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Addendum 1

**THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**  
**COMMITTEE OF EXPERTS**

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

**AUSTRIA**

*Questions submitted to the  
Government of Austria  
regarding its Initial Periodical Report*

**COMMITTEE OF EXPERTS FOR THE EUROPEAN CHARTER  
FOR REGIONAL OR MINORITY LANGUAGES**

Questions submitted to the Government of Austria  
regarding its Initial Periodical Report

The Committee of Experts for the European Charter for Regional or Minority Languages is in the process of examining the Austrian Initial Periodical Report. The Committee has not finished its examination but has observed that a number of elements in the report need to be clarified further before the Committee will be in a position to undertake a more detailed examination as required by the Charter.

The Austrian Government is therefore requested to reply to the following questions in order for the Committee to continue its examination of the Report. This questionnaire will additionally serve as the working document during the forthcoming "on-the-spot mission" to Austria, which is planned for the end of 2003.

This document follows the structure of the Outline for Periodical Reports. The questions that the Committee would like the authorities to reply to are presented in numerical order inside the original outline for clarification purposes. Under Part III, each language is treated separately.

**Question 1.** Please provide the Committee with information on how the legislative and implementing powers are apportioned between the federal, Land and local levels in respect of the areas covered by the Charter.

**Question 2.** Please inform the Committee about the measures taken by Austrian authorities to make public the initial periodical report.

## **PART I**

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

**Question 3.** Please provide the Committee with a copy of the following legal Acts:

- Federal Constitution Act (Bundesverfassungsgesetz/B-VG), Federal Law Gazette No. 1/1920 as amended in Federal Law Gazette Vol. I, No. 99/2002.
- State Treaty of Saint-Germain-en-Laye of 10 September 1919, State Law Gazette No. 303/1920.
- State Treaty for the Re-establishment of an Independent and Democratic Austria (State Treaty of Vienna), Fed. Law Gazette No. 152/1955.
- Basic Law of Austria (Staatsgrundgesetz/StGG).
- Ethnic Groups Act (Volkstgruppengesetz), Fed. Law Gazette No. 396/1976, as amended and promulgated in Fed. Law Gazette Vol. I, No. 35/2002.
- Minority Schools Act for Carinthia (Minderheiten-Schulgesetz für Kärnten), Fed. Law Gazette No. 101/1959 as amended in Fed. Law Gazette Vol. I, No. 76/2001.
- Minority Schools Act for Burgenland (Minderheiten-Schulgesetz für Burgenland), Fed. Law Gazette No. 641/1994 as amended in Fed. Law Gazette Vol. 1, No. 136/1998.
- Nurseries Act for Burgenland, State Law Gazette No. 63/1995 as amended in State Law Gazette No. 91/2002
- Carinthian Nursery Funds Act (Kärntner Kindergartenfondsgesetz / K-KGFG), State Law Gazette No. 74/2001
- Ordinance of the Federal Government on the Ethnic Groups Advisory Councils, Fed. Law Gazette No. 38/1977, as amended in Fed. Law Gazette No. 895/1993.
- Ordinance of the Federal Government of 31 May 1977 defining the geographical areas where bilingual (German and Slovene) topographical signs are to be put up, Fed. Law Gazette No. 306/1977, as amended and promulgated in Fed. Law Gazette Vol. II, No. 37/2002.
- Ordinance of the Federal Government of 31 May 1977 defining the courts, administrative authorities and other official bodies where Slovene is admitted as an official language in addition to German, Fed. Law Gazette No. 307/1977, as amended and promulgated in Fed. Law Gazette Vol. II, No. 428/2000.
- Ordinance of the Federal Government of 31 May 1977 defining the Slovene place names, Fed. Law Gazette No. 308/1977.
- Ordinance of the Federal Government of 24 April 1990 defining the courts, administrative authorities and other official bodies where Croat is admitted as an official language in addition to German, Fed. Law Gazette No. 231/1990
- Topographical Ordinance for Burgenland, Fed. Law Gazette Vol. II, No. 170/2000.
- Ordinance governing the use of Hungarian as an official language, Fed. Law Gazette No. 229/2000.
- Ordinance of the Federal Ministry for Education that serves as a basis for designing the curricula for minority primary schools and teaching in minority languages in primary and lower secondary schools in Burgenland and Carinthia, Fed. Law Gazette No. 1966/118, as amended in Fed. Law Gazette Vol. II, No. 1998/309.
- The relevant provisions (in relation to Article 10, para. 5 of the Charter) of the Personal Status Act (Personenstandsgesetz), the Austrian Civil Code (ABGB), the Personal Status

Ordinance (Personenstandsverordnung) and the Act Amending the Law on Name Changes (Namensrechtsänderungsgesetz).

- The relevant provisions (in relation to Article 11, para. 2 of the Charter) of the Basic Law on the General Rights of Citizens (Staatsgrundgesetz über die allgemeinen Rechte der Staatsbürger), Law Gazette of the Reich No. 142/1867, the resolution of the Provisional National Assembly of 1918 on the abolition of censorship, National Law Gazette No. 3/1918, and the Federal Constitution Act Guaranteeing the Independence of Broadcasting, Fed. Law Gazette No. 396/1974.
- The ORF Act, Fed. Law Gazette No. 379/1984, as amended in Fed. Law Gazette No. 83/2001.

**Question 4.** Please indicate whether Austrian federal authorities and the authorities of the Länder Burgenland, Carinthia, Styria and Vienna have specifically introduced new legislation or modified existing legislation in connection with Austria's undertakings under the Charter. Please provide the Committee with a copy if any such legislation exists.

**Question 5.** Are there any plans to introduce further legislation in connection with Austria's undertakings under the Charter?

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

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

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

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

**Question 6.** Please provide the Committee with more detailed information on the exact status and the role of the Advisory Councils.

**Question 7.** Please inform the Committee of NGOs furthering the protection and development of the regional or minority languages in your State as well as their contact details (address, telephone, fax, email).

**Question 8.** The Committee is aware that under Article 9, paragraph 2 of the Ethnic Groups Act, associations, foundations and funds that serve the interests of an ethnic group are entitled to government assistance provided for in Article 9, paragraph 1. Please provide the Committee with the contact details of any such organisation, in so far as they are different from those already mentioned and their activities concern the Charter.

**Question 9.** Please provide the Committee with a copy of the latest yearly report on the implementation of the provisions of Article 9 of the Ethnic Groups Act, presented by the federal government to the Nationalrat by virtue of Article 9, paragraph 7.

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

**Question 10.** Please provide the Committee with more detailed information on the consultation procedure prior to ratification referred to in the initial report. Please provide a list of the organisations and persons consulted by the Austrian authorities prior to ratification and their contact details, unless already provided.

**Question 11.** Please provide the Committee with information on how NGOs or other bodies were consulted during the preparation of the Austrian initial periodical report.

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

**Question 12.** What specific steps have been taken or are proposed to inform NGOs and regional or minority language speakers in their communities of their rights and duties arising from the Charter?

## PART II

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

### *Article 7*

**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;*

**Question 13.** Are there any steps taken by Austrian authorities at the federal, Land or local levels to promote recognition and awareness of regional or minority languages as an expression of cultural wealth among the general public?

**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;*

**Question 14.** Please provide a copy of the relevant passage(s) of the ruling of the Constitutional Court, published in the Constitutional Court Reports 9224/1981.

**Question 15.** Please provide the Committee with further information about the procedure concerning the modification of administrative divisions.

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

**Question 16.** Please provide the Committee with more detailed information on how the €3.8 million are spent, and in particular concerning what percentage of the funding goes to each one of the different regional or minority languages.

**Question 17.** Are there any other funding schemes implemented by the administrations of the Länder with a view to promoting regional or minority languages?

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

**Question 18.** Please provide the Committee with more detailed information concerning the “mechanisms to facilitate the use and promotion of minority languages” referred to in the initial report.

**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;*

**Question 19.** Please inform the Committee how the Advisory Councils for each minority language co-operate together. Is there a forum for NGOs to develop links in the fields covered by the Charter?

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

**Question 20.** Please provide the Committee with information on how the teaching of the Romany languages is catered for in the education system, at pre-school, primary and secondary school levels, as well as in the field of adult education. What measures have been taken by the authorities with a view to informing the members of the Roma community about the possibilities available to them in the field of education?

**Question 21.** Please elaborate further on the availability of Czech and Slovak education in the Land Vienna at pre-school, primary and secondary school levels, as well as on the situation of teacher training and the availability of teaching materials.

**Question 22.** Please provide the Committee with further information as to how the Czech and Slovak languages benefit particularly from Article 68(1) of the State Treaty of St. Germain. What are the criteria for the practical application of this provision that requires the Austrian government to facilitate mother-tongue education when there is a “relatively considerable number” (verhältnismäßig beträchtliche Zahl) of non-German speakers in an area?

**Question 23.** Please elaborate further on the availability of Burgenland-Croatian education in Vienna, Slovenian education in Vienna and Styria, and of Hungarian education in the Land Vienna at pre-school, primary and secondary school levels, as well as on the situation of teacher training and the availability of teaching materials for these languages.

**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;**

**Question 24.** Please provide the Committee with information on courses available to non-speakers of the regional or minority languages living in all areas where the languages are used. The Committee would appreciate concrete examples of courses provided as well as information about the means available for the funding of such courses.

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

**Question 25.** Please provide the Committee with further information about the study of and research into Romany, Czech and Slovak at the university level.

**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.**

**Question 26.** Please provide further information on the relevant activities undertaken by the Austrian Institute of East and Southeast European Studies.

**Question 27.** Please elaborate further on Austria’s transnational exchanges with respect to the Czech and Slovak languages.

**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.*

**Question 28.** Please provide the Committee with concrete examples of the manner in which political education, as referred to in the initial report, is provided. Please provide further information on the results of the research programme "Xenophobia".

**Question 29.** Please provide the Committee with information about the teaching of the history and culture that is reflected by the regional or minority languages outside the settlement areas of these minorities.

- 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.*

**Question 30.** Please provide the Committee with the 1996-1999 "Memorandum submitted by the Austrian Ethnic Groups to the Austrian federal government and the Nationalrat (lower house of the Austrian Parliament)" on 24 June 1997.

- 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.*

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



### PART III

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

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

### BURGENLAND-CROATIAN IN THE BURGENLAND-CROATIAN LANGUAGE AREA IN THE LAND BURGENLAND

#### *Article 8 – Education*

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

**a ii** *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*

**Question 31.** Please provide the Committee with information on the number of Burgenland-Croatian pre-schools in 2002.

**b ii** *to make available a substantial part of primary education in the relevant regional or minority languages; or*

**Question 32.** Please provide the Committee with information as to how many bilingual minority schools exist in Burgenland that provide education in Burgenland-Croatian.

**c iii** *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*

**Question 33.** Please provide the Committee with information on the number of lower secondary schools in which Burgenland-Croatian is taught. Please elaborate further on the content of the “special language programmes” in Burgenland-Croatian.

**d i** *to make available technical and vocational education in the relevant regional or minority languages; or*

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

**iii** *to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*

**iv** *to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;*

**Question 34.** Please provide the Committee with information on how many technical or vocational schools provide education in Burgenland-Croatian.

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

**Question 35.** Are there any university courses available in Burgenland-Croatian in the Burgenland-Croatian-speaking area? If yes, please elaborate further.

**Question 36.** The Committee has taken the view that this undertaking requires more than passive tolerance, and would be interested to know what positive steps the Austrian authorities have taken or propose to take to encourage (i) Burgenland-Croatian-medium education and/or (ii) the study of Burgenland-Croatian at the level of higher education.

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

**Question 37.** Please provide the Committee with further information on the number of adult education centres providing teaching of Burgenland-Croatian and the area where the courses are taught. Furthermore, please provide further information on the work of the organisations providing classes in Burgenland-Croatian.

- g to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;***
- h to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;***

**Question 38.** Please provide the Committee with further information on the contents of the training programme provided on the basis of Article 13 of the Minority Schools Act for Burgenland.

- 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.***

**Question 39.** Please provide the Committee with further information on the specific divisions responsible for bilingual schooling in Burgenland-Croatian installed at the regional School Board for Burgenland (Landesschulrat für Burgenland).

**Question 40.** Please provide the Committee with further information on the specialised inspectors qualified to inspect bilingual teaching.

**Question 41.** Please provide the Committee with the latest periodic reports drawn up by the supervisory bodies mentioned above.

- 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.*

**Question 42.** Please provide the Committee with information on bilingual teaching of Burgenland-Croatian offered outside Burgenland.

**Article 9 – Judicial authorities**

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

**a** *in criminal proceedings:*

- ii** *to guarantee the accused the right to use his/her regional or minority language; and/or*
- iii** *to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language;*

**Question 43.** Please provide the Committee with information on how the provisions of the Ethnic Groups Act relate to the rules of criminal procedure, and the extent to which these provisions are applied in practice in the Burgenland-Croatian language area in the Land Burgenland. The Committee would appreciate concrete data.

**b** *in civil proceedings:*

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

**Question 44.** Please provide the Committee with information on how the provisions of the Ethnic Groups Act relate to the rules of civil procedure, and the extent to which these provisions are applied in practice in the Burgenland-Croatian language area in the Land Burgenland. The Committee would appreciate concrete data.

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

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

*if necessary by the use of interpreters and translations;*

**Question 45.** Please provide the Committee with information on how the provisions of the Ethnic Groups Act relate to the rules of administrative procedure, and the extent to which these provisions are applied in practice in the Burgenland-Croatian language area in the Land Burgenland. The Committee would appreciate concrete data.

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

**2 The Parties undertake:**

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

**Article 10 – Administrative authorities and public services**

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

*a iii to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or*

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

**Question 46.** Please inform the Committee how the right to use Burgenland-Croatian is applied in practice.

**Question 47.** Please provide the Committee with examples, if available, of the types of administrative documents drafted in Burgenland-Croatian.

**Question 48.** The Committee is aware that under Article 23 of the Ethnic Groups Act civil servants who master the language of an acknowledged ethnic group and who use it in accordance with the Act are entitled to extra pay. Please provide the Committee with information concerning the practical application of this article and the number of Burgenland-Croatian-speaking civil servants benefiting from it.

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

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

*d the publication by local authorities of their official documents also in the relevant regional or minority languages;*

**Question 49.** Please inform the Committee on the use made of this right by speakers of Burgenland-Croatian within the administrative districts of the State and the local and regional authorities referred to in the initial report.

**Question 50.** Please provide the Committee with examples of general official documents published in Burgenland-Croatian pursuant to Article 13, paragraph 4 of the Ethnic groups act and the Ordinance regarding the use of Croatian as an Official Language. Do the authorities decide to publish such documents on their own initiative or only upon request?

- 4** *With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:*
  - a** *translation or interpretation as may be required;*
- 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.*

**Question 51.** Has there ever been a refusal to register a name in Burgenland-Croatian?

**Question 52.** Please indicate the fees incurred by the applicant in case the reason for the Name change is found to be not important.

#### **Article 11 – Media**

- 1** *The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:*
  - b** *ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*
  - c** *ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;*
  - d** *to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;*

**Question 53.** Please provide the Committee with information on the amount of support given by the federal government and details concerning subsidised works in Burgenland-Croatian.

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

**Question 54.** Is there any daily publication in Burgenland-Croatian?

**Question 55.** Please provide the Committee with more information on the amount of financial assistance given by the government.

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

**Question 56.** Please provide the Committee with more detailed information on how speakers of Burgenland-Croatian benefit from the general support measures for audiovisual productions. To what extent were audiovisual productions in Burgenland-Croatian supported in 2002?

- 2** *The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in identical or similar*

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

#### **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 are competent, have power or play a role in this field:*

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

**Question 57.** Please provide the Committee with information on the cultural facilities and activities committed to the furtherance of the Burgenland-Croatian language and the amount of aid given under the support scheme for ethnic groups. The Committee would appreciate concrete examples.

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

**Question 58.** Please provide the Committee with more information on the practical implementation of this provision. The Committee would appreciate concrete examples

**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.*

**Question 59.** Please inform the Committee on the use of funds from the support scheme for ethnic groups by speakers of Burgenland-Croatian outside the Burgenland-Croatian language area.

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

**Question 60.** Please provide the Committee with examples regarding the implementation of this provision, with special regard to the activities of ARGE Alpen-Adria?

**Question 61.** Please inform the Committee whether the cultural policies abroad of the Austrian federal government and, in so far as it is competent in this field; the government of the Land Burgenland make provision for Burgenland-Croatian and the Burgenland-Croatian culture.

**Article 13 – Economic and social life**

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

**d** *to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.*

**Question 62.** Please specify how the use of Burgenland-Croatian is encouraged with regard to economic and social life in Austria. Have Austrian authorities taken (or are they intending to take) any positive action in this area?

**Article 14 - Transfrontier exchanges**

*The Parties undertake:*

**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.*

**Question 63.** Please inform the Committee on the activities for the benefit of the Burgenland-Croatian language developed by the ARGE Alpen-Adria and the Austrian Institute of East and Southeast European Studies (Österreichisches Ost- und Südosteuropa Institut).

## SLOVENE IN THE SLOVENE LANGUAGE AREA IN THE LAND CARINTHIA

### **Article 8 – Education**

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

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

**Question 64.** Please provide the committee with information on the amount of financial assistance given to Slovenian pre-schools in the Slovenian language area in Carinthia.

**Question 65.** Please provide the Committee with information as to how many bilingual or multilingual pre-schools exist in the Slovenian language area in Carinthia.

**Question 66.** Has there been any development concerning Carinthian legislation or the creation of a special fund in order to counterbalance the financial burden which might arise from the unwillingness of certain municipalities to establish bilingual groups at communal pre-schools?

- b** *ii to make available a substantial part of primary education in the relevant regional or minority languages; or*

**Question 67.** Please provide the Committee with information as to how many bilingual or multilingual minority schools exist in the Slovenian language area in the Land Carinthia.

**Question 68.** Please provide the Committee with a copy of the Carinthian legislation pursuant to Article 10, paragraph 1 of the Minority Schools Act for Carinthia.

- c** *iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*

**Question 69.** Please provide the Committee with more information on the number of secondary schools in which Slovene is taught.

**Question 70.** The Committee is aware of the pedagogical scheme known as “Kugy Class” which was introduced at the Slovene Gymnasium in Klagenfurt. Please provide the Committee with more information concerning this scheme.

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



*iii to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*

*iv to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;*

**Question 71.** Please provide the Committee with information on how many technical or vocational schools in Carinthia provide education in Slovene.

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

**Question 72.** Are there any university courses offered in the Slovene language area in Carinthia? If so, please elaborate further.

**Question 73.** Are there any special programmes at Klagenfurt University concerning the Slovene language and culture?

**Question 74.** The Committee has taken the view that this undertaking requires more than passive tolerance, and would be interested to know what positive steps the Austrian authorities have taken or propose to take to encourage (i) Slovenian-medium education and/or (ii) the study of Slovene at the level of higher education.

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

**Question 75.** Please provide the Committee with information as to how many adult education centres exist in the Slovene language area in Carinthia.

**Question 76.** Please provide the Committee with further information on the courses given by organisations of the ethnic group.

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

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

**Question 77.** Please provide the Committee with further information on the training programmes provided on the basis of Article 21 of the Minority Schools Act for Carinthia.

**Question 78.** The Committee is aware of the additional demand for bilingual teachers as a consequence of the ruling of the Constitutional Court of 19 March 2000, extending bilingual primary school education from 3 to 4 years. Has this demand been met?

*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.*

**Question 79.** Please provide the Committee with further information on the specific divisions responsible for bilingual schooling installed at the regional School Board for Carinthia (Landesschulrat für Kärnten) and the specialised inspectors qualified to inspect bilingual education.

**Question 80.** Please provide the Committee with the latest periodic reports drawn up by the supervisory bodies mentioned above.

- 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.*

**Question 81.** Please provide the Committee with information on bilingual teaching in or of Slovene offered outside Carinthia.

#### **Article 9 – Judicial authorities**

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

**a** *in criminal proceedings:*

- ii** *to guarantee the accused the right to use his/her regional or minority language; and/or*
- iii** *to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language;*

**Question 82.** Please provide the Committee with information about the extent to which these provisions are applied in practice in the Slovene language area in the Land Carinthia. The Committee would appreciate concrete data.

**b** *in civil proceedings:*

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

**Question 83.** Please provide the Committee with information about the extent to which these provisions are applied in practice in the Slovene language area in the Land Carinthia. The Committee would appreciate concrete data.

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

**Question 84.** Please provide the Committee with information about the extent to which these provisions are applied in practice in the Slovene language area in the Land Carinthia. The Committee would appreciate concrete data.

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

**2** *The Parties undertake:*

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

**Article 10 – Administrative authorities and public services**

- 1** *Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:*
  - a** *iii to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or*
  - c** *to allow the administrative authorities to draft documents in a regional or minority language.*

**Question 85.** Please provide the Committee with a copy of the ruling of the Constitutional Court of 4 October 2000. Please inform the Committee of the efforts Austrian authorities have undertaken in order to implement this ruling and of the changes induced by this ruling in the political districts of Carinthia.

**Question 86.** Please provide the Committee with examples, if available, of the types of administrative documents drafted in Slovene in Carinthia.

**Question 87.** The Committee is aware that under Article 23 of the Ethnic Groups Act civil servants who master the language of an acknowledged ethnic group and who use it in accordance with the Act are entitled to extra pay. Please provide the Committee with information concerning the practical application of this article and the number of Slovene-speaking civil servants benefiting from it in Carinthia.

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

- b** *the possibility for users of regional or minority languages to submit oral or written applications in these languages;*
- d** *the publication by local authorities of their official documents also in the relevant regional or minority languages;*

**Question 88.** Please provide the Committee with information on how these provisions are applied in practice.

**Question 89.** Please provide the Committee with examples of general official documents published in Slovene by local authorities, pursuant to Article 13, paragraph 4 of the Ethnic Groups Act and the Ordinance regarding the use of Slovene as an Official Language in Carinthia. Do the authorities decide to publish such documents on their own initiative or only upon request?

- 4** *With a view to putting into effect those provisions of paragraphs 1, 2 and 3 accepted by them, the Parties undertake to take one or more of the following measures:*
  - a** *translation or interpretation as may be required;*
- 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.*

#### Article 11 – Media

- 1** *The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media:*
  - b** *ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*

**Question 90.** The Committee understands that the ORF put an end to its cooperation project with Radio dva, the radio station referred to in the initial report, on 31.12.2002. Although the Committee is aware that ORF is an independent institution, it would appreciate further information on the reasons that have motivated the authorities to stop financing Radio dva.

- c** *ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;*
- d** *to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;*

**Question 91.** Please provide the Committee with more detailed information on the amount of support given by the federal government including, if available, statistical details concerning the works subsidised in Slovene.

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

**Question 92.** Is there a daily publication in Slovene based in Carinthia?

**Question 93.** Please provide the Committee with information on the amount of financial assistance given by the government.

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

**Question 94.** Please provide the Committee with more detailed information on how speakers of Slovene benefit from the general support measures for audiovisual productions. To what extent were audiovisual productions in Slovene supported in 2002?

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

#### 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 are competent, have power or play a role in this field:*
  - a to encourage types of expression and initiative specific to regional or minority languages and foster the different means of access to works produced in these languages;*

**Question 95.** Please provide the Committee with information on the cultural facilities and activities committed to the furtherance of the Slovene language and the amount of aid given under the support scheme for ethnic groups. The Committee would appreciate concrete examples.

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

**Question 96.** Please provide the Committee with more information on the practical implementation of this provision. The Committee would appreciate concrete examples.

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

**Question 97.** Have there been other examples of representatives of Slovene-speakers participating in cultural activities in Carinthia?

- 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.*

**Question 98.** Please provide the Committee with more detailed information about the financial assistance granted to Slovene-speaking organisations outside the Slovene language area in Carinthia.

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

**Question 99.** Please inform the Committee whether the cultural policies abroad of the Austrian federal government and, in so far as it is competent in this field, the government of the Land Carinthia make provision for Slovene and the Slovene culture.

#### **Article 13 – Economic and social life**

- 1** *With regard to economic and social activities, the Parties undertake, within the whole country:*
- d** *to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.*

**Question 100.** Please specify how the use of Slovene is encouraged with regard to economic and social life in Austria. Have Austrian authorities taken (or are they intending to take) any positive action in this area?

#### **Article 14 - Transfrontier exchanges**

*The Parties undertake:*

- 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.*

**Question 101.** Please inform the Committee on the activities for the benefit of Slovene-speakers developed by the ARGE Alpen-Adria and the Austrian Institute of East and Southeast European Studies (Österreichisches Ost- und Südosteuropa Institut).

## HUNGARIAN IN THE HUNGARIAN LANGUAGE AREA IN THE LAND BURGENLAND

### **Article 8 – Education**

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

**a ii** *to make available a substantial part of pre-school education in the relevant regional or minority languages; or*

**Question 102.** Please provide the Committee with information on the number of Hungarian pre-schools in 2002.

**b ii** *to make available a substantial part of primary education in the relevant regional or minority languages; or*

**Question 103.** Please provide the Committee with information as to how many bilingual minority schools exist in Burgenland that provide education in Hungarian.

**c iii** *to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or*

**Question 104.** Please provide the Committee with information on the number of secondary schools in which Hungarian is taught. Please elaborate further on the content of the “special language programmes” in Hungarian referred to in the initial report.

**d iv** *to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;*

**Question 105.** Please provide the Committee with information on how many technical or vocational schools provide education in Hungarian.

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

**Question 106.** Are there any university courses given in Hungarian in the Hungarian-speaking area in Burgenland? If yes, please elaborate further.

**Question 107.** The Committee has taken the view that this undertaking requires more than passive tolerance, and would be interested to know what positive steps the Austrian authorities have taken or propose to take to encourage (i) Hungarian-medium education and/or (ii) the study of Hungarian at the level of higher education.

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

**Question 108.** Please provide the Committee with further information on the number of adult education centres providing teaching of Hungarian and the area where the courses are taught.

**Question 109.** Please provide further information on the work of the organisations providing classes in Hungarian (and especially the Burgenland-Hungarian Volkshochschule) and the support provided by the federal government.

- g** *to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;*
- h** *to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;*

**Question 110.** The Committee understands that the Federal Institute of Education in Eisenstadt is cooperating with authorities in Sopron, Hungary in the area of bilingual teacher training. Please provide the Committee with more information about this cooperation.

- 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.*

**Question 111.** Please provide the Committee with further information on the specific divisions responsible for bilingual schooling in Hungarian installed at the regional School Board for Burgenland (Landesschulrat für Burgenland).

- 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.*

**Question 112.** Please provide the Committee with information on the criteria for offering bilingual teaching in or of Hungarian in Burgenland outside the Hungarian language area.

**Question 113.** Please provide the Committee with information on the bilingual teaching of Hungarian offered outside Burgenland (apart from Vienna).

## **Article 9 – Judicial authorities**

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

**a** *in criminal proceedings:*

- ii** *to guarantee the accused the right to use his/her regional or minority language; and/or*
- iii** *to provide that requests and evidence, whether written or oral, shall not be considered inadmissible solely because they are formulated in a regional or minority language;*

**Question 114.** Please provide the Committee with information about the extent to which these provisions are applied in practice in the Hungarian language area in the Land Burgenland. The Committee would appreciate concrete data.



**b in civil proceedings:**

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

**Question 115.** Please provide the Committee with information about the extent to which these provisions are applied in practice in the Hungarian language area in the Land Burgenland. The Committee would appreciate concrete data.

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

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

**Question 116.** Please provide the Committee with information about the extent to which these provisions are applied in practice in the Hungarian language area in the Land Burgenland. The Committee would appreciate concrete data.

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

**2 The Parties undertake:**

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

**Article 10 – Administrative authorities and public services**

- 1 Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the measures specified below and according to the situation of each language, the Parties undertake, as far as this is reasonably possible:**
  - a iii to ensure that users of regional or minority languages may submit oral or written applications and receive a reply in these languages; or**
  - c to allow the administrative authorities to draft documents in a regional or minority language.**

**Question 117.** Please inform the Committee how the right to use Hungarian is applied in practice.

**Question 118.** Please provide the Committee with examples, if available, of the types of administrative documents drafted in Hungarian in Burgenland.

**Question 119.** The Committee is aware that under Article 23 of the Ethnic Groups Act civil servants who master the language of an acknowledged ethnic group and who use it in accordance with the Act are entitled to extra pay. Please provide the Committee with information concerning the practical application of this article and the number of Hungarian-speaking civil servants benefiting from it.

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

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

**Question 120.:** Please inform the Committee on the use of this right by speakers of Hungarian.

**d** *the publication by local authorities of their official documents also in the relevant regional or minority languages;*

**Question 121.** Please provide the Committee with examples of general official documents published in Hungarian pursuant to Article 13 , paragraph 4 of the Ethnic groups act and the Ordinance regarding the Use of Hungarian as an Official Language in Burgenland. Do the authorities decide to publish such documents on their own initiative or only upon request?

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

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

**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.*

#### **Article 11 – Media**

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

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

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

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

**Question 122.** Please provide the Committee with information on the amount of support provided by the federal government and details concerning the works subsidised.

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

**Question 123.** Is there any daily publication in Hungarian in Burgenland?

**Question 124.** Please provide the Committee with information on the amount of financial assistance given by the government.

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

**Question 125.** Please provide the Committee with more detailed information on how speakers of Hungarian benefit from the general support measures for audiovisual productions. To what extent were audiovisual productions in Hungarian supported in 2002?

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

#### **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 are competent, have power or play a role in this field:**

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

**Question 126.** Please provide the Committee with information on the cultural facilities and activities committed to the furtherance of Hungarian and the amount of aid given under the support scheme for ethnic groups. The committee would appreciate concrete examples.

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

**Question 127.** Please provide the Committee with more information on the practical implementation of this provision. The Committee would appreciate concrete examples.

- 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.*

**Question 128.** Please provide the Committee with more detailed information on the content of the projects that were financed in Tyrol, Upper Austria and Styria (or elsewhere if applicable) and the amount of assistance provided.

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

**Question 129.** Please inform the Committee whether the cultural policies abroad of the Austrian federal government and, in so far as it is competent in this field, the government of the Land Burgenland make provision for the Hungarian language and the Hungarian culture.

#### **Article 13 – Economic and social life**

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

- d** *to facilitate and/or encourage the use of regional or minority languages by means other than those specified in the above sub-paragraphs.*

**Question 130.** Please specify how the use of Hungarian is encouraged with regard to economic and social life in Austria. Have Austrian authorities taken (or are intending to take) any positive action in this area?

#### **Article 14 - Transfrontier exchanges**

*The Parties undertake:*

- 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.*

**Question 131.** Please inform the Committee on the activities for the benefit of the Hungarian language developed by the ARGE Alpen-Adria and the Austrian Institute of East and Southeast European Studies (Österreichisches Ost- und Südosteuropa Institut).