office of vocational education and training and adult learning¹⁰. The Charter asks for the use of regional and minority languages in vocational education and training, as well as in adult education. Minority language education has been implemented in only a few cases (German, Slovak, Romanian; in 2013-2014 Polish was taught to nine students) and remains an open question with regard to speakers of minority languages.

Administrative authorities and public services

30. The Charter's provisions on access of minority language speakers to administrative authorities and public services in their mother-tongue are only formally fulfilled for almost all minority languages. They should however apply in practice in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. According to the Hungarian legislation, thresholds determine organisational measures: in territorial entities/counties where the percentage of a national minority reaches 10% according to census records, administrative forms, local authorities' regulations, signs of public agencies and signs of agencies carrying out public services, and place names should appear in the minority language spoken in the area, if so requested by the relevant national minority local self-government. In the territorial entities where the percentage of a national minority reaches 20% according to census records, administrative staff should include persons with knowledge of the minority language at the request of the relevant national minority local self-government, and vacancies for positions of local public officers, public servants, notaries and bailiffs should include, in addition to general professional requirements, the requisite of speaking the mother-tongue of the minority concerned. At the request of the national minority self-government present in the area, the board of local elected representatives shall take minutes of its meetings and draft its decisions, in addition to Hungarian, in the language of the minority concerned.

31. Pursuant to Section 9 (3) of the Administrative Proceedings Act, individuals and persons acting on behalf of organisations subject to the law on the rights of national minorities can use their mother-tongue in their contacts with administrative authorities. Decisions made in Hungarian on an application submitted in a minority language should be translated, upon request, to the language used by the applicant. In general, in the counties and administrative territories where minorities are present, minority languages' speakers receive systematic and thorough information about their linguistic rights that relate to the administrative authorities.

⁹ Average and rounded-up exchange rate against the € in October 2015 calculated in accordance with European Commission Regulation (EEC) No. 2454/93: 1€ = 310 Hungarian forints.

¹⁰ CEDEFOP Website (<http://www.cedefop.europa.eu/en/news-and-press/news/hungary-vocational-schools-under-new-administration-july-2015>; Web. 2 Dec. 2015)

Media

32. The Charter undertakings concerning the public broadcast media apply in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings concerned, irrespective of any thresholds provided for by national legislation. The sixth periodical report states that in the territorial entities where the percentage of a minority reaches 10% according to census records, Hungarian legislation foresees more air time for public broadcasting of programmes in the minority language, or more column spaces for articles in print media.

33. There is a discrepancy in the perception of the media offer by the authorities and the recipients in the minority languages. The authorities and public broadcasters have been investing for years in the same kind of radio or television programmes while the minority audience expects a more up-to-date and modern offer. When minority programmes of Hungarian Radio are considered, the time of broadcasts for large minorities is identical: two hours every day, while the time for smaller minorities is 30 minutes per day. The Rondo programme is broadcast in all six languages covered only by Part II of the Charter. Part III languages are used in specific programmes that are developed in some cases (like for Slovak) in close co-operation with professionals from the kin-state.

34. With regard to television, the situation is similar to that of the radio programmes. As recorded between 1 January 2012 and 31 January 2014, only public service channels (Duna TV, M1, M2 and Duna World) were broadcasting programmes for minorities for around 740 hours. The viewing figures were low: programmes had 30,000 viewers on average; however, on 11 occasions M1 achieved an audience of over 150,000. In general, viewers have a preference for live programmes, and would welcome more accessibility to the TV stations operating in the kin-states. The programmes directed to minorities are scarcely present in private media.

35. With regard to the training of journalists, in 2011 the Media Service Support and Asset Management Fund established the Public Service Media Academy to train its current and future staff. At the training sessions for future employees (particularly in co-operation with universities) and the internal further training courses, the curricula include the issues of depiction of anti-discrimination, tolerance, protection of minorities, and of certain vulnerable groups. In addition, the Media Service Support and Asset Management Fund supports the participation of its personnel at relevant training sessions and workshops organised by international partner institutions and organisations.

Complaint procedures

36. Apart from the courts, individuals and entities from minorities can also refer and complain to the Equal Treatment Authority and to the Commissioner for Fundamental Rights. Minorities' rights observance is in particular followed by a Deputy Commissioner responsible for the rights of national minorities¹¹. It is an additional guarantee for the minorities' rights as fundamental rights in the Hungarian law. It was not however possible for the Committee of Experts to estimate to what extent this procedure is known and used by the speakers of minority languages.

37. In his annual report 2013 (as published in 2014), the Hungarian Ombudsperson recommended revitalisation of minority languages, and, among various measures, asked to establish the accredited language examination recognised by the state for Bulgarian, Polish, Armenian, Ruthenian and Ukrainian, and to further support the examinations in other minority languages¹².

¹¹ On 1 January 2012, the ombudsperson system of Hungary was reorganised according to Act CXI of 2011 on the Commissioner for Fundamental Rights. For the purposes of the present report it should be noted that the Parliamentary Commissioner for Civil Rights in existence since 1993 was replaced by the Commissioner for Fundamental Rights, and the former Parliamentary Commissioner for National and Ethnic Minorities was replaced by the Deputy Commissioner for the Rights of Nationalities. The Commissioner for Fundamental Rights and its deputies are elected by the Parliament, and are independent from the government and subject only to the provisions of the Fundamental Law and the acts of the Parliament. The role of the Deputy Commissioner for the Rights of Nationalities is limited to observation, evaluation and awareness-raising, with more decisive powers being assigned to the Commissioner. (<https://www.ajbh.hu/en/web/ajbh-en/erzsebet-sandor>; Web. 19 Nov. 2015)

¹² Report on the Activities of the Commissioner for Fundamental Rights and his Deputies 2013, pp. 31 and 33-34 (<http://www.ajbh.hu/documents/14315/129172/Annual+Report+2013/42bc9441-1e90-4963-ad01-8f2819d2c3bf?version=1.0>; Web. 19 Nov. 2015)

Chapter 2 Conclusions of the Committee of Experts on how the State authorities have reacted to the recommendations of the Committee of Ministers RecChL(2013) 5

Recommendation no. 1:

“to 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”

38. The “Nationality Policy Strategy 2014-2020” has been prepared in Hungary but has not been adopted yet. The strategy concerns, among other issues, education in/of regional or minority languages at all levels, from primary to higher level education. However, Hungary has not yet developed a structured long-term policy and plan for education for all minority languages.

39. With regard to a dedicated monitoring mechanism, although some measures have been introduced, such a monitoring mechanism is still not in place.

Recommendation no. 2:

“to 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”

40. In their sixth report, the Hungarian authorities underline that, despite opportunities for substantial financial support, no significant demand for bilingual education has been registered during the examined period. Nevertheless, a few German, Slovenian, Croatian and Romanian schools switched from language teaching to bilingual education, but none switched over to mother-tongue education. A number of higher education institutions offer training in several subjects for Part III languages. However, there is still a shortage of teachers trained to teach subjects in minority languages in the context of bilingual and mother-tongue education.

Recommendation no. 3:

“to take resolute measures in order to increase the number of teachers for Romani and Beás”

41. The Hungarian authorities are of the opinion that the lack of the Romani and Beás standardisation constitutes a serious obstacle for the provision of adequate education of/in these two languages. The standardisation studies are ongoing at the Hungarian Academy of Sciences. Nevertheless, the lack of standardisation should not impair the training of teachers for these languages.

42. Measures taken were insufficient to increase the number of teachers for Romani and Beás.

Recommendation no. 4:

“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”

43. According to the Hungarian authorities, the use of minority languages has expanded to 947 settlements out of more than 3,100 in total. A command of minority languages by local administrative staff is now considered as an important asset but several languages, in particular Romani, are not well enough represented within administrative authorities and their staff.

44. Most undertakings of Hungary in the field of administrative authorities remain only formally fulfilled. Throughout the entire country, if the threshold of 10% of the national minority population is not reached on a territory, administrative forms, inscriptions and place names remain in Hungarian only. If the threshold of 20% of the national minority population is not reached, the administrative staff does not need to include members with a command of the minority language, and there is no obligation for the board of local elected representatives to prepare its meetings’ minutes and decisions in the minority language. Practical measures are still needed in order to make those measures operative.

Recommendation no. 5:

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

45. Concerning television programmes, there is a demand for a larger offer, updated programmes and a better allocation of the time slots.

46. The Hungarian authorities are aware of these demands. All of the programmes are available online. Consultations with “nationalities spokespersons” at the Parliament, who are now the authorities’ privileged interlocutors in this area, continue. Although the number of media staff, in particular for television, has been reduced, the staff at the minorities’ editorial office at the central level has not been affected by staff reductions, according to the information gathered during the on-the-spot visit. However, the regional television studios in Pécs and Szeged have had to close down.

47. New substantial efforts in the training of journalists have led to an improved situation for some languages. Nevertheless, the situation of other languages is unsatisfactory.

48. Further improvements are needed in the offer of television programmes in minority languages.

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

49. 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.

50. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in its fifth 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; f; 3 and 4. The Committee of Experts reserves, however, the right to evaluate the implementation of these provisions again at a later stage.

51. According to the information provided in the sixth periodical report, the smallest groups of speakers of minority languages are Bulgarians, Greeks, Poles, Armenians and Ruthenians. They hardly exceed, apart from in Budapest, one hundred people in one or two counties.

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:

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

52. The Committee of Experts considers that the above-mentioned provision is met by Hungary. In addition to the information available from the previous monitoring cycles, it should be noted that since 2012, at a ceremony for the "Day of Nationalities", every 18 December, a "Nationalities Award" is given to persons and communities that actively contribute to preserving the linguistic and cultural values of minorities living in Hungary. The existence of the „*Pro Cultura Minoritatum Hungariae*” award, accompanied by a commemoration medal and a diploma, should also be mentioned in this context.

Language planning

53. In the fifth monitoring cycle¹³, the Committee of Ministers recommended Hungary to **develop a structured long-term policy and plan for education in all regional or minority languages**. Furthermore, the Committee of Experts strongly urged the Hungarian authorities to develop long-term strategies and structured plans for the preservation and promotion of each of the 14 minority languages.

54. The sixth periodical report provides new information concerning the "Nationality Policy Strategy 2014-2020". This mid-term strategy defines co-operation between public authorities and linguistic minorities, and aims at developing their cultural autonomy with the use of the public financial support among other sources. It takes into account legal regulations on the representation of the minorities as established after 2014 in line with the results of the 2011 general census. During the on-the-spot visit, the Committee of Experts was informed about delays in the strategy's implementation.

55. The Committee of Experts emphasises the importance of the strategy. However, it is not clear to what extent it contributes to language planning. 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 in what year certain strategic objectives shall be achieved in co-operation with the minority language speakers. 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 existing practices of language planning in the United Kingdom¹⁴.

¹³ The recommendations of the Committee of Ministers in the previous monitoring cycle are quoted in bold. The box recommendations of the Committee of Experts in the previous monitoring cycle are quoted underlined.

¹⁴ 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

The Committee of Experts encourages the Hungarian authorities to adopt and implement long-term strategies and structured plans for the promotion of each of the 14 minority languages in co-operation with the speakers.

National Minority Self-Governments

56. The national minority self-governments remain important stakeholders and partners of national authorities in implementing Hungarian minority policy. Apparently, the recent legislative changes have not negatively affected the position of national minority self-governments at local level whereas the status of local authorities has been seriously weakened with the general recentralisation of competences that aimed at taking over the debts of local governments by the central budget. Since January 2012, municipalities are not in charge of primary or secondary education, and counties are no longer responsible for public health¹⁵.

57. As far as finances for national minority self-governments are concerned, direct central subsidies are contained in the state budget. The subsidies aim to support national minority self-governments themselves in their functioning as well as institutions that the self-governments run. As regards the latter, the appropriated amounts were 533,800,000 forints (1,701,233 Euros) in 2012, 586,000,000 forints (1,877,476 Euros) in 2013 and 611,500,000 forints (1,959,175 Euros) in 2014. Funds doubled in 2015 and are now allocated per purpose and task, in some cases on the basis of "nationality tenders".

58. During the on-the-spot visit, the Hungarian authorities informed the Committee of Experts about positive and affirmative measures in financing minority education. In mainstream schools, a teacher's wage is calculated per 12 pupils/students. In minority education, the situation is more favourable as one wage is counted per eight pupils/students. In general, funding allocated to national minority self-governments has increased during the reporting period. Even more schools were taken over by national minority self-governments concerning some Part III languages. Representatives of minority languages' speakers have confirmed this development.

59. The Committee of Experts encourages the Hungarian authorities to pursue their support to national minority self-governments with respect to all 14 minority languages, and invites them to provide clarifications on the share of competences with regard to minorities' linguistic rights between central, county and local authorities and minority self-governments at national, county and local levels.

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

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

61. The sixth periodical report underlines that legal options are provided, pursuant to Section 9 (3) of the above-mentioned Act, for the verbal and written use of Polish and Ruthenian. Government agencies and district offices should handle requests submitted in Polish and Ruthenian in the same way as they handle requests in any other minority language. However, no use of these languages appears in practice.

Media

62. Print media in minority languages (various newspapers) are numerous and well developed as reported in the sixth periodical report.

63. As far as the electronic media are concerned, public service broadcasters regularly provide radio and television programmes in minority languages. However, according to the speakers, broadcast programmes do not meet their expectations. Problems exist with the radio and television time slots, an insufficient number of journalists and the lack of programmes for children. Probably the most serious issue is the lack of branch media offices in the regions due to the recent centralisation of public service broadcasting and the set-up of one unified editorial office for programmes in minority languages.

¹⁵ CG(25)7FINAL - part 3.2.1. – *Institutional arrangements and devolution of powers in Local and regional democracy in Hungary*, report by the Monitoring Committee of the Council of Europe Congress of Local and Regional Authorities, 2013

64. One of the problems is the use of medium waves for the radio programmes. The reception of the MR4 radio¹⁶ after 6 p.m. poses problems in certain parts of the country.

65. In response to minorities' concerns, the authorities highlighted the online availability of all programmes. Many speakers wish however to watch live television programmes broadcast in the kin-state of their mother-tongue. Moreover, some of them have no access to internet or are almost internet-illiterate. For the Part II languages e.g. Bulgarian, Greek or Polish, the media coverage is very limited and non-existent in Armenian.

66. The authorities indicated that they are in contact with the parliamentary spokespersons of minorities with a view to better meeting minorities' expectations in the future. The issue of frequencies across borders is currently under professional discussions with neighbouring countries.

The Committee of Experts urges the Hungarian authorities to improve the broadcast time and the technical conditions of broadcasting in minority languages in co-operation with the speakers.

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

67. In the fifth evaluation report, the Committee of Ministers recommended Hungary to **improve further the financial situation of minority language education and increase the stability of resourcing.**

68. The Nationality Act states that if the parents of a minimum of eight children (as regards kindergartens) or pupils/students (at primary and secondary level) that belong to the same minority language, request classes in their minority language, the education operator shall provide such classes taking into consideration relevant provisions of the Act on National Public Education. If however, the number of potential beneficiaries is not sufficient within a single locality, conditions for supplementary education should be created upon initiative by the competent self-government of the given national minority. The national legislation differentiates between minority language instruction, minority mother-tongue or minority bilingual education.

69. According to the information provided in the sixth periodical report, the Hungarian educational system has gone through profound changes during the reporting period. In general terms, the system is now centralised at the state level. In January 2015, an amendment to the school education law was adopted with a view to awarding more flexibility in the religious and minority schools' management. According to a report by the European Commission, representatives of the speakers fear that the legislation could be used to anchor or even extend segregated education of Roma in the system¹⁷.

70. With regard to minority education, the most important decisions are taken in agreement with the national minority self-governments. The right of national minority local self-governments to establish, maintain and take over institutions from other operators has remained unchanged, subject to some conditions. The State Nationality Council continues to function as the advisory body of the minister responsible for public education.

71. The sixth periodical report provides additional information about the changes made with respect to the financing of the public education system as of January 2013. The salaries of teachers and the operational costs of the schools in municipalities below 3,000 inhabitants are covered by the state budget and in case of municipalities above 3,000 inhabitants by the local self-government. No cases of financial problems have been reported to the Committee of Experts.

72. The fundamental change that school education, including minority education, became a compulsory task of the state led to the handing over of the management of schools from the local governments to a central body - the Klebelsberg Institution Support Centre on 1 January 2013. The content of teaching materials has to comply with the core curriculum but it is also agreed and co-ordinated with the national

¹⁶ MR4 is the fourth channel of the Hungarian Radio (Magyar Rádió), which is an independent, publicly funded radio broadcasting organisation. MR4 addresses all traditional national minorities of Hungary in their mother-tongue by providing information and entertainment programmes and also, developing and supplying minorities' cultural values.

¹⁷ *Country Report Hungary 2015 Including an In-Depth Review on the prevention and correction of macroeconomic imbalances*, Commission staff working document, 18 March 2015, part *Education and skills*, p.52

minority self-governments¹⁸. As regards Part II languages, Bulgarian, Greek, Polish and Ukrainian speakers have not formulated any complaints. These minorities make use, if appropriate, of the European Union funds for teaching materials and online education, and/or benefit from support from their kin-states (guest teachers and teaching materials are sent by the kin-state).

73. 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;

74. In the fifth evaluation report, the Committee of Experts received information regarding the teaching and study of Armenian and Ruthenian languages at university level.

75. The authorities referred, in their sixth periodical report, to research concerning all minorities living in Hungary by the Institute for Minority Studies of the Hungarian Academy of Sciences.

76. According to the sixth periodical report, there is an increase in the state financial support to this end. In particular, special studies are now led at the Research Institute for Linguistics of the Hungarian Academy of Sciences.

77. The Committee of Experts welcomes this progress. It asks the Hungarian authorities to provide specific information in their next periodical report on whether the teaching and study of the other Part II languages (Bulgarian, Greek, Polish and Ukrainian) is still in place at university level in Hungary.

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.

78. In the fifth evaluation report, the Committee of Experts requested that the Hungarian authorities 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.

79. Specific information on languages covered by Part II of the Charter with respect to transnational exchanges is still missing.

80. The Committee of Experts asks the Hungarian authorities to provide it with requested information in the next periodical report.

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.

81. In the fifth evaluation report, the Committee of Experts welcomed the decision of the authorities to take action against the practice of unjustified enrolment of Roma children in classes for children with disabilities, learning difficulties and/or mental health problems, and encouraged the authorities to inform the Committee of Experts, in the forthcoming periodical report, of the progress made in more detail.

82. The sixth periodical report does not provide more details on particular actions against enrolment of Roma children in specialised schools for children with disabilities.

83. Still, several Council of Europe bodies monitoring the international commitments of Hungary point out the issue of education of Roma children in segregated schools, notably in schools for children with learning difficulties (so called schools for children with special educational needs). In July 2011, the Committee of Ministers highlighted this issue as one of its most important concerns with regard to the situation of minorities in Hungary¹⁹. In September 2012, the European Committee of Social Rights stated in

¹⁸ Hungary - Parliamentary Elections, 6 April 2014 - OSCE/ODIHR Limited Election Observation Mission Final Report, Chapter XV (<http://www.osce.org/odihr/elections/hungary/121098?download=true>; consulted on 23 Nov. 2015)

¹⁹ Resolution CM/ResCMN(2011)13 on the implementation of the Framework Convention for the Protection of National Minorities by Hungary

its Conclusions 2011 that “[...] Hungary was not in conformity with Article 17§2 of the European Social Charter (revised) on the ground that Roma children are subject to segregation in the educational field.”²⁰

84. Following his visit to Hungary in July 2014, the Council of Europe Commissioner for Human Rights likewise observed in his written report “As concerns desegregation of Roma pupils, the Hungarian authorities have long started to take measures to that aim and have until recently made numerous declarations in favour of desegregation, including in the National Social Inclusion Strategy 2012-2014. Nonetheless, the Commissioner is deeply concerned at reports indicating that the problem of segregation of Roma children in education is far from being tackled and has even been on the rise in the last 15 years.”²¹ The Commissioner also referred to the *Horváth and Kiss v. Hungary* judgment²² of the European Court of Human Rights that considers the placement in a special school for children with mental disabilities during primary education as a discrimination against the applicants on grounds of their Roma origin, in violation of Article 2 of Protocol No. 1 read in conjunction with Article 14 of the European Convention on Human Rights.

85. In its most recent report on Hungary as adopted in March 2015 and published in June 2015, the European Commission against Racism and Intolerance (ECRI) expressed similar concerns with regard to Roma children, “ECRI strongly recommends that the authorities develop a policy against segregation in education and take steps to eliminate it. [...] [and] that the practice of placing Roma children without genuine disabilities in schools for mentally disabled is definitively stopped.”²³

86. In view of the Committee of Experts, these discriminatory measures have a negative impact on the situation of the languages spoken by Roma in Hungary.

The Committee of Experts strongly urges the Hungarian authorities to continue furthering their efforts against the practice of unjustified enrolment of Roma children in classes for children with disabilities, learning difficulties and/or mental health problems.

87. With reference to other aspects of the Charter Article 7 § 2, the Committee of Experts takes note of the information provided by the sixth periodical report that 95% of complaints to the Equal Treatment Authority come from Roma people or their representative organisations. Other minorities such as Ukrainians, Slovaks, Armenians and Greeks have also submitted claims to the said authority but in marginal numbers. Those complaints do not concern cases of being discriminated against based on the use of a minority language²⁴.

88. With a view to informing minorities about the possible complaint procedure before the Equal Treatment Authority, in 2013 the Hungarian authorities provided key elements of information on this body in Armenian, Beás, Bulgarian, German, Greek, Croatian, Romani, Polish, Romanian, Ruthenian, Slovak, Serbian, Slovenian and Ukrainian, in the form of printed pamphlets and documents published on the authority's webpage. The Committee of Experts welcomes the efforts made by the Hungarian authorities to provide the speakers of all 14 minority languages with relevant information on opportunities to complain about their situation.

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.

89. 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*.

²⁰ European Social Charter (revised), European Committee of Social Rights, Conclusions 2011(HUNGARY) Articles 7, 8, 16 and 17 of the Revised Charter, September 2012 (http://www.coe.int/t/dghl/monitoring/socialcharter/conclusions/State/Hungary2011_en.pdf, consulted on 24 Nov. 2015)

²¹ CommDH(2014)21 – Report by Nils Muiznieks, Commissioner for Human Rights of the Council of Europe following his visit to Hungary from 1 to 4 July 2014, chapter 2.2.2. “Discrimination against Roma”

²² *Horváth and Kiss v. Hungary*, application no. 11146/11, judgment of 29 January 2013

²³ ECRI(2015)19 – ECRI Report on Hungary (fifth monitoring cycle), parts I.4. “Integration policies”, and II.2. “Placement of Roma children in schools for the mentally disabled”

²⁴ In 2014 for example, the Authority conducted 69 procedures concerning the status of belonging to a national minority, and one case concerning a mother-tongue (<http://www.egyenlobanasmod.hu/article/view/activity-of-the-equal-treatment-authority>; consulted on 24 Nov. 2015)

3.2. The evaluation in respect of Part III of the Charter

90. Hungary applies the provisions it has chosen under Part III of the Charter to the following languages: Beás, Croatian, German, Romani, Romanian, Serbian, Slovak and Slovenian on the whole territory of the state.

3.2.1 Beás

91. 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 (*Education*) paragraph 1 e.iii; paragraph 2

Article 9 (*Judicial authorities*) paragraph 2

Article 11 (*Media*) paragraph 1 e ; paragraph 3

Article 12 (*Cultural activities and facilities*) paragraph 1 f; paragraph 2

Article 13 (*Economic and social life*) paragraph 1 a

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

Article 8 – Education

93. In the light of the fifth evaluation report by the Committee of Experts, the Committee of Ministers recommended Hungary to “**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**”. Furthermore, it recommended Hungary to “**take further resolute measures in order to increase the number of teachers for [...] Beás**”.

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;*

94. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled based on the information that bilingual minority education was available in three kindergartens. It encouraged the Hungarian authorities to expand the offer of pre-school education in Beás.

95. In light of the statistics provided in the sixth periodical report, the majority of children speaking Beás is enrolled at kindergartens educating in Hungarian. In the school year 2013-2014, there was one kindergarten providing Beás language education for 26 children.

96. The Committee of Experts considers that the undertaking remains partly fulfilled.

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;*

97. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and encouraged the Hungarian authorities to develop, in co-operation with the speakers, a structured plan to introduce more Beás education in primary schools, including using a bilingual approach.

98. According to the sixth periodical report, Hungarian prevails as the language in primary education for the Roma minority as a whole. The number of hours for Beás classes has been increased from two to three hours per week. This step has been taken in co-operation with the speakers and relevant professionals teaching Beás. In the school year 2013-2014, there were seven schools providing teaching of Beás language for 426 pupils.

99. The Committee of Experts considers that the undertaking remains partly fulfilled, and urges the Hungarian authorities to continue their co-operation with the representatives of Beás speakers to introduce more Beás education in primary schools, and to provide specific information in the next periodical report.

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;

100. In its previous evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and encouraged the authorities to increase the offer for secondary education in Beás. Moreover, the Committee asked the Hungarian authorities to clarify the reasons for the decline in the number of secondary education institutions teaching Beás and in the number of students learning this language during school years 2008-2009 (four institutions, 317 students) and 2009-2010 (two institutions, 165 students).

101. In response to the Committee's request on the number of students and the current trends in Beás, the Hungarian authorities provided appropriate statistics for the consecutive school years from 2010-2011 till 2013-2014 in their sixth periodical report. The statistics show an important increase in the number of students at the two secondary schools where Beás is taught i.e. from 217 students in 2010-2011 to 529 students in four schools in 2013-2014.

102. The Committee of Experts welcomes this significant development and considers that the undertaking is partly fulfilled. It urges the authorities to increase the offer of Beás in secondary education, and to provide specific information in the next periodical report.

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;

103. In the fifth evaluation cycle, the Committee of Experts considered the undertaking not fulfilled. It encouraged the Hungarian authorities to establish teaching in or of Beás in technical and vocational education.

104. According to the sixth periodical report, the offer of this type of education is very limited, apart from for health care education. In the school year 2013-2014, there was one vocational school providing teaching of Beás for 37 students.

105. The Committee of Experts considers that the undertaking is partly fulfilled. It urges the Hungarian authorities to establish teaching in or of Beás in technical and vocational education for other fields. Furthermore, it asks the authorities to provide more specific information about the use of Beás in vocational

education concerning health, in particular the location of the school and the number of students, and to provide specific information in the next periodical report.

The Committee of Experts urges the Hungarian authorities to extend the offer of bilingual teaching in primary, secondary, and technical and vocational education.

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;

106. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and encouraged the Hungarian authorities to strengthen their efforts to make adult and continuing education of Beás available.

107. The sixth periodical report does not provide any specific information in relation to the request above.

108. The Committee of Experts considers that the undertaking remains partly fulfilled, and urges the Hungarian authorities to strengthen their efforts to make adult and continuing education of Beás available, and to provide specific information in the next periodical report.

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;

109. In its previous report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking. It asked the Hungarian authorities to include in the next periodical report information concerning the number of pupils choosing Roma studies as an optional subject.

110. The sixth periodical report states that the time allocated for minority ethnography study and for learning native minority language has increased but the teaching of history and culture is delivered in Hungarian. It is not clear whether the history and culture related to Beás is also taught to pupils belonging to the majority population.

111. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It asks the Hungarian authorities again for further information in the next periodical report.

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;

112. In the fifth evaluation report, the Committee of Experts encouraged 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 of education. Furthermore, the Committee noted the small number of Beás teachers and expressed the wish to receive information on this issue, especially on the practical achievements in terms of teacher training.

113. Beás appears in the training of kindergarten teachers, as well as primary and secondary school teacher training programmes. In teacher training programmes, two separate qualifications are foreseen for Roma minority literacy: Romani language and culture, and Beás language and culture.

114. In addition, the Hungarian authorities provided the Committee of Experts with detailed information on languages state exams. As far as Beás is concerned, 28 people obtained a national certificate in 2012 and 23 people obtained it in 2013.

115. The Committee of Experts considers this undertaking partly fulfilled, and encourages the authorities to continue the efforts to increase the number of teachers.

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

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.

116. In its fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled, and encouraged 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. Furthermore, the Committee of Ministers recommended Hungary to set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter.

117. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was under way and that minority education was part of this restructuring. As part of this process, the measurement and evaluation systems were also supposed to be restructured, including the teaching of minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson has reported a lack of minority languages teachers.

118. In light of the last monitoring report by the European Commission against Racism and Intolerance, since January 2013, when the responsibility for schools was transferred from local authorities to the central government, until early 2015, a new school inspectorate system has been set up, and will have to operate every five years in all schools based on their self-evaluation²⁵. In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kinds of schools to propose corrective measures with regard to the education of children speaking minority languages.

119. 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 minority education and for assessing whether measurable progress has been made.

120. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It awaits the results of the new development in the next periodical report.

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;*
- 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;*
- 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*

²⁵ ECRI(2015)19, pp. 23-25

iii to allow documents and evidence to be produced in the regional or minority languages, if necessary by the use of interpreters and translations;

121. In its fifth evaluation report, the Committee of Experts considered the undertakings formally fulfilled. It asked the Hungarian authorities to provide examples of their implementation in practice with regard to Beás in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

122. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to use minority languages from 1 July 2003 in accordance with the provisions of the Charter, and fully applies to the Beás language. Pursuant to the law, it is mandatory to use an interpreter during foreign or minority language testimony or for any other criminal proceedings. The sixth periodical report does not provide the requested information on the practical implementation of the undertakings in criminal, civil or administrative proceedings.

123. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of Beás before courts in co-operation with the speakers.

Article 10 – Administrative authorities and public services

124. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. 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.

125. Following the fifth monitoring cycle, the Committee of Ministers recommended to the Hungarian authorities in its CM/RecChL(2013)5 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”**.

126. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with Charter’s Article 10, no list of such districts has been provided concerning Beás.

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

127. In its fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled and asked the Hungarian authorities to inform it in the next periodical report about their practical implementation.

128. The sixth periodical report affirms that Beás speakers use their mother-tongue almost exclusively in private life, and does not provide any specific information on the practical implementation of these provisions.

129. The Committee of Experts considers that the undertakings remain formally fulfilled. It encourages the Hungarian authorities to take necessary measures to further promote the use of Beás at the local branches of state administration in practice, and to provide information on the implementation of the above-mentioned provision in the next periodical report.

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;

130. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking. It asked the Hungarian authorities to clarify the expression “a considerable number of inhabitants belonging to nationalities” used in Act CLXXIX of 2011 on the Rights of Nationalities, and to provide information, in the next periodical report, about the practical implementation of this undertaking.

131. The sixth periodical report refers to the new legislation and the introduction of the 10% threshold, but does not provide any information concerning the practical implementation of this undertaking for Beás.

132. The Committee of Experts considers this undertaking formally fulfilled, and asks for information 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;

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;

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. In its fifth evaluation report, the Committee of Experts had to conclude, in the light of all previous monitoring cycles for all Part III languages, that these undertakings were formally fulfilled with regard to Beás. No specific information had ever been provided. The Committee of Experts encouraged the Hungarian authorities to report on the implementation in practice of these undertakings in the next periodical report.

134. The sixth periodical report does not contain any relevant information for Beás.

135. The Committee of Experts considers that these undertakings remain formally fulfilled, and asks the authorities to provide it with relevant information 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. In its fifth evaluation report, the Committee of Experts considered the undertaking not fulfilled, and encouraged the Hungarian authorities to make it possible for Beás speakers to be able to submit requests in their mother-tongue to public service providers in practice.

137. The sixth periodical report contains no information about the implementation of this undertaking for Beás.

138. The Committee of Experts considers that the undertaking remains not fulfilled. It again encourages the Hungarian authorities to make it possible for Beás speakers to be able to submit requests in Beás to public service providers, and to provide specific information in the next periodical report.

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. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and asked the Hungarian authorities to provide information on its practical implementation in the next periodical report.

140. In the sixth periodical report, the Hungarian authorities state that government agencies are ready to make the necessary arrangements for translation and interpretation, if the need arises.

141. In view of the lack of any practical implementation of the undertakings concerned, the Committee of Experts is not in a position to conclude. It asks the Hungarian authorities again to provide targeted information on the practical implementation of the undertaking 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.

142. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of the undertaking and asked the Hungarian authorities to inform the Committee of Experts about the extent to which they comply with the requests from civil servants with a knowledge of Beás to be appointed in the territory where the language is used.

143. The information contained in the sixth periodical report concerns recruitment of Beás speakers, but not staff mobility.

144. The Committee of Experts is still not in a position to conclude on the fulfilment of the undertaking, and asks the Hungarian authorities to inform the Committee of Experts about the extent to which they comply with the requests from civil servants with a 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. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and asked for information in the next monitoring round about programmes in the Beás language on public radio. Furthermore, in 2013, the Committee of Ministers recommended Hungary to **improve the offer of minority language programmes on television**.

146. The sixth periodical report mentions that Beás language radio programmes are aired twice a week in a half-hour section on the MR4 station. The broadcast called *Three Voices* is partially in the Beás language (magazine programme in Hungarian, Romani and Beás). The programme primarily presents biographies, current cultural events, archival research, fairy tales, legendary musician, customs and traditions. It is broadcast every day from Monday to Friday at 12.03pm-1pm on the Ethnic Hungarian Radio broadcaster - MR4).

147. In the light of general information concerning media in minority languages, it can be understood that the national programmes present themes for children or about them from time to time, but the Media Service Support and Asset Management Fund currently does not have a separate programme in Beás for children.

148. According to the sixth periodical report, the Hungarian public television broadcasts programmes in Beás, but no specific information was provided.

149. The Committee of Experts considers the undertaking fulfilled for radio, and asks the Hungarian authorities to provide more specific information about television programmes in Beás in the next periodical report. Furthermore, the Committee of Experts asks the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in Beás for children.

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

150. In its fifth evaluation report, the Committee of Experts considered the undertaking not fulfilled. It encouraged the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in Beás on a regular basis.

151. As regards private radio providers, no applications for funding were received for Beás.

152. The Committee of Experts considers that the undertaking remains not fulfilled. It urges the Hungarian authorities to encourage, through financial incentives, license requirements or other measures, the broadcasting of private radio programmes in Beás, and to report about the steps taken in the next periodical report.

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

153. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the authorities to clarify, in their next periodical report, whether television programmes were broadcast in Beás.

154. According to the information provided in the sixth periodical report, there are no private television programmes in Beás.

155. The Committee of Experts considers this undertaking not fulfilled. It encourages the Hungarian authorities to facilitate the broadcasting of television programmes in Beás on a regular basis and to report about the steps taken in the next periodical report.

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

156. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide additional information in the next periodical report.

157. According to the sixth periodical report, Roma public service programmes are produced in Romani and Beás languages with varying degrees of presentation, hence no precise funds spent on either one can be defined. Approximately 200-250,000,000 forints (640,777 - 800,971 Euros) were spent in total per year for Roma programmes in the assessed period. The information on additional costs regarding the use of Beás is not provided.

158. The Committee of Experts takes note of the information received, but is still not in the position to conclude on the fulfilment of this undertaking with regard to Beás distinctively, and asks the Hungarian authorities to provide more targeted information in the next periodical report.

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

159. In its fifth evaluation report, the Committee of Experts considered the undertaking fulfilled. It welcomed information on Roma internship programmes carried out with the co-operation of the Hungarian Television for several graduates: editors, programme manufacturing staff, positions in the creation of news programming and film editors. The aim of the programme was to start a dialogue between the Roma minority and the majority working in the media. The Committee of Experts asked for further information in this respect in the sixth periodical report. 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.**

160. According to the sixth periodical report, both Magyar Televízió Zrt. and Magyar Rádió Zrt. were cooperating partners in the so-called "Roma trainee" programme. Following the said programme and the restructuring of the audio-visual media, the Media Service Support and Asset Management Fund employs three of the former Roma trainees. The Hungarian public television broadcasts programmes in Beás, but no specific information was provided.

161. The Committee of Experts welcomes this information and considers that the undertaking remains 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;

162. During the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities for information in the next periodical report.

163. The sixth periodical report provides information about the *Panna Cinka Gypsy Theatre Fund* was among applicants for funding under tenders relevant to theatre performances in minority languages. Information was not provided on whether their performances would be shown in Beás or Romani. In certain performances by the *Panna Cinka* and *Esztrád Theatres* or the *Karaván Company*, segments (sections of dialogues and songs) are played in Beás and Romani, but they have no exclusive Beás performances, because they play for audiences with various mother-tongues, including other minority languages used in Hungary.

164. According to the sixth periodical report, substantial financial support was given to minority self-governments. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts whether funds were allocated to the Beás minority and to what extent the increased funding was channelled to cultural activities in Beás covered by this undertaking.

165. In the absence of any relevant information in the present monitoring round, the Committee of Experts is not in a position to conclude on the fulfilment of this undertaking, and asks again the Hungarian authorities for specific information 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;

166. In its fifth periodical report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide information on theatre productions in Beás and their accessibility in other languages.

167. The sixth periodical report provides no relevant information about this undertaking, apart from the information referred to under Article 12, paragraph 1 a. above.

168. The Committee of Experts is again not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities to provide information on whether works produced in Beás have been made accessible in other languages.

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;

169. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide relevant information in the next periodical report.

170. According to the sixth periodical report, during the reporting period, there was no public support dedicated for translations or the dubbing of films, as these costs are borne by the producers themselves. No other information concerning this undertaking is provided.

171. The Committee of Experts considers that the undertaking is not fulfilled. It encourages the Hungarian authorities to foster access in Beás to works produced in other languages by aiding and developing

translation, dubbing, post-synchronisation and subtitling activities, and asks the Hungarian authorities to provide relevant information 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;

172. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking. It encouraged the Hungarian authorities to provide information in the next periodical report as to the extent to which Beás speakers are involved in bodies responsible for organising cultural activities.

173. The sixth periodical report provided the Committee of Experts with comprehensive information on the Roma organisations' and individuals' participation in organising cultural activities. It is however not clear to the Committee if Beás speakers were among those involved in such activities.

174. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It asks the Hungarian authorities again to provide specific information in the next periodical report as to the extent to which Beás speakers are directly involved in the organisation of cultural activities.

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;

175. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide relevant information in the next periodical report.

176. According to the sixth periodical report, the National Roma Library, Archives and Document Storage has been operating since 2005. It is a public technical library collecting and making publications and other documents on national minority rights focusing on Roma literature, ethnography, archives and academic literature on Roma. In particular, the National Library of Foreign Literature coordinates the countrywide supply of minority libraries in Hungary. It collects periodicals and language books published by the Roma minority in Hungarian and other languages. In 2013, each library was obliged to spend 20,000 forints (64 Euros) on books related to Roma. A recommendation list for Beás language publications was prepared among others.

177. 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.

178. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled.

179. The sixth periodical report provided no specific information about cultural policy abroad with regard to Beás language and related cultural issues.

180. The Committee of Experts considers that the undertaking remains partly fulfilled, and asks the Hungarian authorities to provide relevant information in the next periodical report.

Article 13 – Economic and social life

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;

181. In its fifth evaluation report, the Committee of Experts asked the Hungarian authorities to provide substantial information on the practical implementation of this undertaking with regard to Beás in the next periodical report.

182. According to the sixth periodical report, the use of Beás has started in social and health care. More medical professionals will come from the Roma population in the future as more Roma young people are now educated in that field. It is, however, not clear if patients and clients speaking Beás use their mother-tongue in social and health care settings.

183. The Committee of Experts considers the undertaking partly fulfilled, and asks the Hungarian authorities to provide specific information about the practical implementation with regard to Beás 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;

184. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking.

185. The sixth periodical report states that exchange programmes with the communities of the kin-state and bilateral conventions on the protection of minorities cannot be interpreted in relation to Beás, due to the special situation of this linguistic group without kin-state. However, the Committee of Experts notes that Beás is spoken in Croatia.

186. The Committee of Experts is still not in a position to conclude on the fulfilment of this undertaking. It encourages the Hungarian authorities to apply existing bilateral and multilateral agreements which bind them with Croatia, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of Beás in Hungary and Beás in Croatia in the fields covered by the Charter, and to report about the steps taken in the next periodical report.

3.2.2 Croatian

187. 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 (*Education*) paragraph 1 a, e.iii, iv, g; paragraph 2

Article 9 (*Judicial authorities*) paragraph 1 sub-paragraphs a.iii, b ii and iii, c ii and iii, and paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 (*Administrative authorities and public services*) paragraph 4 sub-paragraph c; paragraph 5

Article 11 (*Media*) paragraph 1 sub-paragraphs b ii, c ii, e i; paragraph 3

Article 12 (*Cultural activities and facilities*) paragraph 1 sub-paragraphs b. c. d. f. g; paragraph 2

Article 13 (*Economic and social life*) paragraph 1 sub-paragraph a

Article 14 (*Transfrontier exchanges*) a. and b.

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

Article 8 – Education

189. In its fifth evaluation report, the Committee of Experts strongly urged 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 teaching materials for education in Croatian at all stages of education.

190. Furthermore, in the fifth monitoring cycle, the Committee of Ministers recommended Hungary to **“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”**.

191. The sixth periodical report provides information on substantial efforts made to support minority education. In addition to annual national budget laws, a ministerial decree offers possibilities for additional assistance if the bilingual education is put in place even if the number of pupils is low. A public education contract with the Croatian minority self-government was not concluded as the cost of maintaining the schools could be met with support under the provisions of the national budget, without supplementary resources. In addition to two schools operated by the Croatian minority self-government (in Hercegszántó/*Santovo*²⁶ – primary school, and in Pécs/*Pečuh* – kindergarten and primary school), starting from 2014-2015, one additional primary school in Kópháza/*Koljnof* was taken over by the same minority self-government. Some Croatian schools have already made the change from teaching the language to bilingual education.

192. In light of the information gathered during the on-the-spot visit, Croatian minority education seems to be undergoing a revival. Croats in Hungary consider that education in/of Croatian is in the best hands if it is in their hands and welcome the latest changes regarding their language situation. In Szeged/*Segedin* for example, where the number of children was not sufficient, the local community (210 people in total) has organised a “Saturday school”. According to the data provided at the national level, the percentage of pupils enrolled in Croatian minority education compared to the total number of persons belonging to the Croatian minority is 151%, although only around 50% of Croats consider Croatian as their mother-tongue according to the 2011 census.

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:

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

²⁶ For each language examined under Part III, names of mentioned localities are given in Hungarian and the language under examination.

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.

193. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to further strengthen their efforts to actively promote bilingual education. The Committee of Experts welcomed 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 remained relatively low compared to the number of pupils to whom Croatian was taught as a subject. While welcoming a trend towards more teaching in minority languages, the Committee of Experts considered that the efforts needed 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.

194. According to the information provided by the authorities in the sixth periodical report, the comparison between two school years 2012-2013 and 2013-2014 shows that

- the only mother-tongue institution closed at the end of the school year 2012-2013 even though during the year 145 pupils were enrolled there;
- the number of bilingual institutions increased from six in 2012-2013 to nine in 2013-2014, with a parallel increase in the number of pupils from 591 to 809;
- the number of pupils following Croatian classes decreased from 1548 to 1340;
- the number of pupils in supplementary Croatian classes remained stable with five pupils.

195. The Committee of Experts considers that this undertaking is fulfilled. It asks the Hungarian authorities to consider re-establishing at least one mother-tongue Croatian educational setting and to actively promote education in mother-tongue and bilingual primary schools for the Croatian language minority in Hungary.

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.**

196. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged 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.

197. According to the information provided by the authorities in the sixth periodical report, in the school years 2012-2013 and 2013-2014, there were only two bilingual secondary schools with around 200 students²⁷.

198. The Committee of Experts considers that the undertaking remains partly fulfilled.

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.**

199. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged 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.

²⁷ This fact seems to be in line with a general trend in the Hungarian educational system to reduce the number of general secondary schools leading to the final secondary school certificate called *matura*.

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

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

The Committee of Experts again urges the Hungarian authorities to extend the offer of bilingual teaching in secondary, and technical and vocational education.

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.***

202. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and urged the Hungarian authorities to develop and finance an adequate framework for the teaching of Croatian in adult and continuing education and to actively promote such education.

203. In the sixth periodical report, the Hungarian authorities gave information about adult language courses (in 2012 – 18 participants, and in 2013, 30 participants) and exams (137 certificates issued in 2012, 119 certificates issued in 2013). However, the Committee of Experts has not received any information about the offer of Croatian as a subject in continuing education.

204. The Committee of Experts considers that the undertaking is partly fulfilled. It urges the Hungarian authorities again to report, in the next periodical report, on the steps taken to develop and finance an adequate framework for the teaching of Croatian in adult and continuing education as well as on the active promotion of such education.

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.

205. In the fifth 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 Croatian.

206. According to the sixth periodical report, in line with the Higher Education Act, the Hungarian government provides partial grants for a number of students, including for students at the Eötvös József College of Educational Sciences following basic kindergarten teacher training in Croatian and students of the basic teacher training faculty (minority teacher specialisation).

207. Furthermore, the authorities stated that several accredited training programmes are available, for example, in connection with the European Union supported textbook improvement programme (SR²⁸ 3.4.1 on minority student education and training assistance), which offers the applicant with the opportunity to develop further teacher training programmes. Such a development in Croatian is underway but assistance is expected from the kin-state.

208. The Committee of Experts has not received any updated information on the training of teachers able to teach subjects in Croatian. It seems that, at present, the demand is met at pre-school and primary levels. However, the situation at secondary level and in vocational and technical education is not satisfactory.

209. The Committee of Experts considers that the undertaking remains partly fulfilled. It invites the Hungarian authorities to provide more specific information regarding the teacher training for 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.

²⁸ SR^{OP} - Social Renewal Operational Programme

210. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged 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. Furthermore, the Committee of Ministers recommended Hungary to set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter.

211. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was under way and that minority education was part of this restructuring. As part of this process, the measurement and evaluation systems were also supposed to be restructured, including the teaching of minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson reported a lack of minority languages teachers.

212. In light of the last monitoring report by the European Commission against Racism and Intolerance, since January 2013, when the responsibility for schools was transferred from local authorities to the central government, until early 2015, a new school inspectorate system was set up, and will have to operate every five years in all schools based on their self-evaluation²⁹. In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kind of schools to propose corrective measures with regard to the education of children speaking minority languages.

213. 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 minority education and of assessing whether measurable progress has been made.

214. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It awaits the results of the new development in the next periodical report.

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:

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.*

215. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It asked the Hungarian authorities to provide examples of their implementation in practice with regard to Croatian in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

216. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to use minority languages from 1 July 2003 in accordance with the provisions of the Charter, and fully applies to the Croatian language. Pursuant to the law, it is mandatory to use an interpreter during foreign or minority language testimony or for any other criminal proceedings. The requested information on the practical implementation of the provision was not provided.

217. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of Croatian before courts in co-operation with the speakers.

²⁹ ECRI(2015)19, pp. 23-25

Article 10 – Administrative authorities and public services

218. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. 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.

219. In the fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities, without minimising 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. Furthermore, the Committee of Ministers recommended to the Hungarian authorities in its CM/RecChL(2013)5 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”**.

220. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with the Charter’s Article 10, no list of such districts has been provided concerning Croatian.

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

221. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled, and encouraged 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. It strongly urged 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.

222. The Committee of Experts has not received any example of the implementation of the above-mentioned provisions in Croatian during the sixth monitoring cycle.

223. The Committee of Experts considers that the undertakings remain formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to Croatian in practice.

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
- 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;
- 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;

224. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged 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 as there were no practical examples on how the Croatian language was used in regular local administrations. It encouraged the Hungarian authorities to promote the use by regional authorities of the Croatian language in debates in their assemblies, and strongly urged the Hungarian authorities to promote the oral and written use of Croatian by local authorities in debates in their assemblies.

225. In the sixth periodical report, no information relevant to these undertakings with regard to the Croatian language was provided.

226. The Committee of Experts considers that these undertakings remain formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to Croatian in the next 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.

227. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to promote the adoption by the eligible municipalities of all local topographical names in Croatian and to financially assist their use in conjunction with the official use of the Hungarian names.

228. In the sixth periodical report no information relevant to this undertaking with regard to the Croatian language was provided.

229. The Committee of Experts considers that the undertaking remains partly fulfilled. It strongly urges the Hungarian authorities to encourage the relevant municipalities to adopt all local topographical names in Croatian and financially assist their use in conjunction with the official use of the Hungarian names, and asks for information on the implementation of the above-mentioned provision with regard to Croatian in the next 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.

230. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged the Hungarian authorities to ensure that Croatian speakers can submit requests in Croatian to public service providers in practice.

231. The authorities did not refer to this request in their sixth periodical report.

232. The Committee of Experts considers that the undertaking remains not fulfilled and asks the Hungarian authorities to provide the Committee of Experts with examples of the practical implementation of this provision in their next periodical report.

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;

233. In the fifth 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.

234. The sixth periodical report does not contain any specific information with regard to the use of translation or interpretation into Croatian. The report states, however, that government agencies are prepared to make arrangements for translation and interpretation, if the need arises.

235. In the absence of examples of practical implementation, the Committee of Experts considers that the undertaking remains partly fulfilled. It asks the Hungarian authorities again to provide targeted 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;

236. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It urged the Hungarian authorities to improve the financial support available for television programmes in Croatian. Furthermore, the Committee of Experts encouraged the Hungarian authorities to make adequate provisions so that broadcasters offer radio and television programmes in Croatian for children. In 2013, the Committee of Ministers recommended Hungary to **improve the offer of minority language programmes on television.**

237. In the sixth periodical report, the Hungarian authorities state that the Media Service Support and Asset Management Fund has been preparing and transmitting programmes in minority languages for years at an unchanged prime time. The speakers however complained about the content of the programmes.

238. The national programmes from time to time present themes for children or about them, but the Media Service Support and Asset Management Fund currently does not have a separate programme in Croatian for children.

239. The Croatian language radio programme offers information and reports on the life of Croats living in Hungary with fresh news, updates, and reports on events in the life of the Croatian national minority. It is broadcast daily from 8am to 10am.

240. During the on-the-spot visit, the Committee of Experts was informed that Croatian speakers use the opportunities of the internet to get informed via the media broadcast in Croatia. The Croatian National Self-Government has established and operates the online radio *Croatica Radio*.

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

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.

242. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking, and asked the Hungarian authorities to provide information on this issue in the next periodical report.

243. The sixth periodical report states that Croatian programmes are funded and produced by the Media Service Support and Asset Management Fund.

244. The Committee of Experts considers the undertaking partly fulfilled, and asks for further information in the next periodical report.

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

245. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Croatian. 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.**

246. The sixth periodical report does not contain any specific information on journalist training in Croatian.

247. The Committee of Experts considers that the undertaking remains partly fulfilled. It asks the Hungarian authorities to provide information on the availability of special training courses, especially Croatian language courses for journalists preparing programmes for the Croatian speakers.

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

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.

248. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. It encouraged the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

249. According to the sixth periodical report, substantial financial support was given to minority self-governments. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts if funds were allocated to the Croatian minority, and to what extent the increased funding was channelled to cultural activities covered by this undertaking.

250. The sixth periodical report states that there was a range of initiatives concerning Croatian minority culture, often lead by the National Library of Foreign Literature (see MIN-LANG (2015) PR 4, pages 90-100 and 108-110).

251. The Committee of Experts considers that the undertaking remains fulfilled. It welcomes the information provided on the situation of the National Library of Foreign Literature and encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions collecting works produced in Croatian.

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.

252. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Hungarian authorities to make appropriate provisions for the Croatian language and culture in their cultural policy abroad.

253. There is no relevant information contained in the sixth periodical report, apart from the mention of the Hungarian-Croatian cultural co-operation programme for 2011-2014. This programme had to be complemented by additional inter-ministerial agreements and was not implemented during the reported period.

254. In addition, the authorities underline that Hungary is committed to drawing the attention of its international partners to artists from Hungarian minorities and their cultural merits.

255. The Committee of Experts considers that the undertaking remains partly fulfilled, and invites the authorities to provide further information on the implementation of the Hungarian-Croatian agreements related to the cultural sector.

3.2.3 German

256. 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 (*Education*) paragraph 1 e.iii, g; paragraph 2

Article 9 (*Judicial authorities*) paragraph 1 sub-paragraph a.iii, b.ii, iii, c.ii, iii, and paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 (*Administrative authorities and public services*) paragraph 5

Article 11 (*Media*) paragraphs 1 e.i; 3

Article 12 (*Cultural activities and facilities*) paragraph 1 sub-paragraphs b. c. d. f. g; paragraph 2

Article 13 (*Economic and social life*) paragraph 1 sub-paragraph a

Article 14 (*Tranfrontier exchanges*) a.

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

Article 8 – Education

258. In its fifth evaluation report, the Committee of Experts strongly urged 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 teaching materials for education in German at all stages of education.

259. Furthermore, in the fifth monitoring cycle, the Committee of Ministers recommended Hungary to **“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”**.

Financial situation of minority language education

260. In the fifth monitoring cycle, the Committee of Experts considered that funding of minority education in Hungary remained tight.

261. The sixth periodical report provides information on substantial efforts made to support minority education. In addition to annual national budget laws, a ministerial decree offers possibilities for additional assistance if bilingual education is put in place. So far it was not necessary to conclude a special educational contract with the German local minority self-governments to support its educational expenses. In addition to two schools operated by the German National Self-Government in Hungary (Pécs/*Fünfkirchen* – multi-purpose institution, Pilisvörösvár/*Werischwar* – secondary school) and five other institutions operated by the German local minority self-governments in the following places: Piliscsaba/*Tschawa* (one primary school), Törökbálint/*Großturwall* (one kindergarten), Solymár/*Schaumar* (one kindergarten), Szekszárd/*Sechshard* (one kindergarten), and the City of Budakeszi/*Wudigeß* (one kindergarten), four additional primary schools (in Csolnok/*Tschaunok*, Újhartyán/*Hartian*, Kópháza/*Kohlenhof*, and Taksony/*Taks* Municipality) were taken over by the same self-government without supplementary funds on the basis of the above-mentioned special provision from 2014-2015. Between 2012 and 2014, the level of financing for institutions/schools operated by the German National Self-Government increased from 105,600,000 forints (338,330 Euros) to 125,600,000 forints (402,408 Euros).

262. According to the speakers, German minority education seems to be very popular and much appreciated³⁰. Pursuing the existing demand, a few German schools switched to bilingual education, but none switched to mother-tongue education. According to the data provided at national level, the percentage of pupils enrolled in German minority education compared to the total number of persons belonging to the German minority is 302%, although only around 20.6% of German-speaking people consider German as their mother-tongue according to the 2011 census.

263. The Committee of Experts commends the Hungarian authorities for the significant increase in budgetary support for German language education.

³⁰ If in 2011, 185,696 persons declared belonging to the German minority, 1,111,997 persons declared speaking German in Hungary.

Teaching materials

264. In the fifth monitoring cycle, representatives of the German speakers informed the Committee of Experts that very few teaching materials were available and that the German National Self-Government had to publish them. The situation was particularly problematic in the case of kindergarten education, where no German education material was available.

265. In their sixth periodical report, the authorities provided information about the ongoing process of establishing new teaching materials under tenders with the use of European Union funds. The information provided is not specific to any minority language as it seems to concern all minority languages taught in Hungary.

266. During the on-the-spot visit, representatives of the German speakers informed the Committee of Experts that considerable progress had been made in the publication of teaching materials for German language education. The Committee of Experts commends the Hungarian authorities on the steps taken.

267. During the sixth on-the-spot visit, cases were reported to the Committee of Experts about divergences in the interpretation of the rules and teaching contents between the Klebelsberg Institution and national minority self-governments.

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.***

268. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled, but encouraged the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

269. According to the sixth periodical report, 1,113 children were enrolled in mother-tongue education and 12,540 in bilingual pre-school education in 2013-2014. In supplementary minority education there were 724 children in 18 kindergartens in 2013-2014. The number of children has declined in all three models compared to the previous cycle.

270. The Committee of Experts notes that the number of children enrolled in mother-tongue kindergartens is still relatively low compared to the number of children enrolled in bilingual kindergartens³¹. Representatives of the speakers told the Committee of Experts that at pre-school level the educational model of mother tongue kindergarten corresponds better to the situation of the German language in Hungary.

271. The Committee of Experts considers this undertaking fulfilled.

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.***

³¹ See also 3rd report of the Committee of Experts on Hungary, ECRML (2007)5, paragraph 72-73

272. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

273. According to the information provided by the authorities in the sixth periodical report, the number of pupils in monolingual primary schools decreased from about 2,000 pupils to just over 1,100 pupils between the school years 2011-2012 and 2012-2013; at the same time, the number of educational mother-tongue institutions decreased from 18 to 11. On the other hand, in bilingual primary education, the number of school institutions and of pupils is more or less stable (i.e. 2011-2012 – 35 schools with 5,309 pupils; 2013-2014 - 34 schools with 5,502 pupils). Supplementary primary education decreased from two settings with 83 pupils in 2011-2012 to one setting with 17 pupils in 2013-2014. While welcoming the trend towards more teaching 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.

274. The Committee of Experts considers that this undertaking is fulfilled. It invites the Hungarian authorities to promote bilingual education in co-operation with the speakers.

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.**

275. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It urged 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.

276. According to the information provided by the authorities in the sixth periodical report, in secondary education, the situation is similar to that of primary education, with the same trends in numbers. With regard to German language teaching, between 2011-2012 and 2013-2014, the number of schools where German is taught increased from seven schools with 267 students to nine schools with 293 students. The Committee of Experts notes that the number of students remains, however, relatively low compared to the number of German speakers in Hungary.

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

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.**

278. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged 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.

279. According to the information provided by the authorities in the sixth periodical report on technical and vocational secondary schools, minority vocational schools and vocational secondary school statistics show, for the reporting period, that the number of students attending vocational secondary schools in German is low: from seven students in 2012-2013 to a maximum of 64 students in 2013-2014, and no students at vocational school in 2013-2014 but 101 students learning German at one vocational school.

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

The Committee of Experts urges the Hungarian authorities to extend the offer of bilingual teaching in secondary, and technical and vocational education.

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.**

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

282. The sixth periodical report states that Act LXXVII of 2013 on adult education, which entered into force 1 July 2013, fundamentally defines the rules for adult training taking place outside the formal school system. The new law includes language training, including training in minority languages.

283. The sixth periodical report states that German was offered to 13,403 persons in 2012 and to 33,729 persons in 2013. In 2012, 32,324 German minority language certificates were issued, falling to 28,530 in the following year. However, the Committee of Experts has not received any information about the offer of German as a subject in continuing education.

284. The Committee of Experts considers that the undertaking is partly fulfilled. It again urges the Hungarian authorities to report, in the next periodical report, on the steps taken to develop and finance an adequate framework for the teaching of German in adult and continuing education as well as on the active promotion of such education.

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.**

285. In the fifth 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 German. Furthermore, the Committee of Ministers recommended Hungary to **increase the number of teachers able to teach subjects in the Part III languages.**

286. Teacher training courses for German are provided on the basis of a bilateral inter-ministerial working plan agreed with Germany to allow teachers to benefit from training in that country.

287. In line with the Higher Education Act, the Hungarian government provides partial grants for a number of students, including students specialising in German as a minority language at several institutions of higher education in Budapest and outside the capital city.

288. During the on-the-spot visit, the Committee of Experts was informed by representatives of the German National Self-Government that there is still no scheme for training teachers able to teach subjects in German. This shortcoming, which was confirmed by the Hungarian authorities during the on-the-spot visit, remains the main bottleneck in the organisation of education in German. Moreover, the speakers are concerned that the centralisation of teacher training may hamper the quality of education in German.

289. The Committee of Experts considers that the undertaking remains partly fulfilled. It invites the Hungarian authorities to include in the next periodical report updated information on the number of active teachers who teach German or in German and the number of such teachers needed for the future.

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.**

290. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged 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. Furthermore, the Committee of Ministers recommended Hungary to **set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter.**

291. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was under way and that minority education was part of this restructuring. As part of this process, the measurement and evaluation systems were also supposed to be restructured, including the teaching of minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson reported a lack of minority languages teachers.

292. In light of the last monitoring report by the European Commission against Racism and Intolerance, since January 2013, when the responsibility for schools was transferred from local authorities to the central government, until early 2015, a new school inspectorate system was set up, and will have to operate every five years in all schools based on their self-evaluation³². In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kind of schools to propose corrective measures with regard to the education of children speaking minority languages.

293. 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 minority education and of assessing whether measurable progress has been made.

294. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It awaits the results of the new development in the next periodical report.

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:

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.*

295. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It asked the Hungarian authorities to provide examples of their implementation in practice with regard to German in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

296. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to use minority languages from 1 July 2003 in accordance with the provisions of the Charter, and fully applies to the German language. Pursuant to the law, it is mandatory to use an interpreter during foreign or minority language testimony or for any other criminal proceedings. The sixth periodical report does not contain the requested information on the practical implementation of the undertakings.

297. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of German before courts in co-operation with the speakers.

Article 10 – Administrative authorities and public services

298. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any

³² ECRI(2015)19, pp. 23-25

thresholds provided for by national legislation. 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.

299. In the fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities, without minimising 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, 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”**.

300. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with the Charter's Article 10, no list of such districts has been provided concerning German.

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

301. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled, and encouraged 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. It strongly urged 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.

302. The sixth periodical report does not contain any relevant information for German.

303. The Committee of Experts considers that the undertakings remain formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to German.

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
- 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;
- 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;

304. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged 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. It encouraged the Hungarian authorities to promote the use by regional authorities of the German language in debates in their assemblies, and strongly urged the Hungarian authorities to promote the oral and written use of German by local authorities in debates in their assemblies.

305. In the sixth periodical report no information relevant to these undertakings with regard to the German language was provided.

306. The Committee of Experts considers that these undertakings remain formally fulfilled, and asks for information on the implementation of the above-mentioned provisions with regard to German in the next 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.

307. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to promote the adoption by the relevant municipalities of local topographical names in German and to financially assist their use in conjunction with the official use of the Hungarian names.

308. During the reporting period, additional municipalities seem to have introduced bilingual place name signs. However, the Committee of Experts has not received information on the number of municipalities (i.e. where a local minority self-government is active) that have adopted official place names in a minority language.

309. The Committee of Experts concludes that the undertaking remains partly fulfilled. It strongly urges the Hungarian authorities to encourage the relevant municipalities to adopt local topographical names in German and to 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.

310. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged the Hungarian authorities to ensure that German speakers can submit requests in German to public service providers in practice.

311. The sixth periodical report contains no information about organisational measures taken by the authorities which would facilitate the implementation of this undertaking in practice.

312. The Committee of Experts considers this undertaking remains not fulfilled and asks the Hungarian authorities to provide the Committee of Experts with examples of the practical implementation of this provision in their next periodical report.

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;

313. In the fifth 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.

314. According to the information provided by the Hungarian authorities in the sixth periodical report, government agencies are prepared to make arrangements for the translation and interpretation if the need arises while handling official cases.

315. In the absence of examples of practical implementation, the Committee of Experts considers the undertaking partly fulfilled. It asks the Hungarian authorities again to provide targeted 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;

316. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It strongly urged the Hungarian authorities to improve the financial support available for television programmes in German. Furthermore, the Committee of Experts encouraged the Hungarian authorities to make adequate provisions so that broadcasters offer radio and television programmes in German for children. Furthermore, the Committee of Ministers recommended Hungary to **improve the offer of minority language programmes on television**.

317. In the sixth periodical report, the Hungarian authorities state that the Media Service Support and Asset Management Fund has been preparing and transmitting programmes in minority languages for years at an unchanged prime time. The duration of the programmes and their periodicity have not changed. The allocations cover the rising costs every year.

318. The national programmes from time to time present themes for children or about them, but the Media Service Support and Asset Management Fund currently does not have a separate programme in German for children.

319. The Committee of Experts considers that the undertaking remains fulfilled concerning radio and partly fulfilled concerning television. It strongly urges the Hungarian authorities to improve the financial support available for television programmes in German. Furthermore, the Committee of Experts urges the Hungarian authorities to make adequate provisions 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;

320. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled for German. It strongly urged the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in German on a regular basis.

321. No applications for funding were received during the current monitoring period for German language private radio programmes. There is no private radio broadcasting programme in this language.

322. The Committee of Experts considers that this undertaking is not fulfilled. It strongly urges the Hungarian authorities to further 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;

323. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for German and strongly urged the Hungarian authorities to further encourage and/or facilitate the broadcasting of private television programmes in German on a regular basis. Moreover, the Committee of Experts asked the Hungarian authorities to clarify in the next periodical report to what extent programmes by cable media service providers that were intended to meet the needs for information of minority languages speakers were broadcast in German.

324. The authorities state in the sixth periodical report that in the reporting period, no applications for funding were received for producing private television programmes in German.

325. Another media service provider, Vértessomló Közművelődéséért Egyesület, obtained the broadcasting rights of television programmes for minorities. The civil organisation operating at the settlement in Komárom-Esztergom/*Komorn-Gran* County undertook to produce a television programme for the German population of Vértessomló/*Schemling*. The two-hour long Hungarian and German programme is broadcast every week and is available on the local cable network.

326. The Committee of Experts considers that the undertaking is 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.

327. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking, and asked the Hungarian authorities to provide information on this issue in the next periodical report.

328. The sixth periodical report contains no information relevant for this undertaking.

329. Based on the lack of information, the Committee of Experts concludes that this undertaking is not fulfilled.

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

330. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged 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.**

331. The sixth periodical report does not contain any specific information on journalist training in German.

332. The Committee of Experts considers that the undertaking remains partly fulfilled.

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

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.

333. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it encouraged the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

334. According to the sixth periodical report, substantial financial support was given to minority self-governments. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts if funds were allocated to the German minority, and to what extent the increased funding was channelled to cultural activities covered by this undertaking.

335. The sixth periodical report states that there was a range of initiatives concerning German minority culture, often lead by the National Library of Foreign Literature (see MIN-LANG (2015) PR 4, pages 90-100 and 108-110).

336. The Committee of Experts considers that the undertaking remains fulfilled. It welcomes the information provided on the situation of the National Library of Foreign Literature, and encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions collecting works produced in German.

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.

337. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Hungarian authorities to make appropriate provisions for the German language and culture in their cultural policy abroad.

338. The sixth periodical report contains no relevant information concerning this undertaking.

339. The Committee of Experts considers that the undertaking remains partly fulfilled. It urges the Hungarian authorities to make appropriate provisions for the German language and culture in their cultural policy abroad.

3.2.4 Romani

340. 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 (*Education*) paragraph 1 e.iii; paragraph 2

Article 9 (*Judicial authorities*) paragraph 2

Article 11 (*Media*) paragraph 1 e ii ; paragraph 3

Article 12 (*Cultural activities and facilities*) paragraph 1 f ; paragraph 2

Article 13 (*Economic and social life*) paragraph 1

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

Article 8 – Education

342. In the fifth evaluation report, the Committee of Experts welcomed the extension of the Part III undertakings to the Romani language which allowed better protection and promotion of the language, especially in the field of education. In the fifth monitoring cycle, the Committee of Ministers recommended Hungary to **“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”**. Furthermore, it recommended Hungary to **take further resolute measures in order to increase the number of teachers for Romani**.

343. According to the sixth periodical report, significant efforts have been made in order to increase the number of teachers for the Roma communities³³ that speak Beás or Romani and are considered as one group or “nationality” in the national legislation and as such constitute the largest minority in Hungary. Several schools teaching Romani function across the country. In addition, a system of state examination for Romani is in place, and for example 945 certificates were issued in 2012 and 1284 in 2013.

344. A Framework Agreement between the Government and the Roma National Self-Government, as adopted in 2011, still exists. The authorities report in their sixth periodical report that both the previous and current legislative regulations made it possible for the national minority self-governments to found, operate, or take over from another operator minority public educational institutions. The number of public educational institutions supported by national minority self-governments has steadily increased in the last two or three years. However, between 2012 and 2014, the level of funding institutions operated by the Roma National Self-Government remained at the same level of 78,600,000 forints (251,825 Euros). No institution was taken over by the Roma National Self-Government.

345. The Roma National Self-Government puts great emphasis on education, and would welcome more teachers in Romani to reach the Roma National Self-Government objectives in the field. The Framework Agreement sets out a joint decision-making system and a series of common targets to be achieved by 2015, such as the education of 10,000 Roma students in secondary schools and the preparation of 5,000 talented young Roma people to enter higher education³⁴.

346. It should be underlined that the school drop-out rate within the Roma group is at the highest level among all minorities in Hungary. According to the 2011 general census, around 20% of Roma people (61,386 persons) did not finish the first year of primary school. Only 0.83% of Roma people (2,607 persons) have completed their higher education with a diploma. These figures prove the urgent need to increase the number of teachers and better education of Roma children and young people. However, it is not clear how these figures relate to the teaching of Romani.

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:

³³ ACFC/SR/IV(2015)002, p. 60

³⁴ ECRI(2015)19, pp. 23-25

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

347. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled and encouraged the Hungarian authorities to expand the offer of pre-school education in Romani.

348. According to the information contained in the sixth periodical report, education in Romani is not compulsory, considering that a significant proportion of the Roma population in Hungary are Hungarian speakers. However, if the parents so wish, kindergartens in Romani have to be set up. It seems however, in light of statistics provided in the sixth national report, that the majority of children who speak Romani are at kindergartens which educate in Hungarian.

349. Since 1 September 2015, it has been mandatory for all children in Hungary to go to kindergarten from the age of three. Before that date, only 42% of Roma children aged between three and five attended kindergarten while the national average in the same age group was 88%. The sixth periodical report states that there are four kindergartens using Romani (166 children attending in 2013-2014).

350. During the on-the-spot visit, the Committee of Experts was informed that requests for nurses/caregivers speaking Romani to be employed in kindergartens in Szeged had been rejected by the local authorities.

351. The Committee of Experts considers that the undertaking remains 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;

352. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and encouraged the Hungarian authorities to develop, in co-operation with the speakers, a structured plan to introduce more Romani education in primary schools including using a bilingual approach.

353. According to the information contained in the sixth periodical report, in respect of Romani, the Hungarian authorities have only succeeded in creating conditions for language teaching. In the school year 2013-2014, there were 12 schools providing Romani language education for 565 pupils. The time frame for classes of Romani has been increased from two to three hours per week. This improvement has been possible in co-operation with the speakers and relevant professionals teaching Romani. All minority children, including Roma, benefit from one separate lesson per week of minority culture education but in the case of Roma pupils, the teaching is in Hungarian.

354. The Committee of Experts considers that the undertaking is still partly fulfilled and encourages the Hungarian authorities to continue their co-operation with the representatives of Romani speakers to introduce more Romani education in primary schools, including 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;

355. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled and encouraged the authorities to increase the offer for secondary education in Romani.

356. The Hungarian authorities provided statistics concerning Roma minority education. According to the sixth periodical report, in the school year 2013-2014, there were five schools providing Romani language education for 304 pupils. However, it is unclear to the Committee of Experts whether Romani is taught as a subject or used as a medium of instruction.

357. The Committee of Experts considers that the undertaking remains partly fulfilled and asks the authorities for detailed information about the education and models used in the next periodical report.

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;**

358. In its fifth evaluation report, the Committee of Experts considered the undertaking not fulfilled. It encouraged the Hungarian authorities to establish teaching in or of Romani in technical and vocational education.

359. According to the sixth periodical report, the legal opportunities for technical and vocational education in Romani exist upon request but their practical implementation is very limited and focuses on medical staff training.

360. According to the sixth periodical report, in the school year 2013-2014, there were four institutions providing Romani language teaching for 463 pupils.

361. The Committee of Experts considers that this undertaking is partly fulfilled.

The Committee of Experts urges the Hungarian authorities to extend the offer of bilingual teaching in primary, secondary, and technical and vocational education.

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;**

362. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled, and encouraged the Hungarian authorities to strengthen their efforts to make Romani adult and continuing education available.

363. According to the sixth periodical report, Act LXXVII of 2013 on adult education entered into force on 1 July 2013 and fundamentally defines the rules for adult training taking place outside the formal school system. The authorisation for training applications given by the National Labour Office is considered under the framework of administrative proceedings. In 2012 nine adults from the Roma community participated in minority language education, rising to 14 in 2013. The register for adult education institutions, which closed on 31 August 2013, shows 57 Romani speakers. However, the Committee of Experts has not received any information about the offer of Romani as a subject in continuing education.

364. The Committee of Experts considers that the undertaking remains partly fulfilled. It urges the Hungarian authorities to strengthen their efforts to make Romani adult and continuing education available, and to report, in the next periodical report, on the steps taken.

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;

365. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to include information concerning the number of pupils choosing Roma studies as an optional subject in the next periodical report.

366. According to the information provided in the sixth periodical report, the time allocated for teaching minority history and culture has increased but is delivered in Hungarian exclusively. The Roma National Self-Government has agreed with this change indicating that due to the limited number of specialised language teachers it would be unrealistic to ask for more hours, but a gradual increase is expected.

367. The Committee of Experts asks the Hungarian authorities to provide information on further steps and developments in the next periodical report.

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;

368. In the fifth evaluation report, the Committee of Experts considered this undertaking only partly fulfilled in view of the small number of teachers. It encouraged 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 of education.

369. The Hungarian authorities underlined in their sixth periodical report that, with respect to the period under review, the number of minority teacher training places for kindergarten teachers, educators and teachers remained unchanged, but that the general problem lay in the low number of students and in the continual reduction of them. They envisage an increase in the state financial support with a view to ensuring the quality education of future teachers.

370. According to the information provided in the sixth periodical report, the Romani education appears in the training of kindergarten teachers, as well as in primary and secondary school teacher training programmes. In teacher and kindergarten teacher training, in addition to general pedagogical and methodological knowledge, specialisation in Roma minority literacy fields provides a separate qualification for Romani.

371. The Committee of Experts asks for updated information on this issue in the next periodical report, and especially on the practical achievements in terms of teacher training and numbers of teachers trained. The undertaking is considered to be only partly fulfilled in view of the small number of teachers but positive changes in the approach are much appreciated.

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

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.

372. In its fifth evaluation report, the Committee of Experts considered the undertaking not fulfilled. It encouraged 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.

373. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was under way and that minority education was part of this restructuring. As part of this process,

the measurement and evaluation systems were also supposed to be restructured, including the teaching of minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson reported a lack of minority languages teachers.

374. In light of the last monitoring report by the European Commission against Racism and Intolerance, since January 2013, when the responsibility for schools was transferred from local authorities to the central government, until early 2015, a new school inspectorate system was set up, and will have to operate every five years in all schools based on their self-evaluation³⁵. In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kind of schools to propose corrective measures with regard to the education of children speaking minority languages.

375. 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 minority education and of assessing whether measurable progress has been made.

376. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It awaits the results of the new development in the next periodical report.

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;

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;

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;

377. The fifth evaluation report, the Committee of Experts considered the undertaking formally fulfilled. It asked the Hungarian authorities to provide examples of its implementation in practice with regard to Romani in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

378. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to use minority languages from 1 July 2003 in accordance with the provisions of the Charter, and fully applies to the Romani language. Pursuant to the law, it is mandatory to use an interpreter during foreign or minority language testimony or for any other criminal proceedings. The sixth periodical report does not provide the requested information on the practical implementation of the undertakings in criminal, civil or administrative proceedings.

³⁵ ECRI(2015)19, pp. 23-25

379. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of Romani before courts in co-operation with the speakers.

Article 10 – Administrative authorities and public services

380. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. 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.

381. In the fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities, without minimising 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 Roma minority 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”**.

382. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with the Charter’s Article 10, no list of such districts has been provided concerning Romani.

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

383. After the fifth monitoring period, the Committee of Experts considered these undertakings formally fulfilled and asked the Hungarian authorities to provide information in the next periodical report about their practical implementation.

384. According to the information provided by the Hungarian authorities in the sixth periodical report, Romani speakers generally only use their language amongst themselves; in office settings they do not require the use of their language. From 1 July 2013, several government agencies and regional offices have employed Roma rapporteurs whose mission is to act as mediators between officials and clients during proceedings and to give further information on opportunities open to the Roma community, including Romani speakers. The periodical report states that no need for the preparation of Romani documents from Romani speakers has been identified and does not provide any specific information on the practical implementation of this provision of the Charter.

385. The Committee of Experts considers that these undertakings remain formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to Romani.

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;*

386. After the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and requested the Hungarian authorities to report on the implementation in practice of this undertaking in the next periodical report.

387. According to the sixth periodical report, the demand from all minority languages speakers is very low.

388. The Committee of Experts considers this undertaking formally fulfilled, and asks for information 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;

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;

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.

389. In its fifth evaluation report, the Committee of Experts concluded that these undertakings were formally fulfilled and encouraged the authorities to report on their implementation in practice in the next periodical report.

390. The Committee of Experts did not receive any information in the sixth periodical report about the implementation of these undertakings in practice.

391. The Committee of Experts considers that these undertakings remain formally fulfilled and asks the authorities to provide it with relevant information 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.

392. In its fifth evaluation report, the Committee of Experts considered the undertaking not fulfilled and encouraged the Hungarian authorities to make it possible for Romani speakers to be able to submit requests in Romani to public service providers.

393. The sixth periodical report contains no information about the practical implementation of this undertaking for Romani.

394. The Committee of Experts considers that the undertaking remains 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, as well as to provide specific information in the next periodical report.

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;

395. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled and asked the Hungarian authorities to provide information on its practical implementation in the next periodical report.

396. The sixth periodical report does not mention practical examples of translation and interpretation in respect to Romani.

397. The Committee of Experts considers that the undertaking remains still partly fulfilled and asks the Hungarian authorities again to provide targeted 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.

398. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of the undertaking and asked the Hungarian authorities to inform the Committee of Experts about the extent to which they comply with the requests from civil servants who have knowledge of Romani to be appointed in the territory where the language is used.

399. According to the information provided by the sixth periodical report, in various government agencies and district offices in the country there are officials who master Romani. The government agencies endeavour to appoint government officials who are familiar with Romani (or any other minority languages) in areas where a significant number of minorities live. They provide interested users with verbal assistance and mediation.

400. The Committee of Experts considers the undertaking fulfilled. Nevertheless, it asks the Hungarian authorities for updated information on the extent to which they comply with the requests from civil servants who have 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

401. In its fifth evaluation report, the Committee of Experts reiterated that the present undertaking deals with encouragement or facilitation from the Hungarian authorities regarding the creation of at least one radio station and one television channel in Romani. The Committee of Experts concluded that the undertaking was not fulfilled. The Committee of Experts encouraged the authorities to take steps to encourage and/or facilitate the creation of at least one television channel in Romani. Furthermore, in 2013, the Committee of Ministers recommended Hungary to **improve the offer of minority language programmes on television.**

402. The sixth periodical report mentions that Romani language radio programmes are broadcast twice a week in a half-hour section on the MR4 station. The broadcast called *Three Voices* is partially in the Romani language (magazine programme in Hungarian, Romani and Beás). The programme primarily presents biographies, current cultural events, archival research, fairy tales, traditional music, customs and traditions. It is broadcast every day from Monday to Friday at 12.03-1pm on the Ethnic Hungarian Radio broadcaster - MR4.

403. According to the information provided in the sixth periodical report, the Media Service Support and Asset Management Fund broadcasts television contents in Romani. The Roma programmes (*P'amende, Roma magazine, Életkerék*) are alternately in Beás and Romani languages. In the early afternoon, channel M1 proposes programmes of around 25 minutes as follows: on Monday *Roma magazine*, and on Friday alternating fortnightly programmes entitled *P'amende and Életkerék*³⁶.

404. In light of general information concerning media in minority languages, it can be understood that the national programmes present themes for children or about them from time to time, but the Media Service Support and Asset Management Fund currently does not have a separate programme in Romani for children.

405. According to data from Nielsen Média Kutató Kft. recorded between 1 January 2012 and 31 January 2014, among nationwide television broadcasters only public service channels, i.e. Duna TV, M1, M2 (meaning two programmes) and Duna World were broadcasting programmes for minorities for more than 740 hours (744.15.05). The viewing figures were low; programmes had 30,000 viewers on average.

³⁶ ACFC/SR/IV(2015)002, p. 68

However, on 11 occasions M1 achieved an audience of over 150,000. The Roma magazine had the highest number of viewers (218,000) at noon on 29 July 2013.

406. The Committee of Experts underlines 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. It encourages the authorities to take resolute action to encourage and/or facilitate the creation of at least one television channel in Romani.

407. The Committee of Experts considers the undertaking not fulfilled. It asks the Hungarian authorities to provide information about the progress in developing at least one radio station and one television channel in Romani in the next periodical report. Furthermore, the Committee of Experts asks the Hungarian authorities to make adequate provisions so that broadcasters offer radio and television programmes in Romani for children.

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

408. In its fifth evaluation report, the Committee of Experts considered the undertaking not fulfilled. It encouraged the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in Romani on a regular basis.

409. According to information provided in the sixth periodical report, as regards the launching of a Romani independent station, the stand of the Roma National Self-Government is that to start up and operate such a scale of enterprise requires significant financial investment for which there is a need to find the right source to cover it. According to the information from the Media Service Support and Asset Management Fund, there has been no official request to initiate Romani language channels.

410. The Committee of Experts considers that the undertaking is not fulfilled. It urges the Hungarian authorities to encourage, through financial incentives or licence requirements, the broadcasting of private radio programmes in Romani.

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

411. After the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the authorities to clarify whether television programmes are broadcast in Romani in their next periodical report.

412. Apart from the information mentioned above under Article 11 paragraph 1 b. ii. concerning no request for Romani channels, the sixth periodical report does not contain any relevant information.

413. The Committee of Experts considers that this undertaking is not fulfilled. It asks the Hungarian authorities to encourage and facilitate the broadcasting of private television programmes in Romani on a regular basis, and to provide specific information in the next periodical report.

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

414. In its fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the authorities to report on the issue in the next periodical report.

415. The sixth periodical report does not provide specific information.

416. Due to the continuing lack of information, the Committee of Experts considers this undertaking not fulfilled.

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

417. After the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking, and asked the Hungarian authorities to provide the relevant information in the next periodical report.

418. The sixth periodical report states that Roma public service programmes are produced in Romani and Beás languages with varying degrees of presentation, hence no precise funds spent on either one can be defined. Spending covers the increasing costs (approximate annual support 200-250,000,000 forints (640,777 - 800,971 Euros) for Roma programmes in the assessed period.

419. The Committee of Experts is not in a position to conclude on this undertaking and asks the authorities to clarify the financial support given to audio-visual productions in Romani.

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

420. In the fifth evaluation report, the Committee of Experts considered the undertaking fulfilled. However, it asked the Hungarian authorities for further information on media training programmes in Romani in the next periodical report. 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.**

421. According to the sixth periodical report, both Magyar Televízió Zrt. and Magyar Rádió Zrt. were cooperating partners in the so-called "Roma trainee" programme. Following the said programme and the restructuring of the audio-visual media, the Media Service Support and Asset Management Fund employs three of the former Roma trainees. The Hungarian public television broadcasts programmes in Romani.

422. The Committee of Experts considers that the undertaking remains 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;

423. After the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide relevant information in the next periodical report.

424. The sixth periodical report states that the *Panna Cinka Gypsy Theatre Fund* was among applicants for funding under tenders relevant to theatre performances in minority languages. Information was not provided on whether their performances would be shown in Beás or Romani. In certain performances by the *Panna Cinka* and *Esztrád Theatres* or the *Karaván Company*, segments (sections of dialogues and songs) are played in Beás and Romani, but they have no exclusive Romani performances because they play for audiences with various mother-tongues, including other minority languages used in Hungary. According to the Hungarian authorities, it can be said in general that the relatively small number of performances in Romani is not due to lack of support from the cultural sector, which is ready to apply positive measures, rather than the current situation results from the low demand and artistic concepts.

425. According to the sixth periodical report, substantial financial support was given to minority self-governments. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts if funds were allocated to the Romani minority, and to what extent the increased funding was channelled to cultural activities covered by this undertaking.

426. In the absence of any relevant information in the present monitoring round, the Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities again for specific information 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;

427. During the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide relevant information in the next periodical report.

428. The sixth periodical report provides no relevant information about this undertaking, apart from the information referred to under Article 12, paragraph 1 a. above.

429. The Committee of Experts is again not in a position to conclude on the fulfilment of this undertaking and asks the Hungarian authorities to provide information on whether works produced in Romani have been made accessible in other languages.

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;

430. During the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide relevant information in the next periodical report.

431. According to the sixth periodical report, there was no public support, during the reporting period, dedicated for translations, or for the dubbing of films, as these costs are borne by the producers themselves. No other information concerning this undertaking was provided.

432. The Committee of Experts considers that the undertaking is not fulfilled. It encourages the Hungarian authorities to foster access in Romani to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities, and asks the Hungarian authorities to provide relevant information 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;

433. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and encouraged 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 organising cultural activities.

434. The sixth periodical report provided the Committee of Experts with comprehensive information on the Roma organisations' and individuals' participation in organising cultural activities. It is, however, not clear to the Committee of Experts whether Romani speakers were involved in such activities.

435. In addition, it might be mentioned that Article 8 of the Framework Agreement concluded between the Government and the Roma National Self-Government that "*the Government provides the conditions of making the value of Roma traditions and culture more familiar for the majority of society, and to this end, the National Roma Self-Government and the Government envisages the joint establishment of a Roma Cultural Centre meeting European standards.*" On this basis a European tender SIOP³⁷ -1.2.6-14/1 - "*Development of the Infrastructural conditions of the Multifunctional Minority – Roma Methodological, Educational and Cultural Centre*", was launched on 25 February 2014.

436. The Committee of Experts welcomes the progress made but is not in a position to conclude on the fulfilment of this undertaking. It encourages the Hungarian authorities to provide specific information in the next periodical report as to the extent to which Romani speakers are directly involved in the organisation of cultural activities.

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

437. During the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide relevant information in the next periodical report.

³⁷ SIOP - Social Infrastructure Operational Programme

438. According to the sixth periodical report, there is no restriction for any minority organisation to establish and operate its own library. The overall minority stock (including those other than the Roma community) has a total of 257,067 items in the county libraries. Apart from the examples of the National Roma Library and Archives and the National Roma Public Interest Museal Collection and Exhibition Hall, the comprehensive information on the fulfilment of the provision above with regard to minorities in general does not refer in particular to Romani speakers. The sixth periodical report underlines that in 2013, a highly important and recently published volume of the Roma minority, '*Régi cigány szótárak és folklór szövegek I-III.*' (Old "Gypsy" Dictionaries and Folklore texts, vol. I-III) was added to the collections of all county libraries and the Ervin Szabó Library of Budapest. Romology studies are now ongoing. In 2013, each library was obliged to spend 20.000 forints (64 Euros) on books related to the Roma minority (see the same information under Beás).

439. The Committee of Experts considers that the undertaking is 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.

440. In its fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled.

441. No specific information related to the promotion of Romani abroad was provided by the sixth periodical report.

442. The Committee of Experts considers that the undertaking remains partly fulfilled and asks the Hungarian authorities for relevant information in the next periodical report.

Article 13 – Economic and social life

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;

443. During the fifth monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide substantial information on the practical implementation with regard to Romani in the next periodical report.

444. According to the sixth periodical report, the process of using Roma languages has started in social and health care. In general terms, the authorities declare being committed to equal opportunities and equal access to health care services for everyone. To this end, they now implement the National Social Renewal Strategy which includes the improvement of the health status of Roma and of their access to health care services as one of its objectives. The authorities highlighted, in this context, that most Roma people are Hungarian speakers and benefit from services using Hungarian.

445. More medical professionals will come from the Roma population in the future as more Roma young people are now educated in this field. It is, however, not clear if Romani speakers are among the students or if patients and clients speaking Romani use their mother-tongue in social and health care settings.

446. The Committee of Experts considers the undertaking partly fulfilled and asks the Hungarian authorities to provide specific information about the practical implementation with regard to Romani 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;

447. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and encouraged the authorities to report on this specific issue with regard to Romani in the next periodical report.

448. According to the sixth periodical report, exchange programmes with the communities of the kin-state and bilateral conventions on the protection of minorities cannot be interpreted in relation to Romani as requested by the Committee of Experts due to the special situation of the Roma minority, since there is no kin-state, as opposed to other minorities.

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

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.

450. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on this undertaking and encouraged the authorities to report on the extent to which cross-border twinning partnerships apply to Romani, in the next periodical report.

451. According to the sixth periodical report, cross-border co-operation is well established and the Roma culture is part of concluded agreements and related events. Roma artists are regularly included in the repertoire of Hungarian cultural institutes in foreign countries.

452. It is, however, still not clear to the Committee of Experts to what extent these partnerships are relevant to the Romani speakers.

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

3.2.5 Romanian

454. 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 (*Education*) paragraph 1 e.iii, g; 2

Article 9 (*Judicial authorities*) paragraph 1 sub-paragraph a.ii, b.ii, iii, c.ii, iii, and paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 (*Administrative authorities and public services*) paragraph 4 sub-paragraph c; paragraph 5

Article 11 (*Media*) paragraph 1 sub-paragraphs b. e.i; paragraph 3

Article 12 (*Cultural activities and facilities*) paragraph 1 sub-paragraphs a. b. d. f, g; paragraph 2

Article 13 (*Economic and social life*) paragraph 1 sub-paragraphs a and c

Article 14 (*Transfrontier exchanges*) paragraph a.

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

Article 8 – Education

456. In the fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities to:
 - secure the necessary financial support for maintaining the mother-tongue or bilingual schools taken over by the Romanian National Self-Government,
 - further accelerate the production of teaching materials for education in Romanian at all stages of education.

457. Furthermore, in the fifth monitoring cycle, the Committee of Ministers recommended Hungary to **“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”**.

Financial situation of minority language education

458. In the fifth monitoring cycle, the Committee of Experts considered that funding of minority education in Hungary remained tight.

459. The sixth periodical report provides information on efforts made to support minority education. In addition to annual national budget laws, a ministerial decree offers possibilities for additional assistance if bilingual education is put in place even if the number of potential pupils is low. This opportunity was used in the case of Romanian and a special educational contract was concluded with the Romanian National Self-Government in Hungary. A few Romanian schools switched to bilingual education, but none switched to mother-tongue minority education. In addition to five schools operated by the Romanian National Self-Government (Battonya/*Bătania*– primary school, Elek/*Aletea* – primary school, Kétegyháza/*Chitighaz* – primary school, Körösszakál/*Săcal* – primary school, Gyula/*Jula or Giula*– multi-purpose institution), one kindergarten in Gyula/*Jula or Giula* was taken over by the Romanian National Self-Government in the 2014-2015 school year.

460. Between 2012 and 2014, the level of financing institutions operated by the Romanian Self-Government increased from 19,700,000 forints (63,116 Euros) to 27,500,000 forints (88,107 Euros). According to the data provided at national level, the percentage of pupils enrolled in Romanian minority education compared to the total number of persons belonging to the Romanian minority is 63.7%, although only around 39% of Romanians consider Romanian as their mother-tongue according to the 2011 census.

461. The Committee of Experts notes that during the reporting period efforts were made with a view to promoting and enhancing Romanian language education. It encourages the Hungarian authorities to pursue this approach with regard to financial support.

Teaching materials

462. In the fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities to further accelerate the production of teaching materials for education in Romanian at all stages of education.

463. In their sixth periodical report, the authorities provide information about the ongoing process of establishing new teaching materials under tenders with the use of the European Union funds. The information provided is not specific to any minority language as it seems to concern all minority languages taught in Hungary.

464. During the on-the-spot visit, the Committee of Experts was informed that teaching materials are provided or imported from Romania if necessary.

465. Therefore, the Committee of Experts asks the Hungarian authorities to provide specific information on the availability and quality of teaching materials in Romanian in the next periodical report.

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:

- 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.***

466. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. It encouraged the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

467. According to the sixth periodical report, in the school year 2013-2014 there were two mother-tongue pre-schools with 148 children enrolled, nine bilingual pre-schools/kindergartens with 331 children, and no supplementary education in Romanian. In 2012-2013 there were two mother-tongue pre-schools with 101 children enrolled, eight preschools with 279 children, and two supplementary education settings with 127 children concerned.

468. 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 kindergartens³⁸. 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 underlines the fact 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.

469. The Committee of Experts considers this undertaking fulfilled, but 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.***

470. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to further strengthen their efforts to actively promote bilingual education. It

³⁸ See also 3rd report of the Committee of Experts on Hungary, ECRML (2007)5, paragraphs 72-73

strongly urged the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual primary schools in order to ensure continuity in the offer of teaching in/of Romanian.

471. According to the sixth periodical report, there is still a high number of pupils attending classes where the Romanian language is only taught as a subject. This number was, however, almost equal in 2012-2013 to the number of pupils in bilingual education at seven schools. While welcoming a trend towards more teaching in minority languages, the Committee of Experts reiterates that additional efforts are needed to pursue the increase of 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.

472. The Committee of Experts considers that the undertaking remains partly fulfilled. It strongly 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.**

473. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to further pursue their efforts to actively promote the establishment of more bilingual secondary schools in order to ensure continuity in the offer of teaching in/of Romanian.

474. According to the sixth periodical report, one bilingual secondary school was created in 2012-2013 and was attended during that school year by 158 students. In 2013-2014 the school had 178 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.

475. The Committee of Experts welcomes this development and considers that the undertaking remains partly fulfilled. It invites the Hungarian authorities to report on the further progress in the next periodical report.

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.**

476. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled for Romanian. It strongly urged 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.

477. According to the sixth periodical report, in vocational schools and vocational secondary schools minority education has been implemented in Romanian in a few cases. Every minority can request language instruction and education in its minority language at vocational schools and vocational secondary schools. According to the rules, the teaching should be directed to meet professional needs in the minority language taught.

478. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It encourages the Hungarian authorities to pursue their efforts with regard to this undertaking and to report on the achievements in the next periodical report.

The Committee of Experts again strongly urges the Hungarian authorities to extend the offer of bilingual teaching in secondary, technical and vocational schools.

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.***

479. In the fifth 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 the teaching of Romanian in adult and continuing education and to actively promote such education.

480. In the sixth periodical report, no specific information is provided with regard to Romanian, apart from the participation in adult language courses (59 participants in 2013; 71 in 2012).

481. The Committee of Experts considers that the undertaking remains partly fulfilled. It again urges the Hungarian authorities to report, in the next periodical report, on the steps taken to develop and finance an adequate framework for the teaching of Romanian in adult and continuing education as well as on the active promotion of such education.

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.***

482. In the fifth 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.

483. According to the sixth periodical report, in line with the Higher Education Act, the Hungarian government provides partial grants for a number of students, including for students in Romanian basic kindergarten teacher training and at the basic teacher training faculty (minority teacher specialisation). A few Romanian-speaking students benefit from state-supported places in higher education related to teacher training.

484. The Committee of Experts considers that the undertaking remains partly fulfilled. It invites the Hungarian authorities to include in the next periodical report updated information on the number of active teachers teaching Romanian or in Romanian and the number of such teachers needed for the future.

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..***

485. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged 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. Furthermore, the Committee of Ministers recommended Hungary to **set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter.**

486. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was underway and that minority education was part of this restructuring. As part of this process, the measurement and evaluation systems were also supposed to be restructured, including the teaching of

minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson reported a lack of minority languages teachers.

487. In light of the last monitoring report by the European Commission against Racism and Intolerance, from January 2013, when the responsibility for schools was transferred from local authorities to the central government, until early 2015, a new school inspectorate system has been set up, and will have to operate every five years in all schools based on their self-evaluation³⁹. In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kind of schools to propose corrective measures with regard to the education of children speaking minority languages.

488. 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 minority education and for assessing whether measurable progress has been made.

489. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It awaits the results of the new development in the next periodical report.

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:

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.*

490. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It asked the Hungarian authorities to provide examples of their implementation in practice with regard to Romanian in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

491. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to use minority languages from 1 July 2003 in accordance with the provisions of the Charter and fully applies to the Romanian language. Pursuant to the law, it is mandatory to use an interpreter during foreign or minority language testimony or for any other criminal proceedings. The sixth periodical report does not provide the requested information on the practical implementation of the undertakings.

492. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of Romanian before courts in co-operation with the speakers.

Article 10 – Administrative authorities and public services

493. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. 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.

494. In the fifth evaluation report, the Committee of Experts again strongly urged the Hungarian authorities, without minimising the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities which would be obliged to take organisational measures to implement the obligations under Article 10. These authorities would be those on whose territory local and

³⁹ ECRI(2015)19, pp. 23-25

county minority self-governments of the Romanian minority are active. 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.**

495. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with Charter's Article 10, no list of such districts has been provided concerning Romanian.

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

496. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged 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. It strongly urged 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.

497. The sixth periodical report does not contain any relevant information.

498. The Committee of Experts considers that the undertakings remain formally fulfilled, and asks for information on the implementation of the above-mentioned provisions with regard to Romanian.

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*
- 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;*
- 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;*

499. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged 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. It encouraged the Hungarian authorities to promote the use by regional authorities of the Romanian language in debates in their assemblies and strongly urged the Hungarian authorities to promote the oral and written use of Romanian by local authorities in debates in their assemblies.

500. According to the information provided by the authorities in the sixth periodical report, there was a very low demand for submitting oral or written applications in Romanian during the period under review. No information as to the practical implementation of these undertakings was provided in the sixth periodical report.

501. The Committee of Experts considers that the undertakings remain formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to Romanian in the next 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.*

502. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It strongly urged the Hungarian authorities to promote the adoption by the relevant municipalities of all local topographical names in Romanian and to financially assist their use in conjunction with the official use of the Hungarian names.

503. The sixth periodical report does not give any relevant information with regard to Romanian.

504. The Committee of Experts considers that the undertaking remains partly fulfilled. It strongly urges the Hungarian authorities to encourage the relevant municipalities to adopt all local topographical names in Romanian and to 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.*

505. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged the Hungarian authorities to ensure that Romanian speakers can submit requests in Romanian to public service providers in practice.

506. The sixth periodical report contains no information about organisational measures taken by the authorities, which would facilitate the implementation of this undertaking in practice.

507. The Committee of Experts considers that this undertaking remains not fulfilled and asks the Hungarian authorities to provide it with examples of the practical implementation of this provision in their next periodical report.

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;*

508. In the fifth 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.

509. According to the information provided in the sixth periodical report, in order to implement the measures contained in Article 10 (4) of the Charter, government agencies are prepared to make arrangements for the translation and interpretation into minority languages, if the need arises. Budapest Metropolitan Government Office stated that from among all the minority languages, interpretation and translation for the Romanian language was the most frequent. The Committee of Experts, however, notes that translation and interpretation provided in Budapest does not cover the whole area in which Romanian is used.

510. The Committee of Experts considers the undertaking still partly fulfilled and asks the Hungarian authorities again to provide targeted 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;*

511. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It encouraged the Hungarian authorities to improve the time slots, for television programmes in Romanian and urged the authorities to improve the financial support available for television programmes in Romanian. Furthermore, the Committee of Experts encouraged the Hungarian authorities to make adequate provisions so that broadcasters offer radio and

television programmes in Romanian. Furthermore, the Committee of Ministers recommended Hungary to **further improve the offer of minority language programmes on television.**

512. In the sixth periodical report, the Hungarian authorities state that the Media Service Support and Asset Management Fund has been preparing and transmitting programmes in minority languages for years at an unchanged prime time. The duration of the programmes and their periodicity have not changed. The Committee of Experts was informed that the speakers were not satisfied with the content of the television programmes.

513. The national programmes present themes for children or about them from time to time, but the Media Service Support and Asset Management Fund currently does not have a separate programme in Romanian for children.

514. The Committee of Experts considers that the undertaking remains fulfilled concerning radio and partly fulfilled concerning television. It urges the Hungarian authorities to improve the time slots, for programmes in Romanian and the financial support available for television programmes in Romanian. Furthermore, the Committee of Experts urges 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;

515. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for Romanian. It asked the Hungarian authorities to clarify in the next periodical report to what extent the available television programmes for national and other minorities are in Romanian.

516. According to the sixth periodical report, there are no private television programmes in Romanian.

517. The Committee of Experts considers that the undertaking is not fulfilled. It urges the Hungarian authorities to encourage and/or facilitate the broadcasting of television programmes in Romanian on a regular basis.

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.

518. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking, and asked the Hungarian authorities to provide information on this issue in the next periodical report.

519. No additional information was provided in the sixth periodical report concerning Romanian.

520. Based on the lack of information, the Committee of Experts considers this undertaking not fulfilled.

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

521. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Romanian. 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.**

522. The sixth periodical report does not contain any specific information on journalist training in Romanian.

523. The Committee of Experts considers that the undertaking remains partly fulfilled. It asks the Hungarian authorities to provide information on the availability of special training courses, especially Romanian language courses for journalists preparing programmes for the Romanian speakers.

<p><i>The Committee of Experts again strongly urges the Hungarian authorities to establish a comprehensive scheme for the training of journalists and other media staff using Romanian.</i></p>
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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.

524. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it encouraged the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

525. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts if funds were allocated to the Romanian minority and to what extent the increased funding for minority self-governments was channelled to cultural activities in Romanian covered by the present undertaking.

526. According to the information provided by the authorities in the sixth periodical report, there were a range of initiatives concerning Romanian minority culture, often lead by the National Library of Foreign Literature (see MIN-LANG (2015) PR 4, pages 90-100 and 108-110).

527. The Committee of Experts considers that the undertaking remains fulfilled. It welcomes the information provided on the situation of the National Library of Foreign Literature and encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions collecting works produced in Romanian.

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.

528. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested more specific information concerning Romanian in the next periodical report.

529. The sixth periodical report contains no information regarding access in Romanian to works produced in other languages. Furthermore, the authorities provided information on the change in the financing system for cultural activities.

530. The Committee of Experts is not able to conclude on the fulfilment of this undertaking and requests information about the authorities' support to dubbing, post-synchronisation and subtitling activities in Romanian.

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.

531. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Hungarian authorities to make appropriate provisions for Romanian language and culture in their cultural policy abroad.

532. No information was provided by the authorities or the speakers during this monitoring cycle with regard to Romanian.

533. The Committee of Experts considers that the undertaking remains partly fulfilled. It urges the Hungarian authorities to make appropriate provisions for Romanian language and culture in their cultural policy abroad.

3.2.6 Serbian

534. 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 (*Education*) paragraph 1., e.iii, g; 2

Article 9 (*Judicial authorities*) paragraph 1 sub-paragraph a. iii, b. ii, iii and c. ii, iii, and paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 (*Administrative authorities and public services*) paragraph 5

Article 11 (*Media*) paragraphs 1 e.i, and 3

Article 12 (*Cultural activities and facilities*) paragraph 1 sub-paragraphs b., c., d. f. and g. as well as paragraph 2

Article 13 (*Economic and social life*) paragraph 1 sub-paragraph a

Article 14 (*Transfrontier exchanges*) paragraph a.

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

Article 8 – Education

536. In its fifth evaluation report, the Committee of Experts strongly urged 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 teaching materials for education in Serbian at all stages of education.

537. Furthermore, in the fifth monitoring cycle, the Committee of Ministers recommended Hungary to **“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”**.

Financial situation of minority language education

538. In the fifth monitoring cycle, the Committee of Experts observed that funding of the minority education in Hungary remained tight and strongly urged the Hungarian authorities to secure the necessary financial support for maintaining the mother-tongue or bilingual schools taken over by the Serbian National Self-Government.

539. The sixth periodical report provides information on substantial efforts made to support minority education in general. Two schools in Battonya and Budapest are financially supported by the Serbian National Self-Government on the basis of a separate public education contract concluded between the minority self-government and the Minister of Education. In addition, in 2014-2015, one primary school in Lórév/Лорєв/Lovra was taken over by the Serbian National Self-Government. Secondary and higher level education is provided in Budapest. According to the information received by the local speakers' representative during the on-the-spot visit in Szeged, the schools in the counties are closely connected to the Serbian church that provides for the necessary facilities.

540. Between 2012 and 2014, the level of financing institutions operated by the Serbian National Self-Government remained at the same level of 54,700,000 forints (175,252 Euros). According to the data provided at national level, the percentage of pupils enrolled in the Serbian minority education compared to the total number of persons belonging to the Serbian minority is 38.7%, although only around 37% of Serbians consider Serbian as their mother-tongue according to the 2011 census.

Teaching materials

541. In the fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities to further accelerate the production of teaching materials for education in Serbian at all stages of education as it was not clear for which Part III language nor for which grades and subjects there were up-to-date teaching materials available in the respective language.

542. In their sixth periodical report, the authorities provide information about the ongoing process of establishing new teaching materials under tenders with the use of the European Union funds. The

information provided is not specific to any minority language as it seems to concern all minority languages taught in Hungary.

543. During the on-the-spot visit, the Committee of Experts was informed that teaching materials are provided or imported from Serbia if necessary.

544. Therefore, the Committee of Experts asks the Hungarian authorities to provide specific information on the availability and quality of teaching materials in Serbian in the next periodical report.

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.**

545. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens.

546. According to the information provided by the Hungarian authorities in the sixth periodical report, in the school year 2011-2012 there were four mother-tongue Serbian kindergartens with 106 children, four bilingual kindergartens with 100 children attending, and one kindergarten providing supplementary education to 27 children. In 2012-2013 there were almost the same numbers as far as mother-tongue pre-schools are concerned, but it seems that children moved from bilingual pre-schools (three entities with 58 children) into supplementary education (two entities with 49 children). Further departures from the bilingual pre-school education can be observed towards five mother-tongue kindergartens with 136 children.

547. The Committee of Experts considers that the undertaking is fulfilled.

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.**

548. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

549. According to the information provided by the authorities in the sixth periodical report, between 2011-2012 and 2013-2014, the number of pupils was stable as regards i) mother-tongue schools with around 110 pupils per year, ii) bilingual schools with around 74 pupils per year, iii) Serbian language teaching with an average of around 105 pupils per year. There was an increased number of pupils in supplementary Serbian education, from eight pupils in 2011-2012 to 24 pupils in 2013-2014.

550. The Committee of Experts considers that the undertaking remains partly fulfilled. It encourages the Hungarian authorities to further strengthen their efforts to actively promote bilingual education in Serbian.

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.

551. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It urged 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.

552. According to the information provided by the Hungarian authorities in the sixth periodical report, there were between 161 and 215 students in one mother-tongue secondary school from 2011-2012 to 2013-2014. There was almost no bilingual or language education. Around 15 students benefitted from supplementary secondary education.

553. The Committee of Experts considers that the undertaking remains partly fulfilled.

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.

554. In the fifth evaluation report, the Committee of Experts considered the undertaking not fulfilled for Serbian. It strongly urged 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.

555. No additional information was provided in the sixth periodical report with regard to Serbian but the prevalence of regional or minority languages in vocational education and training is very low in general.

556. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It encourages the Hungarian authorities to pursue their efforts with regard to this undertaking and to report on the achievements in the next periodical report.

The Committee of Experts again strongly urges the Hungarian authorities to extend the offer of bilingual teaching in primary, secondary, technical and vocational schools.

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.

557. In the fifth evaluation report, the Committee of Experts considered that this undertaking was partly fulfilled and urged the Hungarian authorities to develop and finance an adequate framework for the teaching of Serbian in adult and continuing education and to actively promote such education.

558. No specific information was provided with regard to the development of a comprehensive scheme of adult and continuing education with respect to Serbian in the sixth periodical report. Information is given with regard to participation in adult Serbian language courses (31 participants in 2013, 50 in 2012) and the issuing of language certificates (46 certificates in 2013; 92 in 2012).

559. The Committee of Experts considers that the undertaking remains partly fulfilled. It urges the Hungarian authorities again to report, in the next periodical report, on the steps taken to develop and finance an adequate framework for the teaching of Serbian in adult and continuing education as well as on the active promotion of such education.

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.

560. In the fifth 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 Serbian. Furthermore, the Committee of Ministers recommended Hungary to **increase [...] the number of teachers able to teach subjects in [Part III] languages.**

561. According to the information provided by the sixth periodical report, in line with the Higher Education Act, the Hungarian government provides partial grants for a number of students, including students in Serbian basic teacher training (minority teacher specialisation). A few Serbian-speaking students benefit from state-supported places in higher education related to teacher training.

562. The Committee of Experts noted that there have been no major changes in the teacher training system with a view to ensuring that there will be a sufficient number of teachers able to teach subjects in Serbian.

563. The Committee of Experts considers that the undertaking remains partly fulfilled. It invites the Hungarian authorities to include in the next periodical report updated information on the number of active teachers teaching Serbian or in Serbian and the number of such teachers needed for the future.

The Committee of Experts again strongly urges the Hungarian authorities to continue 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.

564. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged 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. Furthermore, the Committee of Ministers recommended Hungary to **set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter.**

565. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was underway and that minority education was part of this restructuring. As part of this process, the measurement and evaluation systems were also supposed to be restructured, including the teaching of minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson reported a lack of minority languages teachers.

566. In light of the last monitoring report by the European Commission against Racism and Intolerance, from January 2013, when the responsibility for schools was transferred from local authorities to the central government, until early 2015, a new school inspectorate system was set up and will have to operate every five years in all schools based on their self-evaluation⁴⁰. In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kind of schools to propose corrective measures with regard to the education of children speaking minority languages.

567. 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 minority education and of assessing whether measurable progress has been made.

568. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking. It awaits the results of the new development in the next periodical report.

⁴⁰ ECRI(2015)19, pp. 23-25

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:

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.*

569. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It asked the Hungarian authorities to provide examples of their implementation in practice with regard to Serbian in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

570. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to the use of minority languages from 1 July 2003 in accordance with the provisions of the Charter, and fully applies to the Serbian language. Pursuant to the law on Criminal Proceedings, it is mandatory to use an interpreter during foreign language testimony or for any other criminal proceedings. No examples of the practical implementation of these provisions were provided.

571. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of Serbian before courts in co-operation with the speakers.

Article 10 – Administrative authorities and public services

572. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. 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.

573. In the fifth evaluation report, the Committee of Experts again strongly urged the Hungarian authorities, without minimising the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities that would 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. 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.**

574. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with the Charter's Article 10, no list of such districts has been provided concerning Serbian.

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

575. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled and encouraged 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. It strongly urged 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.

576. The sixth periodical report does not contain any relevant information.

577. The Committee of Experts considers that the undertakings remain formally fulfilled, and asks for information on the implementation of the above-mentioned provisions with regard to Serbian.

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*
- 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;*
- 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;*

578. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged 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. It encouraged the Hungarian authorities to promote the use by regional authorities of the Serbian language in debates in their assemblies and strongly urged the Hungarian authorities to promote the oral and written use of Serbian by local authorities in debates in their assemblies.

579. According to the information provided by the authorities in the sixth periodical report, there was a very low demand for submitting oral or written applications in Serbian in the period under review.

580. The Committee of Experts considers that the undertakings remain formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to Serbian in the next 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.

581. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It strongly urged the Hungarian authorities to promote the adoption by the relevant municipalities of all local topographical names in Serbian and to financially assist their use in conjunction with the official use of the Hungarian names.

582. The sixth periodical report contains no information about the implementation of this undertaking in practice.

583. The Committee of Experts considers that the undertaking remains partly fulfilled. It strongly urges the Hungarian authorities to encourage the relevant municipalities to adopt all local topographical names in Serbian and to 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.*

584. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged the Hungarian authorities to ensure that Serbian speakers can submit requests in Serbian to public services in practice.

585. The sixth periodical report contains no information about organisational measures taken by the authorities which would facilitate the implementation of this undertaking in practice.

586. The Committee of Experts considers that the undertaking remains not fulfilled and asks the Hungarian authorities to provide it with examples of the practical implementation of this provision in their next periodical report.

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;*

587. In the fifth 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.

588. According to the information provided in the sixth periodical report, in order to implement the measures contained in Article 10 (4) of the Charter, government agencies are prepared to make arrangements for the translation and interpretation into minority languages, if needed. No specific information with regard to the use of Serbian was provided.

589. The Committee of Experts considers that the undertaking remains partly fulfilled and asks the Hungarian authorities again to provide targeted 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;*

590. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It urged the authorities to improve the financial support available for television programmes in Serbian. Furthermore, the Committee of Experts encouraged the Hungarian authorities to make adequate provisions so that broadcasters offer radio and television programmes in Serbian for children. Furthermore, the Committee of Ministers recommended Hungary to **improve the offer of minority language programmes on television.**

591. According to the information provided by the Hungarian authorities in the sixth periodical report, the Media Service Support and Asset Management Fund has been preparing and transmitting minority languages programmes for years at an unchanged prime time. Furthermore, the national programmes present themes for children or about them from time to time, but currently the Media Service Support and Asset Management Fund does not have a separate Serbian children's show.

592. According to the information provided in the sixth periodical report, the programme in Serbian is mainly related to everyday life, culture and traditions of Serbs living in Hungary and aims to provide information and entertainment to members of the national minority. The magazine programme follows important moments of everyday life and festivities of the Serbian national minority, and aspires to give objective information on the social policy issues as well as religious, educational and cultural matters of Serbs in Hungary. The structure of the programme includes reports on cultural events in the kin-state that are considered important for Serbs in Hungary. The expression "*Na talasima Evrope*", that is, "*On the wavelength of Europe*" is uttered once every month in the programme, which is a Serbian cross-border Euro-regional programme made by the Serbian partners of the Subotica/Суботича/Subotica, Timișoara/Тимушвар/Temišvar and Pécs/Печыј/Pečuj Radio. The Serbian Informative Musical magazine is broadcast every day, and entertains its listeners with an on-demand programme on Saturdays and Sundays. It is broadcast: every day from 2-4pm.

593. Furthermore, Serbs living in Hungary have the opportunity to listen to an online radio broadcast available 24 hours a day. This is Radio Srb, founded by the Serbian National Self-Government.

594. According to data given by the Hungarian authorities in the sixth periodical report, the following public television programme is shown once per month with respect to Serbian: *Srpski Ekran* (magazine for the Serbian national minority). The Committee of Experts was informed that this show used to air on Tuesdays at 2pm on channel 1 of the Hungarian national TV, but had been switched, since 15 March 2015, to 6am in the morning on the "Danube" TV channel. This has drastically reduced its rating from 40,000 viewers to just a few thousand.

595. The Committee of Experts considers that the undertaking remains fulfilled concerning radio and partly fulfilled concerning television. It urges the Hungarian authorities to improve the television broadcasting time made available for Serbian and again urges the authorities to improve the financial support available for television programmes in Serbian. Furthermore, the Committee of Experts urges 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;

596. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It asked the Hungarian authorities to clarify, in the next periodical report, the broadcasting time per month of cable television programmes in Serbian.

597. The sixth periodical report does not provide any information concerning private television programmes in Serbian.

598. Based on the lack of relevant information received during the present monitoring round, the Committee of Experts considers that the undertaking is not fulfilled. It asks the Hungarian authorities to encourage and facilitate broadcasting of private television programmes in Serbian on a regular basis and to provide specific information in the next periodical report.

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.

599. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide information on this issue in their next periodical report.

600. The sixth periodical does not contain any specific information concerning the establishment of a permanent funding system for programmes in Serbian.

601. Based on the lack of relevant information received during the present monitoring round, the Committee of Experts considers that the undertaking is not fulfilled. It asks the Hungarian authorities to provide specific information on this issue in their next periodical report.

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

602. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Serbian. 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.**

603. According to the sixth periodical report, the weekly journal for Serbians, "*Srpske nedeljne novine*" organised a three-day-long further training in October 2012 and October 2013, primarily for journalists of the editorial staff, but also for anyone interested. Serbian presenters also took part in the training, giving an introduction into the specificities of printed media, from the basics to various genres of print media. Both training sessions were organised by the editorial staff of "*Srpske nedeljne novine*", while the training sessions were funded by the budget of the journal.

604. The Committee of Experts considers that the undertaking is 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.

605. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

606. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts whether funds were allocated to the Serbian minority, and to what extent the increased funding for minority self-governments was channelled to cultural activities in Serbian covered by the present undertaking.

607. According to the information provided by the authorities in the sixth periodical report, there was a range of initiatives concerning Serbian minority culture, often lead by the National Library of Foreign Literature (see MIN-LANG (2015) PR 4, pages 90-100 and 108-110).

608. The Committee of Experts considers that the undertaking remains fulfilled. It welcomes the information provided on the situation of the National Library of Foreign Literature, and encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions collecting works produced in Serbian.

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.

609. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Hungarian authorities to make appropriate provisions for Serbian language and culture in their cultural policy abroad.

610. No additional information was provided in the sixth periodical report concerning this undertaking.

611. The Committee of Experts considers that the undertaking remains partly fulfilled. It encourages the Hungarian authorities to make appropriate provisions for Serbian language and culture in their cultural policy abroad.

3.2.7 Slovak

612. 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 (*Education*) paragraph 1e.iii, g; 2

Article 9 (*Judicial authorities*) paragraph 1 sub-paragraph a. iii, sub-paragraph b. ii, iii and c.ii, iii; paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 (*Administrative authorities and public services*) paragraph 5

Article 11 (*Media*) paragraphs 1 e.i, and 3

Article 12 (*Cultural activities and facilities*) paragraph 1 sub-paragraphs b., c., d. f and g; paragraph 2

Article 13 (*Economic and social life*) paragraph 1 sub-paragraph a

Article 14 (*Transfrontier exchanges*) paragraph a.

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

Article 8 – Education

614. In the fifth evaluation report, the Committee of Experts strongly urged 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 teaching materials for education in Slovak at all stages of education.

615. 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.**

616. According to the sixth periodical report, there are four schools governed by the Slovak National Self-Government in Szarvas/Sarvaš – primary school, Békéscsaba/Békešská Čaba – multi-purpose institution, Sátoraljaújhely/Nové Mesto pod Šiatrom – primary school, Tótkomlós/Slovenský Komlós – kindergarten and primary school. The Slovak local self-government operates one public institution in Mátraszentimre/Alkár (kindergarten and primary school).

617. During the on-the-spot visit, the Committee of Experts was, however, informed about serious difficulties in the bilingual education of pupils of Slovak origin, as the linguistic assimilation of Slovaks in Hungary is very advanced. As also stated in the sixth periodical report, many efforts are now made by the Slovak community in co-operation with the Hungarian authorities and the kin-state to promote Slovak and its culture.

618. The Committee of Experts invites the Hungarian authorities to provide relevant information on the promotion of the Slovak minority education in the next periodical report.

Financial situation of minority language education

619. In the fifth monitoring cycle, the Committee of Experts considered that funding of minority education in Hungary remained tight. It strongly urged the Hungarian authorities to secure the necessary financial support for maintaining the mother-tongue or bilingual schools taken over by the Slovak National Self-Government.

620. The sixth periodical report provides information on substantial efforts made to support minority education. An exceptional priority in the process of individual support decisions was given to the Slovak minority. In 2012, 52,500,000 forints (168,204 Euros) were awarded to the Slovak school of Békéscsaba/Békešská Čaba. In 2013, noteworthy subsidies of 160,000,000 forints (512,621 Euros) were awarded to the Hungarian-Slovak Bilingual Minority Primary School and the boarding school in Sátoraljaújhely/Nové Mesto pod Šiatrom, 85,000,000 forints (272,330 Euros) to the Slovak secondary school, elementary school and kindergarten in Békéscsaba/Békešská Čaba, 7,750,000 forints (24,830 Euros) to the bilingual elementary school and kindergarten in Apátistvánfalva/Števanovci. Substantial financial support was granted to the Hungarian-Slovak Bilingual Minority Primary School and boarding school at Sátoraljaújhely/Nové Mesto pod Šiatrom and to the Public Foundation for Slovaks in Hungary. The Slovak

National Self-Government took over one multi-purpose institution in Budapest since the school year 2014-2015.

621. Between 2012 and 2014, the level of financing of institutions operated by the Slovak National Self-Government only increased from 115,800,000 forints (371,010 Euros) to 118,800,000 forints (380,621 Euros). According to the data provided at national level, the percentage of pupils enrolled in Slovak minority education compared to the total number of people belonging to the Slovak minority is 230%, although only around 28% of Slovak-speaking people consider Slovak as their mother-tongue according to the 2011 census. The attachment to Slovak culture has grown according to the Slovak representatives met during the on-the-spot visit.

622. During the on-the-spot visit, the Slovak speakers' representatives assured the Committee of Experts that the ongoing changes are positive in general terms for the Slovak minority. Following a stagnation during at least 10 years, new developments have started and are expected to be pursued, for example as regards the financial support or the role of NGOs.

623. The Committee of Experts considers that during the reporting period considerable efforts were made with a view to promoting and enhancing the Slovak language education and commends the Hungarian authorities for their approach.

Teaching materials

624. In the fifth evaluation report, the Committee of Experts noted that the Slovak National Self-Government had taken care of this responsibility and that a whole set of teaching materials for all the education grades from primary school to secondary school was available in Slovak thanks to these efforts. The Committee also urged the Hungarian authorities to accelerate the production of teaching materials for education in minority languages at all stages of education.

625. In their sixth periodical report, the authorities provide information about the ongoing process of establishing new teaching materials under tenders with the use of the European Union funds. The information provided is not specific to any minority language as it seems to concern all minority languages taught in Hungary.

626. During the on-the-spot visit, the Committee of Experts was informed that teaching materials are provided or imported from Slovakia if necessary. The European Union programmes were welcomed and well appreciated. However, it was said that following changes in the national curriculum, the required adaptation of teaching materials in Slovak is imminent and a solution to the lack of a full-time Slovak editor is now urgent.

627. The Committee of Experts asks the Hungarian authorities to provide specific information on the availability and quality of teaching materials in Slovak in the next periodical report.

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.***

628. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. It encouraged the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens as the language revitalisation takes place in kindergartens.

629. The Committee of Experts welcomes the increase of the number in 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 still remains relatively low: from a maximum of 333 children in 2012-2013 to 189 children in 2013-2014. The number of children in bilingual kindergartens is important: from 1832 in 2011-2012 to 2102 children in 2013-2014. There is a decrease in the number of children benefiting from the supplementary minority education: from 564 children in 2012-2013 to 305 children in 2013-2014.

630. The Committee of Experts considers that this undertaking remains fulfilled.

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.**

631. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to further strengthen their efforts to actively promote bilingual education as the number of pupils enrolled in mother-tongue or bilingual education remained relatively low compared to the number of pupils to whom Slovak was taught as a subject.

632. According to the information provided by the authorities in the sixth periodical report, most of the pupils follow the language teaching in Slovak at primary schools: there are 44 schools where Slovak is taught. In 2012-2013, around 810 pupils attended four bilingual schools, and around 290 pupils followed mother-tongue primary education at five schools. But in 2013-2014 only 171 pupils were enrolled in two mother-tongue primary schools.

633. During the on-the-spot visit, the Committee of Experts was informed that the merging of schools is a rather negative development for Slovak minority language education. In addition, and unlike other foreign languages courses at school, such as English, any pupil can leave Slovak classes at any stage of his/her learning. The Slovak National Self-Government has an action plan in this respect with a view to raising awareness amongst Slovak parents and involving them in preventing pupils dropping out of Slovak classes.

634. The Committee of Experts considers that this undertaking remains still partly fulfilled. The Committee 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.**

635. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged 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.

636. According to the sixth periodical report, around 40 students follow mother-tongue secondary education in Slovak and only 50 students are at one bilingual school. Neither language teaching nor supplementary Slovak education exists at secondary level.

637. Slovak speakers met would welcome more schools and students at secondary level with a view to, among other objectives, enhancing the attendance at higher level education by young people speaking Slovak. At the higher level, there are very few teachers for Slovak as minority language (for example at Szeged University, there is a Slovak minority staff of only two teachers).

638. The Committee of Experts considers that the undertaking remains partly fulfilled.

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.**

639. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled for Slovak. It strongly urged 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.

640. According to the information contained in the sixth periodical report, there was no Slovak minority vocational education and training.

641. The Committee of Experts considers this undertaking not fulfilled. It encourages the Hungarian authorities to pursue their efforts with regard to this undertaking and to report achievements in the next periodical report.

The Committee of Experts again urges the Hungarian authorities to extend the offer of bilingual teaching in primary, secondary, technical and vocational schools.

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.**

642. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled for Slovak. It urged the Hungarian authorities to develop and finance an adequate framework for teaching of Slovak in adult and continuing education and actively promote such education.

643. No specific information was provided concerning the development of a comprehensive scheme of adult and continuing education with respect to Slovak in the sixth periodical report. Information was given with regard to participation in adult Slovak language courses (in 2012, 239 certificates were awarded for Slovak as a minority language, and in 2013, 160 of them).

644. The Committee of Experts considers that the undertaking remains partly fulfilled and urges the Hungarian authorities to report, in the next periodical report, on the steps taken to develop and finance an adequate framework for the teaching of Slovak in adult and continuing education and to actively promote such education.

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.**

645. In the fifth 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 Slovak. Furthermore, the Committee of Ministers recommended that Hungary **increase [...] the number of teachers able to teach subjects in [Part III] languages.**

646. According to the information provided in the sixth periodical report, in line with the Higher Education Act, the Hungarian government provides partial grants for a number of students, including students in Slovak basic teacher training (minority teacher specialisation). One Slovak-speaking student per year benefits from a state-supported place in higher education related to teacher training.

647. In their sixth periodical report, the authorities also state that several accredited training programmes are available, for example in connection with the European Union supported textbook improvement

programme (SROP⁴¹ 3.4.1 on minority student education and training assistance), which offers the applicant the opportunity to develop further teacher training programmes. Such development in Slovak is in progress.

648. The Slovak speakers' representatives regret the low number of teachers in Slovak as well as the fact that retiring teachers are not replaced. Hiring guest teachers is too expensive for the Slovak community in Hungary. On the other hand, those who are trained in Hungary are appreciated in other countries, and if they are offered better conditions elsewhere, they leave Hungary (especially kindergarten teachers).

649. The Committee of Experts considers that the undertaking remains partly fulfilled. It invites the Hungarian authorities to include, in the next periodical report updated information on the number of active teachers teaching Slovak or in Slovak and the number of such teachers needed for the future.

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..

650. In its fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged 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. Furthermore, the Committee of Ministers recommended that Hungary **set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter.**

651. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was under way and that minority education was part of this restructuring. As part of this process, the measurement and evaluation systems were also supposed to be restructured, including the teaching of minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson reported a lack of minority languages teachers.

652. In light of the last monitoring report by the European Commission against Racism and Intolerance from January 2013, when the responsibility for schools was transferred from local authorities to the central government, until early 2015, a new school inspectorate system was set up, and will have to operate every five years in all schools based on their self-evaluation⁴². In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kinds of schools to propose corrective measures with regard to the education of children speaking minority languages.

653. 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 minority education and for assessing whether measurable progress has been made.

654. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and awaits the results of the new development in the next periodical report.

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:

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.

⁴¹ SROP - Social Renewal Operational Programme

⁴² ECRI(2015)19, pp. 23-25

655. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It asked the Hungarian authorities to provide examples of their implementation in practice, with regard to Slovak in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

656. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to use minority languages from 1 July 2003 in accordance with the provisions of the Charter and fully applies to the Slovak language. Pursuant to the law, it is mandatory to use an interpreter during foreign or minority language testimony or for any other criminal proceedings. The sixth periodical report does not provide the requested information on the practical implementation of the undertakings in criminal, civil or administrative proceedings.

657. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of Slovak before courts in co-operation with the speakers.

Article 10 – Administrative authorities and public services

658. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. 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.

659. In the fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities, without minimising 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. 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.**

660. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with Article 10 of the Charter, no list of such districts has been provided concerning Slovak.

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

661. In its fifth evaluation report, the Committee of Experts considered this undertaking formally fulfilled, and encouraged 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.

662. The sixth periodical report does not contain any specific information on this issue.

663. The Committee of Experts considers that the undertaking remains formally fulfilled. It encourages the Hungarian authorities to take necessary measures to further promote the possibility of Slovak-speakers to validly submit a document in Slovak to the local branches of state administration in practice. The Committee of Experts asks the Hungarian authorities to provide information about the practical implementation of the undertaking in the next periodical report.

664. In its fifth evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It strongly urged 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.

665. According to the information provided in the sixth periodical report, in response to the Committee of Experts urging them to do so, the Hungarian authorities will give greater attention to support the possibility of the legal preparation of Slovak language documents.

666. The Committee of Experts considers that the undertaking remains only formally fulfilled. It strongly urges the Hungarian authorities to promote the drafting of documents in Slovak in the state administration, 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
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;

667. In the fifth evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged 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. It encouraged the Hungarian authorities to promote the use by regional authorities of the Slovak language in debates in their assemblies.

668. No specific information was provided in the sixth periodical report on how the Slovak language was and/or currently is used in regular local administrations.

669. The Committee of Experts considers that the undertaking remains only formally fulfilled. It urges the Hungarian authorities to take resolute action to promote the possibility of Slovak speakers to submit oral and written applications in Slovak to local and regional administrations in practice, and 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;

670. In the fifth evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It strongly urged the Hungarian authorities to promote the oral and written use of Slovak by local authorities in debates in their assemblies.

671. No specific information as to the implementation of this undertaking was provided in the sixth periodical report.

672. During the on-the-spot visit, the Slovak minority representatives in Szeged have confirmed the practical use of Slovak at local authority level, as well as the production of bilingual texts following meetings.

673. The Committee of Experts concludes that the undertaking is partly fulfilled, and asks for specific information 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.

674. In the fifth evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It strongly urged the Hungarian authorities to promote the adoption by the relevant municipalities of all local topographical names in Slovak and to financially assist their use in conjunction with the official use of the Hungarian names. In addition, it considered that an authority should be designated to monitor the use of official place names in Slovak, for example the road and traffic authority.

675. No specific information as to the implementation of this undertaking was provided in the sixth periodical report.

676. The Committee of Experts considers that the undertaking remains partly fulfilled. It strongly urges the Hungarian authorities to encourage the relevant municipalities to adopt all local topographical names in Slovak and to 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.*

677. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged the Hungarian authorities to ensure that Slovak speakers can submit requests in Slovak to public services in practice.

678. The report contains no information about organisational measures taken by the authorities which would facilitate the implementation of this undertaking in practice.

679. The Committee of Experts considers that the undertaking remains not fulfilled and asks the Hungarian authorities to provide it, in their next periodical report, with examples of the practical implementation of this undertaking as regards Slovak.

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;*

680. In the fifth 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.

681. The sixth periodical report provided no specific information on the implementation of this undertaking.

682. The Committee of Experts considers that the undertaking remains partly fulfilled and asks the Hungarian authorities again to provide targeted 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;**

683. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It urged the Hungarian authorities to improve the financial support available for television programmes in Slovak. Furthermore, the Committee of Experts encouraged the Hungarian authorities to make adequate provision so that broadcasters offer radio and television programmes in Slovak for children. In 2013, the Committee of Ministers recommended Hungary to **improve the offer of minority language programmes on television.**

684. According to the information provided by the Hungarian authorities in the sixth periodical report, the Media Service Support and Asset Management Fund has been preparing and transmitting minority languages programmes for years at an unchanged prime time. Furthermore, the national programmes

present themes for children or about them from time to time, but currently the Media Service Support and Asset Management Fund does not have a separate Slovak children's show. Slovaks living in Hungary also have the opportunity to listen to a radio broadcast: every day from Monday to Friday at 12.03-1pm on MR4. The Slovak language radio programme offers information and reports from the life of Slovaks living in Hungary with fresh news, updates, and reports on events in the life of the Slovak national minority for two hours every day, broadcast every day 6pm to 8pm.

685. Bearing in mind the unchanged time slots and repetitive programmes, the Slovak minority is not satisfied with the current offer of the Hungarian public audio-visual media. During the on-the-spot visit, the speakers stated moreover that the quality of programmes continues to deteriorate.

686. According to the information provided by the Hungarian authorities in the sixth periodical report, the *Domovina* programme is shown once per month on public television for the Slovak national minority.

687. The Committee of Experts considers that the undertaking remains fulfilled concerning radio and partly fulfilled concerning television. It urges the authorities to improve the time slots and the financial support available for television programmes in Slovak. Furthermore, the Committee of Experts urges the Hungarian authorities to make adequate provisions 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;

688. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged the Hungarian authorities to encourage and/or facilitate the broadcasting of private radio programmes in Slovak on a regular basis.

689. As regards private radio providers, the sixth periodical report does not contain specific information concerning Slovak.

690. The Committee of Experts considers that the undertaking remains not fulfilled. It strongly urges the Hungarian authorities again to further promote 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;

691. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. The Committee of Experts asked the Hungarian authorities to clarify, in the next periodical report, to what extent television programmes made for national or other minorities were in Slovak.

692. The sixth periodical report does not provide any information concerning private television programmes in Slovak.

693. Based on the lack of relevant information during the present monitoring round, the Committee of Experts considers that the undertaking is not fulfilled. It asks the Hungarian authorities to encourage and facilitate broadcasting of private television programmes in Slovak on a regular basis and to provide specific information in the next periodical report.

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.

694. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking, and asked the Hungarian authorities to provide information on this issue in the next periodical report.

695. The sixth periodical report does not contain any specific information concerning the establishment of a permanent funding system for programmes in Slovak.

696. Based on the lack of relevant information during the present monitoring round, the Committee of Experts considers that the undertaking is not fulfilled. It asks the Hungarian authorities to provide specific 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.

697. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Slovak. 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**.

698. According to the sixth periodical report, the employees of the editorial staff at the Slovak minority weekly *Ludové noviny* ("People's Newspaper") are professionals with a degree in their mother-tongue, while external colleagues are mainly teachers, many of whom are guest instructors from Slovakia or other highly qualified professionals. Members of the editorial staff took part in further training sessions, e.g. accredited desktop publishing and Adobe In Design trainings. The World Association of Slovaks Abroad⁴³ organised so called "Info trips" in Slovakia for the colleagues of the Slovak media abroad in co-operation with the Self-Government of Zsolna/*Žilina* on multiple occasions. One staff member from the weekly journal *Ludové noviny* and one from the Slovak editorial staff of the Hungarian Radio as well as two journalists from the editorial staff of the Slovak television took part in the first professional meeting in 2011 with a cameraman. The Managing Directors of the Media Service Support and Asset Management Fund and the Slovak Radio and Television signed a co-operation agreement in summer 2013 to ensure, *inter alia*, the mutual support of their editorial staff of minorities. Accordingly, journalists from the Slovak radio and Hungarian television are provided with opportunities for further training and exchange of programmes in Slovakia.

699. The Committee of Experts considers that the undertaking is now 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.

700. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. It encouraged the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

701. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts whether funds were allocated to the Slovak minority and to what extent the increased funding for minority self-governments was channelled to cultural activities in Slovak covered by the present undertaking.

702. According to the information provided by the authorities in the sixth periodical report, there was a range of initiatives concerning Slovak minority culture, often lead by the National Library of Foreign Literature (see MIN-LANG (2015) PR 4, pages 90-100 and 108-110).

703. The Committee of Experts considers that the undertaking remains fulfilled. It welcomes the information provided on the situation of the National Library of Foreign Literature and encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions collecting works produced in Slovak.

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.

⁴³ The World Association of Slovaks Abroad is registered as a civic organisation in Bratislava. It comprises 80 associations. Its deputy chairman is the president of the National Slovak Self-Government in Hungary.

704. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Hungarian authorities to make appropriate provisions for the Slovak language and culture in their cultural policy abroad.

705. According to the information contained in the sixth periodical report, international agreements also affect Hungary's cultural policy abroad; this includes the Hungarian-Slovak cultural co-operation programme for 2011-2014. However, no information was provided as to what extent this programme was implemented in practice as several additional agreements were needed to make it operational.

706. The Committee of Experts considers that the undertaking remains partly fulfilled. It encourages the Hungarian authorities to make appropriate provisions for the Slovak language and culture in their cultural policy abroad and to provide specific information about the implementation of the Hungarian-Slovak cultural co-operation programme in the next periodical report.

3.2.8 Slovenian

707. 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 (*Education*) paragraph 1.e.iii, g; 2

Article 9 (*Judicial authorities*) paragraph 1 sub-paragraph a.iii; sub-paragraph b ii., iii., and c. ii., iii.; paragraph 2 sub-paragraph a. [b. and c. are redundant]

Article 10 (*Administrative authorities and public services*) paragraph 2 sub-paragraph b, paragraph 4 sub-paragraph a, and paragraph 5.

Article 11 (*Media*) paragraph 1 b.ii., c. ii. and e.i.; paragraph 3

Article 12 (*Cultural activities and facilities*) paragraph 1 sub-paragraphs b. d. f. and g as well as paragraph 2

Article 13 (*Economic and social life*) paragraph 1 sub-paragraph a

Article 14 (*Transfrontier exchanges*) paragraph a.

708. In respect of these provisions, the Committee of Experts refers to the conclusions reached in its previous evaluation reports, but reserves the right to evaluate the situation again at a later stage⁴⁴.

Article 8 – Education

709. In its fifth evaluation report, the Committee of Experts strongly urged the Hungarian authorities to:
- secure the necessary financial support for maintaining the mother-tongue or bilingual schools taken over by the Slovenian National Self-Governments,
- further accelerate the production of teaching materials for education in Slovenian at all stages of education.

710. Furthermore, in the fifth monitoring cycle, the Committee of Ministers recommended Hungary to **“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”**. In addition, it recommended Hungary to **develop a structured long-term policy and plan for education in all regional or minority languages**. Many positive developments have occurred since the last monitoring cycle.

Financial situation of minority language education

711. In the fifth monitoring cycle, the Committee of Experts considered that funding of the minority education in Hungary was tight.

712. The sixth periodical report states that substantial efforts were made to support minority education. A ministerial decree offers possibilities for additional assistance if bilingual education is put in place. Slovenian primary schools in Apátistvánfalva/*Števanovci* and Felsőszölnök/*Gornji Senik* have seized this opportunity and switched to bilingual education. A public educational contract was concluded with the Slovenian National Self-Government in order to enable it to sustain its schools.

713. Between 2012 and 2014, the level of financing of institutions operated by the Slovenian National Self-Government considerably increased from 21,900,000 forints (70,065 Euros) to 46,400,000 forints (148,660 Euros). According to the data provided at national level, the percentage of pupils enrolled in the Slovenian minority education compared to the total number of persons belonging to the Slovenian minority is 54.1%, although around 61% of Slovenian-speaking people consider Slovenian as their mother-tongue according to the 2011 census.

714. The Committee of Experts considers that, during the reporting period, considerable efforts were made with a view to promoting and enhancing the Slovenian language education, and commends the Hungarian authorities for their approach.

Teaching materials

715. In the fifth evaluation report, the Committee of Experts took note of the information provided by the Hungarian authorities on the efforts made to have at least one textbook per education type and grade available for education in minority languages. In addition, the authorities stated that several minorities used minority education teaching materials of the kin-state. However, the periodical report did not specify with

⁴⁴ Unfortunately, no Slovenian minority representatives were met during the on-the-spot visit despite the invitations sent.

regard to each Part III language for which grades and subjects there were up-to-date teaching materials in the respective language available.

716. In their sixth periodical report, the authorities provide information about the on-going process of establishing new teaching materials under tenders with the use of the European Union funds. The information provided is not specific to any minority language as it seems to concern all minority languages taught in Hungary.

717. Therefore, the Committee of Experts asks the Hungarian authorities to provide specific information on the availability and quality of teaching materials in Slovenian in the next periodical report.

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.**

718. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. It encouraged the Hungarian authorities to continue their efforts to actively promote the establishment of further mother-tongue kindergartens. The Committee of Experts welcomed the fact that the number of children attending a form of pre-school education in Slovenian had increased. Nevertheless, the Committee of Experts was of the view that the number of children enrolled in mother-tongue or bilingual kindergartens was still relatively low. The Committee of Experts recalled that language revitalisation takes place in kindergartens.

719. According to the information contained in the sixth periodical report, in the school year 2011-2012 there were: one mother-tongue Slovenian kindergarten with nine children; three bilingual kindergartens with 43 children attending; and no kindergartens providing supplementary education. In 2012-2013 and 2013-2014 the numbers were very similar and rather low, but might correspond to the size of the whole group.

720. The Committee of Experts considers that the undertaking is fulfilled.

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.**

721. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged the Hungarian authorities to further strengthen their efforts to actively promote bilingual education.

722. According to the information provided by the Hungarian authorities in the sixth periodical report, between 2011-2012 and 2013-2014, the majority of pupils (approximately 110) attends bilingual classes and some children follow Slovenian language instruction (on average around 20 children per school year). There are no longer any Slovenian mother-tongue schools.

723. The Committee of Experts considers that the undertaking is fulfilled.

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.

724. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It urged 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.

725. According to the information provided by the Hungarian authorities in the sixth report, in three successive school years from 2011-2012 to 2013-2014, there was only one educational institution providing Slovenian language teaching to a maximum of 21 students in 2011-2012, to no students at all the year after, and to 13 students in the last reported year.

726. The Committee of Experts considers that the undertaking is partly fulfilled.

The Committee of Experts again urges the Hungarian authorities to actively promote bilingual teaching at secondary level and to ensure continuity of the offer.

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.

727. In the fifth evaluation report, the Committee of Experts considers this undertaking not fulfilled for Slovenian. It strongly urged 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.

728. According to the sixth periodical report, Slovenian is present in vocational education and training but in language instruction lessons only. It is worth underlining that it is one of the three minority languages, together with German and Romanian, taught in vocational education and training. It concerns only around 10 young people per school year.

729. The Committee of Experts considers the undertaking is partly fulfilled and encourages the Hungarian authorities to pursue their efforts to offer vocational education and training in/of Slovenian.

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.

730. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It urged 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.

731. No specific information has been provided concerning the development of a comprehensive scheme of adult and continuing education with respect to Slovenian in the sixth periodical report. Information is given on the participation in adult Slovenian language courses (two participants in 2013 and 2012) and the awarding of language certificates (four certificates in 2013, five in 2012).

732. The Committee of Experts considers the undertaking remains partly fulfilled and urges the Hungarian authorities to report, in the next periodic report, on the steps taken to develop and finance an adequate framework for teaching of Slovenian in adult and continuing education.

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.

733. In the fifth 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 Slovenian. Furthermore, the Committee of Ministers recommended Hungary to **increase [...] the number of teachers able to teach subjects in [Part III] languages.**

734. According to the information provided by the sixth periodical report, in line with the Higher Education Act, the Hungarian government provides partial grants for a number of students, including students in Slovenian basic teacher training (minority teacher specialisation). A few Slovenian-speaking students benefit from state-supported places in higher education related to teacher training.

735. In their sixth periodical report, the authorities state that several accredited training programmes are available, for example in connection with the European Union supported textbook improvement programme (SROP⁴⁵ 3.4.1 on minority student education and training assistance), which offers the applicant with the opportunity to develop further teacher training programmes. Such a development in Slovenian is in progress, but assistance is necessary from the kin-state.

736. The Committee of Experts considers that the undertaking remains only partly fulfilled. The Committee invites the Hungarian authorities to include in the next periodical report up-dated information on the number of active teachers teaching Slovenian or in and the number of such teachers needed for the future.

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..

737. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged 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. Furthermore, the Committee of Ministers recommended Hungary to **set up a dedicated monitoring mechanism, as envisaged by Article 8, 1(i) of the Charter.**

738. The authorities stated in their sixth periodical report *inter alia* that the restructuring of public education was under way and that minority education was part of this restructuring. As part of this process, the measurement and evaluation systems were also supposed to be restructured, including the teaching of minority languages. The authorities stated in general that the supervision was now done by the national Ombudsperson. The Ombudsperson reported a lack of minority languages teachers.

739. In light of the last monitoring report by the European Commission against Racism and Intolerance, from January 2013, when the responsibility for schools was transferred from local authorities to central government, until early 2015, a new school inspectorate system was set up, and will have to operate every five years in all schools based on their self-evaluation⁴⁶. In the opinion of the Committee of Experts, it is not sure if this system will guarantee an objective and proper evaluation of all kind of schools to propose corrective measures with regard to the education of children speaking minority languages.

740. 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 minority education and for assessing whether measurable progress has been made.

741. The Committee of Experts is not in a position to conclude on the fulfilment of this undertaking and awaits the results of the new development in the next periodical report.

⁴⁵ SROP - Social Renewal Operational Programme

⁴⁶ ECRI(2015)19, pp. 23-25

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:

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.*

742. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It asked the Hungarian authorities to provide examples of their implementation in practice with regard to Slovenian in the next periodical report. Furthermore, the Committee of Experts expressed the view that the Hungarian authorities should have encouraged the minority language speakers to use their languages before judicial authorities. As stated in several 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.

743. In the sixth periodical report, it is underlined that the Hungarian law on Criminal Proceedings grants the right to use minority languages from 1 July 2003 in accordance with the provisions of the Charter and fully applies to the Slovenian language. Pursuant to the law, it is mandatory to use an interpreter during foreign or minority language testimony or for any other criminal proceedings. The sixth periodical report does not provide the requested information on the practical implementation of the undertakings.

744. The Committee of Experts considers that the undertakings remain formally fulfilled. It asks the Hungarian authorities to create conditions to facilitate the use of Slovenian before courts in co-operation with the speakers.

Article 10 – Administrative authorities and public services

745. Article 10 of the Charter applies in those territories where the minority language speakers represent a sufficient number for the purpose of the undertakings entered into by Hungary, irrespective of any thresholds provided for by national legislation. 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.

746. In the fifth evaluation report, the Committee of Experts again strongly urged the Hungarian authorities, without minimising the existing linguistic rights applying to the whole territory of Hungary, to designate those local and regional authorities that would 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. 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.**

747. Despite provisions introduced in the national legislation on the sort of administrative districts where organisational measures should be taken with a view to complying with Charter's Article 10, no list of such districts has been provided concerning Slovenian.

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

748. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged 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. It strongly urged 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.

749. The sixth periodical report contains no specific information with regard to Slovenian.

750. The Committee of Experts considers the undertakings remain formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to Slovenian.

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:

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;

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;

751. In the fifth evaluation report, the Committee of Experts considered these undertakings formally fulfilled. It encouraged the Hungarian authorities to promote the use by regional authorities of the Slovenian language in debates in their assemblies. It strongly urged the Hungarian authorities to promote the oral and written use of Slovenian by local authorities in debates in their assemblies.

752. The sixth periodical report contains no specific information with regard to Slovenian.

753. The Committee of Experts considers the undertakings formally fulfilled and asks for information on the implementation of the above-mentioned provisions with regard to Slovenian in the next 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.

754. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to promote the adoption by the relevant municipalities of all local topographical names in Slovenian and to financially assist their use in conjunction with the official use of the Hungarian names. Moreover, the Committee of Experts considered that an authority should be designated to carry out monitoring of the use of official place names in Slovenian, for example the road and traffic authority.

755. No specific information as to the implementation of this undertaking was provided in the sixth periodical report.

756. The Committee of Experts considers that the undertaking remains partly fulfilled. It strongly urges the Hungarian authorities again to encourage the relevant municipalities to adopt all local topographical names in Slovenian and to 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.

757. In the fifth evaluation report, the Committee of Experts considered this undertaking not fulfilled. It strongly urged the Hungarian authorities to ensure that Slovenian speakers can submit requests in Slovenian to public services in practice.

758. The sixth periodical report contains no information about organisational measures taken by the authorities which would facilitate the implementation of this undertaking in practice.

759. The Committee of Experts considers that the undertaking remains not fulfilled and asks the Hungarian authorities to provide the Committee with examples of the practical implementation of this provision in their next periodical report.

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;*

760. In the fifth 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.

761. The sixth periodical report provided no specific information on the implementation of this undertaking.

762. The Committee of Experts considers that the undertaking remains still partly fulfilled and asks the Hungarian authorities again to provide targeted 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;*

763. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled concerning radio and partly fulfilled concerning television. It urged the authorities to improve the financial support available for television programmes in Slovenian. Furthermore, the Committee of Ministers recommended Hungary to **improve the offer of minority language programmes on television.**

764. In the sixth periodical report, the Hungarian authorities state that the Media Service Support and Asset Management Fund has been preparing and transmitting programmes in minority languages for years at an unchanged prime time. All personal and material requirements are met by the Media Service Support and Asset Management Fund for their production apart from Slovenian programmes where the editors are internal employees, but the material capacities are provided by an external partner.

765. The national programmes from time to time present themes for children or about them, but the Media Service Support and Asset Management Fund currently does not have a separate programme in Slovenian for children.

766. *Radio Monošter*, owned by the Slovenian National Self-Government, plays a key role in the Slovenian minority media sphere, as a community radio station that has been operating for several years. As of 1 January 2012, its airtime changed from eight hours a week to four hours a day and state resources are also available for necessary budgetary resources of its operation.

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

- 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.*

768. In the fifth evaluation report, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and asked the Hungarian authorities to provide information on this issue in the next periodical report.

769. The sixth periodical report contains no information relevant for this undertaking concerning Slovenian.

770. Based on the continuing lack of information, the Committee of Experts considers this undertaking not fulfilled.

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

771. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It strongly urged the Hungarian authorities to establish and finance a comprehensive scheme for the training of journalists and other media staff using Slovenian. 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**.

772. The sixth periodical report does not contain any specific information on the journalist training in Slovenian.

773. The Committee of Experts considers that the undertaking remains partly fulfilled. It asks the Hungarian authorities to provide information on the availability of special training courses, especially Slovenian language courses for journalists preparing programmes for the Slovenian speakers.

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

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.

774. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled. It encouraged the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions.

775. According to the sixth periodical report, substantial financial support was given to minority self-governments. During the reporting period there were tenders in favour of cultural activities and collections, but it is unclear to the Committee of Experts if funds were allocated to the Slovenian minority and to what extent the increased funding was channelled into cultural activities in Slovenian covered by this undertaking.

776. According to the sixth periodical report, the National Library of Foreign Literature has no Slovenian material in its collections. However, in 2012, recommendation lists were prepared for the 19 county libraries and the Ervin Szabó Library of Budapest for 12 minority languages⁴⁷, including Slovenian, to gather literary works and other materials.

777. The Committee of Experts considers that the undertaking remains fulfilled. It welcomes the information provided on the situation of the National Library of Foreign Literature and encourages the Hungarian authorities to establish a stable financial framework for the running of the cultural institutions collecting works produced in Slovenian.

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.

778. In the fifth evaluation report, the Committee of Experts considered this undertaking fulfilled, but requested information about the authorities' support to dubbing, post-synchronisation and subtitling activities.

⁴⁷ Armenian, Beás, Bulgarian, Croatian, German, Greek, Polish, Romani, Romanian, Serbian, and Slovak.

779. The sixth periodical report contains no information regarding access in Slovenian to works produced in other languages. Furthermore, the authorities provided information on the change in the financing system for cultural activities.

780. The Committee of Experts is not able to conclude on the fulfilment of this undertaking and requests information about the authorities' support to dubbing, post-synchronisation and subtitling activities in Slovenian.

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.

781. In the fifth evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Hungarian authorities to make appropriate provisions for the Slovenian language and culture in their cultural policy abroad.

782. The sixth periodical report does not contain relevant information on this undertaking.

783. The Committee of Experts considers the undertaking remains partly fulfilled.

Chapter 4 Findings of the Committee of Experts in the sixth monitoring cycle

A. The Committee of Experts wishes to express its gratitude to the Hungarian authorities for the continued excellent co-operation and the constructive approach it enjoyed during the preparation of this report and the on-the-spot visit. The sixth periodical report was prepared in consultation with national minority self-governments. The Committee of Experts recognises the value of the unique system of national minority self-governments, which is, in principle, beneficial to the protection and promotion of minority languages. The Committee of Experts regrets that several national minority self-governments did not respond to the invitation to exchange views on the current situation of their minority languages.

B. According to the new Hungarian Constitution, effective as of 1 January 2012, the rights of minorities are considered fundamental rights. Following the last parliamentary election held in 2014, each national minority group ("nationality") is currently represented by a spokesperson in the Hungarian Parliament. The role of minority spokespersons seems to be significant as they are important interlocutors of the various Hungarian decision-makers at national level.

C. Minority language speakers welcomed most of the new legislative provisions concerning the protection and promotion of their languages, but still observed gaps in the practical implementation of the existing legislation. As a result of the new minority policy, the funding for national minorities has been significantly increased for most minorities, apart from Armenians, Roma, Ruthenians, Serbians and Ukrainians. The increase in funding has had a positive impact on the functioning of national minority self-governments. Minority self-governments have, in the period studied, continued to take over schools and kindergartens, which provided a possibility for improvement of minority language education. There is a mid-term policy but no long-term strategy for providing education in 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.

D. Bilingual primary and secondary schools remain under-represented compared to schools where there is only teaching of the minority language, although there has been some positive development, notably as regards bilingual education in Croatian, German, Romanian and Slovenian. Due to the school revitalisation programme, there are better possibilities for those pupils whose parents would like their child to have secure education in or of regional or minority languages. Lack of continuity of minority language education from primary to secondary schools persists and deserves special attention from the authorities. Also, minority language teaching at technical and vocational school level is practically non-existent. No new mother-tongue schools, including kindergartens, were created during the monitoring period. There is still a need to extend the use of bilingual models of education in schools at all levels of education.

E. The Committee of Experts welcomes possibilities offered for further teacher training in Croatian, German, Slovak and Slovenian. However, the shortage of teachers able to teach subjects in minority languages in general still persists. There is restricted support to guest teachers from the kin-states, which might be vital to Charter Part II languages. The Committee of Experts is of the opinion that education in Part II languages needs further consolidation through clear commitment and tangible efforts by the authorities. Some of those languages, such as Greek, Ruthenian and Ukrainian, are in a precarious situation.

F. Considerable progress has been made in preparing teaching materials in line with the core national curriculum in several Part III languages. Adapted teaching materials have been issued in Croatian and German but support is needed in publishing teaching materials in other languages, such as Romanian, Serbian, Slovak, and Slovenian. School books in two other Part III languages i.e. Beás and Romani, should be further elaborated and published.

G. 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. A general school inspectorate system was introduced in 2014, but it is not clear how this general monitoring applies to minority education in all its forms: mother-tongue education, bilingual education and minority languages education. The general centralisation in the educational field leads to some problems such as teacher training or introduction of new teaching materials in minority languages.

H. The number of speakers of Beás and Romani has decreased. Substantial efforts by the Hungarian authorities are still needed to improve the situation of these languages in education as well as in the media. The unjustified enrolment of Roma children in schools for children with disabilities has to be stopped.

I. Most of Hungary's undertakings in the field of judicial and administrative authorities are only formally fulfilled and subject to 10 or 20% thresholds of the minority population in a given area. The sixth periodical report does not contain any information on the practical application of Articles 9 and 10 with regard to all Part III languages. There is a need for the Hungarian authorities to take overall concrete measures encouraging minority language speakers to make use of their rights in these areas. The Committee of Experts encourages the Hungarian authorities to include in their next periodical report concrete information on the practical application of the individual undertakings in respect of each Part III minority language.

J. As far as the media are concerned, the situation of the printed media and radio broadcasting is satisfactory overall but the situation concerning television remains unsatisfactory. Despite important financial allocations, public broadcast media do not meet the expectations of the minority languages' speakers. Financial incentives or special licence requirements are needed in order to introduce and improve the presence of minority languages in private media. Further efforts are needed in journalist training for those who prepare or will prepare broadcast programmes in minority languages in public and private media.

K. Cultural activities in most minority languages are well supported. However, the system is based on public tenders, which may result in an unstable distribution of funds amongst various groups.

L. The Hungarian authorities have made considerable efforts to put in place a new system for the protection of minority languages on the entire territory of Hungary, taking advantage of previous positive achievements and traditions in the field. The delegation of operational responsibilities to the national minority self-governments, the creation of the position of minority spokespersons at the parliament and the increase in funding for minorities are certainly positive steps. They have to be accompanied by practical measures to be implemented according to long-term strategies and structured plans to safeguard and promote all 14 minority languages. Awareness-raising and promotion of linguistic diversity and tolerance should be carried out on an equal footing for all languages traditionally spoken on the Hungarian territory. The state retains the ultimate responsibility for the fulfilment of the undertakings chosen under the Charter by Hungary. The Committee of Experts is looking forward to receiving information on the "Nationality Policy Strategy 2014-2020" and its results in the next periodical report by the Hungarian authorities.

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 III.

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 into account, in addition to these general recommendations, the more detailed observations contained in the body of the report.

At its 1273bis meeting on 14 December 2016, the Committee of Ministers adopted its Recommendation addressed to Hungary, which is set out in Part B of this document.

Appendix I: Instrument of ratification

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 honour 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 authorisation 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 authorisation 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: Selected legal texts which have entered into force since 1 January 2012

The legal texts mentioned below, of some significance to the minorities policies and the use of minority languages in Hungary, complete the list of relevant laws mentioned in the previous evaluation report⁴⁸:

- i. **Act CLXXXIX of 2011 on Hungary's Local Self-Governments** that contains all the background regulations of the Nationality Act, and guarantees to linguistic minorities, as part of a local community, locally provided public services within the limits of the law and the general interest of the local community i.e. in parallel to it and not against it;
- ii. **Act CXC of 2011 on National Public Education** (hereinafter called National Public Education Act) that guarantees, among other rights, the right of children and pupils to receive education and training in their mother-tongue, corresponding to their minority status; public education institutions may be established and operated, apart from other authorised actors, by national minority self-governments;
- iii. **Act CCIV of 2011 on National Higher Education** that allows students from minorities to take programmes in their mother-tongue or Hungarian, or in their mother-tongue and Hungarian, in accordance with and under the conditions of the Act, notably related to the determination of the number of students supported by state subsidy;
- iv. **Act CCIII of 2011 on the Elections of Members of Parliament** that introduced two new notions of "nationality mandate": i) a preferential quota; ii) "nationality spokesperson". It is to be noted that the minority that has not his elected full-fledged Parliament members, is represented in the National Assembly by the "nationality spokesperson" that was on the first position on the "nationality electoral list". Those rules have been applied for the first time in the 2014 parliamentary elections;
- v. **Act XXXVI of 2013 on Electoral Procedure** that details the procedural regulations of elections, and notably allows obtaining one preferential mandate per nationality. Following the elections held on 6 April 2014, the spokespersons of all 13 "indigenous nationalities" participate in the work of the National Assembly⁴⁹;
- vi. **Act CXII of 2011 on the Informational Self-Determination and Freedom of Information** that defines the rules concerning the management of personal data, including cultural and social identity of a person;
- vii. **Act CXI of 2011 on the Commissioner for Fundamental Rights** that creates also a position of the special deputy commissioner for fundamental rights responsible for protecting the rights of "nationalities" in Hungary;
- viii. **Act XCIX of 2008, as amended by Act LXXXVI of 2011, on the Support and Special Employment Rules of Performing Arts Organisations** that promotes the creation and presentation of the works created in minority languages through a subsidy system, tenders and public service contracts with the aim of the diversity of performance arts;
- ix. **Act L of 2010 on the Election of Self-Government Representatives and Mayors** that determines the representation of national minorities in the local self-government. From 2014 onwards, minorities can obtain a preferential mandate in the local self-government bodies;
- x. **MHC Decree 44/2013 (VI 26) on the Academic Scholarships for Nationalities** that aims at supporting "nationality" education in the mother-tongue and in bilingual form at the higher level.

⁴⁸ MIN-LANG(2015)PR4, pp.23-35

⁴⁹ Romani and Beás speakers are represented together by one Roma spokesperson/advocate.

Appendix III: Comments from the Hungarian authorities

Comments regarding the report of the Committee of Experts

Chapter 4.1 C: Though the financial support for the Armenians, the Roma, the Ruthenians, the Serbians and the Ukrainians living in Hungary did not increase, it also did not decrease during the reporting period, i.e. between 2012 and 2013.

Chapter 4.1 D: The findings of the Committee of Experts include critique related to the under-representation of bilingual primary and secondary schools, as well as the urge to improve Beás and Romani language education (these also appear among the proposed recommendations). We have presented in past years' reports that the national minority policy of Hungary is permissive in this regard, the decision is left to the parents whether their child should participate in nationality mother-tongue, nationality bilingual, nationality language education, or in Roma nationality education in Hungarian.

Chapter 4.1 E: According to our information, an exchange programme of guest teachers based on cooperation with the kin-states concerned exists in the case of three nationalities (German, Slovak, and Slovene). Salaries of German and Slovak guest teachers are guaranteed by dispatch, their salaries are higher than that of teachers in Hungary. In the relation of Slovenes, pedagogic assistants from Slovenia worked in Slovene schools in Hungary during the academic year 2015/2016. A pedagogic assistant receives a salary in Hungary according to the classification in Hungary, which – given that salaries are higher in Slovenia – is supplemented by the Slovenian partner ministry. We cannot speak about restricted support in their case. It is possible that teachers are employed as private individuals from the kin-states of some nationalities (unfortunately, we do not have any information on this), however, institutions have to guarantee a salary that is suitable for their age and qualifications.

Chapter 4.1 F: Regarding the teaching materials, we have presented in the report that during past years, the development of nationality teaching materials took place through two-round tenders of European Union funds. As the 2nd part of the project was not yet closed at the time of the report, we described the indication of tasks and the amounts of funding, according to the following:

Consortium leader	Project title	Amount of grants awarded
Slovak Secondary School, Primary School, Kindergarten, and Dormitory	Development of teaching materials of Slovak nationality education, phase II	184 458 842 HUF
Serb Bilingual Primary School, and Kindergarten, Battonya	Development of educational programme in order to achieve public education development goals of the Serb community, phase II	197 833 523 HUF
Koch Valéria Secondary School, Primary School, Kindergarten, and Dormitory	Support for the education of German nationality pupils	188 186 000 HUF
National Rusyn Minority Self-Government	Creation of the conditions for Ruthenian, Polish, and Greek language education within the framework of school-based education	141 426 600 HUF
Bilingual Primary School and Kindergarten, Apátistvánfalva	Increasing the quality of Slovene and Bulgarian nationality education, with the help of new pedagogic system components	175 843 600 HUF
Croatian Education Language Kindergarten, Primary School, and Dormitory, Hercegszántó	Development of Croatian teaching aids and support programmes	193 620 377 HUF

„Nicolas Balcescu” Romanian Secondary School, Primary School, and Dormitory	Elaboration of modern teaching programmes for Romanian nationality bilingual and language education schools in Hungary	171 466 646 HUF
National Roma Self-Government	Competence-based curriculum-development II – and fostering of Roma culture and language	151 880 720 HUF

It can be seen that, besides the Croatian and the German nationality, the programme ensured opportunities in this field also to other nationalities and among them for the Roma as well, which they all took advantage of. The quantified results of the programme are going to be presented in the next periodical report. The pace of developments undoubtedly differ from nationality to nationality: the development of Croatian, German, Romanian, Serb, Slovak, and Slovene teaching materials is more advanced than the Ruthenian, Polish, Greek, Bulgarian, Romani and Beás teaching material developments, where typically the primary school level textbooks and workbooks were finalized as part of the project (in the case of national minority studies, some nationalities have created their secondary school level textbooks as well).

Chapter 4.1 H: We would like to note, with regard to the unjustified enrolments of Roma children into schools or classes for children with disabilities, that, in order to prevent and stop this, significant measures were taken in the reporting period (2012-2013) as well. Some of these were the development and introduction of modern investigatory procedures and tests, protocols connected to the diagnose of special educational needs, as well as the replacement of outdated tests; monitoring before the diagnose of special educational needs; regular reviews; the development of a monitoring system that is also capable of recording nationality data; capacity development for the sake of the expansion of pre-school education, and so on. As a result of these measures, the ratio of schoolchildren with mild intellectual disability has decreased year by year, from 2.1% (2005) to 1.5% (2014). In view of all this, it would be necessary for the recommendation referring to the unjustified enrolments into schools for children with disabilities to reflect the measures taken. This is what also would serve the efficiency of progression. Furthermore, it is not clear what survey, finding, data the recommendation is based on; it would be necessary to indicate references supporting the recommendation.

B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Hungary

Recommendation CM/RecChL(2016)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 14 December 2016
at the 1273bis 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 by Hungary on 26 April 1995;

Having taken note of the evaluation made by the Committee of Experts of 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 sixth periodical report, supplementary information given by the Hungarian authorities, information submitted by bodies and associations legally established in Hungary and the information obtained by the Committee of Experts during its on-the-spot visit,

Recommends that the Hungarian authorities 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 minority languages;
2. further increase bilingual education at all levels with a view to moving from the model of only teaching the minority 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 further resolute measures in order to improve the educational offer of Romani and Beás at all levels of education;
4. take measures to encourage speakers of minority languages to use them in their contacts with judicial and administrative authorities;
5. further improve the offer of minority language programmes on television and develop a comprehensive scheme for the training of journalists and other media staff using minority languages.