

## 1376<sup>th</sup> meeting, 27 May 2020

10 Legal questions

### 10.2 European Charter for Regional or Minority Languages

Sixth report of the Committee of Experts in respect of Croatia

Item to be considered by the GR-J at its meeting on 5 May 2020

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In accordance with Article 16, paragraph 3 of the Charter, the Committee of Experts of the European Charter for Regional or Minority Languages submits its sixth report on the application of the Charter in Croatia to the Committee of Ministers of the Council of Europe. The report contains proposals for recommendations to be addressed by the Committee of Ministers to Croatia. The Croatian Government has been given the opportunity to comment on the content, in accordance with Article 16, paragraph 3 of the Charter.

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<sup>1</sup> This document has been classified restricted at the date of issue. In accordance with the Deputies' decision (CM/Del/Dec(2001)765/10.4), it will be declassified after examination by the Committee of Ministers.

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making recommendations for improving its 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 automatically made public, together with the comments, if any, which the authorities of the State Party may have made. This document is then transmitted to the Committee of Ministers for the adoption of its recommendations to the State Party, on the basis of the proposals for recommendations contained in the evaluation report.

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## Executive Summary

The European Charter for Regional or Minority Languages entered into force in Croatia in 1998. Czech, Hungarian, Italian, Ruthenian, Serbian, Slovakian and Ukrainian are covered by Part II (Article 7) and Part III (Articles 8-14), while Boyash Romanian, German, Istro-Romanian and Slovenian are covered by Part II (Article 7) only.

In the field of education, some minority languages lack continuity between the different school levels with regard to the implementation of Models A, B and C. Model C foresees two to five hours of teaching of the language and literature of the national minority, in addition to geography, history, music and art in relation to the minority language. However, in some cases, the minority language is taught only for two hours a week, which is clearly insufficient. Awareness-raising measures and the history of the national minority languages and cultures are reported to be taken into account in the curriculum through the subject Civic Education, however, it is not clear how this is implemented in practice. There is interest in education in German and Italian in additional municipalities. Istro-Romanian is not taught in education. As this language is severely endangered, it should urgently be introduced in education.

Minority languages should be introduced in equal and official use in additional municipalities where a sufficient number of minority language speakers live and they should be used within the framework of relevant regional and local authorities as well as by local branches of the State authorities. Although some minority languages, e.g. Italian, are present in the public domain, the other minority languages should be more visible in the linguistic landscape and be used more often in the public domain. In the case of Serbian, the Cyrillic script is not sufficiently used by municipalities and in signage.

As far as media are concerned, two weekly public television programmes, “Prizma” and “Manjinski mozaik”, offer content in and about minority languages. However, the limited duration, the lack of regularity of the use of particular languages and the absence of some minority languages hamper the fulfilment of this undertaking. Newspapers in some minority languages exist; for other minority languages, articles in the relevant languages should be published at least once a week, including online.

The Charter undertakings in the field of cultural activities and facilities (Article 12), as well as in the field of economic and social life (Article 13), are fulfilled.

This sixth evaluation report by the Committee of Experts is based on the political and legal situation prevailing at the time of the Committee of Experts’ on-the-spot visit to Croatia in September 2019.

## Chapter 1 The situation of the regional or minority languages in Croatia – Recent developments and trends

1. The European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) is a treaty of the Council of Europe putting obligations on its States Parties to protect and promote the country’s traditional minority languages in all fields of public life: education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, and transfrontier exchanges. Croatia signed and ratified the Charter on 5 November 1997. The Charter entered into force in Croatia on 1 March 1998 and applies to the following languages: Boyash Romanian, Czech, German, Hungarian, Istro-Romanian, Italian, Ruthenian, Serbian, Slovakian, Slovenian and Ukrainian. The Boyash Romanian, German, Istro-Romanian and Slovenian languages are covered by Part II (Article 7) only, whereas the other languages receive protection under both Part II and Part III (Articles 8-14).

2. Article 15.1 of the Charter requires States Parties to submit three-yearly reports about the implementation of the Charter.<sup>2</sup> The Croatian authorities submitted their sixth periodical report with a significant delay on 24 June 2019, nearly five and a half years after the fifth periodical report. This sixth evaluation report of the Committee of Experts is based on the information contained in the periodical report, the replies by the Croatian authorities to a questionnaire, information received from representatives of the speakers of the minority languages during the on-the-spot visit (9-12 September 2019) and written statements submitted by associations representing the speakers of Boyash Romanian, German, Italian and Slovenian pursuant to Article 16.2 of the Charter. The Committee of Experts would like to thank the Croatian authorities for the good co-operation during the on-the-spot visit.

3. Croatia’s periodical report does not contain information about the application of all Charter undertakings to individual minority languages. Due to the lack of language-specific information, the Committee of Experts had to address a questionnaire to the authorities. The Committee of Experts invites the Croatian authorities to include in their next periodical report information on the implementation of all Charter undertakings for each minority language concerned, in accordance with the outline adopted by the Committee of Ministers on 2 May 2019.<sup>3</sup>

4. Chapter 1 of this evaluation report focuses on the general developments and trends regarding the regional or minority languages in Croatia and the situation of these languages. It examines, in particular, the measures taken by the Croatian authorities to respond to the recommendations made by the Committee of Experts and the Committee of Ministers at the end of the fifth monitoring cycle and also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each of Croatia’s undertakings in respect of the given language as well as the recommendations addressed to the Croatian authorities. On the basis of its evaluation, the Committee of Experts proposes, in Chapter 3, recommendations to the Committee of Ministers to be addressed to the Government of Croatia, as provided in Article 16.4 of the Charter.

5. As far as the detailed legal examination of each undertaking is concerned, the Committee of Experts refers to its **fifth evaluation report on the application of the Charter in Croatia (ECRML(2015)2<sup>4</sup>)**.

6. This report is based on the political and legal situation prevailing at the time of the Committee of Experts’ on-the-spot visit to Croatia in September 2019. This evaluation report was adopted by the Committee of Experts on 7 November 2019.

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<sup>2</sup> As from 1 July 2019, new rules apply (see CM/Del/Dec(2018)1330/10.4e).

<sup>3</sup> Outlines for the periodical reports on the implementation of the European Charter for Regional or Minority Languages to be presented by the States Parties, CM(2019)69-final

<sup>4</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806d86e8>

## 1.1 General developments in policies, legislation and practice concerning the regional or minority languages in Croatia

### *Romani*

7. When ratifying the Charter in 1997, Croatia made the reservation “that (...) the provisions of Article 7, paragraph 5, of the Charter shall not apply.” Article 7.5 covers the promotion of non-territorial languages. Given the achieved standards of minority protection in Croatia, the Committee of Experts, the Commissioner for Human Rights, the Special Representative of the Secretary General for Roma Issues and other representatives of the Council of Europe have repeatedly encouraged Croatia to withdraw the reservation.<sup>5</sup> In 2013, the Croatian authorities informed the Council of Europe that they would implement the recommendation to withdraw the reservation and apply the Charter to Romani. While Croatia has not yet done so, the authorities reiterate in this monitoring cycle that they are considering withdrawing the reservation. The Committee of Experts maintains its view that withdrawing the reservation would be a very commendable step taken in the spirit of the Charter and calls on the Croatian authorities to complete the respective procedure as soon as possible and in the meantime already apply the Charter to Romani.

### *Territorial scope of application of the Charter*

8. In its declaration contained in the instrument of ratification, Croatia declared “with regard to Article 1, paragraph b., of the Charter, that pursuant to Croatian legislature, the term “territory in which the regional or minority language is used” shall refer to those areas in which the official use of minority language is introduced by the by-laws passed by the local self-government units, pursuant to Article 12 of the Constitution of the Republic of Croatia and Articles 7 and 8 of the Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities or Minorities in the Republic of Croatia.”

9. In the sense of this declaration, which is not a reservation to the Charter, the Charter would apply only where a minority language is in equal and official use<sup>6</sup> as a result of one of the following situations:

- those belonging to a national minority make up at least one third of the population of a local self-government unit (i.e. town or municipality), which creates the obligation to introduce the minority language concerned in equal and official use;
- if the population share of the national minority is below one third, the local authority may prescribe the equal and official use in its statute (voluntary introduction of a minority language in equal and official use);
- equal and official use is foreseen by international agreements;
- a regional authority on whose territory local self-government units have introduced minority languages in equal and official use prescribes it in its statute.

10. In its previous evaluation reports, the Committee of Experts observed in line with its standard interpretation<sup>7</sup> that the high threshold (at least one third of the local population) was not in conformity with the Charter. This problem was only partially mitigated by the possibility for local self-government units to voluntarily introduce minority languages in equal and official use as this was up to individual local authorities to decide and was not consistently monitored. Against this background, the Committee of Experts considered that the declaration and the national legislation did not lead to a valid limitation of Croatia’s obligations under the Charter and decided to evaluate the situation in areas where there is a traditional presence and a sufficient number of speakers of minority languages. In the fifth monitoring cycle, the Committee of Ministers recommended that the Croatian authorities “**review the existing threshold and increase efforts to introduce equal and official use of minority languages in those areas where there is a sufficient number of speakers**”.

<sup>5</sup> 2<sup>nd</sup> evaluation report, ECRML(2005)3, para. 14; 4<sup>th</sup> evaluation report, ECRML(2010)9, para. 86; Report by the Commissioner for Human Rights of the Council of Europe, CommDH(2010)20, para. 150

<sup>6</sup> This expression is used in the Law on the Use of Language and Script of the National Minorities in the Republic of Croatia and means “co-official use” of the relevant minority language.

<sup>7</sup> See e.g. 7<sup>th</sup> Report of the Committee of Experts on Switzerland, MIN-LANG(2019)10, para. 29; 1<sup>st</sup> Report of the Committee of Experts on the Slovak Republic, ECRML(2007)1, para. 592-593; 1<sup>st</sup> Report of the Committee of Experts on Romania, ECRML(2012)3, para. 35, 37; 3<sup>rd</sup> Report of the Committee of Experts on Montenegro, ECRML(2015)3, para. 21; 2<sup>nd</sup> Report of the Committee of Experts on Poland, ECRML(2015)7, para. 91; 3<sup>rd</sup> Report of the Committee of Experts on Serbia, ECRML(2016)1, para. 15-17; 2<sup>nd</sup> Report of the Committee of Experts on Bosnia and Herzegovina, ECRML(2016)3, para. 24-31; 6<sup>th</sup> Report of the Committee of Experts on Hungary, ECRML(2016)6, para. 21; 4<sup>th</sup> Report of the Committee of Experts on Armenia, CM(2017)49, para. 14-15; 3<sup>rd</sup> Report of the Committee of Experts on Ukraine, CM(2017)97, para. 25

11. Croatia's sixth periodical report indicates the local self-government units in which minority languages are in equal and official use because i) the threshold of "at least one third" is met, or ii) where this is not the case, a local self-government unit has voluntarily introduced equal and official use of a minority language for the entire territory of the unit or for individual settlements by changing its statute. The situation for the individual languages is as follows: Czech (based on threshold: one local self-government unit/based on statute: two local self-government units), Hungarian (one/three), Italian (one/19), Ruthenian (none/one), Serbian (23/one), Slovakian (one/none). Ukrainian is not in equal and official use in any local self-government unit.

12. During the period under review, three additional local self-government units where persons belonging to a national minority constitute at least one third of the population in accordance with the 2011 census introduced Serbian and Slovakian into equal and official use, namely the town of Vrbovsko (35.22% Serbs) and the municipality of Punitovci (36.94% Slovaks) in 2015 and the municipality of Plaški (45.55% Serbs) in 2017. The Committee of Experts welcomes these decisions, but notes that there have been no cases where the share of the minority population is below one third. Furthermore, it seems that in some local self-government units minority languages ceased to be in equal and official use compared to the previous monitoring cycle.<sup>8</sup>

13. A particularly controversial decision was taken by the town council of Vukovar/Bykovar (34.87% Serbs) which, in 2015, amended the town statute to the effect that Serbian was no longer in equal and official use. The Committee of Experts has asked the Croatian authorities for clarification and followed the situation between the two monitoring cycles. Proceedings were instituted before the Constitutional Court for the review of the constitutionality of the specific provisions of the statutory decisions. In 2019, the Constitutional Court deleted the discriminatory provisions. However, it was left to the town council to align its statute with the law. While being fully aware of the sensitive nature of this matter, the Committee of Experts would like to remind the Croatian authorities of their obligation under the Charter to use the Cyrillic script in the field of administration. Indeed, it should be borne in mind that Cyrillic is the script of the Serbian, Ruthenian and Ukrainian languages used in this area.

14. In light of the results of the 2011 census ("population by ethnicity"), the Committee of Experts notes that there are still a considerable number of local self-government units with a sufficient share of persons belonging to national minorities which have not yet introduced the respective minority language in equal and official use. This concerns, in particular, the Serbian language (e.g. 27.46% Serbs in the town of Glina, county of Sisak-Moslavina<sup>9</sup>; 17.72% in the town of Ogulin, county of Karlovac). Other languages are also concerned in some local self-government units, for example Czech (17.12% in the town of Grubišno Polje, county of Bjelovar-Bilogora), Hungarian (24.58% in the municipality of Draž, county of Osijek-Baranja), Slovakian (13.82% in the town of Ilok, county of Vukovar-Sirmium) and Ruthenian (17.38% in the municipality of Tompojevci, county of Vukovar-Sirmium). Since Ukrainian is not in equal and official use in any local self-government unit, it is important to note that the highest local share of Ukrainians in Croatia (7.55%) can be found in the municipality of Bogdanovci (county of Vukovar-Sirmium). Furthermore, it is problematic that the absolute number of persons belonging to national minorities in local self-government units is not systematically taken into account. For example, the 2 445 Italians living in the town of Rijeka constitute a sufficient number to apply Charter provisions, but they make up only 1.9% of the local population. In their statement submitted to the Committee of Experts, representatives of the Italian minority advocate administrative bilingualism in Rijeka and Labin (county of Istria). There is also an initiative to introduce bilingual signage in Rijeka.

15. The aforementioned data again confirm that the procedure envisaged by the declaration of 1997 is not adapted to the Charter. The threshold of "at least one third" is obviously too high and does not ensure that relevant local self-government units implement the Charter. At the same time, the national authorities do not specifically address relevant local self-government units where the share of the minority population is below one third, but remain focused on those units where the threshold is met (see para. 12). In this situation, there is still no clear and comprehensive territorial basis for the application of the Charter. Therefore, the Committee of Experts reiterates that the Charter also applies to those local and regional authorities where the minority language speakers do not make up at least one third of the population, but represent nevertheless a sufficient number for the purpose of the Charter undertakings.

<sup>8</sup> See 5<sup>th</sup> Periodical Report by Croatia, MIN-LANG(2014)PR 2, p. 37-40 and 6<sup>th</sup> Periodical Report, MIN-LANG(2019)PR 6, p. 35-36

<sup>9</sup> This report uses the English translations of county names used by the Croatian Bureau of Statistics.



16. As the Committee of Experts and the Committee of Ministers recommended in the fifth monitoring cycle, the Croatian authorities should revise the threshold. In addition to adopting a lower threshold, the authorities should take steps to ensure that each minority language is introduced into equal and official use in those local self-government units where it is used by a number of speakers which is sufficient to apply the Charter. As the example of the Ukrainian language shows, this measure should cover at least the municipality where the speakers have their highest (relative or absolute) concentration. To this end, the Croatian authorities should address the local self-government units concerned and encourage them, including by means of financial assistance, to introduce the equal and official use of the relevant minority language through their statutes.

### ***Use of the regional or minority languages in education***

17. According to the State report, pre-school education in minority languages exists in Czech, German, Hungarian, Italian and Serbian. From 2014 to 2018, the number of children enrolled has increased for Czech (+11%), German (+27%) and Italian (+4%) and decreased for Hungarian (-14%) and Serbian (-5%). Boyash Romanian, Istro-Romanian, Ruthenian, Slovakian, Slovenian and Ukrainian are not used in pre-school. The Committee of Experts underlines the importance of pre-school education for the continuity of education in minority languages.

18. There are three models of minority language education at primary, secondary and technical/vocational levels: Model A provides that all lessons take place in the language and script of the national minority with the compulsory teaching of Croatian; Model B is a bilingual one whereby natural sciences are taught in Croatian, but social science subjects and those relating to the minority are taught in separate classes in the minority language and script; Model C consists of a teaching programme of two to five hours per week in the minority language in addition to regular classes in Croatian and covers the language and literature of the national minority, geography, history, music and art.

19. The effectiveness of Model C is hampered by the fact that in some cases the minority language is used for only two hours per week. In this context, it must be borne in mind that one of the purposes of minority language education is to lead to a degree of fluency and competence which enables the learner to use the language in public life, including in the fields covered by Croatia's ratification of the Charter. It should also support and encourage language transmission within the family and literacy in the minority language. Therefore, teaching a minority language for only two hours per week does not meet the requirements of the Charter, especially where the minority language is not a well-established language with a strong speaker community. Consequently, the Croatian authorities should extend the minimum number of hours per week during which the minority language is taught beyond two hours in accordance with Model C.<sup>10</sup>

20. Models A, B and C are currently applied to all regional or minority language except Boyash Romanian and Istro-Romanian. According to the Croatia's periodical report,

- Model A is applied in primary and secondary schools to Hungarian, Italian and Serbian, and only in primary schools to Czech;
- Model B is applied to Czech, Hungarian and Serbian in primary schools and to Czech in secondary schools;
- Model C is applied in primary schools to Czech, German, Hungarian, Ruthenian, Serbian, Slovakian, Slovenian and Ukrainian as well as in secondary schools to Czech, Hungarian, Italian, Serbian, Slovakian and Slovenian.

21. At present, only five languages are taught in technical and vocational education: Czech, German, Hungarian, Italian and Serbian. The Committee of Experts was informed during the on-the-spot visit that the teaching of Czech at technical and vocational level started in 2019 (medical school in Bjelovar).

22. In general, the Committee of Experts notes that the situation of Hungarian, Italian and Serbian in education remains good. Teaching in or of these languages is available from pre-school to technical and vocational education, although not always in all the places where there is demand (see below).

<sup>10</sup> See e.g. 4<sup>th</sup> evaluation report of the Committee of Experts concerning Serbia, CM(2018)144, para. 8; 2<sup>nd</sup> evaluation report of the Committee of Experts concerning Switzerland (ECRML(2004)6), para. 44; Jean-Marie Woehrling: The European Charter for Regional or Minority Languages – a critical commentary, Council of Europe 2005, p. 150

23. However, for other minority languages, there is no complete continuity of education:

- German is not taught in secondary education in accordance with Model C;
- Ruthenian and Ukrainian are not taught at pre-school, secondary, technical and vocational levels;
- Slovakian is currently not used in pre-school or in technical and vocational education;
- Slovenian is not used in pre-school.

24. The Committee of Experts also notes that the number of students learning Czech in secondary education is low compared to the number of pupils learning this language in primary education. During the on-the-spot visit, representatives of the Czech speakers explained that this is due to the student's need to travel to the respective secondary school and late teaching hours for Czech. A general problem is that students leaving a primary school where models A, B or C are applied choose between different secondary schools, of which not all offer a continuation of the minority education model.

25. During the on-the-spot visit and in their written statement, representatives of the Italian speakers have pointed out that they would like to have Italian taught as a traditional language of the area rather than as a foreign language in all primary and secondary schools in the territories where Italian is in equal and official use. Furthermore, they indicated that there is demand for primary education in Italian in additional municipalities where Italian is used, also outside the bilingual territories (for example Zadar and Pakrac). Moreover, there is an interest in German language education at pre-school and primary levels (Model C) in additional municipalities where the German minority association is active (e.g. Đakovo, Sirač, Vukovar and Zagreb).

26. The fact that a minority language is used at some levels of education proves a certain general interest of the local population in the teaching and learning of that language. On this basis, the Committee of Ministers recommended in the fifth monitoring cycle that the Croatian authorities **“take proactive measures encouraging the minority language speakers to make use of minority language education”**. As the Committee of Experts learnt during the on-the-spot visit, the Slovak minority has taken measures with regard to this recommendation as a result of which a Slovakian-language kindergarten is planned to be established in Jelisavac-Jelisavec (municipality of Našice). However, the Committee of Experts has not received any information about other promotional activities aiming at establishing continuity between the different levels of education for each minority language. The Committee of Experts reiterates that continued awareness raising about the benefits of, and opportunities for, minority language education could make it possible to introduce teaching of these languages at all levels.

27. Boyash Romanian is not yet taught in regular education in accordance with Model C. The development of the respective national curriculum is still under discussion. During the on-the-spot visit, representatives of the speakers stated that Boyash Romanian is taught in the framework of a pilot project at primary schools in Jagodnjak (Baranja) and Pribislavec (Međimurje), however more precise information is not available. In addition, they stressed again that the provision of teaching Boyash Romanian in accordance with Model C remains one of their main priorities in language promotion. They also underlined again that standard Romanian should have an appropriate place in the curriculum. Against this background, the Committee of Experts reiterates its recommendation of the last monitoring cycle that the Croatian authorities should develop, in close co-operation with the representatives of the speakers, a curriculum combining teaching of both standard Romanian and the local varieties of Boyash Romanian. Considering that Boyash Romanian is almost exclusively used orally, it could be the medium of instruction in subjects where teaching takes place mainly orally (e.g. music, sport) as well as in social activities. The Committee of Experts encourages the Croatian authorities to adopt and apply the curriculum and to start regular teaching of Boyash Romanian in pre-school and in primary education.

28. Istro-Romanian is not taught in regular pre-school, primary or secondary education. The Committee of Experts observes that Istro-Romanian is severely endangered and will become extinct if immediate resolute action is not taken to safeguard it. As Istro-Romanian is no longer transmitted in families, urgent steps must be taken to ensure that young children become fluent in the language and are enabled to transmit it to their children. This goal cannot be achieved by the current activities (playgroups). Therefore, pre-school education in Istro-Romanian (immersion) should be made available as soon as possible in the municipality of Kršan and Žejane, followed by teaching Istro-Romanian in primary school in accordance with Model C or a comparable model. Representatives of the authorities with whom the Committee of Experts met during the on-the-spot reiterated their willingness to support the provision of Istro-Romanian language education. Considering the very fragile situation of the language, the Committee of Experts urges the Croatian authorities to find flexible solutions for existing obstacles, for example, the current lack of trained kindergarten teachers.

#### *Teaching of history and culture*

29. Under the Act on Education in the Languages and Scripts of National Minorities and the State Pedagogical Standards (OG 63/08), a curriculum for education in the language and script of a national minority must be comprised of a general part and a part related to the specificities of the national minority (language, literature, history, geography and cultural production of the national minority/visual arts and music). Consequently, the history and culture of those national minorities which benefit from models A, B and C at primary and/or secondary levels (Czech, German, Hungarian, Italian, Ruthenian, Serbian, Slovakian, Slovenian and Ukrainian) are taught to pupils attending the relevant schools. In the case of *inter alia* Ruthenian and Ukrainian, this is the case only in primary education as both languages are not taught at secondary level.

30. According to the Croatian authorities, “teaching on national minorities” is provided in mainstream education (i.e. schools other than those in which models A, B and C are applied) in the subject Civic Education in conjunction with the subjects of history, geography, ethics and Personal and Social Development. However, it is unclear to the Committee of Experts whether “teaching on national minorities” in general provides sufficient information about the regional or minority languages, in particular their names, the territories where they have been traditionally used and basics of the related history and culture.

#### *Teacher training*

31. As far as the basic training of minority language teachers is concerned, Croatia’s periodical report indicates that the University of Osijek offers an undergraduate degree programme in “Hungarian Language” and a graduate degree programme in “Hungarian Language and Literature” with an option in teacher training. Moreover, the University of Pula-Pola offers a professional undergraduate degree programme in “Pre-school Education in Croatian and Italian”, and an integrated undergraduate and graduate university degree programme in “Teacher Training in Italian”. Furthermore, basic training of the teachers teaching (in) Czech, German, Serbian, Slovakian, Slovenian and Ukrainian is organised in Croatia. Teachers of Ruthenian are trained abroad. According to representatives of the Slovenian speakers, there is a lack of teachers of Slovenian in Croatia.

32. According to Croatia’s periodical report, the Education and Teacher Training Agency has regularly organised further training for Czech, Hungarian, Italian and Serbian. Further training is organised in Croatia or in the kin state of the minority concerned, in co-operation with minority associations. There is no precise information about the further training of the teachers teaching (in) German, Ruthenian, Slovakian, Slovenian and Ukrainian.

#### *Study of and research on minority languages at university*

33. Several minority languages can be studied at universities in Croatia: Czech (Zagreb), German (Osijek, Rijeka, Zadar, Zagreb), Hungarian (Osijek, Zagreb), Italian (Pula-Pola, Rijeka, Zadar, Zagreb), Serbian (Zagreb), Slovakian (Zagreb), Slovenian (Zagreb) and Ukrainian (Zagreb). Furthermore, at the University of Zagreb, language courses in Boyash Romanian for students and teachers are offered and research on it is carried out.

34. However, no facilities exist for the study of Istro-Romanian and Ruthenian at universities or equivalent institutions in Croatia.

*Textbooks for minority language education*

35. In the fifth evaluation report, the Committee of Experts urged the Croatian authorities to address, in co-operation with the speakers, the lack of textbooks, in particular for Italian-language education. In this monitoring cycle, this problem seems to be exacerbated by an ongoing curriculum reform in Croatia. The Committee of Experts urges the Croatian authorities to adopt a more proactive stance and accelerate the translation process.

36. Croatia's periodical report states that, in the period 2014-2018, the Ministry of Science and Education co-funded, *inter alia*, the printing of textbooks and the preparation for developing new textbooks for primary and secondary education in Czech, Hungarian, Italian and Serbian.

*Adult education and language courses*

37. As far as language courses (including for adults) are concerned (Article 7.1.g), Croatia's periodical report states that the Ministry of Science and Education co-finances the implementation of special forms of education (e.g. summer/winter schools, distance learning classes) in Croatia and in the minorities' kin states, based on an annual public call. In the period 2014-2018, such activities have been organised for Czech, Hungarian, Ruthenian, Serbian and Ukrainian. In Kršanj municipality, Istro-Romanian is taught to children in playgroups with support from the local authorities. The Committee of Experts has no information as to whether the authorities have also supported the organisation of language courses in these languages for adults. Moreover, there is no concrete information about the application of Article 7.1.g in general to the other minority languages. The Committee of Experts would like to underline that efforts to maintain or revitalise minority languages do not only concern young people, but are also important for adults who do not benefit from minority language education in school. Consequently, the implementation of Article 7.1.g deserves particular attention by the authorities. The Committee of Experts therefore calls on the Croatian authorities to make available specific funding to support the provision of language courses in minority languages, including for adults.

38. As far as Article 8.1.fii is concerned, the Committee of Experts has not received concrete information about whether Czech, Hungarian, Italian, Ruthenian, Serbian, Slovakian and Ukrainian are taught in continuing education in fields other than the further training of teachers (which is covered by Article 8.1.h).

***Use of the regional or minority languages by judicial authorities***

39. In accordance with Article 12 of the Constitutional Act and Article 12 of the Act on the Use of the Languages and Scripts of National Minorities in Croatia, first instance judicial authorities with jurisdiction in a territory in which both Croatian and the language and script of a national minority are in equal and official use are obliged to enable a citizen of the town or municipality in which a minority language is in equal and official use to use the minority language in judicial proceedings, if the citizen declares their wish to invoke that right. As the Committee of Experts has already pointed out (see para. 15), Article 9 also applies to those judicial districts where persons belonging to a national minority do not make up more than one third of the population, but represent nevertheless a sufficient number for the purpose of the respective undertakings.

40. As far as the implementation in practice is concerned, it appears from Croatia's periodical report that Italian and Serbian have been regularly used with judicial authorities. In addition, there has been occasional use of Hungarian, Ruthenian and Ukrainian. However, Czech and Slovakian have not been used in court during the reporting period. The absence of practical implementation for these languages points to the need for measures encouraging the speakers to avail themselves of the possibility to use their languages with judicial authorities.

41. In the fourth and fifth evaluation reports, the Committee of Experts asked the Croatian authorities to clarify whether a person found guilty in criminal proceedings has to pay for the interpretation and translation costs. In the present monitoring cycle, the authorities confirmed that the minority language speaker will not be obliged to pay these costs.

***Use of the regional or minority languages by administrative authorities***

42. In the fifth monitoring cycle, the Committee of Ministers recommended that the Croatian authorities **“take measures to ensure that speakers can use their minority languages in relations with relevant State, county and local authorities in practice, and that these authorities use the respective minority languages within the framework of their work”**.

43. According to Croatia’s periodical report, “no significant changes” have been noticed with regard to the use of minority languages by local branches of the State authorities. Minority languages have “not [been used in] a single case” in contacts (“proceedings”) with minority language speakers (Article 10.1.a.iii). As far as Articles 10.1.b and 10.1.c (administrative texts, forms, documents) are concerned, bilingual identity cards have been issued in Croatian and Czech, Hungarian, Italian, Ruthenian, Serbian and Slovakian, but not in Ukrainian. Furthermore, bilingual certificates have been issued in Croatian and Italian. As mentioned in the previous evaluation reports, the scope of Articles 10.1.b and 10.1.c goes beyond identity cards, and a wider range of official documents and administrative texts should be made available in the minority languages.

44. As far as county authorities are concerned, the county of Istria uses Italian to a certain extent, for example in bilingual civil status documents. There is no indication that other regional authorities use the minority languages spoken in their area in accordance with the Charter undertakings.

45. In municipalities where minority languages are in equal and official use, the situation varies to a large degree from effective co-official use (Italian) to only oral and emblematic written use (Czech, Hungarian, Ruthenian, Serbian, Slovakian) or no use (Ukrainian). The administrative use of Czech, Hungarian, Ruthenian, Serbian and Slovakian is mostly limited to bilingual signs on buildings of the local authorities, which alone does not meet the requirements of Article 10.2.a. Moreover, the fact that websites of municipalities where minority languages are in equal and official use contain no information in these languages also indicates deficits in the implementation of the Charter undertakings. Particular problems linked to the use of Serbian and the Cyrillic script in some municipalities, including bilingual signs, exist. During the on-the-spot visit, representatives of the Serbian speakers reported difficulties when requesting signs in both Latin and Cyrillic scripts in places where Serbian is in equal and official use.

46. During the on-the-spot visit, the Committee of Experts visited the town of Pula-Pola (county of Istria) where Italian is in equal and official use despite only 4.43% of the local population belonging to the Italian minority (2011 census). Pula-Pola has bilingual administrative signage. Place and street names are in most cases signposted bilingually. Representatives of the local authorities stated that the knowledge of Italian is obligatory for officials. The town has a bilingual official journal and statute and has translated most administrative forms and parts of its website. In the local assembly, Italian can be used in debates. There is also a committee on Italian language issues. Furthermore, public service providers under the town’s control use Italian (water and gas supply, waste collection, public transport, food market, sports facilities, cemeteries, buildings maintenance). In the Croatian context, the Committee of Experts considers Pula-Pola as an example of good practice in using a minority language.

47. With the exception of Italian, public service providers located in municipalities where minority languages are in equal and official use do not use these languages as required by Article 10.3.

48. The Committee of Experts reiterates that the implementation of the undertakings under Article 10 requires both organisational measures within the administrations (e.g. recruitment of officials who can speak the relevant minority language, training of existing staff) as well as measures which encourage the minority language speakers to avail themselves of the possibility to use their language in contacts with the authorities. Such measures could avoid the assumption on the part of the speakers that they might be perceived as “trouble-makers” when using their language.

### *Place names*

49. In municipalities where Italian is in equal and official use, place names in this language are co-official and used on most traffic and administrative signs and in other domains (e.g. public announcements, documents). Furthermore, the Croatian authorities also use the Italian town or municipality names in Croatian documents (e.g. “Grožnjan-Grisignana”), including in the periodical report and publications on census results. This practice is not applied to any other minority language in equal and official use. The use of municipality and street names in Czech, Hungarian, Serbian (Cyrillic script) and Slovakian is inconsistent and differs from municipality to municipality. Ruthenian and Ukrainian place names do not seem to be used at all. As the Committee of Experts noted during the on-the-spot visit, the Istro-Romanian place name Sušnjevič is used in conjunction with the Croatian name Šušnjevića in official road signage in the municipality of Kršan. The Committee of Experts welcomes this measure.

### ***Use of the regional or minority languages in the media***

50. Croatia has ratified Article 11.1.a.iii which requires the authorities to make adequate provision so that public broadcasters offer television and radio programmes in the minority languages. Croatia’s public broadcaster HRT (*Hrvatska radio-televizija*) offers two television programmes which are relevant under this undertaking: “Prizma” and “Manjinski mozaik”. “Prizma” is a weekly programme about national minorities in minority languages. “Manjinski mozaik” is a weekly documentary about topics related to national minorities and is broadcast in the given minority language with subtitles in Croatian. In the fifth monitoring cycle, the Committee of Ministers recommended that the Croatian authorities **“increase the broadcasting time and the regularity of television programmes in each minority language”**.

51. The Committee of Experts regrets to note that no progress has been made regarding this structural deficit which the Committee of Experts and the Committee of Ministers identified as early as 2005.<sup>11</sup> As the Committee of Experts has pointed out in its previous evaluation reports, “Prizma” and “Manjinski mozaik” have a very short broadcasting duration which fails to meet the requirements of the Charter undertaking in question. Furthermore, there is no regularity in the use of the various minority languages which do not have their own time slots. In their current format, these programmes are unlikely to make an impact on the situation of the minority languages and should be seen as simply a measure to raise awareness of the existence of minority languages. Such awareness raising is relevant under Article 7.3. In order to fulfil Article 11.1.a.iii, it is important to ensure adequate broadcasting duration and regularity. In addition, the Committee of Experts underlines the importance of television programmes for children in minority languages to support language maintenance.

52. Furthermore, there is still no adequate provision for public radio programmes for all minority languages. Ruthenian and Ukrainian are not used on public radio and the private radio programme in German has been discontinued due to a lack of State funding. Representatives of the Boyash Romanian speakers consider the launch of radio programmes in Boyash Romanian in the counties of Međimurje and Osijek-Baranja as a priority.

53. Overall, it can be said that Boyash Romanian, Istro-Romanian, Ruthenian and Ukrainian have no or hardly any presence in the broadcast media of Croatia.

54. The Committee of Experts calls on the Croatian authorities to change the current system of minority language broadcasting and to allocate to each minority language time slots for a television programme and a radio programme to be broadcast at regular intervals and of a sufficient duration. In this context, the Committee of Experts refers to the practice in other countries with a public television channel and a public radio station broadcasting in different minority languages.

55. As far as Article 11.1.d is concerned, the Croatian authorities state that the Fund for Promotion of Pluralism and Diversity of Electronic Media of the Agency for Electronic Media has funded the production and broadcasting of audio and audiovisual works in minority languages (radio, television, media services, electronic publications). However, as in the previous monitoring cycle, it is not clear from the information submitted by the authorities what kind of audio and audiovisual works have been supported for which minority language, and whether this support went beyond the audio and audiovisual productions relevant under Article 11.1.a.iii (public radio and television).

<sup>11</sup> Committee of Ministers Recommendation RecChL(2005)2: grant the speakers a language-specific and more significant presence on public television and develop a presence on the regional radio stations also for those languages that do not yet benefit from it

56. Newspapers are published in Czech (weekly), Hungarian (weekly), Italian (daily) and Serbian (weekly). The Committee of Experts welcomes this offer and notes that it exceeds Croatia's undertaking to promote the publication of only newspaper *articles* in these languages (Article 11.1.eii). However, this undertaking is not implemented for Ruthenian, Slovakian and Ukrainian, which are not used in newspapers. In this context, the Committee of Experts underlines that, in conformity with its regular interpretation, a "newspaper" in the sense of this undertaking has to be published at least weekly. It may also be published online. In order to implement the undertaking for the aforementioned languages, the Croatian authorities should finance, at least, the weekly publication of articles in Ruthenian, Slovakian and Ukrainian in mainstream (commercial) newspapers published in the areas where these languages are used or support the creation of weekly or daily newspapers of the national minorities concerned.

57. During the on-the-spot visit, representatives of the Czech speakers mentioned problems with the reception of television programmes in Czech from abroad linked to copyright issues, which seem to have been resolved as such programmes are accessible on the internet. Furthermore, representatives of the Italian speakers (*Comunità nazionale italiana*) complained that the transmission and reception of the Italian radio and television programmes *Capodistria* (Slovenia) by digital terrestrial broadcast stations in the territory where Italian is traditionally used was not assured. However, the Committee of Experts is aware that the programmes are available online.

58. In general, the Committee of Experts underlines the growing importance of social media for the use and preservation of minority languages and encourages the Croatian authorities to bear this in mind in their policy on minority language media.

59. With regard to Article 11.3, the Croatian authorities point out that the Fund for Promotion of Pluralism and Diversity of Electronic Media of the Agency for Electronic Media is the relevant body for this undertaking. However, the authorities also specify that this fund has "no specific representation or consultation process for each language in question". As in previous monitoring cycles, the Committee of Experts is not in a position to assess how the Croatian authorities ensure that the interests of the users of regional or minority languages are represented or taken into account in bodies guaranteeing the freedom and pluralism of the media.

#### ***Use of the regional or minority languages in cultural activities and facilities***

60. The Croatian authorities have supported cultural activities using minority languages (e.g. publishing and purchase of books, events). Furthermore, the Croatian authorities have provided financial support in the form of staff to libraries which have publications in nine minority languages (Czech, German, Hungarian, Italian, Ruthenian, Serbian, Slovakian, Slovenian and Ukrainian).

61. During the on-the-spot visit, the Committee of Experts visited the new EU co-funded Istro-Romanian museum in Šušnjevića. The museum presents the history and customs of the Istro-Romanian speakers in Istro-Romanian, Croatian and English, and offers activities for children in Istro-Romanian. The Committee of Experts welcomes the opening of this museum which raises awareness of Istro-Romanian and contributes to its visibility.

#### ***Use of the regional or minority languages in economic and social life***

62. According to Croatia's periodical report, there are no provisions in the national legislation which would prevent or restrict the use of a minority language in documents relating to economic or social life, including employment contracts. The Ministry of Labour and Pension System and the institutions within its remit have not received any requests or complaints which would indicate a restriction of the possibility to use a minority language.

#### ***Use of the regional or minority languages in transfrontier exchanges***

63. During the period under review, Croatia has signed the Executive Programme of Cultural and Educational Cooperation with Italy for the period 2015-2019 (signed in 2015) and the Programme of Cultural Cooperation with Hungary for the period 2016-2018 (signed in 2016). The Committee of Experts looks forward to receiving concrete examples of implementation in the next periodical report.

64. Furthermore, the Committee of Experts has not received any information about activities promoting the other minority languages in the framework of co-operation with other countries as well as regions and municipalities in these countries (Articles 7.1.i and 14). In a statement, representatives of the Slovenian speakers have pointed out that the Croatian authorities do not pursue a structured approach concerning the promotion of Slovenian in the framework of cross-border co-operation. Relevant activities are carried out by associations of the minority. The Committee of Experts considers that the Croatian authorities should develop and implement strategies for the promotion of each minority language in the framework of co-operation with relevant countries, regions and municipalities.

### ***Awareness-raising***

65. In the fifth monitoring cycle, the Committee of Experts recommended that the Croatian authorities continue efforts to promote awareness and tolerance vis-à-vis the minority languages and the cultures they represent as an integral part of the cultural heritage of Croatia, both in the general curriculum at all stages of education and in the media.

66. With regard to education, the Committee of Experts welcomes the new interdisciplinary subject Civic Education which foresees teaching about minorities and their languages in Croatia. The Committee of Experts looks forward to receiving information about the concrete implementation of the curriculum.

67. As far as the media are concerned, there is still an insufficient representation of national minorities in the programmes of the public broadcaster HRT.

68. In the fifth monitoring cycle, difficulty using Serbian and the Cyrillic script was identified as a particular problem. The Committee of Experts notes that this issue remains highly controversial in certain areas of Croatia. During the on-the-spot visit, representatives of the Serbian speakers stated that Serbian speakers often refrain from using the Cyrillic script because of fear of resentment. In addition, the Serbian national minority continues to be regularly portrayed in a negative manner against the background of the 1991-1995 armed conflict.

69. On the whole, the Committee of Experts observes that some of the deficits identified in the previous monitoring cycles persist or have even worsened. Therefore, the Croatian authorities should pursue measures to promote awareness of the Croatian public and tolerance vis-à-vis the minority languages and the cultures they represent as an integral part of the cultural heritage of Croatia, both in the general curriculum at all stages of education and in the media (Article 7.3).

### ***Consultation***

70. The Committee of Experts notes with regret that there is no information about the Charter on the official website of the Government Office for Human Rights and the Rights of National Minorities. This is not in conformity with Article 6 which obliges the State Party to inform the authorities, organisations and persons concerned of the rights and duties established by the Charter. Furthermore, Article 15.2 requires the publication of the State report.

71. The national minorities are represented in the Council for National Minorities which also comprises eight members of the Croatian Parliament representing them. This council is in principle also the body through which the national minorities are consulted on language issues. There is also a wide network of councils representing minorities at the level of counties and municipalities that have an advisory function. In addition, national minorities are represented by deputy prefects and mayors at these levels.

72. Considering that the system of national minority councils is not applicable to the Istro-Romanian speakers who do not consider themselves as a national minority, the Committee of Experts urges the Croatian authorities again to establish a consultation mechanism for the purpose of advising the authorities on all matters pertaining to the promotion of Istro-Romanian.



## 1.2 The situation of the individual regional or minority languages in Croatia

73. The speakers of **Boyash Romanian** are traditionally concentrated in the county of Međimurje and in Baranja (county of Osijek-Baranja). Boyash Romanian is spoken by the large majority of the Roma in Croatia. It is not used in regular pre-school, primary and secondary education. At the Chair of Romanian Philology at the University of Zagreb, language courses in Boyash Romanian are offered and research on it is carried out. Boyash Romanian is currently not used in other domains of public life.

74. **Czech** is in equal and official use in three local self-government units (town of Daruvar as well as municipalities of Končanica and Dežanovac, in the county of Bjelovar-Bilogora). Pre-school and primary education (Model A) is organised in Czech. Moreover, models B and C are applied to Czech in primary and secondary education. However, relatively few students learn Czech in secondary education. Czech can be studied at the University of Zagreb. During the period under review, Czech has not been used in court. In places where Czech is in equal and official use (e.g. Daruvar), speakers of this language use it mainly orally in contacts with the local authorities. Some place names are signposted in Czech alongside the Croatian name (e.g. Donji Daruvar/Dolni Daruvar). Czech is used on public television ("Prizma" and "Manjinski mozaik", see para. 51). Furthermore, programmes in Czech from abroad are accessible on the internet. There is a monthly (one-hour) programme in Czech on the local radio station "Radio Grubišno Polje". A weekly newspaper is published in Czech ("Jednota"). The Croatian authorities provide financial support to cultural activities using Czech, including literary events, folklore festivals, theatre as well as to cultural publications. Furthermore, they provide funding to the Community Library Daruvar/Central Library of Czechs in Croatia.

75. **German** is used mainly in Baranja, Slavonia (especially Osijek), Sirmium and Zagreb. In Osijek, bilingual (Croatian/German) pre-school education and teaching of German in primary education (Model C) is available. Model C is not currently applied to German in secondary education, but there is a secondary school providing extended teaching of German (five hours/week). The private German International School in Zagreb offers education in German. German can be studied at the Universities of Osijek, Rijeka, Zadar and Zagreb. German is rarely used in the television programmes "Prizma" and "Manjinski mozaik" (see para. 51). In 2016, the weekly radio programme in German ("D-Funk", Osijek) was discontinued due to a lack of State funding. The Croatian authorities finance the quarterly "Deutsches Wort" which the German minority association wishes to develop into a monthly online magazine. According to the German speakers, the town of Osijek will install signs bearing German street names in order to raise awareness of the traditional presence of German.

76. **Hungarian** is in equal and official use in four local self-government units (municipalities of Kneževi Vinogradi-Hercegszöllös, Ernestinovo, Bilje-Bellye [county of Osijek-Baranja] and Tordinci-Valkótard [county of Vukovar-Sirmium]). Pre-school education is available in Hungarian. Furthermore, Hungarian is a medium of instruction in primary and secondary education (Model A). Teaching in/of Hungarian is also organised in accordance with models B and C. Furthermore, it is organised in technical schools and industrial and crafts schools. Hungarian can be studied at the Universities of Osijek and Zagreb. During the period under review, Hungarian has occasionally been used with judicial authorities. Hungarian is used in programmes on public television and radio (see para. 51). A weekly newspaper ("Új Magyar Képes Újság") is published in Hungarian. The Croatian authorities provide financial support to some cultural activities using Hungarian, including workshops for folklore and music groups, and to the publication of several magazines. In addition, they provide funding to the Town Library Beli Manastir/Central Library of Hungarians in Croatia.

77. **Istro-Romanian** is used in several settlements in the municipality of Kršan (county of Istria) and in Žejane (municipality of Matulji, county of Primorje-Gorski kotar). While Istro-Romanian is not used in regular education, workshops for children are organised to teach its basics. A new museum in Šušnjevec presents the history and customs of the Istro-Romanians, also in Istro-Romanian. Furthermore, local associations have prepared teaching aids and publications in Istro-Romanian, including a children's book and information material for tourists also using Istro-Romanian place names. Istro-Romanian has some visibility in signage. However, it is neither used in the broadcast or print media, nor are regular cultural activities organised in Istro-Romanian.

78. **Italian** is in equal and official use in 20 local self-government units in the county of Istria, including in the municipality of Grožnjan-Grisignana, in the towns of Poreč-Parenzo, Pula-Pola, Buje-Buie, Novigrad-Cittanova, Rovinj-Rovigno, Umag-Umago, Vodnjan-Dignano and in additional municipalities.<sup>12</sup> Furthermore, Italian is in equal and official use in the county of Istria. Italian speakers traditionally also live in the towns of Lipik, Pakrac (county of Požega-Slavonia) and Zadar (county of Zadar). Teaching in Italian is available at pre-school, primary, secondary and technical/vocational levels in Istria, but not yet in Zadar and Pakrac, as the speakers request. Model C is also applied to Italian in secondary schools. The number of pupils attending Italian-language education is relatively high at all levels. Italian can be studied at the Universities of Pula-Pola, Rijeka, Zadar and Zagreb. Furthermore, Italian is regularly used with judicial authorities and is the only minority language in Croatia that is effectively used by local authorities both internally and in relations with the population. The use of Italian place names is widespread, despite some local inconsistencies. In the media, Italian is used in public television and radio programmes. In addition, a daily newspaper (“La voce del popolo”) is published in Italian. The Croatian authorities provide financial support to some cultural activities using Italian, including in the fields of book purchase, publishing and theatre. Furthermore, they provide funding to the Town Library Pula-Pola/Central Library of Italians in Croatia.

79. **Ruthenian** is in equal and official use in one local self-government unit (Bogdanovci municipality, county of Vukovar-Sirmium). Model C is applied in primary schools to Ruthenian. No facilities exist for the study of Ruthenian at universities or equivalent institutions in Croatia. During the period under review, Ruthenian has been occasionally used with judicial authorities. Ruthenian is present on public television (“Prizma”, see para. 51), but not on radio. Ruthenian is not used in newspapers. The Croatian authorities finance the Central Library of Ruthenians and Ukrainians in Croatia within the Zagreb City Libraries. There are magazines in Ruthenian.<sup>13</sup>

80. **Serbian** is in equal and official use in 24 local self-government units (in the towns of Vrbovsko/Врбовско [county of Primorje-Gorski kotar] and Vukovar/Вуковар [county of Vukovar-Sirmium] as well as in additional municipalities<sup>14</sup>). Teaching in Serbian (Model A) is available at pre-school, primary, secondary and technical/vocational levels and used by a relatively high number of pupils. Models B and C are also applied to Serbian. Serbian can be studied at the University of Zagreb. Serbian is regularly used with judicial authorities. Serbian speakers often refrain from using their script in relations with the local authorities for fear of being disadvantaged. The use of place names in Serbian (Cyrillic script) is inconsistent and mostly limited to local self-government units where Serbs form a significant majority of the population. A weekly newspaper (“Novosti”) is published both in Latin and Cyrillic script and is available online. The Croatian authorities have provided financial support to cultural activities using Serbian, including literary festivals and the Days of Serbian Culture. They also provide funding to the Central Library of Serbs in Croatia. There are magazines in Serbian.<sup>15</sup>

81. **Slovakian** is in equal and official use in one local self-government unit (municipality of Punitovci, county of Osijek-Baranja). While Slovakian is not used in pre-school, Model C is applied to it in primary and secondary schools. This language can also be studied at the University of Zagreb. In some places (e.g. Jelisavac/Jelisavec, town of Našice), place names in Slovakian are signposted alongside the Croatian name. Slovakian is used on radio, but on public television it is limited to “Prizma” and “Manjinski mozaik” (see para. 51). There are no newspaper articles in Slovakian. The Croatian authorities have provided financial support to some cultural activities (e.g. festivals) using Slovakian. Moreover, they support the Central Library of the Slovaks in the Croatian National Library in Našice.

<sup>12</sup> Bale-Valle, Brtonigla-Verteneglio, Funtana-Fontane, Fažana-Fasana, Kaštelir-Labinci-Castelliere-S.Domenica, Ližnjan-Lisignano, Motovun-Montona, Oportalj-Portole, Tar Vabriga-Torre Abrega, Višnjan-Visignano, Vižinada-Visinada, Vrsar-Orsera

<sup>13</sup> The Committee of Experts asks the Croatian authorities to include in their next periodical report the actual names of publications in Ruthenian, Ukrainian and Serbian in Cyrillic script with a Latin transliteration (e.g. concerning Ruthenian and Ukrainian: “Віночок”, “Думки з Дунаю”, “Вісник української громади в Хорватії”, concerning Serbian: “Просвјета”, “Бијела пчела”).

<sup>14</sup> County of Sisak-Moslavina: Donji Kukuruzari-Доњи Кукурузари, Dvor-Двор, Gvozd-Гвозд; county of Karlovac: Krnjak-Крњак, Plaški-Плашки, Vojnič-Vojniћ; county of Lika-Senj: Donji Laras-Доњи Лапац, Udbina-Удбина, Vrhovine-Врховине; county of Zadar: Gračac-Грачач; county of Osijek-Baranja: Erdut-Ердут, Jagodnjak-Јагодњак, Kneževi Vinogradi-Кнежеви Виногради, Šodolovci-Шодоловци; county of Šibenik-Knin: Biskupija-Бискупија, Cijljane-Цивљане, Ervenik-Ервеник, Kistanje-Кистање; county of Vukovar-Sirmium: Borovo-Борово, Markušica-Маркушица, Negoslavci-Негославци, Trpinja-Трпиња

<sup>15</sup> See footnote 13.

82. While **Slovenian** is not used in pre-school education, this language is taught in primary and secondary education in accordance with Model C. According to the representatives of the speakers, there is a lack of qualified teachers. Slovenian can be studied at the University of Zagreb. Language courses for children and adults are organised by the Slovenian minority. Slovenian is rarely used in broadcast media and not used in newspapers. Associations of the Slovenian minority receive State funding for publications in Slovenian (triannual magazine "Novi odmev", quarterly magazine "Planika", yearbook "Liburnijska priloga", bulletin "Mavrica", magazine "Novo glasilo") and for the organisation of cultural activities promoting the Slovenian language and culture. Furthermore, the Croatian authorities provide funding for the Ivan Goran Kovačić library/Central Library of Slovenes in Croatia, which is located in Karlovac.

83. **Ukrainian** is mainly used in Bogdanovci municipality (county of Vukovar-Sirmium), but has still not been introduced into equal and official use. Furthermore, this language is not taught in pre-school, secondary, technical or vocational education. In primary education, Ukrainian is taught in accordance with Model C. There is a chair of Ukrainian Studies at the University of Zagreb. During the period under review, Ukrainian has been occasionally used with judicial authorities. Ukrainian is used on public television (see para. 51), but not on radio. This language is not used in newspapers. The Croatian authorities finance the Central Library of Ruthenians and Ukrainians in Croatia within the Zagreb City Libraries. There are magazines in Ukrainian.<sup>16</sup>

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<sup>16</sup> See footnote 12.

## Chapter 2 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages and recommendations

### 2.1 Boyash Romanian

#### 2.1.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Boyash Romanian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| The Committee of Experts considers the undertaking*:  |  |           |                  |                    |               |               |
|---|--|-----------|------------------|--------------------|---------------|---------------|
| Article   | Undertakings of Croatia concerning Boyash Romanian <sup>17</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>   |  |           |                  |                    |               |               |
| <b>(Undertakings which the State must apply to all regional or minority languages within its territory)</b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>   |  |           |                  |                    |               |               |
| 7.1.a   | recognition of Boyash Romanian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b   | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Boyash Romanian   | =         |                  |                    |               |               |
| 7.1.c   | resolute action to promote Boyash Romanian   |           |                  |                    | =             |               |
| 7.1.d   | facilitation and/or encouragement of the use of Boyash Romanian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           |                  |                    | =             |               |
| 7.1.e   | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Boyash Romanian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f   | provision of forms and means for the teaching and study of Boyash Romanian at all appropriate stages   |           |                  |                    | =             |               |
| 7.1.g   | provision of facilities enabling (also adult) non-speakers of Boyash Romanian to learn it  |           |                  |                    |               | =             |
| 7.1.h   | promotion of study and research on Boyash Romanian at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i   | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Boyash Romanian  |           |                  |                    |               | =             |
| 7.2   | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Boyash Romanian   | =         |                  |                    |               |               |
| 7.3   | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Boyash Romanian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Boyash Romanian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4   | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Boyash Romanian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Boyash Romanian</li> </ul>  |           | =                |                    |               |               |

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>17</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

### **2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Boyash Romanian in Croatia**

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>18</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. **Introduce Boyash Romanian in pre-school and primary education (Model C) in the counties of Međimurje and Osijek-Baranja.**
- b. **Introduce the broadcasting of a television programme and a radio programme in Boyash Romanian on a regular basis and of sufficiently long duration in the areas where this language is traditionally used.**

#### **II. Further recommendations**

- c. Support the provision of Boyash Romanian language courses, including for adults.
- d. Support the creation of a monthly news publication in Boyash Romanian.
- e. Promote awareness of the Boyash Romanian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- f. Develop and implement, in co-operation with representatives of the speakers, a strategy on the promotion of the use of Boyash Romanian.

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<sup>18</sup> RecChL(2001)2  
RecChL(2005)2  
CM/RecChL(2008)1  
CM/RecChL(2010)8  
CM/RecChL(2015)2

## 2.2 Czech

### 2.2.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Czech

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| The Committee of Experts considers the undertaking*:   |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Czech <sup>19</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b><br><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Czech as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Czech   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Czech   |           | =                |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Czech, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Czech</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Czech at all appropriate stages   | =         |                  |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Czech to learn it  |           | =                |                    |               |               |
| 7.1.h  | promotion of study and research on Czech at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Czech  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Czech   | =         |                  |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Czech among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Czech among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Czech</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Czech</li> </ul>  | =         |                  |                    |               |               |
| <b>Part III of the Charter</b><br><i>(Additional undertakings chosen by the State for specific languages)</i>                                |  |           |                  |                    |               |               |
| <b>Art. 8 – Education</b>  |  |           |                  |                    |               |               |
| 8.1.a.iii  | make available pre-school education in Czech or a substantial part of pre-school education in Czech at least to those pupils whose families so request and whose number is considered sufficient   | =         |                  |                    |               |               |
| 8.1.b.iv   | make available primary education in Czech, a substantial part of primary education in Czech or teaching of Czech as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient  | =         |                  |                    |               |               |
| 8.1.c.iv   | make available secondary education in Czech, a substantial part of secondary education in Czech or teaching of Czech as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient  | =         |                  |                    |               |               |

<sup>19</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

| <b>The Committee of Experts considers the undertaking*:</b>     |   |                  |                         |                           |                      |                      |
|---|---|------------------|-------------------------|---------------------------|----------------------|----------------------|
| <b>Article</b>  | <b>Undertakings of Croatia concerning Czech<sup>19</sup></b>  | <b>fulfilled</b> | <b>partly fulfilled</b> | <b>formally fulfilled</b> | <b>not fulfilled</b> | <b>no conclusion</b> |
| 8.1.div   | make available technical and vocational education in Czech, a substantial part of technical and vocational education in Czech or teaching of Czech as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient | =                |                         |                           |                      |                      |
| 8.1.eii   | provide facilities for the study of Czech as an university and higher education subject   | =                |                         |                           |                      |                      |
| 8.1.fii   | offer Czech as a subject of adult and continuing education  | =                |                         |                           |                      |                      |
| 8.1.g   | ensure the teaching of the history and the culture which is reflected by Czech  |                  | =                       |                           |                      |                      |
| 8.1.h   | provide the basic and further training of the teachers teaching (in) Czech  | ↗                |                         |                           |                      |                      |
| <b>Art. 9 – Judicial authorities</b>                            |   |                  |                         |                           |                      |                      |
| 9.1.a.iii   | guarantee the accused the right to use Czech in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned   |                  |                         | ✓                         |                      |                      |
| 9.1.a.iv  | produce, on request, documents connected with criminal legal proceedings in Czech, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned  |                  |                         | ✓                         |                      |                      |
| 9.1.b.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Czech in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations                                     |                  |                         | ✓                         |                      |                      |
| 9.1.b.iii   | allow documents and evidence to be produced in Czech in civil proceedings, if necessary by the use of interpreters and translations   |                  |                         | ✓                         |                      |                      |
| 9.1.c.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Czech in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations         |                  |                         | ✓                         |                      |                      |
| 9.1.c.iii   | allow documents and evidence to be produced in Czech in proceedings concerning administrative matters, if necessary by the use of interpreters and translations   |                  |                         | ✓                         |                      |                      |
| 9.1.d   | with regard to the conduct of civil and/or administrative proceedings in Czech and the related use of documents and evidence in Czech, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned            |                  |                         | ✓                         |                      |                      |
| 9.2.a   | not to deny the validity of legal documents solely because they are drafted in Czech  | =                |                         |                           |                      |                      |
| <b>Art. 10 – Administrative authorities and public services</b> |   |                  |                         |                           |                      |                      |
| 10.1.a.iii  | ensure that users of Czech may submit oral or written applications to local branches of the national authorities and receive a reply in Czech   |                  |                         |                           |                      | ✓                    |
| 10.1.a.iv   | ensure that users of Czech may submit oral or written applications in Czech to local branches of the national authorities <sup>20</sup>   |                  |                         |                           |                      |                      |
| 10.1.b  | make available widely used national administrative texts and forms in Czech or in bilingual versions  |                  | =                       |                           |                      |                      |
| 10.1.c  | allow the national authorities to draft documents in Czech  |                  | =                       |                           |                      |                      |
| 10.2.a  | use of Czech within the framework of the regional or local authority  |                  |                         |                           | ✓                    |                      |
| 10.2.b  | possibility for users of Czech to submit oral or written applications in Czech to the regional or local authority   |                  | =                       |                           |                      |                      |
| 10.2.c  | publication by regional authorities of their official documents also in Czech   |                  |                         |                           | =                    |                      |
| 10.2.d  | publication by local authorities of their official documents also in Czech  |                  |                         |                           | ✓                    |                      |

<sup>20</sup> Croatia has ratified Articles 10.1.a.iii and 10.1.a.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 10.1.a.iv.

| The Committee of Experts considers the undertaking*: |   |           |  |                    |               |               |
|--|---|-----------|--|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Czech <sup>19</sup>  | fulfilled | partly fulfilled   | formally fulfilled | not fulfilled | no conclusion |
|  |   | 10.2.g    | use or adoption, if necessary in conjunction with the name in the official language, of place names in Czech |                    | =             |               |
| 10.3.a   | ensure that Czech is used in the provision of public services   |           |  |                    | =             |               |
| 10.3.b   | allow users of Czech to submit a request to and receive a reply from public service providers in Czech <sup>21</sup>  |           |  |                    |               |               |
| 10.3.c   | allow users of Czech to submit a request in Czech to public service providers   |           |  |                    |               |               |
| 10.5   | allow the use or adoption of family names in Czech  | =         |  |                    |               |               |
| <b>Art. 11 – Media</b>                               |   |           |  |                    |               |               |
| 11.1.iii   | make provision so that public broadcasters offer radio and television programmes in Czech   | ↗<br>22   |  |                    | =<br>23       |               |
| 11.1.d   | encourage and/or facilitate the production and distribution of audio and audiovisual works in Czech   |           |  |                    |               | =             |
| 11.1.eii   | encourage and/or facilitate the weekly or daily publication of newspaper articles in Czech  | =         |  |                    |               |               |
| 11.2   | <ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Czech</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Czech</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Czech</li> </ul> | =         |  |                    |               |               |
| 11.3   | ensure that the interests of the users of Czech are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media   |           |  |                    |               | =             |
| <b>Art. 12 – Cultural activities and facilities</b>  |   |           |  |                    |               |               |
| 12.1.a   | encourage production, reproduction and dissemination of cultural works in Czech   | =         |  |                    |               |               |
| 12.1.f   | encourage direct participation by representatives of the users of Czech in providing facilities and planning cultural activities  | =         |  |                    |               |               |
| 12.1.g   | encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Czech   | =         |  |                    |               |               |
| <b>Art. 13 – Economic and social life</b>            |   |           |  |                    |               |               |
| 13.1.a   | eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Czech in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations  | =         |  |                    |               |               |
| 13.1.b   | prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Czech  | =         |  |                    |               |               |
| 13.1.c   | oppose practices designed to discourage the use of Czech in connection with economic or social activities   | ↗         |  |                    |               |               |
| <b>Art. 14 – Transfrontier exchanges</b>             |   |           |  |                    |               |               |
| 14.a   | apply bilateral and multilateral agreements with the States in which Czech is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Czech in the States concerned in the fields of culture, education, information, vocational training and permanent education   | =         |  |                    |               |               |
| 14.b   | for the benefit of Czech, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Czech is used in identical or similar form  |           |  |                    |               | ↗             |

<sup>21</sup> Croatia has ratified Articles 10.3.a, 10.3.b and 10.3.c which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 10.3.b and 10.3.c.

<sup>22</sup> public radio

<sup>23</sup> public television



\* **The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:**

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

## Changes in the evaluation compared to the previous monitoring cycle

84. The Committee of Experts has been informed that, in addition to further training, basic training for teachers teaching in Czech is also organised in Croatia. Therefore, Article 8.1.h is now fulfilled. During the period under review, Czech has not been used with judicial authorities. Consequently, the undertakings in Article 9.1 are only formally fulfilled in the area where Czech is in equal and official use. The Committee of Experts has not received sufficiently precise information about whether local branches of the State authorities have used Czech in communication with Czech speakers during the period under review and can therefore not conclude on the implementation of Article 10.1.a.iii. During the on-the-spot visit, it was confirmed that local and regional authorities do not use Czech as an internal working language, nor do they publish their official documents in Czech. Therefore, Articles 10.2.a and 10.2.d are not fulfilled. Representatives of the Czech speakers also informed the Committee of Experts that there is a monthly (one-hour) programme in Czech on the local radio station “Radio Grubišno Polje”. Furthermore, Radio Daruvar broadcasts daily in Czech. Therefore, Article 11.1.a.iii is fulfilled concerning radio. With respect to Article 13.1.c, the Committee of Experts has not received any complaints from the speakers and therefore concludes that this undertaking is fulfilled. The Committee of Experts has not received examples of activities promoting Czech in the framework of cross-border co-operation at regional and local levels and cannot conclude on the practical implementation of Article 14.b.

### 2.2.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Czech in Croatia

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.2.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>24</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. **Use Czech in regional and local authorities and extend its equal and official use to additional municipalities.**
- b. **Introduce the broadcasting of a television programme in Czech on a regular basis and of a sufficiently long duration.**

#### II. Further recommendations

- c. Promote awareness of the Czech language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- d. Use Czech in public services provided by administrative authorities.
- e. Promote the use or adoption of place names in Czech.
- f. Facilitate the production and distribution of audio and audiovisual works in Czech, including on the internet.

<sup>24</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2

## 2.3 German

### 2.3.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| The Committee of Experts considers the undertaking*:  |  |           |                  |                    |               |               |
|---|--|-----------|------------------|--------------------|---------------|---------------|
| Article   | Undertakings of Croatia concerning German <sup>25</sup>  | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>   |  |           |                  |                    |               |               |
| <b>(Undertakings which the State must apply to all regional or minority languages within its territory)</b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>   |  |           |                  |                    |               |               |
| 7.1.a   | recognition of German as an expression of cultural wealth  | =         |                  |                    |               |               |
| 7.1.b   | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of German  | =         |                  |                    |               |               |
| 7.1.c   | resolute action to promote German  |           | =                |                    |               |               |
| 7.1.d   | facilitation and/or encouragement of the use of German, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life   |           | =                |                    |               |               |
| 7.1.e   | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using German</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>  | =         |                  |                    |               |               |
| 7.1.f   | provision of forms and means for the teaching and study of German at all appropriate stages  |           | =                |                    |               |               |
| 7.1.g   | provision of facilities enabling (also adult) non-speakers of German to learn it   |           |                  |                    |               | =             |
| 7.1.h   | promotion of study and research on German at universities or equivalent institutions   | =         |                  |                    |               |               |
| 7.1.i   | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of German   |           | =                |                    |               |               |
| 7.2   | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of German  | =         |                  |                    |               |               |
| 7.3   | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to German among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to German among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4   | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses German</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to German</li> </ul>  |           | =                |                    |               |               |

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>25</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

### 2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of German in Croatia

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.3.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>26</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. **Provide German language education at pre-school and primary levels (Model C) in additional municipalities where the German minority association is active, e.g. Đakovo, Sirač, Vukovar and Zagreb.**
- b. **Introduce the broadcasting of a television programme and a radio programme in German on a regular basis and of sufficiently long duration.**

#### II. Further recommendations

- c. Promote awareness of the German language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- d. Support the creation of an online monthly news magazine in German.
- e. Develop and implement, in co-operation with representatives of the German speakers, a strategy on the promotion of the use of German in different fields of public life covered by the Charter.

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<sup>26</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2

## 2.4 Hungarian

### 2.4.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Hungarian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| The Committee of Experts considers the undertaking*:   |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Hungarian <sup>27</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>  |  |           |                  |                    |               |               |
| <b><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i></b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Hungarian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Hungarian   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Hungarian   |           | =                |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Hungarian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Hungarian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Hungarian at all appropriate stages   | =         |                  |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Hungarian to learn it  |           | =                |                    |               |               |
| 7.1.h  | promotion of study and research on Hungarian at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Hungarian  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Hungarian   | =         |                  |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Hungarian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Hungarian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Hungarian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Hungarian</li> </ul>  | =         |                  |                    |               |               |
| <b>Part III of the Charter</b>   |  |           |                  |                    |               |               |
| <b><i>(Additional undertakings chosen by the State for specific languages)</i></b>                                 |  |           |                  |                    |               |               |
| <b>Art. 8 – Education</b>  |  |           |                  |                    |               |               |
| 8.1.iii  | make available pre-school education in Hungarian or a substantial part of pre-school education in Hungarian at least to those pupils whose families so request and whose number is considered sufficient   | =         |                  |                    |               |               |
| 8.1.biv  | make available primary education in Hungarian, a substantial part of primary education in Hungarian or teaching of Hungarian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient  | =         |                  |                    |               |               |
| 8.1.civ  | make available secondary education in Hungarian, a substantial part of secondary education in Hungarian or teaching of Hungarian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient  | =         |                  |                    |               |               |

<sup>27</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

| The Committee of Experts considers the undertaking*:            |  |           |                  |                    |               |               |
|---|--|-----------|------------------|--------------------|---------------|---------------|
| Article   | Undertakings of Croatia concerning Hungarian <sup>27</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
|   |  |           |                  |                    |               |               |
| 8.1.eii   | provide facilities for the study of Hungarian as an university and higher education subject  | =         |                  |                    |               |               |
| 8.1.fii   | offer Hungarian as a subject of adult and continuing education   |           |                  |                    |               | ✓             |
| 8.1.g   | ensure the teaching of the history and the culture which is reflected by Hungarian   |           | =                |                    |               |               |
| 8.1.h   | provide the basic and further training of the teachers teaching (in) Hungarian   | ↗         |                  |                    |               |               |
| <b>Art. 9 – Judicial authorities</b>                            |  |           |                  |                    |               |               |
| 9.1.aii   | guarantee the accused the right to use Hungarian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned  | ↗         |                  |                    |               |               |
| 9.1.aiv   | produce, on request, documents connected with criminal legal proceedings in Hungarian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned   | ↗         |                  |                    |               |               |
| 9.1.bii   | allow, whenever a litigant has to appear in person before a court, that he or she may use Hungarian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations                              | ↗         |                  |                    |               |               |
| 9.1.biii  | allow documents and evidence to be produced in Hungarian in civil proceedings, if necessary by the use of interpreters and translations  | ↗         |                  |                    |               |               |
| 9.1.cii   | allow, whenever a litigant has to appear in person before a court, that he or she may use Hungarian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations  |           |                  | =                  |               |               |
| 9.1.ciii  | allow documents and evidence to be produced in Hungarian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations  |           |                  | ✓                  |               |               |
| 9.1.d   | with regard to the conduct of civil and/or administrative proceedings in Hungarian and the related use of documents and evidence in Hungarian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned | =         |                  |                    |               |               |
| 9.2.a   | not to deny the validity of legal documents solely because they are drafted in Hungarian   | =         |                  |                    |               |               |
| <b>Art. 10 – Administrative authorities and public services</b> |  |           |                  |                    |               |               |
| 10.1.aiii   | ensure that users of Hungarian may submit oral or written applications to local branches of the national authorities and receive a reply in Hungarian  |           |                  |                    |               | ✓             |
| 10.1.aiv  | ensure that users of Hungarian may submit oral or written applications in Hungarian to local branches of the national authorities <sup>28</sup>  |           |                  |                    |               |               |
| 10.1.b  | make available widely used national administrative texts and forms in Hungarian or in bilingual versions   |           | ↗                |                    |               |               |
| 10.1.c  | allow the national authorities to draft documents in Hungarian   |           | =                |                    |               |               |
| 10.2.a  | use of Hungarian within the framework of the regional or local authority   |           |                  |                    | ✓             |               |
| 10.2.b  | possibility for users of Hungarian to submit oral or written applications in Hungarian to the regional or local authority  |           | =                |                    |               |               |
| 10.2.c  | publication by regional authorities of their official documents also in Hungarian  |           |                  |                    | =             |               |
| 10.2.d  | publication by local authorities of their official documents also in Hungarian   |           |                  |                    | ✓             |               |

<sup>28</sup> Croatia has ratified Articles 10.1.aiii and 10.1.aiv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 10.1.aiv.

| The Committee of Experts considers the undertaking*: |   |                 |                  |                    |               |               |
|--|---|-----------------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Hungarian <sup>27</sup>  | fulfilled       | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| 10.2.g   | use or adoption, if necessary in conjunction with the name in the official language, of place names in Hungarian  |                 | =                |                    |               |               |
| 10.3.a   | ensure that Hungarian is used in the provision of public services   |                 |                  |                    | =             |               |
| 10.3.b   | allow users of Hungarian to submit a request to and receive a reply from public service providers in Hungarian  |                 |                  |                    |               |               |
| 10.3.c   | allow users of Hungarian to submit a request in Hungarian to public service providers   |                 |                  |                    |               |               |
| 10.5   | allow the use or adoption of family names in Hungarian  | =               |                  |                    |               |               |
| <b>Art. 11 – Media</b>                               |   |                 |                  |                    |               |               |
| 11.1.a.iii   | make provision so that public broadcasters offer radio and television programmes in Hungarian   | = <sup>29</sup> |                  |                    | ↙<br>30       |               |
| 11.1.d   | encourage and/or facilitate the production and distribution of audio and audiovisual works in Hungarian   |                 |                  |                    |               | =             |
| 11.1.eii   | encourage and/or facilitate the weekly or daily publication of newspaper articles in Hungarian  | =               |                  |                    |               |               |
| 11.2   | <ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Hungarian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Hungarian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Hungarian</li> </ul> | =               |                  |                    |               |               |
| 11.3   | ensure that the interests of the users of Hungarian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media   |                 |                  |                    |               | =             |
| <b>Art. 12 – Cultural activities and facilities</b>  |   |                 |                  |                    |               |               |
| 12.1.a   | encourage production, reproduction and dissemination of cultural works in Hungarian   | =               |                  |                    |               |               |
| 12.1.f   | encourage direct participation by representatives of the users of Hungarian in providing facilities and planning cultural activities  | =               |                  |                    |               |               |
| 12.1.g   | encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Hungarian   | =               |                  |                    |               |               |
| <b>Art. 13 – Economic and social life</b>            |   |                 |                  |                    |               |               |
| 13.1.a   | eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Hungarian in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations  | =               |                  |                    |               |               |
| 13.1.b   | prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Hungarian  | =               |                  |                    |               |               |
| 13.1.c   | oppose practices designed to discourage the use of Hungarian in connection with economic or social activities   | ↗               |                  |                    |               |               |
| <b>Art. 14 – Transfrontier exchanges</b>             |   |                 |                  |                    |               |               |
| 14.a   | apply bilateral and multilateral agreements with the States in which Hungarian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Hungarian in the States concerned in the fields of culture, education, information, vocational training and permanent education   | =               |                  |                    |               |               |
| 14.b   | for the benefit of Hungarian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Hungarian is used in identical or similar form  |                 |                  |                    |               | ↙             |

<sup>29</sup> public radio

<sup>30</sup> public television

\* **The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:**

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

## **Changes in the evaluation compared to the previous monitoring cycle**

85. The Committee of Experts has not received concrete information about whether Hungarian is taught in adult or continuing education and is therefore not in a position to conclude on Article 8.1.fii. Croatia's periodical report indicates that the University of Osijek provides basic training for teachers of Hungarian. Since further training is also available for such teachers, Article 8.1.h is fulfilled. During the period under review, Hungarian has been used in some criminal and civil proceedings. Therefore, the Committee of Experts considers the respective undertakings (Articles 9.1.a.ii, 9.1.a.iv, 9.1.b.ii, 9.1.b.iii) fulfilled in the area where Hungarian is in equal and official use. However, Hungarian has not been used in proceedings concerning administrative matters. Consequently, Article 9.1.c.iii is only formally fulfilled in these areas. The Committee of Experts has not received sufficiently precise information about whether local branches of the State authorities have used Hungarian in communication with Hungarian speakers during the period under review and can therefore not conclude on the implementation of Article 10.1.a.iii. As far as Article 10.1.b is concerned, bilingual identity cards have been issued in Hungarian. However, as the scope of Article 10.1.b goes beyond identity cards, the undertaking is only partly fulfilled. Similarly to previous monitoring cycles, the Committee of Experts has not received concrete information confirming that local and regional authorities use Hungarian as an internal working language or publish their official documents in Hungarian. Therefore, Articles 10.2.a and 10.2.d are not fulfilled. The use of Hungarian on public television is irregular and of a too short a duration to comply with Article 11.1.a.iii. At present, this undertaking is not fulfilled concerning television. With respect to Article 13.1.c, the Committee of Experts has not received any complaints from the speakers and therefore concludes that this undertaking is fulfilled. The Committee of Experts has not received examples of activities promoting Hungarian in the framework of cross-border co-operation at regional and local levels and cannot conclude on the practical implementation of Article 14.b.

### **2.4.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Hungarian in Croatia**

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.4.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>31</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>a.</li> <li>b.</li> </ul> | <ul style="list-style-type: none"> <li><b>Use Hungarian in regional and local authorities and extend its equal and official use to additional municipalities.</b></li> <li><b>Introduce the broadcasting of a television programme in Hungarian on a regular basis and of a sufficiently long duration.</b></li> </ul> |
|--|--|

<sup>31</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2

**II. Further recommendations**

- c. Promote awareness of the Hungarian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- d. Take measures to encourage the Hungarian speakers to submit oral or written applications in Hungarian to local branches of the national authorities, regional and local authorities.
- e. Ensure that local branches of the national authorities, regional and local authorities also make available administrative texts, forms and official documents in Hungarian.
- f. Use Hungarian in public services provided by administrative authorities.
- g. Promote the use or adoption of place names in Hungarian.
- h. Facilitate the production and distribution of audio and audiovisual works in Hungarian, including on the internet.



## 2.5 Istro-Romanian

### 2.5.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Istro-Romanian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| The Committee of Experts considers the undertaking*:  |  |           |                  |                    |               |               |
|---|--|-----------|------------------|--------------------|---------------|---------------|
| Article   | Undertakings of Croatia concerning Istro-Romanian <sup>32</sup>  | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>   |  |           |                  |                    |               |               |
| <b>(Undertakings which the State must apply to all regional or minority languages within its territory)</b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>   |  |           |                  |                    |               |               |
| 7.1.a   | recognition of Istro-Romanian as an expression of cultural wealth  | =         |                  |                    |               |               |
| 7.1.b   | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Istro-Romanian  | =         |                  |                    |               |               |
| 7.1.c   | resolute action to promote Istro-Romanian  |           |                  |                    | =             |               |
| 7.1.d   | facilitation and/or encouragement of the use of Istro-Romanian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life   |           | =                |                    |               |               |
| 7.1.e   | • maintenance and development of links, in the fields covered by this Charter, between groups in the State using Istro-Romanian<br>• establishment of cultural relations with other linguistic groups  |           | =                |                    |               |               |
| 7.1.f   | provision of forms and means for the teaching and study of Istro-Romanian at all appropriate stages  |           |                  |                    | =             |               |
| 7.1.g   | provision of facilities enabling (also adult) non-speakers of Istro-Romanian to learn it   |           | =                |                    |               |               |
| 7.1.h   | promotion of study and research on Istro-Romanian at universities or equivalent institutions   |           |                  |                    | =             |               |
| 7.1.i   | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Istro-Romanian   |           |                  |                    |               | =             |
| 7.2   | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Istro-Romanian  | =         |                  |                    |               |               |
| 7.3   | • promote mutual understanding between all the linguistic groups of the country<br>• promote the inclusion of respect, understanding and tolerance in relation to Istro-Romanian among the objectives of education and training<br>• encourage the mass media to include respect, understanding and tolerance in relation to Istro-Romanian among their objectives |           | =                |                    |               |               |
| 7.4   | • take into consideration the needs and wishes expressed by the group which uses Istro-Romanian<br>• establish a body for the purpose of advising the authorities on all matters pertaining to Istro-Romanian  |           | =                |                    |               |               |

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>32</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

## **2.5.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Istro-Romanian in Croatia**

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.5.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>33</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

- a. **Introduce Istro-Romanian in pre-school and primary education in the municipalities of Kršan and Matulji.**
- b. **Develop and implement, in co-operation with representatives of the speakers, a strategy on the safeguarding of Istro-Romanian as a living language.**

### **II. Further recommendations**

- c. Promote awareness of the Istro-Romanian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- d. Support the provision of Istro-Romanian language courses for adults, including teachers.
- e. Promote study and research on Istro-Romanian at university level.
- f. Support the production of audio and audiovisual works in Istro-Romanian, including on the internet.
- g. Provide regular support to cultural activities and facilities using Istro-Romanian.

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<sup>33</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2

## 2.6 Italian

### 2.6.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Italian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| The Committee of Experts considers the undertaking*:   |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Italian <sup>34</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>  |  |           |                  |                    |               |               |
| <b><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i></b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Italian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Italian   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Italian   | =         |                  |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Italian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Italian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Italian at all appropriate stages   | =         |                  |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Italian to learn it  |           |                  |                    |               | =             |
| 7.1.h  | promotion of study and research on Italian at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Italian  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Italian   | =         |                  |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Italian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Italian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Italian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Italian</li> </ul>  | =         |                  |                    |               |               |
| <b>Part III of the Charter</b>   |  |           |                  |                    |               |               |
| <b><i>(Additional undertakings chosen by the State for specific languages)</i></b>                                 |  |           |                  |                    |               |               |
| <b>Art. 8 – Education</b>  |  |           |                  |                    |               |               |
| 8.1.a.iii  | make available pre-school education in Italian or a substantial part of pre-school education in Italian at least to those pupils whose families so request and whose number is considered sufficient   | =         |                  |                    |               |               |
| 8.1.b.iv   | make available primary education in Italian, a substantial part of primary education in Italian or teaching of Italian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient  | =         |                  |                    |               |               |

<sup>34</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

| <b>The Committee of Experts considers the undertaking*:</b>     |   |                  |                         |                           |                      |                      |
|---|---|------------------|-------------------------|---------------------------|----------------------|----------------------|
| <b>Article</b>  | <b>Undertakings of Croatia concerning Italian<sup>34</sup></b>  | <b>fulfilled</b> | <b>partly fulfilled</b> | <b>formally fulfilled</b> | <b>not fulfilled</b> | <b>no conclusion</b> |
| 8.1.civ   | make available secondary education in Italian, a substantial part of secondary education in Italian or teaching of Italian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient                               | =                |                         |                           |                      |                      |
| 8.1.div   | make available technical and vocational education in Italian, a substantial part of technical and vocational education in Italian or teaching of Italian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient | =                |                         |                           |                      |                      |
| 8.1.eii   | provide facilities for the study of Italian as an university and higher education subject   | =                |                         |                           |                      |                      |
| 8.1.fii   | offer Italian as a subject of adult and continuing education  | =                |                         |                           |                      |                      |
| 8.1.g   | ensure the teaching of the history and the culture which is reflected by Italian  |                  | =                       |                           |                      |                      |
| 8.1.h   | provide the basic and further training of the teachers teaching (in) Italian  | =                |                         |                           |                      |                      |
| <b>Art. 9 – Judicial authorities</b>                            |   |                  |                         |                           |                      |                      |
| 9.1.a.ii  | guarantee the accused the right to use Italian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned   | ↗                |                         |                           |                      |                      |
| 9.1.a.iv  | produce, on request, documents connected with criminal legal proceedings in Italian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned  | ↗                |                         |                           |                      |                      |
| 9.1.b.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Italian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations   | ↗                |                         |                           |                      |                      |
| 9.1.b.iii   | allow documents and evidence to be produced in Italian in civil proceedings, if necessary by the use of interpreters and translations   | ↗                |                         |                           |                      |                      |
| 9.1.c.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Italian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations             |                  |                         | ↗                         |                      |                      |
| 9.1.c.iii   | allow documents and evidence to be produced in Italian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations   |                  |                         | ↙                         |                      |                      |
| 9.1.d   | with regard to the conduct of civil and/or administrative proceedings in Italian and the related use of documents and evidence in Italian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned              | ↗                |                         |                           |                      |                      |
| 9.2.a   | not to deny the validity of legal documents solely because they are drafted in Italian  | =                |                         |                           |                      |                      |
| <b>Art. 10 – Administrative authorities and public services</b> |   |                  |                         |                           |                      |                      |
| 10.1.a.iii  | ensure that users of Italian may submit oral or written applications to local branches of the national authorities and receive a reply in Italian   |                  | =                       |                           |                      |                      |
| 10.1.a.iv   | ensure that users of Italian may submit oral or written applications in Italian to local branches of the national authorities <sup>35</sup>   |                  |                         |                           |                      |                      |
| 10.1.b  | make available widely used national administrative texts and forms in Italian or in bilingual versions  |                  | =                       |                           |                      |                      |
| 10.1.c  | allow the national authorities to draft documents in Italian  |                  | =                       |                           |                      |                      |
| 10.2.a  | use of Italian within the framework of the regional or local authority  | =                |                         |                           |                      |                      |
| 10.2.b  | possibility for users of Italian to submit oral or written applications in Italian to the regional or local authority   | =                |                         |                           |                      |                      |

<sup>35</sup> Croatia has ratified Articles 10.1.a.iii and 10.1.a.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 10.1.a.iv.

| <b>The Committee of Experts considers the undertaking*:</b> |   |                  |                         |                           |                      |                      |
|---|---|------------------|-------------------------|---------------------------|----------------------|----------------------|
| <b>Article</b>  | <b>Undertakings of Croatia concerning Italian<sup>34</sup></b>  | <b>fulfilled</b> | <b>partly fulfilled</b> | <b>formally fulfilled</b> | <b>not fulfilled</b> | <b>no conclusion</b> |
| 10.2.c  | publication by regional authorities of their official documents also in Italian   |                  | ✓                       |                           |                      |                      |
| 10.2.d  | publication by local authorities of their official documents also in Italian  |                  | ✓                       |                           |                      |                      |
| 10.2.g  | use or adoption, if necessary in conjunction with the name in the official language, of place names in Italian  | =                |                         |                           |                      |                      |
| 10.3.a  | ensure that Italian is used in the provision of public services   |                  | ↗                       |                           |                      |                      |
| 10.3.b  | allow users of Italian to submit a request to and receive a reply from public service providers in Italian <sup>36</sup>  |                  |                         |                           |                      |                      |
| 10.3.c  | allow users of Italian to submit a request in Italian to public service providers   |                  |                         |                           |                      |                      |
| 10.5  | allow the use or adoption of family names in Italian  | =                |                         |                           |                      |                      |
| <b>Art. 11 – Media</b>                                      |   |                  |                         |                           |                      |                      |
| 11.1.a.iii  | make provision so that public broadcasters offer radio and television programmes in Italian   | =                |                         |                           | =                    |                      |
| 11.1.d  | encourage and/or facilitate the production and distribution of audio and audiovisual works in Italian   |                  |                         |                           |                      | =                    |
| 11.1.eii  | encourage and/or facilitate the weekly or daily publication of newspaper articles in Italian  | =                |                         |                           |                      |                      |
| 11.2  | <ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Italian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Italian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Italian</li> </ul> | =                |                         |                           |                      |                      |
| 11.3  | ensure that the interests of the users of Italian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media   |                  |                         |                           |                      | =                    |
| <b>Art. 12 – Cultural activities and facilities</b>         |   |                  |                         |                           |                      |                      |
| 12.1.a  | encourage production, reproduction and dissemination of cultural works in Italian   | =                |                         |                           |                      |                      |
| 12.1.f  | encourage direct participation by representatives of the users of Italian in providing facilities and planning cultural activities  | =                |                         |                           |                      |                      |
| 12.1.g  | encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Italian   | =                |                         |                           |                      |                      |
| <b>Art. 13 – Economic and social life</b>                   |   |                  |                         |                           |                      |                      |
| 13.1.a  | eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Italian in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations  | =                |                         |                           |                      |                      |
| 13.1.b  | prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Italian  | =                |                         |                           |                      |                      |
| 13.1.c  | oppose practices designed to discourage the use of Italian in connection with economic or social activities   |                  | ↗                       |                           |                      |                      |
| <b>Art. 14 – Transfrontier exchanges</b>                    |   |                  |                         |                           |                      |                      |
| 14.a  | apply bilateral and multilateral agreements with the States in which Italian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Italian in the States concerned in the fields of culture, education, information, vocational training and permanent education   | =                |                         |                           |                      |                      |
| 14.b  | for the benefit of Italian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Italian is used in identical or similar form  |                  |                         |                           |                      | ✓                    |

<sup>36</sup> Croatia has ratified Articles 10.3.a, 10.3.b and 10.3.c which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 10.3.b and 10.3.c.

<sup>37</sup> public radio

<sup>38</sup> public television

\* **The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:**

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

## Changes in the evaluation compared to the previous monitoring cycle

86. During the period under review, Italian has been used in some criminal and civil proceedings. Therefore, the Committee of Experts considers the respective undertakings (Articles 9.1.a.ii, 9.1.a.iv, 9.1.b.ii, 9.1.b.iii) fulfilled in the area where Italian is in equal and official use. However, Italian has not been used in administrative court proceedings; Articles 9.1.c.ii and 9.1.c.iii are therefore only formally fulfilled in these areas. According to the information provided by the authorities, the translation of documents and evidence in civil and administrative court proceedings does not involve extra expense for the parties; Article 9.1.d is thus fulfilled. During the on-the-spot visit, the Committee of Experts received confirmation that the county of Istria<sup>39</sup> as well as towns and municipalities in Istria where Italian is in equal and official use also publish only part of their official documents in Italian (e.g. the town of Pula-Pola). Representatives of the Italian speakers have pointed out that there is a lack of translated forms in some local self-government units where Italian is in equal and official use. At present, Articles 10.2.c and 10.2.d are partly fulfilled. During the on-the-spot visit, the Committee of Experts also received confirmation that the town of Pula-Pola ensures that Italian is used by all its public service providers. Since no such information is available about places other than Pula-Pola, Article 10.3.a can only be considered partly fulfilled. With respect to Article 13.1.c, the Committee of Experts has not received any complaints from the speakers and therefore concludes that this undertaking is fulfilled. The Committee of Experts has not received examples of activities promoting Italian in the framework of cross-border co-operation at regional and local levels and can therefore not conclude on the practical implementation of Article 14.b.

### 2.6.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Italian in Croatia

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>40</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. **Make education in Italian available in additional municipalities where Italian is used, e.g. in Zadar and Pakrac.**
- b. **Introduce the broadcasting of a television programme in Italian on a regular basis and of a sufficiently long duration.**
- c. **Accelerate the translation of textbooks in Italian.**

<sup>39</sup> See the page “Documents” on the Croatian (<http://www.istra-istria.hr/index.php?id=7>) and Italian (<http://www.istra-istria.hr/index.php?id=2337>) websites of the county of Istria.

<sup>40</sup> RecChL(2001)2  
RecChL(2005)2  
CM/RecChL(2008)1  
CM/RecChL(2010)8  
CM/RecChL(2015)2

**II. Further recommendations**

- d. Promote awareness of the Italian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- e. Ensure that local branches of the national, regional and local authorities make administrative texts, forms and official documents also available in Italian.
- f. Facilitate the production and distribution of audio and audiovisual works in Italian, including on the internet.

## 2.7 Ruthenian

### 2.7.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Ruthenian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| The Committee of Experts considers the undertaking*:   |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Ruthenian <sup>41</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b><br><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Ruthenian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Ruthenian   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Ruthenian   |           | =                |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Ruthenian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Ruthenian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Ruthenian at all appropriate stages   |           | =                |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Ruthenian to learn it  |           | =                |                    |               |               |
| 7.1.h  | promotion of study and research on Ruthenian at universities or equivalent institutions  |           |                  |                    | =             |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Ruthenian  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Ruthenian   | =         |                  |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Ruthenian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Ruthenian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Ruthenian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Ruthenian</li> </ul>  | =         |                  |                    |               |               |
| <b>Part III of the Charter</b><br><i>(Additional undertakings chosen by the State for specific languages)</i>                                |  |           |                  |                    |               |               |
| <b>Art. 8 – Education</b>  |  |           |                  |                    |               |               |
| 8.1.iii  | make available pre-school education in Ruthenian or a substantial part of pre-school education in Ruthenian at least to those pupils whose families so request and whose number is considered sufficient   |           |                  |                    | =             |               |
| 8.1.biv  | make available primary education in Ruthenian, a substantial part of primary education in Ruthenian or teaching of Ruthenian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient  |           | =                |                    |               |               |
| 8.1.civ  | make available secondary education in Ruthenian, a substantial part of secondary education in Ruthenian or teaching of Ruthenian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient  |           |                  |                    | =             |               |

<sup>41</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).



| The Committee of Experts considers the undertaking*:            |   |           |                  |                    |               |               |
|---|---|-----------|------------------|--------------------|---------------|---------------|
| Article   | Undertakings of Croatia concerning Ruthenian <sup>41</sup>  | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| 8.1.div   | make available technical and vocational education in Ruthenian, a substantial part of technical and vocational education in Ruthenian or teaching of Ruthenian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient |           |                  |                    | =             |               |
| 8.1.eii   | provide facilities for the study of Ruthenian as an university and higher education subject   |           |                  |                    | =             |               |
| 8.1.fii   | offer Ruthenian as a subject of adult and continuing education  |           |                  |                    | =             |               |
| 8.1.g   | ensure the teaching of the history and the culture which is reflected by Ruthenian  |           | =                |                    |               |               |
| 8.1.h   | provide the basic and further training of the teachers teaching (in) Ruthenian  |           | =                |                    |               |               |
| <b>Art. 9 – Judicial authorities</b>                            |   |           |                  |                    |               |               |
| 9.1.a.iii   | guarantee the accused the right to use Ruthenian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned   | ↗         |                  |                    |               |               |
| 9.1.a.iv  | produce, on request, documents connected with criminal legal proceedings in Ruthenian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned  | ↗         |                  |                    |               |               |
| 9.1.bii   | allow, whenever a litigant has to appear in person before a court, that he or she may use Ruthenian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations   |           |                  | =                  |               |               |
| 9.1.biii  | allow documents and evidence to be produced in Ruthenian in civil proceedings, if necessary by the use of interpreters and translations   |           |                  | =                  |               |               |
| 9.1.cii   | allow, whenever a litigant has to appear in person before a court, that he or she may use Ruthenian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations                 |           |                  | =                  |               |               |
| 9.1.ciii  | allow documents and evidence to be produced in Ruthenian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations   |           |                  | ↙                  |               |               |
| 9.1.d   | with regard to the conduct of civil and/or administrative proceedings in Ruthenian and the related use of documents and evidence in Ruthenian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned                | =         |                  |                    |               |               |
| 9.2.a   | not to deny the validity of legal documents solely because they are drafted in Ruthenian  | =         |                  |                    |               |               |
| <b>Art. 10 – Administrative authorities and public services</b> |   |           |                  |                    |               |               |
| 10.1.a.iii  | ensure that users of Ruthenian may submit oral or written applications to local branches of the national authorities and receive a reply in Ruthenian   |           |                  |                    |               | ↙             |
| 10.1.a.iv   | ensure that users of Ruthenian may submit oral or written applications in Ruthenian to local branches of the national authorities <sup>42</sup>   |           |                  |                    |               |               |
| 10.1.b  | make available widely used national administrative texts and forms in Ruthenian or in bilingual versions  |           | ↗                |                    |               |               |
| 10.1.c  | allow the national authorities to draft documents in Ruthenian  |           | =                |                    |               |               |
| 10.2.a  | use of Ruthenian within the framework of the regional or local authority  |           |                  |                    | =             |               |
| 10.2.b  | possibility for users of Ruthenian to submit oral or written applications in Ruthenian to the regional or local authority   |           | =                |                    |               |               |
| 10.2.c  | publication by regional authorities of their official documents also in Ruthenian   |           |                  |                    | =             |               |
| 10.2.d  | publication by local authorities of their official documents also in Ruthenian  |           |                  |                    | =             |               |
| 10.2.g  | use or adoption, if necessary in conjunction with the name in the official language, of place names in Ruthenian  |           |                  |                    | =             |               |

<sup>42</sup> Croatia has ratified Articles 10.1.a.iii and 10.1.a.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 10.1.a.iv.

| The Committee of Experts considers the undertaking*: |   |           |                  |                    |               |               |
|--|---|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Ruthenian <sup>41</sup>  | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
|  |   |           |                  |                    |               |               |
| 10.3.a   | ensure that Ruthenian is used in the provision of public services   |           |                  |                    | =             |               |
| 10.3.b   | allow users of Ruthenian to submit a request to and receive a reply from public service providers in Ruthenian <sup>43</sup>  |           |                  |                    |               |               |
| 10.3.c   | allow users of Ruthenian to submit a request in Ruthenian to public service providers   |           |                  |                    |               |               |
| 10.5   | allow the use or adoption of family names in Ruthenian  | =         |                  |                    |               |               |
| <b>Art. 11 – Media</b>                               |   |           |                  |                    |               |               |
| 11.1.a.iii   | make provision so that public broadcasters offer radio and television programmes in Ruthenian   |           |                  |                    | =             |               |
| 11.1.d   | encourage and/or facilitate the production and distribution of audio and audiovisual works in Ruthenian   |           |                  |                    | =             |               |
| 11.1.eii   | encourage and/or facilitate the weekly or daily publication of newspaper articles in Ruthenian  |           |                  |                    | =             |               |
| 11.2   | <ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Ruthenian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Ruthenian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Ruthenian</li> </ul> | =         |                  |                    |               |               |
| 11.3   | ensure that the interests of the users of Ruthenian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media   |           |                  |                    |               | =             |
| <b>Art. 12 – Cultural activities and facilities</b>  |   |           |                  |                    |               |               |
| 12.1.a   | encourage production, reproduction and dissemination of cultural works in Ruthenian   | =         |                  |                    |               |               |
| 12.1.f   | encourage direct participation by representatives of the users of Ruthenian in providing facilities and planning cultural activities  | =         |                  |                    |               |               |
| 12.1.g   | encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Ruthenian   | =         |                  |                    |               |               |
| <b>Art. 13 – Economic and social life</b>            |   |           |                  |                    |               |               |
| 13.1.a   | eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Ruthenian in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations  | =         |                  |                    |               |               |
| 13.1.b   | prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Ruthenian  | =         |                  |                    |               |               |
| 13.1.c   | oppose practices designed to discourage the use of Ruthenian in connection with economic or social activities   | ↗         |                  |                    |               |               |
| <b>Art. 14 – Transfrontier exchanges</b>             |   |           |                  |                    |               |               |
| 14.a   | apply bilateral and multilateral agreements with the States in which Ruthenian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Ruthenian in the States concerned in the fields of culture, education, information, vocational training and permanent education   | =         |                  |                    |               |               |
| 14.b   | for the benefit of Ruthenian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Ruthenian is used in identical or similar form  |           |                  |                    |               | ↙             |

<sup>43</sup> Croatia has ratified Articles 10.3.a, 10.3.b and 10.3.c which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 10.3.b and 10.3.c.

\* **The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:**

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

## **Changes in the evaluation compared to the previous monitoring cycle**

87. During the period under review, Ruthenian has been used in criminal proceedings; the Committee of Experts therefore considers Articles 9.1.ii and 9.1.iv fulfilled in the area where Ruthenian is in equal and official use. However, Ruthenian has not been used in civil and administrative proceedings. Consequently, Article 9.1.iii is only formally fulfilled in these areas. The Committee of Experts has not received sufficiently precise information about whether local branches of the State authorities have used Ruthenian in communication with Ruthenian speakers during the period under review and cannot therefore conclude on the implementation of Article 10.1.iii. As far as Article 10.1.b is concerned, bilingual identity cards have been issued in Ruthenian. However, as the scope of Article 10.1.b goes beyond identity cards, the undertaking is only partly fulfilled. With respect to Article 13.1.c, the Committee of Experts has not received any complaints from the speakers and therefore concludes that this undertaking is fulfilled. The Committee of Experts has not received examples of activities promoting Ruthenian in the framework of cross-border co-operation at regional and local levels and cannot therefore conclude on the practical implementation of Article 14.b.

### **2.7.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Ruthenian in Croatia**

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.7.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>44</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. **Use Ruthenian in regional and local authorities and extend its equal and official use to additional municipalities.**
- b. **Make pre-school education available in Ruthenian.**
- c. **Introduce the broadcasting of a television programme and a radio programme in Ruthenian on a regular basis and of sufficiently long duration.**

#### **II. Further recommendations**

- d. Teach Ruthenian in secondary as well as technical and vocational education.
- e. Promote awareness of the Ruthenian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- f. Provide the basic and further training of the teachers required to implement the undertakings under Article 8 with regard to Ruthenian.
- g. Offer Ruthenian as a subject of adult or continuing education.

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<sup>44</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2

- h. Provide facilities for the study of Ruthenian as a university and higher education subject or investigate the possibility of providing support for Ruthenian speakers in Croatia to study Ruthenian abroad.
- i. Pursue measures to encourage Ruthenian speakers to make use of the possibilities to use this language with judicial authorities.
- j. Take measures to encourage the Ruthenian speakers to submit oral or written applications in Ruthenian to local branches of the national, regional and local authorities.
- k. Ensure that local branches of the national, regional and local authorities make administrative texts, forms and official documents also available in Ruthenian.
- l. Promote the use or adoption of place names in Ruthenian.
- m. Facilitate the publication of newspaper articles in Ruthenian on a regular basis, including online.
- n. Facilitate the production and distribution of audio and audiovisual works in Ruthenian, including on the internet.

## 2.8 Serbian

2.8.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Serbian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↗ improvement ✓ deterioration = no change

| <b>The Committee of Experts considers the undertaking*:</b>  |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Serbian <sup>45</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>  |  |           |                  |                    |               |               |
| <b><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i></b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Serbian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Serbian   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Serbian   |           | =                |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Serbian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Serbian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Serbian at all appropriate stages   | =         |                  |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Serbian to learn it  |           | =                |                    |               |               |
| 7.1.h  | promotion of study and research on Serbian at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Serbian  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Serbian   |           | ✓                |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Serbian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Serbian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Serbian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Serbian</li> </ul>  | =         |                  |                    |               |               |
| <b>Part III of the Charter</b>   |  |           |                  |                    |               |               |
| <b><i>(Additional undertakings chosen by the State for specific languages)</i></b>                                 |  |           |                  |                    |               |               |
| <b>Art. 8 – Education</b>  |  |           |                  |                    |               |               |
| 8.1.iiii   | make available pre-school education in Serbian or a substantial part of pre-school education in Serbian at least to those pupils whose families so request and whose number is considered sufficient   | =         |                  |                    |               |               |
| 8.1.biv  | make available primary education in Serbian, a substantial part of primary education in Serbian or teaching of Serbian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient  | =         |                  |                    |               |               |
| 8.1.civ  | make available secondary education in Serbian, a substantial part of secondary education in Serbian or teaching of Serbian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient  | =         |                  |                    |               |               |

<sup>45</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

| <b>The Committee of Experts considers the undertaking*:</b>     |   |                  |                         |                           |                      |                      |
|---|---|------------------|-------------------------|---------------------------|----------------------|----------------------|
| <b>Article</b>  | <b>Undertakings of Croatia concerning Serbian<sup>45</sup></b>  | <b>fulfilled</b> | <b>partly fulfilled</b> | <b>formally fulfilled</b> | <b>not fulfilled</b> | <b>no conclusion</b> |
| 8.1.div   | make available technical and vocational education in Serbian, a substantial part of technical and vocational education in Serbian or teaching of Serbian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient | =                |                         |                           |                      |                      |
| 8.1.eii   | provide facilities for the study of Serbian as an university and higher education subject   | ↗                |                         |                           |                      |                      |
| 8.1.fii   | offer Serbian as a subject of adult and continuing education  |                  |                         |                           |                      | =                    |
| 8.1.g   | ensure the teaching of the history and the culture which is reflected by Serbian  |                  | =                       |                           |                      |                      |
| 8.1.h   | provide the basic and further training of the teachers teaching (in) Serbian  | ↗                |                         |                           |                      |                      |
| <b>Art. 9 – Judicial authorities</b>                            |   |                  |                         |                           |                      |                      |
| 9.1.a.ii  | guarantee the accused the right to use Serbian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned   | ↗                |                         |                           |                      |                      |
| 9.1.a.iv  | produce, on request, documents connected with criminal legal proceedings in Serbian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned  | ↗                |                         |                           |                      |                      |
| 9.1.b.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Serbian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations   | ↗                |                         |                           |                      |                      |
| 9.1.b.iii   | allow documents and evidence to be produced in Serbian in civil proceedings, if necessary by the use of interpreters and translations   | ↗                |                         |                           |                      |                      |
| 9.1.c.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Serbian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations             | ↗                |                         |                           |                      |                      |
| 9.1.c.iii   | allow documents and evidence to be produced in Serbian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations   | =                |                         |                           |                      |                      |
| 9.1.d   | with regard to the conduct of civil and/or administrative proceedings in Serbian and the related use of documents and evidence in Serbian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned              | =                |                         |                           |                      |                      |
| 9.2.a   | not to deny the validity of legal documents solely because they are drafted in Serbian  | =                |                         |                           |                      |                      |
| <b>Art. 10 – Administrative authorities and public services</b> |   |                  |                         |                           |                      |                      |
| 10.1.a.iii  | ensure that users of Serbian may submit oral or written applications to local branches of the national authorities and receive a reply in Serbian   |                  |                         |                           |                      | ↙                    |
| 10.1.a.iv   | ensure that users of Serbian may submit oral or written applications in Serbian to local branches of the national authorities <sup>46</sup>   |                  |                         |                           |                      |                      |
| 10.1.b  | make available widely used national administrative texts and forms in Serbian or in bilingual versions  |                  | ↗                       |                           |                      |                      |
| 10.1.c  | allow the national authorities to draft documents in Serbian  |                  | =                       |                           |                      |                      |
| 10.2.a  | use of Serbian within the framework of the regional or local authority  |                  | =                       |                           |                      |                      |
| 10.2.b  | possibility for users of Serbian to submit oral or written applications in Serbian to the regional or local authority   |                  | =                       |                           |                      |                      |
| 10.2.c  | publication by regional authorities of their official documents also in Serbian   |                  |                         |                           | =                    |                      |
| 10.2.d  | publication by local authorities of their official documents also in Serbian  |                  | =                       |                           |                      |                      |

<sup>46</sup> Croatia has ratified Articles 10.1.a.iii and 10.1.a.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 10.1.a.iv.

| The Committee of Experts considers the undertaking*: |   |                 |                  |                    |               |               |
|--|---|-----------------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Serbian <sup>45</sup>  | fulfilled       | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| 10.2.g   | use or adoption, if necessary in conjunction with the name in the official language, of place names in Serbian  |                 | =                |                    |               |               |
| 10.3.a   | ensure that Serbian is used in the provision of public services   |                 |                  |                    | =             |               |
| 10.3.b   | allow users of Serbian to submit a request to and receive a reply from public service providers in Serbian <sup>47</sup>  |                 |                  |                    |               |               |
| 10.3.c   | allow users of Serbian to submit a request in Serbian to public service providers   |                 |                  |                    |               |               |
| 10.5   | allow the use or adoption of family names in Serbian  | =               |                  |                    |               |               |
| <b>Art. 11 – Media</b>                               |   |                 |                  |                    |               |               |
| 11.1.iii   | make provision so that public broadcasters offer radio and television programmes in Serbian   | = <sup>48</sup> | ↗ <sup>49</sup>  |                    |               |               |
| 11.1.d   | encourage and/or facilitate the production and distribution of audio and audiovisual works in Serbian   |                 |                  |                    |               | =             |
| 11.1.eii   | encourage and/or facilitate the weekly or daily publication of newspaper articles in Serbian  | =               |                  |                    |               |               |
| 11.2   | <ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Serbian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Serbian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Serbian</li> </ul> | =               |                  |                    |               |               |
| 11.3   | ensure that the interests of the users of Serbian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media   |                 |                  |                    |               | =             |
| <b>Art. 12 – Cultural activities and facilities</b>  |   |                 |                  |                    |               |               |
| 12.1.a   | encourage production, reproduction and dissemination of cultural works in Serbian   | =               |                  |                    |               |               |
| 12.1.f   | encourage direct participation by representatives of the users of Serbian in providing facilities and planning cultural activities  | =               |                  |                    |               |               |
| 12.1.g   | encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Serbian   | =               |                  |                    |               |               |
| <b>Art. 13 – Economic and social life</b>            |   |                 |                  |                    |               |               |
| 13.1.a   | eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Serbian in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations  | =               |                  |                    |               |               |
| 13.1.b   | prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Serbian  | =               |                  |                    |               |               |
| 13.1.c   | oppose practices designed to discourage the use of Serbian in connection with economic or social activities   | ↗               |                  |                    |               |               |
| <b>Art. 14 – Transfrontier exchanges</b>             |   |                 |                  |                    |               |               |
| 14.a   | apply bilateral and multilateral agreements with the States in which Serbian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Serbian in the States concerned in the fields of culture, education, information, vocational training and permanent education   | =               |                  |                    |               |               |
| 14.b   | for the benefit of Serbian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Serbian is used in identical or similar form  |                 |                  |                    |               | ↗             |

<sup>47</sup> Croatia has ratified Articles 10.3.a, 10.3.b and 10.3.c which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 10.3.b and 10.3.c.

<sup>48</sup> public radio

<sup>49</sup> public television

\* **The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:**

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### **Changes in the evaluation compared to the previous monitoring cycle**

88. According to the information received by the Committee of Experts, the decision of the Constitutional Court regarding the use of the Serbian language and script in Vukovar/Вуковар has not yet been implemented. Consequently, Article 7.2 is only partly fulfilled. Serbian can be studied at the University of Zagreb and the basic training for teachers of Serbian is carried out. Therefore, Articles 8.1.eii and 8.1.h are fulfilled. During the period under review, Serbian has been used in criminal proceedings; the Committee of Experts therefore considers the respective undertakings (Articles 9.1.a.ii, 9.1.a.iv) fulfilled in the area where Serbian is in equal and official use. Serbian can be used in civil and administrative proceedings particularly thanks to mutual intercomprehension with Croatian. Therefore, Articles 9.1.b.ii, 9.1.b.iii and 9.1.c.ii are fulfilled in the area where Serbian is in equal and official use. The Committee of Experts has not received sufficiently precise information about whether local branches of the State authorities have used Serbian in communication with Serbian speakers during the period under review and cannot therefore conclude on the implementation of Article 10.1.a.iii. As far as Article 10.1.b is concerned, bilingual identity cards have been issued in Serbian, however as the scope of Article 10.1.b goes beyond identity cards, the undertaking is considered only partly fulfilled. Serbian is used on television, however the representatives of the speakers wish to have a regular time slot of sufficiently long duration. Article 11.1.a.iii is thus considered partly fulfilled. With respect to Article 13.1.c, the Committee of Experts has not received any complaints from the speakers and therefore concludes that this undertaking is fulfilled. The Committee of Experts has not received examples of activities promoting Serbian in the framework of cross-border co-operation at regional and local levels and cannot therefore conclude on the practical implementation of Article 14.b. When examining the application of Part III to Serbian, the Committee of Experts has kept in mind the close proximity of everyday spoken Croatian and Serbian (as used in Croatia).

### **2.8.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Serbian in Croatia**

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.8.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>50</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- |    |   |
|----|---|
| a. | <b>Use Serbian and its script in regional and local authorities and extend its equal and official use to additional municipalities.</b> |
|----|---|

<sup>50</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2



**II. Further recommendations**

- b. Promote awareness of the Serbian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- c. Take measures to encourage the Serbian speakers to submit written applications in Serbian (Cyrillic script) to local branches of the national, regional and local authorities.
- d. Ensure that local branches of the national, regional and local authorities make administrative texts, forms and official documents also available in Serbian (Cyrillic script).
- e. Use Serbian (Cyrillic script) in public services provided by administrative authorities.
- f. Promote the use or adoption of place names in Serbian (Cyrillic script).
- g. Introduce the broadcasting of a television programme in Serbian on a regular basis and of a sufficiently long duration.

## 2.9 Slovakian

### 2.9.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Slovakian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↑ improvement ↓ deterioration = no change

| <b>The Committee of Experts considers the undertaking*:</b>  |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Slovakian <sup>51</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>  |  |           |                  |                    |               |               |
| <b><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i></b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Slovakian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Slovakian   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Slovakian   |           | =                |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Slovakian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Slovakian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Slovakian at all appropriate stages   |           | =                |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Slovakian to learn it  |           |                  |                    |               | =             |
| 7.1.h  | promotion of study and research on Slovakian at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Slovakian  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Slovakian   | =         |                  |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Slovakian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Slovakian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Slovakian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Slovakian</li> </ul>  | =         |                  |                    |               |               |
| <b>Part III of the Charter</b>   |  |           |                  |                    |               |               |
| <b><i>(Additional undertakings chosen by the State for specific languages)</i></b>                                 |  |           |                  |                    |               |               |
| <b>Art. 8 – Education</b>  |  |           |                  |                    |               |               |
| 8.1.iii  | make available pre-school education in Slovakian or a substantial part of pre-school education in Slovakian at least to those pupils whose families so request and whose number is considered sufficient   |           |                  |                    | =             |               |
| 8.1.biv  | make available primary education in Slovakian, a substantial part of primary education in Slovakian or teaching of Slovakian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient  |           | =                |                    |               |               |
| 8.1.civ  | make available secondary education in Slovakian, a substantial part of secondary education in Slovakian or teaching of Slovakian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient  |           | =                |                    |               |               |

<sup>51</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

| The Committee of Experts considers the undertaking*:            |   |           |                  |                    |               |               |
|---|---|-----------|------------------|--------------------|---------------|---------------|
| Article   | Undertakings of Croatia concerning Slovakian <sup>51</sup>  | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
|   |   |           |                  |                    |               |               |
| 8.1.div   | make available technical and vocational education in Slovakian, a substantial part of technical and vocational education in Slovakian or teaching of Slovakian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient |           |                  |                    | =             |               |
| 8.1.eii   | provide facilities for the study of Slovakian as an university and higher education subject   | =         |                  |                    |               |               |
| 8.1.fii   | offer Slovakian as a subject of adult and continuing education  |           |                  |                    | =             |               |
| 8.1.g   | ensure the teaching of the history and the culture which is reflected by Slovakian  |           | =                |                    |               |               |
| 8.1.h   | provide the basic and further training of the teachers teaching (in) Slovakian  |           | =                |                    |               |               |
| <b>Art. 9 – Judicial authorities</b>                            |   |           |                  |                    |               |               |
| 9.1.a.ii  | guarantee the accused the right to use Slovakian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned   |           |                  | =                  |               |               |
| 9.1.a.iv  | produce, on request, documents connected with criminal legal proceedings in Slovakian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned  |           |                  | =                  |               |               |
| 9.1.b.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Slovakian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations   |           |                  | =                  |               |               |
| 9.1.b.iii   | allow documents and evidence to be produced in Slovakian in civil proceedings, if necessary by the use of interpreters and translations   |           |                  | =                  |               |               |
| 9.1.c.ii  | allow, whenever a litigant has to appear in person before a court, that he or she may use Slovakian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations                 |           |                  | =                  |               |               |
| 9.1.c.iii   | allow documents and evidence to be produced in Slovakian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations   |           |                  | ✓                  |               |               |
| 9.1.d   | with regard to the conduct of civil and/or administrative proceedings in Slovakian and the related use of documents and evidence in Slovakian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned                | =         |                  |                    |               |               |
| 9.2.a   | not to deny the validity of legal documents solely because they are drafted in Slovakian  | =         |                  |                    |               |               |
| <b>Art. 10 – Administrative authorities and public services</b> |   |           |                  |                    |               |               |
| 10.1.a.iii  | ensure that users of Slovakian may submit oral or written applications to local branches of the national authorities and receive a reply in Slovakian   |           |                  |                    |               | ✓             |
| 10.1.a.iv   | ensure that users of Slovakian may submit oral or written applications in Slovakian to local branches of the national authorities <sup>52</sup>   |           |                  |                    |               |               |
| 10.1.b  | make available widely used national administrative texts and forms in Slovakian or in bilingual versions  |           | ↗                |                    |               |               |
| 10.1.c  | allow the national authorities to draft documents in Slovakian  |           | ↗                |                    |               |               |
| 10.2.a  | use of Slovakian within the framework of the regional or local authority  |           |                  |                    | =             |               |
| 10.2.b  | possibility for users of Slovakian to submit oral or written applications in Slovakian to the regional or local authority   |           |                  |                    | =             |               |
| 10.2.c  | publication by regional authorities of their official documents also in Slovakian   |           |                  |                    | =             |               |
| 10.2.d  | publication by local authorities of their official documents also in Slovakian  |           |                  |                    | =             |               |

<sup>52</sup> Croatia has ratified Articles 10.1.a.iii and 10.1.a.iv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 10.1.a.iv.

| The Committee of Experts considers the undertaking*: |   |           |                  |                    |                 |               |
|--|---|-----------|------------------|--------------------|-----------------|---------------|
| Article  | Undertakings of Croatia concerning Slovakian <sup>51</sup>  | fulfilled | partly fulfilled | formally fulfilled | not fulfilled   | no conclusion |
| 10.2.g   | use or adoption, if necessary in conjunction with the name in the official language, of place names in Slovakian  |           | ↗                |                    |                 |               |
| 10.3.a   | ensure that Slovakian is used in the provision of public services   |           |                  |                    | =               |               |
| 10.3.b   | allow users of Slovakian to submit a request to and receive a reply from public service providers in Slovakian <sup>53</sup>  |           |                  |                    |                 |               |
| 10.3.c   | allow users of Slovakian to submit a request in Slovakian to public service providers   |           |                  |                    |                 |               |
| 10.5   | allow the use or adoption of family names in Slovakian  | =         |                  |                    |                 |               |
| <b>Art. 11 – Media</b>                               |   |           |                  |                    |                 |               |
| 11.1.iii   | make provision so that public broadcasters offer radio and television programmes in Slovakian   | =<br>54   |                  |                    | = <sup>55</sup> |               |
| 11.1.d   | encourage and/or facilitate the production and distribution of audio and audiovisual works in Slovakian   |           |                  |                    |                 | =             |
| 11.1.eii   | encourage and/or facilitate the weekly or daily publication of newspaper articles in Slovakian  |           |                  |                    | =               |               |
| 11.2   | <ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Slovakian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Slovakian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Slovakian</li> </ul> | =         |                  |                    |                 |               |
| 11.3   | ensure that the interests of the users of Slovakian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media   |           |                  |                    |                 | =             |
| <b>Art. 12 – Cultural activities and facilities</b>  |   |           |                  |                    |                 |               |
| 12.1.a   | encourage production, reproduction and dissemination of cultural works in Slovakian   | =         |                  |                    |                 |               |
| 12.1.f   | encourage direct participation by representatives of the users of Slovakian in providing facilities and planning cultural activities  | =         |                  |                    |                 |               |
| 12.1.g   | encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Slovakian   | =         |                  |                    |                 |               |
| <b>Art. 13 – Economic and social life</b>            |   |           |                  |                    |                 |               |
| 13.1.a   | eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Slovakian in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations  | =         |                  |                    |                 |               |
| 13.1.b   | prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Slovakian  | =         |                  |                    |                 |               |
| 13.1.c   | oppose practices designed to discourage the use of Slovakian in connection with economic or social activities   | ↗         |                  |                    |                 |               |
| <b>Art. 14 – Transfrontier exchanges</b>             |   |           |                  |                    |                 |               |
| 14.a   | apply bilateral and multilateral agreements with the States in which Slovakian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Slovakian in the States concerned in the fields of culture, education, information, vocational training and permanent education   | =         |                  |                    |                 |               |
| 14.b   | for the benefit of Slovakian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Slovakian is used in identical or similar form  |           |                  |                    |                 | ↙             |

<sup>53</sup> Croatia has ratified Articles 10.3.a, 10.3.b and 10.3.c which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 10.3.b and 10.3.c.

<sup>54</sup> public radio

<sup>55</sup> public television

\* **The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:**

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

## Changes in the evaluation compared to the previous monitoring cycle

89. During the period under review, Slovakian has not been used with judicial authorities. Consequently, Article 9.1.ciii is only formally fulfilled in the area where Slovakian is in equal and official use. The Committee of Experts has not received sufficiently precise information about whether local branches of the State authorities have used Slovakian in communication with Slovakian speakers during the period under review and cannot conclude on the implementation of Article 10.1.a.iii. As far as Articles 10.1.b and 10.1.c are concerned, bilingual identity cards have been issued in Slovakian. However, as the scope of both articles goes beyond identity cards, the undertakings are only partly fulfilled. During the on-the-spot visit, the Committee of Experts was informed that place names in Slovakian are used in Jelisavac/Jelisavec (town of Našice). Given that the Committee of Experts has received such information only about one place, it considers Article 10.2.g only partly fulfilled. With respect to Article 13.1.c, the Committee of Experts has not received any complaints from the speakers and therefore concludes that this undertaking is fulfilled. The Committee of Experts has not received examples of activities promoting Slovakian in the framework of cross-border co-operation at regional and local levels and cannot therefore conclude on the practical implementation of Article 14.b.

### 2.9.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovakian in Croatia

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.9.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>56</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- |    |  |
|----|--|
| a. | <b>Use Slovakian in regional and local authorities and extend its equal and official use to additional municipalities.</b> |
| b. | <b>Make available pre-school education in Slovakian.</b>   |

#### II. Further recommendations

- c. Introduce the broadcasting of a television programme in Slovakian on a regular basis and of a sufficiently long duration.
- d. Teach Slovakian in technical and vocational education.
- e. Promote awareness of the Slovakian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- f. Offer Slovakian as a subject of adult or continuing education.
- g. Pursue measures to encourage Slovakian speakers to make use of the possibilities to use this language with judicial authorities.

<sup>56</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2

- h. Take measures to encourage the Slovakian speakers to submit oral or written applications in Slovakian to local branches of the national, regional and local authorities.
- i. Promote the use or adoption of place names in Slovakian.
- j. Facilitate the production and distribution of audio and audiovisual works in Slovakian, including on the internet.

## 2.10 Slovenian

### 2.10.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Slovenian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:  
 ↑ improvement    ✓ deterioration    = no change

| The Committee of Experts considers the undertaking*:   |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Slovenian <sup>57</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b><br><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Slovenian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Slovenian   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Slovenian   |           | =                |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Slovenian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Slovenian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Slovenian at all appropriate stages   |           | =                |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Slovenian to learn it  |           |                  |                    |               | =             |
| 7.1.h  | promotion of study and research on Slovenian at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Slovenian  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Slovenian   | =         |                  |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Slovenian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Slovenian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Slovenian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Slovenian</li> </ul>  |           | =                |                    |               |               |

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

<sup>57</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

### 2.10.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovenian in Croatia

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.10.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>58</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### I. Recommendations for immediate action

- a. **Make pre-school education available in Slovenian.**
- b. **Take measures to train teachers of Slovenian for all levels of education.**

#### II. Further recommendations

- c. Introduce the broadcasting of a television programme and a radio programme in Slovenian on a regular basis and of a sufficiently long duration.
- d. Promote awareness of the Slovenian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- e. Support the provision of Slovenian language courses, including for adults.
- f. Develop and implement, in co-operation with representatives of the Slovenian speakers, a strategy on the promotion of the use of Slovenian in different fields of public life covered by the Charter.

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<sup>58</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2



## 2.11 Ukrainian

### 2.11.1 Compliance of Croatia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Ukrainian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle:

↑ improvement ↓ deterioration = no change

| <b>The Committee of Experts considers the undertaking*:</b>  |  |           |                  |                    |               |               |
|--|--|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Ukrainian <sup>59</sup>   | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| <b>Part II of the Charter</b>  |  |           |                  |                    |               |               |
| <b><i>(Undertakings which the State must apply to all regional or minority languages within its territory)</i></b> |  |           |                  |                    |               |               |
| <b>Art. 7 – Objectives and principles</b>  |  |           |                  |                    |               |               |
| 7.1.a  | recognition of Ukrainian as an expression of cultural wealth   | =         |                  |                    |               |               |
| 7.1.b  | ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Ukrainian   | =         |                  |                    |               |               |
| 7.1.c  | resolute action to promote Ukrainian   |           | =                |                    |               |               |
| 7.1.d  | facilitation and/or encouragement of the use of Ukrainian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life  |           | =                |                    |               |               |
| 7.1.e  | <ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Ukrainian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>   | =         |                  |                    |               |               |
| 7.1.f  | provision of forms and means for the teaching and study of Ukrainian at all appropriate stages   |           | =                |                    |               |               |
| 7.1.g  | provision of facilities enabling (also adult) non-speakers of Ukrainian to learn it  |           | =                |                    |               |               |
| 7.1.h  | promotion of study and research on Ukrainian at universities or equivalent institutions  | =         |                  |                    |               |               |
| 7.1.i  | promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Ukrainian  |           | =                |                    |               |               |
| 7.2  | eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Ukrainian   | =         |                  |                    |               |               |
| 7.3  | <ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Ukrainian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Ukrainian among their objectives</li> </ul> |           | =                |                    |               |               |
| 7.4  | <ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Ukrainian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Ukrainian</li> </ul>  | =         |                  |                    |               |               |
| <b>Part III of the Charter</b>   |  |           |                  |                    |               |               |
| <b><i>(Additional undertakings chosen by the State for specific languages)</i></b>                                 |  |           |                  |                    |               |               |
| <b>Art. 8 – Education</b>  |  |           |                  |                    |               |               |
| 8.1.a.iii  | make available pre-school education in Ukrainian or a substantial part of pre-school education in Ukrainian at least to those pupils whose families so request and whose number is considered sufficient   |           |                  |                    | =             |               |
| 8.1.b.iv   | make available primary education in Ukrainian, a substantial part of primary education in Ukrainian or teaching of Ukrainian as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient  |           | =                |                    |               |               |
| 8.1.c.iv   | make available secondary education in Ukrainian, a substantial part of secondary education in Ukrainian or teaching of Ukrainian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient  |           |                  |                    | =             |               |

<sup>59</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

| <b>The Committee of Experts considers the undertaking*:</b>     |   |                  |                         |                           |                      |                      |
|---|---|------------------|-------------------------|---------------------------|----------------------|----------------------|
| <b>Article</b>  | <b>Undertakings of Croatia concerning Ukrainian<sup>59</sup></b>  | <b>fulfilled</b> | <b>partly fulfilled</b> | <b>formally fulfilled</b> | <b>not fulfilled</b> | <b>no conclusion</b> |
| 8.1.div   | make available technical and vocational education in Ukrainian, a substantial part of technical and vocational education in Ukrainian or teaching of Ukrainian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient |                  |                         |                           | =                    |                      |
| 8.1.eii   | provide facilities for the study of Ukrainian as an university and higher education subject   | =                |                         |                           |                      |                      |
| 8.1.fii   | offer Ukrainian as a subject of adult and continuing education  |                  |                         |                           | =                    |                      |
| 8.1.g   | ensure the teaching of the history and the culture which is reflected by Ukrainian  |                  | =                       |                           |                      |                      |
| 8.1.h   | provide the basic and further training of the teachers teaching (in) Ukrainian  | =                |                         |                           |                      |                      |
| <b>Art. 9 – Judicial authorities</b>                            |   |                  |                         |                           |                      |                      |
| 9.1.aii   | guarantee the accused the right to use Ukrainian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned   |                  | ↗                       |                           |                      |                      |
| 9.1.aiv   | produce, on request, documents connected with criminal legal proceedings in Ukrainian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned  |                  | ↗                       |                           |                      |                      |
| 9.1.bii   | allow, whenever a litigant has to appear in person before a court, that he or she may use Ukrainian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations   |                  |                         |                           | ✓                    |                      |
| 9.1.biii  | allow documents and evidence to be produced in Ukrainian in civil proceedings, if necessary by the use of interpreters and translations   |                  |                         |                           | ✓                    |                      |
| 9.1.cii   | allow, whenever a litigant has to appear in person before a court, that he or she may use Ukrainian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations                 |                  |                         |                           | ✓                    |                      |
| 9.1.ciii  | allow documents and evidence to be produced in Ukrainian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations   |                  |                         |                           | ✓                    |                      |
| 9.1.d   | with regard to the conduct of civil and/or administrative proceedings in Ukrainian and the related use of documents and evidence in Ukrainian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned                |                  |                         |                           | ✓                    |                      |
| 9.2.a   | not to deny the validity of legal documents solely because they are drafted in Ukrainian  | =                |                         |                           |                      |                      |
| <b>Art. 10 – Administrative authorities and public services</b> |   |                  |                         |                           |                      |                      |
| 10.1.aiii   | ensure that users of Ukrainian may submit oral or written applications to local branches of the national authorities and receive a reply in Ukrainian   |                  |                         |                           |                      | ✓                    |
| 10.1.aiv  | ensure that users of Ukrainian may submit oral or written applications in Ukrainian to local branches of the national authorities <sup>60</sup>   |                  |                         |                           |                      |                      |
| 10.1.b  | make available widely used national administrative texts and forms in Ukrainian or in bilingual versions  |                  |                         |                           | =                    |                      |
| 10.1.c  | allow the national authorities to draft documents in Ukrainian  |                  |                         |                           | ✓                    |                      |
| 10.2.a  | use of Ukrainian within the framework of the regional or local authority  |                  |                         |                           | =                    |                      |
| 10.2.b  | possibility for users of Ukrainian to submit oral or written applications in Ukrainian to the regional or local authority   |                  |                         |                           | =                    |                      |
| 10.2.c  | publication by regional authorities of their official documents also in Ukrainian   |                  |                         |                           | =                    |                      |
| 10.2.d  | publication by local authorities of their official documents also in Ukrainian  |                  |                         |                           | =                    |                      |
| 10.2.g  | use or adoption, if necessary in conjunction with the name in the official language, of place names in Ukrainian  |                  |                         |                           | =                    |                      |
| 10.3.a  | ensure that Ukrainian is used in the provision of public services   |                  |                         |                           | =                    |                      |
| 10.3.b  | allow users of Ukrainian to submit a request to and receive a reply from public service providers in Ukrainian <sup>61</sup>  |                  |                         |                           |                      |                      |
| 10.3.c  | allow users of Ukrainian to submit a request in Ukrainian to public service providers   |                  |                         |                           |                      |                      |
| 10.5  | allow the use or adoption of family names in Ukrainian  | =                |                         |                           |                      |                      |
| <b>Art. 11 – Media</b>  |   |                  |                         |                           |                      |                      |
| 11.1.aiii   | make provision so that public broadcasters offer radio and television programmes in Ukrainian   |                  |                         |                           | =                    |                      |
| 11.1.d  | encourage and/or facilitate the production and distribution of audio and audiovisual works in Ukrainian   |                  |                         |                           | =                    |                      |
| 11.1.eii  | encourage and/or facilitate the weekly or daily publication of newspaper articles in Ukrainian  |                  |                         |                           | =                    |                      |

<sup>60</sup> Croatia has ratified Articles 10.1.aiii and 10.1.aiv which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Article 10.1.aiv.

<sup>61</sup> Croatia has ratified Articles 10.3.a, 10.3.b and 10.3.c which constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of Articles 10.3.b and 10.3.c.

| The Committee of Experts considers the undertaking*: |   |           |                  |                    |               |               |
|--|---|-----------|------------------|--------------------|---------------|---------------|
| Article  | Undertakings of Croatia concerning Ukrainian <sup>59</sup>  | fulfilled | partly fulfilled | formally fulfilled | not fulfilled | no conclusion |
| 11.2   | <ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Ukrainian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Ukrainian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Ukrainian</li> </ul> | =         |                  |                    |               |               |
| 11.3   | ensure that the interests of the users of Ukrainian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media   |           |                  |                    |               | =             |
| <b>Art. 12 – Cultural activities and facilities</b>  |   |           |                  |                    |               |               |
| 12.1.a   | encourage production, reproduction and dissemination of cultural works in Ukrainian   | =         |                  |                    |               |               |
| 12.1.f   | encourage direct participation by representatives of the users of Ukrainian in providing facilities and planning cultural activities  | =         |                  |                    |               |               |
| 12.1.g   | encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Ukrainian   | =         |                  |                    |               |               |
| <b>Art. 13 – Economic and social life</b>            |   |           |                  |                    |               |               |
| 13.1.a   | eliminate from the legislation any provision prohibiting or limiting without justifiable reasons the use of Ukrainian in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations  | =         |                  |                    |               |               |
| 13.1.b   | prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Ukrainian  | =         |                  |                    |               |               |
| 13.1.c   | oppose practices designed to discourage the use of Ukrainian in connection with economic or social activities   | ↗         |                  |                    |               |               |
| <b>Art. 14 – Transfrontier exchanges</b>             |   |           |                  |                    |               |               |
| 14.a   | apply bilateral and multilateral agreements with the States in which Ukrainian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Ukrainian in the States concerned in the fields of culture, education, information, vocational training and permanent education   | =         |                  |                    |               |               |
| 14.b   | for the benefit of Ukrainian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Ukrainian is used in identical or similar form  |           |                  |                    |               | ✓             |

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

90. In 2017, the Municipal Court in Zlatar conducted criminal proceedings in Ukrainian in three cases. However, Zlatar does not belong to the area where the Ukrainian speakers traditionally live. Ukrainian has not been used in civil and administrative proceedings during the reporting period. Bearing in mind that Ukrainian is not in equal and official use in any local-self-government unit and that there is no comprehensive legal basis for its use with judicial authorities, the Committee of Experts considers Articles 9.1.a.ii and 9.1.a.iv partly fulfilled and Articles 9.1.b.ii, 9.1.b.iii, 9.1.c.ii, 9.1.c.iii and 9.1.d not fulfilled. The Committee of Experts has not received sufficiently precise information about whether local branches of the State authorities have used Ukrainian in communication with Ukrainian speakers during the period under review and cannot conclude on the implementation of Article 10.1.a.iii. As far as Article 10.1.c is concerned, neither bilingual identity cards, nor other documents have been made available in Ukrainian. Therefore, this undertaking is not fulfilled. With respect to Article 13.1.c, the Committee of Experts has not received any complaints from the speakers and therefore concludes that this undertaking is fulfilled. The Committee of Experts has not received examples of activities promoting Ukrainian in the framework of cross-border co-operation at regional and local levels and cannot therefore conclude on the practical implementation of Article 14.b.

#### 2.11.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Ukrainian in Croatia

The Committee of Experts recommends the Croatian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.11.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Croatia<sup>62</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

##### I. Recommendations for immediate action

- a. **Introduce Ukrainian in equal and official use at least in the municipality of Bogdanovci.**
- b. **Make pre-school education available in Ukrainian and teach this language in secondary education.**
- c. **Introduce the broadcasting of a television programme and a radio programme in Ukrainian on a regular basis and of sufficiently long duration.**

##### II. Further recommendations

- d. Promote awareness of the Ukrainian language and culture as an integral part of the cultural heritage of Croatia in mainstream education and in the media.
- e. Offer Ukrainian as a subject of adult or continuing education.
- f. Promote the use or adoption of place names in Ukrainian.
- g. Facilitate the publication of newspaper articles in Ukrainian on a regular basis, including online.
- h. Facilitate the production and distribution of audio and audiovisual works in Ukrainian, including on the internet.

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<sup>62</sup> RecChL(2001)2  
 RecChL(2005)2  
 CM/RecChL(2008)1  
 CM/RecChL(2010)8  
 CM/RecChL(2015)2

### **Chapter 3 [Proposals for] Recommendations of the Committee of Ministers of the Council of Europe**

The Committee of Experts, while acknowledging the efforts the Croatian authorities have undertaken to protect the regional and minority languages spoken in their country, has in its evaluation chosen to concentrate on some of the most important deficiencies in the implementation of the Charter. The recommendations forwarded by the Committee of Experts to the Committee of Ministers should not, however, be interpreted as diminishing the relevance of the other, more detailed observations contained in the report, which remain valid in their own right. The recommendations proposed by the Committee of Experts are drafted accordingly.

The Committee of Experts of the European Charter for Regional or Minority Languages, in accordance with Article 16 (4) of the Charter, proposes on the basis of the information contained in this report, that the Committee of Ministers makes the following recommendations to Croatia.

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Bearing in mind the instrument of ratification deposited by Croatia on 5 November 1997;

Having taken note of the evaluation made by the Committee of Experts of the Charter with respect to the application of the Charter by Croatia;

Having taken note of the comments submitted by the Croatian authorities on the content of the report of the Committee of Experts;

Bearing in mind that this evaluation is based on information submitted by Croatia in its sixth periodical report, supplementary information given by the Croatian authorities, information submitted by bodies and associations legally established in Croatia and on the information obtained by the Committee of Experts during its on-the-spot visit;

Recommends that Croatia take account of all the observations and recommendations of the Committee of Experts and, as a matter of priority:

1. continue efforts to promote awareness and tolerance vis-à-vis the minority languages and the cultures they represent as an integral part of the cultural heritage of Croatia, both in the general curriculum at all stages of education and in the media;
2. ensure that speakers of languages covered by Part III of the Charter can use their languages in relations with State, county and local authorities in practice, and that these authorities use these languages within the framework of their work;
3. review the existing threshold and increase efforts to introduce equal and official use of minority languages in those areas where there is a sufficient number of speakers;
4. take proactive measures encouraging the minority language speakers to make use of minority language education;
5. increase the broadcasting duration and the regularity of television programmes in each minority language.

The Committee of Ministers invites the Croatian authorities to submit information on the recommendations for immediate action in due course and the seventh periodical report by 1 March 2023.

## Appendix I: Instrument of Ratification

### Croatia

Reservation contained in the instrument of ratification, deposited on 5 November 1997 - Or. Cro./Engl.

The Republic of Croatia declares, in pursuance of Article 21 of the European Charter for Regional of Minority Languages, that in respect of the Republic of Croatia the provisions of Article 7, paragraph 5, of the Charter shall not apply.

Period covered: 01/03/1998 -

Articles concerned: 7

#### **Declaration contained in the instrument of ratification, deposited on 5 November 1997 - Or. Cro./Engl.**

The Republic of Croatia declares that, in accordance with Article 2, paragraph 2, and Article 3, paragraph 1, of the European Charter for Regional of Minority Languages, it shall apply to Italian, Serbian, Hungarian, Czech, Slovak, Ruthenian and Ukrainian languages the following paragraphs of the Charter:

- In Article 8:

paragraph 1, sub-paragraphs a (iii), b (iv), c (iv), d (iv), e (ii), f (ii), g, h;

- In Article 9:

paragraph 1, sub-paragraphs a (ii), a (iv), b (ii), b (iii), c (ii), c (iii), d;  
paragraph 2, sub-paragraph a;

- In Article 10:

paragraph 1, sub-paragraphs a (iii), a (iv) b, c;  
paragraph 2, sub-paragraphs a, b, c, d, g;  
paragraph 3, sub-paragraphs a, b, c;  
paragraph 5;

- In Article 11:

paragraph 1, sub-paragraphs a (iii), d, e (ii);  
paragraph 2;  
paragraph 3;

- In Article 12:

paragraph 1, sub-paragraphs a, f, g;

- In Article 13:

paragraph 1, sub-paragraphs a, b, c;

- Article 14.

**Period covered: 01/03/1998 -**

Articles concerned: 10, 11, 12, 13, 14, 2, 3, 8, 9

#### **Declaration contained in the instrument of ratification, deposited on 5 November 1997 - Or. Cro./Engl.**

The Republic of Croatia declares, with regard to Article 1, paragraph b., of the Charter, that pursuant to Croatian legislature, the term "territory in which the regional or minority languages is used" shall refer to those areas in which the official use of minority language is introduced by the by-laws passed by the local self-government units, pursuant to Article 12 of the Constitution of the Republic of Croatia and Articles 7 and 8 of the Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities or Minorities on the Republic of Croatia.

**Period covered: 01/03/1998 -**

Articles concerned: 1

## **Appendix II: Comments from the Croatian authorities**

The Government of the Republic of Croatia welcomes the adoption of the Sixth Report of the Committee of Experts on the application of the European Charter for Regional or Minority Languages by the Republic of Croatia (hereinafter: Sixth Report of the Committee of Experts) and accepts all the constructive assessments, remarks and proposals of the Committee of Experts aiming to further advance the application of the European Charter for Regional or Minority Languages (hereinafter: European Charter).

The Government of the Republic of Croatia is fully committed to continuing the fulfilment of undertakings arising from the ratification of the Charter, as demonstrated in its Sixth Report on the Application of the European Charter for Regional or Minority Languages. For the purpose of additional clarification of certain issues and remarks made by the Committee of Experts, the Government of the Republic of Croatia hereby submits its response to the Sixth Report of the Committee of Experts, as stated below.

### **Chapter 1**

#### **Paragraphs 8.-10., 15.-16.**

With regard to the part of the Sixth Report of the Committee of Experts concerning the territorial scope of application of the undertakings assumed by Croatia under Part III of the European Charter, the Government of Croatia emphasizes that Croatia guarantees a high level of rights to national minorities, in accordance with the Constitution of the Republic of Croatia, the Constitutional Act on the Rights of National Minorities as well as special laws and other regulations governing the rights of national minorities. As pointed out in the Sixth Report by the Republic of Croatia on the Application of the European Charter for Regional or Minority Languages, although Croatia, in the declaration accompanying its instrument of ratification, opted for the protection of 7 minority languages pursuant to Part III of the European Charter, the enjoyment of the rights guaranteed by the Charter is in practice applied to other minority languages as well, thus applying the good practice of promoting the objectives and principles of the protection of minority language use to other minority languages in Croatia as well. It can therefore be concluded from the Sixth Report by the Republic of Croatia on the Application of the European Charter that Croatia is committed to meeting the assumed obligations, and that it will continue to enhance its institutional and legislative framework in this area, while taking into consideration the views of national minorities to the maximum extent possible. Among activities contributing to this end are annual seminars on the application of said international instruments and meetings on the topics of right of access to the media and improvement of the work of national minority councils and representatives. Hence, in the spirit of tolerance and pluralism, and by respecting cultural and social diversity, the Government of Croatia is going to continue improving the current level of protection of national minority rights in co-operation with the representatives of national minorities.

#### **Paragraphs 19., 21., 23., 27., 28. and 32.**

With regard to the part of the Sixth Report of the Committee of Experts concerning the use of regional or minority languages in education, the Government of Croatia states that it is the representatives of national minority associations and/or unions who propose and select the educational model and programme themselves in accordance with valid legislative provisions and the capacities of educational institutions for the realisation of a particular curriculum, that is, for teaching the language and culture of a national minority. The State Pedagogical Standards of the primary and secondary education systems stipulates the number of hours/periods for classes taught under Model C, specifically, from two to five school periods a week. All educational models and forms are part of the regular educational system of the Republic of Croatia. The Ministry of Science and Education has resolved all requests positively, that is, enabled the organisation of education in the languages and scripts of national minorities.

It should be emphasized that it is the representatives of the associations and/or unions of national minorities who propose and select the educational programme in accordance with their needs and valid legislative provisions. Furthermore, schools with education in the languages and scripts of national minorities can depart from the legally prescribed structure and form classes with fewer pupils than prescribed.

Moreover, starting from the academic year 2020/2021, it is planned to introduce the curriculum for the Romani Language and Culture (Model C) for both Romani Chib and the speakers of Boyash Romanian. In addition, the Ministry of Science and Education has discussed the possibilities of introducing the classes of Boyash Romanian with schools in the Međimurje County. Starting from the academic year 2019/2020, Primary School Kuršanec offers classes of Boyash Romanian as an extracurricular activity, and 13 pupils have expressed interest. The Ministry of Science and Education has started developing educational materials.

It should also be mentioned that teachers who teach minority classes participate in professional development seminars (in Croatia and in the countries of origin of national minorities), organised by the Education and Teacher Training Agency and minority associations (Joint Council of Municipalities, Union of Czechs, Cultural Centre Našice, etc.). Moreover, the Ministry of Science and Education co-finances professional development programmes through calls for proposals for the special programmes of national minorities.

### Paragraphs 39., 40. and 41.

With regard to the part of the Sixth Report of the Committee of Experts concerning the use of regional or minority languages by judicial authorities, the Government of Croatia emphasizes that, in territories in which both Croatian and the language and script of a national minority are in equal and official use, a party from a municipality or city which has introduced the national minority language and script into equal official use is entitled to use that language and script before a competent court which has jurisdiction over that territory.

The Civil Procedure Act (Official Gazette "Narodne novine" No. 53/91, 91/92, 112/99, 88/01, 117/03, 88/05, 02/07, 84/08, 96/08, 123/08, 57/11, 148/11, 25/13, 89/14 and 70/19, hereinafter: CPA) stipulates in Article 6 that civil proceedings shall be conducted in the Croatian language and Latin script, unless another language or script has been introduced into use by law.

Under Article 105 of the CPA, the use of a national minority language and script in civil proceedings is regulated by a special law. The costs of translation and interpretation from and into the language of the national minority resulting from the application of the provisions of the Croatian Constitution, the above Act and other laws governing the right of national minorities to the use of their language are to be borne by the court.

Under Article 354 of the CPA, the court's denial of a party's request to use their language and script in proceedings and to follow the course of proceedings in their language, upon the party's appeal, shall always be deemed a substantial violation of the provisions governing the civil procedure.

Article 11, paragraph (1) of the Administrative Disputes Act ("Narodne novine" No. 20/10, 143/12, 152/14, 94/16 and 29/17) stipulate that proceedings in administrative disputes are conducted in the Croatian language and Latin script, and paragraph (2) stipulates that parties and other participants in the administrative dispute are entitled to use their language before the court alongside a sworn interpreter. The parties may waive their right to interpretation if they state that they speak Croatian. The cost of interpretation is to be borne by the party concerned, unless otherwise prescribed by law.

Please find below the updated information on the number of cases in 2019 that were conducted or could have been conducted in a minority language (had the party not waived that right):

| MINORITY LANGUAGE | TYPE OF COURT PROCEEDINGS |                        |          |                        |                 |                        |          |                        |                   |                        |              |                        | COND. TOTAL | RIGHT WAIVED BY THE PARTY TOTAL |           |
|-------------------|---------------------------|------------------------|----------|------------------------|-----------------|------------------------|----------|------------------------|-------------------|------------------------|--------------|------------------------|-------------|---------------------------------|-----------|
|                   | CRIMINAL                  |                        | CIVIL    |                        | NON-CONTENTIOUS |                        | PROBATE  |                        | LAND REGISTRATION |                        | MISDEMEANOUR |                        |             |                                 |           |
|                   | CONDUCTED                 | PARTY WAIVED THE RIGHT | COND.    | PARTY WAIVED THE RIGHT | COND.           | PARTY WAIVED THE RIGHT | COND.    | PARTY WAIVED THE RIGHT | COND.             | PARTY WAIVED THE RIGHT | COND.        | PARTY WAIVED THE RIGHT |             |                                 |           |
| ITALIAN           | 0                         | 0                      | 3        | 0                      | 0               | 0                      | 0        | 0                      | 0                 | 0                      | 0            | 12                     | 12          | 15                              | 12        |
| HUNGARIAN         | 0                         | 0                      | 0        | 0                      | 0               | 0                      | 0        | 0                      | 0                 | 0                      | 0            | 1                      | 0           | 1                               | 0         |
| CZECH             | 0                         | 0                      | 0        | 0                      | 0               | 0                      | 0        | 0                      | 0                 | 0                      | 0            | 0                      | 0           | 0                               | 0         |
| SLOVAK            | 0                         | 0                      | 0        | 0                      | 0               | 0                      | 0        | 0                      | 0                 | 0                      | 0            | 0                      | 0           | 0                               | 0         |
| RUTHENIAN         | 4                         | 0                      | 0        | 0                      | 0               | 0                      | 0        | 0                      | 0                 | 0                      | 0            | 0                      | 0           | 4                               | 0         |
| UKRAINIAN         | 0                         | 0                      | 0        | 0                      | 0               | 0                      | 0        | 0                      | 0                 | 0                      | 0            | 0                      | 0           | 0                               | 0         |
| SERBIAN           | 0                         | 0                      | 0        | 0                      | 0               | 0                      | 0        | 0                      | 0                 | 0                      | 0            | 27                     | 25          | 27                              | 25        |
| <b>TOTAL</b>      | <b>4</b>                  | <b>0</b>               | <b>3</b> | <b>0</b>               | <b>0</b>        | <b>0</b>               | <b>0</b> | <b>0</b>               | <b>0</b>          | <b>0</b>               | <b>0</b>     | <b>40</b>              | <b>37</b>   | <b>47</b>                       | <b>37</b> |



**Paragraph 70.**

With regard to the part of the Sixth Report of the Committee of Experts concerning the publication of the Sixth Report of the Committee of Experts on the application of the European Charter for Regional or Minority Languages by the Republic of Croatia, the Government of Croatia states that the Report has indeed been published on the website of the Government Office for Human Rights and the Rights of National Minorities, in both Croatian and English, at URL:

<https://ljudskaprava.gov.hr/europska-povelja-o-regionalnim-ili-manjinskim-jezicima/935>

**Chapter 2**

With regard to the remarks of the Committee of Experts concerning Boyash Romanian, the Government of Croatia states that the three-year project “Meeting the requirements for efficient implementation of policies targeting national minorities – PHASE I”, implemented by the Government or Human Rights and the Rights of National Minorities since March 2019, includes the development of professional publications addressing the status of Roma in various areas of life. One of the publications is dedicated to the identity of Roma in Croatia, the existing social distance and experiences of discrimination. The publication will address sociocultural determinants of the Roma population, and, in that context, show data on the languages spoken by Roma in Croatia.

Within the above project, two regional workshops, intended for preschool children and children finishing primary school, have been conducted (in Osijek and Slavonski Brod). The goal of the workshop intended for preschool children was to promote participation in preschool education programmes, and the children received a picture book in Boyash Romanian. The workshop for primary school children was aimed at encouraging children to finish primary school and to enrol and finish a secondary school. The children received a book in Boyash Romanian on the history of Boyash Roma in Croatia.

**Chapter 3**

With regard to Proposals for Recommendations of the Committee of Ministers of the Council of Europe, please note that Croatia has made the protection of national minority rights and commitment to the implementation of important international instruments of the Council of Europe a priority of its first presidency of the Committee of Ministers of the Council of Europe. The Office for Human Rights and the Rights of National Minorities of the Croatian Government has organised, in co-operation with the Council of Europe, a high-level conference in Strasbourg on 18-19 June 2018 on the occasion of the 20th anniversary of the Framework Convention for the Protection of National Minorities and the European Charter for Regional and Minority Languages. All the provisions of these two instruments have been respected and implemented through their incorporation in the Constitutional Act on the Rights of National Minorities, and it should also be emphasized that, by monitoring the implementation of the Constitutional Act, the application of said international instruments is also monitored. Consequently, Croatia has thus far made significant steps forward with regard to the exercise national minority rights and the application of international documents. There is a positive climate with a pronounced political will for further improvement of national minority rights, as confirmed by the adoption of Operational Programmes for National Minorities 2017-2020.

Croatia intends to continue implementing a proactive approach by undertaking measures aimed at ensuring full exercise, promotion and protection of linguistic rights of national minority members on all levels, and to invest efforts into further awareness raising and promotion of tolerance towards minority languages in all aspects.