Strasbourg, 30 April 2008
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THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

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

CZECH REPUBLIC
INITIAL PERIODICAL REPORT ON THE IMPLEMENTATION OF THE
UNDERTAKINGS ARISING FROM THE EUROPEAN CHARTER FOR
REGIONAL OR MINORITY LANGUAGES IN THE CZECH REPUBLIC
Introduction

The European Charter for Regional or Minority Languages (hereinafter referred to as "the Charter") entered into force on 1 March 1998. The Committee of Ministers of the Council of Europe established a Committee of Experts for the Charter and elected its members in accordance with Article 17. At its first meeting on 29 June 1998, the Committee of Experts adopted an outline for the periodical reports referred to in Article 15 of the Charter, which runs as follows:

"(1) The Parties shall present periodically to the Secretary General of the Council of Europe, in a form to be prescribed by the Committee of Ministers, a report on their policy pursued in accordance with Part II of this Charter and on the measures taken in application of those provisions of Part III which they have accepted. The first report shall be presented within the year following the entry into force of the Charter with respect to the Party concerned, the other reports at three-yearly intervals after the first report.

(2) The Parties shall make their reports public."

The Committee of Ministers reviewed the outline and approved its revised text on 10 November 1998.

The purpose of the reports is to provide the Committee of Experts with the necessary information on the implementation of the Charter by each Party, and to assist it in preparing its report to the Committee of Ministers, as required in Article 16, paragraphs 3 and 4 of the Charter.

The Parties are to present their reports to the Secretary General in one of the official languages of the Council of Europe. The first report is to be presented within one year following the entry into force of the Charter with respect to the Party concerned.

In accordance with the Outline for periodical reports for the European Charter for Regional or Minority Languages to be submitted by Contracting Parties, the Czech Republic hereby presents its Initial Periodical Report.

Prague, 1 March 2008

Džamila Stehlíková
Minister for Human Rights and National Minorities
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Part I – General provisions

1. Please state the main legal act(s) whereby the European Charter for Regional or Minority Languages has been implemented in your State. If you so desire, please mention the general considerations which have guided your country in the ratification process.

The laws and regulations that made it possible to ratify the Charter\(^1\) are based on the Charter of Fundamental Rights and Freedoms (Act No. 2/1993), which is part of the constitutional legislation of the Czech Republic.\(^2\) The most relevant articles of the Charter of Fundamental Rights and Freedoms are the following:

Article 3

(1) Fundamental rights and freedoms are guaranteed to everyone without any distinction as to sex, race, colour, language, faith and religion, political or other opinion, national or social origin, belonging to a national or ethnic minority, property, birth or other status.

Article 24

The fact that a person belongs to a national or ethnic minority shall not be to his/her detriment.

Article 25

(1) Citizens constituting national or ethnic minorities are guaranteed all-round development, in particular the right to develop their own culture in community with other persons belonging to the national minority, the right to impart and receive information in their mother tongue and to associate in national associations.

(2) Subject to the conditions prescribed by law, citizens belonging to national and ethnic minorities are also guaranteed (a) the right to education in their own language; (b) the right to use their own language when communicating with the authorities; (c) the right to take part in the conduct of public affairs affecting national and ethnic minorities.

Article 37

(4) Anyone who declares that he/she does not speak or understand the language in which the proceedings are conducted has the right to the assistance of an interpreter.

In addition, the Czech Republic is a party to a broad range of international treaties, including bilateral treaties with neighbouring countries, which have direct relevance to the undertakings accepted under the Charter.\(^3\) According to Article 10 of the Constitution, promulgated international treaties, the ratification of which was approved by the Parliament and which are binding on the Czech Republic, are part of the national legislation; where the provisions of an international treaty differ from those of a law, the treaty is applied.

A large part of the legislation that made it possible to ratify the Charter was passed after the Framework Convention for the Protection of National Minorities had been ratified and entered into force in respect of the Czech Republic. In 2000, the Czech Parliament passed new acts on the status of municipalities and regions and of the Capital City of Prague, which require the establishment of national minority boards (local government bodies responsible for the affairs of national minorities); a new Registries Act containing rules for the use of first names and family names by persons belonging to national minorities; and new acts concerning elections. Separate legislation on the rights of national minorities was passed in
2001 (Act No. 273/2001 concerning the rights of persons belonging to national minorities and amending certain acts, hereinafter referred to as "the National Minorities Act") and followed up with a government regulation laying down the conditions and procedures for awarding subsidies from the state budget to support activities of persons belonging to national minorities and integration of persons belonging to the Roma community (Government Regulation No. 98/2002). These steps established the basis for implementation of the national minority policy, in particular for the support for activities of persons belonging to national minorities. The process was completed in 2004 with the passage of a new Education Act providing the rules for access of persons belonging to national minorities to education in their mother tongue, and a new Code of Administrative Procedure providing the rules for the use of minority languages in communication with administrative authorities.

2. Please indicate all regional and minority languages, as defined in paragraph a of Article 1 of the Charter, which exist on your State’s territory. Indicate also the parts of the territory of your country where the speakers of such language(s) reside.

Czech legislation does not designate any official language. For the purposes of the Charter, the term "minority languages" is understood to mean the languages that comply with the definition in Article 1 (a). Accordingly, the Czech Republic declared, in conformity with the Charter, that it regarded Slovak, Polish, German and Romani as the minority languages which were used in its territory and to which it would apply the provisions of Part II.

German
Beside standard German, some speakers living in the Czech Republic use traditional local dialects. The most distinctive ones are spoken in the Cheb area and Silesia; both have a written form.

German was traditionally used in northern, southern and western borderland areas, in language islands in the country’s interior, and in Prague. The post-war situation reflects this pattern, with German speakers concentrating in Northern and Western Bohemia.

Polish
Polish speakers living in the Czech Republic mostly use the Těšín dialect (the southern branch of Silesian Polish dialects). This is their main vehicle of oral communication in informal and sometimes even in formal settings. In written communications and in formal settings they use standard Polish.

Polish speakers concentrate in Karviná and Frýdek-Místek districts located in Těšín area.

Romani
There are several varieties of Romani used in the Czech Republic. The most widespread is Slovak Romani, followed by Vlax, Hungarian, Bohemian and Sinti (German) Romani. Many Roma speak the Romani ethnolect of the Czech language, i.e. Czech containing elements of Romani. For the purposes of ratification of the Charter, these varieties were grouped together under the generic term "Romani".

People of Roma nationality concentrate in large towns, mainly in Prague and Ostrava.

Slovak
Slovak is spoken in the whole territory of the Czech Republic due to the scattered nature of the Slovak population that mostly arrived to the country after the Second World War. The language is used mainly in private life. The Slovak-speaking population in borderland areas and industrial agglomerations is open to linguistic assimilation.
Slovak speakers concentrate in the Moravian-Silesian, Ústí nad Labem, Pilsen and Southern Bohemia Regions.

3. Please indicate the number of speakers for each regional or minority language. Specify the criteria for the definition of "speaker of regional or minority language" that your country has retained for this purpose.

Mother tongue statistics are regarded as the most accurate source of information on the number of speakers of regional and minority languages. In the last census (2001), respondents were asked to report "the language used by your mother/other main carer when talking to you in your childhood". There were tick-boxes for the majority language (Czech) and minority languages (Slovak, Romani, Polish, German) and a write-in box for other languages. 208,723 respondents reported Slovak as their mother tongue; 14,109 reported Slovak and Czech; 50,738 reported Polish and 2,552 Polish and Czech; 41,328 reported German and 11,061 German and Czech; 23,211 reported Romani and 12,970 Romani and Czech.4

The legislation that today governs the implementation of the Charter was initially built on the principles of the national minorities policy, and that is why it takes the size of the minority as its main criterion. In practice, this is no problem. Polish speakers, whose number is roughly equal to the number of Czech citizens reporting Polish nationality, benefit from the largest range of measures (both in absolute terms and in terms of measures requiring a certain minimum number of speakers in the geographical area). Slovak speakers are slightly more numerous than citizens reporting Slovak nationality, but this does not affect any of the undertakings accepted in respect of Slovak (see Part III of this Report).

The number of German speakers is not very different from the number of citizens reporting German nationality. The number of Romani speakers is more than thrice as high as the number of citizens reporting Roma nationality. Nevertheless, the policy on the Romani language takes as its main reference point informed estimates of the number of people of Roma origin (ranging between 200,000 and 250,000), since it is believed that many of them actually speak Romani or the Romani ethnolect of Czech but do not report it in census forms.

The criteria to be considered when defining a "speaker of a regional or minority language" are thus the number of people who consider themselves native speakers (subjective criterion) and informed estimates of the actual number of speakers, including non-native speakers and speakers not reporting the language in census forms (objective criterion). For the purpose of implementation of Part III of the Charter, the term "speakers" is understood to mean people who report that they belong to the national minority associated with the language.

4. Please indicate the non-territorial languages, as defined in paragraph c, Article 1 of the Charter, used on your State’s territory and provide statistical data concerning speakers.

The Czech Republic has not identified any of its minority or regional languages as a non-territorial language. However, German and Romani de facto meet the definition contained in Article 1 (c) of the Charter (Slovak is a regional language used in the whole country).

5. Please indicate if any body or organisation, legally established, exists in your State, which furthers the protection and development of regional or minority languages. If so, please list the names and addresses of such organisations.

In the Czech Republic, protection of regional and minority languages is part of the overall national minorities policy. It falls primarily within the competence of the Government Council for National Minorities (hereinafter referred to as "the National Minorities Council").
and the bodies and organizations represented on it, including public authorities and organizations of persons belonging to national minorities. At the regional and local levels, the protection is in the hands of national minority boards and commissions set up by regional, town and municipal councils.

Numbers of national minority boards and commissions (set up under the relevant laws):

<table>
<thead>
<tr>
<th></th>
<th>Board</th>
<th>Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipalities</td>
<td>52</td>
<td>2</td>
</tr>
<tr>
<td>Towns</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Regions</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>58</td>
<td>11</td>
</tr>
</tbody>
</table>

The Pedagogical Centre for Polish National Schools ("Pedagogické centrum pro polské národnostní školství") in Český Těšín furthers the development of Polish. Controlled and partly funded by the Czech Education Ministry, it offers continuing education programmes for teachers, develops and distributes teaching materials and aids for the teaching of Polish as a minority language.

CzechBLUL, national branch of the European Bureau for Lesser-Used Languages, is a non-governmental organization protecting and promoting minority languages. Its most active members are Polish speakers, directing its efforts towards the promotion of Polish in the Czech Republic (see Annex 1).

6. Please indicate if any body or organisation has been consulted in the preparation of this periodical report. In the case of an affirmative answer, specify which one(s).

The Report was drafted by the Secretariat of the National Minorities Council. The principal body consulted in preparing the Report was the Council, which also considered and approved the final version. In drafting the Report the Secretariat used information from government authorities (Education, Justice, Interior and Culture Ministries, Ministry of Labour and Social Affairs, Ministry of Industry and Trade), local governments (regional and municipal), and national minority organizations (see Annex 1). The draft Report was presented to all contributors for comments.

7. Please indicate the measures taken (in accordance with Article 6 of the Charter) to make better known the rights and duties deriving from the application of the Charter.

The rights and duties arising from the Charter were explained to the competent authorities, organizations and persons belonging to linguistic and national minorities well in advance of the ratification. Information was distributed through several channels, using mainly the meetings of the National Minorities Council and the publicly available Reports on the Situation of National Minorities in the Czech Republic.5

The Secretariat of the National Minorities Council, in cooperation with the Foreign Ministry and the Secretariat of the Charter, organized a seminar bringing together representatives of national minorities and competent government officials. The seminar took place in Prague on 7 June 2005, its proceedings were published.6 Other awareness-raising efforts included the publication of an extensive article in "Veřejná správa“ ("Public Administration") weekly for government and local government officials,7 and a brochure entitled "Charta – co bychom měli vědět?" ("The Charter – What Should We Know?").8

The Secretariat of the National Minorities Council has had extensive correspondence and meetings with government and local government officials regarding the Charter.

Part II

1. Please indicate what measures your State has taken to apply Article 7 of the Charter to the regional or minority languages referred to in paragraphs 2 and 4 of part I above, specifying the different levels of government responsible.

Article 7 – Objectives and principles

Recognition of the regional and minority languages as an expression of cultural wealth

The recognition of minority languages as an expression of cultural wealth is safeguarded by the Charter of Fundamental Rights and Freedoms and by the National Minorities Act.9

Respect for the geographical area of each regional or minority language

Czech legislation does not specify such areas. Due to the structure of the population there are hardly any "geographical areas" in terms of the Charter (census results show that speakers of minority languages are mostly scattered across the country). Since most minority languages enjoy protection in the whole country, administrative divisions do not constitute an obstacle to their protection and promotion. In the case of Polish, the guiding criteria for the measures taken under Part III of the Charter and for the definition of the relevant areas were the documented historic settlement patterns as well as the latest census results (the share of Polish speakers in each area as a percentage and in absolute terms). Again, administrative divisions do not constitute an obstacle.

Action to promote regional or minority languages in order to safeguard them

In accordance with the Framework Convention for the Protection of National Minorities, Czech legislation, in particular the National Minorities Act, accords protection to all national minorities, including the promotion of their languages. In particular, it promotes education, publication of periodicals, and cultural activities in minority languages, etc.

Facilitation and/or encouragement of the use of minority languages

Czech legislation does not designate any official language. As a result, there are no formal obstacles to prevent persons belonging to national minorities from using their mother tongues in speech and writing. The freedom to use the language in private and public life, including social activities, is safeguarded by the Charter of Fundamental Rights and Freedoms. The different approaches to the promotion of minority language education are due to the different situation of each language. The use of minority languages in the media is promoted under Culture Ministry subsidy programmes.10 The use of the languages in public administration and justice is regulated by the applicable laws. For a detailed list of the legislation, see the Notes below.

Links between groups using different languages

According to the current laws regulating the right of association, persons belonging to national minorities are free to establish their organizations - civic associations functioning as non-governmental non-profit organizations. Many associations with programmes covering
national minority aspects have emerged spontaneously as a result of civic activities. At present, the Interior Ministry register lists more than 5,000 civic associations of this type; nevertheless, only about one third of them are actually working. Their interaction is encouraged by subsidy programmes of the competent ministries. In addition, a large room for contacts between persons belonging to national minorities is provided by the National Minorities Council, which serves not only as a government advisory body, but also as a platform for minority representatives to meet and exchange information. Groups speaking different minority languages work together in local government bodies dealing with national minority affairs (in Prague, interaction takes place especially in the National Minorities House) or join in multicultural events, such as national minority festivals.

Support of the teaching and study of minority languages

The Education Ministry has a subsidy programme to support education in minority languages and multicultural education. The subsidies are available to organizations offering education in those minority languages that do not meet the criteria for the opening of separate schools (for details, see comments on Part III of the Charter). They may be allocated to national minority organizations offering language courses for persons belonging to their minority as well as for the majority population. On this basis, German minority organizations organize German language courses in 20 municipalities in the Czech Republic.\[11\]

In addition, minority languages are taught, as a matter of course, at public language schools.\[12\]

Study and research on minority languages at universities

Minority languages are included in the accredited study programmes of Czech universities. University-based researchers can benefit e.g. from subsidies allocated from the state budget to support research based on accredited university study programmes in terms of the Higher Education Act, or from specific subsidies allocated from the state budget to research and development projects.\[13\]

Transnational exchanges

The promotion of appropriate types of transnational exchanges is in the hands of local governments.\[14\] At the central level, the Czech Republic has entered into cultural cooperation agreements with all neighbouring countries and with most of the countries of origin of the minority communities living in the Czech Republic. Representatives of the competent ministries and of the National Minorities Council serve on intergovernmental commissions dealing with cross-border cooperation, coordinated by the Foreign Ministry. In general, it is the Foreign Ministry’s policy to promote this type of cooperation. For details, see comments on Part III of the Charter.

Protection against the discrimination of minority languages

At the national level, protection against discrimination is enshrined in the Constitution, the Charter of Fundamental Rights and Freedoms, and in a large body of ordinary laws and regulations. At the international level, it is safeguarded by the Framework Convention for the Protection of National Minorities, Council of Europe instruments, UN human rights treaties, and other instruments binding on the Czech Republic. Since Czech legislation does not designate any official language, the choice of the language of communication in public life is up to the parties concerned – a policy that facilitates the use of minority languages. The existence of specific laws designating the language of communication with some public authorities is consistent with the interpretation of this paragraph.
Promotion of mutual understanding between linguistic groups

The applicable legislation (namely the National Minorities Act, the Education Act, and the Radio and Television Broadcasting Act), as well as the Framework Convention for the Protection of National Minorities, provide for the appropriate measures. A practical result in the field of education is the introduction of so-called framework education programmes. In the field of the media, cooperation on this issue has been established between the National Minorities Council and the public service media.

Consultation mechanisms

The system of consultative bodies set up for the purposes of the implementation of the Framework Convention for the Protection of National Minorities and of the National Minorities Act is equally suited to serve the needs of minority languages. The consultative bodies dealing with the needs of minority language speakers are national minority boards at the local and regional levels (Municipalities Act, Regions Act, Capital City of Prague Act), and the Council (Section 6 of Act No. 273/2001) with the competent ministries at the central level.

Application of the principles to non-territorial languages

The Czech Republic has not identified any non-territorial minority language. Accordingly, it will not comment on this paragraph.

2. If appropriate, state any future measures which are envisaged in your country

The Council has received comprehensive reports on the implementation of the Charter from government and local government authorities and national minority organizations. The Council will examine them and chart out the future course of action. A development that deserves special notice is the introduction of bilingual Czech-Polish signs and inscriptions in linguistically mixed municipalities in the Karviná and Frýdek-Místek districts.

At present, special attention is paid to data on the use of Romani in the Czech Republic. There is an extensive linguistic survey under way, carried out by the Faculty of Philosophy and Arts of Charles University in Prague with the support of the Education Ministry. Its results will serve the Czech academic community engaged in Roma studies, which enjoys very good reputation abroad. One of the aims of the survey is to determine the vitality of Romani and ethnolects of Czech in different spheres of communication as an element of cultural heritage worthy of preservation, and to map Romani language competence and the social structure of users of Romani (geographic distribution, heterogeneity, density, age structure, subethnicity, size of municipality, education attainments, etc.).
Part III

For each regional or minority language chosen at the moment of ratification, as follows from paragraph 2, Article 2 of the Charter, please indicate in which way the paragraphs and/or sub-paragraphs have been implemented.

When indicating the measures taken in order to implement each paragraph or sub-paragraph chosen, please specify the relevant legal provision and the territory where they are applicable.

Languages: POLISH, SLOVAK

The undertakings assumed in respect of Polish apply in the Frýdek-Místek and Karviná districts of the Moravian-Silesian Region. The undertakings assumed in respect of Slovak apply in the whole territory of the Czech Republic.

Article 8 – Education

In respect of Polish and Slovak, the Czech Republic has assumed the following undertakings in the field of education:

Polish: paragraph 1a)i/ii; b)i/ii; c)i/ii; d)ii; e)iii; f)iii; g); h); i); paragraph 2 (10 items in total).

Slovak: paragraph 1a)iv; b)iv; e)iii; g); i); paragraph 2 (6 items in total)

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

   a)  i) to make available pre-school education in the relevant regional or minority languages; or
       ii) to make available a substantial part of pre-school education in the relevant regional or minority languages; or
       iv) if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;

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

   c)  i) to make available secondary education in the relevant regional or minority languages; or
       ii) to make available a substantial part of secondary education in the relevant regional or minority languages; or

   d)  ii) to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or

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

   f)  iii) if the public authorities have no direct competence in the field of adult education, to favour and/or encourage the offering of such languages as subjects of adult and continuing education;

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

   h)  to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;
i) to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

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

Pre-school education

In the 2007/2008 academic year, pre-school education in Polish was provided by 33 kindergartens in the Moravian-Silesian Region. Several municipalities in the region have bilingual kindergartens with linguistically mixed staff and pupils. The teachers communicate with each group of children in its mother tongue. This arrangement is not legally formalized; nevertheless, it contributes to cooperation, understanding and knowledge of both languages in the local community. The public authorities will not hinder the efforts to set up kindergartens teaching in Slovak, currently discussed in the Slovak-speaking community, and will support them as long as there is a sufficient number of interested Slovak-speaking families.

Primary education

In the 2007/2008 academic year, education in Polish was provided by 25 primary schools in the Moravian-Silesian Region.

The Czech Republic supports and is committed to preserving Polish minority schools in areas inhabited by persons belonging to the Polish national minority at all existing levels – pre-school, primary and secondary. There are 1,739 pupils enrolled in schools with instruction in Polish.

At present, all schools with instruction in Polish are located in the Frýdek-Místek and Karviná districts, where the concentration of Polish-speaking population is highest. Their task is to educate Czech citizens of Polish nationality, in accordance with standards set by the Czech Education Ministry; however, on the understanding that the pupils receive instruction in Polish and are taught some additional specific subjects. Polish-language schools are no exception to the general trend of merging schools, reflecting the overall decline in the numbers of kindergarten and primary school-aged children in the Czech Republic.

For the Polish minority, preserving the network of Polish-language primary schools is a priority. However, the effort is marred by problems with falling primary school rolls. The public authority controlling the school may grant an exemption from the minimum class size requirement (8 pupils per class in kindergartens, 10 in primary schools and 12 in secondary schools) set in Section 14, paragraphs 2 and 3 of the Education Act and in its implementing regulation (Notice No. 48/2005 concerning primary education and certain requirements related to compulsory school attendance), if such arrangement better serves the needs of schools teaching in minority languages. However, once the controlling authority grants the exemption, it must pay any extra teaching costs incurred by the school.

<table>
<thead>
<tr>
<th>Primary schools with instruction in Polish:</th>
<th>1st year</th>
<th>2nd year</th>
<th>3rd year</th>
<th>4th year</th>
<th>5th year</th>
<th>6th year</th>
<th>7th year</th>
<th>8th year</th>
<th>9th year</th>
<th>Classes, total</th>
<th>Pupils, total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary school pupils, total: Karviná district</td>
<td>85</td>
<td>78</td>
<td>72</td>
<td>91</td>
<td>73</td>
<td>83</td>
<td>87</td>
<td>77</td>
<td>99</td>
<td>50</td>
<td>795</td>
</tr>
<tr>
<td>Primary school pupils, total: Frýdek-Místek district</td>
<td>105</td>
<td>113</td>
<td>80</td>
<td>87</td>
<td>119</td>
<td>102</td>
<td>105</td>
<td>142</td>
<td>141</td>
<td>74</td>
<td>1068</td>
</tr>
<tr>
<td>Primary school pupils, total</td>
<td>190</td>
<td>191</td>
<td>152</td>
<td>178</td>
<td>192</td>
<td>185</td>
<td>192</td>
<td>219</td>
<td>240</td>
<td>24</td>
<td>1863</td>
</tr>
</tbody>
</table>
In addition, education in minority languages is supported by Education Ministry subsidies under the programme to support education in minority languages and multicultural education. The Slovak minority has had no schools of its own since 2001 due to the lack of interested families. The only primary school with instruction in Slovak, located in Karviná, was closed down in 2001 because of low enrolment. So far, there are no signs of a change of attitude in the Slovak-speaking community.

However, additional opportunities for education in minority languages, including Slovak, are opened up by the government "Programme to support education in lesser-taught foreign languages". The programme is designed to foster multilingualism, in particular by encouraging the teaching of lesser-taught languages (all foreign languages except for English and German) at primary schools. It enables the Education Ministry to provide schools with funds to cover the wage costs of teachers who work with small groups of at least 7 pupils (small-group teaching would otherwise put too much strain on the budgets of many schools). In 2007, one of the applicants was a primary school offering Slovak language lessons (2 hours per week).

Secondary, technical and vocational education

In the 2007/2008 academic year, there were five secondary schools with instruction in Polish, all located in the Moravian-Silesian Region: a Polish-language grammar school in Český Těšín with four additional classes in Karviná, and three Czech-language schools with classes providing instruction in Polish. The students take their school-leaving examinations in Polish.

Secondary schools with instruction entirely in Polish or with classes providing instruction in Polish:

<table>
<thead>
<tr>
<th>Students, total: Grammar School in Český Těšín</th>
<th>1st year</th>
<th>2nd year</th>
<th>3rd year</th>
<th>4th year</th>
<th>Classes, total</th>
<th>Students, total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students, total: Grammar School in Český Těšín – classes in Karviná</td>
<td>15</td>
<td>19</td>
<td>19</td>
<td>23</td>
<td>4</td>
<td>76</td>
</tr>
<tr>
<td>Students, total: Secondary Technical School in Karviná</td>
<td>2</td>
<td>4</td>
<td>7</td>
<td>7</td>
<td>half-classes</td>
<td>20</td>
</tr>
<tr>
<td>Students, total: Business Academy in Český Těšín</td>
<td>31</td>
<td>26</td>
<td>26</td>
<td>31</td>
<td>4</td>
<td>114</td>
</tr>
<tr>
<td>Students, total: Secondary Nursing School in Karviná</td>
<td>14</td>
<td>16</td>
<td>12</td>
<td>11</td>
<td>half-classes</td>
<td>64</td>
</tr>
<tr>
<td>Secondary school students, total</td>
<td>152</td>
<td>155</td>
<td>151</td>
<td>168</td>
<td></td>
<td>637</td>
</tr>
</tbody>
</table>

A project to establish a Slovak-language M. R. Štefáňik Grammar School in Prague, proposed in the mid-1990s, failed for the same reason as the above-mentioned Slovak primary school.

Higher education

There are facilities to support the study of both languages as higher education subjects (Polish and Slovak studies) at all higher education institutions in the Czech Republic. However, the Government is not competent to directly control the availability of such study programmes.

Adult and continuing education

The Government is not competent to control the availability of adult and continuing education courses. However, organizations offering such courses may benefit from government support e.g. under the Education Ministry programme to support education in minority languages and multicultural education or under similar subsidy programmes. The Polish minority has not yet shown interest in these facilities. The Pedagogical Centre for Polish National Schools offers adult and continuing education courses for teachers.
Teaching of history and culture

The Education Act provides for the implementation of this undertaking and of similar undertakings assumed under the Framework Convention. The teaching of history and culture with special regard to national minorities, including minority languages, is part of the Framework Primary Education Programme (in force since 2006), the key curriculum document for primary education.

Teacher training

The Pedagogical Centre for Polish National Schools in Český Těšín (opened in 1995) offers courses for teachers from Polish minority schools. Courses are offered also by the Polish Teachers Association ("Towarzystwo Nauczycieli Polskich"), a professional organization of teachers from Polish schools in Těšín area, cooperating with the Polish and Czech Education Ministries.

Supervision, monitoring and reporting obligations

The National Minorities Council monitors the situation of national minorities, including the use of minority languages; however, it has no executive powers. The result of the monitoring are the Reports on the Situation of National Minorities, annually presented to the Government for consideration. The supervisory function is performed by the Education Ministry.

Education in territories other than those in which minority languages are traditionally used

Section 14, paragraph 5 of the Education Act permits heads of schools to decide, with the consent of the authority controlling the school, that some subjects or their parts should be taught bilingually, in Czech and in a minority language. However, to date no school has used this opportunity.

Article 9 – Judicial authorities

In respect of Polish and Slovak, the Czech Republic has assumed the following undertakings in the field of justice: paragraph 1a)ii; a)iii; a)iv; b)ii; b)iii; c)ii; c)iii; d); paragraph 2a) (9 items in total)

1) The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the measures specified below, according to the situation of each of these languages and on condition that the use of the facilities afforded by the present paragraph is no considered by the judge to hamper the proper administration of justice:

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

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

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

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

d) to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned.

2) The Parties undertake:

a) not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language; or

Use of minority languages in criminal proceedings

Section 2, paragraph 14 of the Code of Criminal Procedure provides that anybody who claims not to speak and understand Czech is entitled to communicate with the law enforcement authorities in his/her mother tongue or in any language he/she claims to speak and understand. Section 28, paragraph 1 specifies that if the accused does not choose any language of communication, or if he/she chooses a language or dialect other than the language of his/her own nation or the official language of his/her State of citizenship, and there is no interpreter of such language or dialect listed in the interpreters register, the law enforcement authority must appoint an interpreter of the appropriate national language or of the official language of the State of citizenship. This applies also to documents drawn up in minority languages. The costs associated with the party’s use of his/her mother tongue are paid by the State.

Use of minority languages in civil proceedings

According to Section 18 of the Code of Civil Procedure, the parties are entitled to communicate with the court in their mother tongue. The court must provide them with equal opportunities for the exercise of their rights. If a party has a mother tongue other than Czech, the court must appoint an interpreter as soon as the need for an interpreter’s services becomes known. According to Section 141, paragraph 2, the costs associated with the party’s use of his/her mother tongue are paid by the State.

Use of minority languages in proceedings before courts concerning administrative matters

The Code of Administrative Justice protects the parties from discrimination. According to Section 35, paragraph 4, parties who claim that they have been discriminated against by an administrative authority because of their sex, social origin or race, because of their belonging to a national or ethnic minority, or because of their colour, language, religion, faith, world outlook, political or other opinion, disability, age, property, birth or other status, or because of their sexual orientation may be represented by a legal entity competent to protect such parties from such discrimination. The aim is to ensure equal treatment for all parties to the proceedings. According to Section 36, paragraph 1, the court must provide all parties with equal opportunities for the exercise of their rights. The court must instruct all parties on their procedural rights and duties to an extent necessary to avoid any detriment to the parties in the proceedings. This includes the right to use a language other than Czech in proceedings before courts in administrative matters, with the assistance of an interpreter. According to Section 36, paragraph 2, the costs incurred as a result of the appointment of interpreters are paid by the State. According to the Code of Administrative Justice, Section 18 of the Code of Civil Procedure applies also in cases of administrative litigation under private law.
The facilities for the exercise of the right to use one’s mother tongue when communicating with judicial authorities in criminal, civil and administrative proceedings are in place and function without problems.

Validity of legal documents

Czech legislation does not in general deny the validity of legal documents drawn up by foreign authorities; however, in some cases it requires translations into Czech. Subject to the requirements of Section 16, paragraph 4 of the Code of Administrative Procedure, documents can be submitted in minority languages. The cost of translation is paid by the administrative authority.

Article 10 – Administrative authorities and public services

In respect of Polish and Slovak, the Czech Republic has assumed the following undertakings in the field of administrative authorities and public services:
Polish: paragraph 1a)iv; paragraph 2b); e); f); g); paragraph 4a); paragraph 5; (7 items in total)
Slovak: paragraph 1a)iv; a)iv; paragraph 2b); e); f); paragraph 3c); paragraph 4a); paragraph 5; (8 items in total)

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

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

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

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

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

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

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

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

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

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

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

a) translation and interpretation as may be required;

5) The Parties undertake to allow the use or adoption of family names in the regional or minority languages, at the request of those concerned.

Use of minority languages within administrative districts

According to the Code of Administrative Procedure\(^{18}\), Section 16, paragraph 4, Czech citizens belonging to national minorities traditionally settled in the territory of the Czech Republic are entitled to communicate with administrative authorities in their minority languages. If none of the administrative authority’s officials speak and understand the
minority language, the citizen must hire an interpreter listed in the interpreters register. The costs of interpreting and translations are paid by the administrative authority. It is important that according to Section 16, paragraph 1, documents in Slovak can be submitted without translations. So far, there has been only one case of a local authority doubting the validity of documents written in Slovak (applications for local government subsidies); the documents were eventually accepted.

Czech legislation does not designate any official language and does not specify the language to be used by regional and local authorities in debates in their assemblies.

Traditional place-names

Section 29, paragraph 2 of the Municipalities Act\(^9\) regulates the use of traditional place-names, signs and inscriptions in municipalities. In municipalities where in the latest census at least 10% of inhabitants reported that they belonged to a national minority, the minority language is to be used side by side with Czech in the name of the municipality, its parts, streets and other public areas, and on the name boards of government and local government authorities, if the minority’s representatives submit such request to the local national minorities board (Section 17, paragraph 3) and the board resolves to recommend it. In the Karviná and Frýdek-Místek districts, bilingual Czech-Polish place names, signs and inscriptions had been installed in some areas already before the ratification of the Charter.

The Traffic Code\(^{20}\) regulates the use of bilingual place-names on road signs marking entry to and exit from built-up areas. According to Section 13, paragraph 1 (v) and (w) of the Traffic Code, boards with place names in minority languages can be placed below the standard road sign, subject to the requirements of special legislation (the Municipalities Act). Since the recent introduction of this rule, Czech-Polish name boards have been gradually installed in selected municipalities in the Karviná and Frýdek-Místek districts.

The legal requirements for the use of bilingual Czech-Polish place names are met by 31 municipalities in the Frýdek-Místek a Karviná districts.\(^{21}\) Since the ratification of the Charter in 2007, thirteen municipalities\(^{22}\) have introduced bilingual place-names, signs and inscriptions, and the process continues. Each municipality individually decides which of its signs and inscriptions should be bilingual, on the basis of recommendations from its national minority board. The possibilities are very broad, ranging from name boards on the buildings of government and local government authorities, name boards on other public buildings (schools, bus stops, public libraries, culture centres), to street markers and road signs marking entry in and exit from built-in areas. However, in some municipalities the introduction of the last-mentioned road signs is hindered by misunderstandings between representatives of the national minority and the competent authorities.

An understanding on the introduction of bilingual (Czech-Polish) railway station name boards has been reached with Czech Railways. Bilingual name boards will be installed at stations along the new railway corridor that is currently under construction in the Moravian-Silesian Region, provided that the station serves a municipality with the required share of Polish-speaking inhabitants. Stations not scheduled for modernization will be left out of the project for the time being.

The costs incurred by municipalities installing Czech-Polish signs and inscriptions are paid from the state budget.\(^{23}\) In some municipalities, the project has sparked lively debates between members of the local national minority boards and municipal councils. The majority society tends to take a rather reserved approach to bilingual place names and is not unanimously positive about this new phenomenon in the life of the local or regional communities.
Use of minority languages in public services

The Czech Republic had to deal with the problem of absence of a uniform definition of "public services" and with the limited power of the State to control the services, a large proportion of which is privately run. Since Slovak and Czech are mutually intelligible languages, there are no problems with the implementation of this provision. Slovak speakers do use the opportunity to submit documents in Slovak.

Over and above the accepted undertakings, Polish is spontaneously used in the provision of services at the local level, where many service providers as well as customers are Polish-speaking.

Translation and interpretation

Due to the mutual intelligibility of Slovak and Czech, there is no demand for translations and interpretation of Slovak. The demand for these services in Polish is very limited, due to the widespread bilingualism in the areas concerned. The policy of many public authorities in these areas is that persons of Polish nationality, speaking good Polish, should be appointed to positions that involve contact with the public. Translations, where required, will be paid from the state budget funds earmarked for the implementation of the Charter and administered by the Moravian-Silesian Region (see note 20).

Family names in minority languages

In the Czech Republic there is no problem with the use of family names in original forms conforming to the grammar and orthography of minority languages. In practice, the undertaking is implemented in respect of all minority languages.24

Article 11 – Media

In respect of Polish and Slovak, the Czech Republic has assumed the following undertakings in the field of the media:

Polish: paragraph 1a)iii; b)ii; c)ii; d; e)i; paragraph 2; (6 items in total)
Slovak: paragraph 1a)iii; b)ii; d; e)i; paragraph 2; (5 items in total)

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

a) to the extent that radio and television carry out a public service mission:
   iii to make adequate provision so that broadcasters offer programmes in the regional or minority languages;

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

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

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

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

2) The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar form to a regional or minority language, and not to oppose the retransmission of radio and television broadcasts from neighbouring countries in such a language. They further undertake to ensure that no restrictions will be placed on the freedom of expression and free
circulation of information in the written press in a language used in identical or similar form to a regional or minority language. The exercise of the above-mentioned freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Radio and television broadcasts in minority languages

The public service Czech Television and Czech Radio are required by law to create and broadcast programmes and to provide a balanced offer of programmes for all groups of the population, including national and linguistic minorities. Compliance with law, including the obligations concerning national and ethnic minorities, is supervised by the Radio and Television Broadcasting Council. The National Minorities Council provides room for dialogue between representatives of national minorities and the media.

The Czech Television has the following minority language programmes and programmes about national minorities: a weekly current affairs programme in Polish created since 2004 by Czech TV Ostrava studio; "Babylon", a weekly targeting all national minorities, created by the same studio; and "Velký vůz" ("The Great Bear"), a multicultural programme about minorities by Czech TV Prague studio. "Romale", the specialized Roma magazine broadcast in 1990-1999, was replaced by multicultural programmes.

The Czech Radio naturally (given its simpler technical side) offers more room for minority programmes. Czech Radio Ostrava has a separate Polish section. Czech Radio Prague (Czech Radio 1 – Radiožurnál) has a Slovak section creating and broadcasting nationwide and regional Slovak programmes.

The public service media have not yet made much effort to integrate the affairs of national minorities, including their linguistic and cultural aspects, into their programmes, despite the great interest of minority representatives in this non-exclusive way of raising public awareness.

Production and distribution of audio and audiovisual works

The Culture Ministry (Regional and National Cultures Department) awards subsidies to selected projects under the "Programme to support the cultural activities of persons belonging to national minorities in the Czech Republic". In 2007, the funds earmarked for this programme totalled CZK 8,000,000 (€ 310.680). The programme includes support for audio and audiovisual works.

Support for the press

The Culture Ministry (Media and Audiovision Department) administers a programme to support the receiving and imparting of information in minority languages, for which CZK 30,000,000 (€ 1,165,048) is earmarked annually. The programme supports selected projects involving the publication of periodicals or radio and television broadcasting in minority languages.

In 2007, support was granted to three periodicals in Polish – "Głos Ludu" (an every-other-daily published by Kongres Poláků v České republice - "Congress of Poles in the Czech Republic" - contributing to the preservation and knowledge of Polish within the minority community), "Nasza gazetka" (a fortnightly for children and young people published by the Polish scouting association Harcerstwo Polskie in the Czech Republic), "Zwrot" (a cultural monthly published by Polský kulturně osvětový svaz – "Polish Cultural and Educational Union" in the Czech Republic).
In addition, the programme supported four periodicals in Slovak – "Korene" (a monthly published by Obec Slováků – "Association of Slovaks" in the Czech Republic, focused on the life of the Slovak minority in the Czech Republic), "Slovenské dotyky" (a monthly published by Slovensko-český klub – "Slovak-Czech Club" in the Czech Republic, intended for both the Slovak and Czech public), Listy (a monthly published by Klub slovenské kultury – "Slovak Culture Club" in the Czech Republic), and "Zrkadlenie“ (a quarterly literary review published by Slovenský literárni klub – "Slovak Literary Club" in the Czech Republic).

The funds provided from the state budget to support Polish and Slovak minority periodicals in 2007 totalled CZK 13,457,000 (€ 525,049), including CZK 7,322,500 (€ 285,700) for Polish periodicals and CZK 6,134,500 (€ 239,349) for Slovak periodicals.

The right to receive broadcasts from neighbouring countries

Speakers of Polish and Slovak have free access to the media from the neighbouring countries, including radio and television broadcasts.

Article 12 – Cultural activities and facilities

In respect of Polish and Slovak, the Czech Republic has assumed the following undertakings in the field of cultural activities and facilities:
Polish: paragraph 1a); f); g); paragraph 2; paragraph 3 (5 items in total)
Slovak: paragraph 1a); f); g); paragraph 2; paragraph 3 (5 items in total)

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

   a) to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;
   f) to encourage direct participation by representatives of the users of a given regional or minority language in providing facilities and planning cultural activities;
   g) to encourage and/or facilitate the creation of a body or bodies responsible for collecting, keeping a copy of and presenting or publishing works produced in the regional or minority languages;

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

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

Support for cultural activities and participation by users of minority languages in such activities

The support is provided under grant-making policies within the limits of the budget of the Culture Ministry, which annually opens a subsidy programme to support the activities of persons belonging to national minorities in the Czech Republic. The eligible activities include art, cultural education, documentation of minority cultures, and publications. Subsidies from the state budget may be awarded to projects involving the cultural activities of any national minority living in the Czech Republic, in compliance with paragraph 2 of this article. Some of these activities receive additional support from regional and local governments.
A comprehensive overview of the funds allocated from the state budget to support the cultural activities of the Polish, Slovak and other minorities is published in the annual Reports presented to the Government.26

Collecting documents and works

There are no independent archives of works created in minority languages. However, the Culture Ministry subsidizes projects to establish documentary centres for the Polish, Slovak and other minorities.27

Presentation of the cultures associated with minority languages in pursuing cultural policy abroad

Where possible, presentations of cultures associated with minority languages are part of international cultural exchange arrangements in all spheres of cultural activity. Under the government culture policy, the presentations take place at the government as well as non-governmental levels (for details, see Article 14).

Article 13 – Economic and social life

In respect of Polish and Slovak, the Czech Republic has assumed the following undertakings in the field of economic and social life:
Polish: paragraph 1c); paragraph 2e) (2 items in total)
Slovak: paragraph 1c); paragraph 2e) (2 items in total)

1) With regard to economic and social activities, the parties undertake, within the whole country:
   c) to oppose practices designed to discourage the use of regional or minority languages in connection with economic and social activities;

2) With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible
   e) to ensure for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.

Protection against the discrimination of minority languages

Section 1, paragraph 4 of the Labour Code prohibits direct as well as indirect discrimination, inter alia, on the grounds of race or ethnic origin, nationality and language. It does not contain any provisions on the choice of language; therefore, the choice of language up to the parties concerned. None of the laws and regulations within the competence of the Ministry of Industry and Trade contains discriminatory provisions concerning minority languages. The only legislation regulating administrative proceedings in economic matters is the Trades Act, which enables Czech citizens belonging to national minorities to communicate with administrative authorities in their own language, with the assistance of an interpreter, at the expense of the Trades Licensing Office.28

Information on consumer rights in minority languages

The Ministry of Industry and Trade annually publishes a consumer information brochure in foreign languages, including Polish. In 2005, it established a European Consumer Centre dealing with transfrontier issues, complaints and disputes in the field of consumer protection. The Centre provides information, inter alia, in Polish and Slovak.
Article 14 – Transfrontier exchanges

In respect of Polish and Slovak, the Czech Republic has assumed the following undertakings in the field of transfrontier exchanges:
Polish: a); b) (2 items in total)
Slovak: a); b) (2 items in total)

The Parties undertake:

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

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

Support of transfrontier cooperation

The Czech Republic has entered into international agreements on cultural cooperation with all neighbouring countries and with countries where the minority languages are used. In addition, the Culture Ministry and the Secretariat of the National Minorities Council take part in the work of the Czech-Polish Intergovernmental Commission for Transfrontier Cooperation. The Commission annually concludes a protocol specifying activities in the field of transfrontier cultural exchange. Planned transfrontier cultural exchanges are supported by regional and local governments, depending on their significance.

Since persons belonging to the Slovak minority are scattered across the whole territory of the the Czech Republic, cultural exchanges between the Czech Republic and the Slovak Republic do not take the form of transfrontier exchange. They are based on the Cultural Agreement and Protocols on Cooperation concluded between the Culture Ministries of the two countries. Cultural exchanges based on of these documents receive support from the Culture Ministry budget. Performances by Slovak artists in the Czech Republic always draw large Slovak-speaking audiences. The best examples are the annual Slovak Theatre festival in Prague; the Slovak Culture Days organized in several Czech towns by the Slovak-Czech Club ("Slovensko-český klub") civic association, or the festivals "The Best of Humour in Czech Theatre" in the Slovak Republic and "The Best of Humour in Slovak Theatre" in the Czech Republic.
Notes

1 Laws and regulations concerning the exercise of the rights of national minorities, relevant to the implementation of the Charter:

The following is a list of laws and regulations concerning the exercise of the rights of national minorities in the Czech Republic, including the right to use minority languages. The laws and regulations explicitly regulate national minority rights or facilitate the exercise of such rights in a specific field without explicit reference to national minorities.

Article 7 of the Charter – Objectives and principles

- Act No. 2/1993 promulgating the Charter of Fundamental Rights and Freedoms as part of the constitutional legislation of the Czech Republic, as amended (Articles 24 and 25).
- Act No. 273/2001 concerning the rights of persons belonging to national minorities and amending certain acts, as amended.
- Government Regulation No. 98/2002 laying down the conditions and procedures for the award of state budget subsidies to support the activities of persons belonging to national minorities and integration of persons belonging to the Roma community, as amended.
- Act No. 130/2002 concerning the support of research and development from public funds and amending some related acts (Act on Support of Research and Development), as amended.
- Act No. 262/2006, the Labour Code, as amended.

Article 8 of the Charter – Education

- Act No. 561/2004 concerning pre-school, primary, secondary, higher technical and other education (Education Act), (Section 13, paragraph 2, Section 14).
- Act No. 562/2004 amending certain acts in connection with the adoption of the Education Act.
- Act No. 111/1998 concerning higher education institutions and amending other acts (Higher Education Act), as amended (Section 49, paragraph 3).
- Act No. 563/2004 concerning the staff of educational institutions and amending certain acts.

Article 9 of the Charter – Judicial authorities

- Act No. 141/1961 concerning criminal procedure (Code of Criminal Procedure), as amended (Section 2, paragraph 14; Section 28, paragraph 1; Section 151).
- Act No. 99/1963, the Code of Civil Procedure, as amended (Section 18 and Section 141, paragraph 2).
- Act No. 150/2002, the Code of Administrative Justice, as amended (Section 36, paragraphs 1, 2 and Section 35, paragraph 4).
- Act No. 500/2004, the Code of Administrative Procedure, as amended (Section 16, paragraph 4 – in force since 1 January 2006).

Article 10 of the Charter – Administrative authorities and public services

- Act No. 582/1991 concerning the organization and provision of social security as amended (Section 123 (d)).
- Act No. 117/1995 concerning state social support, as amended (Section 68, paragraph 6).
- Act No. 337/1992 concerning the administration of taxes and duties, as amended (Section 3, paragraph 2).
- Act No. 455/1991 concerning trades (Trades Act), as amended (Section 71, paragraph 3).
- Act No. 634/1992 concerning consumer protection, as amended (Section 11).
- Act No. 102/2001 concerning general product safety and amending certain acts (General Product Safety Act), as amended (Section 3, paragraph 1 (a)).
- Act No. 22/1997 concerning technical requirements for products and amending certain acts, as amended.
- Act No. 500/2004, the Code of Administrative Procedure (Section 16, paragraph 4 and Section 25, paragraph 4 – in force since 1 January 2006).
- Act No. 40/1993 concerning the acquisition and loss of citizenship of the Czech Republic, as amended (Section 22, paragraph 1 (b) and paragraph 2).
- Act No. 301/2000 concerning registries, first names and family names and amending certain related acts, as amended (Section 57, paragraph 1).
- Act No. 21/2006 concerning the authentication of copies of documents and the authentication of signatures and amending certain acts (Authentication Act), as amended (Section 9 (b)).
- Act No. 247/1995 concerning elections to the Parliament of the Czech Republic and amending certain other acts, as amended (Section 15, paragraph 4).
- Act No. 130/2000 concerning elections to regional councils and amending certain acts, as amended (Section 27, paragraph 3).
- Act No. 491/2001 concerning elections to municipal councils and amending certain acts, as amended (Section 29, paragraph 3).
- Act No. 337/1992 concerning the administration of taxes and duties, as amended (Section 3, paragraphs 1 and 2).
- Act No. 128/2000 concerning municipalities (status of municipalities), as amended (Sections 18 - 26; Section 55, paragraphs 1 – 5; Section 84, paragraph 2 (i); Section 117, paragraph 3; Section 29, paragraph 2).
- Act No. 129/2000 concerning regions (status of regions), as amended (Section 28, paragraphs 1 - 4; Section 35, paragraph 2 (i); Section 78, paragraph 2).
- Act No. 131/2000 concerning the Capital City of Prague, as amended (Section 78, paragraph 2).
- Act No. 582/1991 concerning the organization and provision of social security, as amended (Section 123 (d)).
- Act No. 117/1995 concerning state social support, as amended (Section 68, paragraph 6).
- Act No. 13/1993, the Customs Act, as amended by Act No. 35/1993 as amended.
- Act No. 65/1965, the Labour Code, as amended (Section 1, paragraph 5).
- Act No. 312/2002 concerning local government officials and amending certain acts, as amended (Section 4, paragraph 1).

Article 11 of the Charter - Media
- Act No. 231/2001 concerning radio and television broadcasting and amending other acts, as amended (Section 31, paragraph 4, Section 17 (g)).
- Act No. 483/1991 concerning the Czech Television, as amended (Section 2 (c) and (d)).
- Act No. 484/1991 concerning the Czech Radio, as amended (Section 2, paragraph 2 (c) and (d)).
- Act No. 46/2000 concerning the rights and obligations of publishers of periodical press and amending certain other acts (Press Act), as amended.
- Act No. 273/1993 concerning certain conditions for the production, distribution and archiving of audiovisual works, amending certain laws and regulations, as amended.
- Act No. 241/1992 concerning the National State Fund of the Czech Republic for the Support and Development of Czech Cinematography, as amended (Section 9, paragraph 1 (f)).

Article 12 of the Charter – Cultural activities and facilities
- Act No. 499/2004 concerning archives and records management and amending certain acts.
- Act No. 257/2001 concerning libraries and the conditions for the provision of public library and information services (Libraries Act), as amended.
- Act No. 273/1993 concerning certain conditions for the production, distribution and archiving of audiovisual works, amending certain laws and regulations, as amended.
- Act No. 84/1990 concerning the right of assembly, as amended.

Article 13 of the Charter – Economic and social life
- Act No. 65/1965, the Labour Code, as amended (Section 1, paragraph 4).
- Act No. 435/2004 concerning employment, as amended (Section 4, paragraph 2, Section 61, paragraph 5).
- Act No. 634/1992 concerning consumer protection, as amended (Section 11).
- Act No. 100/1988 concerning social security, as amended.

Article 14 of the Charter - Transfrontier exchanges
- Declaration on Transfrontier Cooperation between the Czech Republic and the Free State of Saxony (1992).


3 Bilateral treaties:
Treaty between the Czech Republic and the Slovak Republic on Good Neighbourhood, Friendly Relations and Cooperation (1992, published in Notice No. 235/1993). In Article 8 both countries guarantee legal protection and support for the newly constituted national minorities – the Slovak minority in the Czech Republic and the Czech minority in Slovakia, development in the fields of education, culture, civic associations, etc.

4 According to the 2001 census data, German nationality was reported by 39,106 respondents, mainly in borderland areas (9,478 in Ústí nad Labem Region, 8,925 in Karlovy Vary Region, 4,255 Moravian-Silesian Region, 3,722 in Liberec Region), followed by Hradec Králové Region (2,601), Pilsen Region (2,040), Olomouc Region (1,721), Prague (1,791), Central Bohemia region (1,110), and in the Southern Moravia Region (900).
Polish nationality was reported by 51,968 respondents (0.5 % of total population). 50,738 respondents (0.5%) reported Polish as their mother tongue; 2,552 (0.002%) reported two mother tongues. Beside the Moravian-Silesian Region, substantial numbers of persons belonging to the Polish minority live in the Central Bohemia, Liberec, Hradec Králové and Ústí nad Labem Regions and in Prague.
In the 2001 census, Roma nationality was reported by mere 11,746 respondents, a number thrice lower than in 1991. According to informed estimates, the actual number is many times higher, hypothetically as much as 250,000.
Slovak nationality was reported by 193,190 respondents. Informed estimates made by Slovak minority associations range between 300,000 and 400,000. The highest concentration is in the Karviná district with almost 16,000 inhabitants belonging to the Slovak minority (5.7% of total population in the district).


9 The fact that the languages are an expression of cultural wealth is also recognized in other laws regulating specific rights of persons belonging to national minorities. At the political level, the principle is contained in Article 14 of the Cultural Policy of the Czech Republic, approved by Government Resolution No. 40 of 10 January 2001.

10 Subsidized periodicals in Romani and German: Landes-Zeitung (published by Shromáždění Němců v Čechách na Moravě a ve Slezsku – "Assembly of Germans in Bohemia, Moravia and Silesia" - a fortnightly about the life of the German minority and other current affairs); Eghaländ Blad (a regional monthly in the German dialect spoken in the Cheb area, published by Svaz Němců – region Chebsko – "Union of Germans – Cheb Area"); Romano hangos (a fortnightly published by the public benefit society Společenství Romů na Moravě –
"Association of the Roma in Moravia"); Romano voďi (a monthly published by Romea civic association); Romano džaniben (a yearbook published by Romano džaniben civic association); Keréka-Kruhl (a monthly published in Czech and Romani by Demokratická aliance Romů v ČR – "Democratic Alliance of the Roma in the Czech Republic"). Periodicals in Polish and Slovak are listed in the comments on Part III of the Charter.

In 2007, projects and activities subsidized by the Culture Ministry (Regional and National Cultures Department) under a programme supporting the integration of persons belonging to the Roma community included the "Roma Culture in the Media" project of Liberecké romské sdružení ("Liberec Roma Association"); the publication of books entitled "Erika Oláhová: Hruzný zážitek" ("Erika Oláhová: A Horrible Experience") and "Po židoch cigáni II" ("After the Jews, Gypsies II", ed. Milena Hübchmannová) by Triáda, s. r. o. publishers; and the "Matěo Maximoff – Ursitory" project of Romano džaniben. Subsidies awarded under this programme totalled CZK 2,000,000.

11 Hlučín, Brno, Cheb, Havířov, Jihlava, Chomutov, Kravaře, Větřní, Ludgeřovice, Šumperk, Moravská Třebová, Smržovka, Pilsen, Liberec, Prague, Horní Slavkov, Sudice, Trutnov, Opava, Krnov.

12 Teaching of minority languages in the Czech Republic:

Romani - Romani is taught at the Higher Vocational School of Social Work, Secondary Pedagogical School and Business Academy in Most under the "Social care – social work with ethnic groups" study programme; at the Romani Secondary School of Social Work in Kolin (private school); at the Professor Matějček Secondary School in Ostrava; at the Secondary Nursing School and Secondary Vocational School in Český Krumlov; at the Evangelical Academy and Higher School of Social Work in Brno, and at a secondary school in Prague 4 under the "Social work with ethnic minorities" programme.

German - German lessons are offered by primary schools in areas inhabited by German speakers, depending on the interest shown by the families. A special category of secondary schools are bilingual grammar schools established with the Education Ministry’s consent in cooperation with foreign partners.

For information on the teaching of Polish and Slovak, see comments on Part III.

13 According to Act No. 300/1992 concerning government support of research and development, as amended.

14 According to Act No. 128/2000 concerning municipalities (status of municipalities), as amended; Act No. 129/2000 concerning regions (status of regions), as amended; and Act No. 131/2000 concerning the Capital City of Prague, as amended.


A party who does not speak and understand the language in which the proceedings are conducted is entitled to have the assistance of an interpreter. This right is safeguarded by Article 37, paragraph 4 of the Charter of Fundamental Rights and Freedoms, by Article 96, paragraph 1 of the Constitution, and by Section 9 of Act No. 273/2001 concerning the rights of persons belonging to national minorities and amending certain acts, as amended. It is adequately protected through procedural rules. In fact, the existing legislation offers such parties a range of protection much broader than that foreseen in the Charter. Translations and interpretation at the expense of judicial authorities are available to all parties, no matter whether they belong to a national minority or use a particular language.


17 Act No. 150/2002, the Code of Administrative Justice, as amended.

18 Act No. 500/2004, the Code of Administrative Procedure, as amended. In addition, Section 16, paragraph 2 of the Code of Administrative Procedure provides that documents drawn up in foreign languages must be submitted in original with attached certified translation into Czech, unless the administrative authority informs the party concerned that the translation is not required. It is thus up to the administrative authority to decide whether to accept a document drawn up in a foreign language. According to Section 3, paragraph 1 of Act No. 337/1992 concerning the administration of taxes and duties, as amended, all documents must be submitted in Czech or Slovak and documentary evidence must be accompanied by certified translations into either of these languages. Documents drawn up by foreign authorities must be accompanied by certified translations (e.g. Section 22 of Act No. 40/1993 concerning the acquisition and loss of the citizenship of the Czech Republic, as amended; or Section 57 of Act No. 301/2000 concerning registries, first names and surnames and amending certain related acts, as amended). According to Section 9 (b) of Act No. 21/2006 concerning the authentication of copies and the authentication of signatures and amending certain acts (Authentication Act), as amended, the competent authority will not attest the authenticity of a copy of a document drawn up in a language other than Czech or Slovak, unless the authenticating official understands the language in which the document is drawn up.

According to Section 71, paragraph 3 of Act No. 455/1991 concerning trades (Trades Act), as amended, all communication with Trades Licensing Offices must be in Czech. Citizens of the Czech Republic belonging to national or ethnic minorities may communicate in their own language, provided that they hire an interpreter.
listed in the interpreters register. The interpreter’s fee is paid by the Trades Licensing Office. Similarly, Section 3, paragraph 2 of Act No. 337/1992 concerning the administration of taxes and duties, as amended, provides that proceedings concerning taxes and duties can be conducted not only in Czech, but also in Slovak. Citizens of the Czech Republic belonging to national or ethnic minorities may communicate with the tax administrator in their own language, provided that they hire an interpreter listed in the interpreters register. The interpreter’s fee is paid by the tax administrator.

19 Act No. 128/2000 concerning municipalities (status of municipalities), as amended.


21 According to the results of the 2001 census, they include: Albrechtice (Karviná district, hereinafter referred to as "KI"), Bocanovice (Frýdek-Místek district, hereinafter referred to as "FM"), Bukovec (FM), Bystřice (FM), Český Těšín (KI), Dolní Lomná (FM), Hnojník (FM), Horní Lomná (FM), Horní Suchá (KI), Hrádek (FM), Chotěbuž (KI), Jablunkov (FM), Komorní Lhotka (FM), Košařiska (FM), Milíkov (FM), Mosty u Jablunkova (FM), Návsi (FM), Nýdek (FM), Petrovice u Karviné (KI), Písečná (FM), Písek (FM), Ropice (FM), Řeka (FM), Smilovice (FM), Stonava (KI), Střítež (FM), Těrlicko (KI), Třanovice (FM), Trinec (FM), Vělopolí (FM), Vendryné (FM).

22 Resolution of the Moravian-Silesian Regional Council No. 21/1803 of 20 December 2007 earmarked CZK 684,332 (€ 26,576) for non-investment subsidies to cover the cost of installation of bilingual signs and inscriptions in the 13 municipalities that have applied for it (Albrechtice, Bocanovice, Bukovec, Český Těšín, Dolní Lomná, Horní Suchá, Hrádek, Nýdek, Písečná, Smilovice, Stonava, Třanovice, Vendryné). Following the resolution, 12 of the municipalities entered into agreements with the Moravian-Silesian Region concerning the allocation of a subsidy for the installation of bilingual signs. By the end of 2007, the funds released under the agreements reached CZK 676,559 (€ 26,366). Písečná municipality did not conclude an agreement with the Moravian-Silesian Region and thus received no allocation. Out of the total of CZK 676,559 (€ 26,576), 11 municipalities spent the entire amount allocated to them. Stonava municipality returned part of its allocation amounting to CZK 25,167 (€ 1,020). The actual amount of funds drawn down by municipalities was thus CZK 651,391 (€ 23,385).

23 The wage costs incurred by the Moravian-Silesian Region for administrative work in connection with the subsidies totalled CZK 28,835 (€ 1,124). This means that in 2007, of the CZK 5,000,000 (€ 194,175) earmarked for the implementation of the European Charter for Regional or Minority Languages, CZK 680,226 (€ 26,509) was drawn down in the Moravian-Silesian Region.

24 The 2007 state budget appropriation of the Government Office (projected also for the coming years) includes funds earmarked for subsidies to selected municipalities to cover the cost of implementation of the Charter. The funds are transferred from the Government Office budget to the budget of the Moravian-Silesian Region, which administers the payments made to municipalities in Karviná and Frýdek-Místek districts.

25 National legislation provides a sufficient basis for the relationship between the media and national minorities. Act No. 483/1991 concerning the Czech Television, as amended, Section 2, paragraph 2 (c) says that the Czech Television must create and disseminate programmes and provide a balanced offer of programmes for all groups of the population, taking into account their freedom of religion and opinion, culture, ethnic or national origin, national identity, social origin, age or sex, so as to ensure that the programmes reflect the diversity of opinions and political, religious, philosophical and art movements and schools of thought, in order to enhance mutual understanding and tolerance and to support cohesion of the pluralist society. According to Section 2, paragraph 2 (d), the Czech Television should develop the cultural identity of the inhabitants of the Czech Republic, including persons belonging to national or ethnic minorities. Similar, though less detailed, provisions are contained in Act No. 231/2001 concerning radio and television broadcasting, as amended. This legislation applies equally to the public service Czech Television and Czech Radio and to any other broadcasters. The undertaking contained in paragraph 2 is fulfilled. On the national level, the right is safeguarded by Article 17 of the Charter, and by Article 25 of the Charter, which refers specifically to minorities. The same applies to the "free flow of information". The area is covered also by the EU "Television Without Frontiers" directive.


27 Collections and archives documenting the life of the Roma minority are held by the Roma Culture Museum in Brno, an institution partly funded from the state budget. The museum falls within the competence of the Culture Ministry.
Apéndice No. 1

Addresses

National Minorities Council of the Czech Government (Rada vlády pro národnostní menšiny)
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E-mail: narodnostni.mensiny@vlada.cz

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e-mail: info@ptcensis.cz

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předseda
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gsm: 731 444 485
e-mail: kongres@polonica.cz

German associations

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<th>contact person</th>
</tr>
</thead>
<tbody>
<tr>
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<td>tel. 233 320 410</td>
<td>Irena Kuncová</td>
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<td>Jana Uhra 12 602 00 Brno</td>
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<td>Dipl. Ing. Dora Müller</td>
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<td>Deutscher Sprach – und Kulturverein e.V. Brünn</td>
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<td>Jiří Nestraschill</td>
</tr>
<tr>
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<td>Romano džaniben</td>
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<td>Peter Wagner</td>
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<td>PhDr. Jana Horváthová</td>
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<td></td>
<td>PhDr. Petr Tulia</td>
</tr>
</tbody>
</table>

### Polish associations

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<thead>
<tr>
<th>name</th>
<th>address</th>
<th>tel./fax/e-mail/ www</th>
<th>contact person</th>
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<tbody>
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### Slovak associations

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<tbody>
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<td>tel. 224 215 085, 224 239 182; <a href="mailto:r.caplovic@seznam.cz">r.caplovic@seznam.cz</a></td>
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<td>tel. 224 918 483; <a href="mailto:slik@czsk.net">slik@czsk.net</a> <a href="http://www.czsk.net/zrikadlenie">www.czsk.net/zrikadlenie</a></td>
<td>Mgr. Olga Feldeková</td>
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