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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**Fifth periodical report  
presented to the Secretary General of the Council of Europe  
in accordance with Article 15 of the Charter**

**HUNGARY**

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The Committee of Ministers of the Council of Europe approved the European Charter for Regional or Minority Languages (hereinafter: the Language Charter) on 25 June 1992. The Republic of Hungary signed the document on 5 November 1992, on the day of the opening of the document for signing; therefore, Hungary is one of the first signatories to the Language Charter. The Language Charter was ratified by virtue of Decision No. 35/1995 (IV. 7.) of Parliament and entered into force, following the required number of ratifications (five), on 1 March 1998. The document was promulgated by virtue of Act XL of 1999.

The signatories agreed to draft their reports within one year of the entry into force of the Charter. They are required to update their reports every three years thereafter.

Hungary submitted its first report to the Secretary General of the Council of Europe in September 1999, its second periodic report in September 2002, its third report in September 2005, and its fourth report in November 2008.

Following the submission of the reports, the Committee of Experts of the Language Charter visited Hungary in order to familiarise themselves with the situation outlined in the Report, and subsequently prepared a report for Committee of Ministers of the Council of Europe (hereinafter: Committee of Ministers). The Committee of Ministers had a debate on the contents of the documents and approved recommendations regarding its expectations in regard of the course of action that the Republic of Hungary was to follow in strengthening the line of implementation vis-à-vis the measures set forth by the Language Charter. For the purposes of the fifth report, the following were taken into consideration:

- the draft of the three-year periodic report approved at the 1056th meeting of the Committee of Ministers of the Council of Europe (6-8 and 11 May 2009) and
- the questions addressed to the Government of Hungary under No. ECRML (2011) 2 on 28 January 2011. The relevant information is incorporated into the structure of this country report with each question answered in the corresponding part.

While both the policy adopted by Hungary regarding regional or minority languages and the fundamental legislation providing safeguards for the protection of minority languages have essentially remained unchanged - precisely as a consequence of the strengthening of the line of action adopted by the Language Charter, the implementation of both the obligations undertaken as part of that move and of the recommendations made by the Committee of Ministers - a number of amendments have been introduced with the purpose of widening the current scope of alternatives in the use of these languages through providing a more precise definition of the rights associated with the use of minority languages in various fields of public life.

The structure of the fifth Periodic Report (hereinafter: the Report) by the Government of Hungary, which tackles the issues of the implementation of the country's obligations undertaken via the strengthening of the line of action adopted by the Language Charter, is in line with the recommendations approved by the Committee of Ministers and issued for signatory member states. The introduction below is, first of all, a source of general information regarding both Hungary and the minorities living in its territory. Chapter I of the Report deals with laws and government measures for the purpose of protecting minority languages. Chapter II of the Report is basically a summary of the line of action followed in the actual implementation in Hungary of what is set forth in Part II of the Language Charter.

Finally, Chapter III is a summary of the course of action taken in the implementation of obligations contained in Part III of the Language Charter. In its summary of issues in focus, the Report encompasses a period extending to the end of December 2011.

The following served as sources for the State Secretariat for Church, Nationality and Civil Society Affairs of the Ministry of Public Administration and Justice in the compilation of the country report.

Data regarding Hungary's undertakings in relation to the Charter have been requested and received from

- the Government's ministries, state secretariats, background institutions and the county and metropolitan government offices,
- the courts of the country and the chamber of civil law notaries,
- the media authority,
- the national minority self-governments,
- cultural institutions and
- academic researchers.

The 2010 report of the Parliamentary Commissioner for National and Ethnic Minority Rights on a review of the enforcement of minority cultural rights was further used as an important source of information as well as the 2011 reports on the status of national and ethnic minority kindergarten education and the status of the elementary education of national and ethnic minorities. Needless to say, the periodic report prepared by the State Secretariat responsible for Nationalities in October 2011 with respect to the situation of national and ethnic minorities living in the territory of Hungary was also used (February 2009 – February 2011). The Government's report was approved on the basis of Decision No. 79/2011. (X. 28.) of Parliament.

## **INTRODUCTION**

Since the end of the 10<sup>th</sup> century Hungary, a state formed in the course of history in the Carpathian Basin, was in existence as a multinational and multilingual state until the end of World War One. The official language of Hungary as a medieval state was, initially, Latin followed by German and Hungarian became the language of public administration.

A common feature of the larger group of national and ethnic minorities living in the territory of Hungary as it is today is that they have lived within the boundaries of the Hungarian state for several centuries and that following their arrival in several stages during the past centuries, they all settled down in the territory of modern Hungary, the only exception being the indigenous Slovene population, which lives near Szentgotthárd in the southwest of Hungary. The fact that most of them had left the areas where their ethnic populace of origin used to live before the birth of the literary language is an important factor that determined that population historically, socially and ethnically; given the fact that the literary language exists via grammatical rules, the languages and dialects spoken by these people are, generally speaking, archaic variants of their native languages.

During centuries of co-existence with the Hungarians in the course of history, individual national minorities did, as a group, fully integrate into the majority society, which in turn led in several instances to the weakening of their linguistic and cultural ties with the homeland.

Meanwhile, a new phenomenon known as double-ties emerged. Today, an overwhelming majority of those who live in Hungary while belonging to a national minority are bilingual and in many cases their Hungarian is in fact better than the linguistic skills associated with their minority languages. More than half of the population belonging to a minority that has its own cultural heritage is also attached via strong ties to Hungarian culture, something that in the course of co-existence for centuries they not only became familiar with, but eventually accepted as their own.

There are, however, exceptions, such as communities which, although they have lived in the territory of this country for more than a century, have not ceased to be joined regularly by new arrivals from their homeland, or those communities that grew substantially when a significant number of people belonging to a particular minority group arrived at some point from their countries of origin. Minority groups such as the Bulgarians, the Polish, the Armenians, the Ruthenians, the Ukrainians and the Greeks belong to that category.

As a result of the politics of assimilation during several decades preceding the outbreak of the Second World War, the marginalization of and subsequent ban on education in minority languages, followed by forced and, occasionally, voluntary population exchanges during post-war years, complete with the impact of a modernised society on local communities and on minority groups that previously had their distinctive cultural identity, these communities were transformed and the community language gradually ceased to function as a cohesive force. Add to that the fact that in the years following the Second World War it was the literary and common language of the homeland in question, not the archaic variant spoken by a particular minority group, which was used in minority education.

Following the political transition, Hungary started to attach special importance to the issue of the rights of minorities living in its territory. From the 1990s onwards measures were taken to help minority groups organise themselves, as well as provide assistance in preserving their identities or passing their linguistic heritage on to younger generations. Act LXXVII of 1993 on the Rights of National and Ethnic Minorities (hereinafter: the Act on Minorities) is a key factor in this respect. It is this law that defines the fundamental principles, institutions and framework of the minority policy adopted by the Republic of Hungary. In view of the fact that the minority rights that provide a legal framework for the use of minority languages are of crucial importance in the text itself, this law is to be considered the first manifestation of new policy-making principles. According to the law, a total of 13 minorities living in the territory of Hungary are to be regarded as being indigenous. These are the Bulgarians, the Gypsies, the Greeks, the Croatians, the Polish, the Germans, the Armenians, the Romanians, the Ruthenians, the Serbs, the Slovaks, the Slovenes, and the Ukrainians. Simultaneously with the completion of this Report, Parliament passed Act CLXXIX of 2011 on the Rights of Nationalities (hereinafter: the Nationalities Act) at its session held on 19 December 2011 which clarifies and extends the individual and collective rights of the individuals forming part of the thirteen indigenous communities, whilst preserving and developing the results accomplished to date. (The Report provides further detailed information on the Nationalities Act in Chapter I.)

### **Information on Hungary**

Hungary had a population of 9,964,000 in September 2011. According to data gathered during the 2001 census, 93.6 per cent of the population speaks Hungarian as their mother tongue while 6.4 per cent speaks a language other than Hungarian as their mother tongue. Additional data gathered during the census indicate that 92.3 per cent of the population identified

themselves as Hungarian, while 1.9 per cent was Roma and 5.8 per cent did not identify themselves as belonging to any nationality group.

According to 2010 statistical data, the GDP per capital (purchasing power parity) was at € 15,452. In 2010, 3.8 per cent of the country's GDP was generated by agricultural activity, 31.3 per cent by industrial production and 64.9 per cent by services. 4.5 per cent of those in employment worked in agriculture, 30.7 per cent held jobs related to industrial production and 64.8 per cent worked in the services sector. The rate of unemployment was 10.8 per cent in 2011.

Hungary joined the European Union on 1 May 2004. At the latest elections (in 2010), five parties were voted into Parliament. The Government established after the elections is based on the alliance of FIDESZ and the Christian Democratic People's Party.

The separation of powers is determined by the Fundamental Law. The foremost state power is Parliament; the Government represents the executive power, while the independent status of the court system ensures that power will be exercised in a democratic manner. The principal guarantee of constitutionality is the Constitutional Court.

The administrative system of Hungary is divided into a total of 3,154 localities, 19 counties and Budapest, the capital city. To supplement the current division into counties of the country's territory, recent years have seen the emergence of (a total of seven) regions based on considerations related to statistics and planning, along with that of cooperation initiatives aimed at improving the level of public services and embarked upon in adjacent, small-sized regions (175 in total). The capital is run on a two-tier system of self-governments with 23 districts functioning independently with the Municipality of Budapest coordinating the city's overall administration. Apart from the existing system of public administration, minority self-governments at all three levels (local, county and national) function as bodies representing the specific interests of individual nationalities other than the one which the majority of the population is composed of.

Significant progress was made during the period covered by this Report with respect to the direct parliamentary representation of national and ethnic minorities. Also in the past, individuals forming part of minorities regularly obtained seats in Parliament on behalf of one party or another; however, they primarily represented the given party, rather than their community of origin. Since 1990, the establishment of the first multi-party Parliament after state socialism, the nationality self-governments with nation-wide competence have taken part in the work of Parliamentary Committee on Nationalities with the right of consultation. At the initiative of the Speaker of the House 2009 saw the establishment of the Forum for National and Ethnic Minorities in Hungary, which provides wide-ranging scope for consultation between parliamentary parties, parliamentary committees and the national self-government of national minorities. This body may make recommendations and proposals, may issue positions and statements on issues related to nationality identity, and its members may attend the meetings of Parliamentary Committees as invited guests.

The bill on the election of Members of Parliament was submitted to Parliament in November 2011, on the basis of which electors forming part of nationality communities nominated on the lists of national self-governments may be elected as Members of Parliament at the 2014 general parliamentary elections. The Act on Elections passed in December 2011 ensures that a nationality nominating a nationality list but not obtaining a mandate may be represented by a nationality advocate, the number one candidate on the list, in Parliament.

Minority self-governments, in addition to the municipalities of localities and counties, are vested with the right of consultation or agreement on the most important issues concerning the life of the given community (education, culture, use of language). They have been present as the specific, individual partners of Hungarian minority policy in every locality since 1994, and also in every county since 2006, where members of the given minority community live in the relevant numbers.

Minority self-governments with nation-wide competence are located on the national level of the minority self-government system; they act as strategic partners of the central public administration and the Government in the resolution of specific minority policy issues.

### **Individuals Speaking Regional or Minority Languages**

The rights related to regional or minority languages are the rights of individuals forming part of the individual minorities (individual rights) and their communities (collective rights) in Hungary. In accordance with Section 1(2) of the Act on Minorities, in the Republic of Hungary *"a national or ethnic minority (hereinafter 'minority') is an ethnic group which has lived in the territory of the Republic of Hungary for at least one century, which represents a numerical minority among the citizens of the state, the members of which are Hungarian citizens, and are distinguished from the rest of the citizens by their own language, culture and traditions, and at the same time demonstrate a sense of affiliation which is aimed at the preservation of all these, and at the expression and the protection of the interests of their historical communities."*

Minority languages in the Republic of Hungary as listed in the Act on Minorities are Bulgarian, Gypsy (Romani and Boyash), Greek, Croatian, Polish, German, Armenian, Romanian, Ruthenian, Serbian, Slovak, Slovenian and Ukrainian.

Section 13, sub-paragraph a) of the Act on Minorities stipulates that *"Persons belonging to a minority have the right to learn, foster, enrich and pass on their mother tongue, history, culture and traditions."* In accordance with Section 16 providing for the issue of the collective rights of minorities, *"it is the right of minorities to cultivate and to develop their historical traditions and language, as well as to preserve and to enrich their intellectual and material culture"*.

In accordance with the above, laws in Hungary stipulate that, based on the principle of individual and collective rights, a person who speaks a minority language may freely identify herself or himself with a minority by preserving, fostering and passing on to younger generations the language of that minority.

Act CLXXIX of 2011 on the Rights of Nationalities defines the concept of nationality community in harmony with the 1993 statutory regulation, and additionally defines the concept of "individual forming part of a community", a term that was not previously defined. The new nationality legislation introduces the right to the use of a communal language. Based on this, nationalities have the right to use their historical locality and street names as well as other geographical designations intended for the community.



## Statistical Data of Nationalities

Based on the state of the nation as at 0.00 hour on 1 October 2011 in the territory of the Republic of Hungary, with regard to the provisions of Regulation 763/2008/EC of the European Parliament and of the Council of 9 July 2008 on population and housing censuses, Act XLVI of 1993 on Statistics, Act LXIII of 1992 on the Protection of Personal Data and the Disclosure of Data of Public Interest and the provisions of the Act on Minorities, a general census was held in Hungary between 1 and 31 October 2011 for the 15<sup>th</sup> time in the history of censuses in Hungary. The census extends to Hungarian citizens living in the territory of the Republic of Hungary or residing abroad temporarily but with registered residence in Hungary, EEA citizens residing in the territory of the Republic of Hungary for more than three months, third-country nationals and stateless persons.

As part of a supplementary census, those who were unable or did not wish to answer the questions of the census or refused the disclosure of data had the opportunity to make census statements until 8 November 2011. The census data gathered were processed after the expiry of the deadlines, in strict compliance with the rules of data protection. Preliminary data is expected to be released in the spring of 2012, while publication of the final data will commence as of the beginning of 2013.

Consultations were held with the national self-governments of local nationalities in several rounds in preparation for the census. As a result of the consultations, changes were made to the questionnaire containing the nationality data of the 2001 census. A separate personal questionnaire was prepared for the 2011 census in which Part V on Nationality and Language Affiliation and Religion contained questions relating to nationality affiliation. The four relevant questions, which individuals were free to answer at their discretion on the basis of the provisions of the Data Protection Act, were as follows:

- Which nationality do you affiliate with?
- Do you belong to any other nationality in addition to that designated in answer to the previous question?
- What is your mother tongue? (Maximum two answers may be given.)
- Which language do you normally use with family and friends? (Maximum two answers may be given.)

There were 18 pre-printed alternative options in answer to every question. The list began with the answer “Hungarian” followed by the 13 local minorities and the four largest migrant groups in Hungary in alphabetical order. It was possible to state further answers to every question, while individuals were free not to give an answer. In contrast to the 2001 triple affiliation, the questionnaire only permits the declaration of dual affiliation as, based on the results of the previous census, multiple affiliation was not significant. In the course of the 2011 census, the housing and personal questionnaires as well as the instructions for completion were available in the languages of all 13 local minorities, both in the printed and online versions.

The data of the 2011 census are not yet known at the time of the drafting of this Report so in their absence we fundamentally rely on the data of the 2001 census. The four questions that individuals were free to answer were as follows:

- Which minority do you affiliate with?
- Which minority's cultural values and traditions do you affiliate with?
- Which language is your mother tongue?
- Which language do you normally use with family and friends?

As in the case of all four questions, there were three options for the purpose of declaring multiple affiliations as the case may be, this means multiplication in the case of minorities; in other words, the number of declared identities exceeds the number of those interviewed. The answers given to the two questions most relevant to the use of language were as follows (supplementary data is provided regarding numbers reflecting the degree to which individual minority languages are spoken by the population as a whole):

**Table No. 1: Minority and language data of the 2001 census**

Minority	Number of identified minority individuals (yes in answer to at least one question)	Mother tongue	Of which Hungarian citizens	Language used with family and friends	Languages spoken (minority and language group total)
Gypsy/Roma	205,720	48,685	48,402	53,323	217,235
Croatian	25,730	14,345	13,587	14,788	47,122
German	120,344	33,792	29,073	53,040	1,068,667
Romanian	14,781	8,482	5,603	8,215	96,356
Serbian	7,350	3,388	2,282	4,186	27,061
Slovak	39,266	11,817	11,160	18,057	71,865
Slovene	4,832	3,187	3,123	3,119	6,522
Bulgarian	2,316	1,299	739	1,118	4,018
Greek	6,619	1,921	1,459	1,974	9,034
Polish	5,144	2,580	1,117	2,659	12,402
Armenian	1,165	294	129	300	1,258
Ruthenian	2,079	1,113	685	1,068	2,733
Ukrainian	7,393	4,885	3,197	4,519	15,214
<b>Total:</b>	<b>442,739</b>	<b>135,788</b>	<b>120,556</b>	<b>166,366</b>	<b>1,579,487</b>

Source: Hungarian Central Statistical Office

Note: due to the possible option of multiple affiliations, the number of answers stated in the table exceeds the number of individuals answering the questions.

It is clear from the table above that 4.34 per cent of the country's population of 10,198,315 recorded in the 2001 census, that is, 442,739 persons expressed their affiliation with one national or ethnic minority or another. 1.33 per cent of the population, 135,788 persons selected a minority language as their mother tongue. Based on the data relating to the languages spoken, more than 15 per cent of the population declared that they spoke a minority language (1,579,487 persons); this is well in excess of the number of those declaring a minority language as the mother tongue.

Most of the individuals declaring a minority language as the mother tongue, approximately 88.78 per cent are Hungarian citizens. However, there are significant deviations from the average which vary minority by minority. The ratio of foreigners is low, below 10 per cent, amongst the Gypsies, Slovenes, Croatians and Slovaks. At the same time, the ratio of foreign citizens amongst the Polish and Armenians reaches almost 60 per cent.

Given the fact that rights pertaining to the use of minority languages in the Republic of Hungary apply to national and ethnic minorities and their members, the table below contains the numbers of individuals who identified themselves during the census as members of a particular minority and also of voters who had their names registered voluntarily on the electoral list of a minority for the latest 2006 and 2010 minority elections. (It was prior to minority elections of 2006 that an electoral register was compiled for the first time by having minority voters registered. In accordance with the provisions of the Act on Electoral Procedure, only individuals who had themselves registered previously as members of a particular minority by voluntarily identifying themselves as such were entitled to vote during minority elections in 2006 and 2010.)

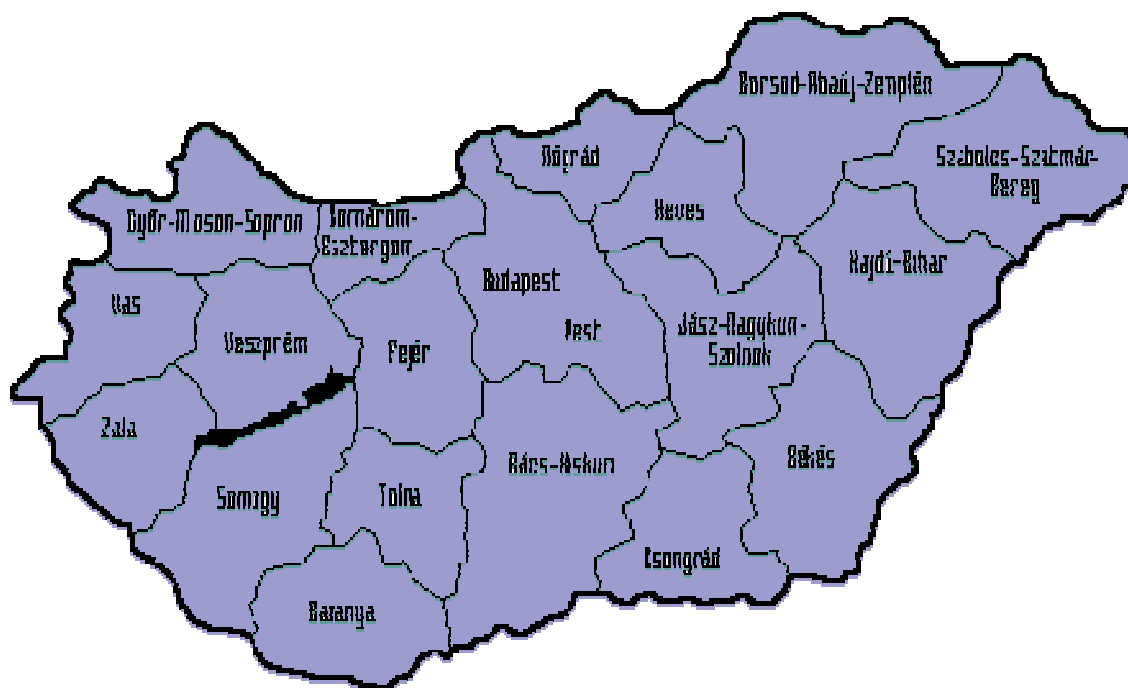
**Table No. 2: Data of the 2001 census and the electoral register**

Minority	Number of identified minority individuals (at least one answer, 2001)	Number of individuals recorded in minority electoral register	
		2006	2010
Gypsy/Roma	189,984	106,333	133,514
Croatian	15,597	11,090	11,571
German	62,105	45,983	46,627
Romanian	7,995	4,404	5,277
Serbian	3,816	2,143	2,432
Slovak	17,693	15,049	12,280
Slovene	3,025	991	1,025
Bulgarian	1,358	2,110	2,088
Greek	2,509	2,451	2,267
Polish	2,962	3,061	3,052
Armenian	620	2,361	2,357
Ruthenian	1,098	2,729	4,228
Ukrainian	5,070	1,084	1,366
<b>Total:</b>	<b>442,739</b>	<b>199,789</b>	<b>228,084</b>

Source: Hungarian Central Statistical Office and National Election Office

In comparing the data in the table, it shall be established that the minority electoral register only features Hungarian citizens over the age of 18 years who have the right to vote. The numbers stated above indicate that the trend that began after the change of the regime, namely that the number of those declaring their affiliation with a minority is on the rise, continued in the course of the elections. In the 2010 minority elections, the number of persons recorded in the minority electoral register increased by almost 15 per cent, from 199,789 to 228,084.

## Counties of Hungary



### Regional distribution of individuals speaking the languages subject to the undertakings of Part III

By virtue of its accession to the Language Charter, based on the minority educational and cultural infrastructure existing during the given period, and by relying on earlier census data, the Republic of Hungary identified the languages of the Croatian, German, Romanian, Serbian, Slovak and Slovene minorities as languages coming under the effect of its undertakings under Part III. Subsequently, the undertakings were extended to the Gypsy/Romani languages in 2008. The regional distribution of the minorities listed is shown in the county table below on the basis of the data of the 2001 census.

**Table No. 3: Number of minority mother tongue speakers subject to Part III by counties**

County / Minority	Gypsy/Romani	Croatian	German	Romanian	Serbian	Slovak	Slovene
Budapest	3,063	630	3,511	1,173	893	1,513	394
Bács-Kiskun	3,372	1,332	3,096	201	263	310	60
Baranya	5,602	4,388	10,478	156	265	50	52
Békés	1,276	31	319	4,018	345	3,567	94
Borsod-Abaúj-Zemplén	1,236	12	305	120	11	547	77
Csongrád	1,306	100	334	525	556	369	45
Fejér	1,877	61	1,008	168	63	96	41
Győr-Ménfőcsanak-Sopron	807	2,036	1,713	114	29	62	96

County / Minority	Gypsy/Romani	Croatian	German	Romanian	Serbian	Slovak	Slovene
Hajdú-Bihar	3,287	14	210	336	16	29	33
Heves	1,223	7	185	146	5	237	23
Jász-Nagykun-Szolnok	1,713	9	189	114	9	49	31
Komárom-Esztergom	904	27	2,212	100	20	1,384	50
Nógrád	1,802	10	212	59	4	769	22
Pest	4,030	188	2,956	582	748	2,629	184
Somogy	5,858	784	704	107	57	24	46
Szabolcs-Szatmár-Bereg	4,049	6	147	111	12	61	38
Tolna	2,383	56	3,798	92	55	37	43
Vas	771	2,286	885	79	13	20	1,768
Veszprém	995	55	1,150	210	16	46	40
Zala	3,131	2,313	380	71	8	18	50
<b>Total</b>	<b>48,685</b>	<b>14,345</b>	<b>33,792</b>	<b>8,482</b>	<b>3,388</b>	<b>11,817</b>	<b>3,187</b>

Source: Hungarian Central Statistical Office and National Election Office

As the line of statistical data shows, the speakers of *Gypsy/Romani* constitute the largest language community in Hungary. They live in the largest numbers in Somogy, Baranya, Szabolcs-Szatmár-Bereg and Pest Counties. Following the latest minority self-government elections, 1,237 local Gypsy/Roma and 20 regional (county) minority self-governments were established.

The vast majority of the *Croatians* living in Hungary live in Bács-Kiskun, Baranya, Győr-Moson-Sopron, Vas and Zala Counties. There are additionally significant communities in Budapest and in Somogy County. In the course of the 2010 minority self-government elections, Croatian minority self-governments were elected in 127 localities in total. Following this, regional Croatian minority self-governments were established in the capital and in six counties (Baranya, Bács-Kiskun, Győr-Moson-Sopron, Somogy, Vas and Zala Counties).

The presence of individuals forming part of the *German* minority is relevant, in addition to the capital, in Bács-Kiskun, Baranya, Fejér, Győr-Moson-Sopron, Komárom-Esztergom, Pest, Tolna and Veszprém Counties, while there are significant communities also in Somogy and Vas Counties. In the course of the 2010 minority self-government elections, 424 local minority self-governments were established. Eleven regional German minority self-governments were established (in Budapest and in Bács-Kiskun, Baranya, Borsod-Abaúj-Zemplén, Fejér, Győr-Moson-Sopron, Komárom-Esztergom, Pest, Szabolcs-Szatmár-Bereg, Tolna and Veszprém Counties).

*Romanians* live in the largest numbers in Hungary in Budapest and in Békés County; however, there are localities traditionally inhabited by Romanians also in Hajdú-Bihar County. During the last minority self-government elections, local minority self-governments were established in 71 localities, following which regional minority self-governments were set up in Budapest and in Békés and Hajdú-Bihar Counties.

The most populous communities of *Serbs* living in Hungary reside in Budapest and in Békés, Csongrád and Pest Counties. Local Serbian minority self-governments were established in 48 localities in 2010, while regional Serbian minority self-governments were established in Budapest and in Pest County.

Individuals speaking *Slovak* as their mother tongue live in the largest numbers in Békés, Borsod-Abaúj-Zemplén, Komárom-Esztergom and Pest Counties, in addition to Budapest. There are further communities with substantial members in Nógrád and Csongrád Counties. In the course of the elections, 122 Slovak minority self-governments were organized nationwide, following which five regional minority self-governments were established (in Békés, Borsod-Abaúj-Zemplén, Komárom-Esztergom, Nógrád and Pest Counties), in addition to the capital.

The *Slovene* community lives in a geographically distinct region, next to the country's southwest-western border, in Vas County. Following the 2010 minority elections, Slovenes established minority self-governments in 11 localities in total. The Slovenes did not set up regional minority self-governments.

### **Languages not subject to the undertakings of Part III**

National and ethnic minorities speaking minority languages live in scattered communities throughout the territory of the country. In the vast majority of cases, they live in localities where they constitute a numerical minority also locally. The number of individuals speaking minority languages as their mother tongue in the smallest numbers, **Bulgarians, Greeks, Polish, Armenians and Ruthenians**, only exceeded one hundred in one or two counties besides Budapest.

The situation is somewhat different in the case of the Ukrainian community. The number of those declaring Ukrainian as their mother tongue exceeds one hundred in almost every county; however, they do not appear as compact communities in any county, and there are a considerable number of non-Hungarian citizens amongst them (34.55%). According to the data of the 2001 census, stemming from their small number and local presence, the language and cultural needs of the Ukrainian community are difficult to determine. Therefore, based on the Act on Minorities, while their language rights are guaranteed, as a consequence of their scattered communities, it is impossible to define the geographical unit or region of the use of their language.

**Table No. 4: Number of individuals speaking minority languages as their mother tongue not coming under Part III by counties**

<b>County / Minority</b>	<b>Bulgarian</b>	<b>Greek</b>	<b>Polish</b>	<b>Armenian</b>	<b>Ruthenian</b>	<b>Ukrainian</b>
Budapest	755	1,185	1,059	162	382	1,341
Bács-Kiskun	25	9	85	6	56	246
Baranya	41	61	120	11	26	139
Békés	11	5	28	18	23	146
Borsod-Abaúj-Zemplén	42	90	90	3	110	282
Csongrád	39	35	82	2	30	194

<b>County / Minority</b>	<b>Bulgarian</b>	<b>Greek</b>	<b>Polish</b>	<b>Armenian</b>	<b>Ruthenian</b>	<b>Ukrainian</b>
Fejér	19	296	117	13	46	199
Győr-Moson-Sopron	13	12	78	8	24	119
Hajdú-Bihar	18	26	70	8	30	217
Heves	10	6	57	1	28	121
Jász-Nagykun-Szolnok	22	9	43	2	31	158
Komárom-Esztergom	35	23	91	8	32	126
Nógrád	7	2	30	0	8	82
Pest	202	124	319	13	129	527
Somogy	13	7	64	13	20	113
Szabolcs-Szatmár-Bereg	18	6	39	12	39	434
Tolna	8	1	38	8	11	89
Vas	6	7	39	2	16	79
Veszprém	8	9	94	4	59	190
Zala	7	7	37	0	13	83
<b>Total:</b>	<b>1,299</b>	<b>1,921</b>	<b>2,580</b>	<b>294</b>	<b>1,113</b>	<b>4,885</b>

The figures above show that the concentration of Bulgarian, Greek, Polish, Armenian and Ruthenian mother-tongue speakers does not reach in any of the counties the level that would impose a duty on the given region's institutions in connection with the use of minority languages. As indicated above, while the ratio of Ukrainian-speakers exceeds the number of speakers of other languages not subject to Part III of the Charter, the individuals concerned did not express demands for the use of their mother tongue in any region.

Language-sociological studies, every-day experiences as well as the reports of the Parliamentary Commissioner for National and Ethnic Minority Rights prove the fact that only a fraction of the older generations speak minority languages in Hungary, and only in limited circles; middle-aged individuals can speak almost exclusively Hungarian, while the language of the ancestors is no longer the mother tongue but an acquired language for the younger generations. Hungarian is the primary language on every level of communication; the frequency of the use of Hungarian is increased by mixed marriages registered over several generations and the fact that multiple generations no longer share a single household, and as a result, grandparents are unlikely to pass on their mother tongue. The use of minority languages is likewise not prevalent in the private sphere of life. Due to the scattered locations of communities and the loss of the family transmitting function, only a minority educational system may offer the chance of slowing down, or perhaps stopping, this process. These findings are more or less true of all nationalities, even if there may be differences.

### **Support provided for national and ethnic minorities in Hungary from the central budget between 2009 and 2011 in connection with language identity**

The Budget Act defines the direct central support provided for national and ethnic minorities in Hungary. The funding available in 2009 and 2010 was earmarked in the allocations of Parliament, the Prime Minister's Office and the individual ministries as public funds, task

financing and project financing budgetary allocations. In 2011, a considerable part of the nationality support was concentrated in the budgetary chapter of the Ministry of Public Administration and Justice for the purpose of rendering the support system more transparent. Most important elements of the support provided for national and ethnic minorities in Hungary:

- annual instrument of financial support for the operation of local and regional minority self-governments,
- allocations serving to cover the annual operating costs of national minority self-governments,
- support for institutions operated by the national minority self-governments,
- instrument of financial support for the civil organisations of national and ethnic minorities,
- instrument of financial support for the takeover and maintenance of minority institutions,
- minority coordination and intervention allocation,
- appropriation to support minority policy activities,
- instrument of supplementary aid specifically allocated for nationality educational tasks,
- instrument of financial support for nationality theatres.

- **Support for local and regional minority self-governments**

Based on the authorisation granted in the Minorities Act, the Government introduced a task-proportionate support system as of 2008. Local and regional self-governments are awarded state support in proportion to their tasks, as part of which they are entitled to general operating grant and task-based support. Operational local and regional minority self-governments were automatically entitled to the general operating grant, while minority self-governments were required to apply for support in connection with the fulfilment of their tasks.

The rules regarding task-based support were determined in Government Decree No. 375/2007 (XII. 23.) on the conditions and accounting procedures of task-proportionate support provided for minority self-governments from the central budget, and in 2011 in Government Decree No. 342/2010 (XII. 28.) on the conditions and accounting procedures of support provided for minority self-governments from the central budget and chapter allocations.

The division of task-proportionate support as defined in the prevailing Budget Act for local and regional minority self-governments in 2009-2010: seventy-five per cent general operating grant, twenty-five per cent task-based support. In 2011: one third general operating grant and two thirds task-based support. Any amount left unused in the subject year and transferred back, as set forth in the Decree, was distributed amongst the eligible municipalities in the form of supplementary aid in 2009-2010.

In 2009-2010, the Minority Budget Committee comprised of the representatives of the ministries made recommendations for the distribution of the task-based support provided for the individual minority governments on the basis of the criteria set forth in the Decree. The representatives of national minority governments also took part in the work of the Committee with the right of consultation. In 2011, the Wekerle Sándor Fund Manager was responsible for determining the allocations of task-based support.

- **Support for national minority governments and their institutions**



Pursuant to Section 37(1), subsection i) of the Act on Minorities, the national minority governments of national and ethnic minorities in Hungary may establish and take over institutions for the fulfilment of their mandatory and voluntary tasks and in the interest of creating the cultural autonomy of the minorities represented by them.

The Budget Act has contained allocations for the operation of minority cultural and educational institutions operated by the national minority governments of national and ethnic minorities exclusively or partly, the development of these institutions, the promotion of the establishment of such institutions and the subsidisation of the takeover of minority institutions with national and/or regional activities to minority operation as of 2003. As of 2006, the annual budget laws assign the operating grant of institutions directly to the national minority self-governments that operate them. Today, the national minority self-governments of all 13 local minorities have educational or cultural institutions that they operate themselves.

The operating grant of national minority self-governments was allocated separately in 2009-2010, in a breakdown by minorities, from the state support provided for the operation of institutions operated by national minority self-governments. The aid provided for national minority self-governments amounted to HUF 953 million both in 2009 and 2010, while the support provided for institutions operated by national minority self-governments amounted to HUF 444.5 million in both years. In 2011, the aid provided for national minority self-governments and media amounted to HUF 1,219.5 million, while the support granted with respect to institutions operated by national minority self-governments amounted to HUF 463 million.

- **Aid for national and ethnic minority organisations**

Pursuant to Section 10 of the Act on Minorities, the members of minorities may establish associations, parties and social organisations for the expression and safeguarding of their interests. The instrument of financial support allocated for this purpose amounted to HUF 110 million both in 2009 and 2010. In 2011, tenders were invited to the debit of the Support for Minority Policy Activities appropriation, as a result of which decisions on aid worth HUF 125.4 million in total were made for the support of nationality organisations.

- **Aid for the takeover and maintenance of minority institutions**

In addition to direct funding from the central budget, the Prime Minister's Office also had resources at its disposal for the support of minority institutions. Also in 2009, the allocation serving to subsidise the establishment and maintenance of minority institutions operated by national minority self-governments was recorded in a separate line. National minority self-governments were eligible to submit requests for aid from this allocation for the establishment of new institutions and the maintenance, takeover or development of institutions. The appropriation amounted to HUF 120 million in 2009.

As of 2010, the support provided for institutions operated by national minority self-governments has not been recorded as a separate appropriation in the Budget Act; aid for the establishment of new minority institutions and the maintenance of such institutions was available from the Support for Minority Policy Activities appropriation via tenders. In 2010, national minority self-governments were given HUF 165 million support, while in 2011, as part of the tenders implemented with the participation of the Wekerle Sándor Fund Manager, HUF 50 million support was disbursed. The significant difference arises from the one-time

investment costs of the Hercegszántó Croatian School and student hostel project in 2010 amounting to HUF 110 million.

- **Minority coordination and intervention aid**

The minority coordination and intervention budget provided funds from the central budget for the subsidisation of national and ethnic minority institutions and organisations in Hungary in a critical situation due to financial difficulties requiring prompt government intervention as well as for the urgent resolution of crisis situations and operating problems for which funding was not available from other sources. This allocation also served as ad hoc aid in connection with events and projects of particular significance from a minority policy point of view. This budget amounted to HUF 195 million in 2009.

- **Aid for minority policy activities**

In 2010, aid was available within and outside the tender system from the chapter of the Prime Minister's Office from the Support for Minority Policy Activities appropriation. Aid was made available via tenders for the organisation of events of national or regional significance from the viewpoint of cultural autonomy and language and cultural identity in order to preserve the material and spiritual culture and historical traditions of minorities in Hungary. As part of the aid provided outside the tender system, support was granted for the further development of the institutional system creating the cultural autonomy of minorities and the implementation of the coordination activities within the scope of responsibilities and competence of state administration related to minorities as defined in the recommendations of the minority mixed committees operating on the basis of agreements signed with the neighbouring countries.

- **Supports of the Public Funds for Gypsies in Hungary**

Aids provided for the Public Funds for Gypsies in Hungary were incorporated into the chapter of the Ministry of Social and Labour Affairs of the Budget Act. The budget support provided for the Public Funds for Gypsies in Hungary amounted to HUF 464.7 million in 2009 and HUF 315 million in 2010. The Public Funds for Gypsies in Hungary was established by the Government for the purpose of supporting the measures designed to promote equal opportunities for the Gypsies. Its main objective was to promote the preservation of the identity and social integration of the Gypsies in Hungary, the reduction of unemployment among the Gypsies, the improvement of their opportunities in education in and outside the school system and the protection of their human rights.

In 2009, the Ministry of Social and Labour Affairs concluded agreements with the Fund for the fulfilment of duties related to scholarship programmes, intervention tenders and the tenders of the Roma cultural fund, while in 2010, the parties regulated the tasks related to the implementation of the scholarship applications of Roma students in a grant contract and entered into an agreement for the fulfilment of the duties related to the implementation of intervention and cultural tenders.

In the 2009/2010 school year, the Advisory Board did not wish to refuse the large number of applications received for Roma student scholarships due to a lack of funds, and therefore reallocated an amount of HUF 82.5 million from the 2010 scholarship allocation. As a result, the Fund disbursed HUF 436,818,000 in 2009 and HUF 192,700,000 in 2010 as support for the Roma scholarship programme.

The Fund took over a part of the allocation of the Decade of Roma Integration Programme also forming part of the chapter of the Ministry of Social and Labour Affairs and invited the tenders of the intervention and cultural fund to its debit, with an allocation of HUF 37.6 million in 2009 and HUF 28.5 million in 2010 per tender.

In 2011, the aid of the Public Funds for Gypsies in Hungary amounting to HUF 117 million was transferred to the chapter of the Ministry of Public Administration and Justice; the Roma educational programmes with an allocation of HUF 47.7 million, while an allocation of HUF 1,125.5 million served to provide aid for Roma scholarship programmes.

## **Further educational appropriations specifically mentioned in the Budget Act**

### ***A) Nationality education***

The supplementary aid specifically earmarked for nationality educational tasks served to provide aid in five areas concerning public education:

a) Local municipalities unable to provide for the operation of schools, in accordance with the conditions determined by law, providing education in a nationality language or nationality bilingual education due to a lack of funds were eligible to apply for operating grant.

b) Local municipalities operating nationality-language or nationality bilingual kindergartens in localities with a population of less than 1,100 as well as municipalities operating schools teaching nationality languages that were unable to operate such kindergartens or schools, in accordance with the conditions determined by law, due to a lack of funds were also eligible to apply for operating grant.

c) Local municipalities operating nationality mother-tongue or nationality bilingual schools, schools providing nationality language teaching or Gypsy minority education were eligible to apply for support for the procurement of minority educational textbooks and the use of professional services.

d) Local municipalities operating nationality mother-tongue or nationality bilingual schools, schools providing minority language teaching or Gypsy minority education were eligible to apply for support for the use of professional pedagogical services.

e) Local municipalities were eligible to request support for the fulfilment of municipality tasks concerning public education identified in the Government Decision No. 2175/2005 (VIII. 26.) on the approval of the recommendations made by the mixed committees operating on the basis of the Agreements concluded with the neighbouring countries on the protection of minorities, and for duties related to the maintenance of liaison with the homeland.

The tender proceedings were implemented by the Ministry of Education and Culture in 2009-2010 and by the Ministry of National Resources in 2011.

The supplementary normative aid provided for nationality language education amounted to HUF 68,000/person/year in 2009 and to HUF 64,000/person/year in 2010 and 2011. In 2009, nationality self-governments with nation-wide competence operating institutions of public education received aid of the amount of HUF 1,224,527,432 as aid for the operators of

minority and municipality schools (municipality operators and non-state operators), while they received aid of the amount of HUF 1,317,463,562 in 2010.

***B) Funding available for the support of nationality culture***

- **Support for nationality theatres**

The Ministry of Education and Culture provided support via tenders for the subsidisation of nationality theatres in Hungary to the debit of its chapter-based allocation and aid for the subsidisation of a nationality theatre, the Szekszárd Deutsche Bühne Ungarn on different grounds in 2009-2010. The latter is jointly operated by the Tolna County Municipality and the National Minority Self-Government of Germans in Hungary; it had an allocation of HUF 67.9 million in 2009, HUF 46 million in 2010 and HUF 57.7 million in 2011 in the theatrical aid allocation of local municipalities in Appendix No. 7 to the Budget Act. As of 2012, the Szekszárd German theatre (Deutsche Bühne) was transferred under the exclusive operation of the National Minority Self-Government of Germans in Hungary and its budget support is provided by the Ministry of Public Administration and Justice pursuant to the Budget Act.

The aid available for the subsidisation via tenders of the rest of the national and ethnic minority theatres amounted to HUF 127.7 million in 2009 and HUF 108 million both in 2010 and 2011. In 2009, the Ministry allocated a further HUF 15 million support for the performances in the homeland and orientation of nationality theatres and the reception of guest performances from the homeland.

- **Additional support**

In 2010, aid was allocated in a separate line of the chapter of the Prime Minister’s Office for four Roma cultural institutions: Radio C received HUF 35 million, Rajkó Artistic Ensemble was granted HUF 35 million, 100-Member Gypsy Band was supported by HUF 35 million and the First Roma Country House received HUF 30 million. In 2011, these projects were subsidised from the Support for Minority Policy Activities appropriation, with the exception of Radio C which continued to have an allocation in a separate line in the central budget.

**Table No. 5 Specifically identified minority items in the central budget between 2009 and 2011, HUF million**

<i>Description</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<b><i>I. Parliament chapter (as of 2011, Ministry of Public Administration and Justice, MPAJ)</i></b>			
<i>Aid for national and ethnic minority organisations</i>	<b><i>110.0</i></b>	<b><i>110.0</i></b>	
<i>Aid for national minority self-governments<sup>1</sup></i>			
<i>National Bulgarian Self-Government</i>	<i>37.5</i>	<i>37.5</i>	<i>43.7</i>
<i>National Gypsy Self-Government</i>	<i>235.3</i>	<i>235.3</i>	<i>267.2</i>
<i>National Self-Government of Greeks in Hungary</i>	<i>36.5</i>	<i>36.5</i>	<i>44.9</i>
<i>National Croatian Self-Government</i>	<i>92.4</i>	<i>92.4</i>	<i>127.5</i>

<sup>1</sup> As of 2011, the aid also includes press aid.

<i>Polish National Minority Self-Government</i>	36.5	36.5	47.0
<i>National Self-Government of Germans in Hungary</i>	181.4	181.4	214.1
<i>National Armenian Self-Government</i>	36.5	36.5	42.5
<i>National Self-Government of Romanians in Hungary</i>	52.9	52.9	89.6
<i>National Ruthenian Minority Self-Government</i>	29.8	29.8	36.1
<i>National Self-Government of Serbs in Hungary</i>	49.6	49.6	78.7
<i>National Self-Government of Slovaks</i>	93.2	93.2	128.0
<i>National Slovenian Self-Government</i>	41.6	41.6	64.0
<i>National Ukrainian Self-Government</i>	29.8	29.8	36.2
<b>Total aid for national minority self-governments:</b>	<b>953.0</b>	<b>953.0</b>	<b>1 219.5</b>
<b>Aid for institutions operated by national minority self-governments<sup>2</sup></b>			
<i>Aid for institutions operated by the National Bulgarian Self-Government</i>	19.2	19.2	19.2
<i>Aid for institutions operated by the National Gypsy Self-Government</i>	78.6	78.6	78.6
<i>Aid for institutions operated by the National Self-Government of Greeks in Hungary</i>	12.5	12.5	12.5
<i>Aid for institutions operated by the National Croatian Self-Government</i>	51.5	51.5	55.0
<i>Aid for institutions operated by the Polish National Minority Self-Government</i>	14.6	14.6	14.6
<i>Aid for institutions operated by the National Self-Government of Germans in Hungary</i>	73.2	73.2	73.2
<i>Aid for institutions operated by the National Armenian Self-Government</i>	7.0	7.0	7.0
<i>Aid for institutions operated by the National Self-Government of Romanians in Hungary</i>	17.2	17.2	17.2
<i>Aid for institutions operated by the National Ruthenian Minority Self-Government</i>	7.8	7.8	7.8
<i>Aid for institutions operated by the National Self-Government of Serbs in Hungary</i>	32.2	32.2	42.2
<i>Aid for institutions operated by the National Self-Government of Slovaks</i>	105.8	105.8	105.8
<i>Aid for institutions operated by the National Slovenian Self-Government</i>	16.9	16.9	21.9
<i>Aid for institutions operated by the National Ukrainian Self-Government</i>	8.0	8.0	8.0
<b>Total aid for institutions:</b>	<b>444.5</b>	<b>444.5</b>	<b>463.0</b>
<b>Parliament (MPAJ) chapter total:</b>	<b>1,507.5</b>	<b>1,507.5</b>	<b>1,682.5</b>
<b>X. Chapter of Prime Minister's Office (as of 2011, MPAJ)</b>			
<i>Aid for the takeover and operation of minority institutions</i>	120.0		
<i>Minority coordination and intervention allocation</i>	195.0		
<i>Aid for minority policy activities</i>		300.0	732.5
<i>Aid for Foundation of National and Ethnic Minorities in Hungary</i>	462.0	370.1	
<i>Radio C</i>			35.0
<i>General grant for the operation of local and regional minority self-governments</i>		1,520.0	1,520.0
<b>Chapter of Prime Minister's Office (MPAJ) total:</b>	<b>777.0</b>	<b>2,190.1</b>	<b>2,287.5</b>
<b>XI. Chapter of Ministry for Local Administration and Rural Development (as of 2011, MPAJ)</b>			
<i>Organization of elections – By-elections and minority elections</i>	90.0	90.0	300.0
<b>Chapter of Ministry for Local Administration and Rural Development (MPAJ) total:</b>	<b>90.0</b>	<b>90.0</b>	<b>300.0</b>
<b>XX. Chapter of Ministry of Education and Culture (as of 2011, Ministry of National Resources, MNR)</b>			

<sup>2</sup> Increases of aid also include the support for any new self-government institutions.

<i>Aid for nationality and integration programmes</i>			
<i>Nationality educational tasks</i>	47.5	20.0	47.0
<i>Radio C</i>		35.0	
<i>Rajkó Artistic Ensemble</i>		35.0	
<i>100-Member Gypsy Band</i>		35.0	
<i>First Roma Country House</i>		30.0	
<b>Chapter of Ministry of Education and Culture (MNR) total:</b>	<b>47.5</b>	<b>155.0</b>	<b>47.0</b>
<b>XXVI. Chapter of Ministry of Social and Labour Affairs (as of 2011, MPAJ)</b>			
<i>Public Funds for Gypsies in Hungary</i>	464.7	315.0	
<i>Implementation of Decade of Roma Integration Programme</i>	116.2	100.0	95.0
<i>Housing and social integration programme of individuals living on Roma estates</i>	1,060.0	1,000.0	500.0
<i>Roma Educational Fund</i>		85.0	
<i>Roma Educational Programmes</i>			30.8
<i>Roma scholarship programmes</i>			1,125.5
<b>Chapter of Ministry of Social and Labour Affairs total:</b>	<b>1,640.9</b>	<b>1,500.0</b>	<b>1,751.3</b>
<b>IX. Aid and shared personal income tax revenue of local municipalities</b>			
<i>General grant for the operation of local and regional minority self-governments</i>	1,560.0		
<i>Supplementary aid for nationality educational tasks</i>	1,100.0	1,050.0	903.0
<i>Theatrical aid of local municipalities (Deutsche Bühne Ungarn)</i>	67.9	46.0	57.7
<i>Aid for minority theatres</i>	127.7		
<b>Chapter of aid and shared personal income tax revenue of local municipalities, total:</b>	<b>2,855.6</b>	<b>1,096.0</b>	<b>960.7</b>
<b>Total:</b>	<b>6,918.5</b>	<b>2,192.6</b>	<b>1,921.4</b>
<b>Other appropriations also including minority-related tasks</b>			
<b>XX. Chapter of Ministry of Education and Culture (as of 2011, MPAJ)</b>			
<i>Supplementary aid for church and minority institutions of public education</i>	20,000.0		
<i>Public education human services and supplementary aid</i>		86,991.3	91,538.1
<i>Aid for the supply of textbooks for adapted physical and nationality education, supplies for the public education of children and students with special needs</i>	101.0	80.0	89.0
<i>For the Journey scholarship programme</i>	2,200.0	1,700.0	1,284.6
<i>Aid for equal opportunities and integration programmes</i>	742.5	365.0	
<i>Aid for public culture, cultural rural development and minority culture</i>	3,550.0	1,350.0	682.3
<b>XXVI. Chapter of Ministry of Social and Labour Affairs (as of 2011, MPAJ)</b>			
<i>Promoting equal treatment and equal opportunities</i>	880.0	545.0	
<i>Active social-policy tools for social integration</i>			615.9
<i>Fight against social exclusion, reduction of social inequalities</i>	40.8	40.0	
<i>Aid for strategic planning and research and programmes promoting social integration</i>			125.9
<b>IX. Aid and shared personal income tax revenue of local municipalities</b>			
<i>Aid assisting equal opportunities and integration</i>	4,603.0	3,650.0	
<i>Measures and aid serving to promote equal opportunities</i>			3,750.0
<i>Aid for certain specific educational tasks</i>		1,498.0	800.0
<i>Aid for open-air and nationality theatres classified into category V</i>		330.0	330.0
<b>Elements of normative aid provided for minority education (HUF/person/year)</b>			

<i>Education in languages other than Hungarian and Roma minority education</i>	43,000.0	40,000.0	40,000.0
<i>Education in nationality languages, preparatory language education</i>	68,000.0	64,000.0	64,000.0
<i>Aid for children and students attending kindergartens and elementary schools of institutional associations</i>	42,800.0	36,300.0	32,000.0
<i>Preferential kindergarten, school and hostel meals</i>	65,000.0	65,000.0	68,000.0
<i>Operator normative support for national minority self-governments</i>	245,700.0	190,000.0	230,000.0

*Prepared on the basis of the relevant budget laws.*

*Note: the table contains expenditure appropriations on a standard basis.*

## CHAPTER I

### **Most Important Laws and Legislation for the Protection of Nationality Languages**

Hungarian Parliament created **the Fundamental Law of Hungary** on 25 April 2011 (hereinafter: Fundamental Law).

The Fundamental Law entering into force on 1 January 2012

- protects the languages and culture of nationalities in Hungary, and simultaneously requires the active participation of the State in the fostering of nationality languages (AVOWAL OF NATIONAL FAITH),
- pursuant to Article XV(2), Hungary shall guarantee the fundamental rights to everyone without any discrimination on grounds of race, colour, sex, disability, language, religion, political or other opinion, national or social origin, property, birth or any other status,
- Article XXIX lays down that nationalities living in Hungary shall be constituent parts of the State; every Hungarian citizen belonging to a nationality shall have the right to freely declare and preserve his or her identity; nationalities living in Hungary shall have the right to use their mother tongue, to use their names in their own language individually and collectively, to foster their culture and to receive education in their mother tongues; nationalities living in Hungary may set up local and national self-governments; the detailed rules relating to the rights of nationalities living in Hungary as well as those relating to the election of their local and national self-governments, shall be laid down in a cardinal Act,
- pursuant to Article 2(2), the participation in the work of Parliament of nationalities living in Hungary shall be regulated by a cardinal Act,
- according to Article 30(3), Parliament shall elect the Commissioner for Fundamental Rights and his or her deputies for six years with the votes of two-thirds of all Members of Parliament. The deputies shall ensure the protection of the interests of future generations and of the rights of nationalities living in Hungary.

**Parliament passed Act CLXXIX of 2011 on the Rights of Nationalities** at its session held on 19 December 2011. The Nationalities Act, in harmony with the Fundamental Law, introduces the standard concept of nationality effective as of 1 January 2012 instead of the concept of national and ethnic minority in use since 1993. According to the provisions of the Nationalities Act, not only individuals but nationality communities are also the beneficiaries of nationality language rights. The right to use the mother tongue in every field of public life, the right to participate in education in the mother tongue or in the teaching of the mother tongue, the right to foster, transmit to future generations and develop nationality culture and the right to maintain contact with the mother nation are defined as individual and collective rights. In Hungary, both the statutory and the financial conditions exist to enable nationalities to exercise the freedom of cultural autonomy and to establish or take over and operate their own institutions.

Parliament passed **Act CLXXXIX of 2011 on Local Municipalities** at its session held on 19 December 2011 and **Act CXC of 2011 on National Public Education** on 20 December 2011. The effects of these pieces of legislation shall only be reported on in the next country report.



The purpose of **Act CXII of 2011 Informational Self-Determination and Freedom of Information** is to define the content of information rights on the basis of Article VI of the Fundamental Law in the interest of the enforcement of the fundamental rights provided therein and to ensure the effective enforcement of these rights. The framework for the enforcement of the fundamental rights attached to the protection of personal data and the publicity of data of public interest was previously set out by Act LXIII of 1992 on the Protection of Personal Data and the Disclosure of Data of Public Interest which laid down the general conditions for various legitimate data management, including, on the one hand, the guarantee rules of the management of personal data and the informational self-determination of the person concerned and, on the other hand, the availability of access to data of public interest and the legal remedies available for the enforcement of these rights. It further created the legal institution of the Data Protection Commissioner and regulated the Commissioner's area of competence. It was necessary to adopt a new law on informational self-determination and the freedom of information by relying on the experiences of the application of the law for almost twenty years and the operation of the Commissioner for fifteen years.

The adoption of the new Fundamental Law made way for such new legislation; Article VI provides, in addition to granting the relevant fundamental rights, that the enforcement of the right to the protection of personal data as well as to access and disseminate data of public interest is monitored by an independent authority to be established by virtue of a cardinal Act, thereby raising the independence of the agency designed to monitor the above-mentioned fundamental rights to a constitutional level.

The law regards personal data relating to racial origin, national or ethnic affiliation, political opinions or party stance, religious or any other ideological conviction, membership of any interest representation organization, sexual orientation, state of health and addictions as well as criminal personal data as special data. The law does not change the former taxonomic position of data relating to nationality affiliation.

**Act CXI of 2011 on the Commissioner for Fundamental Rights** was created by Parliament for the implementation of the Fundamental Law, based on Article 30(5) of the Fundamental Law, in the interest of the effective, standard and most thorough and complete protection of fundamental rights.

In addition to the responsibilities and competence determined in the Fundamental Law, the Commissioner for Fundamental Rights fulfils independent, national preventive and monitoring duties in the area of the safeguarding of rights if appointed for such duties in the interest of the fulfilment of commitments undertaken in an international agreement.

In the course of his/her activities, the Commissioner for Fundamental Rights pays particular attention to the protection of the rights of nationalities living in Hungary and the rights of the most exposed social groups as defined in Article XXIX of the Fundamental Law by conducting proceedings instituted *ex officio*.

The Commissioner for Fundamental Rights reviews and analyses the state of fundamental rights in Hungary and prepares statistical statements regarding breaches related to fundamental rights in Hungary; reviews the drafts of legal rules concerning his/her responsibilities and competence and long-term development and regulatory plans and concepts as well as plans and concepts otherwise with a direct impact on the lives of future generations, and may make proposals for the amendment or creation of legal rules concerning fundamental rights or the recognition of the binding force of international agreements; may initiate proceedings with the Constitutional Court to determine whether particular legal rules are in harmony with the Fundamental Law. The Commissioner for Fundamental Rights participates in the preparation of national reports to be drafted on the basis of international

agreements concerning his/her responsibilities and competence, and monitors and evaluates the enforcement of these agreements falling within Hungarian jurisdiction. The deputy of the Commissioner for Fundamental Rights appointed for the protection of the rights of nationalities living in Hungary monitors the enforcement of the rights of nationalities living in Hungary and

- a) regularly informs the Commissioner for Fundamental Rights of his/her experiences related to the enforcement of the rights of nationalities living in Hungary,
- b) draws the attention of the Commissioner for Fundamental Rights to the threat of any infringement concerning larger groups of natural persons,
- c) may initiate that the Commissioner for Fundamental Rights institute proceedings *ex officio*,
- d) participates in the investigation of the Commissioner for Fundamental Rights,
- e) may propose that the Commissioner for Fundamental Rights turn to the Constitutional Court.

**Act XCIX of 2008 on the Support and Special Employment Rules of Performing Arts Organisations (amended by Act LXXXVI of 2011)** regulates the sector of performing arts that was not regulated prior to 2008 and its purpose is to support high-quality performing arts, including theatrical, dance and musical arts, to promote the artistic activities of nationalities, to develop an institutional system in performing arts and to create an aid system that promotes the effective utilisation of public funds. Section 1(1), subsection g) of the Act lays down the importance of supporting the coming into being and performance of works to the public in the languages of nationalities as a fundamental legislative aim.

**Law-Decree 17 of 1982 on the Registers, the Marriage Procedure and on Bearing Names** was in force during the reporting period. Pursuant to this,

**Section 30/A.** (1) Persons forming part of a national ethnic minority may also give their children first names corresponding to their nationality and may request the correction of their own first names to the equivalent nationality first names, and further have the right to seek the registration of their surnames and first names in accordance with the rules of their mother tongue.

(2) In the case of a request for the correction of a surname or the registration of a first name that is not recorded in the register of nationality first names referred to in Section 30/B(1), a declaration shall be made as to which nationality uses the selected name.

(3)<sup>112</sup> In the course of proceedings aimed at registration, marriage or the establishment of a registered common-law spouse relationship, no one may be obliged to issue a statement on the issue of affiliation with a national or ethnic group or minority.

(4) At the request of the person concerned, registration shall be affected in two languages.

**Section 30/B.**<sup>3</sup> (1)<sup>1</sup>The register of nationality first names compiled by the national minority self-governments concerned contains the nationality first names that parents may select from.

(2) In the issue of whether a nationality first name not recorded in the register of first names may be registered, the position of the national minority government concerned issued within 15 days of the enquiry shall govern.

The purpose of **Act I of 2010 on Registration Proceedings (amended by Act XLIX of 2010)** entering into force on 1 January 2013 is to enforce the requirement of a service provider public administration, as part of which it lays down that a person forming part of a national or ethnic minority

- a) may give his/her child a first name corresponding to the given national or ethnic minority,
- b) may request the registration of the equivalent national or ethnic minority first name instead of the registered first name, and
- c) may request the registration of a surname created in accordance with the rules of the given national or ethnic minority language instead of the registered surname,
- d) may request the entry of his/her surname and first name in the given national or ethnic minority language.

The national and ethnic minority first names that may be given to children are contained in the national or ethnic minority register of first names compiled by the national minority governments concerned.

This area of competence of the national minority governments is also laid down in Section 37(1), subsection t) of the Act on Minorities and is guaranteed by the Nationalities Act.

In the issue of whether a national or ethnic minority first name not recorded in the register of first names may be registered, the position of the national minority government concerned issued within twenty-two days of the enquiry shall govern. In the case of a request for the registration of a first name that is not recorded in the register of national and ethnic minority first names compiled by the national minority self-government, a declaration must be issued as to which national or ethnic minority uses the selected name.

**Act II of 2004 on Motion Picture (amended by Act CLXIX of 2011) and Act CXL of 1997 on Museum Institutions, Public Library Services and Culture** (hereinafter: the Culture Act) create the statutory conditions for the establishment of the Hungarian National Digital Archive and Film Institute (MANDA). The purpose of the establishment of the archive is to digitally record the works of Hungarian culture and works created by nationalities, to link together the archives that previously operated as closed and separate archives and to make these national treasures accessible to the public.

It should be stressed that, since the passing of Act II of 2004 on Motion Picture, Hungary has treated motion pictures made in the languages of nationalities in Hungary as a priority if their subject-matter is related to the life and culture of the given minority in Hungary, while the preservation and cultivation of national cultural traditions and national and ethnic minority cultural traditions as a common interest of society has been consistently enforced since 1997 on the basis of Act CXL of 1997 on Museum Institutions, Public Library Services and Culture.

Section 2 of the Act stipulates that, for the purposes of the Act, “*motion picture originally produced in Hungarian*: is a motion picture that falls into one of the following categories:

- a) the language used in the majority by the actors (in the case of post-works, narrator) in the course of its production is Hungarian,
- b) the language used in the majority by the actors (in the case of post-works, narrator) in the course of its production is the language of a nationality living in Hungary if the subject-matter of the motion picture is related to the life and culture of a nationality living in Hungary.”

The significance of the terminology lies in that the regulation of the effective motion picture legislation provides a more favourable support quota for motion pictures originally produced in Hungarian in the event of the fulfilment of certain conditions, in harmony with the requirements of the EU. By virtue of this solution, the legislator intended to achieve that, within the realm of motion pictures with specific artistic or technical features and motion pictures dealing with specific topics, productions made in the languages of minorities or

concerned with minority topics, too, may be eligible for higher state funding. The Minorities' Ombudsman would further extend this category; s/he would also include Hungarian-language motion pictures which present the traditions and culture of a minority community concerned from a so-called "minority point of view".

Section 7 of **Act LXIV of 2011 on the Protection of Cultural Heritage (amended by Act CXLIX of 2011)** defines the following terms:

*"Historical memorial site:* a site with special significance in the history of the nation or a nationality living in Hungary which the Government declares a historical memorial site in a decree."

*"National memorial site:* a site with special significance in the history of the nation which, by virtue of being capable of reinforcing the cohesion of the Hungarian people and the nationalities living in the territory of the country and raising identity awareness, has fundamental importance in the nation's self-image and may be the scene of a state ceremony of national significance, and which Parliament declares a national memorial site in a law."

Section 3, Paragraph 18(2) of **Act CXLIII of 2011 on the Promulgation of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment** lays down: The States Parties shall take the necessary measures to ensure that the experts of the national preventive mechanism have the required capabilities and professional knowledge. They shall strive for a gender balance and the adequate representation of ethnic and minority groups in the country.

**Act CXXXI of 2010 on Public Participation in Developing Legislation** provides the permanent framework within which the interests of the various strata of society may be enforced in developing legislation, thereby enhancing the legitimacy of the legal rules adopted and ensuring the adoption of laws to the highest standards that reflect the actual living conditions. The Act allows the minister responsible for the developing of the given law to enter into agreements on strategic partnership, thus creating close cooperation with the organisations which are ready to engage in mutual cooperation. The Minister of Public Administration and Justice entered into such an agreement with national minority self-governments in May 2010 in the interest of the adoption of laws concerning national and ethnic minorities, in particular, the new Nationalities Act.

The comprehensive **media regulation process** that took place during the reporting period concerned the rights of nationalities in several respects regarding their access to media in their mother tongue.

Act LXXXII of 2010 on the amendment of certain acts on media and telecommunications which entered into force on 10 August 2010 created the National Media and Infocommunications Authority ("Authority"). Based on this legal rule, the Media Council of the National Media and Infocommunications Authority ("Media Council") became the legal successor of the National Radio and Television Commission. The Media Council commenced its operation on 11 October 2010.

**Act CLXXXV of 2010 on Media Services and Mass Media** (hereinafter: the Media Act) which contains the most important elements of legal regulation relating to the nationality programmes of the public service media, entered into force on 1 January 2011. This piece of

legislation repealed most of the provisions of Act I of 1996 on Radio and Television Broadcasting (hereinafter: the old Media Act). In recognition of the interests of communities and individuals, for the purpose of promoting social integration and the reinforcement of the operation of democratic mechanisms and national and cultural identity, in full observance of the Constitution and the constitutional principles as well as the norms of international law and the norms of the EU, with regard to the circumstances provoked by technological advances, with a view to the protection of the freedom of the expression of opinion, of speech and the press and in recognition of the special cultural, social and economic significance of media services and the importance of the maintenance of competition on the media market, the Media Act lays down that its purpose is to preserve, protect and develop national and ethnic minority and European culture, to foster national and ethnic minority languages, to satisfy the needs of citizens for information and to promote their participation in democratic public life.

According to the interpretative provisions of the Media Act (Section 203), a work originally made in the language of a national or ethnic minority recognised by the Republic of Hungary forms part of the Hungarian public service media service (is Hungarian work) if its subject-matter is related to the life and culture of the given minority in Hungary or is a musical work or programme which forms part of the culture of a national or ethnic minority related to Hungary. The Act lays down that the purpose of public service media services is (Section 83), *inter alia*, to satisfy the needs of national and ethnic minorities *vis-à-vis* the media, to introduce their culture, to foster the mother tongues of national and ethnic minorities and to present and introduce the culture of national and ethnic minorities living in Hungary to Europe and the world.

A separate Section of the Media Act, Section 99 regulates the presentation of national and ethnic minorities in public service media services. According to the provisions of this Section, minorities are entitled to foster their culture and mother tongues and to regularly obtain information in their mother tongue by way of independent programmes broadcast in public service media services. Public service media providers are obliged to fulfil this duty in national or, with regard to the geographical location of the national or ethnic minority, local media services, with programmes suited to the needs of the given national or ethnic minorities, while in audiovisual media services, with subtitles or multi-lingual publication as necessary. The national self-governments of national and ethnic minorities or, in the absence thereof, their national organisations, independently determine the principles of the utilisation of the programme time made available to them by the public service media provider. The public service media provider is obliged to take these principles, which may not affect the content of the programme or editing, into consideration.

Pursuant to Section 95 of the Media Act, a Public Service Code of Conduct (“Code”) shall be devised. The primary purpose of the Code is to provide guidance, within the boundaries of the law, for public service media providers for the appropriate operation of their public service media services. The enforcement of the rules of the Code is monitored by the Public Service Board (“Board”). It is the duty of the Board (Section 97) to continuously monitor the enforcement of public service principles and to exercise social control in respect of public service media providers.

The Public Service Board is comprised of 14 members who may be delegated by the nominating organisations identified by law. Following registration with the Office of the National Media and Infocommunications Authority (hereinafter: the Office) the national self-governments of national and ethnic minorities in Hungary, *inter alia*, may delegate one person

each to the Board. Organisations falling into the same group, and consequently the 13 national self-governments of minorities, may delegate one representative. At present, nationalities are represented by the Vice-Chair of the National Self-Government of Serbs in Hungary.

The Media Act (Section 101) highlights that, as part of its public service responsibilities, the Hungarian News Agency as a national news agency shall provide regular and factual information on the lives of national and ethnic minorities in Hungary.

The tenders invited by the Media Council for the acquisition of rights for the operation of various types of communal media services may stipulate the provision of services designed to satisfy national and ethnic minority needs in the prescribed proportion (Sections 48 and 52 of the Media Act). In some cases, it is a requirement (Sections 42 and 56 of the Media Act) that the tender document must contain the bidder's undertakings with respect to the daily minimum programme time allocated for satisfying the needs of national or ethnic minorities. The Media Act (Section 73) also prescribes the obligation of the transmission of media services. Accordingly, broadcasters have the obligation to transmit their programmes in the interest of preserving, protecting and developing Hungarian, national or ethnic minority and European culture, fostering national and ethnic minority languages, satisfying the needs of citizens for information, promoting their participation in democratic public life and preserving the diversity of opinions.

According to Act LXXIV of 2007 on the Rules of Broadcasting and Digital Switchover (Section 43/M), the Chair of the Authority may authorise a business to operate a broadcasting station permitting the provision of local or regional broadcasting services in a tender procedure invited for the acquisition of the operating rights of a digital broadcasting station permitting the provision of broadcasting services in a local or regional reception area, while in exceptional cases, in the interest of the fulfilment of public duties, also without a tender procedure, for a fixed period but for maximum three years. Pursuant to the Act, public duties are, inter alia, the preservation, protection and promotion of the culture of a community via broadcasting and the fostering of national and ethnic minority languages via broadcasting.

According to the provisions of **Act LXXIV of 2007 on the Rules of Broadcasting the Digital Switchover** in force as of 1 January 2011 (Section 43/M), the fostering of national and ethnic minority languages via broadcasting is a public duty, in connection with which a business may provide broadcasting services in a simplified procedure, on the basis of an agreement with the Authority.

Pursuant to **Act XXIX of 2009 on the Registered Partnership and the amendment of certain related laws or necessary for facilitating the verification of unregistered cohabitation**, the register of registered partnerships contains, inter alia, the language used in the course of the establishment of the registered partnership if the procedure aimed at the establishment of the registered common-law spouse relationship was conducted in the language of a national or ethnic minority indigenous to Hungary.

According to the provisions of Section 9 of **Act CXL of 2004 on the General Rules of Administrative Proceedings and Services** (hereinafter: PAA) effective as of 1 October 2009, the board of a local, regional or national minority self-governments may, in its decision, determine the official language, in addition to Hungarian, of the administrative proceedings falling within its competence. A person proceeding on behalf of a minority organisation as well as a natural person subject to the Act on the Rights of National and Ethnic Minorities

may use the given minority's language before the public administration authority. At the client's request, a Hungarian-language decision adopted with respect to the subject-matter of an application submitted in a minority language shall be translated into the language used in the application. Act CLXXIX of 2011 on the Rights of Nationalities clarified the rules of PAA relating to the use of languages.

Pursuant to **Act XLIII of 2008 on the Extension of the European Charter for Regional or Minority Languages to Gypsy (Romani and Boyash) Languages as a Liability undertaken by the Republic of Hungary under Article 2(2) of the European Charter**, effective as of 28 June 2008, by virtue of this Act, Parliament granted authorisation for the extension of the liabilities of the Republic of Hungary under Article 2(2) of the European Charter for Regional or Minority Languages (hereinafter: the Charter) to the Gypsy (Romani and Boyash) languages, and Parliament promulgated by virtue of this Act the liabilities undertaken with respect to the Gypsy (Romani and Boyash) languages. Based on Parliament's authorisation, the Government of the Republic of Hungary undertook the following obligations under Article 2(2) of the Charter in respect of the Romani language:

Article 8

1. *a) (iii)*
- b) (iv)*
- c) (iv)*
- d) (iv)*
- e) (iii)*
- f) (iii)*
- g)*
- h)*
- i)*
- 2.

Article 9

1. *a) (ii), (iii), (iv)*
- b) (ii), (iii)*
- c) (ii), (iii)*
2. *c)*

Article 10

1. *a) (iv)*
- b)*
- c)*
2. *b), e), f), g)*
3. *c)*
4. *a), c)*

Article 11

1. *a) (ii)*
- b) (ii)*
- c) (ii)*
- d)*
- e) (ii)*
- f) (ii)*
- g)*

3.

Article 12

1. *a), b), c), d), f), g)*

2.

3.

Article 13

1. *a), c)*

2. *c)*

Article 14

*a), b)*

Based on Parliament's authorisation, the Government of the Republic of Hungary undertook the following obligations under Article 2(2) of the Charter in respect of the Boyash language:

Article 8

1. *a)(iv)*

*b) (iv)*

*c) (iv)*

*d) (iv)*

*e) (ni)*

*f) (iii)*

*g)*

*h)*

*i)*

2.

Article 9

1. *a) (ii), (iii), (iv)*

*b) (ii), (iii)*

*c) (ii), (iii)*

2. *c)*

Article 10

1. *a) (v)*

*c)*

2. *b), e), f), g)*

3. *c)*

4. *a), c)*

Article 11

1. *a) (iii)*

*b) (ii)*

*c) (ii)*

*e) (ii)*

*f) (i)*

*g)*

3.



Article 12

1. a), b), c), d), f), g)
- 2.
- 3.

Article 13

1. a)
2. c)

Article 14

- a), b)”

Pursuant to Section 1 of **Act CXXXIX of 2009 on the 2011 Census**, a population and housing census must be conducted of natural persons and households in the territory of the Republic of Hungary (hereinafter: census) based on the state of the nation as at 0.00 hour on 1 October 2011, with regard to the provisions of Regulation 763/2008/EC of the European Parliament and of the Council of 9 July 2008 on population and housing censuses, Act XLVI of 1993 on Statistics, Act LXIII of 1992 on the Protection of Personal Data and the Disclosure of Data of Public Interest and the provisions of Act LXXVII of 1993 on the Rights of National and Ethnic Minorities.

The census extends to the registration of gender, date of birth, place of residence, marital status, family status, details of live-born children, school attendance, educational qualifications, economic activity, occupation, employer and place of work, daily commuting and travel related to studies and employment, state of health, disabilities, citizenship, religion, nationality affiliation, mother tongue, languages spoken and grounds for use of housing. Data disclosure with respect to the person's state of health, disabilities, religion, mother tongue and minority affiliation is voluntary.

A wide-ranging social consultation was held in the course of legislative process; the range of data was extended to data concerning national or ethnic minority affiliation as data falling within the category of so-called special data with regard to the significant data user needs that emerged.

Data users justified the need for data concerning the number of individuals forming part of national and ethnic minorities, the composition and territorial location of national and ethnic minorities as well as the changes therein since the previous census on the following grounds:

- planning of state, local and minority self-government responsibilities related to national and ethnic minorities;
- practical enforcement of the prohibition of discrimination laid down in Section 70/A of the Constitution and the requirement of equal opportunities;
- fulfilment of duties related to Hungary's minority policy;
- implementation of tasks related to the promotion of Roma integration;
- availability of statistical indicators containing the number and ratio of individuals forming part of national and ethnic minorities necessary for certain local and regional EU tenders;
- providing the conditions necessary for the enforcement of the rights of individuals forming part of national and ethnic minorities;
- according to the Council of Europe, Advisory Committee on the Framework Convention for the Protection of National Minorities, Hungary does not have reliable data regarding

minorities in Hungary, and it therefore recommends that Hungary encourage the individuals concerned to declare their minority affiliation on the occasion of the next census.

Based on Act CXXXIX of 2009, the census took place in October 2011. Preliminary data will, as anticipated, be released by the Hungarian Central Statistical Office in Q1-Q2 2012.

**By virtue of Act VI of 2008** the Hungarian Parliament ratified **the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions adopted in Paris on 20 October 2005** and grants authorisation for the recognition of the binding effect of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions adopted in Paris on 20 October 2005 (hereinafter: the Convention). The Convention lays down that language diversity is one of the fundamental components of cultural diversity and reinforces the fundamental role of education in the protection and promotion of cultural expressions.

Section 3 of **Government Decree No. 342/2010 (XII. 28.) on the conditions and accounting procedures of support provided for minority self-governments from the central budget and chapter allocations** stipulates that

as of 2013, in the case of **local minority self-governments**, the rate of the **general operating grant** shall be determined with regard to the data of the last census relating to affiliation with the given national or ethnic minority in the given locality. Based on this, the general operating grant that may be allocated to local minority self-governments is the following percentage of the average aid falling on one local minority self-government:

- a)* 3% if the number of individuals forming part of the nationality in the locality is fewer than four,
- b)* 50% if the number of individuals forming part of the nationality in the locality is minimum four and maximum thirty,
- c)* 100% if the number of individuals forming part of the nationality in the locality is minimum thirty-one and maximum fifty,
- d)* 200% if the number of individuals forming part of the nationality in the locality exceeds fifty.

as of 2013, in the case of **regional minority self-governments**, the rate of the general operating grant shall be determined with regard to the number of local (metropolitan district) minority self-governments operating in the county (capital) on 1 January of the year of support. Accordingly, the general operating grant that may be allocated to regional minority self-governments is as follows in relation to the average aid falling on one local minority self-government:

- a)* double if there are minimum ten and maximum twenty local (metropolitan district) minority self-governments in the county (capital),
- b)* quadruple if there are more than twenty local (metropolitan district) minority self-governments in the county (capital).

Pursuant to Section 11 of the Government Decree, aid may be provided via tender (open or invitation-based) or on request from the minority policy chapter-based appropriation approved in the central budget for purposes serving the preservation of the identity of national and ethnic minorities and the fostering of their mother tongues, traditions, spiritual and material

values. Based on the tender priorities determined by the sponsor, the sponsor decides on the tender applications submitted in response to the tender published by the Fund Manager (Wekerle Sándor Fund Manager), with regard to the recommendation of the Minority Support Committee (hereinafter: the Committee). The nine members of the Committee are persons delegated in equal proportions by the Parliamentary Committee on Human Rights, Minorities, Civic and Religious Affairs, the national minority self-governments and the Fund Manager. The duties related to the operation of the Committee are performed by the Fund Manager.

**Table No. 6: Criteria for the assessment of task-based support**

1. Duties related to the representation of minority interests
Board decisions on activities related to the enforcement of rights of the minority community in the territory of operation of the minority self-government, interest representation and interest protection, elimination of social differences, social inclusion, use of the mother tongue, activities of local institutions, decision-making and collective decision-making rights serving to reinforce the specific cultural identity of the minority community: 1 decision maximum 5 points
Maximum score: 30 points
2. Fulfilment of tasks related to the establishment and operation of institutions, support and organisation in connection with the cultural autonomy of minorities (cultural, public educational and teaching duties, preserving traditions, public collections, and media).
2.1. Board decisions serving to improve the conditions of the education of the minority community and to develop the mother tongue in the territory of operation of the local minority self-government (in the case of a local minority self-government participating in an institutional association as defined in the Minorities Act, the jurisdiction of the association is to be regarded as territory of operation): 1 decision maximum 5 points
Maximum score: 30 points
2.2. Board decisions serving the fulfilment of duties related to the fostering of the minority community's historical past and cultural heritage attached to the given locality, the fulfilment of duties related to self-established or self-operated (or co-operated) public educational institutions, public collections or media, cooperation with public educational institutions, public collections or media operated by third parties and the organisation of programmes of a cultural nature in the language used by the minority concerned in the territory of operation of the local minority self-government: 1 decision maximum 5 points
Maximum score: 30 points
3. Other duties related to minority status
Board decisions promoting cooperation with minority civil organisations and supporting local religious activities in the minority's mother tongue: 1 decision maximum 1 point
Maximum score: 10 points
<b>TOTAL ATTAINABLE SCORE: 100 points</b>

**National minority self-governments, their institutions and minority press** are eligible for operating grant from the central budget as determined in the Budget Act of the given calendar year disbursed quarterly.

According to **Government Decree No. 44/2009 (III. 4.) on the promulgation of the Agreement between the Government of the Republic of Hungary and the Government of the Slovak Republic on mutual educational and cultural support for national minorities,**

*“Article 2*

*(1) The Slovak Party may provide aid for the funding of the educational process conducted in cultural and educational institutions offering education in the territory of the Republic of Hungary in the Slovak language with respect to Slovak culture or the Slovak language.*

*(2) The Slovak Party may provide aid for students studying in institutions of higher education in the territory of the Republic of Hungary for the purpose of contributing to the preservation and development of the cultural or language identity of persons forming part of the Slovak national minority.*

*(3) The Hungarian Party may provide aid for the funding of the educational process conducted in cultural and educational institutions offering education in the territory of the Slovak Republic in the Hungarian language with respect to Hungarian culture or the Hungarian language.*

*(4) The Hungarian Party may provide aid for students studying in institutions of higher education in the territory of the Slovak Republic for the purpose of contributing to the preservation and development of the cultural or language identity of persons forming part of the Hungarian national minority.*

### Article 3

*(1) The Slovak Party may contribute to the participation of teachers in accredited and recognised regular in-service training conducted in the Republic of Hungary by Slovak institutions in institutions of elementary, secondary or higher education in the Republic of Hungary in the Slovak language, with respect to Slovak culture or the Slovak language.*

*(2) The Hungarian Party may contribute to the participation of teachers in accredited and recognised regular in-service training conducted in the Slovak Republic by Hungarian institutions in institutions of elementary, secondary or higher education in the Slovak Republic in the Hungarian language, with respect to Hungarian culture or the Hungarian language.”*

Based on **Government Decree No. 263/2008 (XI. 6.) on the promulgation of the Convention on the Operation of Cultural Institutions signed by the Government of the Republic of Hungary and the Government of the Republic of Poland in Budapest, on 30 May 2008**, it is the duty of the Institutions to foster the Hungarian language and culture as well as the Polish language and culture and to provide information and introduce the sender State; to disclose information on the culture, scientific achievements, educational system and history of one Contracting Party and on issues concerning the present time in the territory of the state of the other Contracting Party.

**The Minister of Public Administration and Justice ordered the following by virtue of Decree No. 11/2011 (III. 28.) on Nationality Scholarship:**

**Section 1** (1) The **purpose** of Nationality Scholarship of the Minister of Public Administration and Justice (hereinafter: scholarship) is to support students with outstanding abilities belonging to any of the national or ethnic minorities listed in the Nationalities Act on Minorities in the interest of promoting the continuation of their studies in institutions of higher education on the basis of the recommendations of secondary schools operating within the framework of the native and bilingual minority programme, as part of the fulfilment of the state duties related to national and ethnic minorities in Hungary.

**Section 2** (2) The invitation for applications shall contain a list of the **nationality bilingual institutions of secondary education eligible for participation**, the conditions of the establishment and disbursement of the scholarship as set forth in the present Decree, the

mandatory content of applications and the deadlines for submission and the conclusion of contracts. Deadline for submission of applications: 15 May.

(3) Only the bilingual nationality institutions of secondary education listed in the invitation may participate (hereinafter: secondary schools) with applications submitted jointly with minimum two students selected (recommended) by the secondary school who have completed the school year that precedes the last two school years of their studies.

(4) Hungarian citizen students satisfying the following criteria may submit applications:

*a)* students forming part of a national or ethnic minority based on their declarations,

*b)* students whose study results reach the average score of 4.00 calculated in accordance with the Annex to this Decree at the end of the school year preceding the submission of the application,

*c)* students who do not receive scholarships from other sources with respect to the same period, and

*d)* students who, together with their legal representatives, consent to the management of their personal data in writing, simultaneously with the submission of the application.

(8) **The term of the scholarship is the two school years preceding the ordinary final examinations** taken during the student status, as of the 2011/2012 school year.

(9) **Scholarships may be awarded to 1 student per secondary school and per grade.**

**Decree No. 15/2010 (III. 19.) OKM, Ministry of Education and Culture on the detailed rules of requesting supplementary aid for nationality educational duties, the related decision-making mechanism, and the disbursement, settlement and monitoring of supplementary aid** regulates the procedure regarding the supplementary aid that may be requested for the operation of nationality kindergartens and schools on the basis of the authorisation granted in paragraph 5 of Annex 5 to Act CXXX of 2009 on the 2010 Budget of the Republic of Hungary, the procedure for the procurement of minority language and literature, minority studies and general textbooks in minority languages, the rules regarding the aid provided for professional pedagogical services assisting nationality education as well as for the duties of public education set forth in the recommendations of minority joint committees, and rules relating to the subsidisation of duties related to liaison with the homeland. Decree No. 10/2009. (III.6.) OKM, Ministry of Education and Culture on the detailed rules of requesting supplementary aid for nationality educational duties, the related decision-making mechanism, and the disbursement, settlement and monitoring of supplementary aid as well as Decree No. 17/2011. (V. 6.) NEFMI, Ministry of National Resources on the detailed rules of requesting supplementary aid for nationality educational duties, the related decision-making mechanism, and the disbursement, settlement and monitoring of supplementary aid serve the same purpose.

## CHAPTER II

### General Minority Policy of Hungary, with special regard to Article 7 of Part II of the Charter

#### *Article 7*

#### *Objectives and principles*

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

- a) the recognition of the regional or minority languages as an expression of cultural wealth;*
- b) the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;*
- c) the need for resolute action to promote regional or minority languages in order to safeguard them;*
- d) the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;*
- e) the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;*
- f) the provision of appropriate forms and means for the teaching and study of regional or minority languages at all appropriate stages;*
- g) the provision of facilities enabling non-speakers of a regional or minority language living in the area where it is used to learn it if they so desire;*
- h) the promotion of study and research on regional or minority languages at universities or equivalent institutions;*
- i) the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.*

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

*3. The Parties undertake to promote, by appropriate measures, mutual understanding between all the linguistic groups of the country and in particular the inclusion of respect, understanding and tolerance in relation to regional or minority languages among the objectives of education and training provided within their countries and encouragement of the mass media to pursue the same objective.*

*4. In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.*

*5. The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the*

*nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.*

The enforcement of the language rights of minorities in Hungary are guaranteed both in the Fundamental Law and in the legal rules outlined above. Compared with the earlier reports by Hungary, these have been amended to a minimal extent.

#### ***Article 1 a***

The Government of Hungary considers the language and culture of minorities a value to be preserved. In acknowledgement of the activities of persons and communities active in the preservation of the linguistic-cultural values of minorities, in 1995 the Prime Minister established the "Prize for Minorities", which is presented every year as part of a ceremony held in conjunction with the Day of Minorities, 18 December. In each of the three reference years, the awardees included teachers active in minority education, actors of minority cultural life and the staff members, organisations and institutions of the minority media. The background institution of the ministry responsible for culture, the Hungarian Institute for Culture and Arts recognises the efforts of the best of minority public education, arts and press by awarding the professional prize "Pro Cultura Minoritatis Hungariae" once every year. One of the most prestigious awards of the Hungarian Ethnographic Society is the "Pro Ethnographia Minoritatum" prize. It is annually awarded to two experts who are selected from among those with outstanding achievements in the exploration of the spiritual and material traditions of national and ethnic minorities.

Additionally, there were a number of artists, teachers, scientists and public figures with minority affiliation amongst those who were awarded Hungarian state and civil prizes not related to their minority achievements during the reporting period.

#### ***Article 1 b***

The legal regulations of Hungary do not associate the use of minority languages to geographical areas. The primary reason being that, as a consequence of internal migration, individuals forming part of all minority communities may be found in almost every region of the country. No measures have been taken in the past three years that restrict the scope for the use of minority languages in a geographical sense.

With a view to the recommendation of the Committee of Experts, based on the fourth periodic report by the republic of Hungary, the Committee of Ministers of the Council of Europe identified the questions listed below for Hungary in connection with minority education. The measures related to these questions in connection with the topic of Article 7 *Objectives and principles* are summarised below.

#### ***Article 1 c***

***25. What measures have the Hungarian authorities taken for the development of long-term strategies and structured plans which serve to preserve and promote the 14 minority languages?***

By virtue of the ratification of the Charter, Hungary undertook commitments in respect of six minority languages (Croatian, German, Romanian, Serbian, Slovak and Slovene) and, in 2008

in respect of a further two languages, Romani and Boyash, from amongst the provisions set forth in Part III of the Charter. With regard to the fact that the Nationalities Act created and passed simultaneously with the confirmation of the document guarantees the individual and collective rights of minorities with respect to the entire territory of the country, including minority rights related to the use of language, education and culture, the Government decided to extend its undertakings made with respect to the Charter **to the entire territory of the country**. The undertakings were identical in the case of the six languages concerned.

It is intended to be highlighted that the statutory environment provides standard regulation in respect of all 13 minorities; depending on the needs expressed by parents, nationality education must be organised either within the framework of normal, full-time education or within the boundaries of supplementary minority education. The minorities listed already had a network of nationality educational institutions at the time of the undertakings.

As part of the regulatory process, it was attempted to ensure that the conditions for the organisation and maintenance of education suited to the needs of parents forming part of the given community and additionally that minority communities, nationality self-governments with local and nation-wide competence in particular, have a say in local decisions concerning nationality education and in the formulation of the rules that determine the framework of nationality education.

Governmental activities related to the Boyash and Romani languages focused on the extension of Part III of the Charter to these two languages. With regard to the fact that the fulfilment of the commitments related to these two languages are reported on for the first time, this issue shall be covered in greater detail.

In the course of preparation for the above extension, the Research Institute of Linguistics of the Hungarian Academy of Sciences was contacted, as well as the staff members of the Romology Department of the Pécs University and teachers teaching the Boyash and Romani languages. Researchers from the Research Institute of Linguistics, in cooperation with teachers speaking the languages, are conducting basic research in communities speaking the Romani and Boyash languages as part of the project entitled “Dimensions of Linguistic Otherness – Prospects and Maintenance and Revitalization of Minority Languages”. At its session held on 9 June 2008, Hungarian Parliament passed Act XLIII of 2008 on the Extension of the European Charter for Regional or Minority Languages to Romani and Boyash Languages as a Liability undertaken by the Republic of Hungary. The new legal norm provides a regulated framework for Roma speaking the Romani or Boyash language for the use of their mother tongue, inter alia, at the various levels of education.

In the Chapter entitled “Improving the circumstances and promoting the social inclusion of Gypsies” of its programme, the Government set out to treat the problems of the Roma as a national cause, rather than as a mere poverty policy. The way out lies in the combined implementation of the programmes identified in the Széll Kálmán Plan and adjusted to the measures of an EU Framework for National Roma Integration Strategies up to 2020 which create an opportunity to tackle the current issues of extreme poverty and to build the future as part of the sector-specific policies. The path of learning and work as the option of advancement favoured by society must be made accessible as an alternative through the improvement of the living conditions of the Roma and the promotion of their social integration.

Based on general human rights, the Government is committed to effective action against any



discrimination against and the physical and psychological abuse of its citizens, including the Roma. The successful outcome of these efforts is assisted by the National Roma Self-Government (hereinafter: NRSG) through the representation of the interests and the active involvement of the Roma. Consequently, NRSG regards not only the enforcement of individual and collective rights and the expression of the interests of members of the Roma minority as duties arising from its status as minority self-government, including the fostering of the Romani and Boyash languages and the attainment of Roma cultural autonomy as its duty, but also wishes to play an active role in the Roma inclusion policy. In the interest of reaching these objectives, the Government published Resolution No. 1136/2011 on short-term measures designed to promote social integration on 2 May 2011, on the basis of which the Government and NRSG entered into a **framework agreement** on 20 May 2011. The framework agreement lays particular emphasis on the creation of jobs, cooperation in the field of education and complex interventions addressing disadvantages.

One of the main undertakings of the Hungarian EU Presidency was to contribute to the development of an **EU's Roma Integration Framework Strategy**. The European Commission approved its Communication<sup>3</sup> entitled "An EU Framework for National Roma Integration Strategies up to 2020" on 5 April 2011. The Council approved the related Council Conclusions<sup>4</sup> on 19 May 2011, by virtue of which the Member States committed themselves to the participation in the framework strategy, i.e. to submitting to the Commission their national Roma integration strategies or action plans up to 2020 by the end of 2011. For the implementation of a strategy in Hungary, it is essential to systematically review the programmes designed to improve the situation of the Roma, to create an action plan for the genuine improvement of the situation of the Roma and to operate effective integration programmes in conjunction therewith.

The framework agreement was signed after the publication of the communication regarding the EU framework system. The detailed action plan and the draft of the **National Social Integration Strategy – Extreme Poverty, Child Poverty, the Roma (2011-2020)** containing the national Roma integration strategy, the social debate of which began on 28 September 2011, are closely related to the framework agreement in respect of their objectives, directions of intervention, programmes and indicators as the action plan of the framework agreement and its implementation serve as the basis for the accomplishment of the defined strategic objectives by 2020. The Government approved the Strategy and also a decree of implementation as part of Government Resolution No. 1430/2011 (XII. 13).

Similar to other minorities, the Roma minority has the right to education in the language they speak and the right to initiate the education of the Romani and Boyash languages. At the initiative of at least eight parents forming part of the same minority, the operator of the institution is obliged to organise education in the given language. Pursuant to Section 86(6) of Act LXXIX of 1993 on Public Education (hereinafter: the Public Education Act), if the number of pupils forming part of the same national or ethnic minority does not permit the organisation of minority education in the locality, at the initiative of the national minority self-government concerned, the metropolitan or county municipality organises the teaching of the mother tongue and minority studies in harmony with the requirements of the phase of general education as determined by law (hereinafter: supplementary minority education). Supplementary minority education may be organised in a division of the given school,

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<sup>3</sup> COM(2011) 173 final.

<sup>4</sup> An EU Framework for National Roma Integration Strategies up to 2020. Council Conclusions 10658/11

through the establishment of schools providing minority language teaching or the employment of travelling teachers.

A significant proportion of the Roma speak Hungarian as their mother tongue; three quarters of them do not speak either of the Roma languages. Therefore, the documents regulating minority education permit Gypsy cultural education in Hungarian and Roma minority education in Hungarian as well as education in the languages spoken by the Roma and the teaching of the languages spoken by the Roma. While the number of the latter institutions is not significant, it has been on the rise in recent years.

During the latest amendment of the ministerial decree laying down the guidelines for the kindergarten and school education of national and ethnic minorities, in agreement with the National Gypsy Self-Government, the detailed development requirements and tasks of the two languages were released in Hungarian as well as in Romani and Boyash. Schools may develop or amend their own pedagogical programmes on the basis of this document.

One of the most important conditions of the teaching of the languages spoken by the Roma is the availability of adequately trained teachers. Pursuant to effective legal regulations, these languages may be taught by teachers with teaching qualifications corresponding to the given level and language certificates in the given languages. It is a problem that there the number of teachers qualified to teach these languages is not sufficient, and it therefore remains an important task to create and extend the conditions for the training of teachers teaching the Romani and Boyash languages. Romology studies are taught in several institutions of higher education and it is now possible to launch Romani and Boyash teacher training courses. The ministry supported the in-service training of teachers participating in Roma minority education via public tenders as well as the implementation of research assisting the teaching of the Romani and Boyash languages and Roma studies.

Making available the teaching materials necessary for education was a major challenge. With EU funding, the possibility emerged for the development of Roma educational programme packages which also included the development of teaching aids, digital materials, in-service teacher training and general curricula, in addition to school textbooks. In the first round of the tender, the consortium of the National Roma Self-Government and the Gandhi Public Foundation Secondary Grammar School and Hostel in Pécs was granted support for this purpose. As a result of the development, the textbooks for teaching both the Romani and Boyash languages to pupils in grades 1 to 3 of elementary school and a textbook for the education of nationality studies were completed. Another round of the tender is expected to be invited soon, as part of which it will be possible to prepare textbooks for further grades.

The development of key competencies plays a central role in the National Curriculum, and is therefore a major priority in nationality mother tongue and cultural education. With regard to this, the specific areas of the education of national and ethnic minorities, including the development tasks in the teaching of minority languages and literature and the teaching of minority studies, have also been revised.

The draft documents were prepared and professional consultations with the minority communities concerned were conducted by practising teachers and experts involved in national and ethnic minority education under the supervision of the Nationality Group of the Hungarian Institute for Educational Research and Development. The objective was, as part of the amendment of the relevant decree, to ensure that the fundamental requirements, structure

and overall spirit of the National Curriculum should be fully enforced also in the course of the teaching of minority languages, literature and minority studies from grade 1 all the way to grade 12 or 13. It was additionally an important goal that the regulation should provide an opportunity for those pupils who wish to commence their studies regarding minority languages and minority culture at different stages following their enrolment in school. The development tasks identified for each minority were published in Hungarian and in the language of the given minority. As a result of this effort, the relevant development tasks in respect of the Romani and Boyash languages have also been successfully identified.

The ministerial decree is currently being amended. The professional work coordinated by the Hungarian Institute for Educational Research and Development also concerns Roma minority kindergarten and elementary education; it is necessary to adopt a position with respect to important professional issues such as how to change the weekly number of hours available for teaching the Romani and Boyash languages and Roma studies, whether the possibility of teaching languages in a block should be retained, and what to do concerning the qualification requirements of teachers teaching minority studies only in Hungarian.

### ***Article 1 f***

The Hristo-Botev Bulgarian-Hungarian Secondary School was operated during the reporting period jointly by the Hungarian and ***Bulgarian*** States. This school was attended by the children of the Bulgarian minority living in Hungary. Regrettably, this institution was closed down on the basis of the decision of the Bulgarian Ministry of Education. In addition to the kindergarten and supplementary minority school established by the National Bulgarian Self-Government, as of the school year 2012/2013, the establishment of a Bulgarian bilingual, full-time school is being considered.

Teachers are trained for Bulgarian minority education at the Faculty of Humanities of the University of Debrecen and the Eötvös Loránd University.

Education in the Bulgarian language is assisted by textbooks imported from the homeland for elementary schools as well as by a textbook on Bulgarian studies developed and published in Hungary.

Supplementary minority ***Greek*** education is conducted in Budapest in a twelve-grade institution; that is, the institution has both elementary and secondary grades. Similar to the Bulgarian minority, language teachers are trained for the Greek minority community at the Faculty of Humanities of the Eötvös Loránd University.

There is supplementary ***Polish*** minority education in 18 locations. Similarly to Greek supplementary education, these institutions operate in 12 grades, too. Previously the community fundamentally relied on the homeland concerning teacher training. Since the publication of the requirements of professional teacher training, the option for teacher training has also opened up in local institutions of higher education, primarily at the Faculty of Humanities of the Eötvös Loránd University. Textbooks for Polish supplementary education are obtained from the homeland.

***38. What measures have the Hungarian authorities taken to improve the training of teachers in the Romani and Boyash languages, and to actively encourage the teaching of these languages as a subject and/or as the language of teaching?***

The legal regulation of Roma minority education began in 1990. At this point in time, Act LXV on Local Governments rendered the education of national and ethnic minorities a mandatory duty of local governments. As of 1991, the prevailing annual budget law provides supplementary aid for the fulfilment of this duty. The Act on Minorities and, in harmony therewith, the Act on Public Education prescribe that, at the request of eight parents or guardians, measures shall be taken to provide minority education.

The conditions of the organisation and content of Roma minority education were created in 1997 by virtue of the passing of Decree No. 32/1997 (XI. 5.) MKM on Issuing the Directives of the nursery and school education of national and ethnic minorities. Based on these documents, children forming part of this ethnic group receive education on Gypsy culture. Based on the needs of parents, subject to the availability of personnel, workshops conducted in the mother tongue may be organised within the programme. In elementary and secondary education, pupils who take part in the teaching of minority studies on a mandatory basis as part of the Roma minority education may learn the Romani or Boyash language at their parents' request.

The language requirement systems in respect of the Romani and Boyash languages have been devised, and in conjunction with this, Decree No. 32/1997 (XI. 5.) MKM containing the requirement systems has also been amended accordingly. This legislation identifies the language requirement system relating to the teaching of the Romani and Boyash languages in schools and the requirements regarding the teaching of minority studies in Hungarian as well as in the Romani and Boyash languages.

Hungarian higher education is able to provide a supply of teachers for national and ethnic minority education at its existing minority teacher training facilities fundamentally in the field of training kindergarten and elementary school teachers for the lower grades and elementary and secondary school teachers specialising in the teaching of minority languages as a mother tongue and literature in minority languages. One of the most important prerequisites of the teaching of the languages spoken by the Roma is the availability of adequately trained teachers. According to the statutory regulations in force, these languages may be taught by teachers with qualifications corresponding to the given level and language certificates in the given languages. It is therefore also important to create and extend the conditions for the training of teachers teaching the Romani and Boyash languages.

In addition to increasing the number of language teachers, it is also necessary for the teachers teaching the language to study Romology. Workshops for Romology training are being set up at following educational institutions: University of Pécs, University of Debrecen, and Faculty of Teacher Training at the University College of Nyíregyháza, Apáczai Csere János Faculty at the University of West Hungary, Tessedik Sámuel College Faculty of Pedagogy, and Kaposvár University. The amendment of Government Decree No. 289/2005 (XII. 22.) is now complete and it contains the qualification of Romology teachers. The purpose of training here is to prepare students, in the spirit of the Bologna process, for educational and pedagogical research, planning and development tasks in public education, vocational training and adult training by relying on qualifications and knowledge acquired within the framework of bachelor or other higher education, as well as for the continuation of their studies in Ph.D. training.

The subsidisation by way of public tenders of teachers teaching minority languages, literature and studies as a priority has continued recently, while support was granted to training

facilities/research workshops undertaking the implementation of research promoting the teaching of the Romani and Boyash languages and Roma studies: in 2008, HUF 4 million in aid was provided for the implementation of 4 in-service teacher training programmes (with the participation of 120 persons), while in 2009 an aid of the amount of HUF 1,125,000 was granted for the implementation of 1 in-service teacher training programme (with 35 persons). In 2008, 4 applicants were awarded HUF 4 million for the performance of research promoting the teaching of the Romani and Boyash languages and Roma studies, while in 2009, 6 applicants received aid of HUF 3.5 million for the same purpose.

Summing up the above, it may be established that Hungary has created the academic and legal background essential for the training of Romani and Boyash language teachers. Decree No. 24/2010 (V. 14.) OKM amending Decree No. 15/2006 (IV. 3.) OM on Teacher Education and Qualification Requirements for Bachelor's and Master's degrees includes Romology as a course for Bachelor's and Master's degrees that may be taught at universities. Training may be conducted at both BA and MA levels as well as in teacher training at the University of Pécs. Available specializations are: Boyash language and culture, Romani language and culture, and Gypsy minority studies. The purpose of the course is to train experts who are able to effectively mediate issues concerning the Roma communities to social organisations which communicate with these communities and are simultaneously able to mediate the needs identified by social organisations to the local Roma communities.

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

Hungary also provides priority supplementary aid for minority training by way of tenders. In 2011, eight persons gained admission to bachelor's courses, four to master's courses and five to teacher training courses. (BA: bachelor, full-time, state-financed: 1 person; correspondence course: 2 persons, state-financed, 5 persons paying tuition fee. MA: full-time, state-financed: 2 persons, state-financed correspondence course: 2 persons. Teacher training: full-time, state-financed: 1 person, correspondence course: 2 persons, state-financed, 2 persons paying tuition fee.)

***47. Please, outline the state of the teaching Ruthenian in elementary and secondary schools and the situation of Ruthenian teacher training and the supply of textbooks.***

As the statistical chapter of the introduction describes, the number of Ruthenian native speakers and nationalities barely exceeds 1,000. Ruthenian is taught in elementary schools in 2 localities, Komlóska and Múcsony, with the participation of 9 and 39 pupils, respectively. According to effective legislation, nationality education, including secondary education, may be organised at the parents' initiative. Based on the initiative of minimum 8 parents, it is mandatory to organise the teaching of Ruthenian; however, at the initiative of fewer parents, supplementary minority education may also be organised via the National Ruthenian Minority Self-Government. No such initiative was taken in the last three years and therefore no genuine progress has been made recently in terms of Ruthenian education in secondary schools.

The University College of Nyíregyháza has been planning the organisation of Ruthenian teacher training for years but this programme is yet to be launched.

According to available information, teachers use materials compiled by themselves and Ruthenian language books published in Slovakia for the elementary teaching of Ruthenian. In the spring of 2010, the book entitled Conversation in Ruthenian was published under the auspices of several local and county Ruthenian minority self-governments. This publication provides help for those teaching Ruthenian in elementary schools who do not merely attempt to pass on the spoken language but also make efforts to preserve written Ruthenian culture. In 2011, the Ruthenian Alphabet was released to assist the teaching of Ruthenian in elementary schools as a joint effort of several minority self-governments. The attractively illustrated publication offers valuable help for both learners and teachers of the language.

The Ministry of Education invited a tender in 2008 with EU funding for supporting the education and teaching of nationality students (SROP 3.4.1. A). In the first round, no programme was submitted in connection with Ruthenian nationality education. Another tender round is expected to be invited at the end of 2011, as part of which Ruthenian educational programmes may also be created.

#### ***Article 1 g***

The legal regulations of minority education provide guidance as to the conditions under which individuals not forming part of the given minority may learn minority languages or may attend education in minority languages. Accordingly, if permitted by the available institutional capacity, after the fulfilment of the needs of individuals forming part of the minority, individuals not belonging to the given minority may also join minority language teaching or minority educational programmes. At the same time, the national data protection regulation does not permit the gathering of data relating to ethnic affiliation, and consequently there is no available data regarding the participation of non-minority individuals in minority educational programmes.

#### ***Article 1 h***

It is possible to learn all minority languages in Hungary with the exception of one. The individuals forming part of the *Armenian* minority did not avail themselves of the opportunities afforded by law and did not initiate the organisation of minority education either in full-time education or in the form of supplementary minority education. *Ukrainian* is taught as a foreign language in one school in Baktalórántháza and, based on the National Ukrainian Self-Government's decision, the acquisition of the mother tongue and minority culture is made available to children forming part of the community as part of a Sunday school, outside the public education system.

Support is also provided for the teachers and speakers of the languages subject to Part II of the Charter similarly to the speakers of the other languages subject to Part III, concerning the exchange of cultural values.

***51. What measures have the Hungarian authorities taken to promote the learning of the Armenian and Ruthenian languages at minimum one university or equivalent higher educational institution in Hungary?***

The University College of Nyíregyháza attempted to launch Armenian and Ruthenian training courses; however, the initiative did not prove to be successful. At present, Ruthenian may be learnt at the Department of Slavonic Studies of the Faculty of Humanities of the Eötvös Lóránd University in Budapest, mainly as part of PhD programmes, while Armenian is taught at the Department of Altaic Studies of the Szeged University, and the Faculty of Humanities of the Eötvös Lóránd University is also planning to launch a separate Armenian course.

*Article 1 i*

***53. Information pertaining to the facilitation and/or promotion of methods of language use set forth solely in Part II of the Charter in the case of the individual languages in the area of international exchanges.***

The answer to this question forms part of the answer given to Article 14.

*Article 2*

***55. Please, provide detailed information on the process when action has been taken against the traditional practice of transferring Roma children to classes reserved for children with physical or mental disabilities, without justification.***

The Act on Public Education, as of its entry into force, provides that only panels of experts and rehabilitation committees are entitled to determine the existence of special educational needs. Pursuant to the Act, in the interest of the children and pupils themselves, the local notary may oblige the parents to attend, together with their children, an expert examination and to enrol their children in the appropriate educational institution on the basis of the expert opinion. The detailed rules of the procedure were determined in Decree No. 14/1994 (VI. 24.) MKM, and as of 2010 in Decree No. 4/2010 (I. 19.) OKM on professional pedagogical services has been effective.

The effective legislation has always required the notification of parents, and the recommendations stated in the expert opinion may only be implemented with the parents' consent. The Decree precisely regulates the cases of the initiation of state administration proceedings, the rightholders, the rules related to the notary's competence, the mandatory content components of the operative part of the decision imposing the obligation of attending an expert examination, the range of experts participating in the notary's proceedings and the available legal remedies.

In 2001, the proceedings for legal remedy were clarified, while the rules relating to mandatory reviews were altered considerably. The legislation authorises parents to initiate state administration proceedings. At the same time, new rules were introduced in the Decree with respect to the participation of experts in connection with the proceedings of the notary and the public administration office. Accordingly, at the notary's request, the competent panel of experts and rehabilitation committee must proceed in the expert capacity. In proceedings instituted on the basis of an appeal submitted against the notary's decision, at the request of the public administration office, the competent panel of experts and rehabilitation committee and the Pedagogical Professional Services and Professional Services Centre of the Bárczi Gusztáv College Faculty of Special Education of the Eötvös Loránd University proceed as expert. The person who participated as a member of the committee in the preparation of the

expert opinion on the given case may not take part in the expert procedure instituted by the notary or the public administration office.

The former one-time post-transfer review system has been replaced with a review system that takes into account of the learner's age, the type of disability giving rise to the special educational needs, the form of education and teaching, and keeps track of the learner's progress during the term of his or her studies. In the case of learners with mild mental disabilities and "learners with other disabilities"<sup>5</sup>, the legislation determined a more frequent review obligation than the regular review (after one year and every three years thereafter); pupils with mild mental disabilities and learners with other disabilities must be reviewed one year after the initial establishment of the disability, every two years thereafter until the age of twelve, and every three years after the age of twelve.

A new element is the possibility of continuous monitoring. Decree No. 4/2001 (I. 26.) OM introduced continuous monitoring effective as of 10 February 2001. (This was repealed by Government Decree No. 118/2008 (V. 8.) on the technical deregulation of certain legal rules and statutory provisions issued at the level of government and ministerial decrees.) Accordingly, if after two examinations it cannot be determined beyond reasonable doubt that the child or learner has a mild mental disability, the panel of experts and rehabilitation committee will state their expert opinion after the continuous monitoring of the child's progress. In the course of continuous monitoring, a representative of the panel of experts and rehabilitation committee observes the child or learner at least twice during kindergarten sessions or in school classes. During the continuous monitoring, the teacher prepares regular, minimum monthly, detailed evaluations of the child's progress based on the guidelines provided by the panel of experts and rehabilitation committee, discloses his/her findings to the parents and provides assistance with the education of the child at home. The teacher submits the detailed evaluations at the end of the continuous monitoring period to the panel of experts and rehabilitation committee.

At the end of the continuous monitoring, the panel of experts and rehabilitation committee review the child's progress and prepare an expert opinion on the basis of their experiences, as a result of the evaluation of examinations. The rule of law also permitted the implementation of continuous monitoring before the issuance of a decision by the state administration authorities. Based on the Decree, the notary or the public administration office may order the child's continuous monitoring before the adoption of its decision.

The rules relating to proceedings for legal remedy and the rules of the establishment of mild mental disabilities changed again in 2004-2005. Rules were introduced with respect to conflict of interests in the case of the panel of experts and rehabilitation committee participating in the proceedings instituted by the notary, on the basis of which:

- a person who participated in the drafting of the original expert opinion shall not take part in the first review of the learner with a mild mental disability,
- a person who participated in forming the disputed expert opinion shall not take part in the proceedings initiated by the notary.

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<sup>5</sup> During the period in question, the collective category of "learners with other disabilities" included learners who were not eligible for classification into the conventional national disability categories and whose successful progress in education necessitated special-needs assistance, e.g. dyslexia or other partial skills disorders, learning disorders, etc.



The panel of experts and rehabilitation committee may only establish a mild mental disability on the basis of the first examination of the child if the medical data sheet issued as set forth in the Annex to the Decree, the medical expert opinion and the primary assessment of skills determined in the course of a pedagogical and psychological examination unanimously come to that conclusion. In the absence of such a unanimous decision, the child continues to attend the kindergarten in the locality of his/her residence or the selected kindergarten, while a learner commences or continues his/her compulsory education in the school in his/her place of residence or the school of choice. Based on the examination, if the suspicion of a mild mental disability cannot be ruled out as a result of the examination, the panel of experts and rehabilitation committee shall form their expert opinion after the continuous monitoring of the child's or learner's progress. The term of continuous monitoring is the first educational year or school year following the examination, which may be extended by maximum one further school year in the introductory and initial phases of elementary education. The amendment of the legal rule, primarily in the case of disadvantaged children not or irregularly attending kindergarten, intended to ascertain on the basis of stringent criteria and fixed procedures whether there was indeed mental disability in the background of the symptoms observed for the purpose of preventing potentially erroneous enrolment recommendations and decisions.

Decree No. 4/2010 (I. 19.) OKM on professional pedagogical services, in force as of 1 August 2010, contains additional guarantees to ensure that the existence of special educational needs (with former terminology: disability) is only established in justified circumstances. The Decree regulates the mandatory procedure, identifies the professional content of the examination and prescribes the involvement of an equal opportunities expert in public education in the case of learners with multiple disadvantages.

No relevant statistical data is available as no records may be kept of the ethnic affiliation of learners with special educational needs. It may be established, however, on the basis of a 2004 sociological study that classes with nonstandard curriculum operated in the majority of the schools investigated and approximately one half of these have since been terminated. Most of these classes were terminated in 2007 (30%), and there has been a downward trend since. It is a major achievement that this occurred mostly in schools with a Roma majority.

## CHAPTER III

### Fulfilment of the undertakings entered into by Hungary over the past three years

Upon the ratification of the European Charter for Regional or Minority Languages, the Republic of Hungary entered into undertakings with respect to six plus two minority languages in relation to the provisions set forth in Part III of the Charter. With regard to the fact that the Act on Minorities created and passed simultaneously with the ratification to the Charter, guaranteed the individual and collective rights of minorities, including their rights related to the use of language, education and culture, with respect to the entire territory of the country, the Government decided at the time to extend its undertakings made under the European Charter for Regional or Minority Languages to the entire territory of the country. The new Nationalities Act passed in 2011 confirms the previously guaranteed rights in that respect, as well.

Hungary's undertakings made at the time of the ratification to the Charter did not extend to the languages spoken by the communities of the largest local minority, the Gypsy. **Parliament** changed this situation **in 2008** when, by virtue of Act XLIII of 2008, **it authorised the Government to extend its undertakings** under Article 2(2) of the Charter **to the Gypsy languages (Romani and Boyash).**

**Languages:** Croatian, German, Romanian, Serbian, Slovak + Romani and Boyash.

Based on the recommendation of the Government of Hungary, Parliament passed the acts on national public education and higher education and the new franchise law in December 2011, at the end of the reporting period. The new rules significantly transform the Hungarian educational system; however, these comprehensive changes will have no impact on the fulfilment of the undertakings entered into under the Charter.

### Article 8 - Education

**Paragraph 1a):**

*"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) to make available pre-school education in the relevant regional or minority languages"*

The legal framework of pre-school education is defined - besides the Act on Minorities and Act LXXIX of 1993 on Public Education (hereinafter: Public Education Act) - by Government Decree No. 137/1996 (VIII. 28.) on Issuing the National Master Programme for Pre-School Instruction, and by Decree No. 32/1997 (XI. 5.) MKM on Guidelines for Pre-School Instruction and School Education of National and Ethnic Minorities, which serve for the implementation of the provisions of the Public Education Act. On the basis of the more general context determined by the Decree on Issuing the National Master Programme for Pre-School Instruction, the Guidelines for Pre-School Instruction and School Education of National and Ethnic Minorities define the types of minority pre-schools and the contents of the education provided by them.

Pre-school minority education in Hungary takes place in two types of institutions, in mother tongue (minority language) kindergartens and in bilingual kindergartens involved in minority education. In mother tongue kindergartens, the language of kindergarten education and of kindergarten life in general is the minority language. In bilingual kindergartens providing minority education both languages, i.e. the minority language and Hungarian, are used. However, emphasis is laid on the development of the minority language.

There were no changes in the legislative conditions of pre-school education during the reporting period.

### Number of nationality kindergartens

**Table No. 12: Statistical data of the 2008/2009 school year**

Minority	Minority language		Bilingual minority	
	Number of institutions	Number of attendees	Number of institutions	Number of attendees
German	9	495	189	14,718
Slovak	4	161	44	2 323
Croatian	2	179	25	986
Romanian	-	-	9	626
Serbian	2	48	3	132
Slovene	2	57	2	13
Ruthenian	-	-	1	11
Bulgarian	-	-	1	15
Boyash			4	156
Romani			1	31
Total	19	940	298	19,894

**Table No. 13: Statistical data of the 2009/2010 school year**

Minority	Minority language		Bilingual		Supplementary minority	
	No. of institutions	No. of attendees	No. of institutions	No. of attendees	No. of institutions	No. of attendees
German	23	1,541	180	13,119	6	250
Slovak	6	279	38	2,052	7	247
Croatian	9	487	18	757	1	47
Romanian	3	195	5	366		
Serbian	4	62	3	112		
Slovene	2	61	2	18		
Bulgarian			1	18		
Ruthenian			1	9		
Boyash			3	175		
Romani			10	340		
Total	47	2,625	261	16,966	10	462

Source: Ministry of National Resources

The purpose of pre-school minority education is to prepare children for successful school attendance by consciously building on the differences and similarities between the minority culture and the majority culture. As the Ombudsman's report concerning pre-school education points out, *“if pre-schools offer the positive experience of affiliation with a minority community via the promotion of traditions, kindergartens may play an exceptional role in raising minority awareness and motivation towards learning the language.”* The ministerial guidelines on minority pre-school education mentioned at the beginning of this answer attribute equal importance to acquainting the children with the given community's culture, lifestyle, customs, traditions and material relics as well as to the development of a positive attitude to these. The Parliamentary Commissioner's investigation as well as the reports of the county government offices offer a number of implemented examples in this respect.

***Paragraph 1 a iv***

***74. What measures have the Hungarian authorities adopted to actively encourage the establishment of further minority language kindergartens and to put an end to the negative processes that emerge in Croatian, Serbian and Slovak pre-school education?***

According to the legal rules in force, participation in minority education is voluntary and is based on the initiatives of parents. The Public Education Act obliges local municipalities as the operators of institutions to assess the demand for minority kindergarten education and minority school education in cooperation with the local minority self-governments. It is fundamentally the duty of the State to make available the conditions necessary for the organisation and implementation of minority kindergarten and school education on the basis of the arising needs.

***Paragraph 1 b):***

*“to make available primary education in the relevant regional or minority languages”*

Decree No. 32/1997 (XI. 5.) MKM on Guidelines for Pre-School Instruction and School Education of National and Ethnic Minorities (hereinafter: the Guidelines) was issued on the basis of the provisions of the Public Education Act. The Guidelines determine the purpose of minority education, the method of its organisation, the types of education and the minority-specific requirements of areas of culture with relevance to minorities (mother tongue and literature and minority studies) for each language.

There were no significant changes in the legislative conditions regarding minority primary education in the past three years. The system of funding has changed in the same way as funding in pre-school education.

**Number of nationality primary schools:**

**Table No. 14: Statistical data of the 2008/2009 school year**

Minority	Minority language		Bilingual minority		Language teaching	
	No. of institutions	No. of pupils	No. of institutions	No. of pupils	Number of institutions	No. of pupils
German	2	294	29	4,235	239	42,480
Slovak	1	67	4	787	37	3,760
Croatian	-	-	5	584	24	1,550
Romanian	-	-	5	383	6	674
Serbian	3	92	1	69	1	41
Slovene	-	-	2	93		53
Greek	-	-	-	-	1	68
Ruthenian	-	-	-	-	2	56
Bulgarian	-	-	-	-	1	33
Boyash					15	979
Romani					18	1,159
Total	6	453	46	6,151	344	50,853

**Table No. 9: Statistical data of the 2009/2010 school year**

Minority	Minority language		Bilingual		Language teaching		Minority supp.	
	No. of institutions	No. of pupils	No. of institutions	No. of pupils	No. of institutions	No. of pupils	No. of institutions	No. of pupils
German	12	1,225	29	4,080	227	39,937	3	54
Slovak	3	125	4	791	37	3,559	1	79
Croatian	2	181	6	500	23	1,379	2	135
Romanian	1	124	5	372	5	545	1	43
Ruthenian					2	54		
Serbian	3	149			2	42	1	31
Slovene	1	9	2	93	2	30		
Greek	1	53			1	9	1	127
Bulgarian	1	11					1	23
Polish							1	98
Boyash					11	987		
Romani					15	932		
Total	24	1,877	46	5,836	325	47,474	11	590

Source: Ministry of National Resources

**Paragraph 1b iv**

**82. What measures have the Hungarian authorities adopted in the interest of actively assisting the establishment of further bilingual primary schools?**

The relevant legal rules permit the establishment of minority language schools and minority bilingual schools based on the parents' needs.

In cooperation with the national minority self-governments and the National Committee for Minorities, the ministry responsible for education adopted a medium-term development programme in 2004. One of the most important objectives of the development was to achieve a shift towards bilingual education. Accordingly, differentiated normative supports for nationalities were determined (in the case of nationality bilingual and nationality education in mother tongue, the normative support is approximately one and a half times that of nationality language teaching), and as of 2005, nationality language and bilingual schools are eligible for priority aid from the allocation earmarked for nationality educational duties in Annex No. 5 to the Budget Act, subject to the conditions determined in the decree of the minister responsible for education.

Partly thanks to the measures above, in recent years several schools teaching Romanian, Croatian, Slovene and German have changed over to nationality bilingual education. It is an interesting fact that there is not a single pupil in the Vas County Szentpéterfa Bilingual Primary School whose parents did not request nationality education; consequently, **there is no education provided exclusively in Hungarian in the institution.** A ministerial decree of 1989 permitted the institution to adopt the Croatian dialect of **Gradistye** (= Western-Hungary = Burgenland) as the main language of education; though, at the same time, by the end of the 8th grade every pupil must also learn the **literary language**. Textbooks for this type of education are also available. In the 2009/2010 school year, bilingual education extended to the 7th grade. In addition to physical education, nature studies, drawing, music and life and technology skills already introduced in the first grade, history, country and culture, drama, geography and ethics, too, were incorporated into the system of minority language education in the upper four grades of primary school.

In the course of its 2011 nationality primary school investigation, the Education Office found that the number of classes with bilingual education was substantially higher in the lower grades (grades 1 to 4); therefore, an expansion in bilingual education in the upper grades is expected in the years to come. If the necessary conditions prevail, it is possible to change over to bilingual education also from other forms of language teaching. There was a change in the form of language teaching already in the lower grades in 5 institutions teaching German and 1 institution teaching Romanian and Slovene.

***Paragraph 1 c):***

*“to make secondary education available in the relevant regional or minority languages”*

Similar to the provisions relating to the organisation of minority kindergarten and minority primary education, pursuant to the Act on Minorities and the Public Education Act, the organisation of secondary education must also be initiated by the parents of 8 students. As a consequence of the fact that minorities in Hungary are scattered regionally, secondary schools with regional or national enrolment, mostly four-grade secondary grammar schools providing general education, were established in the decades before. In the course of the continuous transformation of the educational system, secondary school requirements concerning minority language, literature and minority studies were imposed, to be followed by minority secondary school framework curricula. Similarly to the provisions relating to elementary schools, these were amended parallel with the latest reform of public education.

There has been no change in the legislative conditions of minority secondary education since the previous report.

**Number of nationality secondary schools (in a breakdown by form of learning)**

**Table No. 10: Statistical data of the 2008/2009 school year**

Minority	Grammar school Minority language/Bilingual		Grammar school Language teaching		Secondary school Language teaching	
	Number of institutions	No. of students	Number of institutions	No. of students	Number of institutions	No. of students
German	8	1,938	7	518	2	229
Slovak	2	105	-	-	-	-
Croatian	2	222	-	-	-	-
Romanian	1	189	-	-	-	-
Serbian	1	118	-	-	-	-
Greek	-	-	1	173	-	-
Slovene		22	1	2	2	12
Bulgarian	-	-	1	12	-	
Boyash	-	-	4	317		
Romani	-	-	12	1,430		
Total	14	2,594	26	2,452	6	241

Source: Ministry of National Resources

**Table No. 11: Statistical data of the 2009/2010 school year**

Minority	Grammar school Minority language/Bilingual		Grammar school Language teaching		Secondary school Language teaching	
	Number of institutions	No. of students	Number of institutions	No. of students	Number of institutions	No. of students
German	11	2,021	7	481	5	239
Slovak	2	89	-	-	-	-
Croatian	2	222	-	-	-	-
Romanian	1	168	-	-	-	-
Serbian	1	120	1	13	-	-
Greek	-	-	1	155	-	-
Slovene		26	1	25	1	11
Bulgarian	1	23	1	23	-	
Boyash	-	-	2	165		
Romani	-	-	9	1,112		
Total	18	2,669	21	2,031	6	250

Source: Ministry of National Resources

**Paragraph 1c iv**

**90. What measures have the Hungarian authorities adopted in the interest of actively promoting the establishment of additional bilingual secondary schools?**

As indicated in the section above, parents may also request the organisation of nationality language and nationality bilingual secondary education. It must be noted that the vast majority of nationality secondary schools are bilingual. The Serbs, Croatians, Romanians and Slovaks have only bilingual secondary schools; there are institutions teaching the given nationality

languages in the case of the German, Slovene and Roma minorities. The differentiated normative support outlined above and the priority aid system also apply to bilingual nationality secondary schools.

In order to increase the number of students attending the existing Slovak grammar schools in Békéscsaba and Budapest, a business association of the National Self-Government of Slovaks, Legatum Kft. established the “For Slovaks in Hungary” non-profit foundation whose scholarship programme assists this process also financially amongst primary school pupils. The foundation was awarded HUF 3 million in 2008 and 2009, HUF 4.1 million in 2010 and HUF 4.5 million 2011 in state aid for this purpose.

**Paragraph 1 d):**

*“to make vocational secondary school and trade school education available in the relevant regional or minority languages”*

**Paragraph 1d iv**

**96. What measures have the Hungarian authorities adopted to create/increase the possibility of learning the languages protected under Part III in vocational secondary school and trade school education as an integral part of the curriculum?**

The same statutory background applied to education in specialized schools, as well. For the introduction of nationality language education or nationality language teaching, it is sufficient for the parents of 8 students of minority origin to request the establishment or maintenance of a separate group or class. In recent years, based on the parents’ needs, minority language education has also begun to extend to trade and vocational education due to improving economic relations, increased trade and tourism and free movement between countries.

There has been no change in the conditions of nationality vocational secondary school education since the previous report. Data concerning of vocational secondary schools have been presented in the part concerned with paragraph 1 c).

**Number of specialized schools for nationalities**

**Table No. 12: Statistical data of the 2008/2009 school year**

Minority	Specialized school Language teaching	
	Number of institutions	Number of students
German	2	168
Slovak	-	-
Croatian	-	-
Romanian	-	-
Serbian	-	-
Greek	-	-
Slovene	1	1
Bulgarian	-	-
Boyash		
Romani		
Total	3	169

Source: Ministry of National Resources



**Table No. 13: Statistical data of the 2009/2010 school year**

Minority	Specialized school Language teaching and bilingual	
	Number of institutions	Number of students
German	1	142
Slovak	-	-
Croatian	-	-
Romanian	-	-
Serbian	-	-
Greek	-	-
Slovene	2	2
Bulgarian	-	-
Boyash		
Romani		
Total	3	144

Source: Ministry of National Resources

**Paragraph 1 e):**

*“to make available university and other higher education in regional or minority languages”*

No independent minority higher education institution has been established in Hungary recently. The reason is still not the lack of the relevant statutory background but the numbers and scattered geographical location of minorities. Institutions of higher education continue to offer teacher training courses in nationality languages and literature, with the exception of Armenian and Ruthenian.

Act CXXXIX of 2005 on Higher Education transformed the structure of higher education in Hungary into a multi-cycle educational system, on the basis of which Bachelor's, Master's and Doctoral degrees may be awarded. Teacher qualifications can only be obtained in Master's courses. Institutions of higher education could launch education courses only in the above system as of September 2006.

All minority language specializations, with the exception of Armenian and Ruthenian, have obtained accreditation in Bachelor's training as well as in Master's courses providing teacher qualifications.

Pursuant to Section 128(1), subsection h) of the Higher Education Act, the ministry responsible for education has invited an invitation-based tender for the first time since 2006, with the purpose to support courses with a small number of students that undertake to preserve cultural and linguistic diversity and to emphasize its values. Applications may be submitted for the subsidisation of courses with a small number of students suited to the purpose of the tender, in both education cycles of the multi-cycle education model, in Bachelor's courses in Slavic Studies, Ancient Languages and Cultures, Germanic Studies, Oriental Languages and Cultures, Romance Studies and Romology, in the nationality specialization of these courses, and in nationality training with a small number of students, launched in any of the Bachelor's courses in teacher and kindergarten teacher for the purpose

of the improvement of the professional standards in education and the promotion and development of the necessary infrastructural, personal and operating conditions.

Romani language training is conducted in 5 institutions of higher education (University of Pécs, University of Debrecen, Faculty of Teacher Training at the University College of Nyíregyháza, Apáczai Csere János Faculty at the University of West Hungary, Tessedik Sámuel College Faculty of Pedagogy, and Kaposvár University), while courses in the Boyash language are available in 2 institutions (University of Pécs and Kaposvár University). There is Romani language training in the Apor Vilmos Catholic College in Vác.

In 2008, HUF 4 million in aid was provided for the implementation of 4 in-service teacher training programmes (with the participation of 120 persons), while in 2009 aid of the amount of HUF 1,125,000 was granted for the implementation of 1 in-service teacher training programme (35 persons) in the field of Roma higher education.

In 2008, 4 applicants were awarded HUF 4 million for the implementation of research designed to assist the teaching of the Romani and Boyash languages and Roma studies, while in 2009, 6 applicants received aid of the amount of HUF 3.5 million for the same purpose.

***Paragraph 1 f):***

*“to arrange for the provision of adult and continuing education courses which are taught mainly or wholly in the regional or minority languages”*

***Sub-paragraph 1f iii):***

***99. What measures have the Hungarian authorities adopted to create and fund an appropriate continuing education and vocational training framework system for the education of minority languages and to actively popularise the same?***

There was no significant change in the system of adult training in the past three years. The Education Office registered a satisfactory in-service training participation rate, in excess of 50% in the majority of cases, amongst teachers working in the primary schools of various nationalities. In some cases, the rate of teachers attending language training reached 80% (e.g. Croatians); in several instances, training in the homeland (Romanian, Greek, Polish), in other cases, internal training (Gypsy), while elsewhere linguistic methodological training (Serbian) dominated. Some Gypsy teachers complained about the lack of continuing training.

A positive example from Zala County is that two cultural institutions (the Irka Adult Training Service Bureau in Nagykanizsa and the Culture Centre of Zalakomár) attained accreditation for adult training from EU funding during the reporting period. There are also individuals of Roma origin amongst the beneficiaries of the free courses. The former institution also launched a 160-hour Boyash language course, as a result of which 9 persons successfully passed their language examinations; this was the first initiative of this nature in Nagykanizsa.

***Paragraph 1 g):***

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

In addition to language teaching, the learners of the given nationality community acquire the essential elements of their own history and culture through the teaching of minority studies.

The Education Office reports on the basis of its investigation that while nationality studies may also be taught as a separate subject, e.g. in the case of the Germans, it is integrated into the curriculum of language and literature, history and skills-related subjects. In the case of the Croatians, nationality studies are integrated into the language classes in grades 1-4 and into several subjects in grades 5-8. Gypsy and Slovak nationality studies constitute a fully or partially independent subject in the schools of the communities concerned. Romanians learn about their culture and traditions in the form of tradition promoting workshops, in addition of the subject of nationality language and literature.

***Paragraph 1g***

***102. Information concerning what is taught about the culture and history reflected by minority languages in the education of those not speaking minority languages.***

Government Decree No. 243/2003 (XII. 17.) on the Development, Introduction and Implementation of the National Core Curriculum (“NCC”) prescribes that information on the history and culture of minorities living in Hungary shall be provided in the teaching materials of Hungarian public education. The NCC defines the following as common values in school education: *“...knowing the country and its broader surrounding area, the Carpathian Basin, being familiar 'with national traditions, and developing a national identity, including the preservation and maintenance of the identity of the members of the country's nationalities and minorities. Students on all levels of school education shall get acquainted 'with the life and culture of the minorities that live in Hungary. At the same time, the NCC defines the development tasks and focuses on those European and humanistic values and contents that strengthen our identity as Europeans.”*

These teaching materials appear in Hungarian majority education in the Man and Society cultural studies, and as of the 5th grade of elementary school, in the subjects of country and culture, history and civic studies. Within the framework of the regulation concerning the educational outcome, these materials appear on every level as knowledge to be tested and naturally, the secondary school final examination requirements also include knowledge related to the history and culture of minorities.

Non-Gypsy learners also study the subject of Gypsy studies in grades 1-6 as an optional subject based on the parents’ declaration.

***Paragraph 1 h):***

*“to provide the basic and further training of the teachers required to implement those of paragraphs a) to g) accepted by the Party;”*

***Paragraph 1 h):***

***105. What firm measures have the Hungarian authorities taken to increase the number of teachers who also teach their subjects of specialisation in a minority language?***

In the field of national and ethnic minority education, Hungarian higher education provides for the training of nationality kindergarten teachers, nationality teachers in the lower grades of elementary school and elementary and secondary school teachers of nationality languages and literature at the existing minority teacher training facilities. At the same time, there is increasing need for teachers teaching general subjects in minority languages in bilingual and minority language education. Therefore, the further training of these teachers with a view to

the specific terminology of the given subject became one of the most important tasks of the recent period.

Tenders invited by the ministry responsible for education also assist the specific language training of practising teachers in teaching in minority languages. The essence of the subject-specific training courses identified by the ministry is to provide minimum 40 hours of theoretical training and 40 hours of class observation in the homeland per semester for practising teachers teaching general subjects in minority languages in bilingual or nationality language schools on the basis of a direct agreement concluded by and between the higher education minority department or national minority self-government participating in the tender and the institution of higher education in the homeland.

The quality of nationality education is greatly improved by the assistance received from the homelands of nationalities. Consequently, it is important to meet the obligations concerning minorities in Hungary determined in the bilateral inter-ministerial action plans. The ministry responsible for education attempted to ensure that the bilateral inter-ministerial agreements should offer Hungarian scholarship opportunities for full-time training in the homeland to young people belonging to nationalities and living in Hungary, should create opportunities for part-training and doctoral training, linguistic methodological and area-specific language training for practising teachers, should enable nationality children to attend programmes in the homeland and should create opportunities for receiving native revisers and guest teachers and importing textbooks and methodological aids from the homeland.

In the past three years the ministry responsible for education also provided for the linguistic and professional further training of teachers teaching in minority schools within the framework of tenders.

The results of the 2008-2010 tenders are displayed in the tables below:

**Table No. 14: Aid provided for in-service nationality teacher training in 2008**

<b>Minority</b>	<b>Number of tenders</b>	<b>Amount of aid, HUF in 000's</b>
German	10	10,840
Serbian	1	2,100
Croatian	1	2,000
Roma	4	4,000
Slovene	1	900
<b>Total:</b>	<b>16</b>	<b>19,840</b>

**Table No. 15: Aid provided for in-service nationality teacher training in 2009**

<b>Minority</b>	<b>Number of tenders</b>	<b>Amount of aid, HUF in 000's</b>
German	5	3,757
Serbian	2	3,150
Romanian	1	1,040

Roma	1	1,250
<b>Total:</b>	<b>9</b>	<b>9,197</b>

**Table No. 16: Aid provided for in-service nationality teacher training in 2010**

Minority	Number of tenders	Amount of aid, HUF in 000's
German	2	1,794
Serbian	2	1,600
Croatian	1	1,000
<b>Total:</b>	<b>5</b>	<b>4,394</b>

Source: Ministry of National Resources

**Paragraph 1 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.”*

**Paragraph 1i**

**108. What measures have the Hungarian authorities adopted to create a mechanism that serves for the monitoring of the measures taken and the progress achieved in the field of the teaching of the languages under Part III and to draw up periodic reports of their findings?**

Minority education is implemented under the strict supervision of the communities concerned as minority self-governments have, in every instance, the right of consulting in respect of issues related to minority education and the right of consent in respect of the content of educational issues and at local levels. The Public Education Act also provides for the operation of the National Committee for Minorities which, in addition to acting as a professional consulting board for the minister of education on issues concerning minority education, also has the right of consent in this area. Naturally, each of the 13 national minority self-governments delegates one member to the National Committee for Minorities as the collective concept of national and ethnic minority education covers a variety of different needs related to the education of the given national and ethnic minorities with very different minority-specific features.

This system creates an appropriate means for minorities in Hungary to monitor the progress of nationality education and to influence statutory and financial changes and other measures concerning nationality education on their merits, in accordance with their specific interests.

The Act on National Public Education transforms the public education system in Hungary. Pursuant to Section 74 of the Act, effective as of 1 September 2013, the educational responsibilities of local municipalities shall be reduced; local municipalities will only be responsible for kindergarten education, while public education in the school system shall become a state responsibility. The new legislation does not curtail nationality educational rights but provides further guarantee elements.

Pursuant to the Act on National Public Education, depending on the decision of their parents or legal guardians, children forming part of nationalities may attend nationality mother tongue, nationality bilingual, nationality language teaching or Roma nationality public education. The Act lays down that the State supports the application of languages used by nationalities in nationality public education regardless of the operator of the given institution. The legislation further lays down, simultaneously determining applicable conditions, that the excess costs of nationality public education are covered by the State, the educational institutions of nationalities are financed in the same way as church institutions and nationality language education or mother tongue education may be conducted in nationality kindergartens, schools, school classes or groups, based on the given local opportunities and needs. The Act also establishes the rules which ensure the continuity of any form of education already commenced at the time of the entry into force of the new legislation.

According to the Act on the Rights of Nationalities passed in 2011, if a rule of law provides the right of consultation or right of consent for a nationality self-government in the adoption of a decision related to public education, the given nationality self-government has thirty days to issue a statement on its position, unless a legal rule provides otherwise. If the nationality self-government does not grant its consent and an attempted consultation between the interested parties conducted by the Commissioner for Fundamental Rights fails to yield a result within fifteen days, the Commissioner for Fundamental Rights decides on the granting or refusal of such consent.

Additionally, it shall be noted that national self-governments as the Government's strategic partners are given the opportunity, within the framework of state administration consultations, to review and deliver opinion on the most important draft legal rules also concerning minorities before the passage thereof.

The above mechanisms provide for institutional opportunities, in addition to day-to-day local administrator-level relations, to ensure that the various measures, contemplated statutory changes and planning tasks are implemented in the light of the views of the minorities concerned.

**Paragraph 2:**

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

Section 86(5) of the Public Education Act provides for the organisation of *supplementary minority education* as of 1 September 1999. The practical implementation of this provision began in the 2004/2005 school year. The new form of education based on this provision allows minority communities living in scattered geographical locations and in small numbers in Hungary to organise education of the mother tongue as part of and to the same standards as the Hungarian public education system. Supplementary minority education only extends to the teaching of the nationality language and nationality studies, and learners meet their study obligations in other institutions of public education. At the same time, a certificate may be issued of the completion of studies in minority languages and literature and minority studies. As mentioned in the earlier report, such supplementary education was organised at the initiative of the National Croatian Self-Government in Kőszeg where Croatians did not originally live in large number. However, as the consequence of migration in recent years, the

demand for the education of the Croatian language emerged and reached the level where education may operate in this form. Any minority may avail themselves of this option if the number of initiatives filed by parents does not reach 8, the number necessary for the organisation of full-time minority education in the normal school system.

The Act on the Rights of Nationalities lays down that the board of representatives of a local municipality may only adopt a decision on issues concerning the nationality rights defined in the Act, in particular, collective use of language, education, fostering of traditions and culture, local press, equal opportunities, social inclusion and social services, where the decision concerns the nationality population in that capacity, with the agreement of the local nationality self-government representing that population or, in the absence thereof, with the agreement of the regional nationality self-government.

The Act on National Public Education entering into force on 1 September 2012 stipulates as an important organizing principle that proper educational interests corresponding to the cultural autonomy of nationalities must be enforced in the course of the statutory regulation of education, the determination of the structure and content of educational activities and the monitoring of these activities. The legislation prescribes an obligation of cooperation between the bodies obliged under the Act to fulfil these duties and nationality self-governments in the assessment of needs for nationality kindergarten and nationality school education and the organisation thereof. Nationality governments may continue to take part in the implementation of state duties related to the education of those forming part of nationalities; may establish, operate and take over institutions of public education.

The Act on National Public Education further extends nationality educational rights; it prescribes that boarding facility education must be provided for learners attending nationality education. As a result, nationality learners in whose immediate residential vicinity there is no nationality language or bilingual education may also have access to nationality education.

Educational responsibilities fulfilled in institutions by church and nationality self-government operators are funded from the central budget on the basis of the general rules governing state-operated institutions with the application of the same rate. Church and nationality institutions are also eligible for supplementary aids for their operating costs in accordance with the laws relating to churches and nationalities.

**Further questions submitted to the Government of Hungary with regard to Article 8 on Education (questions not related to the items of commitments)**

***66. Please, inform the Committee of Experts about the measures taken with regard to calling parents' attention to the values of and opportunities related to bilingual education. Also consider the possibility for competent authorities to give an information package for the parents of newborn babies about the available opportunities of education in the mother tongue or bilingual education in the given minority language.***

As stipulated by legislative regulations, local and minority self-governments are obliged to cooperate in surveying the demand for minority education and in the organization of such education. Effective legal regulations enable that at the initiative of at least eight parents forming part of the same minority, the operator shall organise minority kindergarten education and minority school education. At the initiative of fewer than 8 parents there is also an opportunity to organise supplementary minority education.

Legislation enables the provision of mother-tongue and minority bilingual education in line with the needs of parents. In 2004, the ministry responsible for education, in cooperation with the national minority self-governments and the National Committee for Minorities, accepted a medium-term development programme. The programme defined the following major tasks:

- To renew the content and framework of nationality education, in accordance with the amendments of the National Core Curriculum.
- **To contribute to the improvement of the quality of education in the mother tongue with the harmonisation of the legal and financial conditions of the education of national and ethnic minorities. To contribute to the preference of bilingual and education exclusively in the mother-tongue with the differentiation of funds.**
- To continue with the textbook development and translation programme necessary for nationality education; to prepare the development of nationality education programmes (teaching aids, textbooks, general curricula, and related in-service training of teachers) in the framework of the New Hungary Development Plan (NHDP). To guarantee free access to textbooks of nationality education with the transformation of the supply system.
- To continue the in-service training of teachers whose mother tongue is the given minority language, with special emphasis on providing for the staff necessary for teaching general subjects in the mother tongue.
- To provide for the conditions of national and ethnic minority education for those national and ethnic minorities that previously did not have such opportunities.
- To counterbalance the disproportionately high maintenance costs of nationality public educational institutions that operate in localities with a population under 1,100.

One of the major objectives of the development programme was to facilitate a shift towards bilingualism. In accordance with this, the differentiation of normative support for nationalities was implemented (for nationality bilingual education or education in the mother tongue, the amount of normative support is approximately 1.5 times the normative support given for schools providing minority language teaching). Since 2005, schools offering bilingual education and education in the nationality mother tongue have been eligible for priority aid



from the budget earmarked for nationality education in Annex No. 5 of the Budget Act, under the conditions specified in the decree of the minister responsible for education.

As a result of the above measures, as well, several schools providing minority language teaching of the Romanian, Croatian, Slovenian and German languages have switched over to bilingual education.

**66. What measures were taken by the Hungarian authorities with regard to:**

***- improve the financial situation of education in minority languages at all levels of the educational system?***

It evidently follows from the demographical conditions of the minority population that the number of pupils in institutions of national and ethnic minority education is typically low. As of 2000, the Budget Act has an allocated budget which can be used by minority school operators via tender for the operation of, in particular, mother tongue and bilingual schools. The measure aims at the independent operation of mother tongue and bilingual schools despite the low number of pupils so that the bilingual character of the institution is sustained.

Since 2006 this allocated budget has increased substantially, and institution operators, in addition to the operation of schools, could request support for the acquisition of nationality textbooks, the use of professional pedagogical services and for the execution of public educational tasks as provided for in the recommendations of bilateral minority joint committees, thus improving the level of minority education. As from 2007, mother tongue programmes in the homelands were also eligible for support.

To sum up, it can be concluded that the operators of institutions that participate in nationality education can rely on other supplementary aids besides basic and supplementary aid and support granted on the basis of differentiated normative support for nationalities. Schools offering bilingual education and education in the mother tongue received priority aid, while those nationality kindergartens and schools providing minority language teaching that operate (regardless if independently or as member institutions) in localities with fewer than 1,100 inhabitants, and are among those institutions most in need of such support, could receive additional operating grant.

***- provide the necessary financial support for schools that offer education in the mother tongue or bilingual education and have been taken over by minority self-governments?***

As previously reported, the National Self-Government of Germans in Hungary, the National Self-Government of Slovaks and National Croatian Self-Government took over the maintenance of 2 (Pécs, Pilisvörösvár), 3 (Szarvas, Békéscsaba, Sátorajújhely) and 1 (Hercegszántó) public educational institutions, respectively. In 2011, the National Self-Government of Romanians in Hungary and the National Self-Government of Serbs in Hungary took over the maintenance of the Romanian and Serb schools in Battonya, respectively. In addition, the National Croatian Self-Government and the National Self-Government of Greeks in Hungary initiated the takeover of the Croatian school in Pécs and the primary school offering Greek language classes in Beloianisz, respectively. As stipulated by legislative regulations in force, both events will take place as of 1 July, 2012.

As specified in the public education agreement concluded with the minister responsible for education, the above-mentioned schools are eligible for minority operator's supplementary aid in addition to the basic and supplementary aids and the normative support for nationalities, provided for by the Budget Act. They may also apply for further supplementary aid from the budget earmarked for Item 3 of Article 2 of Title 20 of the Chapter XX. Ministry of National Resources, as specified in Section 42(1) of the Act on the 2011 Budget. The conditions of application are similar to those specified for local governments.

Moreover, the national Bulgarian, Polish and Greek self-governments also maintain complementary minority schools that are eligible for normative support as well as supplementary aid on the basis of the public education agreement concluded with the minister responsible for education.

Currently, the National Roma Self-Government does not maintain a public educational institute; however, during the reporting period it gathered information concerning the possibility of establishing or taking over a Roma public educational institution.

***- accelerate the publication of textbooks for teaching in minority languages at all levels of the education system?***

As specified in the Act on Minorities, textbooks for nationalities shall be provided by the state. These are textbooks produced in a small number of copies. Market conditions are not applicable to them; state funds are needed for their development and printing.

Textbooks on nationality languages, literature and minority studies are developed and general textbooks in nationality languages are translated according to development and translation plans agreed upon with the minority self-governments, as afforded by the available professional capacities and financial resources. Efforts are being made to have at least one textbook per education type and grade available.

Previously, publishing houses were directly eligible for state funds. Since 2006, the operators of nationality schools have received the consideration of nationality textbooks ordered from the publishing houses from the budget allocated for nationality tasks under Annex No. 5 of the Budget Act. Schools use these textbooks as permanent textbooks for 4 years. As a result of the measure, the amount of the annual support has decreased (the reprint of textbooks need to be financed only in every 4 years). Pupils can use nationality textbooks free of charge; they have to pay only for workbooks and for textbooks with exercises.

The process of separating nationality textbooks with exercises into textbooks and workbooks has continued. In 2009, 6 nationality textbooks underwent such a process, with an expenditure of HUF 24 million. The translation of 4 textbooks into minority languages has been ordered for HUF 7.4 million. In 2010, grant contracts were concluded for the separation of 10 nationality textbooks with exercises into textbooks and workbooks. The ministry responsible for education spent HUF 32 million on performing these tasks.

Since 2009, European Union funds have also been allocated to the development of nationality textbooks and partly to the translation of general textbooks and education programmes into minority languages. Nationality educational institutions and consortia of national minority self-governments were eligible for submitting applications for the call for proposals under

3.4.1. Supporting the Education and Teaching of Migrant and Nationality Students of the Social Renewal Operational Programme (SROP). The call for the first round was published in early May, 2009 with a financial allocation of HUF 250 million. The applicants made a commitment to implement the developments by the end of 2011; therefore, detailed information on the results shall be provided in the next report. For the developments amount ranging between HUF 28-35 million were available per applicant.

The next round is expected to take place in 2012, with a total amount of approximately HUF 1,200 million. The objective of this call for proposals is to improve the quality of nationality education and to enhance competency-based education. As a result, programme packages of nationality education shall be implemented containing curricula, guides for pupils and teachers, framework curricula, printed and digital textbooks and related in-service trainings for teachers.

Several nationalities use minority education textbooks of the homeland (Ruthenians use textbooks from Slovakia). Quite often, permanent textbooks acquired for libraries are used in education.

***- organise the transport of the pupils of schools that have been closed or merged?***

Undoubtedly, safe transport needs to be guaranteed for those pupils who commute because their schools have been closed or merged with other institutions. Tenders for the purchase of school buses and village caretakers' buses served this purpose.

However, it is highly important for children attending kindergartens or the first 4 grades of primary school to have the opportunity to complete their compulsory education locally. New regulations that are under preparation specify that kindergartens and the first 4 grades of primary schools should operate locally, while education in the 5th and higher grades should be organised with a view to cost efficiency. In order to make the required kindergarten quota available, a kindergarten development programme is expected to be published in 2012 within the framework of the Széchenyi Programme II, with access to EU funds.

A considerable part of the Roma population lives in counties in North Hungary, East Hungary and South Transdanubia. Their ratio is exceptionally high in small localities. In certain small regions there is a perceptible trend of the working-age majority population leaving the region and the Roma moving into the empty residential buildings. In the schools of such localities, the proportion of Roma pupils is growing. The Roma population makes up a society with a decreasing average age. However, current educational and financial indicators (low qualification, unfavourable social circumstances, deteriorating state of health, high unemployment rate) show that Roma people are on the periphery of society and for their successful integration the education of young generations needs to be improved considerably. For this reason, it is a primary objective to avoid the closure of schools in localities with a small number of inhabitants, so that children do not have to attend schools far from their homes and local teachers could work with pupils more intensely, possibly in merged groups with few pupils.

The ministry responsible for education published a call for proposals for the use of HUF 300 million aid earmarked under Article "The re-start of small schools" of Title "Promotion of Public Education Tasks" of Chapter XX "The Ministry of National Resources" of Annex 1 of Act CLXIX of 2010 on the 2011 Budget of the Republic of Hungary. The objective of the

tender: In localities with an area of competence of 3,000 inhabitants or less where the primary school was terminated, the parents may submit a written application to demand the re-opening of the school so that children could be provided education and teaching locally at least in the 1-4<sup>th</sup> grades.

Those local self-governments, or in case of institutional associations self-governments of the locality where the seat of the association is registered, and multi-purpose small region partnerships could apply for the support which had a territory with a population of 3,000 or less (or those associations whose member self-government had a territory with 3,000 or less inhabitants), provided that they undertook to re-launch of full-time education from the academic year 2011/2012 for grades 1-4 as member institutions in the existing school buildings owned by the self-government, or for 8 grades in separate schools.

Granted support should be used for the costs of the re-start and organisation of primary school education and teaching, including

- the reconstruction of the school building
- the provision of personnel needed for operation
- the acquisition of items specified in the list of obligatory equipment and devices
- the acquisition of other professional tools or school equipment needed for the activities defined by the pupils and teachers in the pedagogical programme
- the non-personnel costs of operation.

The amount of aid to be granted was HUF 30 million per applicant. The applicants were obliged to meet the minimum requirements of staff and equipment specified by legislation for institutions of public education. Applicants could use the funds awarded exclusively for re-opened institutions or member institutions. During the consideration of the applications, the following applicants had an advantage:

- those in the possession of lasting own resources to guarantee the sustainability of operation
- those with an operating kindergarten in supported localities
- those that organised primary school education for grades 1-4 within the framework of an association
- those with a number of pupils that rendered the launch of several grades possible and where classes operated at least with an average number of pupils
- those associations maintaining an institution of public education whose members include a self-government enlisted among disadvantaged localities
- those local self-governments maintaining an institution of public education and in whose area of competence (in case of associations, in the area of the member self-government) the ratio of children with multiple disadvantages to the total number of children reaches 25%.

***- actively promote minority language education among parents and pupils?***

In many cases, institutions that offer education and teaching for national and ethnic minorities have to achieve contradictory objectives and meet contradictory demands. On the one hand, such institutions, similarly to all educational institutions, shall contribute to the development of the pupils' personality, their acquisition of major skills and knowledge while, on the other hand, as institutions teaching minority languages and cultures they must function as

workshops of ethnic socialisation. They must serve the reinforcement of the linguistic-cultural boundaries of minorities, while enhancing their integration into mainstream society. The accomplishment of these objectives requires the creation of special educational conditions.

In this respect, reinforcing measures taken in the field of the education of national and ethnic minorities are based on a double foundation: on the existing minority legislative system and on the intention to overcome the disadvantages faced by pupils belonging to certain minorities. Although the positive approach to minority law is not based on compensating for disadvantages, the Act on Minorities also contains such elements, for instance, when it stipulates that special conditions may be created for the education of Roma pupils. Reinforcing measures fall into two categories: representative measures (quotas) and measures aimed at development. Measures of the former type are not adopted in Hungary; though the latter type have already been integrated into all major subsystems of public education. The system of financing, the system regulating legal matters and content, the system of examinations, the conciliation mechanism, the training and in-service training of teachers and the system of pedagogical development and service contain such rules and elements of “positive discrimination”.

In conformity with the Act on Minorities and the Constitution, the Act on Public Education guarantees the right for education in the mother tongue for persons forming part of a minority and at the same time prohibits any exclusion or negative discrimination of these persons. As stipulated by the Act, parents concerned may decide on the type of kindergarten education or school education or teaching their children will participate in.

Similarly to majority education, minority education is organised by local self-governments. The institutions of minority education do not form a separate, autonomous system of institutions. The Acts on Minorities guarantees the right of establishing and maintaining institutions for minority self-governments, along with all education-related rights stipulated by the Act on Minority Rights. Accordingly, minority self-governments have the right of consent with regard to all decisions related to minority education, may request information, initiate measures, make proposals, object practices or measures that infringe minority rights, and national minority self-governments may survey the demand for the teaching of the given minority language in localities inhabited by the minorities concerned.

Several tools are used in practice for raising awareness of the teaching of minority languages. For example, in Vas County several educational institutions organise school open days and presentations for children and parents before the admission. Reports have been made on parent-teacher meetings where language teaching was promoted, on summer camps, post-curricular activities and publications introducing a school in Békés County. Minority self-governments participated in surveying the demands in several cases.

With regard to this type of promotion, the Minorities’ Ombudsman criticised institutions for disclosing information on their minority education programmes on their websites or leaflets in manner that it is not evident for interested parties that only children belonging to minorities are eligible for minority education. Institutions offering minority education are obliged to meet all lawful demands of the minority first, and may admit children who require non-minority education-teaching only if they have unfilled vacancies. According to the investigations conducted by the Parliamentary Commissioner, the information offered by the school is often only verbal, not general in nature, and targeted exclusively at parents who may enrol their children in the given school, does not offer a neutral introduction but is often

intended to convince or dissuade parents, which, in many cases is a result of financial considerations and of the intention to promote the budgetary security of the institution.

## **Article 9 – Judicial Authorities**

As mentioned above, individuals and communities using minority languages live all over the territory of the country, so they may exercise their rights irrespective the fact that they constitute a large group or are scattered. Currently, the Hungarian judicial bodies operate at national, county, capital and local level; that is, minority rights related to language use are guaranteed in every region.

### ***Paragraph 1***

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

*a) in criminal proceedings:*

*(i) to guarantee that judicial authorities, at the request of either Party, shall conduct the court proceedings in regional or minority languages and/or*

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

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

*(iv) to produce, on request, documents connected with legal proceedings in the relevant regional or minority language, if necessary through the use of interpreters and translations at no extra expense for the persons concerned.*

In conformity with the commitments specified in the subsections of the paragraph, Act XIX of 1998 on Criminal Procedure (hereinafter: Criminal Procedure Act) harmonised the order of criminal proceedings and the provisions of the Language Charter on 1 July 2003. Pursuant to Section 9(2) of the Act, the police guarantees for all citizens that *“in criminal proceedings every person may use his/her mother tongue, his/her regional or minority language in speech and in writing, based on an international agreement promulgated by law, in the scope determined therein, or – in case the person does not speak the Hungarian language – he/she may use another language designated by him/her as the language spoken”*.

With regard to the use of the mother tongue, the Criminal Procedure Act (Section 9) stipulates that the language of court proceedings is Hungarian. However, no person shall bear disadvantage due to having no command of the Hungarian language. As specified in Section 114(1) of the Criminal Procedure Act, if in criminal proceedings a person chooses to use his/her mother tongue, his/her regional or minority language in speech and in writing, based on an international agreement promulgated by law, an interpreter shall be employed. As stipulated by of Section 339(2) of the same Act on the bearing of the costs related to the proceedings, the costs that incurred with regard to the accused person using his/her regional or minority language shall be borne by the state.

The use of the mother tongue during verbal acts of the proceedings is guaranteed with the use of an interpreter. The rules on the use of the mother tongue must be applied from the launch of investigations onwards. On the basis of Section 2a) and b) of Law Decree 11 of 1979 on the execution of penalties and criminal measures, the convicted person has the right to be informed about his/her rights and obligations in his/her mother tongue or in another language he/she has a command of; he/she may not suffer disadvantages for not speaking the Hungarian language; and he/she has the right to use his/her mother tongue during the enforcement of the penalty, as well. Twice a month, law enforcement prosecutors examine if the above-mentioned legal provisions are given effect to. As evidenced by examinations, the practice followed by detention institutions provides for the use of regional or minority languages, states the General Prosecutor's Office in its information note attached to the periodical report.

For example, detention institutes make efforts to place an inmate who speaks a minority language near another inmate who has a command of the given minority language and the Hungarian language, as well. Officials of detention organisations receive language allowance for the command of e.g. the Bulgarian, Croatian, Polish, Romani, Boyash, Romanian, Serbian, Slovak, Slovene or Ukrainian languages. Culture and history as reflected by minority languages and intercultural studies form a part of the curriculum of the Police College of Hungary.

*1b) In civil proceedings:*

*(i) to guarantee that judicial authorities, at the request of either Party, shall conduct the court proceedings in regional or minority languages and/or*

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

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

*c) in proceedings before courts concerning administrative matters:*

*(i) to guarantee that judicial authorities, at the request of either Party, shall conduct the court proceedings in regional or minority languages, and/or*

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

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

*d) to take measures to guarantee that no additional expenses of the involved parties shall occur due to the enforcement of Sections (i) and (iii) of Paragraphs b)-c) above or due to the employment of interpreters and the use of translations.*

Act III of 1952 on the Code of Civil Procedure (hereinafter: Civil Procedure Act) stipulates that in civil proceedings all parties involved may use their mother tongues or their regional or minority languages, as specified in many cases, in speech and in writing. For this purpose, the court shall use an interpreter. Hungarian legislation provides for the translation of attached documents to be submitted and for the bearing of the related costs. Article 6(2) of the Civil Procedure Act states the following concerning the use of the mother tongue in court proceedings: in judicial proceedings – within the scope defined by international treaties – everyone shall be entitled to use his/her mother tongue or regional or minority language, albeit, as a general rule, the official language of judicial proceedings is Hungarian. To

guarantee the parties' rights for language use, the court – in case it seems apparent to it that the party participating in the proceedings does not have adequate command of the Hungarian language – gives comprehensive information on the right to use one's mother tongue. Pursuant to Section 6(3) of the Civil Procedure Act, the Court shall use interpreters if this is required to observe the principles contained in paragraphs (1) and (2). As stipulated by of Section 78(4) of the Civil Procedure Act, these expenses be shall advanced or borne by the State. No interpreter is necessary if the proceeding council or judge has satisfactory command of the language used by the litigant party or the witness. With respect to translations, of Section 191(6) of the Civil Procedure Act stipulates that should this become necessary, the Court shall be entitled to order the party required to produce proof to attach a certified or non-certified Hungarian translation of documents not submitted in Hungarian.

The Civil College of the Supreme Court, in its PK Opinion No. 3/2006 (XI. 27.) on the advancement and bearing of costs of interpretation and translation related to the use of the mother tongue, regional or minority languages, states that the provision on the bearing of the costs in Section 6 of the Civil Procedure Act shall not be interpreted extensively, that is, it applies exclusively to the costs of interpretation that incur in the cases specified in this Paragraph. As specified in Point II of this Civil College opinion, in civil proceedings the State shall advance the costs of the translation of applications and the costs of the translation related to motions of evidence on behalf of the party entitled for the use of his/her mother tongue, a regional language or a minority language. The regulations on litigation costs shall apply to the bearing of these costs.

The above means that while the State assumes and bears the costs of interpretation in the case of regional and minority language use, the bearing of translation-related costs is performed in accordance with the general provisions. This means that, in accordance with Sections 75-83 of the Civil Procedure Act, translation-related costs are advanced by the party required to produce proof and, with the closing of the proceedings, shall be borne by the party losing the case.

The National Council of Justice of Hungary provided information that in most judicial proceedings of the second instance not minority or regional languages are used, but the mother tongue of parties of foreign citizenship is used. The records of translation costs do not specify the amount used for translation for the purpose of the use of regional or minority languages. However, it has been indicated that the courts comply with the legal requirements related to language use.

In addition, the Head of the Fejér County Court informed us that the Civil College organised a meeting on 30 September 2011 where – as a part of a comprehensive debate – the provisions of the Charter were dealt with.

On the official webpage of the courts ([www.birosag.hu](http://www.birosag.hu)), in the section entitled “For Citizens” of the menu “The Judicial System” of the part “Constitutional Principles and Fundamental Rights”, information is given on the right to use one’s own mother tongue.

In the reporting period, the Supreme Court did not pass a decision on any case where lower courts implemented the provisions of the Charter or on any appeal for legal remedy or appeal on a point of law referring to the infringement of the said provisions. In legal proceedings administered by the Supreme Court no separate applications were submitted to the effect that the accused person or a party to the proceedings may use his/her regional or minority



language. Lower courts did not request the Supreme Court to interpret those provisions of the Charter or acts on proceedings that guarantee compliance with the agreement in the form of a harmonised decision or of an opinion issued by the College.

The laws of the Republic of Hungary provide for the use of minority languages with reference to cases involving judicial authorities. The use of regional and minority languages in various legal documents is ensured by the aforementioned Acts. **From among the Acts on Notaries in effect in the various Member States of the European Union, the Hungarian Act is the only one that, for the consideration of applications for the post of notary public, obligates the decision maker to favour those candidates for appointment in regions populated by a given minority who speak the language of the said minority.** As stipulated by Section 19 of Act XLI of 1991 on Notaries Public (hereinafter: the Notaries Public Act) in those seats of notaries public where there is a large number of inhabitants who belong to national minorities, preference must be given to those candidates who have command of the given nationality language.

In the regions populated by German minorities (Pécs, the Buda region, Western Hungary), there are several notaries public in employment licensed to manage cases in German. The notary public in and for Battonya speaks Romanian as a minority language. In Battonya and its region, a considerable number of inhabitants belonging to the Romanian minority live; therefore, their right for the use of their minority language can be guaranteed without the use of interpreters or translators. There have been no Serbian, Croatian or Slovenian-speaking notaries appointed since 1992, as in the given minority regions no candidates have indicated such language skills. In the reporting period, no Slovak-speaking notaries were appointed either; however, in the case of a candidate in Kiskőrös belonging to the Slovak minority, the national self-government called the attention of the competent parties to the relevant obligation stipulated by law.

As specified in Section 138 of the Notaries Public Act, notaries public who are entitled to prepare documents in foreign languages are also entitled to prepare certified translation of the documents that were created with regard to matters within the area of competence of notaries public, or to certify the accuracy of such translations. The translations should be written on the original document or should be attached to it. The notary public certifies that the translation is the true copy of the original document in a clause at the end of the translation. This authorisation of notaries public saves considerable time and costs, as translation agencies charge high prices for such services. Foreign language public documents prepared by notaries are suitable for domestic use without any further certification or other similar proceedings.

To contribute to the language training of notaries public and deputy notaries public, the Hungarian Chamber of Civil Law Notaries organises language trainings on a regular basis and purchases foreign language books and journals to support the maintenance of the knowledge of minority languages.

***110. What measures have been taken by the Hungarian authorities to define those judicial districts in the whole territory of Hungary where the number of the inhabitants who use a minority language justifies organisation measures taken to facilitate compliance with the requirements defined in Article 9 of the Charter?***

In Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of judicial districts which, in turn, would call for a systemic reform

to facilitate compliance with the requirements defined in Article 9 of the Charter. The commitments made through the ratification of the Language Charter apply to the whole territory of Hungary.

***112. What measures were taken by the Hungarian authorities to inform the citizens of their rights to use minority languages in judicial proceedings?***

The parties involved are informed of their right to use minority languages at the beginning of and during court proceedings.

***118. Information about the way this commitment was implemented in practice [Paragraph 9.1. a) iv].***

In the sections above, detailed information is given concerning the implementation of the possibility of interpretation and translation. The National Self-Government of Slovaks informed us that interpreters of Slovak nationality contribute to the work of judicial authorities (in certain cases, within the framework of ad-hoc assignments), but they are not aware of any case where a Hungarian citizen belonging to the Slovak nationality requested interpretation during the proceedings. Interpretation was requested by persons of Slovak citizenship who do not have command of the Hungarian language.

## **Article 10 - Administrative Authorities and Public Services**

### ***Paragraph 1***

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

- a) (i) to ensure that administrative authorities use the regional or minority languages,*
- or*
- (ii) to ensure that their officials who are in contact with the community use regional or minority languages to communicate with persons who address them in such languages, or*
- (iii) to ensure that persons using regional or minority languages may submit oral or written applications in these languages and may receive answers in the same language, or*
- (iv) to ensure that persons using regional or minority languages may submit written or oral applications in these languages, or*
- (v) to ensure that users of regional or minority languages may validly submit documents in these languages.*

As it has been mentioned above in Chapter 1, the Public Administration Act provides for the minorities' right for language use in administrative proceedings. As specified in Section 9(1) of the Act, in the Republic of Hungary the official language of official public administration proceedings is Hungarian. Obviously, at the same time the client has the right for fair proceedings, which, by default, includes – along with the right for fair administration and the right for a decision to be taken within a period defined by legislation – the right for the use of his/her mother tongue. No client or other parties to the public administration proceedings may suffer disadvantages for not speaking the Hungarian language.

The legislator – taking into account the right to use of one’s mother tongue – extended the scope of the aforementioned principle to regional and minority languages. This measure was primarily justified by the fact that Hungary joined the Language Charter. In this international agreement, Hungary undertook to ensure that in the course of the public administration proceedings, the authorities may conduct the proceedings in a regional or minority language at the request of either party.

On the basis of the commitments specified in Article 10 of the Charter, the rules on the language use during public administration and official proceedings are stipulated by Sections 9-11 of the Act on General Rules of Official Proceedings and Service in Public Administration. Moreover, Sections 51-54 of the Act on Minorities provides for the use of minority mother tongues; the representative bodies of local governments are obliged to comply with these regulations.

Act CLXXIX of 2011 on the Rights of Nationalities, in its Chapter II on the fundamental rights of nationalities, extends the opportunity to use minority languages in the field of the public administration of localities where there are a considerable number of inhabitants belonging to nationalities:

**Section 6(1)** In those localities, where the ratio of inhabitants belonging to any nationality reaches 10 per cent as evidenced by census, the local municipality, at the request of the involved nationality self-government that operates in the area of competence of the given local municipality, is obliged to ensure that

*a)* its decisions are promulgated and its notices are published in Hungarian and in the mother tongue of the given nationality,

*b)* forms used in administrative proceedings are also available in the language of the nationality,

*c)* signs indicating the names of public offices, bodies performing public services, and announcements relating to their operations – apart from the corresponding Hungarian text – are also displayed in the mother tongue of the nationality with identical contents and form to that of the Hungarian text,

*d)* signs indicating the names of localities and streets – besides the corresponding Hungarian text – are also to be displayed in the mother tongue of the nationality with the traditional nationality names, or in their absence, with identical contents and form to that of the Hungarian text.

(2) In those localities, where the ratio of inhabitants belonging to any nationality reaches 20 per cent as evidenced by census, at the request of the involved nationality self-governments, during the appointment of local civil servants, public servants, notaries public and bailiffs those persons shall be employed who – besides complying with the general professional requirements – have command of the mother tongue of the national minority.

(3) In those localities, where the ratio of inhabitants belonging to any nationality reaches 10 per cent as evidenced by census, and have an operating nationality self-government or a nationality association, at the request of the involved nationality self-government or national minority association, the local media service provider maintained or funded by the local municipality shall offer information in the mother tongue of the nationality within the framework of public service programme for nationalities. The provision also applies to any press material published or funded by the local municipality.

(4) With the regard to issues of media services offered as specified in Paragraph (3), the involved nationality self-government of the given locality or, if no such self-government exists, the nationality association with a registered seat in the given locality, should be consulted.

(5) If there are inhabitants belonging to a nationality in the locality then, at the request of the nationality self-government of the given nationality in the locality or, if no such self-government exists, of the nationality association with a registered seat in the given locality, the representative body may ensure the rights for language use specified in Paragraphs (1)-(4).

Prior to the changes of the government structure in 2010, the lawfulness of local municipalities was monitored by public administration offices. The professional management of local municipalities fell within the competence of the Ministry of Municipalities, while the monitoring of tasks related to the use of minority languages in public administration was a responsibility of the minister heading the Prime Minister's Office or the one responsible for justice. Since the formation of the new government in 2011 and on the basis of Section 98(2) of Act LXV of 1990 on Local Governments, it has been the task of municipal and county government offices (hereinafter: government offices) to investigate within their powers of control if local governments operate in compliance with legislation.

The Government Office for Baranya County reports on the extensive use of minority languages during official proceedings. The report states that in the course of probation enforcement, Boyash-speaking persons under probation, when reporting to the Service of Justice, used their minority language on several occasions. Several persons under probation, when being visited in their homes, preferred using their minority language (**Boyash**) and did have the opportunity to do so. A person working for the Probation Service, when communicating with clients, conducting family visits or preparing environmental studies, used **Romani** (Lovari) language. No applications were submitted in Boyash or Romani; these languages were used exclusively for verbal communication.

In the same county, the contact person of Office of Cultural Heritage consulted the head of the Serbian Orthodox Church and monastery in Grábóc **in German** about the planned demolitions and reconstructions. As evidenced by a survey conducted in other departments and institutions and government offices, with the exception of the Central Office of Justice and the Office of Cultural Heritage, minority languages were used in cases where foreign persons (and not persons belonging to a minority) were involved.

In Vendvidék, Vas County, the localities Apátistvánfalva, Kétvölgy and Orfalu (with Apátistvánfalva as the district notary's seat) have a considerable number of inhabitants belonging to the **Slovenian** nationality. Almost 90% of the population belong to this minority, and uses the Vend dialect. As only a few of them is familiar with the official Slovenian language, the practice of using bilingual documentation has not evolved: administration is performed exclusively in Hungarian language. As a rule, the elderly use their mother tongue during administration and making oral applications; this practice does not cause problems in communication. The district notary's office in Apátistvánfalva employs two administrators who are speakers of Slovenian with native-level competence. Moreover, the majority of the members of the representative bodies belongs to the Slovenian minority and also speaks Slovenian.

In Szentgotthárd, clients have the opportunity to use the Slovenian language in the course of public administration and official proceedings and service; however, rarely do they request it. When communicating with other people, the Slovenian inhabitants of the city use the Hungarian language. The Mayor's Office employs five public officials who speak Slovenian. Slovenians use their minority language when communicating with persons from the homeland.

In the localities of the county populated by **German** minorities, administration proceedings are performed in Hungarian; however, in most cases, German language communication can be provided for at request. In Vas County, almost every administrator working for the municipalities can speak German. For example, in Szombathely, 72 administrators have certificates of language examination.

The **Croatian** minority has colourful and rich cultural relations and traditions. When participating in activities related to the conservation of their traditions and national culture, they use Croatian, but they understand and speak Hungarian as well. Inhabitants belonging to the Croatian minority do not use standard Croatian, but the dialect of Gradiška. The majority of inhabitants belonging to the Croatian minority live in Szentpéterfa (Petrovo Selo) where great emphasis is placed on the nurturing the mother tongue. Clients whose mother tongue is Croatian can rely on the assistance of two administrators whose mother tongue is also Croatian and have certificates of language examination in Croatian. In Felsőcsatár, a locality with a considerable number of Croatian inhabitants, one administrator has command of Croatian.

**The Government Office for Vas County** employs public servants who can speak Croatian, German and Gypsy (Lovari) languages; thus, at request, communication with clients on their mother tongues is possible.

Documents of the Government Office for **Jász–Nagykun–Szolnok** County show that among the inhabitants of the county, only a low number of natural persons are subject to the Act. As evidenced by the data supplied by the notaries public of the localities, these persons do not use their minority languages when dealing with official matters. Persons belonging to minorities do participate in public administration proceedings; however, if they do not inform the authorities that they wish to use their own mother tongues in the course of the proceedings, the authorities will not be aware of the fact that a given client belongs to a minority.

In the reporting period, one application was handed in a minority language in the county seat. A client contacted the notary of Szolnok in writing in **Romanian** to deal with official matters. In this case, the competent authority had the Hungarian decision translated into Romanian language, and provided interpretation service in the course of the proceedings. In addition, an employee of the authority had a command of the Romanian language and was available during the complete procedure. The interpreter assisted the client in understanding the specialised language.

The Government Office for **Jász–Nagykun–Szolnok** County conducted a similar survey of its administrative bodies. In the reporting period, all applications submitted to the bodies for the purpose of dealing with official matters were formulated in Hungarian.

On the basis of a targeted survey, the Government Office for **Csongrád** County found that 16% of local municipalities (eight municipalities) provide the opportunity for clients to submit their written or verbal applications in minority languages.

The material sent by State Secretariat of local administration and elections of the Ministry of Administration and Justice to supplement this report sheds light on an interesting fact. Certain

clients do not wish to exercise their minority language rights as they fear it would slow down the proceedings. On the other hand, authorities experience that in certain cases clients choose to exercise their right for language use in order to slow down the proceedings – based on the fundamental right to choose one’s own identity, any person shall be regarded as a member of the minority based on the declaration of the given person and no evidence shall be required.

***132. What measures have been taken by the Hungarian authorities to comply with the following commitments? Without the minimisation of existing rights for language use, Hungary should appoint those regional and local authorities on whose territories local and county-level minority self-governments operate (representing the languages specified in Chapter III) as authorities that are obliged to take proper organisational measures to comply with the commitments specified in Article 10.***

In Hungary, there are no regions where the number of inhabitants belonging to minorities would justify the creation of districts which, in turn, would call for specific measures to facilitate compliance with the requirements defined in Article 10 of the Charter. The commitments defined in the Language Charter apply to the authorities on the whole territory of the country.

***134. What measures have been taken by the Hungarian authorities to regularly inform national minorities concerning their rights for language use?***

***137. Information on the implementation of this commitment***

As specified in of Section 10(1) of Decree No. 6/2003 (III.7.) by the Minister of the Interior on the Births, Deaths and Marriages Register, on the Marriage Procedure and on Names, the official equipment of the registrar includes the birth register, the marriage register, the register of registered partnerships, the death register and death register extracts, nationality register extracts and the international register extracts, their blank forms, and the official list of Hungarian and nationality given names. As specified in Annex 6 of the aforementioned Decree, centrally generated register forms may be requested via an electronic registry service system (ASZA). The blank register forms (birth register extract, extract from the nationality marriage register, extract from the nationality register of registered partnerships, extracts from the nationality death register) are requested by the registrar through the ASZA system, taking into account the number of forms expected to be used in that year.

In 2009, the National Slovenian Self-Government and the Association of Slovenians in Hungary organised a Slovenian Open Day, similar to the one organised in 2008, with the objective to inform the parents of would-be first-grade pupils about the opportunities offered by learning Slovenian. For this purpose, a bilingual colour manual entitled "The Slovenian Language: an Opportunity for Your Child" was published.

*b) to publish widely used texts and forms related to public administration for the public in regional/minority languages or in a bilingual version;*

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

In conformity with Hungary’s international commitments, Section 9(2) of the Public Administration Act offers an opportunity for bodies of local, regional and nationality self-governments with nationwide competence to issue a decision that defines its official language

besides Hungarian that shall be used in the course of official proceedings that fall into its scope. (This provision may serve as a guarantee, as legislation currently in force does not provide for the exercise of authority power). The Public Administration Act also stipulates that, when dealing with administrative authorities, persons acting on behalf of a minority organisation and natural persons falling under the scope of the Act on the Rights of National and Ethnic Minorities may use the language of the given minority. The Act also stipulates that at the client's request the Hungarian decision on the application submitted in a minority language shall be translated into the language of the application [Section 9(3)].

Minority self-governments prepare their own documents and forms in the languages defined by their internal rules of procedure and on the basis of their decisions. For example, in Baranya County, the German self-government of the locality of Beremend recorded its decisions taken during the meeting of 2010 in the minutes in German, as well. In Nagynyárád, notices of public interest are displayed in German and Croatian, too. In Olasz, decisions are posted up on the information board in German, as well. In Drávafok, an application for scholarship was submitted to the National Croatian Self-Government in Croatian. In Felsőszentmárton, a birth registry extract was issued in Croatian for the purpose of an application for the acquisition of Croatian citizenship.

Official certificates were issued in German in several other cases and localities; however, the majority of them were requested by citizens of countries other than Hungary. In Nagynyárád, for the benefit of the German and Austrian families who settled there, forms of local taxes were prepared in German, as well and all documents related to a property protection case were also issued in German, too.

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

- a) the use of regional or minority languages in regional or local public administration;*
- b) the possibility for users of regional or minority languages to submit oral or written applications in these languages;*
- c) regional authorities to publish their official documents in regional or minority languages as well.*

The material compiled by the Government Office of Baranya, a county with several nationalities, contains a large number of examples for the implementation of this commitment. For these data, see the Appendix.

***140. What measures have been taken by the Hungarian authorities to actively promote among competent authorities the preparation of official documents in minority languages (e.g. ministerial decrees, circulars)?***

With regard to the use of minority languages, Government Decree **No. 375/2007 (XII. 23.)** on the conditions and accounting procedures of task-proportionate support provided for minority self-governments from the central budget and – after this decree was repealed on 1 January 2011 – Government Decree **No. 342/2010 (XII. 28.)** on the conditions and accounting procedures of support provided for minority self-governments from the central budget and

chapter allocations are those key documents that have created a new basis for subsidies given to minority self-governments.

In the case of both government decrees, with regard to task-based support it must be noted that decisions made by minority self-governments on language use are regarded as decisions that increase the amount of support:

**Government Decree No. 375/2007 (XII. 23.):**

<b>1.2. The presentation of initiatives related to the use of the language spoken by the minority community and requirements related to language use in public administration:</b>	
1-2 initiatives, decisions by representative bodies: 7 points	
3 or more initiatives, decisions by representative bodies: 10 points	
	<i>maximum number of points: 10 points</i>

**Government Decree No. 342/2010 (XII. 28.):**

1. Duties related to the representation of minority interests	
Board decisions on activities related to the enforcement of rights of the minority community in the territory of operation of the minority self-government, interest representation and interest protection, elimination of social differences, social inclusion, use of the mother tongue, activities of local institutions, decision-making and collective decision-making rights serving to reinforce the specific cultural identity of the minority community:	
1 decision: max 5 points	
Maximum number of points: 30 points	

As a result of the modification of rules on financing, more and more minority self-governments decided to make decisions related to their rights specified in Section 53(1) of the Act on Minorities, and, in the course of the appointment of civil servants for local municipalities, more and more of them took the initiative to favour candidates who have command of a minority language.

In 2011, the National Roma Self-Government started to participate actively in distributing the most widely used texts to the minorities. It is of key importance that during the campaign “Census 2011” the self-government ensured that the census questionnaires were translated into Romani and Boyash.

*d) local authorities to publish their documents in regional or minority languages as well;*

*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.*

**149. What measures have been taken by the Hungarian authorities to promote the use of minority languages in speech and writing as a language of the board meetings of self-government?**

As it is stated in several sections of country report, Hungarian legislation adequately regulates the use of the mother tongue by representative bodies of various types and levels and by the members of such bodies. The Government and its bodies, however, cannot and do not wish to enforce the involved parties to exercise this right. Nobody submitted any



complaint or notification stating that the implementation of the provisions is hampered. For ample examples, see the Appendix.

*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.*

**151. Hungarian authorities should support efforts made by the involved self-governments to have officially recognised minority-language versions of geographical names. The authorities should set up a monitoring committee to check this process.**

**152. What measures have been taken by the Hungarian authorities to promote the use of the official minority-language versions of geographical names in the involved self-governments and to make financial resources available for the use of such names along with the Hungarian official names?**

**The use of minority-language geographical names is affected by Government Decree 303/2007 (XI. 14.) on the Determination and Registration of Official Geographical Names in Hungary.**

Pursuant to Section 2(4) of the above Decree, historical, traditional geographical names used by national or ethnic minorities to denote geographical surface details in Hungary are considered official geographical names in minority language (e.g. Lórév = Ловра, Szentpéterfa = Petrovo Selo, Óbánya = Altglashütte, Alcsevica, Gropcsica).

Section 3(1) Tasks related to the determination of geographical names shall be performed by a **Board of Geographical Names** (hereinafter: the Board) operating for the Minister of Rural Development (hereinafter: the Minister). The Board shall define its own rules of procedure; the Minister shall approve of it. Pursuant to Paragraph (2) *b*), the Minister of Administration and Justice shall appoint a representative to the Board to deal with issues related to Hungarian geographical names abroad and to **minority-language geographical names**.

Section 5(1) **When determining official geographical names, the names in use by the local population, the opinion of local minority self-governments** and of other organisations, results of natural and social sciences, historical traditions, more specifically, research of local history, the name of destroyed localities must be taken into account, along with the geographical environment, structures of agricultural and forestry cultivation, **conditions of nationalities**, and linguistic and grammatical requirements. Grammatical requirements include compliance with spelling determined by the Hungarian Academy of Sciences and with the relevant rules.

(4) In compliance with the requirements specified in Paragraph (1), it is possible to determine **minority-language official geographical names** for the name types defined in Section 2(3). **The minority-language version of the official geographical names** specified in Paragraphs (3) *a*), *c*) and *e*)-*j*) of Section 2 shall be determined **along with the Hungarian names**. **Minority-language geographical names using Latin script shall be written in accordance with the rules of spelling of the given language. When determining minority-language geographical names using non-Latin script, the transcriptions based on the Hungarian alphabet and the spelling of the given minority language shall be equally official.**

Pursuant to Section 53(1) c) of the Act on Minorities, local municipalities, in accordance with the needs of the local or regional minority self-governments operating within their area of competence, are obliged to ensure that signs indicating the names of localities and streets, of public offices, bodies performing public services, and announcements relating to their operations – besides the corresponding Hungarian text – are also displayed in the mother tongue of the minority with identical content and form to that of the Hungarian text.

Act CLXXIX of 2011 on the Rights of Nationalities eliminates the inconsistencies of the previous legislation, and creates a clear system of the fundamental rights, individual and community rights of nationalities, and regulates prioritised rights pertaining to language use as parts of the fundamental rights. It shall be emphasised that fundamental rights, individual and community rights are not diminished but, in certain cases, are extended. The Act stipulates that nationalities, when exercising their rights pertaining to the use of names, are entitled to use historical, traditional names of localities, streets and other geographical indications intended for the community.

According to the National Self-Government of **Slovaks**, a good example for the use of local geographical names are those bilingual street signs where the nationality-language names are not word-by-word translations of the Hungarian names that have been indicated on such sign for decades, but are the original nationality-language names that are often used in everyday public life. Recently, Piliscsév and Tótkomlós serve as good examples: both localities financed the introduction of bilingual street signs from funding they won via tenders. Pilisszentkereszt is known to have received state subsidy for reconstructing the Slovak street signs that were damaged by paints and in other manners. Localities without such street signs or where the signs disappeared, e.g. in Kesztlöc, were eligible for applying for funds for the display of Slovak street signs.

The locality name signs of **Slovenian** localities in the Rába region are bilingual; in certain places, the street signs are also bilingual. At the recommendation of the Hungarian-Slovenian Joint Committee for Minorities, the central budget allocated resources for this purpose.

With regard to other counties and nationalities, public signs indicating names in the mother tongue is a general practice.

*3. With regard to the public service bodies operated by administrative authorities or by other persons acting on behalf of such authorities, in the field of the use of regional or minority languages, the Parties undertake - according to the situation of each language and as far as this is reasonably possible -*

- a) to ensure that when providing service they use regional or minority languages; or*
- b) to allow users of regional or minority languages to submit applications and receive a reply in these languages; or*
- c) to allow users of regional or minority languages to submit requests in these languages.*

**155. What measures have been taken by the Hungarian authorities to guarantee that users of minority languages may actually submit their applications to public service providers in a minority language?**

With regard to the implementation of the commitment, the Public Administration Act regulates language use among the fundamental principles and provisions, as well. Within this

framework the Acts states that “bodies of local, regional and national minority self-governments may issue a decision that defines the official language besides Hungarian that shall be used in the course of official proceedings within its competence. When dealing with administrative authorities, persons acting on behalf of a minority organisation and natural persons falling under the scope of the Act on the Rights of National and Ethnic Minorities may use the language of the given minority. At the client’s request, the Hungarian decision on the application submitted in a minority language shall be translated into the language of the application.” (Section 9(3))

Another important aspect of problems related to the use of minority languages is that, as a rule, in public administration emphasis is placed on the languages of the neighbouring countries and on communication in English. These languages partially overlap with minority languages in Hungary, with the exception of Boyash, Lovari, Armenian and Greek. However, this evidences that the use of minority languages in the course of official proceedings is of secondary importance.

*4. With a view to putting into effect those provisions of Paragraphs 1-3 accepted by them, the Parties undertake to take one or more of the following measures:*

- a) translation or interpretation as may be required;*
- b) the employment and, if necessary, the training of an adequate number of public officials and other public employees;*
- c) compliance as far as possible with requests that public service employees with knowledge of a regional or minority language to be appointed in the territory where said language is used.*

#### ***158. Information on the implementation of this commitment [Paragraph 10.4. a]***

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

As a consequence, we wanted to see if **administrators working for self-governments have command of languages** of those indigenous national and ethnic minorities that have been living in the territory of Hungary for at least one century and, if yes, of which languages. For the experiences of government offices of counties with regard to regions inhabited by minorities, see the Appendix.

*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.*

Persons belonging to a minority are entitled to make such requests; we have knowledge of cases when persons exercised this right, even among government officials. They use their family names spelled according to the rules of the given nationality language in their identification documents.

## Article 11 - Media

*1. A 1. The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, have competence and exercise authority power over 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 perform a public service function*
- (iii) to take satisfactory measures so that broadcasters can 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.*

The Republic of Hungary recognises the right of minorities to freely express their opinions in their minority languages and ensures their access to the media. In Hungary, legislation ensures the operation and maintenance of the national and ethnic minority media. Pursuant to Section 18(1) of the Act on Minorities “*Public service television and radio stations ensure – within the framework of an independent organisational unit and with resources allocated for this purpose alone, as provided for in a separate Act – that national and ethnic minority programmes are produced, broadcast and disseminated on a regular basis*”. Public service broadcasters offer all the 13 nationalities of Hungary radio and television programmes in nationality languages on a regular basis.

The primary scenes of minorities exercising their media-related rights are the public service Hungarian Radio (MR) and Hungarian Television (MTV). In the reporting period, Duna Television also offered several programmes on the past and present of national and ethnic minorities living in Hungary. Duna Television is the second public service television that produces programmes primarily for Hungarians living abroad, regularly gave information on the everyday life, community life and festivals of minorities in Hungary.

### **Nationality programmes of the Hungarian Radio**

In the last three years, the Hungarian Radio was in compliance with the legal requirements that stipulate that public service broadcasters are obliged to contribute to the promotion of the culture and mother tongue of national and ethnic minorities in Hungary and to provide information in their mother tongues on a regular basis.

The public radio broadcasts programmes for nationalities in a separate medium-wave (AM) system. The radio channel MR-4 offers programmes for all minorities in Hungary. Programmes in Croatian, German, Romanian, Serbian and Slovak are broadcast in 120 minutes per day; programmes in Bulgarian, Greek, Polish, Armenian, Ruthenian, Slovene and Ukrainian are broadcast in 30 minutes per week. MR-4 offers the Roma minority 60-minute programmes on 5 days of the week: on Monday in Hungarian, from Tuesday to Friday in Hungarian for 30 minutes and in Boyash and Lovari for 30 minutes.

MR-4 is a channel for nationalities; since 1 March 2009 it has been operating with a uniform programme structure. Since 2009, individual programmes have been produced about the major festivals of nationalities in Hungary and their homelands. These 30-minute programmes

are broadcast at the location and time of the programme entitled “The Music of Nationalities”. Within the framework of the Hungarian programme of the nationality channel, the weekly programme of “In One Country” gives a 60-minute overview of major events of minorities’ public life in Hungary. The programme “The Music of Our Nationalities” offers a selection of the music of minorities in 30 minutes per day from Monday to Friday and in 60 minutes per day on Saturdays and Sundays. The programme entitled “Pearls” gives an insight into the finest literary works of nationalities in Hungary; it is broadcast in 5 minutes on Sundays, in Hungarian. In the reporting period, the programme “In One Country” was restructured.

Channel MR-4 broadcasts its programmes using the medium-wave stations in Lakihegy, Marcali, Pécs and Szolnok; thus the full coverage of the country is guaranteed. In the reporting period, the National Radio and Television Board, in its Decision No. 179/2010 (I. 27.) extended the Hungarian Radio’s right for above-ground broadcasting including its right to broadcast national minority programmes, as well until 1 August 2017.

The live programmes for nationalities of the public service radio are available on the Internet, too; programmes that have been broadcast can be downloaded from the archives of the Hungarian Radio.

The website of the nationality channel MR-4 was restructured in spring 2009. The webpage gives a detailed overview of the time programmes in nationality languages are broadcast, of members of the editorial board and of the contact details of programme production workshops. It also offers information on the availability of nationality-language radio programmes, as well as on the history of the given nationality and on the life of the community with respect to cultural, educational and organisational issues. The links on the webpage point to other websites on minorities, which helps to understand the tasks and objectives of the production of specialised programmes.

In the recent years, the nationality editorial boards of MR-4 have been maintaining intense international relations. This helped them, among others, to have access to immediate training or to acquire musical material. The German editorial board in Pécs broadcasts the news of the German public service radio, Deutsche Welle on a daily basis. In cooperation with German-language radio programmes broadcast in Romania and Serbia, they broadcast a 60-minute joint programme every month about the life of German communities in the region. This special programme is produced with the cooperation of Funkforum, an organisation for journalists who belong to the German minority.

The Serbian editorial board, also operating in Pécs, continued to participate in the programme “On the Wavelength of Europe” produced in cooperation with Radio Timișoara and Radio Subotica. On Wednesdays, the programme offered by MR-4 for the Serbian nationality creates a 10-minute live radio bridge to Radio Novi Sad; occasionally, Beli Manastir Radio and Banja Luka Radio also participate in the programme. The programme series “Serbian Week on the Hungarian Radio” was created in 2009, in cooperation with Vojvodina Radio and the Serbian Radio of Belgrade.

The Romanian editorial board in Szeged actively participates in the programme “On the Wavelength of Europe” and maintains close relations with Radio Timisoara. On the basis of an agreement concluded with the Slovak Public Service Radio, in the last two years the members of the Slovakian board of editors, also operating in Szeged, participated in

professional trainings provided in their mother tongue in Bratislava. The Slovak Radio regularly sends self-published music records for the Slovak programmes of MR.

Besides independent nationality programmes, from 17:04 to 17:30 on Saturdays and Sundays, the public service radio MR-1 Kossuth Radio broadcasts the programme “Presence” on the integration, cultural events and artists of the Gypsy people in Hungary, as well as on their involvement in public life.

In the relations of the Hungarian Radio and the national minority self-governments, the meetings and consultations with the representatives of the self-governments initiated in spring 2009 were of key importance. Minority self-governments are satisfied with the nationality programme policy of the public service radio, and emphasise that among the public service media it is the Hungarian Radio that offer the best conditions for the production of nationality programmes.

### **Nationality programmes of the Hungarian Television**

A public service television produces programmes for the society as a whole. Its tasks include, among others, the promotion of social tolerance and cohesion and the communication between the communities, as well as the provision of information, education, entertainment in addition to the promotion of the idea of a democratic and inclusive society. In the reporting period, these principles applied to the policy of nationality programmes of the Hungarian Television (hereinafter: MTV), as MTV broadcasts television programmes in the mother tongue of the national and ethnic minorities in Hungary.

Individual 26-minute programmes are broadcast every week for the Croatian, German, Roma, Romanian, Serbian and Slovak nationalities. A 26-minute Slovenian programme is broadcast every two weeks. “Rondo”, a joint programme for the Bulgarian, Greek, Polish, Armenian, Ruthenian and Ukrainian minorities, is broadcast two times a month, in 52 and in 26 minutes. The weekly broadcasting time is 416 minutes with reruns included.

Minority programs are broadcast from 13:30 to 14:30 from Monday to Thursday, on the terrestrial channel M1 of MTV. The programmes are repeated in the morning or early morning on weekdays, on the satellite channel M2.

In September 2010, the public service television started to produce a weekly programme: “Pillar” deals with the social issues of the minorities and is broadcast in Hungarian on Sunday evenings on M2. The music programme “Harmony” is a new nationality programme, broadcast on Thursday afternoons on channel M1. These programmes are produced by the members of the nationality editorial board.

On 4 March, 2010 in the Uránia Cinema in Budapest, a meeting for filmmakers was organised with the objective to promote television programmes on minorities. The Workshop Foundation of Carpathian Basin organised its 6th Nationality Film Festival of Hungary. The event was hosted by the editorial board of the Hungarian Television’s programmes for the Romanian nationality and by the Romanian Cultural Institute in Budapest. The grand prize of the 2010 National Minority Film Festival was awarded to the film entitled “The Sun and the Moon” by Éva Horvát and Péter Dömötör.

In the first half of the reporting period, the conditions of the production of the minority programmes of the public service television deteriorated considerably. Due to the austerity measures introduced in 2010, it has become difficult to produce high-quality programmes. A relatively large number of the programmes were reruns. As a result of scarce available resources, there were editorial boards that could hardly prepare records. The use of internal capacities was very limited: the production process of nationality programmes lacked adequate human resources and technical conditions. The national representations of nationalities requested the public service television to ensure a budget for the production of nationality programmes that could be used for the regular production of programmes that takes into consideration of the geographical location of nationality communities.

To resolve the issues related to the nationality programmes of the public service television, the State Secretariat for Church, Nationality and Civil Society Affairs of the Ministry of Public Administration and Justice launched the first round of consultation with the presidents of the nationality self-government with nationwide competence in May 2010, and initiated direct consultation with the heads of the National Media and Infocommunications Authority and of the Hungarian Television. To resolve the problem highlighted by the representative bodies of minorities, the deputy state secretary for minorities of the Ministry of Administration and Justice consulted the leaders of the Media Service Support and Asset Management Fund. Problems to be solved include the provision of an independent organisational framework of the production of programmes for nationalities, the improvement of budgetary conditions and the solution of the issue of broadcasting time frame. As the result of consultations, in the second half of the reporting period problems became less severe and the new public service media managed to improve the conditions of programme production.

Previously, nationality self-governments had sharply criticised the Hungarian Television's practice of broadcasting nationality programmes. The survey conducted by the National Media and Infocommunications Authority in 2010 found that television programmes in minority languages are broadcast in time frames and on channels with the lowest number of viewers.

***165. What measures were taken by the Hungarian authorities to improve the quantity and timing of minority-language television programmes?***

There was no decrease in the quantity and timing of minority-language television programmes during the reporting period. This may be regarded as a significant achievement in a time of constantly deteriorating economic circumstances.

There were welcome changes regarding Roma programmes: in addition to the traditional 26-minute Roma magazine, a 26-minute Roma cultural portrait series started to air on Fridays at 13:30 on M1 and is repeated on Duna Television.

Another significant pleasant change is that the rerun of minority television programmes was moved from channel M2 to the Duna Television, allowing reruns to reach a much larger audience, as Duna is also available through the digital multiplex /MinDig Tv/ uncoded, without a satellite receiver or cable TV package, making it available in approx. 86% of the territory of Hungary. This has been an improvement over the recent period, when the reruns on M2 were only available via satellite and cable networks. In addition, while the reruns of the programmes studied took place in the early morning, they are now broadcast on Duna

Television at 11 a.m., which makes these programmes even more accessible and helps to improve the ratings.

***171. What measures have been taken by the Hungarian authorities to promote the broadcasting of German and Slovak programmes on private radio stations?***

Section 95(5) of Act I of 1996 on Radio and Television Broadcasting states that the Media Council and its legal predecessor, the National Radio and Television Board, (ORTT) shall authorize a non-profit oriented (public benefit) broadcasting company owned exclusively by the self-government of national and ethnic minorities to broadcast programmes with a view to enforcing the rights of the national and ethnic minorities as defined in another Act in minimum four and maximum eight hours of transmission time per week, without inviting a tender, if the needs of the national and ethnic minorities for access to information in their native language cannot be ascertained otherwise in the area to which the tender invitation pertains.

Only one media service provider asked for and received authorization based on the above provision. In its Decision No. 425/1999 (IX.21.), the ORTT authorized Slovenian Radio Public-Benefit Association as a non-profit oriented broadcasting company to broadcast on Szentgotthárd 106,6 MHz + Felsőszölnök 97,7 MHz for eight hours a week. The media service provider has been broadcasting for the Slovenian minority since 23 June 2000, using the name Radió Monošter.

Other companies, such as public benefit companies owned exclusively by the self-governments of the German or Slovak minorities, have not turned to ORTT with similar requests.

The Media Act does not contain a provision similar to Section 95(5) of Act I of 1996 on Radio and Television Broadcasting, i.e. the Media Act does not offer a similar possibility for awarding terrestrial radio broadcasting rights without a tender in order to guarantee the rights of the national and ethnic minorities as defined in another Act.

In accordance with the existing legal provisions, anyone may apply for media broadcasting rights in order to ensure the information of national and ethnic minorities if the Media Council decides to publish a tender on the subject as a community issue. If this objective falls into the category of satisfying the needs of a community defined in Section 66 of the Media Act, no fee is payable by the broadcaster for community broadcasting rights granted. Naturally, it is possible to submit tender applications with this objective and this type of broadcast plan in the case of media service provision opportunities of a commercial nature.

In addition to the above, of Section 56 dm) of the Media Act adds a new requirement to linear analogue radio tendering, namely that all call for tenders for the utilisation of media service provision possibilities and all bids submitted thereto shall contain the bidder's commitments regarding the minimum daily broadcasting time devoted to the needs of national, ethnic or other minorities.

In accordance with the invitation to tender, the Media Council, when evaluating the bids, may take into consideration the commitments of bidders in this regard.



Among minorities in Hungary, the Slovenian and the Roma minority have their own terrestrial radio stations. Radio C is a community radio station that has been in operation for several years and is receivable in the area of Budapest. Radio C's broadcasting rights expire on 12 April 2013. The central budget provided a support of 40 million HUF in 2009 and 35 million HUF in 2010 for the funding of the Roma community radio station. The 2011 budget contains 35 million HUF earmarked for the support of Radio C in the chapter on KIM.

***174. What measures have been taken by the Hungarian authorities to encourage and/or facilitate the access of users of minority languages to community cable television networks and to maintain the reception of local cable television programmes and the taking over of the programmes of countries where these languages are used?***

In accordance with the Media Act, linear community media services intended to serve or satisfy the special needs for information of and to provide access to cultural programmes for a certain national or ethnic minorities can also be provided via cable television networks. Such media services require notification pursuant to Section 42 of the Media Act. Pursuant to Section 42(1) of the Media Act, applicants intending to provide the said linear media service by using a non state-owned limited analogue terrestrial resource shall notify the Authority at least forty-five days prior to commencing the said media service provision. The Office of the National Media and Infocommunications Authority decides on the registration of the service as media services of a commercial nature. Pursuant to Section 66(5) of the Media Act, the registered media service provider can then request the Media Council to recognize the media service provision as community media service provision, to be decided by the Media Council.

The Media Act also regulates the "must carry" obligation of media service providers regarding community media services, which ensures the broadcasting of community media services intended to serve or satisfy the special needs for information of national or ethnic minorities through the cable television network under the conditions specified in the Media Act.

In accordance with Section 73(1) of the Media Act, in order to preserve, protect and develop Hungarian, national and ethnic minority and European culture, preserve national or ethnic minority languages, satisfy the information needs of citizens and facilitate participation in democratic public life, and preserve diversity, the broadcaster defined under Paragraphs (2)-(3) shall have the obligations set out in Sections 74-75.

Accordingly, pursuant to Section 75(1) of the Media Act, the broadcaster shall, up to ten percent of its total capacity, but pertaining to three media services at most, be subject to a contracting obligation regarding the technically and economically well-founded contractual offer for the provision of regional or local audiovisual community media services by media service providers. In addition, in accordance with Section 75(3) of the Media Act, the Media Council may, ex officio or at the media service provider's request, define in an authority decision at most one other linear community media service, for the purpose of the media policy objectives laid down in this Act, for which the broadcaster shall have a contracting obligation regarding the technically and economically well-founded contractual offer.

Programme providers utilizing the cable system are obliged to inform (Media Act, Section 42) the National Media and Infocommunications Authority of their commitment regarding the planned daily minimum transmission time in the service of the needs of national, ethnic or other minorities. Based on this data supply obligation, it can be established that 562 providers,

49 per cent of currently operating cable media service providers made a commitment to broadcast programmes made for national or other minorities. The total national average broadcasting time of nationality programmes, mostly available at various programmes through local cable television networks, is 405 minutes a month. These figures show that cable media service providers, mainly local cable television programmes, provide an average of six hours and 45 minutes of programme intended for national or other minorities each month.

In the reporting period, one new programme provider acquired the right to broadcast minority community television programmes. The Media Council registered the “Association for Public Education in Vértessomló” as a local non profit-oriented programme provider in its decision 514/2010 (XI. 3.), effective as of 27 September 2010. The civil organization operating in Vértessomló, Komárom-Esztergom County committed to making a television programme for the German nationality living in the locality. Village TV provides nationality media services and therefore the Media Council waived its broadcasting fee. The weekly 2-hour edited Hungarian and German programme is available through the local cable television network.

In the area of *community cable television*, noticeable progress has been made by the launching of a network for providing community cable television service in some localities in the Rába region for the Slovene nationality within the framework of the *Slovenia-Hungary Cross-border Cooperation Programme 2007-2013* with support from the ERDF. The network’s programme “Insight” informs the local population about the cultural programmes, events, and everyday life of the nationality on a weekly basis. There are plans to make the cable television service available in some of the remaining territories of the Rába region within the framework of the above Programme.

*d) to encourage and/or facilitate the creation of audiovisual works of art in the regional or minority languages;*

The Parliamentary Commissioner for National and Ethnic Minorities reviewed the availability of minority cultural rights in 2010. The present summary of the fulfilment of the commitments in Paragraph 1/d) of Article 11 is based on the Commissioner’s report.

Most of the minority films are produced by the **Minority Editorial Boards of the Hungarian Television**, but Duna Television also creates minority works. Gypsy, Croatian, German, Romanian, Serbian, Slovak and Slovenian programmes are made by specialist staffs. Programmes for so-called small minorities (Greek, Polish, Armenian, Ruthenian and Ukrainian) are available as part of the joint magazine “Rondo”, also made by staff involved with minorities.

The films submitted to the **5th and 6th Nationality Film Festivals**, held in 2008 and 2010 respectively, were almost all made in these workshops, as well. The 1st European-Hungarian Gypsy Film Festival was held at the end of 2009 in Budapest. Nineteen films (13 Hungarian and six foreign) were projected in three art cinemas within the framework of the event, all discussing topics related to the life, culture or history of Roma communities. Only two of the films in the programme were shot in the past three years.

Films and documentaries that discuss themes related to nationalities happen to be part of the programme of the annual Hungarian Film Week. The **Hungarian National Film Archive** receives mandatory copies of films, and thus not only receives and conserves Hungarian

films, including minority films, but also restores them as necessary. The **National Audiovisual Archive of Hungary** (NAVA) primarily collects and archives mandatory copies of films received from public service broadcasters. The collections of these latter institution's are freely available over the Internet to public libraries, schools, museums, archives and audio archives that qualify as public collections in accordance with the provisions of the Copyright Act. The Hungarian Television is constantly working on saving and converting to a digital format the works that are stored on old media. Digitized materials are also sent to NAVA in line with a separate agreement.

MTV tries to broadcast to minority films within its public service tasks, but the number of such films and their total broadcasting time is low when compared to the total of MTV programmes. One of the recommendations of the Minorities' Ombudsman is to broadcast nationality films with Hungarian subtitles as feature films, not only in minority programmes, and at a time of day that attracts greater audiences. The reason for the proposal is that such films can help bring together the members of the majority and minority communities by acquainting cultural values.

In its report, the Parliamentary Commissioner for Minorities mentions "Abgedreht" (Rewind), the youth film festival of Germans living in Hungary, organized every April since 2006. The goal is to motivate 14-19 year old young people to make German language films about opinions on Germans in Hungary. The submitted works are evaluated by a professional jury, and they are shown in an elite Budapest cinema. Besides valuable prizes, the films receive television, media and DVD publicity. "Abgedreht" is a central event for the German minority with youth participation growing each year.

*U35sec – Unter 35 Jahren – unter 35 Sekunden*, the newest category at "Abgedreht", also enjoys great popularity. It is aimed at the 19-35 year-old age group, inviting them to submit 35-second creative spots that feature Germans living in Hungary, offering valuable information on this minority.

*Light-Shadow Art Association* has been making documentaries in Roma villages since 2000 with the active participation of the local population. Their aim is to improve the communication of the Roma and the non-Roma, informing both communities about each other's cultural characteristics and building bridges between the two cultures. The intention is to enhance tolerance through generating interest in the majority community. They have filmed in more than 50 localities from state and private support. The group feels that it is important to show the films to the local population, and in all other localities involved in the "Travelling Movie Project" along with the photos made there. Their documentaries have been broadcast by local cable television networks on several occasions, and there were DVD editions. What is more, the Canadian Embassy invited the creators to participate at one of its events. The sociology field-work also provides exposure and opportunities to young musicians, dancers and artists from Roma villages, such as camping in Budapest.

Another positive example is the three-day *Film Seminar*, which has a 19-year history, held by the National Self-Government of Slovaks and Vertigo Slovak Theatre. The programme includes thematic selections and a sample of the newest Slovak films and documentaries. In the reporting period, the Slovak community in Szeged also joined the event which attracts invited Slovak participants from the Southern part of the Great Hungarian Plain and even Romania and Serbia.

The Monošter Slovene Cultural and Information Centre is another example illustrating the fulfilment of this commitment, organizing Slovene film projections several times each year.

*e) (i) to encourage and/or facilitate the creation and/or maintenance of at least one printed medium 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;*

**175. Did the Hungarian authorities maintain prior financial support provided to newspapers published in minority languages?**

The continuous publication of minority newspapers financed from the national budget and the existing nationality newspaper publishing structure reflect Hungary's minority policy goals. As a result of this policy, all Hungarian minorities now have written press in their own mother tongues, and the frequency of publication of numerous publications increased for many printed media: quarterlies and bi-monthlies became monthlies, bi-weeklies became weeklies. The newly created media improved with regard to both content and form, and the page number of several minority press products increased.

Out of the **19 printed media published with central budget support**, 9 are owned by national self-governments, and 6 of these are both owned and published the national self-government. Two national self-governments have their own publishers. From among the 19 newspapers, 10 are owned and published by associations or foundations.

In the reporting period, the funding for the publication of minority language newspapers was provided by the Public Foundation for Minorities. This Public Foundation provided HUF 252,115,979 in 2009 and HUF 269 million in 2010 for the funding of the 19 minority newspapers. The Bulgarian, Polish and Romanian communities received funding for the publication of two newspapers each, and the Foundation supported the publishing of 5 Gypsy newspapers. Apart from the nationality language newspapers, the interethnic periodical on Hungarian nationalities called "Friendship", owned by an association, was also funded from the central budget.

In 2011, the state support given to minority newspapers was integrated into the budget of minority self-governments, and thus their creators have access to the state funding state directly, without a tendering procedure. The operating grants given to national minority self-governments amounted to HUF 953 million both in 2009 and 2010, and the institutions maintained by national minority self-governments received HUF 444.5 million of support in both years. In 2011, the direct support given to national minority self-governments increased to HUF 1,219.5 million, as the operating grants were complemented by the support given to minority newspapers. The institutions maintained by national minority self-governments received HUF 463 million of support in 2011.

**Table 17: Support provided to minority newspapers between 2009 and 2011, in HUF**

Minority	Supported newspapers	Amount of support		
		2009	2010	2011
Bulgarian	Balgarski Vesti	5,819,126	6,153,000	6,200,000
Gypsy	Amaro Drom	8,308,064	7,549,000	31,900,000
	Glinda	2,179,547	2,328,000	
	Kethano Drom	7,038,440	8,108,000	
	Lungo Drom	10,208,333	10,610,000	
	Világunk	2,213,213	2,334,000	
Greek	Ellinismos	7,057,333	8,420,000	8,400,000
Croatian	Hrvatski glasnik	32,936,991	35,095,000	35,100,000
Polish	Polonia Węgierska	9,912,467	10,531,000	10,500,000
German	Neue Zeitung	30,884,348	32,718,000	32,700,000
Armenian	Armenia	5,665,000	6,035,000	6,000,000
Romanian	Cronica	15,246,816	18,359,000	36,700,000
	Foia	19,212,149	18,359,000	
Ruthenian	Ruthenian World	4,979,264	6,277,000	6,300,000
Serbian	Srpske Narodne Novine	27,487,085	29,109,000	29,100,000
Slovakian	L'udové Noviny	32,655,671	34,788,000	34,800,000
Slovenian	Porabje	21,001,643	22,378,000	22,400,000
Ukrainian	Hromada	5,998,404	6,340,000	6,400,000
Interethnic	Freindship	3,312,085	3,509,000	3,509,000
<b>Total:</b>		<b>252,115,979</b>	<b>269,000,000</b>	<b>266,500,000</b>

Source: Budget of 2011 and the Public Foundation for National and Ethnic Minorities in Hungary

Legend:

The amount of support in the table refer to a 12-month period in each of the three years.

The 2011 newspaper funding was integrated in the budget of each national minority self-government.

The National Self-Government of Slovaks notes in its own Charter report that “it is an important improvement in the financing of the Slovakian language weekly ‘Ludové noviny’ that instead of the previous tender procedure, the Government now provides guaranteed support to the National Self-Government of Slovaks, specified in the Budget Act. The national minority self-governments are consulted regarding the sum (this year amounting to HUF 34.8 million). This amount was transferred to Legatum Kft., charged with publishing the paper.”

Several **nationality newspapers also have an electronic version.**

Some **nationalities have independent local newspapers**, as well (such as the German newspapers of Bonyhád and Paks in Tolna County, and the Croatian newspaper of Szentpéterfa in Vas County). There are local newspapers in many other localities containing pages or supplements in the minority language. In Felsőcsatár and Narda, the minority self-governments ensure access to “Hrvatski Novine”, the newspaper published on the Austrian side of the border by the Croatian community.

The National Roma Self-Government can ensure the publication of articles in regional and minority languages in the newly founded periodical “European Way”. European Way aims specifically to regularly inform its readers about the situation of the Gypsies in Hungary, the implementation of the framework agreement of the National Roma Self-Government and the characteristics of Gypsy culture.

*f) (i) if the laws in general allow the providing of financial support to mass media, to cover the additional costs of those media which use regional or minority languages, or  
(ii) expand existing financial support measures to audiovisual works of art in the regional or minority languages;*

**178. What measures have been taken by the Hungarian authorities to set up a permanent financing system for minority language events?**

The tender procedures published by the Media Council of the National Media and Infocommunications Authority are aimed at supporting the creation of programmes with a cultural value in accordance with the norms set in Act CLXXXV of 2010 on Media Services and Mass Media (the Media Act) and the Public Service Code

Pursuant to Section 83 1) of the Media Act, the objective of public service broadcasting is, inter alia, to satisfy the media-related needs of national and ethnic minorities, religious communities and other communities, to present their culture, foster the mother tongues of national and ethnic minorities.

In 2011, the Media Council provided direct support through **4** invitations to tender offering non-refundable support, **open to radio and television stations broadcasting in the language of a national or ethnic minority, and to radio and television stations broadcasting in accordance with the public service principles and norms laid down in Section 83 of the Media Act.**

The tender procedures of RADIOALLANDO2011 and TVALLANDO2011 are open to radio service providers with Hungarian local or regional media service provision rights and linear audiovisual media service providers with Hungarian local or regional media service provision rights.

The Media Council supported the making of news programmes about local events, including sports news, if the applicant so wishes, and public service magazines covering local events and local information through the radio invitation to tender (**RADIOALLANDO2011**).

The Media Council supported the making of TV magazines on public life and TV news programmes – if the applicant so wishes, including sports news –, and cultural magazines through the television invitation to tender (**TVALLANDO2011**).

The Media Council published an invitation to tender called **KMUSZ2011** aimed at helping linear media service providers that are categorized as community or non-profit programme providers or public service programme providers acquire studio technology equipment for the purposes of ensuring continuous, high-quality operation and/or facilitating the subsequent digital switchover.

The Media Council published an invitation to tender called **NPREZSI2011** aimed at contributing to supporting the 2011 maintenance and operation costs of community media service providers (non-profit programme providers and public service programme providers).

However, only one minority language radio (radio programme) participated in the invitations to tender published by the Media Council and its legal predecessor, the National Radio and Television Commission: Radió Monošter.

Support provided to the **Slovenian Radio Public-Benefit Non-profit Ltd.** (Radio Monošter, coverage area: Szentgotthárd):

- In the tender procedures (NPREZSI) aimed at providing monthly support for the continuous activities of non-profit programme providers and public service programme providers in Hungary for maintenance and operation costs:

In 2009, HUF 6,306,120 for the operation costs of 12 months,

In 2010, HUF 5,405,623 for the operation costs of 12 months,

In 2011, HUF 4,039,200 for the operation costs of 9 months,

- In the invitation to tender aimed at supporting the making of radio news programmes, sports programmes and public service magazines (RADIOALLANDO), it won support for making a public service magazine (Tedensko ogledalo – weekly magazine):

In 2009, HUF 1,945,400

In 2010 HUF 2,072,356.

The Media Council of the National Media and Infocommunications Authority did not publish a call for tender specifically for purposes involving national and ethnic minorities.

As a result of the new Media Act, a fundamental reorganization of public service broadcasting has started, taking into account the necessity of cost efficient operation – especially considering the economic crisis and the financial situation of the country. The operability of nationality editorial boards is taken into account during the rationalization.

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

**181. What measures have been taken by the Hungarian authorities to set up and finance a general training system aimed at the training of journalists and other members of the press using minority languages?**

In 2006, a **Roma internship programme** was launched with the cooperation of MTV. Within the framework of this programme there have been graduates in three years: editors,

programme manufacturing staff and a film editor. Those who finished the programme were employed by MTV. The programme ended in May 2009, and restarted after a one-year hiatus in 2010. In 2010, the training of new Roma young persons started for skilled positions in the creation of news programming. 4 Roma youths are currently participating in the Roma television training programme. The aim of the programme was to start a dialogue between the Roma minority and the majority working in the media. A similar training programme will start in March 2012.

In connection with the above, the Minority Editorial Board of MTV and the German Embassy in Budapest organized an international media conference in autumn 2010 with the participation of German and Hungarian journalists. The participants of the international conference discussed how the media depicts the coexistence of the majority and minorities. Members of civil society and the media came to Budapest from numerous European countries to participate in the conference.

A **Minority Media Working Group** operated in the first half of the reporting period (2007-2010). Based on its recommendations, nationality media editorial boards carried out a staff exchange programme with the countries where their mother tongue is spoken within the framework of a cooperation agreement. At its session in March 2010, the Working Group determined that “appropriate programmes and adequate budgetary resources need to be provided for mother tongue journalist training, the development of publishing infrastructure and the improvement of newspaper distribution.”

*2. The Parties undertake to guarantee the freedom to receive radio and television programmes from neighbouring countries in regional and minority languages and similar languages, and not to hinder the rebroadcasting of radio and television programmes of neighbouring countries in such languages. Furthermore, the Parties shall ensure that exercising the freedom of expression and the freedom of information is not limited in any way in the written press in regional and minority languages or similar languages. The exercising of the above mentioned freedoms, as it involves obligations and responsibilities, may be subordinated to the procedural rules, preconditions, limitations or sanctions prescribed by law that are necessary in a democratic society in the interest of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.*

Hungary will not hinder the rebroadcasting of the radio and television programmes of the mother countries of Hungarian minorities. In this regard, the only limitations may be the technical and other conditions of reception. At the same time, channels in the languages of Hungarian minorities are available in the channel selection of numerous service providers and towns.

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

The two-third majority of Parliament elected in spring 2010 created a new, up-to-date media act, and modified the structure of public service media. **In the interest of rationalization and**



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

The Media Act, which contains the main legislative elements on nationality programming in public service media, entered into force on 1 January 2011. In accordance with Section 95 of the Media Act, a Public Service Code of Conduct (the Code) shall be drawn up. The primary function of the Code is to provide theoretical guidelines for public service media providers within the framework of the law regarding the appropriate operation of public service media provision. The implementation of the rules of the Code will be overseen by the **Public Service Board** (the Board). The task of the Board (Media Act, Section 97) is a continuous monitoring the fulfilment of the public service duty and ensuring social control over public service broadcasters.

The Board is made up of 14 members, delegated by the nominating organisations defined by the law. After registering with the Office of the National Media and Infocommunications Authority, the organizations, including the national self-governments of national and ethnic minorities, can each delegate one person to the Board. Organizations belonging to the same group, such as the 13 national minority self-governments, can together delegate one person. In addition, one non-governmental organization, the Theatre Association of National Minorities in Hungary was also selected by the drawing of lots to delegate a member.

## **Article 12 – Cultural Activities and Facilities**

*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 have competence and exercise authority power over or play a role in this field:*

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

### **Paragraph 1a**

**184. What action has been taken by Hungarian Authorities in order to establish a stable financial budget for the operation of cultural institutions?**

### **Library supply and the publishing of books**

According to a cultural survey conducted by the Minorities' Ombudsman, with two exceptions only, all **county libraries** in Hungary (18 of them), 75 town libraries, 118 communal libraries and 8 other libraries have indicated nationality tasks and collections in their statistics. In that regard Pest, Baranya, Bács-Kiskun, Békés, Szabolcs-Szatmár-Bereg and Tolna Counties are leading. According to the survey, demand for reading or borrowing materials in nationality languages is far behind other lending indicators of the library. About 40 per cent of the collections consist of fiction. The majority of nationality books of the

county libraries are forwarded to the libraries of localities inhabited by members of the minorities, in the form of so-called **deposit stocks** so that they can reach potential readers more easily. In many of the county libraries staff includes librarians who speak nationality languages, numerous nationality cultural programmes are organised, and they are in contact with minority self-governments.

Another task of providing library services to minorities, as set forth under Section 66c) of the relevant Cultural Act also pertaining libraries, belongs to the **public libraries of local municipalities**. The network of public libraries provides services hundreds of localities to all officially recognised indigenous minorities. Within the system of public libraries, the library service of minorities is also provided by the 19 county libraries as base libraries. As an integral part of central service provision, **county libraries** carry out their minority tasks; they operate the supply system in nationality localities, provide access to national and local databases, and assist nationalities in their local history research and in the publication of books.

Chapter III, Section 60e) of the Act designates assistance in the library supply to domestic national and ethnic minorities as a central service, and pursuant to the provisions of its Deed of Foundation, the **National Foreign Language Library** (hereinafter: OIK) shall fulfil that task. Within the institution, the tasks are coordinated by the Nationality and Documentation Division.

The library possesses a representative nationality collection. It strives to collect all the publications related to the 13 national and ethnic minorities in Hungary, either in the mother tongue of the minorities or in Hungarian, including fiction, literary translations and professional literature on the nationalities. It procures a selection of international technical literature related to minorities in Hungarian and in major world languages. OIK is a member of the National Document Supply System, so its nationality collection is accessible to anybody through inter-library borrowing.

As a result of the activities of OIK, the National Database catering to minority research and information on minorities is continually updated, constantly recording the retrievable results of minority research since 1985 up to date, as well as the bibliographical particulars of publications on everyday discourse and public thinking pertaining to the minorities.

Providing information on minority issues is one of the key responsibilities of the library. The service is also available in nationality languages. Using support funds through application to the Social Renewal Operational Programme (SROP) based on EU resources, the nationality sub-portal of the library has been completed, where information related to the library can be read in the languages of the 13 indigenous minorities. The on-line information service called "Ask the librarian in your mother tongue" has started to operate, which facilitates obtaining information in 9 nationality languages.

The responsibilities of OIK include the coordination of the **nationality base libraries** (19 county libraries and the Metropolitan Ervin Szabó Library). It compiles a procurement proposal on the basis of supply in the book markets of target countries and Hungary, from which partner libraries can order according to their needs. The ordered documents are procured by OIK which also performs all related administrative and financial tasks. It keeps in touch with partner libraries and suppliers.

Due to the lack of funds, the activity starting in 2000 has slowed down, in 2010 and 2011 the HUF 5 million amount of the central procurement budget was not available, and that has restricted domestic minorities' access to documents in their respective mother tongues. This situation was mitigated by the fact that in 2011 the maintainer, the Ministry of National Resources, reallocated HUF 2 million from other funds for the procurement of nationality documents, which OIK used for the subscriptions to minority periodicals.

**Libraries founded and operated by national minority self-governments** have also joined in to the fulfilment of this task. Libraries that are well-supplied with fiction and popular scientific literature in minority languages also operate in schools providing education in minority languages. Books written in the mother tongues of minorities are predominantly published by the publishers of minority organisations and nationality self-governments.

The particulars of **books and brochures published in nationality languages** were registered by the Parliamentary Commissioner for National and Ethnic Minority Rights on the basis of the 2008 data line of the Hungarian Central Statistical Office. According to that, 68 German, 30 Croatian, 18 Slovak, 18 Romanian and 2 Serbian language books were published. At any rate, the real numbers must be much higher than that. Within the same year, the minority public foundation alone reported of 89 applicants in the field of mother-tongue or bilingual publishing activities, amounting to a total value of HUF 21.63 million. Most probably, a number of local, church, civil society or private publications are probably missing from the total summary.

The Hungarian Ethnographic Society has been publishing their series of studies, entitled "The Ethnography of Nationalities in Hungary" for four decades. One of the most renowned scientific civil organizations of Hungary declared at the time of its 1889 foundation that its purpose was "to study the present-day and erstwhile peoples of the Hungarian State and of historic Hungary, as well as to nurture the feelings of brotherly concord and solidarity through the mutual acquaintance of peoples who live in our fatherland". As far as we know, the series of publications have been issued in the mother tongues of the minorities and/or in Hungarian since 1975, which makes it a unique initiative in Central Europe. The above-mentioned series of publications, which form part not only of the library funds of the minority communities in Hungary, but also of the libraries of those countries where their mother tongues are spoken, and of major libraries worldwide, ensure the possibility of high quality publication for the experts of the minorities' own scientific workshops and university departments, as well as for experts residing in their respective homelands.

Out of the books published so far entirely in a minority mother tongue, there are 25 in German, 22 in Slovak, 15 in Romanian, 10 in the languages of former Yugoslavia (Croatian, Serbian and Slovenian), 14 in Croatian, 6 in Serbian and 5 in Slovenian. The common books of the so-called small minorities (Bulgarians, Greeks, Polish, Armenians and Ruthenians) - altogether 8 of them - and Slovene books are entirely bilingual. The 15 Gypsy thematic volumes used the mother tongue of the majority of the members of this minority, i.e. Hungarian with an English language summary of individual essays. Every few years a Hungarian language selection is published from the essays appearing in minorities' mother tongues or bilingually, 6 of such selections have been published up till now. The series of books had been sponsored for decades by the responsible Ministry of Culture and more recently they have been supported by the Ministry of Public Administration responsible for minority policies with partial support offered by national minority self-governments. During the reporting period 2-4 nationality ethnographic books were published.

Several hundreds of documents - books, periodicals, video and sound recordings - in nationality languages and on nationalities have been uploaded on the Internet by the Heritage-Culture Educational E-book and Media Library, with substantial state support, available at: <http://www.sulinet.hu/oroksegtar/data/>.

### **Museums, collections and archives**

Historical relics of minorities in Hungary are collected by the Museum of Ethnography, as well as museums maintained by counties and municipalities. Due to the fact that in every county there have been inhabitants of nationality origin, each county museum organisation has to deal with minority tasks. For example, two thirds of the ethnographic collection of the Békés County Museum is made up by Slovak nationality material, and they also keep a substantial collection of Romanian and Serbian relics. One-fourth of the ethnographic collection of the Veszprém County Museum is German, while in Tolna two-fifths are minority collections (German, Slovak, Gipsy and Serbian).

In the various regional units of the Open Air Ethnographic Museum in Szentendre there are also German, Croatian, Slovak, Gypsy, Ruthenian and Greek buildings, relics and documents, and nationality folklore events are organised several times a year. Other skansens (open-air living museums) also extend their collection activities to the material culture of further nationalities. The Hungarian Orthodox Church Museum in Miskolc, the Serbian Orthodox Church Art Collection in Szentendre and the Greek Orthodox Church Art Collection possess a rich collection of artefacts. At the end of 2010, the Serbian museum was given back their building in the centre of town, nationalised by the Communist regime sixty years ago, which had hitherto been used for non-minority art exhibitions.

Over the past few years, national minority self-governments have established several institutions which collect objects of museological value and provide professional care for the collections. During the reporting period, the Ministry of Public Administration and Justice supported the opening of a Serbian Institute in Budapest, the Slovenian Memorial House (Kühár Memorial Building) in Felsőszölnök, and the “August Šenoa” Croatian Club in Pécs.

The institution registered under the name of the Christian Collection of Croats in Hungary, set up by the National Croatian Self-Governance in Peresznye (Vas County), the National Roma Library, Archive and Documentation Centre, the National Public Roma Museological Collection and Exhibition Gallery, the Museum and Archive of Polish in Hungary, the Public Museological Collection of Ruthenians in Hungary, the Slovak Documentation Centre and the professional organisation of Slovak reproduction peasant houses, Legatum Kft., all operate as self-government institutions with nation-wide competence.

County self-government museums operating at residences of minorities also have regional and nation-wide responsibilities. Regional houses and local museum collections are predominantly maintained by local nationality self-governments.

### **Nationality “base museums”**

One group of museological institutions related to national and ethnic minorities include the so-called "base museums" that have been operating since the 1970s: the Ethnographic Museum of the German Nationality, which belongs to the Kuny Domokos Museum in Tata,

the Munkácsy Mihály Museum in Békéscsaba (Slovak and Romanian material) and the Kanizsai Dorottya Museum in Mohács (Serbian, Croatian and Slovenian material), which all function as some sort of professional competence centres. At present, they all belong to the organisation of county museums and in that sense their legal status is settled, although the financing of their related tasks is controversial and not resolved.

They would have to perform their nationwide responsibilities using the (scarce) resources of the counties that maintain them. The competent ministry considers it necessary to amend the culture act in order to resolve the issue. The Mohács institution housing the Southern Slavic base museum moved into a new building in 2011 thanks to EU support; its folk-art exhibition is up and standing, and is going to be expanded with new exhibition units in the near future. Concerning the issue of the German Museum in Tata, operating under rather harsh material conditions, the State Secretariat for Culture is planning to conduct a targeted professional supervision audit.

### **Museological “small institutions” presenting nationality cultural heritage**

Another group of museological institutions related to national and ethnic minorities is made up of about 220 local history collections and reproduction peasant houses. More than half of them are institutions keeping and exhibiting the German material coordinated by the Heimatmuseum in Budaörs, and 25 per cent are institutions presenting Slovak material. In most of the cases they are operated by the local municipality or the local minority self-government. For their operation the state provides professional guidance, assisted by the National Inspectorate of Museums, and material support via tenders.

The First Roma Reproduction House was inaugurated in 2009 in Hodász (Szabolcs-Szatmár-Bereg County). The two-room building situated in the Gypsy settlement of the village, housing the reproduction house and ethnographical collection was established using support through applications under the auspices of the Rromanes Association. Currently this is the only reproduction house in Hungary presenting housing conditions characteristic in the middle of the last century, where through the exhibition visitors can gain insight into the culture and customs of the Roma, and they can also get acquainted with their everyday personal objects.

Within its competence, the Inspectorate of Museums continually inspects the professional activities and operating conditions of the institutions. With regard to the fact that these collections and regional houses dealing with nationality cultures are, at the same time, museological institutions with an operating permit, they are eligible for state support funds to which each museum is entitled. Within the scope of such possibilities the tenders invited by the Museum College of the National Cultural Fund of Hungary (NKA) should be mentioned in the first place, but there is also high priority funds aimed at the professional support of museums maintained by local municipalities.

During the period of 2008 to 2010, among the support objectives of tenders invited for the development of nationality museums, in addition to the preparation or creation of permanent displays, complete refurbishment or modernisation, the establishment of exhibition sections presenting the values of national and ethnic minority cultures, as well as the publication of catalogues, exhibition guides, brochures and electronic exhibition guides related to the exhibitions and produced in several languages were also included as a specific objective.

The third and potentially the largest funding option consists of the scope of EU tenders, also for public cultural education and museological institutions, including the so-called “small institutions” presenting nationality cultural heritage. (SRÖP – schemes supporting public culture education interventions, e.g.: “Building Communities”, “Museums for Everybody” Programmes, “Supporting school classes, extra-curricular and recreation activities of schooling and education institutions”, Social Infrastructure Operational Programme – School-friendly development of museums and archives and strengthening the infrastructure of their role in education and learning.)

Activities related to national and ethnic minorities are also performed within the framework of the implementation of Act XXXVIII of 2006 on the promulgation of the UNESCO Convention for the Safeguarding of Intangible Heritage, adopted in Paris on the 17 of October in 2003 (hereinafter: the Convention).

The ministry responsible for culture started to set up the national system for the safeguarding of intangible heritage in the spirit of the Convention, taking stock of the viable heritage of communities committed to Hungarian culture, handed down from past generations. With a view to the recommendations of the Convention, the inventories of intangible heritage can be developed by involving the nationalities concerned. On the 30 September 2009, UNESCO entered the Busó (Sokác-Croatian) festivities in Mohács on its representative List of the Intangible Cultural Heritage of Humanity. At the Equality Opportunities Cultural Department of the Ministry of Public Education (OKM), in the first quarter of 2010 a comprehensive study was developed on the nationality reproduction peasant houses in Hungary, entitled “Live Heritage: from Village Museum to the Internet”.

Within the ever-expanding set of institutions of **nationality self-governments**, independent cultural **institutions**, or complex **institutions** make up a significant portion with responsibilities also including cultural activities. Their **financing is provided by the state, by incorporating it into the annual budget of the national minority self-government concerned**.

For example, the document of the National Self-Government of Slovaks (OSZÖ), written for the Charter, reads: “The cultural institutions of OSZÖ receive a dedicated and guaranteed central grant for their operation amounting to HUF 105.8 million, in a separate line of the budget act. This means a stable material foundation for the operation of the following institutions: Research Institute of Slovaks in Hungary, Slovak Public Cultural Centre, Slovak Pedagogical and Methodology Centre, Legatum Kft. (activities related to Slovak reproduction peasant houses and ethnographic collections). In order to obtain funding to support their operations and activities, institutions may submit (further) applications, mainly to the Wekerle Sándor Fund Manager following mainly the Public Foundation for National and Ethnic Minorities in Hungary, and to the Office of Slovaks Outside Slovakia in their homeland. The Christian Collection of Croats in Hungary was created during the reporting period, with substantial state aid.

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

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

**Paragraph 1c**

**187. Information on dubbing, post-dubbing and subtitling activities**

**Theatres**

Out of professional minority theatre companies the German theatre named Deutsche Bühne in Szekszárd receives direct support from the central budget, while other theatre companies get annual operation support via tenders. Deutsche Bühne in Szekszárd is maintained jointly by the Tolna County Municipality and the National Self-Government of Germans in Hungary, and it will be taken over by the local municipality in the future. For the operation of the institution, in 2009 HUF 67.9 million was provided, while in 2010 HUF 46 million was allocated from the central budget. The other German theatre company, Deutsches Theater Budapest, operates in the capital city. The Croatian Theatre in Pécs operates successfully, with professional staff, and, similarly to the German theatre in Szekszárd, from the year 2012 it will be included on a separate line in the budget.

The Vertigo Slovak Theatre and the Serbian Theatre are maintained and financed by their national minority self-governments, while the Roma and Bulgarian theatre initiatives, such as the Karaván Art Foundation, the Cinka Panna Gypsy Theatre Foundation, the Romano Teatro Cultural Association in Miskolc, the Maladype/Meetings Theatre focusing on the Gypsy language, and the Malko Teatro (Small Theatre), which performs predominantly in Bulgarian, operate in the form of foundations of associations. There are amateur theatre companies operating within the Greek, Croatian, Slovenian and Ukrainian communities, as well as within nationality educational institutions.

The ministry responsible for culture issues an annual call for applications, coordinated by the Arts Department, targeting professional nationality theatres maintained or supported by municipalities. In 2009, HUF 127.7 million, while in both 2010 and 2011, HUF 108 million of funding per year was provided for the implementation of the annual artistic programmes of six theatre companies.

These theatres predominantly produce performances in nationality languages, but their repertoire also includes translations from other languages and stage performances in Hungarian are also organised, either ensuring translation into the majority language using conference interpretation technology or by the means of projection.

The artistic work of several dominant personalities of nationality theatres (e.g. of Bulgarian theatre director Gabriella Hadzsikosztova, who performs in Bulgarian, German and Hungarian, or of Serbian and Hungarian actor and director Milán Ruzs, the director of the Serbian theatre) were honoured over the past few years with high-level state awards. Several nationality theatres and dance ensembles have been awarded with the “Prize for Minorities” by the Prime Minister.

Nationality theatre festivals supported by the central budget are organised annually in the capital and occasionally also in the countryside. This provides a good opportunity to get

acquainted with each other's work, and it is also a possibility to perform to Hungarian audiences. During the festivals, individual productions and artists usually reap a whole array of prizes, and their performances are closely followed not only by minority media, but also by majority media and even by the media of their homelands. Nationality theatres keep close contacts with theatre companies in neighbouring countries performing in the same languages, and they often perform in each other's countries. Since 2008 a Nationality Theatre Association has been operating to harmonise mutual interests and coordinate festivals. Their desire is to get a common receiving theatre in Budapest, which could hitherto not be realised for financial reasons.

The predominant majority of **nationality public service television programmes** is produced and broadcast in the nationalities' respective mother tongues, subtitled in Hungarian. The few interviews broadcast in Hungarian are provided with subtitles in the language of the nationality. Out of films shown on television for the majority and in cinemas, a substantial number of films produced in the homeland of nationalities living in Hungary are broadcast or projected in the original language with Hungarian subtitles, but occasionally they are dubbed into Hungarian.

*d) ensure that organisations responsible for the organisation or supporting of various types of cultural activities shall include the knowledge and use of regional or minority languages or cultures to an adequate extent into the activities initiated or supported by them;*

*e) ensure that organisations responsible for the organisation or supporting of various types of cultural activities shall include staff fluent in the regional or minority language concerned, as well as other language(s) spoken by the rest of the inhabitants;*

In many county libraries there are **librarians speaking the language of nationalities**, numerous nationality cultural programmes are organised and contacts are kept with minority self-governments. At the Nationality Department of the OIK, there are staff members speaking practically all the languages of the Hungarian undertakings of the Charter.

The same holds true of the **museological collections** with nationality-related duties, and even more of the reproduction peasant houses, local history and church collections of nationality localities or minority self-governments. A substantial portion of the publications of nationality museums, and in many cases the information at exhibitions is also accessible in the languages of the nationalities.

Due to the fact that in Hungary the minority languages have undergone a sociolinguistic transformation mentioned in the introduction, key importance is attached to **minority organisations in the performing arts**, because they can help access even those who no longer or hardly speak the language of their communities. The musical scene of minority communities, singing and playing is undergoing continuous development and changes to the present day, traditional values are constantly merged with contemporary ideas and solutions, with the occasional emergence of new elements and styles – says the cultural report of the Ombudsman.

The findings of the same survey has grouped **minority musical ensembles** as follows:

- ensembles nurturing the traditions of the place where they live, with members belonging to the nationality;



- an ensemble nurturing the traditions of a nationality, with members belonging to the nationality, but not with a repertoire of local traditions,
- ensembles nurturing the traditions of a nationality in Hungary, with members belonging to the majority (such as Hungarian ensembles presenting the folklore of various nations from the Balkans),
- ensembles nurturing predominantly the traditions of the majority, with some nationality material on their repertoire;
- ensembles consisting of members with minority identity, playing music catering predominantly to majority tastes (such as Gypsy orchestras).

The above typology provides a good illustration of the high degree to which nationalities in Hungary have become embedded to Hungarian society and culture. The survival of folklore and other artistic branches is ensured by an extensive **set of public cultural institutions**. Some of them are mentioned as examples in the Appendix.

Regional and nation-wide folklore **festivals of nationalities** are regularly organised. For instance, in 2009 in Mátyás (Fejér County), during the National Day of Minority coordinated by the local German self-government, the performances were carried out by artistic ensembles belonging to the Gypsy, Croatian, German, Serbian and Slovak minorities. During the same summer, the Felvonulási tér of the capital hosted the event entitled “Multicolour Budapest – Nationality Festival”, lasting for a month and a half, with the performances of Gypsy, German and Slovak ensembles from all over Hungary. The “Sound of the Balkans Festival” is held annually, in a number of locations in both Budapest and the countryside, with Southern Slav, Greek, Romanian, Bulgarian and Gypsy choirs, dance groups and artistic photographers taking part.

The number of **nationality folklore ensembles** is very high, to mention just a few examples: the “Flambeau” Croatian Artistic Ensemble, the 100-Member Gypsy Band, the Rajkó Artistic Ensemble, Kalyi Jag, the Brass Band from Mór, the Pável Ágoston Slovene Mixed Choir, the Vujicsics Ensemble or the Jantra Bulgarian Dance Group. A national institution and service centre established for nurturing folklore traditions in the Carpathian Basin and ensuring their survival is the **House of Traditions**. According to its Deed of Foundation, it also nurtures the living folklore of national minorities and its revival, transferring it to contemporary culture. Its multimedia database and browser also contain the materials of the predominant majority of national minorities living in Hungary, in the order of magnitude of several thousands. Similarly, nationality groups can regularly be found among musical ensembles performing at Fonó Music House of Buda.

The **movement of barn dance**, formed in Hungary in the 1970s constitutes a form of social entertainment which has taken traditional folk dances from the theatre stage to the dancing floor and reinstated their original function, regardless of the century or the time and space of the city. Authentic dances collecting dust on the shelves of archives or recently collected by ethnomusicologists were taught to a wide audience and made popular both within and beyond the national borders of Hungary, ranging from Western Europe to South America. Typically, from the very beginnings, young people have been just as welcoming to the folklore traditions of peoples and nationalities living together with Hungarians as towards Hungarian traditions. Therefore, on such occasions Croatian, Serbian, Macedonian, Greek, Romanian, Bulgarian, German, Slovak and Gypsy dances are danced together by majority and minority people, thus demonstrating and exercising the overall tolerance existing in Hungary for 1100 years, learning about each other’s folk cultures.

*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;*

Responses to points a)-e) also include information related to these two points.

In addition, it must be mentioned that multifaceted nationality activities are pursued within the background institution of the Ministry of Culture, at the **Hungarian Institute for Culture and Art (MMIKL)**. On the one hand, the institution operates a nationality and Roma organisational unit and, on the other hand, a separate **Nationality and Roma Cultural Expert Board** was set up after 2000, consisting primarily of specialists of minority civil organisations and functioning as an advisory body to the Director General. The Board has **organised cultural professional conferences and thematic workshops, as well as biannual nationality photography competitions**, where the best works are awarded a prize and take part in an **exhibition** presented first at the headquarters, then all over Hungary. From the exhibition materials representative **photo albums** have been published on three consecutive occasions to date, entitled “Our Nationalities in Pictures”.

The photo album, published biannually, offers a sort of cross-section of the cultural collection of the national and ethnic minorities in Hungary. They present all the diversity inherent in the cultural values of Hungary. The purpose is to document, archive and present the architectural, material and intangible heritage of nationalities in Hungary to a wide audience by publishing a photo album. The attractive appearance of the album holds a prestige value for the artists creating the photographs and last but not least, for the members of minorities themselves.

Minorities are profiled in the albums in a demonstrative way, as a presentable self-identity, since the compilation of these publications is assisted by a professional jury consisting of the staff of the Institute and of experts of the nationality concerned. The introductory foreword is published in **Hungarian, English and in the languages of the 13 national and ethnic minorities living in Hungary**. The captions to the pictures are also **multilingual**; in addition to Hungarian and English they can also be read in the language of the minority concerned. There is an index at the end of the book to help getting around.

Since 2006 the Institute has organised the **Nationality Gala** related to the National Day of Minority. Amateur artists and creative communities present their own cultures at the Gala in their mother tongues. The **“Pro Cultura Minoritatum” professional award** is presented on that occasion to individuals and institutions that have excelled in their work for the culture and education of individual communities. Their attractive, multilingual informative **publication** related to the occasion is entitled “*Nationality Gala*”, which contains each year the welcome speech of this emblematic event, and in addition to the programme of the gala evening, it also includes an appreciative review of award winners, as well as a short overview on the artists and ensembles performing on the occasion. Both the appreciative review and the short overview are available in Hungarian and **in the language of the nationality concerned**. The publication rich with photographic illustrations is presented on the spot to each participant (including invited guests, performers and awardees).

Exchange of information with members of their own minority community, on the one hand, and self-representation to other communities, on the other, is just as highly important for each minority community as it is for the majority nation. A number of minority weeklies are known to have a more frequently updated on-line version, but nowadays any self-respecting organisation or institution, also in the minority field is operating its own webpage. The success of multicultural relations depends not only on economic development or on meeting formal and professional requirements, but also on the extent to which the performance of the national or ethnic minority is valued within its smaller or broader environment.

In that respect there are remarkable initiatives, such as “**Heritage-Culture**” **Educational E-Book and Media Library**. As it says on the introductory page of their webpage, they define themselves as a database created pursuant to UNESCO and EU documents and Hungarian legislation, set up in a non-profit form, dedicated to education, popular science and scientific research in particular, aspiring to serve the purpose of social development. The wide-spread publication of such intellectual products of an educational and public information character is clearly desirable for both small communities and the larger national community. The multimedia e-content continually developed by their office on the Sulinet portal, entitled “Heritage-Culture” is the largest info-communication technology-based (ICT) educational and popular scientific collection, with the safest on-line and the most direct off-line access to the trainers and trainees of social groups the most open to information but at the same time providing access to all the visitors of public or school libraries.

Scientific books and monographs on minorities, video and audio materials, multimedia and periodicals abound, both in the mother tongue and in Hungarian. As of December 2011, the portal includes the following types and numbers of documents of the materials of national and ethnic minorities in Hungary:

**Table 17: Nationality documents in the Heritage-Culture Media Library, in December 2011**

	<b>Books</b>	<b>Periodicals</b>	<b>Audio or video materials</b>
<b>Bulgarians living in Hungary</b>	7	4	1
<b>Gypsies living in Hungary</b>	47	3	3
<b>Croatians living in Hungary</b>	6	0	0
<b>Polish living in Hungary</b>	4	2	0
<b>Greeks living in Hungary</b>	10	6	0
<b>Armenians living in Hungary</b>	15	2	4
<b>Romanians living in Hungary and Romania</b>	1	3	0
<b>Ruthenians living in Hungary</b>	9	7	2
<b>Serbs living in Hungary</b>	10	0	1
<b>Slovaks living in Hungary</b>	33	0	2
<b>Slovenians living in Hungary</b>	3	4	0
<b>Ukrainians living in Hungary</b>	5	2	4
<b>Germans living in Hungary</b>	128	6	6
<b>Books, periodicals and visual materials comprehensively related to nationalities</b>	49	2	0
	<b>327</b>	<b>41</b>	<b>23</b>

During its monitoring in Hungary of the Country Report on Hungary, the Committee of Experts of the Council of Europe Framework Convention for the Protection of National and Ethnic Minorities highly esteemed the implementation of the portal, as an excellent example of minority-majority and minority-minority exchange of information.

*h) if applicable, translator services and terminology research shall be established and/or fostered, with special regard to the need for safeguarding and developing the necessary public administration, commercial, economic, social, technological or legal terminology in all 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.*

The points on the fulfilment of Hungary's previous undertakings also include the detailed response to this question.

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

The **Hungarian cultural institutes situated abroad**, operated by the Hungarian Government, as well as **the Hungarian representations abroad** provide regular opportunities for writers, cinematographers, artists and musicians originating from nationalities in Hungary, as well as for the minority press and media to present themselves within the framework of their programmes. Such events are organised more often in institutes of the homelands of national minorities living in Hungary (Berlin, Stuttgart, Vienna, Bratislava, Bucharest, Belgrade, Zagreb and Ljubljana). Regarding Gypsy artists, their guest performances have also been facilitated in Hungarian institutes located in countries and continents further away. On quite a few occasions, **the cultural institutes of the homelands in Hungary** have also felt the need to involve creative artists of their own nation who live in Hungary as members of a nationality in their programmes.

**In 2010, Pécs was one of the Europe Capitals of Culture.** The project also included an exhibition entitled "*Pécs – Fünfkirchen – Pečuh, The Image of a Multinational City in Space (and Time)*". The interactive exhibition staged photographs, excerpts from films and objects to outline eras and present spaces related to the cooperation of different linguistic and religious communities. The exhibition was organised by the Pécs Cultural Centre and it was professionally implemented by the Museological Directorate of Baranya County. It was presented to the general public in Hungary in two instalments: the first between 15 December 2009 and 31 January 2010, the second from 14 March until 30 May 2010. During the summer and autumn of 2010 the exhibition was also presented in Ulm (Bavaria), and it was displayed in the gallery of the Hungarian Embassy in Berlin.

Since creative artists of the national minorities have taken an active part in the nation-wide circulation of their artistic or media branches, they form its organic part and, quite naturally, independently from the fact that they belong to a nationality, they are also included in a number exhibitions, lectures, performances, film festivals and book fairs all over the world, their books are published not only in the countries of their mother tongues, but also elsewhere, in third languages. Cross-border guest performances of nationality artistic

troupes and theatres are often staged with financial support from the central budget, but Hungary puts no obstacles to using support from their respective homelands, either.

### Article 13

#### Economic and Social Life

1. *With regard to economic and social activities, the Parties undertake, within the whole country*

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

*b) to prohibit the inclusion into the internal rules of procedure of businesses and into private documents, at least in the case of those concluded by and between speakers of the same language, of stipulations excluding or restricting the use of regional or minority languages;*

*c) to take action against practices which discourage the use of regional or minority languages within the framework of economic and social activities;*

*d) to facilitate and/or encourage the use of regional or minority languages in other ways, apart from those indicated in the paragraphs above.*

At present, within the field of economic and social life in Hungary three pieces of legislation shall be mentioned, which are, in a certain sense, related to the right of using the languages of national minorities. One of those is Act XXII of 1992 on the Labour Code, which sets forth under Section 5 that *"the requirement of equal treatment shall be observed in employment relations. Adequate legal remedy shall be provided to rectify the consequences of infringement on the requirements of equal treatment for those concerned, which must not violate or reduce the rights of other employees."*

The requirement of equal treatment is regulated in more detail within **Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities**. The scope of this legislation encompasses not only bodies with state, municipality or other public functions, but economic players as well. Pursuant to its Section 5, the requirement of equal treatment within the framework of the legal relationship concerned shall also be observed by a) those who make offers for a contract to persons not preliminarily defined, or call for proposals, b) those who provide services or sell goods in their customer care facilities open to the public, c) any individual entrepreneurs, legal persons, or organisations without legal personality using state support, within their legal relationships entered into while using state support, starting from the beginning of using state funds and all until their utilisation of state funds may be controlled by an authorised and regulated body of the state, furthermore, d) employers, in relation to employment status, persons authorised to give instructions in other legal relations related to work performance, as well as regarding legal relationships in close connection therewith.

The Act specifies, in its definition of the concept of discrimination pursuant to Section 8, *"that dispositions as a result of which a person or a group is treated or would be treated less favourably than another person or group in a comparable situation because of his/her presumed or real (...) origin of national or ethnic minority (...)"* shall be considered direct discrimination. Pursuant to its Section 9, those dispositions are considered indirect negative

discrimination, which are not considered direct negative discrimination and apparently comply with the principle of equal treatment but put any persons or groups having characteristics contained within the definition of direct negative discrimination at a considerably larger disadvantage than other persons or groups in a similar situation were or would be. The Act prohibits all such dispositions, and it provides the possibility of legal remedy for those concerned, and, at the same time, its Section 22 sets forth that „*The principle of equal treatment shall not be considered violated if the discrimination is proportional, justified by the characteristics or nature of the work and is based on all relevant and legitimate terms and conditions considered during the hiring, or (...) the discrimination arises directly from a religious or other ideological conviction or national or ethnic origin fundamentally determining the nature of the organisation, and it is proportional and justified by the nature of the employment activity or the conditions of its pursuit.*”

Act IV of 1959 on the Civil Code, pursuant to its Section 76 stipulates that violation of the principle of equal treatment, in particular, discrimination against private persons, violation of the freedom of conscience, any unlawful restriction of personal freedom, injury to body or health, contempt for or insult to the honour, integrity or human dignity shall be deemed as violation of inherent rights.

As regards the administration of official and judiciary matters related to the economic activities of economic players, it can be stated that the guarantees on language use are implemented pursuant to the Public Administration Act and the Civil Code, respectively.

Act XCVI of 2001 on the Publication of Business Advertisements, Shop Signs and Certain Announcements of Public Interest in the Hungarian Language contains specific provisions on the language use of the players of the economy. Besides stipulating the use of the Hungarian language in cases listed, the Act also mentions, as an exception to this rule, business advertisements and shop signs published in the languages of national minorities in those localities where local minority self-governments operate, pursuant to Section 42 of the Act on National and Ethnic Minorities.

There are no laws restraining the use of language in social life. It is up to those participating in economic or social life to decide on what language(s) to use in their relations with each other. The Act on Minorities expressly stipulates that in Hungary anybody can use their mother tongue freely, anywhere and at any time (Section 51).

*2. With regard to economic and social activities, the Parties undertake, within the whole country, to the extent covered by the scope of powers of competent authorities, to a reasonably possible extent, to*

*a) define detailed provisions in their rules of operation in the financial and banking business which shall enable, in harmony with commercial habits, the use of regional or minority languages in terms of payment orders (cheques, bills of exchange, etc.) or other financial documents, and, where applicable, ensure the implementation of such provisions;*

*b) pursue activities to encourage the use of regional or minority languages in economic and social sectors (public sector) under their control;*

*c) ensure the possibility in facilities such as hospitals and apartments or care homes for the elderly that those in need of care due to their age or any other reasons, shall be admitted and treated in their regional or minority languages;*

Pursuant to Section 54 of the Act on Minorities, in the case of state and local municipality bodies, in a locality where it is justified by the proportion of persons belonging to a national minority, when filling vacancies concerning local public servant and public employee, as well as notary public and court clerk positions, while observing overall and professional requirements, persons speaking the language of the minority concerned shall be employed.

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

At present, the governing provision in domestic legislation concerning this matter is contained in the Act CLIV of 1997 on Health, Section 13(8). The aforementioned provision stipulate that "(...) *the patient shall have a right to be informed in a way which is comprehensible for him/her, with regard to his or her age, education, knowledge, state of mind and his/her wish expressed on the matter. If necessary and if possible, the services of an interpreter or a sign language interpreter shall be supplied for the provision of information*". The aforementioned legal provision shall also be implemented regarding the minority languages related to the undertaking. With a view to the above, currently there does not seem to be a reasonable need for any particular legislative task or other action to be implemented.

#### *Article 14*

### **Transfrontier Exchange**

#### *The Parties undertake*

*a) to apply existing bilateral and multilateral agreements on the protection of minorities concluded 'with States in 'which the same language is used in identical or similar form, or if necessary to seek to conclude such agreements, in such a way as to foster contacts between the users of the same language in the States concerned in the fields of culture, education, information, vocational training and further 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.*

The Republic of Hungary has concluded a number of bilateral agreements on the protection of minorities with the homelands of minorities living within its territory. **Minority joint committees** were established and operate on the basis of these agreements. These joint committees usually meet on an annual basis to draft various recommendations addressed to the governments in the interest of the fulfilment of the requirements of the minorities concerned. Such joint committees are cooperating with the homelands of five - Croatian, Romanian, Serbian, Slovak and Slovenian - minorities. Regarding to the German minority, in the field of education there are cultural agreements and action plans concluded by and between the two respective countries and additionally, by and between various German

Provinces and Hungary, which contain many programmes in the service of the interests of the Germans in Hungary. **Joint committees on education and culture** have been set up in the latter relation, and they meet on a regular basis.

In each of the aforementioned joint committees, the minorities concerned are represented in the Hungarian delegation.

Between 2007 and 2013, **European Territorial Cooperation** (ETC) became an independent objective of regional policy; therefore, the significance of cross-border, transnational and interregional type of programmes is increasing. **Cross-border Cooperation Operational Programmes** have been implemented from EU funds in the territories of Hungary near its borders with Slovakia, Ukraine, Romania, Serbia, Croatia, Slovenia and Austria, which practically involves most of the country into this cooperation. These programmes attach key importance to the traditional historical and national relationships of people living on both sides of the state frontier, implicating the minority communities as vectors of such relations. Chapters concerned with the safeguarding and development of culture foster the establishment of exchange projects in order to promote the linguistic, cultural and religious diversity and the nurturing of traditions.

For example, within the framework of the SL-HU Slovenia-Hungary Cross-border Cooperation Programme 2007-2013, Slovene nationality communities (nationality self-governments, local municipalities, Szlovénvidék KHT) have participated in a number of projects, and even at present a number of their cross-border projects are being implemented. Such as, inter alia

- the “Neighbour to Neighbour” project: it has provided funds to purchase the Kühár Memorial Building in Felsőszölnök, furthermore, to renovate the Bognárház in Alsószölnök, as well as the Cultural Centre in Felsőszölnök;
- Mura-Rába TV: optic cable connection between Szentgotthárd and localities populated by Slovenes living in Hungary. Joint television programmes between the Morska sobota TV AS and Szentgotthárd TV;
- “In Harmony with the Landscape”, a joint project with the Órség National Park;
- within the framework of the “Viable Landscape” project, the renovation and extension of the Pável Ágoston Museum in Szentgotthárd; and last, but not least
- the “Pearls of High Trees” project, for the purpose of fostering fruit production and processing in Rábavidék.

**Euroregions** stretching across numerous state boundaries also provide ample opportunities for minority cooperation. Twenty years ago, Poland, the Czech Republic, Slovakia and Hungary set up the **Visegrád Group** (V4) – as a result of a Hungarian initiative – in order to reinforce cultural and intellectual values and common roots, as well as to strengthen the stability of the Central European region. They provide the possibility to apply for funds for the implementation of programmes that are also in the service of fostering minority identities.

Typically, the **cultural, educational and scientific agreements** characteristic not only in relation to Germans but of other neighbourly relations as well, and annual or multiannual **action plans** that are based on them and regularly updated provide ample opportunities to serve the interests of parts of nations living on both sides of the border. These operate in a satisfactory way also in practical terms and, in many aspects even quite well.



Numerous examples could be cited for agreements, action plans and **twinning relationships between regions, counties, localities, institutions and organisations**. Since there are no central statistics available on them, a list a few occasional but typical examples is presented in the Appendix to give a foretaste.

The direct contact of minorities, as ensured by the Act on Minorities, with individuals, communities and countries speaking languages identical or similar to their own across state borders has been implemented for decades, in the most varied fields. National minority self-governments, civil society organisations, localities, educational and cultural institutions, churches, artists, civil and youth associations, media and sports clubs have been cooperating with their homeland counterparts broadly and unhindered. Germany, Slovakia, Romania, Serbia, Croatia and Slovenia have each established their funds to aid their own national communities living beyond their borders – the same as Hungary, but in a reverse direction –, which provide support to maintain identity and keep up the viability of minority communities, on many occasions including the establishment and operation of their institutions, as well. For specific examples concerning Vas County, see Appendix.

The Government of Hungary provides support via tenders for the staging of performances of Hungarian **nationality theatres** in their homelands and in other countries where their languages are spoken, as well as the hosting of guest productions coming from those countries. The Szekszárd-based Deutsche Bühne also employs guest artists from abroad, while it has already staged performances in German-speaking territories and closely cooperates with the German theatre of Timisoara. The Croatian Theatre in Pécs has close ties with Osijek, Virovitica and Zagreb. Performances staged by the Szarvas-based Cervinus Theatre and the Budapest-based Vertigo Slovak Theatre have been invited to their homelands, as well as to Serbia (Vojvodina), on a number of occasions. The Serbian Theatre of Hungary also employs professionals from their homeland, and they have accepted several invitations from Serbia. The performance of the Bulgarian minority Malko Teatro is also esteemed in Bulgaria, since their productions reach out there.

In November 2008, a Slovak Theatre Festival was organised in Szarvas with the participation of theatre companies from Hungary, Slovakia and Romania. The 2009/2010 season of the Jókai Theatre in Békéscsaba was launched under the auspices of “Visiting Neighbouring Theatres of Central Europe”. This remarkable initiative was enhanced by Ukrainian, Slovak, Austrian, Serbian, Slovenian, Croatian and Romanian artistic performances. One of the nationality theatre festivals mentioned above even hosted a theatre company from Yerevan.

## APPENDIX

### **Good examples and implementations carried out in specific counties and localities, in conjunction with the Hungarian undertakings of the Language Charter and pertaining to the questions asked in relation to the preparation of the Fifth Country Report**

#### *Question 66:*

- For example, Somogy County reported that from localities where schools had been closed, pupils were transported by organised school buses. Children from the localities of Magyaratád, Patalom, Orci, Zimány, Porrog, Porrogszentkirály, Ötvöskónyi and Nemesdéd, as well as from the town quarters of Horvátkút and Boronka are shuttled to school every day using such organised means of transport, while their monthly passes are purchased for them by the educational institution.
- In 2010, the ministry responsible for education announced a call for applications for re-starting small schools, with a framework budget of HUF 300 million. Within the framework of the call for applications 4 institutions were awarded support for restart, which affects approximately 100 children in total in the counties of Somogy, Borsod-Abaúj-Zemplén, Szabolcs-Szatmár-Bereg and Győr-Moson-Sopron.  
In addition to the 4 restarted institutions, another 24 schools were selected for support that would have been shut down without aid: support was received by 11 public education institutions in Transdanubia and 13 in the Eastern part of Hungary. On average, they were granted HUF 5 to 10 million each, which was spent on developing their infrastructure and for covering teachers' wages. Under the current circumstances, the annual number of children attending small schools in localities with less than 1100 inhabitants is below the national average, so such a grant has been of great help to the institutions concerned. However, support granted via tenders is not a long-term solution, so there is a provision laid down in the Public Education Act which endeavours to allow the restarting of small schools where there is demand and a need for that and where they have the necessary infrastructure and human resources.

#### *Question 137:*

- In April 2010, the Municipality Department of the Ministry of Municipalities replied to the letter related to the Charter, addressed to them by the Secretary of State of the Prime Minister's Office, inter alia, that the public administration authority ensured for the customer and for other participants of the proceedings shall be informed of their rights and obligations, and facilitate the exercise of customer rights. Within that framework customers are also informed of their rights in terms of language use.
- The Authority Department of the **Government Office of Fejér County** keeps the municipality notaries informed on any changes in legislation in the form of circular letters, and by conducting complex audits it facilitates the development of jurisprudence in harmony with rules of law, and provides assistance to the municipality authority clerks.
- The Government Commissioner of the **Government Office of Komárom–Esztergom County** has informed us, upon request, that in the case of their Judiciary Service, information material presenting support to victims of crime and print forms to apply

for such assistance are also available in German. The legal predecessor of the Service had concluded a cooperation agreement with the Gypsy Self-Government of Oroszlány (hereinafter: OCKÖ), for the Legal Assistance Division to provide customer care on a monthly basis at the registered office of OCKÖ, where the latter shall provide a clerk speaking the language of the minority.

Examples from Baranya County for the fulfilment of Point 2:

- At municipality assembly meetings minority languages are seldom used. At the meetings of the minority self-governments the languages of minorities are used more often, however, in order to facilitate administration, minutes are recorded in Hungarian, with one exception. In addition to Hungarian, the **National Croatian Self-Government of Szentlőrinc** keeps their minutes also in Croatian, and submits them both to the government office.
- The **Croatian and German Regional Minority Self-Governments** often conduct their meetings in their mother tongues, which is immediately translated to the participants. The minutes of such meetings are recorded in Hungarian. Translation is not enclosed to the minutes. Minutes are not kept in the language of the minority, are only written in Hungarian. At their constituent assembly, the members of both the Croatian and German Minority Self-Governments were sworn in using their mother tongue (German and Croatian respectively).
- At the meetings of the **Croatian and Gypsy** Minority Self-Governments of **Drávafok**, members often use their mother tongues in the debates, but minutes are kept in Hungarian.
- At the meeting of the German Minority Self-Government of **Dunaszekcső** it occurs on several occasions that the Chair is presenting his/her exposé in German, and the members react and make comments, but they also say it in Hungarian each time. Once the members were sworn in at the constituent assembly, the oath was also repeated in German after the Chair.
- At their respective constituent assemblies held after the 2010 elections, the members of the assemblies of the German Minority Self-Governments of **Egyházaskozár** and **Bikal** were sworn in using both Hungarian and German. Other than that, the German language has not been used at the meetings of their assemblies.
- The German Minority Self-Government of **Szűr**: members of the assembly were sworn in using German, too which was also recorded in the minutes. Minutes are kept in Hungarian; at their meetings members use German often indeed (the Swabian vernacular), but they also discuss matters in Hungarian.
- In **Komló**, the Chair of the German Minority Self-government has started to conduct several assembly meetings and public hearings in the language of the minority, since a number of interested observers attend these meetings whose mother tongue is German. The annual public hearing is held at the local German Club, where club members are present, as well as German-speaking citizens who live in Komló and its surroundings (primarily in Mecsekfalva and Mecsekjános). Meetings are chaired in parallel both in German and Hungarian, and minutes are recorded in Hungarian.

- In localities within the **Lippó** district notary's competence, assembly meetings are sometimes conducted in German, and minutes are recorded in Hungarian.
- In **Magyarbóly**, the members of the German Minority Self-government were sworn in at their constituent assembly in German. This was recorded in the minutes, and the German text was attached to the minutes as an annex.
- In the localities of **Mecseknádasd, Székelyszabar, Himesháza, Majs and Udvar**, the members of the German Minority Self-government were also sworn in at their constituent assembly in the language of the national minority, in addition to Hungarian.
- In **Nagynyárád**, at the meetings of the German Minority Self-Government their German mother tongue is regularly used by the members, as well as Hungarian. Minutes are kept in Hungarian.
- In localities falling the **Újpetre district notary's** competence, at the meetings of minority self-governments no intervention was made in the language of the minority, it was only at their constituent assemblies that members of the German Self-Government **Újpetre**, and German Minority Self-Government of **Pécsdevecser** were sworn in using the German language.
- The minutes of the 17 May 2010 meeting of the German Minority Self-Government of **Beremend** also contains the text of the conclusions in German.
- In **Pécs**, the public hearing of the **Greek** Minority Self-Government was held in Greek, there is a reference to that in the minutes of the meeting, which was recorded in Hungarian.

*Question 149:*

- **Csongrád County** has stated in their report that in 4 of their municipalities the use of minority languages also occurred, half of minority self-governments have used the minority language predominantly in its oral form, but one-fourth of them also used the language of the minority in writing. In terms of justification for the lack of use of minority languages, they have written, for example, that the special terminology used in public administration cannot be translated into the language of the minority, or that it was due to poor vocabulary; furthermore, not all of the members speak the language concerned. Most striking is the fact that the majority (13 in total) of those who answered in the negative were Gypsy Minority Self-Governments. This indicates that the variants of the Gypsy language that occur in Hungary (Romani and Boyash) have not reached the degree of linguistic development which would enable the use or translation of technical terms.

What follows is an overview of decisions on the use of minority languages, made by municipality minority self-governments from **Baranya County**. The quantity of such decisions has dramatically increased with the introduction of task-based support. It can be stated that in several cases, such conclusions were not followed by further action on

implementation by the municipality minority self-governments concerned, i.e. sometimes they were not realistic. The implementation of minority rights related to the use of language is closely scrutinised by government offices from a legality perspective, and decisions with such content are continually gathered. However, it can be ascertained that during the observation period no complaints or notifications were reported to the office.

- The Serbian Minority Self-Government of **Mohács** made a decision concluding that at their meetings the Serbian language shall be used exclusively, and at other events and programmes it shall be used as much as possible - 5/2009 (II. 09.)
- The German Minority Self-Government of **Magyarhertelend** decided on its meeting of 22 April 2009 that they shall initiate that the sign indicating the name of the locality should also be displayed in German.
- The Gypsy Minority Self-Government of **Bakonya** decided to submit an initiative in order to foster the use of the Boyash language in public administration - 17/09 (IX. 30.). The assembly also decided to organise a Christmas event where the Boyash language would be used exclusively - 23/09 (X.30.)
- The German Minority Self-Government of **Olasz** decided to put up a notice board on the wall of the community house where they intend to announce their decisions also in German - 19/2009 (11.9.) In conjunction with the Croatian Self-Government, bearing the costs, they shall ensure that the name of the locality is displayed on bilingual sign - 20/2009 (11.09.)
- The Croatian Minority Self-Government of **Kozármisleny** made a decision in December 2009 to organise church service in Croatian - 34/2009 (XI.16.)
- The Croatian Minority Self-Government of **Sellye** proposed that a public servant fluent in Croatian should be employed – 47/2009 (XI.12.)
- The Croatian Minority Self-Government of **Drávasztára** joined the aforementioned initiative 10/2009 (XI.17.)
- The German Minority Self-Government of **Magyarhertelend** made a decision encouraging the use of German at assembly meetings and events - 34/2009 (9.23.), and initiated that the name of the locality should also be displayed in German - 53/2009 (10.29.)
- At its 19<sup>th</sup> November 2009 meeting, the Croatian Minority Self-Government of **Pogány** had made use of almost all of its rights concerning initiatives for the use of their language, but according to more recent information, those initiatives were later revoked by them (initiative for the use of language in official proceedings 95/2009 (XI.19.), initiative for the issuance of bilingual documents 97/2009 (XI.19.), initiative for displaying a Croatian sign 98/2009 (XI.19.), initiative for language training for district notary staff, assistance 99/2009 (XI.19.). )
- The Croatian Minority Self-Government of **Magyarsarlós** initiated that mobile library information should also be displayed in Croatian - 9/2009 (XI.03.)

- The German Minority Self-Government of **Szederkény**, similarly to the Croatian Minority Self-Government of Pogány, made a number of initiatives, German language signs have been put up (they have undertaken to produce the signs for the institutions in German 31/2009 (10.25.); to produce German signs in the municipality building 32/2009 (10.25.); initiative for the use of the language in official proceedings 33/2009 (10.25.); conduct a significant portion of meetings in the German language 34/2009 (10.25.); decision on producing minutes in German, but those have not been accomplished 36/2009 (10.25.))
- The German Minority Self-Government of **Pécsdevecser** decided, upon the initiative of citizens, that they should ensure the translation of the meetings of the municipality assembly into German, because of citizens who are German citizens 42/2009 (10.26.)
- The German Minority Self-Government of **Somberek** initiated that important data and events should also be displayed in German on the homepage of the locality - 43/09 (XI.10.)
- The Croatian Minority Self-Government of **Felsőszentmárton** has made the following decisions:
  - proposal for the employment of a public servant with Croatian linguistic skills 24/2009 (VIII.31.)
  - initiative for Croatian language information material and leaflets 25/2009 (VIII.31.)
  - initiative on language use in official proceedings 42/2009 (10.3.)
  - initiative for the headmaster of the Croatian school to make it obligatory for the teachers to pass a language exam for Croatian 43/2009 (XI.3.)
  - initiative for the headmaster of the Croatian school to expect both teachers and pupils to speak Croatian within the school building, both in and outside classes 44/2009 (XI.3.)
  - initiative that the chair shall represent the Croatian minority population within the Multipurpose Micro-regional Association of Sellye - 32/2009 (IX.10.)
- The German Minority Self-Government of **Sásd** decided to have a German-language sign manufactured to display it on the kindergarten 16/2009 (X.12.)
- The Croatian Minority Self-Government of **Drávakeresztúr** proposed that preference should be given to public servants with Croatian skills 17/2009 (IX.15.), initiated the translation of information materials and leaflets into Croatian 18/2009 (IX.15.), and initiated the use of the language in official proceedings 22/2009 (IX.15.)
- The Gypsy Minority Self-Government of **Váznok** initiated that village meetings and monthly forums should also be conducted in the Boyash language 13/2009 (X.26.)
- The Gypsy Minority Self-Government of **Abaliget** has decided to conduct a survey among the population to ascertain if there is a need to request the employment of a Boyash speaker at the district notary's 33/2009 (9.18.)

- According to a decision by the German Minority Self-Government of **Pécsdevecser**, they shall also publish posters and invitations to their programmes in German 45/2009 (XI.18.)
- The Croatian Minority Self-Government of **Versend** initiated the use of the Croatian language at the district notary's 38/2009 (XI.25.)
- The German Minority Self-Government of **Újpetre** initiated to put up German signs to institutions 48/2009 (X.26.)
- The German Minority Self-Governments of **Véménd and Feked** made initiatives for the use of the German language and for the employment of a clerk in public administration concerning registers, social welfare and domicile matters 8-10/2009 (X.21.)
- A decision by the German Minority Self-Government of **Ófalu** has established that public administration customer service using the German language is ensured at the office 11/2009 (III.24.)
- The German Minority Self-Government of **Lippó** initiated that institutions should be displaying signs in German 12/2011 (IX.14.)
- The German Minority Self-Government of **Újpetre** made an initiative to amend the name of the school in order to include the name in German, as well – 80/2010 (X. 11.)

**Question 152:**

- In conjunction with that, the **Csongrád County Government Office** conducted a survey to see if there was a need at the localities concerned to display geographical names in minority languages in addition to Hungarian. Out of 34 respondents, 8 minority self-governments indicated such a need, while 26 of them replied in the negative. Minority language place name signs have been put up in 5 localities so far (Ambrózfalva, Deszk, Magyarcsanád, Pitvaros and Szeged). Signs have usually been displayed using either own funds or state resources, namely, in the category of signs displaying the name of the locality, street names, the names of public offices, the name of organisations providing public service, and the names of public institutions (e.g. kindergartens, schools).

Name of locality	Type of geographic name displayed on the sign	Minority language
<i>Ambrózfalva</i>	name of public institution	Slovak
<i>Deszk</i>	name of locality, name of public institution	Serbian
<i>Magyarcsanád</i>	name of locality, name of public office, name of public institution	Romanian
<i>Magyarcsanád</i>	name of locality, name of public office, name	Serbian

	of public institution	
<i>Pitvaros</i>	name of locality, name of public office, name of public institution, name of organisation providing public service	Slovak
<i>Szeged</i>	name of public institution	German

- The Government Commissioner of **Győr–Moson–Sopron** County reported, upon request, that in localities traditionally inhabited also by persons belonging to a minority, signs displaying the traditional name of the locality in the language of the minority can be found at the boundaries of practically all of those localities. The manufacturing of signs to display the name of the locality, street names, the names of public offices, the name of organisations providing public service, and the names of public institutions is in progress in Lébény and Ágfalva.

**Question 158:**

A survey conducted in **Csongrád County** has pointed out that in nearly one-third of municipalities there are public servants proficient in one or more nationality languages:

- German (8 municipalities),
- Serb (7 municipalities),
- Gypsy (7 municipalities),
- Romanian (4 municipalities),
- Slovak (1 municipalities),
- Croatian (1 municipalities),
- Polish (1 municipalities).

**Nationality languages spoken at municipalities**



**German Serbian Gypsy Romanian Croatian Slovak Polish**



The number of public servants speaking minority languages and possessing language examinations in such languages is rising. The data indicate that in Csongrád County the best situation is in the field of German skills. Probably, this is also due to the fact that in primary and secondary schools German is the foreign language taught at most places, only preceded by English. Feedback has also been received indicating that in case interpretation was needed at the municipality, minority self-government representatives could provide assistance. A remarkable initiative has been received from Csanádpalota, where the municipality applied for funds and sent three public servants to a Romanian language course, which is still in progress.

In **Baranya** County, it can be established also from the decisions concluded by the minority self-governments that there is a need for giving preference to public servants with minority language skills at district notary's and mayor's offices. However, from the registered cases of language use it can be ascertained that the exercising of linguistic rights (although requested predominantly not by persons belonging to a minority, but by foreign nationals) has not put insurmountable obstacles in the way of offices. With regard to the significant number of minority initiatives, the number of language certificates obtained from minority languages has been assessed. Data gathered does not provide the full picture because public servants who may well speak such languages as fluently as a mother tongue but have not sat for a language exam are not indicated. The following table contains the distribution of language certificates/linguistic skills:

:

Croatian	37
German	241
Romanian	1
Serbian	3
Slovak	0
Slovene	0
Romani	3
Boyash	27
Bulgarian	0
Greek	1
Polish	1
Armenian	0
Ruthenian	0
Ukrainian	0
Total	314

The predominance of German linguistic skills obviously does not reflect the ratio of the nationality population because a significant number of public servants without a German origin have also obtained a language certificate form this language.

In **Vas** County, the notary of Meggyeskovácsi, in Szombathely 3, and in Körmend 2 clerks speak the **Lovari** language. In Vép there is a primary school teacher with a language certificate and could provide help in the case of need. From the Alsószölnök district notary's

apparatus 2 clerks speak **Slovenian** at native level. At the district notary's office in Apátistvánfalva, there are 2 clerks with native-level Slovenian skills. In addition, many of the members of municipality council belong to the Slovene minority and also they speak Slovenian. In Szentgotthárd it is possible to use the Slovenian language in public administration and official proceedings, and also in the field of customer service, but there is seldom such a need. The Slovenian residents of the town prefer to use Hungarian in social intercourse. At the Mayor's Office 5 people speak Slovenian. The minority language is used by Slovenes primarily for keeping in touch and interacting with people arriving from their homeland. The staff of the National Slovenian Self-Government operating in Felsőszölnök also speaks Slovenian.

**German** Minority Self-Governments operate in 9 localities within Vas County. In all the localities inhabited by the German minority, native speakers of German also speak Hungarian. The use of German is the most wide-spread in Vas County, which is also due to the fact that the County maintains not only cultural, social and economic contacts with neighbouring Austria but there are many people commuting between the two states on a daily basis because of work or shopping tourism. In the localities inhabited by the German minority, administration is conducted in Hungarian but in most of the places communication in German is ensured, if required.

Persons belonging to the **Croatian** minority have got a wide array of diverse and rich cultural ties and traditions. They use the Croatian language in fostering their traditions and national culture but also understand and speak Hungarian. The language spoken by Croatians living in Hungary is not the standard variant of Croatian but the Gradistye dialect instead. Most of the inhabitants belonging to the Croatian nationality live in Szentpéterfa, where special emphasis is placed on nurturing their mother tongue. Customers who are native speakers of Croatian are assisted in public administration by 2 clerks who are not only native speakers, but also hold a Croatian language certificate. In Felsőcsatár, which has also got a sizeable Croatian population, there is 1 clerk who speaks Croatian.

Although the German regional minority self-government has ceased to operate within the territory of the **Vas County Municipality**, they have got several clerks with German skills and holding a German language certificate so communication does not cause any problems. Should the need for it arise, the members of the regional minority self-government can provide assistance in communication in the Gypsy or in the Croatian languages. At the **Government Office of Vas County** there are public servants with knowledge of Croatian, German, and Gypsy (Lovari) languages and the communication with customers is ensured, if requested.

***Question 174:***

- **Vas County** has also brought examples of good practice in nationality cable television operation. In the localities of Szentpéterfa, Felsőcsatár and Narda, upon the initiative of the Croatian Minority Self-Government and thanks to their financial contribution, it has become possible for the population of the villages to watch nationality

programmes on 3 channels through cable television, and the local TV station broadcast information and advertisements in both Croatian and Hungarian. In the locality of Narda, once a month the news is presented also in Croatian through the local village TV, and the video gallery of Croatian nationality programmes can be viewed, as well.

**Question 187:**

Examples of good practice in the public culture institutions:

- The Rác Aladár Community House in Pécs has been in the service of **Roma** public cultural education for 22 years now, operating in the form of association. A visual arts studio provides constant space to their artists and sculptors for presentation. The house, renovated with support from the Netherlands, has managed to become the intellectual, cultural and methodology basis of Gypsy people from all over the broader region of Southern Transdanubia, and at European quality level – says the cultural report of the Minorities’ Ombudsman. Previously, they had organised annual camps entitled “Gypsy Language and Crafts” and in 2009 they organized the Gypsy Culture Days event for the eighteenth time, with broad support and cooperation. In Véménd (Baranya County) a Roma community house was inaugurated in 2009 supported by the Government of Hungary. At the latter venue Boyash language training is planned to be conducted, and in front of the house a memorial spear pole has been erected to commemorate the wood-carving ancestors of the community which had moved in a hundred years ago, and the memorial spear pole also bears an inscription in the Boyash language.
- Instead of the previously discontinued cultural centre, in December 2011 a Government Decision was adopted on setting up a **national Roma Cultural Centre**. It would be implemented from EU funds, in accordance with the action plan of the Social Infrastructure Operational Programme. The purpose of the multifunctional Roma community and cultural centre is to gather and make accessible the treasures of Roma culture. In addition, informal and nonconformist training courses building upon Roma culture, as well as community activities, festivals, events, youth and children programmes shall also be organised. The facility would operate as one of the institutions of the National Roma Self-Government.
- The National **Romanian** Information and Documentation Centre in Gyula operates a library and it also possesses space for exhibitions where craftsmen and artists are presented, dance ensembles and choirs perform, and national level cultural exchanges are organised.
- The Gregor Tajovský General Cultural Centre in Tótkomlós supports the local **Slovak** folk singers’ club, dance ensemble and orchestra. The Slovak Regional Centre in Pilisszentkereszt has been completed together with this Report, starting in 2008 during the reporting period, as a result of solidarity and joint support from the Governments of Hungary and Slovakia. The building will house not only cultural activities, but regional and local Slovak interest protection and education work, as well.

- At the Jókai Mór Cultural Centre in Budaörs, in the event of programmes organised by minority self-governments the venue can be used free of charge. The building also houses a German choir, an orchestra, as well as a Roma and a German dance group.
- The central cultural institution of the **German community** is called Zentrum – Cultural and Information Centre of Germans in Hungary. Here, at the House of Germans in Hungary a library is to be found, there is the editorial office of a weekly magazine, a German association of creative artists, as well as an exhibition space; they operate their own webpage and coordinate cultural education for the German nationality public education throughout Hungary. The Slovak Public Cultural Education Centre is also based in the capital city, and maintains seven affiliated regional institutions in Hungary with Slovak nationalities, and houses lively recreational programmes, language courses, clubs and nationality camps.
- As an umbrella organisation, the **National Council of German Choirs, Orchestras and Dance Ensembles in Hungary** (Landesrat) embraces approximately 300 affiliated organisations in its choir and church compositions, orchestra and folk dance sections. They operate a nation-wide qualification system, their best artists can get the opportunity to perform at festivals and galas, and they also publish a monthly review.
- The National Council of Choirs (KÓTA) cooperates with 60 nationality choirs, integrating them into its qualification system, and even created a nationality award for them. Both the Muharay Elemér Folk Arts Association and the Martin György Folk Dance Association include members belonging to nationalities.

**Article 14:**

Twinning relationships between regions, counties, localities, institutions and organisations:

- **In Pest County**, in the interest of its German community, the locality of Budakalász established twinning contacts with Kahl am Main in Germany; the primary school of Pilisszántó, where many Slovaks live, through the folk dance group of the school called “Ribbon” set up ties with Slovakia; through its German dance group operating for 58 years, Szigetújfalu established mutual contacts with the Wiesenthal locality part of Waghäusel, followed up with a twinning agreement. The other two twinning contacts of Szigetújfalu have been established with Flachttal and Meimbressen. The town of Pomáz, also located in Pest County, in the interest of its German community has entered into a twinning relationship with Oberhausen. The Polish, Ruthenian and German minority self-governments of Gödöllő can largely benefit from the partnerships of the university town established with Żywiec, Beregovo, Giessen and Aichach (both of the latter from Germany) and Laxenburg (Austria). The Slovak minority of Isaszeg has enlisted assistance from their national minority self-government to build up partnerships with the towns of Trtsená and Zselíz from the homeland and in addition, Kenyhec is also its twin town. Similarly, with Bojanów in Poland there is also a prospering twinning relationship with national kinship characteristics. From a successful EU tender in 2009, in conjunction with its seven cross-border twinning partners, the small town organised the “Festival of Twin

Cities”, and its rich cultural, educational and economic programmes also included active the participation of the local Slovak and Gypsy minorities.

- In Győr, the seat of **Győr–Sopron–Moson County**, the Kovács Margit General Cultural Centre and Primary-level Art School Institute has been cultivating a twinning relationship with the primary school of Peggau (Austria) for two decades, and within its framework more than 300 of their students learning German have spent a study week at the neighbouring country’s school. The educational institute of Kimle, inhabited by Croatians, has twinning ties with a school from Pozega from the homeland; Bezenye has similar contacts with Senkovac in Croatia, and they also cooperate as twin towns.
- Between the Saint Krivin (Salesian) Parish Church in Szombathely, the seat of **Vas County**, and the Roman Catholic Church community of Sisak in Croatia, the twinning partnership dates back several decades, and it also involves the Croatian nationality population of the town. The German and Croatian pupils of the Nakovich Mihály Primary School in Kópháza can benefit from their twinning school partnership with Grosswarasdorf (A) and Vukovina/Buseveci (HR).
- The German Self-Government of **Baranya County** cooperates with organisations in Eastern Slavonia (HR), Vojvodina (SRB) and South Tirol (I), within the framework of the Alps-Adriatic Cooperation. As a result of the guest performances of the German Nationality Dance Group in Babarc, a partnership was established with the Austrian village of Hartl, but thanks to the Association of Danubian Swabs, in addition to several localities in Germany, they were able to visit even Croatia and Australia.
- In **Komárom–Esztergom County**, Vértesszőlős, where the population also includes Slovak nationality, is a twin town of the villages of Udvard and Turány in Slovakia.
- A small number of **guest teachers from their homelands** work in Hungary at Romanian, German, Slovak, Croatian, Serbian, Greek and Slovenian schools. On quite a few occasions, **in-service training for teachers and the camping of children** is arranged in respective homelands, with partial support from the Hungarian State. In relation to Slovakia and Slovenia such initiatives also involve **cultural experts**.

Cross-border initiatives from Vas County that directly facilitate language use:

- The Berzsényi Dániel County Library in Szombathely and the Regional and Study Library of Morska Sobota have not only exchanged publications for decades, but they also organise programmes, presentations, professional further trainings, and even mobile library lending to supply the Slovenian nationality community in Hungary and the Hungarian nationality community in Slovenia;
- cooperation involving regional museums and archives is similarly extensive;
- Croatians from Gradistye often arrange pilgrimages to Croatia, and to their kin communities in Austria, similarly to Germans who live in the county;

- Slovenian kindergartens and schools in the Rába region employ teachers and linguistic and educational advisors from the homeland. Teachers belonging to the Slovenian nationality regularly receive professional and linguistic training in Slovenia, and schools have set up twinning ties.
- the number of Slovene nationality intellectuals in Hungary, educated in homeland higher education facilities, has increased each year, but many of them do not return home;
- German and Croatian teachers who work in the county can also benefit from regular in-service training, for Teachers' Day they are either sent to their respective homelands or host a lecturer from there;
- the meeting of Slovenes who live in or come from the Rába region has been organised several times. On such occasions Slovenes living on both sides of the border and even further are able to get together and enjoy cultural, religious and other programmes;
- the intensive relations between Germans banished after WWII due to their nationality, and their localities of origin in Hungary are in many ways similar, e.g. homeland meetings;
- schools of localities in West Hungary use Croatian textbooks from Austria, subscription to Croatian papers from Burgenland is paid for them, and they can watch television broadcasts in a similar dialect from Austria on their cable TV network;
- guest performances of Croatian, Slovenian and German choirs and orchestras are often hosted in Croatia, Slovenia and Austria and artists from those countries are often invited to Hungary, too.