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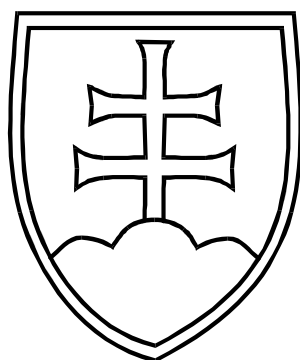
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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

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

**SLOVAKIA**



***Third Report on the Implementation of the European Charter for Regional or  
Minority Languages in the Slovak Republic***

**Bratislava 2012**

The European Charter for Regional or Minority Languages (hereinafter referred to as the “Charter”) was signed on behalf of the Slovak Republic on 20 February 2001 in Strasbourg. The National Council of the Slovak Republic approved the Charter by Resolution No. 1497 of 19 June 2001. The President of the Slovak Republic ratified the Charter on 20 July 2001, and the instrument of ratification was deposited and registered with the depositary, the Secretary General of the Council of Europe, on 5 September 2001. The Charter entered into force with regard to the Slovak Republic on 1 January 2002, in accordance with Article 19 para. 2 of the Charter. The text of the Charter was published in the Collection of Laws under No 588/2001.

At the time of depositing the instrument of ratification, the Slovak Republic made the following declaration:

*1. The Slovak Republic declares that it shall implement the adopted Charter in conformity with the Constitution of the Slovak Republic and with the relevant international instruments which guarantee that citizens are equal before the law without difference of origin, race, religion or nationality, with a view to promoting the European linguistic heritage without prejudice to the use of the state language.*

*2. The Slovak Republic declares, pursuant to Article 1 (b) of the Charter, that the term “territory in which the regional or minority language is used” shall refer to the municipalities in which the citizens of the Slovak Republic belonging to national minorities form at least 20% of the population, according to the Ordinance of the Government of the Slovak Republic No 221/1999 Coll., dated 25 August 1999, including the application of its Article 10.*

*3. Pursuant to Article 3 para. 1 of the Charter, “Regional or minority languages” in the Slovak Republic are: Bulgarian, Czech, Croatian, Hungarian, German, Polish, Roma, Ruthenian and Ukrainian languages; the application of the provisions of the Charter within the meaning of its Article 2 para. 2, with regard to*

***Bulgarian, Czech, Croatian, German, Polish and Roma languages:***

*Article 8 para. 1 (a) iii; (b) iii; (c) iii; (d) iii; (e) ii; (f) ii; (g); (h); (i);*

*Article 9 para. 1 (a) ii and iii; (b) ii and iii; (c) ii and iii, (d);*

*Article 10 para. 1 (a) iii and iv; para. 2 (b), (c), (d), (f), (g), para. 3 (c), para. 4 (a), (c), para. 5;*

*Article 11 para. 1 (a) iii; (b) ii; (c) ii; (d); (e) i,*

*(f) ii, para. 2 and 3;*

*Article 12 para. 1 (a); (b); (c); (d); (e); (f); (g); para. 2 and 3;*

*Article 13 para. 1 (a); (b); (c); para. 2 (c);*

*Article 14 (a);*

*Article 14 (b) only for the Czech, German and Polish languages;*

***Ruthenian and Ukrainian languages:***

*Article 8 para. 1 (a) ii; (b) ii; (c) ii; (d) ii; (e) ii; (f) ii; (g); (h); (i);*

*Article 9 para. 1 (a) ii and iii; (b) ii and iii; (c) ii and iii, (d); para. 3;*

*Article 10 para. 1 (a) iii and iv; para. 2 (b), (c), (d), (f), (g), para. 3 (c), para. 4 (a), (c), para. 5;*

*Article 11 para. 1 (a) iii; (b) ii; (c) ii; (d); (e) i,*

*(f) ii, para. 2 and 3;*

*Article 12 para. 1 (a); (b); (c); (d); (e); (f); (g); para. 2 and 3;*

Article 13 para. 1 (a); (b); (c); para. 2 (c);  
Article 14 (a);  
Article 14 (b) only for the Ukrainian language;

**Hungarian language:**

Article 8 para. 1 (a) i; (b) i; (c) i; (d) i; (e) i; (f) i; (g); (h); (i);  
Article 9 para. 1 (a) ii and iii; (b) ii and iii; (c) ii and iii, (d); para. 2 (a), para. 3;  
Article 10 para. 1 (a) ii, para. 2 (a); (b); (c); (d); (f); (g); para. 3 (b); (c); para. 4 (a), (c), para. 5;  
Article 11 para. 1 (a) iii; (b) ii; (c) ii; (d); (e) i; (f) i; para. 2 and 3;  
Article 12 para. 1 (a); (b); (c); (d); (e); (f); (g); para. 2 and 3;  
Article 13 para. 1 (a); (b); (c); para. 2 (c);  
Article 14 (a) (b);

4. The Slovak Republic declares that Article 8 para 1 (e) i applies to the training of teachers, theologians, cultural and adult education workers, without prejudice to the teaching in the state language, i.e. that most subjects, including core subjects, shall be taught in a minority language respecting the legal norms of the Slovak Republic in the area of higher education.

5. The Slovak Republic declares that Article 10 para 1 (a) ii, Article 10 para. 2 (a) and Article 10 para. 3 (b) shall be interpreted without prejudice to the use of the state language according to the Constitution of the Slovak Republic, and in harmony with the legal system of the Slovak Republic.

6. The Slovak Republic declares that Article 12 para 1 (e) and Article 13 para. 2 (c) shall be applied except where the effects of their application would be in conflict with other provisions of the legal system of the Slovak Republic concerning the prohibition of discrimination of the citizens of the Slovak Republic in labour relations in the territory of the Slovak Republic.

The Slovak Republic assumed very ambitious commitments when it chose 49 to 53 provisions (the minimum number being 35) of Part III of the Charter relating to nine minority languages: Bulgarian, Czech, Croatian, Hungarian, German, Polish, Roma, Ruthenian and Ukrainian. From the point of view of the applicable provisions, these languages are divided into three groups: 1) Hungarian, 2) Ruthenian and Ukrainian, 3) other languages.

Article 15 para. 1 (Periodical reports) of Part IV of the Charter (Application of the Charter) provides that the Parties have a duty to present the Secretary General of the Council of Europe with a report on their policy pursued in accordance with Part II of the Charter, in a form to be prescribed by the Committee of Ministers, and on the measures taken in application of those provisions of Part III which they have accepted. The first report must be presented within the year following the entry into force of the Charter with respect to the Party concerned, the other reports at three-year intervals after the first report. The Parties shall make their reports public in conformity with Article 15 para. 2 of the Charter.

The Slovak Government deliberated on and approved the initial Report on the Application of the European Charter for Regional or Minority Languages in the Slovak Republic by Resolution No. 1114 of 26 November 2003. The Report was presented to the Secretary General of the Council of Europe on 5 December 2003. In accordance with Article 16 para. 1 (Examination of the reports), the Report was examined by the Committee of Experts, which adopted an Evaluation report on the application of the Charter by the Slovak Republic on 23

November 2005. The first monitoring cycle on the application of the Charter by the Slovak Republic was concluded with the adoption by the Council of Europe's Committee of Ministers of Recommendation RecChL (2007)1 on the Application of the Charter by Slovakia on 21 February 2007.

The Slovak Republic examined the second report on the application of the Charter, and approved it by Decree No. 371 of 4 June 2008. On 30 July 2008, the Report was submitted to the Secretary General of the Council of Europe. On the basis of the submitted Report and the knowledge gained during the visit of the delegation of the Committee of Experts in Slovakia (12 – 13 February 2009), the Committee of Experts adopted an Evaluation report on the Implementation of the Charter for Regional or Minority Languages by the Slovak Republic on 24 April 2009. The second cycle of monitoring of the Charter implementation by the Slovak Republic was concluded by the adoption of Recommendation RecChL (2009) 6 on the Application of the Charter in the Slovak Republic on 18 November 2009.

The third report on the application of the Charter by the Slovak Republic was drawn up in conformity with the methodology guideline setting out the outline of the follow-up periodical reports submitted by the Parties to the Charter, adopted by the Council of Europe's Committee of Ministers on 6 May 2009 (MIN-LANG (2009) 8).

The Report was drawn up with due regard to the recommendations of the Council of Europe's Committee of Ministers concerning the application of the Charter by Slovakia and to the Evaluation report of the Committee of Experts. The third report on the application of the Charter by the Slovak Republic contains updated and comprehensive information on the status and situation of regional or minority languages in Slovakia. It focuses mainly on presenting the current situation and on new developments in legislation and social practice with respect to the protection and promotion of regional or minority languages.

## **Part I**

***1. Please provide current information, if any, related to the number and geographic distribution of the people speaking regional or minority languages to the demographic situation.***

The main source of data about the number of people belonging to national minorities in the Slovak Republic is the "Population and housing census". In line with Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on Population and Housing Censuses, a population and housing census took place in the Slovak Republic in 2011, in view of Act No 263/2008 Coll. on Population and Housing Census, amending Act No 5/2004 Coll. on Employment Services and on amendments and supplements to some acts as amended. The population and housing census was carried out in the period of 13 May – 6 June 2011. The first results of the population and housing census are expected in autumn 2011, while the complete results will only be available 27 months after the census completion.

From the point of view of the position of minorities, the most important data to be ascertained was the nationality, mother tongue and most frequently used language. Nationality shall be

understood as the membership in a nation or ethnic group. Mother tongue shall be understood as the language which the parents used for speaking with the person. Each person can mark/write down only one mother tongue at his/her own discretion. Mother tongue need not be identical to nationality. The most frequently used language in public is the language which the person uses most frequently in his/her job or school at the moment, regardless of the fact if they work or study in the SR or abroad. The most frequently used language in private is the language used currently most often by the person at home. The most frequently used language is investigated in the 2011 census for the first time.

In the population and housing census, the rights of people belonging to national minorities were taken into account. Article 5 para. 3 and 4 of Act No 263/2008 Coll. on Population and Housing Census in 2011, amending and supplementing Act No 2/2004 Coll. on Employment Services and on amendments and supplements to some acts as amended, lays down the following:

*"(3) In addition to the national language, the census forms shall also be made out in the Hungarian, Roma, Ruthenian and Ukrainian languages in both paper form and electronic form, and in English language in the electronic form.*

*(4) The number of forms made in paper form in the languages stated in (3) shall depend on the statistical data regarding the number of nationals belonging to national minorities gained from the Population and Housing Census in 2001."*

The census forms in the languages of national minorities should be available in all municipalities where, in line with the Population and Housing Census in 2001, persons belonging to national minorities live, regardless of the fact if it is a municipality delimited by the Act on Use of Languages of National Minorities, i.e. a municipality where at least 20% of its population are nationals of the Slovak Republic belonging to national minorities.

When examining the number and geographic distribution, only the data from the Population and Housing Census 2001 is currently available. The data from the Population and Housing Census 2011 will probably be disclosed in early 2012. The data from the Population and Housing Census 2001 regarding the number of members of national minorities are as follows:

Structure of nationalities	85.8% Slovak	4,614,854
	9.7% Hungarian	520,528
	1.7% Roma	89,920
	0.8% Czech	44,620
	0.4% Ruthenian	24,201
	0.2% Ukrainian	10,814
	0.1% German	5,405
	0.05% Polish	2,602
	0.04% Moravian	2,348

	0.03% Russian	1,590
	0.02% Bulgarian	1,179
	0.02% Croatian	890
	0.01% Serbian	434
	0.004% Jewish	218
	0.1% others	5,350
	1.1% not found	56,526
Total	100%	5,379,455

In relation to the official data regarding the number of members of Roma national minority resulting from the Population and Housing Census 2001, let us remark that the actual number of Roma population living in Slovakia is a few times higher: some experts estimate it to be approximately 350,000 to 500,000.

***2. Please indicate information related to all changes in framework policies, legislation or procedures applied by your state in relation to regional or minority languages. Also indicate the expected evolution in the next monitoring cycle, e.g. expected political or budgetary changes, planned policies or other facts which may have a direct or indirect impact in the area of using regional or minority languages in your country.***

In its 2010 Programme Declaration, the Government of the Slovak Republic committed itself to fulfilling the following tasks in the area of minority policy:

"The Government recognises and appreciates the importance and contribution of the cultures of traditional national minorities living in Slovakia to its cultural heritage, spiritual values and cultural diversity. On that account, the Government will create the best possible conditions for national minority members to exercise their right of expression, preservation and development of their own identity.

The state must actively support the preservation and further development of the culture and knowledge of its national minorities. In order to accomplish this task and to enhance social coherence in Slovakia, the Government will prepare a long-term policy on the protection and promotion of culture and school systems of national minorities, including the Roma minority, as well as a long-term policy on inter-ethnic cooperation, inter-ethnic dialogue, and intercultural training and education, including the necessary institutional and financial mechanisms.

As its priority, the Government will draft a law on the protection of and support for the preservation and development of national minority cultures, which will enact their integral position in the context of the cultural wealth and diversity of the state, and set out the rules for their financing.

With respect to the education system, the Government will encourage improvements in the quality of the teaching of mother languages of national minorities, as well as the quality and

effectiveness of teaching the Slovak language at schools that have a minority language as their teaching language. The Government will support innovation in teaching methods at minority schools, including the supply of up-to-date and modern textbooks, and strengthen cooperation among schools with Slovak as their teaching language and schools teaching in minority languages. The Government will continue supporting Ukrainian minority schools. In regions with a Ruthenian minority population, the Government will ensure that Ruthenian language and culture classes are taught at elementary and secondary schools. The Government also intends to address the aforementioned systemic issues concerning the development of the minority school system by amending the existing School Act.

In addition to amending the State Language Act, adopting a new act on the protection of and support for the preservation and development of national minority cultures, and amending the School Act, the Government will also implement the principle of effective equality of all Slovak citizens through an amendment to the Act on the Use of Minority Languages, the Act on Geodesy and Cartography, and the Act on Displaying the Names of Municipalities in Minority Languages, and other related regulations. The Government will consistently apply recommendations under the Charter for Regional or Minority Languages; in doing so, it will focus on addressing the problems identified in evaluation reports.

Special attention will be given to the status, integration and development of the Roma community, which represents a cross-cutting issue. In order to accomplish this objective, the Government will strengthen the position and powers of the Government Plenipotentiary for Roma Communities and of the Plenipotentiary's office.

The Government will endorse the full participation of Roma in social, cultural and political life on the basis of their national minority status, as well as with respect to addressing key problems related to socially-excluded Roma communities. Necessary measures will be implemented by the Government through targeted long-term and coordinated policies, whose impact can be measured objectively and designed to accomplish the effective equality of all citizens.

Approaches to be adopted by the Government will respond to the actual needs and priorities of municipalities, regions and the Roma themselves; they will be comprehensive and balanced with respect to addressing the social situation of the Roma and respect for human rights on the one hand, and to strengthening the principle of the individual responsibility of the Roma on the other hand. Social inclusion measures will be designed in such a way that they lead to the observance of social standards and values. The Government of the SR will particularly focus on the application of the following principles:

- effective application of antidiscrimination laws, combating racial and ethnic discrimination in education, employment, housing, health and social services;
- increased engagement of self-governing units and municipalities concerned to make special temporary measures more effective and better targeted;
- support for the participation of the Roma population in public and political life and increasing their individual responsibility;
- enforcing comprehensive approaches in using the EU funds for the development of municipalities with Roma communities, and preserving the continuity of proven and successful programmes.



By implementing the aforementioned principles, the Government wishes to contribute to a higher level of social coherence among the population of the Slovak Republic, i.e. majority population and all minorities. The Government wishes that cultural and ethnical diversity is not seen as a burden but, on the contrary, as an element enriching the state, an impetus to make minorities feel at home in Slovakia, and augmenting the human, civic, cultural and economic capital which will reinforce the quality of democracy and strengthen Slovak society as an active component of the European democratic community embodied by the EU.”

**3. Please describe in detail all legislative and/or practical measures which your state has adopted in relation to the implementation of each of the recommendations of the Committee of Ministers**

*1. Review the condition that minority language speakers should represent at least 20% of the municipal population for undertakings in the field of administration to be operational.*

The right of the citizens of the Slovak Republic who are persons belonging to a national minority to use their language in official communication results from Article 34 para. 2 (b) of the Constitution of the Slovak Republic. Conditions for using languages of national minorities in official communication are mainly laid down in Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, and Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. The Act on the Use of Languages of National Minorities which as a special legal regulation defines the territory in which the citizens of the Slovak Republic who belong to a national minority may use a national minority language, while relevant public administration authorities are obliged to create conditions for the minority language use on this territory.

The Act on the Use of Languages of National Minorities adopted by the National Council of the Slovak Republic determined a 20% threshold for the use of languages of national minorities in official communication. It should be emphasized that a 20% threshold creates an obligation for the public administration authorities to ensure these rights. With this threshold, the use of languages of national minorities was ensured in 655 municipalities, on the basis of the 1991 population census.

**Review of municipalities, in view of Regulation No 221/1999 Coll. issuing the list of municipalities in which the citizens of the Slovak Republic belonging to national minorities represent at least 20% of population:**

<b>National minority which at least 20% of a municipality's population claimed to be a member of</b>	<b>Number of municipalities according to regulation No 221/1999 Coll.</b>
Hungarian	511
Roma	57
Ukrainian	18
Ruthenian	68
German	1
<b>Total:</b>	<b>655</b>

Taking into account that such regulation was rather disadvantageous from the point of view of the protection of the rights of persons belonging to under-represented national minorities on the territory of the Slovak Republic, the Government of the Slovak Republic decided to decrease the 20% threshold. The amendment to the Act on the Use of Languages of National Minorities which became effective on 1 July 2011 introduced new rules in relation to the territorial application of the Act.

In view of the current wording of the Act, a 15% threshold is applied when it has been confirmed in two subsequent population censuses that the citizens of the Slovak Republic belonging to national minorities who have their permanent residence in the given municipality constitute at least 15% of its population.

However, after its latest amendment, the Act on the Use of Languages of National Minorities allows the use of minority languages in oral official communication on the whole territory of the Slovak Republic under the conditions stipulated by the Act.

Article 2 para. 8 of the current wording of the Act lays down the following:

*“(8) Citizens of the Slovak Republic who are persons belonging to a national minority may use the minority language in oral official communication in a municipality not meeting the conditions laid down in Subsection 1 if the public administration officer and the persons involved in the proceeding so agree.”*

2. *Provide education of all minority languages on all corresponding levels and inform parents of its availability.”*

This particularly relates to the Roma language. See also Part III, Article 8 – Education.

With a view to support the Roma language, a solemn declaration of the standardization of the Roma language in Slovakia was made on 29 June 2008 in Bratislava. As a part of it, the "Declaration of the Roma population of the Slovak Republic regarding the standardization of the Roma language in the Slovak Republic" was signed by representatives of the Roma national minority. The aim of the standardization was to make the Roma equal with other minority languages in Slovakia.

The Institute of Roma Studies at the Faculty of Social Sciences and Health Care of Constantine the Philosopher University in Nitra was established in 1990 as a former Department of Roma Culture. As a pedagogic-educational institution, the Institute creates the opportunity to prepare qualified Roma intelligence as well as applicants for studies from among Slovaks in order to optimize the socio-cultural situation of the Roma in Slovakia. The Institute currently provides training of university students, future experts for work with the Roma community in the accredited area of social work.

3. *Improve teachers' training and set up a body in charge of monitoring the measures taken and the progress achieved.*

Pursuant to Article 14 para. 2 (c) of Act No 596/2003 Coll. on State Administration in Education and School Self-government and on amendments and supplements to some other

acts as amended, a Methodological Pedagogical Centre has been established, with its seat in Bratislava and three regional offices. It is an organization directly subordinated to the Ministry of Education, Science, Research and Sport of the Slovak Republic that carries out methodical activities and provides further education for pedagogic and non-pedagogic employees. It manages schools and educational facilities in the competence of self-administered towns, municipalities and regions, as well as regional boards of education in the Slovak Republic.

State school inspection supervises kindergartens, elementary schools, secondary schools and educational facilities. On the basis of the current methodology, it also inspects education in the languages of national minorities. Its work is evaluated in the annual Report on education and upbringing in schools and educational facilities in the Slovak Republic for each school year. No special supervisory body has been established.

In addition, there is a Government Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality, and within it a Committee for National Minorities and Ethnic Groups which also comments on the issue of using the languages of national minorities in the pedagogic-educational process, and is also competent in the area of the implementation of the European Charter for Regional or Minority Languages.

*4. Improve the availability of public-service TV and radio broadcast in all minority languages and support private radio and TV broadcast in minority languages by lifting restrictions resulting from the relevant legal regulations.*

On 15 December 2010 the National Council of the Slovak Republic passed Act No 532/2010 Coll. on the Radio and Television of Slovakia and on amendments and supplements to certain laws, unifying the public-service media of Slovak Television and Slovak Radio and reforming public-service TV and radio broadcasting. In its Article 5, para. 1 (b) and (g), the Act on the Radio and Television of Slovakia lays down the following main activities of the Radio and Television of Slovakia:

*“b) broadcast of at least four radio programme services, one of which shall be aimed at broadcasting programmes with well-balanced content and regional distribution in languages of national minorities and ethnic groups living on the territory of the Slovak Republic; if the Radio and Television of Slovakia broadcast more than four radio programme services, at least three of them shall be broadcasted nationwide, (...)*

*g) broadcast of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living on the territory of the Slovak Republic in a time extent corresponding to national and ethnic structure of the population of the Slovak Republic; in order to ensure the production and broadcast of programmes for national minorities and ethnic groups, the Radio and Television of Slovakia is establishing independent organizational units of the Slovak Radio and Slovak Television”.*

The main news of this regulation is the fact that the time extent of broadcasting in the languages of national minorities and ethnic groups has to correspond with national and ethnic structure of the population of the Slovak Republic. This change is expected to bring about a considerable expansion of broadcasting in the languages of national minorities and ethnic groups in the Radio and Television of Slovakia.

When forming the Committee on the Radio and Television of Slovakia, candidate proposals are submitted by corporate entities, in line with a special regulation, active in the area of audiovision, media, culture, economy, law, science, education, development and protection of spiritual values, human rights and environment, health protection, representing the interests of national minorities or ethnic groups, other minorities, or registered churches and religious communities.

The Radio and Television of Slovakia is a public-service, national, independent, information, cultural and educational institution. In line with Act No 575/2001 Coll. on the Organization of Governmental Activities and of Central State Administration as amended, the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities participates in fulfilling the tasks related to the television and radio broadcast of programmes in the languages of national minorities. However, he/she cannot interfere in the powers of the Director General of the Radio and Television of Slovakia.

5. *Support publishing newspapers in minority languages.*

The sub-programme "Periodicals" in the subsidy programme of 'National Minorities Culture 2011' of the Government Office of the Slovak Republic shall support the publishing of periodicals focused on cultural life of national minorities, such as literary, art-scientific and art-critical, students' and children's magazines. The sub-programme's priority is to release national weeklies. The sub-programme 'Periodicals' includes dailies, weeklies and bi-weeklies, monthlies and bi-monthlies, quarterlies and irregularly published press.

In 2011, evaluation committees recommended to support the following periodicals:

<b>National minority</b>	<b>Subject</b>	<b>Periodical name</b>
<b>Bulgarian national minority</b>	Bulgarian cultural association	Sanarodnik (Fellow Countryman)
<b>Czech national minority</b>	CZECH CLUB IN KOŠICE - ČESKÝ SPOLEK V KOŠICÍCH	Stříbrný-vítr 2011
<b>Croatian national minority</b>	Croatian cultural association in Slovakia - Hrvatski kulturni savez u Slovačkej	Magazine Hrvatska rosa
<b>Hungarian national minority</b>	Annamária Čorosová - FLASH COMPANY	Nebulók
	Association of Hungarian pedagogues in Slovakia	Pedagógus fórum
	PODUNAJSKO (DANUBIAN AREA) - DUNATÁJ	Support of a regional weekly – 2011
	MADÁCH-POSONIUM, spol. s r.o.	Jó Gazda
	Publishing house KT, spol. s.r.o.	DELTA – regional weekly of Komárno
	FriTomInternational spol. s.r.o.	TERRA Hírújság

Association of Hungarian catholic clergymen in Slovakia GLÓRIA	REMÉNY
Thália Színház Theatre	Publishing of newsletter Kassai Színlap
Jókai Foundation – Jókai Alapítvány	Publishing a theatre expert magazine KULISSZÁK
Magdaléna Kopaszová – L PRESS	RÉGIÓ
Constantine the Philosopher University in Nitra	Partitúra
Francisc Balázs - AB-ART	Szörös Kő literature, art
MADACH-POSONIUM, spol. s r.o.	BRAVÚR
Diákhálózat – Student network	Alma Mater
J. Selye University	Eruditio – Educatio (scientific magazine of the PF University of J. Selye in Komárno)
Association of Scouts of the Hungarian Nationality	Cserkész 2011 – Scout 2011
HERNÁD, spol. s r.o.	Kassai Figyelő
Company ATELIER Társaság	ATELIER művészeti folyóirat (art magazine) year XIV. 4 issues
LILIUM AURUM, s.r.o.	MIZUJS?
Petit Press, a.s.	Culture in the Vasárnap weekly in 2011
Petit Press, a.s.	Development of the cultural and regional part of the Új Szó daily and the Színfolk supplement
MADACH-POSONIUM, spol. s r.o.	Tücsök
Aranka Kocsis – ANSER	Kabóca – children's magazine
MEDIAIMPRESS, s.r.o.	Szabad Újság
LOAR, spol. s r.o.	Publishing and distribution of the monthly in 2011
Gemer – Malohont Museum Association	Gömörország. Az északi magyar peremvidék fóruma
LILIUM AURUM, s.r.o.	KATEDRA – scientific magazine for the Hungarian national minority in the area of pedagogy
Forum institute for the research of minorities	Fórum Társadalomtudományi Szemle (Forum socio-scientific revue)
Association of Hungarian Writers in Slovakia	OPUS – literary, literary-critical, art magazine of Hungarian writers in Slovakia
FIERI, s.r.o.	Csallóköz - Žitný ostrov

	KALLIGRAM, spol. s r. o.	Kalligram
	MADÁCH-POSONIUM, spol. s r.o.	Irodalmi Szemle
<b>German national minority</b>	CARPATHIAN-GERMAN ASSOCIATION IN SLOVAKIA KARPATENDEUTSCHER VEREIN IN DER SLOWAKEI	KARPATENJAHRBUCH 2011
	CARPATHIAN-GERMAN ASSOCIATION IN SLOVAKIA KARPATENDEUTSCHER VEREIN IN DER SLOWAKEI	Karpatenblatt – monthly of the Germans in Slovakia Monatsblatt der Deutschen in der Slowakei
<b>Polish national minority</b>	Polish Club – association of the Polish and their friends in Slovakia	Monitor Polonijny monthly
<b>Roma national minority</b>	Multiculture in us	Mišusosori (Idea)
	Civil association Luluďi	Luluďi
	Jekhetane - Together	Romano nevo ľil/ Roma newsletter /2011/ - 21st year of cultural-social newspaper of the Roma in Slovakia
<b>Ruthenian national minority</b>	Rusín and Ľudové noviny	Narodny novynky (Folk newspaper)
	Rusín and Ľudové noviny	Rusyn, kulturno-christiaňskij časopys (Ruthenian, cultural-christian magazine)
	World congress of the Ruthenians	Holos Rusina
	Ruthenian revival in Slovakia	Info Rusín
<b>Russian national minority</b>	Association of the Russians in Slovakia	Magazine of the Association of the Russians in Slovakia “Together” (In town)
<b>Ukrainian national minority</b>	Association of the Ruthenians-Ukrainians of the Slovak Republic	Veselka
	Association of Ukrainian Writers in Slovakia	DUKĽA
	Association of the Ruthenians-Ukrainians of the Slovak Republic	Nové žyt'ľa
<b>Jewish national minority</b>	Jewish religious community	Magazine Kehila Bratislava
	Jewish religious community in Komárno	Stetl – cultural supplement of the Reporter of the Jewish religious community in Komárno

6. *Continue pursuing measures aimed at abolishing the practice of unjustified enrolments of Roma children in schools for children with special needs and start to educate Roma children in the Roma language.*

Systemic legislative measures have been adopted in Slovakia with a view to prevent unjustified enrolments of children into special schools – Act No 596/2003 Coll. on State Administration in Education and School Self-government and on amendments and supplements to some laws as amended and Act No 245/2008 Coll. on Upbringing and Education (the School Act), and on amendments and supplements to some laws.

In view of Act No 245/2008 Coll. on Upbringing and Education (the School Act), and on amendments and supplements to some acts as amended in line with the provision of the Article 95 para. 3, children are currently admitted to special elementary schools for pupils with mental disorders or mental disorders in combination with a different disorder only on the basis of their health disadvantage, after diagnostic checks aimed at ascertaining their special pedagogic-educational needs performed by an institution of educational prevention and consultancy.

In line with Article 61 of this Act, the headmaster of each school decides about the acceptance of a child with special pedagogic-educational needs to the school on the basis of a written application of a legal representative who shall attach to the application a written statement of an institution of educational consultancy and prevention about the recommendation related to the form of education of his/her child. Before admitting the child to school, each headmaster is obliged to inform the legal representative about all educational options of his/her child.

Children or pupils who cannot be educated successfully in general schools due to their health disadvantages are admitted to special schools, special classes for pupils with mental disorders, or to educational programmes in line with the educational programme for pupils with mental or other health disadvantages. The compulsory school attendance starts after the child is enrolled for the 1st year, which only takes place at elementary schools; special schools do not enrol children.

The Ministry pays attention to preventing potential individual signs of discrimination or segregation of Roma children and pupils, or children and pupils from socially disadvantaged environment, and intentionally draws the attention of headmasters to follow the principle of integration by means of public statutes, and regulates diagnostic procedures (testing, examining) in order to eliminate failures when assessing school competence or determining diagnoses. The legislation excluded the possibility to place children in special schools for diagnostic stays during which the children did not have to have closed diagnostics; this should help to avoid the problem of changing the school which parents would have to face if the diagnosis was not confirmed. Only children with completed diagnostics and an unambiguous conclusion may be admitted to special schools and special classes.

Within the PHARE project (programme Phare 2002/000.610-03, ECO; project Phare SRO 103.01). “Reintegration of socially disadvantaged children from special schools into general elementary schools”, a School Competency Test was created, verified and standardized for socially disadvantaged children. It is a psychometric tool (both screening and evolutionary) for an objective and unbiased assessment of the school competency of children coming from a socially disadvantaged environment, so that their competencies and actual conditions for their education were duly taken into account. The test was prepared by expert staff of the Research Institute for Child Psychology and Patopsychology. In addition, also RR screening - test battery

for excluding mental retardation of children aged 6-10 from socially disadvantaged environment - has been used in practice since 2004.

## PART II

*Please state the measures which your state has adopted to ensure the implementation of Article 7 of the Charter to regional or minority languages in view of the definition in Article 1 (a) of the Charter, with the main emphasis on the following facts:*

*- Describe changes which have occurred in relation to the provisions of Article 7 from the previous monitoring cycle, with regard to each regional or minority language.*

*- Please describe in detail the legislative and/or practical measures which your state has adopted in relation to the implementation of suggestions and recommendations in the frames from the previous assessment report of the Committee of Ministers.*

Article 7 - Objectives and principles pursued in accordance with Article 2 para. 1

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 the 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, both in public and private life;*
- e) the maintenance and development of links, in the fields covered by this Charter among groups using a regional or minority language and other groups living in the State employing the language used in an identical or similar form, as well as the establishment of cultural relations with other groups in the State which use 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 of regional or minority languages at universities or equivalent institutions;*
- i) the promotion of appropriate types of international exchanges, in the fields covered by this Charter, for regional or minority languages used in an 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 its maintenance or development. 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 the 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 adopted to give effect to this Charter shall be determined in an appropriate manner, bearing in mind the needs and wishes, and respecting the traditions and characteristic features of the groups which use the languages concerned."*

#### **Measures adopted to ensure the implementation of the Charter provisions:**

Paragraph 1:

a):

The 2010 Programme of the Government of the Slovak Republic reads:

"The Government recognises and appreciates the importance and contribution of cultures of traditional national minorities living in Slovakia to its cultural heritage, spiritual values and cultural diversity. On that account, the Government will create the best possible conditions for national minority members to exercise their right of expression, preservation and development of their own identity."

The legal framework for the protection of national minorities makes a stable part of the legal order of the Slovak Republic. Main legal regulation regulating the rights of persons belonging to national minorities is the Constitution of the Slovak Republic that deals with the rights of national minorities in Section Four of Title Two, in Articles 33 and 34. The rights of persons belonging to national minorities are regulated by several acts, the most important being:

- Act No 184/1999 Coll. on the Use of Language of National Minorities as amended;
- Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended;
- Act No 301/2005 Coll., the Criminal Procedure Code;
- Act No 99/1963 Coll. the Civil Procedure Code;
- Act No 532/2010 Coll. on the Radio and Television of Slovakia and on amendments and supplements to some laws;

- Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on the Protection from Discrimination, and on amending and supplementing some laws (the Anti-Discrimination Act);
  - Act No 154/1999 Coll. on Register Offices as amended;
  - Act No 300/1993 Coll. on Names and Surnames as amended;
- Act No. 211/2000 Coll. on free access to information and on amending and supplementing some laws (Freedom of Information Act) as amended.

b):

In line with Act No 221/1996 Coll. on the Territorial and Administrative Organisation of the Slovak Republic, administrative units in the Slovak Republic are regions and districts. There are eight regions and 79 districts in the territory of the Slovak Republic.

The national structure of regions is as follows:

### Overview of the resident population of the Slovak Republic by nationality – regional percentages

(Source: the Statistical Office of the Slovak Republic, the Housing and Population Census 2001)

	<b>Slovak nationality</b>	<b>Hungarian nationality</b>	<b>Roma nationality</b>	<b>Czech nationality</b>	<b>Ruthenian nationality</b>	<b>Ukrainian nationality</b>	<b>Other and non-specified</b>
<b>Bratislava region</b>	546,685 (91.3%)	27,434 (4.6%)	755 (0.1%)	9,591 (1.6%)	526 (0.1%)	542 (0.1%)	13,482 (2.2%)
<b>Trnava region</b>	407,246 (73.9%)	130,740 (23.7%)	3,163 (0.6%)	4,778 (0.9%)	72 (0.0%)	196 (0.0%)	4,808 (0.9%)
<b>Trenčín region</b>	589,344 (97.3%)	1,058 (0.2%)	1,547 (0.3%)	6,319 (1.0%)	87 (0.0%)	214 (0.0%)	7,013 (1.1%)
<b>Nitra region</b>	499,761 (70.1%)	196,609 (27.6%)	4,741 (0.7%)	4,526 (0.6%)	85 (0.00)	275 (0.0)	7,425 (1.0%)
<b>Žilina region</b>	674,766 (97.5%)	660 (0.1%)	2,795 (0.4%)	6,123 (0.9%)	129 (0.0%)	223 (0.0%)	7,636 (1.1%)
<b>Banská Bystrica region</b>	553,865 (83.7%)	77,795 (11.7%)	15,463 (2.3%)	4,560 (0.7%)	148 (0.0%)	553 (0.1%)	9,737 (1.5%)
<b>Prešov region</b>	716,441 (90.7%)	817 (0.1%)	31,653 (4.0%)	3,774 (0.5%)	21,150 (2.7%)	6,781 (0.9%)	9,352 (1.1%)
<b>Košice region</b>	626,746 (81.8%)	85,415 (11.2%)	29,803 (3.9%)	4,949 (0.6%)	2,004 (0.3%)	2,030 (0.3%)	15,065 (1.9%)

The largest numbers of members of national minorities live in the regions of Nitra, Bratislava, Trnava, Banská Bystrica, Prešov and Košice.

In the regions of Bratislava, Trnava, Nitra, Banská Bystrica and Košice, the most numerous national minority is the Hungarian minority. The **Hungarian national minority** lives in the southern part of these regions. Proportion of the Hungarian minority population exceeds 50% in two districts (the districts of Dunajská Streda and Komárno).

Proportion of the **Roma minority** population exceeds 1% in 36 districts, the highest shares are seen in the districts of Kežmarok, Levoča, Vranov, Revúca and Gelnica, i.e. the eastern part of the country. On the level of regions, the highest share of the Roma population is seen in the region of Prešov (4%).

Proportion of the **Czech national minority** population exceeds 1% in the Bratislava region. They achieve at least 1% in 20 regions of the country.

83.3% members of the **Ruthenian national minority** live in the region of Prešov, their proportion in one district (Medzilaborce) exceeds 40%.

Most members of the **Ukrainian national minority** live in the regions of Prešov and Košice, while their proportion exceeds 1% in 6 districts.

Members of the **German national minority** live mostly in the regions of Košice and Prešov. They achieve the highest number in the districts of Košice-okolie and Prievidza.

Members of the **Croatian national minority** live mostly in the region of Bratislava where in two city districts of the capital city of Bratislava they constitute more than 15% of the city districts' population (Jarovce and Čunovo).

Members of other national minorities live scattered across the whole territory of the Slovak Republic and have a low share in the total number of population, so it is not possible to exactly delimit a geographic area where their language is used.

c):

In its Programme, the Government of the Slovak Republic committed itself to take steps in order to maintain identity and culture of national minorities (see Part I). Priority measures in this area are to actively support preserving and developing the identity and culture of national minorities, support preserving and developing languages of national minorities, development of national school system, and active involvement of persons belonging to national minorities in the decision-making process on issues related to their rights. These activities are coordinated by the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities, whose powers have been extended and expressly determined by the amendment of Act No 575/2001 Coll. on the Organisation of Activities of the Government and Organisation of the Central Public Administration as amended. In relation to the powers of the Deputy Prime Minister for Human Rights and National Minorities, the Act lays down the following:

*"(4) The Deputy Prime Minister, who does not control the Ministry, shall guide and coordinate task-fulfilment in the area of human rights, rights of persons belonging to national minorities, equal treatment and gender equality. He/she shall see to the enforcement and observance of human rights including the rights of persons belonging to national minorities, equal treatment and gender equality. He/she shall participate in fulfilling the tasks related to instruction and education, including the instruction and education of national minorities; he/she shall fulfil the tasks related to supporting the culture of national minorities and to the allocation of financial means determined for the enforcement and observance of human rights, for the culture of national minorities and gender equality. He/she shall participate in fulfilling the tasks related to the television and radio broadcast of programmes in the languages of national minorities.*

*(5) The Deputy Prime Minister, in line with para. 4, shall fulfil the tasks and manage the relevant expert units of the Government Office of the Slovak Republic on the basis of the statute of the Deputy Prime Minister approved by the Government."*

d):

The main starting point for facilitating and/or supporting oral and written expression in regional or minority languages in both public and private life is the Constitution of the Slovak Republic, laying down the following in Article 34 para. (1) and (2):

*“Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, to establish and maintain educational and cultural institutions. A law shall lay down the details thereof.*

*In addition to the right to learn the official language, the citizens belonging to national minorities or ethnic groups shall, under the conditions laid down by a law, also be guaranteed*

- a) the right to be educated in their language;*
- b) the right to use their language in official communications;*
- c) the right to participate in the decision making in matters affecting the national minorities and ethnic groups.”*

The rights of people belonging to national minorities in the area of education are mainly laid down by Act No 245/2008 Coll. on Upbringing and Education (the School Act) and on amendments and supplements to some laws, Act No 596/2003 Coll. on State Administration in Education and School Self-government and on amending and supplementing some laws, and Act No 270/1995 Coll. on the State Language of the Slovak Republic.

Rights of people belonging to national minorities related to the use of language in official communications are mainly laid down in the following acts:

- Act No 184/1999 Coll. on the Use of Language of National Minorities as amended;
- Act No 191/1994 Coll. on the Designation of Names of Municipalities in Minority Languages;
- Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended;
- Act No 301/2005 Coll., the Criminal Procedure Code;
- Act No 99/1963 Coll. the Civil Procedure Code;
- Act No 154/1999 Coll. on Register Offices as amended;
- Act No 300/1993 Coll. on Names and Surnames as amended;
- Act No. 211/2000 Coll. on Free Access to Information and on amending and supplementing some laws (Freedom of Information Act) as amended.

The right of people belonging to national minorities related to participation in dealing with issues concerning national minorities are ensured by the mechanism of the advisory bodies of the Government of the Slovak Republic.

From the stated Acts, Act No 270/1995 Coll. on the State Language of the Slovak Republic, which has recently undergone substantial amendments, has an important position in this regard. The amendment of the Act in 2011, in line with the 2010 Programme of the Government, removed some provisions of the Act which had had a limiting effect on the use of languages of national minorities. The 2011 amendment loosened the sanction mechanism and provided greater scope for usage of languages of national minorities.

The current legislative framework of the Slovak Republic in the area of protection of rights of people belonging to national minorities is mainly focused on facilitating or enabling oral or written expression in regional or minority languages in both public and private life. Promoting active state support is an important aim in the further development of this legislative framework.

e):

The Slovak Republic supports the usage and evolution of contacts among groups using regional or minority languages and among groups using other languages, mainly by means of grant systems. The 'Culture of national minorities' grant system was delimited from the Ministry of Culture of the Slovak Republic in 2010 to the Government Office of the Slovak Republic where the allocation of financial means is coordinated by the Deputy Prime Minister for Human Rights and National Minorities.

The 'Culture of national minorities' subsidy programme is divided into the following sub-programmes: live culture, periodical press, non-periodical press, and cultural policy. The maintenance and development of contacts among groups using regional or minority languages are mainly supported by the 'Cultural policy' sub-programme. The 'Cultural policy' sub-programme is divided as follows:

1. Multicultural presentation activities towards majority support of multicultural projects (at least of two national minorities) leading to the suppression of:

- a) racism;
- b) xenophobia;
- c) all forms of discrimination.

2. Expert multicultural seminars and conferences – support of multicultural:

- a) seminars;
  - b) conferences;
- national cultural activities at national or international level.

3. Multicultural research – research support in:

- a) sociology, political science;
- b) ethnography, ethnology;
- c) historical evolution of the culture, art and cultural life of national minorities living on the territory of Slovakia.

The aim is to enhance professional dialogue in the issues related to citizenship, national awareness, multiculturalism, and ethnic and cultural identity by means of research. In this subsidy programme, applicants may ask for subsidies when organizing events with the participation of at least two national minorities.

f):

In line with the generally binding legal regulations of the Slovak Republic, instruction and education of national minorities in and of their mother tongues is an equal and inseparable part of the pedagogic-educational system in the Slovak Republic, including its institutional provision by schools and school institutions with the pedagogic and educational language of the national minority and with the teaching language of the national minority. Each change of the content and organization of education and instruction is also identically transformed in the content of instruction and education in schools and school institutions, with the educational/teaching language of national minorities and the teaching language of national minorities.

The democratic right of parents to choose the school's teaching language is applied and respected in education regarding the instruction and education of children and pupils belonging to national minorities.

In its Resolution No. 1100 of 19 December 2007, the Government of the Slovak Republic approved the Concept of Education and Instruction of National Minorities. The Concept is the first comprehensive document which generally deals with the instruction and education of national minorities. The basis of the Concept is an analysis of the current situation in the instruction and education of national minorities in the context of the pedagogic-educational system of the Slovak Republic elaborated in line with approved concepts and intentions of the Ministry of Education, Science, Research and Sport of the Slovak Republic. In its Resolution No 206/2008 of 2 April 2008, the Government of the Slovak Republic approved a medium-term Concept of education and instruction of Roma children and pupils including the development of secondary and university education. Both Concepts are available on the web page of the Ministry of Education, Science, Research and Sport of the Slovak Republic.

g):

The adoption of Act No 245/2008 Coll., effective from 1 September 2008, led to the introduction of a two-level pedagogic-educational process by means of both state and school educational programmes. While following the state educational programme, schools may shape themselves within the school educational programme, depending on the needs and interests of pupils, legal representatives, local conditions, etc. It results from the above-stated that if schools with Slovak teaching language are so interested, a language of a national minority may also be introduced as a subject within available lessons for pupils of Slovak nationality.

h):

The Slovak Republic has an adequate network of universities providing education in minority languages or teaching minority languages:

- Prešov University (the Institute for Regional and Minority Studies – Department of Ruthenian Language and Culture, since 1 March 2008 an independent Institute of Ruthenian Language and Culture) for the Ukrainian and Ruthenian languages;

- as for the Hungarian language it is J. Selye University in Komárno (3 faculties with teaching in the Hungarian language), Comenius University in Bratislava, Constantine the Philosopher University in Nitra - Faculty of Central-European Studies (training of teachers for primary and secondary schools in the Hungarian language), the Faculty of Philology of Matej Bel University in Banská Bystrica - Department of Hungarian language, and lastly the Hungarian Language and Culture Institute in Prešov;

- Constantine the Philosopher University in Nitra - Institute of Romology Studies - for the Roma language.

i):

In order to develop regional or minority languages, the Slovak Republic promotes international exchanges with those countries where these languages are used. Some of the projects which ensure such exchanges include:

- Exchanges of persons working in joint projects between the Slovak Republic and the Federal Republic of Germany;

- The programme of cooperation between the Ministry of Education, Science, Research and Sport of the Slovak Republic and the Ministry of Education of the Republic of Hungary in the field of education, science, sports and youth;

- The Programme of cooperation between the Ministry of Education, Science, Research and Sport of the Slovak Republic and the Ministry of Education and Sports of the Republic of Croatia and the Ministry of Science and Technology of the Republic of Croatia;
- The Protocol between the Ministry of Education, Science, Research and Sport of the Slovak Republic and the Ministry of Education, Youth and Sports of the Czech Republic in the field of education, youth, physical training and sports;
- The Agreement between the Ministry of Education, Science, Research and Sport of the Slovak Republic and the Bavarian State Ministry of Science, Research and Arts concerning terms and conditions for lecturers in the Slovak language and culture at the University of Regensburg;
- The Programme of cooperation between the Ministry of Education, Science, Research and Sport of the Slovak Republic and the Ministry of National Education and Sports of the Republic of Poland;
- The Programme of cooperation between the Ministry of Education, Science, Research and Sport of the Slovak Republic and the Ministry of Education and Science of Ukraine in the area of education;
- The programme of cooperation between the Ministry of Education, Science, Research and Sport of the Slovak Republic and the Ministry of Education of the Bulgarian Republic;
- The Central European Exchange Programme for University Studies – CEEPUS. This programme was established by signing an intergovernmental treaty in December 1993. Austria, Bulgaria, Croatia, the Czech Republic, Hungary, Poland, Slovakia, and Slovenia are involved in the Programme.

Paragraph 2:

The relation of the state language and regional or minority languages in the Slovak Republic is regulated by Act No 270/1995 Coll. on the State Language of the Slovak Republic.

Pursuant to Article 1 para. 2 of the Act on the State Language, the state language shall have priority over other languages used in the territory of the Slovak Republic. Article 1 para. 4 stipulates that "unless this Act provides otherwise, the use of languages of national minorities and ethnic groups are governed by separate regulations." It results from this regulation that the Act on the Use of Languages of National Minorities has a *lex specialis* position if the Act on the State Language grants it such position.

The 2010 Programme of the Government of the Slovak Republic aims to re-introduce balance between the regulation laying down the use of the state language, and the regulation of the use of languages of national minorities. In view of this aim, the Government of the Slovak Republic amended the Act on the Use of Languages of National Minorities.

Paragraph 3:

The 2010 Programme of the Government of the Slovak Republic reads:

*“The Government sees large scope for improvement in the area of human rights education and training. It will improve human rights education at schools of all levels. It will support human rights education of employees in all sectors of the state and public administration who are in direct contact with citizens. In addition, it will strengthen awareness-raising activities on human rights and freedoms, and support projects aimed at increasing citizens' knowledge of their rights, freedoms and duties. It will introduce a modern concept of citizenship and human rights into the preparation of the school curricula.”*

In order to fulfil this paragraph of the Programme, a Committee for research, education and instruction in the area of human rights and developmental education has been established, as a new expert body of the Government Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality.

Promoting fight against all forms of discrimination, racism, xenophobia, homophobia, anti-Semitism, and other forms of intolerance is also carried out by means of a subsidy system on the basis of Act No 524/2010 Coll. on the Provision of Grants in the Competence of the Government Office of the Slovak Republic.

Paragraph 4:

With aim to enhance the efficiency of institutional mechanisms of the protection and support of human rights in 2011, the Government of the Slovak Republic made a reform in the area of advisory bodies of the Government. On the basis of the amendment of Act No 575/2001 Coll. on Organization of Governmental Activities and of Central State Administration, the Government Council for Human Rights, National Minorities and Gender Equality became a new advisory body (Article 2 para. 3). At its meeting on 2 March 2011, the Government of the Slovak Republic approved the statute of the Government Council for Human Rights, National Minorities and Gender Equality.

The Council is a permanent expert, advisory, coordination and consultation body of the Government of the Slovak Republic in the area of the protection of basic human rights and freedoms, political and civil rights, rights of persons belonging to national minorities and ethnic groups, economic, social and cultural rights, rights for the protection of environment and cultural heritage, in the area of children's rights and pursuing the best child's interest, for pursuing the principle of equal treatment and the equality principle including gender equality. The Council is chaired by the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

The existing advisory bodies in the area of human rights, discrimination elimination, and the development of civic society have been transformed to committees of the new Council, and they will have their representatives in the Council who will represent the relevant group of people or the human-legal area requiring enhanced protection. They are the following committees: Committee for National Minorities and Ethnic Groups, Committee for non-profitable NGOs, Committee for Senior Citizens, Committee for Disabled Persons, Committee for Gender Equality, Committee for Children and Youth, Committee for Research, Education and Instruction in the area of Human Rights and Developmental Education, and the Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and other Forms of Intolerance.



At its first meeting on 12 April 2011, the Government Council for Human Rights, National Minorities and Gender Equality approved the statute of the Committee for National Minorities and Ethnic Groups. The Committee is a permanent expert body of the Government Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality for the issues related to national minorities or ethnic groups as well as for the implementation of the European Charter for Regional or Minority Languages in view of Article 7 para. 4 of the Charter and the Framework Convention for the Protection of National Minorities in view of Article 15 of the Convention. It has the function of a consultative body in the issues of the participation of persons belonging to national minorities and ethnic groups in dealing with issues related to national minorities and ethnic groups in view of Article 34 para. 2 (c) of the Constitution of the Slovak Republic.

The Committee mainly makes proposals to the Council in relation to the support, protection and promotion of the rights of persons belonging to national minorities; it participates in drawing out reports for the control mechanisms of international treaties on the human rights and rights of persons belonging to national minorities, mainly of the Convention and the Charter; it proposes to the Council partial and systemic measures to improve the respect for human rights and rights of persons belonging to national minorities in the Slovak Republic. Furthermore, it elaborates for the Council drafts statements and resolutions in relation to draft laws, public statutes and internal legal statutes as well as governmental, departmental and other measures of a non-legislative nature which may have an impact on the protection or observance of the rights of national minorities. A representative of the Committee presents drafts of resolutions at the meetings of the Council; in the area of the rights of national minorities it cooperates with ministries and other central bodies of the state administration, municipalities, higher territorial units, bodies of local state administration, NGOs, scientific centres and academic institutions. Every year it elaborates an assessment report about support of culture of national minorities and presents it to the Council for approval; every year it elaborates a report about the state of the national school system and presents it to the Council for approval; every year it elaborates a report about the use of languages of national minorities and presents it to the Council for approval.

When structuring the Committee, the mutual ratio of members of national minorities was taken into consideration. National minorities numbering lower than 10,000 have one representative each (Serbian, Jewish, Croatian, Bulgarian, Russian, Moravian, Polish, German national minorities); national minorities numbering from 10,000 to 50,000 have two representatives each (Ukrainian, Ruthenian and Czech national minorities); national minorities numbering from 50,000 to 100,000 have four representatives each (Roma national minority), and national minorities with numbers exceeding 100,000 have five representatives each (Hungarian national minority). The basis was the data from the 2001 Population and Housing Census.

Central bodies of state administration are also represented in the Committee, but only the representatives of national minorities and the Committee chairman – the Deputy Prime Minister for Human Rights and National Minorities - have voting rights.

Paragraph 5:

Minority languages which cannot be associated with a particular geographic area in spite of their traditional usage in the territory of the Slovak Republic are mainly Hebrew and Yiddish. As these languages are used primarily in liturgical rites and private life, legislative regulation of their use (e.g. in official communications) is not necessary.

## PART III

### **Explanation:**

The Slovak Republic has selected 49 – 53 provisions from Part III of the Charter for nine minority languages, which are divided into three groups with respect to the applicability of selected provisions:

1. Hungarian language
2. Ruthenian and Ukrainian languages
3. Other languages – Bulgarian, Czech, Croatian, German, Polish, Roma languages

So as to have a clearer structure of the report, and to prevent the duplication of presented information, the measures adopted for the implementation of selected provisions of the Charter are presented for each of the above-stated three groups of languages, instead of for each language separately. The Roma language, which is reported on separately, is the only exception from the group 3 languages.

## HUNGARIAN LANGUAGE

### Article 8 - Education

#### **Selected provisions:**

*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;*
- b) i: to make available primary education in the relevant regional or minority languages;*
- c) i: to make available secondary education in the relevant regional or minority languages;*
- d) i: to make available technical and vocational education in the relevant regional or minority languages;*
- e) i: to make available university and other higher education in the relevant regional or minority languages;*
- f) i: to arrange for the provision of adult and continuous education courses mainly or fully in the regional or minority languages;*
- g) to make arrangements to ensure the teaching of history and culture which have influenced the regional or minority language;*
- h) to provide basic and further training of teachers required to implement those of paragraphs a) to g) accepted by the Party;*
- i) to set up a supervisory body or bodies responsible for monitoring the measures taken and the progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports about their findings, which will be made public.*

#### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

The Constitution of the Slovak Republic in concurrence with international documents including the European Charter for Regional or Minority Languages guarantees, inter alia, right to learn the state language and right to education in their language to citizens who belong to national or ethnic groups in the Slovak Republic.

a) i:

**Overview of kindergartens (both state and church) with pre-school education in the Hungarian language:**

<b>Kindergartens 2010/2011</b>				
		<b>Number</b>		
<b>School language</b>	<b>Class language</b>	<b>schools</b>	<b>classes</b>	<b>pupils</b>
Hungarian	Hungarian	270	503	8,482
Slovak-Hungarian	Slovak	78	-	-
	Hungarian		-	-

On the basis of Article 34 para. 2 of the Constitution of the Slovak Republic, the democratic right of parents to choose educational-instructional language for their children is applied in the school system in the area of education and instruction of children and pupils belonging to national minorities. Pre-school education is provided in line with the Framework Convention of the Council of Europe for the Protection of National Minorities and in line with the European Charter for Regional or Minority Rights, guaranteeing the educational opportunity for members of national minorities, professional training for their teachers, right of minorities to establish and operate their own schools, and right for education in their mother tongue. The evidence thereof is the existence of kindergartens with Hungarian language as the language of education and instruction, and kindergartens with both Slovak and Hungarian language as the languages of education and instruction.

b) i:

**Primary schools with Hungarian teaching language in the 2010/2011 school year:**

		<b>Number</b>		
<b>School language</b>	<b>Class language</b>	<b>schools</b>	<b>classes</b>	<b>pupils</b>
Hungarian	Hungarian	242	1,896	30,905
Slovak-Hungarian	Slovak	29	-	-
	Hungarian		-	-

**Special schools (primary and kindergarten) in the 2010/2011 school year:**

		<b>Number</b>		
<b>School language</b>	<b>Class language</b>	<b>schools</b>	<b>classes</b>	<b>pupils</b>
Hungarian	Hungarian	11	187	1,608
Slovak-Hungarian	Slovak	15		
	Hungarian			

The Committee of Experts finds this obligation fulfilled within the second monitoring cycle, and requires a statement on the risk of closing few-classes schools in smaller municipalities for financial reasons. This risk is real in few-classes schools regardless of the language of

instruction. In spite of a complicated financial situation, the establishers (municipalities) are trying to keep the schools open. The schools use their own financial resources to cover their operational costs; that causes a problem in municipalities with small number of population.

For example, in the territorial competence of the Regional School Office in Košice are 24 few-classes schools with Hungarian teaching language as of 15 September 2010, and 6 few-classes schools with both Slovak and Hungarian teaching languages. In 2008, Oborín was delisted from the network of elementary schools with Hungarian teaching language; in 2011 the municipality of Žarnov asked for delisting their elementary school with Hungarian language as of 30 June. In both the reason was an insufficient number of pupils.

c), d) i:

**Secondary schools (state, private and church ones) in the 2010/2011 school year:**

School language	Class language	Secondary grammar schools		Secondary vocational schools		Special secondary schools	
		schools	pupils	schools	pupils	schools	Pupils
Hungarian	Hungarian	19	4,337	9	8,003	3	123
Slovak-Hungarian	Slovak	7	-	32		2	
	Hungarian		-				

In the territorial competence of the Regional Office in Košice are 2 secondary grammar schools with Hungarian teaching language and one secondary vocational school with Hungarian teaching language, 3 secondary grammar schools with both Slovak and Hungarian teaching languages, and 6 secondary vocational schools with both Slovak and Hungarian teaching languages. The secondary vocational school of Rákocziho 23 in Kráľovský Chlmec and the secondary vocational school – Szakközépiskola, Májlátha 2, Pribeník, enable the education of pupils in study and educational fields with Hungarian teaching language.

Education at secondary grammar schools with Hungarian teaching language is ensured in view of the State Educational Programme in the Slovak Republic – higher secondary education aimed at achieving a general educational basis and key competencies. The State Educational Programme includes a framework curriculum for secondary grammar schools with 4 and 8-year studies with the teaching language of national minorities.

The area related to technical and vocational education is partly fulfilled. The biggest problem is the low number of state or private vocational schools where professional education is provided in the Hungarian language as well.

e) i:

Study and research of minority languages is supported in compliance with Act No. 131/2002 Coll. on Higher Education and on amendments and supplements to some laws, as amended, (hereinafter the “Higher Education Act”). Education in the Hungarian language is provided at the following universities:

- Faculty of Philosophy of Comenius University in Bratislava;
- Faculty of Philology of Matej Bel University in Banská Bystrica;
- Faculty of Pedagogy of Constantine the Philosopher University in Nitra – Faculty of Central European Studies (graduates of teaching programmes find work at primary and secondary

schools with instruction in the Hungarian language and in other schooling and educational facilities, graduates of Hungarology mainly find work in the media, publishing houses, and cultural and educational facilities promoting the values of the Hungarian culture;

- J. Selye University in Komárno (three faculties – Faculty of Economics, Faculty of Reformed Theology and Faculty of Pedagogy);
- the Hungarian Language and Culture Institute at Prešov University in Prešov.

All public institutions of higher education in the Slovak Republic are autonomous and abide by the Higher Education Act of the Slovak Republic. They are all financed and developed according to the rules laid down in the Higher Education Act, executive public statutes, and other standards envisaged by the law. The Ministry of Education of the Slovak Republic applies the principles of equality and fairness to all public institutions of higher education, and their financing follows an approved and transparent method of financing.

f) i:

Pursuant to Article 14 para. 2 (c) of Act No 596/2003 Coll. on State Administration in Education and School Self-government and on amending and supplementing some laws as amended, a Methodological Pedagogical Centre is established in the Slovak Republic, with its seat in Bratislava and three regional offices. It is an organization directly subordinated to the Ministry of Education, Science, Research and Sport of the Slovak Republic carrying out methodical activities and providing further education of pedagogic and non-pedagogic employees. It manages schools and educational facilities in the foundation competences of self-governing towns, municipalities and regions, as well as the regional boards of education in the Slovak Republic.

g):

History teaching in the Hungarian language is provided at schools with Hungarian teaching language. Teaching at these schools is provided in line with the modified State Educational Programme and regional specifications are reflected in School Educational Programmes. At these schools original history books from authors - representatives of the national minority - are used as well.

In follow-up years, lessons are carried out in the form of a guided talk and discussion. In the teaching process we pay due regard to the modern attitude to modern history, the basis of which is looking for something that connects nations, and not emphasizing controversial events in common history. The subject matter is supplemented by attending discussions and events spurring interest in general history and in regional history as well.

h):

See the information stated in (f), point i.

i):

State school inspection supervises kindergartens, elementary schools, secondary schools and educational facilities. On the basis of current methodology, it also inspects education in the languages of national minorities and the stated issue is evaluated in the annual Report on education and instruction in schools and educational facilities in the Slovak Republic for each school year. No special supervisory body has been established.

In addition, there is the Government Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality, and within it the Committee for National Minorities

and Ethnic Groups which also deals with the issue of using languages of national minorities in the pedagogic-educational process; it is also competent for the implementation of the European Charter for Regional or Minority Languages.

## **Article 9 – Judicial authorities**

### **Selected provisions:**

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

*a) in criminal proceedings:*

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

*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, through interpreters or by means of translations if necessary;*

*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, through interpreters or by means of translations if necessary;*

*d) to take the steps to ensure that the application of b) i and ii and c) i and ii 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.*

*3. The Parties undertake to make available in the regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless they have been made available otherwise.*

### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006, is the relevant law for criminal proceedings. The Criminal Procedure Code is in force and applied on the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of Article 2 para. 20 of the Criminal Procedure Code: "If the accused, his/her legal representative, victim, participating person or witness declares that he/she does not know the language of the proceedings, he/she has the right to an interpreter and translator."

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter."

In line with the provision of Article 28 para. 3 of the Criminal Procedure Code: "If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate."

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and decision after closure of pre-trial proceedings; i.e. in pre-trial proceedings, when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is established only before the court that there is a person appearing who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.

iii:

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Section 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter." The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which are related to the crime or the accused, and which are in a regional or minority language are translated in compliance with Section 28 paragraph 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. the Civil Procedure Code as amended (hereinafter the "Civil Procedure Code") is the relevant legal provision with respect to these commitments. Under Article 18 of the Civil Procedure Code: "In civil proceedings, the parties shall have equal status. They have the right to use their mother tongue or the official language of the state, understood by them,

before a court. The court shall have the obligation to ensure for them equal opportunities for the exercise of their rights.”

Pursuant to Article 141 para. 2 of the Civil Procedure Code: “Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

With respect to the Hungarian language, the relevant judicial decision-making practice shows that in most cases the reason for assigning an interpreter was a request on the grounds that the party’s mother tongue was the Hungarian language, in which he/she was able to express himself/herself better, even though the party to proceedings had command of the Slovak language. Judicial practice in civil proceedings also shows that judges mostly find out poor command of the Slovak language as late as the first hearing, and therefore they assign an interpreter by ruling, adjourn the hearing, and summon the interpreter to appear at the next hearing and, after performing the interpretation, charge an interpreter’s fee. There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter. In some cases, interpreting was provided by the judge conducting the hearing, who had command of the Hungarian language, or the assistant according to the Business and Office Rules. When written materials needed to be translated, the court assigned an interpreter, translator. The Slovak Republic has encountered no difficulty with the application of this obligation.

iii:

The effective legal order of the Slovak Republic allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense. Thus, it fully respects the pertinent provision of the Charter.

c) ii:

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code, which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to appear in person before a court, and to use one’s mother tongue, apply *mutatis mutandis* to court proceedings in administrative cases.

iii:

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense in the same way as in civil court proceedings. Thus, the pertinent provision of the Charter is fully respected.

d):

The costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrative proceedings are borne by the State.

Paragraph 2:



In respect of the commitment of the Slovak Republic not to deny the validity of legal documents drawn up within the State solely because they are drafted in a regional or minority language, it is necessary to stress that the documents concerned can only be applications, motions, petitions, requests and the like executed by natural or legal persons. This statement derives mainly from Article 6 of the Constitution of the Slovak Republic and Article 7 of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, according to which the state authorities of the Slovak Republic issue their decisions in the state language. Hence, it is impossible that a legal document drafted by a state authority be in a language other than Slovak, except for those decisions of state administration authorities that are issued in line with the Act on the Use of Languages of National Minorities. Pursuant to Article 2 para. 4 of the Act on Use of Languages of National Minorities, decisions of bodies of public administration in administrative procedures are issued, in addition to the state language, also in a minority language in an equal copy in the municipalities as defined by the Act, if the procedure started in the minority language or on request. At the same time, in line with Article 2 para 5 of the same Act, birth certificates, marriage certificates, death certificates, permits, authorizations, acknowledgements, statements and declarations are issued in two languages on request in the designated municipalities.

In the case of the submission of these legal documents (e.g. motions, contracts, testaments, proposals, authorisations, etc.) in regional or minority languages by natural or legal persons in court proceedings, the validity of these documents is not denied a priori because they are issued in minority languages. After the legal assessment of the importance or relevance of the submitted legal document substantiated by the submitting party, the court will request the translation of such document with the intention to learn the facts mentioned in it, to make an assessment, and then take a decision.

#### Paragraph 3:

Most of the laws which directly implement the constitutional rights of persons belonging to national minorities have already been translated into the Hungarian language (e.g. Act No. 184/1999 Coll. on the Use of Languages of National Minorities, Act No. 84/1990 Coll. on the Right of Association of Citizens, as amended, Act No. 270/1995 Coll., on the State Language of the Slovak Republic as amended, Act No. 131/2002 Coll. on Higher Education, as amended, Act No. 29/1984 Coll. on the System of Primary and Secondary Schools, as amended, (the School Act), etc). These translations are usually initiated by NGOs or other civil bodies. Publications with translations of other selected legal provisions of the Slovak Republic in the Hungarian language (e.g. OLAH, Jozef at al., Dokumenty – Zborník medzinárodných dohôd, vyhlásení a zákonov SR o právach národnostných menšín, časť I. a II. - Documents – Collection of international agreements, declarations and laws of the Slovak Republic on national minority rights Part I and II) are also available to the public.

## Article 10 – Administrative authorities and public services

### Selected provisions:

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

*a) ii to ensure that officers who are in contact with the public use the regional or minority languages in their relations with persons applying to them in these languages.*

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 adoption of measures specified below, the Parties undertake to allow and/or encourage:*

*a) the use of regional or minority languages within the framework of the regional or local authorities;*

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

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

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

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

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

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

*b) to allow users of regional or minority languages to submit a request and receive a reply in these languages; or*

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

4. *For the purpose of ensuring the provisions of paragraphs 1, 2 and 3 which they have adopted, the contracting Parties undertake to adopt one or more of the following measures:*

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

*c) if possible, comply with the requests of employees of public services speaking regional or minority languages to be appointed in the territory where this language is used.*

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

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) ii:

Act No. 184/1999 Coll. on the Use of Languages of National Minorities lays down rules for minority language usage in official communications. The use of minority languages in official written communications is currently possible in the municipalities listed in the Regulation of the Government of the Slovak Republic No 221/1999 Coll. issuing the list of municipalities where citizens of the SR belonging to national minorities form at least 20% of the population.

Public administration authorities and their officers have the obligation to use the state language in official communications, and they may also use minority languages under conditions laid down in this law. In such municipalities, public administration authorities have the obligation to create conditions for the use of the minority language according to Act No. 184/1999 Coll. on the Use of Languages of National Minorities, and according to special laws. Public administration bodies and their employees in such municipalities are not obliged to speak the language of the minority.

However, local state administration bodies usually employ staff who speak the minority language. Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. and amending some laws lays down that public administration authorities (state administration authorities, authorities of territorial self-governance, and corporate entities established by the authorities of territorial self-governance) shall provide information about options of using a minority language in the offices of the public administration authority in a visible place. If this obligation is violated (also in the case that a public administration authority will not enable a national minority language to be used), the public administration authority may be fined EUR 50 - 2,500 by the Government Office of the SR.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, in view of Article 2 para. 1, if citizens of the Slovak Republic belonging to a national minority and having a permanent address in the given municipality represent at least 15% of the number of citizens in two subsequent censuses in the municipality, they have the right to use the minority language in this municipality.

Pursuant to Article 2 para. 8 of this Act, citizens of the Slovak Republic who are persons belonging to a national minority may use the minority language in oral official communication in a municipality not meeting the conditions laid down in paragraph 1 if the public administration officer and the persons involved in the proceeding so agree. This agreement depends on the fact whether all people present understand the minority language.

Paragraph 2:

a):

Act No 184/1999 Coll. on the Use of Languages of National Minorities regulates the minority language usage in official communication with local and regional authorities. The list of municipalities whose citizens belonging to a national minority may use the minority language is laid down by Regulation of the Government No. 221/1999 Coll., issuing the list of municipalities in which citizens of the Slovak Republic belonging to a national minority represent at least 20% of the population. There are 511 municipalities where citizens belonging to the Hungarian national minority constitute at least 20% of the population. Of which eight are towns which are capitals of districts. Of that, there are 197 municipalities with registry offices. Members of the Hungarian national minority do not constitute 20% of population in any municipality which is a regional capital.

According to Act No 204/2011 Coll. amending Act No. 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending and supplementing some laws, enables the usage of a national minority language in oral communication also in municipalities where less than 20% of their population belong to the national minority, if the relevant employees of the public administration authority and other persons involved so agree.

Each citizen of the Slovak Republic belonging to a national minority has the right, in line with Article 2 para. 1 of the stated Act, to also communicate in the minority language, both orally and in writing, with bodies of local state administration, bodies of territorial self-governance, and a corporate entity established by a territorial self-governance (hereinafter referred to as the 'public administration authority'), also including the presentation of written documents and evidence (Article 2 para. 3). The public administration authority shall reply to a communication written in a minority language in the minority language too, along with the state language, with the exception of issuing public instruments, while this exception shall not apply to public instruments in view of Article 2 para. 4 and 5. In case of doubt, the text of the reply of the public administration body in the state language prevails.

Public administration authorities, in line with this Act, will create conditions for applying the right in view of the first sentence accordingly, while they can define a time period for arranging matters in the national minority language. Public administration authorities will provide information about the options of using minority languages in their offices in a visible place.

b):

In line with Article 2 para. 3 of Act No. 184/1999 Coll. on the Use of Languages of National Minorities, citizens of the Slovak Republic belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government authorities (hereinafter "public administration authority") also in a minority language in municipalities where persons belonging to the relevant national minority form at least 20% of the population according to the latest census of population. As regards the Hungarian language, this right may be exercised in 511 municipalities.

In these municipalities, public administration authorities give citizens official forms issued under their competence in the state language, and on request also in the minority language, i.e. the Hungarian language.

In line with Article 2 para. 4, decisions of public administration authorities in administrative proceedings conducted in municipalities complying with the criterion under Act No. 184/1999 Coll. on the Use of Languages of National Minorities, are also issued in a minority language version at request, along with an equal copy in the state language. In the case of doubt, the text of the decision in the state language prevails.

After reviewing the need for decreasing the limit for using languages of national minorities, the Government of the Slovak Republic came to the conclusion that the 20% limit was not adequate and has decreased it to 15%.

On the basis of Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, in view of Article 2 para. 1, if citizens of the Slovak Republic belonging to a national minority and with permanent address in the given municipality constitute at least 15% of the citizens in two subsequent censuses in the municipality, they have the right to use the minority language in official communications in this municipality.

Pursuant to Article 2 para. 8 of this Act, citizens of the Slovak Republic who are persons belonging to a national minority may use the minority language in oral official communication in a municipality not meeting the conditions laid down in para. 1 if the public administration officer and the persons involved in the proceeding so agree.

Each citizen of the Slovak Republic belonging to a national minority has the right, in line with Article 2 para. 1 of the stated Act, to also communicate in the minority language, both orally and in writing, in the municipality with authorities of local state administration, authorities of territorial self-governance, and a corporate entity established by a territorial self-governance (hereinafter referred to as the 'public administration authority'), also including the presentation of written documents and evidence, (Article 2 para. 3). The public administration authority replies to a communication written in a minority language in the minority language too, as well as in the state language, with the exception of issuing public instruments, while this exception does not apply to public instruments in view of Article 2 para. 4 and 5. In case of doubt, the text of the reply of the public administration authority in the state language prevails.

The public administration authority, in line with this Act, will create conditions for applying the right in view of the first sentence accordingly, while it can define a time period for arranging matters in the national minority language. Public administration authorities will provide information about possibilities of using minority languages in their offices in a visible place.

c), d):

The issue of publishing official documents is mainly regulated by the provisions of Act No 270/1995 Coll. on the State Language of the Slovak Republic and Act No 184/1999 Coll. on the Use of Languages of National Minorities. Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended stipulates, in its Article 3 para. 2 (a), that laws, government orders, and other generally binding regulations, including regulations issued by the authorities of municipal self-administration, as well as decisions and other public instruments, shall be issued in the Slovak language; this does not affect the use of languages of national minorities and the use of foreign languages in line with special regulations.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws changes the statutory text of the Act on the State Language in the sense that it refers to the Act on the Use of Languages of National Minorities as *lex specialis* in the area of issuing public instruments. It also extends the group of public instruments which may be issued bilingually, i.e. in the state language and in the national minority language, namely to the birth certificate, marriage certificate, death certificate, permits, authorizations, acknowledgements, statements and declarations. In line with the amendment, such public instruments are to be issued in municipalities where the national minority language may be used in official communications, on the request of the citizen, or as a reply to a written communication written in the national minority language. If a public administration authority refuses to issue a decision, birth certificate, marriage certificate or a death certificate bilingually, it may be fined by the Government Office of the SR from EUR 50 to 2,500.

In addition to the amendment of the Act on the Use of Languages of National Minorities, also an amendment of the Act on the State Language has been adopted, extending the scope for applying other languages where the previous wording of the Act did not so allow, e.g. when making work contracts, financial and technical documentation, statutes of organizations, associations, political parties, political movements and business companies, when adopting national technical standards in the system of Slovak technical standards, in live broadcasts of radio and television programmes, theatre plays with original texts, and pedagogic-educational events aimed at education in foreign languages. However, the Act on the State Language stipulates to use also the state language in most cases stated above.

f):

This issue is regulated by Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, and Act No 184/1999 Coll. on the Use of Languages of National Minorities. Pursuant to Article 3 para. 2 (b) of the Act on the State Language, state authorities, authorities of territorial self-administration, other authorities of public administration, corporate entities established by them, and corporate entities established by law shall use the state language in their sessions. Pursuant to Article 3 para. 1 and 2, sessions of authorities or territorial self-administration in a municipality where a national minority language may be used in official communications may also be held in the minority language if all persons present so agree. A member of the municipal assembly in such municipalities has the right to use the minority language during the sessions of this authority. Interpretation shall be provided by the municipality.

The Act on the State Language in the stated wording did not ensure the status of the Act on the Use of Languages of National Minorities as *lex specialis* for sessions of local authorities. The amendment of the Act on the Use of Languages of National Minorities ensures such status of the Act on the Use of Languages of National Minorities. The amendment of the Act on the Use of Languages of National Minorities also extends the possibility to hold sessions in a national minority language to state administration authorities, if all persons present agree with the use of the national minority language at such session.

The amended version of Act No 184/1999 Coll. on the Use of Languages of National Minorities lays down in its Article 3 para. 2 that a new second sentence shall be placed after the first sentence, saying: "The other participants in a municipality council meeting may use the minority language if all the rest of the municipal council members and the mayor of the municipality so agree." This lays down the possibility to use a minority language at sessions of

municipal councils, if conditions for granting an approval by other participants present at the session are met. In practice there is nothing to impede granting of the approval, if all people present understand the minority language. The amendment of the Act on the Use of Languages of National Minorities also extends the possibility to hold sessions in a national minority language to state administration authorities, if all persons present agree with the use of the national minority language at such session.

If the municipality has enough resources to provide interpreting and translation during the session, and the condition of the general agreement is met, the use of interpreting is not excluded. Interpreters are available on the whole territory of the SR as a paid service, so it depends on financial conditions, if the subjects can afford to pay an interpreter.

g):

The issue of using geographic names is regulated by Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, and Act No 184/1999 Coll. on the Use of Languages of National Minorities.

According to Article 3a of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, the following shall be presented in the state language: names of municipalities and their parts, the names of streets and other public areas, other geographical names, as well as information contained in official maps and cadastral maps; denomination of municipalities, streets and other local geographical names in the languages of national minorities are governed by separate regulations.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending and supplementing some laws nullified the Act on the Denomination of Municipalities in the Language of National Minorities, while most of its provisions have been implemented in the Act on the Use of Languages of National Minorities. This has unified the regulation and removed the ambiguities of the wording of the Act on the Denomination of Municipalities in the Language of National Minorities. In line with the amendment, a list of denominations of municipalities in the languages of national minorities should form part of the Regulation of the Government of the Slovak Republic including a list of municipalities where languages of national minorities may be used in official communications. The amendment also extends the areas of using traditional names of municipalities in the languages of national minorities (Article 4 para. 1: "In a municipality referred to in Article 2 para. 1, the designation of the municipality in the minority language shall be provided in addition to the name of the municipality in the state language on traffic signs indicating the beginning and the end of the municipality, on buildings of public administration bodies, or in decisions issued in the minority language insofar as such designation is provided in the Government Regulation referred to in Article 2 para. 2." Article 4 para. 3: "The municipality designation in the minority language in a municipality referred to in Article 2 para. 1 may also be provided next to the designation of a railway station, bus station, airport and port. The municipality designation in the minority language shall be displayed below the name of the municipality in the state language using the same or smaller font size."). The amendment also reads in its Article 4 para. 5: "Where a minority language is used in specialized publications, press and other mass communication media, and official activities of public administration bodies, designations of geographic objects in the minority language which are customary and established may be used in addition to the standardized geographic names."

As for the issue of the Committee of Experts for the European Charter for Regional or Minority Languages related to displaying minority names also in places with less than 20% of minority population in the total municipality population, it may be stated that such possibility has been retained in the Slovak Republic. It is also evidenced by the fact that in municipalities where the number of members has dropped below 20%, traditional minority names are still displayed and signposts with these names have remained in place. In addition, the provision of Article 4 para. 1 of Act No 184/1999 on the Use of Languages of National Minorities says the following: “A municipality referred to in Article 2 para. 1 may designate streets and other local geographic objects within its territory also in the minority language.” The notion of other local geographic objects includes all local designations and may also refer to lower territorial units within municipalities, if there is a traditional and correct name in the minority language for their designation.

Paragraph 3:

b), c):

Article 2 para. 3 of Act No 184/1999 Coll. on the Use of the Language of National Minorities guarantees citizens of the Slovak Republic belonging to national minorities to file applications (in general written applications) in the language of the national minority and to receive replies also written in the language of the national minority (the reply is bilingual mainly to enable its usage at any authority on the whole territory of the Slovak Republic).

Citizens of the Slovak Republic may file written applications to state administration authorities or authorities of territorial self-administrations in municipalities where the languages of national minorities may be used in official communications. Public services are mainly provided by corporate entities established by state administration authorities, authorities of territorial self-administration, or directly by law.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, extends the rights of persons belonging to national minorities in the issue of filing written applications, continuing in the Charter implementation. According to the amendment, a citizen of the Slovak Republic who is a person belonging to a national minority shall have the right to communicate orally and in writing before a local state administration authority, a territorial self-government authority, and a corporate entity established by a territorial self-government authority, including submitting written documents and evidence also in the minority language, and the public administration authority shall provide a response to the filing made in a minority language in the minority language in addition to the state language, with the exception of the issuance of public documents, provided that the foregoing exception shall not apply to the public instruments referred to in Article 2 para. 4 and 5 (i.e. decisions, birth certificates, marriage certificates, death certificates, authorizations, acknowledgements, permits, statements and declarations). So it also extends the group of authorities to corporate entities founded by territorial self-government authorities. In practice these are mainly medical establishments and social-care establishments, municipal companies, etc. However, not even the amended wording deals with filing documents to corporate entities founded by law (e.g. public universities, post office, Social Insurance company, the Railways of the Slovak Republic, etc.).

In line with the amended Act No 184/1999 Coll., Article 5 is amended by paragraph 3 which reads:



"(3) A citizen of the Slovak Republic who is a person belonging to a national minority may use the minority language in communication with the personnel of healthcare institutions and social care institutions or institutions for the social and legal protection of children and social probation in a municipality referred to in Article 2 para. 1. The healthcare institution or social care institution or institution for social and legal protection of children and social probation, as referred to in the preceding sentence, shall allow the use of minority languages under this Act and special laws insofar as the conditions of the institution so permit."

Paragraph 4:

a):

Article 7 para. 2 of Act No 184/1999 Coll. on the Use of Languages of National Minorities lays down that public administration authorities in municipalities where languages of national minorities may be used in official communications is obliged to create conditions for the use of the minority language in view of this Act and special laws. This obligation also includes the potential provision of interpreters or translators.

Interpretation and translation services are available accordingly on the whole territory of the SR, and interpreters are registered in a List of experts and interpreters at relevant regional courts. These services are charged for so their use depends on the financial situation of the relevant subjects.

c):

See para. 1 (a) ii.

Paragraph 5:

In this issue the amendment to the Act on the Use of Language of National Minorities or indirect amendments to other acts anticipates the following changes:

a) Article 7 para. 2 of Act No 300/1993 Coll. on Names and Surnames as amended reads:

(2) The permit to change surname is not necessary if the surname is changed:

- a) after a dissolution of marriage;
- b) after becoming full-aged consisting in using only one of two or more surnames;
- c) consisting in the registration of females' surname of a person of other than Slovak nationality without the ending of Slovak female names;
- d) consisting in the modification of the surname in line with Slovak orthography or with the orthography of a language of a national minority in line with a special regulation<sup>3ca)</sup>;
- e) a child after its lawful adoption;
- f) due to a gender change;
- g) of a minor child whose parents got married after it had been born, into a surname determined for other children of theirs;
- h) of a minor child whose father is not known, into a surname determined for other children of its mother and her husband.

Amendment of Article 7 para. 2 (d) was important in order to harmonize the regulation of the use of the state language and languages of national minorities. The surname change into Slovak-spelling form was possible free of charge, until the Act allowed a free-of-charge change

into a spelling form in the language of a national minority. The amendment has removed this shortcoming.

b) Act No. 154/1994 Coll. on Register Offices has been amended as follows:

Article 19 has been supplemented with paragraphs 10 and 11 which read as follows:

“(10) If it is a deceased person whose name is registered at the registry office in a non-Slovak language and a later exemplification from the registry office was issued with a name in a Slovak equivalent, the registry office shall issue an exemplification from the registry office in the original form, if a member of his/her family – a husband or children of the deceased person, and if they do not exist, parents of the deceased person - asks for it in writing.

(11) Registry offices shall issue exemplifications with original names also in cases when the person whom the exemplification relates to, or a family member, proves that the name in its Slovak equivalent was registered only later, without the agreement of the person whom the entry relates to.”

Such change is justified by cases which have happened in practice in relation to the Slovakisation of names and surnames of persons in registries which were originally written in the Hungarian language. If relatives of the deceased person asked for the issue of a birth certificate of the deceased person, the name and surname of the deceased person were always stated in the Slovak spelling form in the birth certificates, regardless of the spelling form in which they were registered in the original registry.

The amendment of the Act on the Use of Languages of National Minorities was supplemented with this indirect amendment of the Act on Registry Offices in the legislative procedure of the National Council of the Slovak Republic as proposed by the Committee for Human Rights and National Minorities.

## **Article 11 - Media**

### **Selected provisions:**

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

*a) to the extent that radio and television carry out a public service mission:*

*iii to adopt adequate provisions so that broadcasters offer programmes in regional or minority languages;*

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

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

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

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

*f) i to cover additional costs of those media which use regional or minority languages, wherever the law generally provides for financial assistance for the media;*

*2. The Parties undertake to guarantee the freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in an 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 press in a language used in an identical or similar form to a regional or minority language. The exercise of the above-mentioned freedom, since it carries with it duties and responsibilities, may be subject to certain 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 order, for the prevention of disorder or crime, for the protection of health or morals, for the protection of reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.*

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

### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) iii:

In line with Article 5 para. 1 (g) of Act No. 532/2010 Coll. on Radio and Television of Slovakia and on amendments and supplements to some acts, the public-service broadcaster Radio and Television of Slovakia is obliged to provide broadcasts in the languages of minorities and ethnic groups living in the territory of the Slovak Republic. At the same time, a radio programme service of the public-service broadcaster must be determined for the broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living on the territory of the Slovak Republic. Contrary to the past, the time extent of the broadcast of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living on the territory of the Slovak Republic has to correspond to the national and ethnic structure of the population of the Slovak Republic.

Extent of broadcasting in the Hungarian language: Since 2008, the yearly extent of broadcasting in the Hungarian language in the broadcast of Slovak Radio has been gradually increased from 3,437 to 4,252 hours in 2009, and to 4,380 hours in 2010. The yearly extent of

broadcasting in the Hungarian language in the broadcast of Slovak Television was 140 hours in 2008 and 128 hours in 2010.

b) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongue, to associate in national minority associations, and to establish and maintain educational and cultural institutions.”

Act No 308/2000 Coll. on Broadcasting and Retransmission, and on amending Act No. 195/2000 Coll. on Telecommunications, as amended, guarantees the right to free and independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within the scope of legislation. This law also allows the retransmission operator to provide programme the retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within the scope of legislation.

The adoption of the amendment to the Act on the State Language in June 2009 completely abolished the limiting conditions for private radio broadcasters offering broadcasts in minority languages by abolishing the obligation to provide a Slovak language version of radio programmes broadcast in the languages of national minorities. Pursuant to Article 5 para. 1 (b) there was an exception introduced in the broadcast in the state language related to: “radio programmes in regional broadcast or local broadcast designed for members of national minorities including events in live transmission”. In this way the recommendations suggested by the Committee of Ministers in the second Assessment Report in points 127, 128, 255, 256, 376, 377, 507, 508, 644, 645, 804, 805 have been complied with.

The radio signal of numerous radio stations (both public and private) from foreign countries can be received on the territory of the Slovak Republic; i.e. also in the Hungarian language from Hungary.

c) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongue, to associate in national minority associations, and to establish and maintain educational and cultural institutions.”

Act No 308/2000 Coll. on Broadcasting and Retransmission, and on amending Act No. 195/2000 Coll. on Telecommunications, as amended, guarantees the right to free and independent broadcasting also in minority languages. Intervention in their content is possible only on the basis of and within the scope of legislation. This law allows the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within the scope of the legislation.

The obligation to provide subtitles in the state language is maintained in the TV broadcast in view of their great importance in removing barriers between various language communities, and in getting to know the culture and life of persons belonging to minorities, which significantly contributes to building mutual understanding and getting closer among members of the majority nation and members of minorities. By means of the Audiovisual Fund established in 2009, the Slovak Republic supports the distribution of Slovak audio-visual works, while this support may also be used to cover the costs related to the provision of subtitles. Productions of any audio-visual work in a national minority language (movie, documentary, animated and other films) may request financial contribution for the production of subtitles in the state language.

The TV signal of numerous TV stations (both public and private) from foreign countries may be received on the territory of the Slovak Republic; i.e. also in Hungarian language from Hungary.

d):

On 1 January 2009 Act No 516/2008 Coll. on the Audiovisual Fund and on amendments and supplements to some acts, established the Audiovisual Fund as a public-service institution to support and develop audiovisual culture and industry.

The basic activity of the Fund is the support of audiovisual culture and industry in the Slovak Republic, followed by strategic and planning activity in the audio-visual area and awarding co-production statutes in view of the European Convention on Cinematographic Co-production. The Fund provides finances for creation, development, preparation and production of audiovisual works, their distribution, for festivals, shows and other cultural activities of subjects active in the area of audiovision and cinematography, as well as for publishing and spreading periodic and non-periodic publications from the area of audiovision and cinematography, etc.

The Fund started to provide finances on 1 January 2010. The support activity is made in the form of subsidies, loans or grants. The basic funding principle of the Fund is multi-source financing composed of a contribution from the state budget and contributions of subjects in view of Articles 24 to 28 of Act No 516/2008 Coll. on the Audiovisual Fund and on amendments and supplements to some laws as amended by Act No 532/2010 Coll.: broadcaster established by law, TV broadcaster authorized to broadcast on the basis of a license, provider of audiovisual technical equipment, provider of retransmission, and the distributor of audiovisual works.

In accordance with the provision of Article 5 para. 2 of the Statute of the Audiovisual Fund, the Board of the Audiovisual Fund annually discloses a binding structure of support activity. It includes programme 1 aimed at supporting development, creation and production of cinematographic and audiovisual works also focused on the issue of minorities, including audiovisual works for children up to the age of 12. Authors of audiovisual works can ask for the support of the development and production of documentary audiovisual works whose content deals with the issue of minorities.

Priorities of the support activity in programme 1 for 2011 include, e.g., support for development, creation and production of audiovisual works whose content deals with the issue of minorities and disadvantaged groups.

As regards availability of children's programmes in national minority languages, it is ensured in view of Article 5 para. 2 of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, in view of which audiovisual works for minors under 12 broadcast in a foreign language has to be dubbed in state language, except for broadcasting of audiovisual works for minors under 12 in languages of minority which are broadcast as a part of minority TV broadcasting with dubbing in national minority language or in original language of national minority.

e) i):

Thanks to the Slovak legal system, the Slovak authorities have been providing favourable conditions for printing and dissemination of minority periodic press for a long time. Act No 212/1997 Coll. on Compulsory Copies of Periodical Publications, Non-periodical Publications and Audiovisual Works, in its Article 2 para. 8, stipulates: "Publishing periodicals, non-periodicals and creation of audiovisual copies in a non-state language is not limited by observing this Act and the provisions of special regulations". It results from the above-stated that publishing periodicals in the languages of national minorities or ethnic groups living on the territory of the Slovak Republic is not limited in any way in the Slovak Republic.

Publishing periodical and non-periodical press in languages of national minorities and ethnic groups in the Slovak Republic is supported by state subsidies – by a subsidy programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

The Slovak Republic has a long-term and stable framework established for permanent and regular support of newspapers issued in minority languages. Tens of newspapers issued in the Hungarian language are supported annually by means of the subsidy system. Members of the Hungarian national minority make good use of publishing the periodical press in their mother tongue. Several Internet magazines and e.g. the following periodicals are printed in Slovakia exclusively in the Hungarian language with on-going financial support from the Slovak Republic: monthly Új Nő; quarterly Fórum spoločenskovedná revue (Socio-scientific revue forum); quarterly Atelier; monthly Kassai Figyelő; monthly Pedagógusforum; monthly Irodalmi Dunatáj; monthly Katedra – scientific magazine for the Hungarian national minority in the area of pedagogy; cultural periodical Gömörország.; monthly Itthon; literary-scientific periodical Partitúra; monthly Jó Gazda; monthly Tücsök; monthly Irodalmi Szemle; weekly Dunatáj; cultural supplement of the monthly Patonyföld; periodical Presstige; monthly Kürtös; weekly Vasárnap; supplements to the daily Új Szó; bi-monthly theatre expert magazine Kulisszák; monthly Kalligram; weekly Szabad Újság; periodical Opus; weekly Csallóköz - Žitný ostrov; monthly Tábortűz, monthly Nebulók; bi-monthly Régió, and many others.

f, i):

Under the grant programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities, individual national minorities are allocated purpose-bound funds for cultural activities, and for periodical and non-periodical press. This meets the requirements for the fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since the minorities and ethnic groups are given the opportunity to develop and use their own language as the medium of their cultural heritage and preservation of their linguistic identity.

Paragraph 2:

The TV and radio signal of numerous TV and radio stations (both public and private) from neighbouring countries may be received on the territory of the Slovak Republic. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.

Paragraph 3:

The Council for Broadcasting and Retransmission (hereinafter referred to as the 'Council') is the supervisory body for broadcasting in the Slovak Republic. In line with Article 4 para. 1 of Act No 308/2000 Coll. on Broadcasting and Retransmission and on changes of Act No 195/2000 Coll. on Telecommunications as amended, its mission is to promote public interest when applying the right for information, freedom of expression, and the right for access to cultural values and education, and to perform state regulation in broadcasting, retransmission, and the provision of audiovisual media services on request.

The Council has nine members selected and withdrawn by the National Council of the SR. Proposals for candidates for the Council members may be submitted to the Committee of the National Council of the SR by MPs, occupational institutions, and civil associations active in the area of audiovision, mass information means, culture, science, education, sport, registered churches and religious communities, as well as civil associations of disabled people of the Slovak Republic through a Coordination Committee for issues of disabled citizens of the Slovak Republic. Thus a person belonging to a national minority may also become a member of the Council.

Persons belonging to national minority may also become members of the Board of the Radio and Television which is a supervisory body in view of Act No 532/2010 Coll. on the Radio and Television of Slovakia and on amendments and supplements of some laws. Members of the Board are selected and withdrawn by the National Council of the SR, while candidate applications are submitted by corporate entities in line with a special provision (civil associations) active in the area of audiovision, media, culture, economy, law, economics, science, education, the development and protection of spiritual values, human rights and the environment, health protection, representing the interests of national minorities or ethnic groups, other minorities, or registered churches and religious communities.

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

### **Selected provisions:**

*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, folk cultural expression, festivals and the cultural industry, 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 activities specific to regional or minority languages and foster different means of access to works produced in these languages;*

- b) *to foster different means of access in other languages to works produced in regional or minority languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;*
- c) *to foster access in regional or minority languages to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling activities;*
- d) *to ensure that organizations responsible for developing and 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 support;*
- e) *to promote measures to ensure that the organizations responsible for developing and supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;*
- f) *to encourage direct participation by representatives of users of a given regional or minority language in providing cultural facilities and planning cultural activities;*
- g) *to encourage and/or facilitate the creation of a body or bodies responsible for collecting, filing and presenting or publishing works produced in regional or minority languages;*

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

*3. The Parties undertake to make appropriate provision, in pursuing their cultural policy abroad, also for regional or minority languages and their cultural expression.*

### **Measures adopted to ensure the implementation of Charter provisions:**

Under this grant programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities, individual national minorities are allocated purpose-bound funds for cultural activities and for periodical and non-periodical press. This also meets the requirements for fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since minorities and ethnic groups are given the possibility to develop and use their own language as the medium of their cultural heritage and preservation of their linguistic identity.

Forms of support of national cultures through the Deputy Prime Minister for Human Rights and National Minorities:

- publishing of periodical and non-periodical press;
- presentation of live culture of national minorities;
- activity of four professional national minority theatres;
- activity of eight national minority museums;



- supporting the activities of civil associations promoting the culture of all twelve national minorities;
- activity of the Hungarian minority professional folk ensemble Young Hearts – Ifjú Szívek;
- activity of regional educational centres and public libraries;
- broadcasting of programmes in the languages of national minorities in public media – the Slovak Radio and the Slovak Television.

The area of supported live culture for all national minorities is subdivided into support for art festivals and shows, folklore activities and events, theatre activities, art contests, creative art workshops, children and youth camps, exhibitions and literary activities.

In the field of the periodical press, the focus is on financial support for the publishing of dailies, weeklies, monthlies and bi-monthlies, quarterlies, irregularly published press, and electronic periodicals.

The support for the non-periodical press is directed to support the publishing of original works by national minority authors, translations of literature, support to social sciences literature, information bulletins of cities, towns and villages, and CDs.

A significant area of support covers the support of presentation activities of individual national minorities towards the majority, with a view to education towards tolerance and multiculturalism, and the prevention of all forms of racism and intolerance. Then it is the support of professional seminars, research of the culture of national minorities, and the production of nationality-focused documentaries.

Paragraph 1:

a):

The Slovak Republic promotes the publishing of periodical and non-periodical literature in the Hungarian language through the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

In the field of periodical literature, the grant system of the Ministry of Culture is the means to support culture pages and supplements to newspapers and magazines as well as periodicals in the e-form covering the cultural life of the Hungarian national minority, journals relating to literature, art sciences, art reviews and student - university journals, and magazines for children. The division of the support to live culture, periodical and non-periodical press is decided by the Hungarian grant commission. Information on the periodicals published in the Hungarian language is presented in Article 11 – Media.

The task of the grant programme in the area of non-periodical literature of national minorities is to support publishing activities and publications enhancing the identity of national minorities through original, fiction, technical, scientific literature and translations. The subsidy is also aimed at the release of audio recordings of national-minority authors, where it should mainly be used to partially cover the costs linked with the production of CD recordings. In 2010, 348 titles (414,047 copies) were published in Hungarian language.

Archiving of the periodical and non-periodical press in national minority languages is ensured by Act No. 212/1997 Coll. on Compulsory Copies of Periodicals, Non-Periodicals and Audiovisual Copies, as amended.

Expressions and characteristic features of the Hungarian language are also fostered by two Hungarian national-minority theatres (the Thália Theatre in Košice and the Jókai Theatre in Komárno), through the Múzeum kultúry Maďarov na Slovensku (Museum of the Culture of the Hungarians in Slovakia) and through the Ifjú Szivek – Young Hearts Hungarian artistic ensemble.

The Museum of the Culture of the Hungarians in Slovakia is a specialised museum of the Slovak National Museum, with a country-wide competence, that specialises in the history and culture of Hungarians in Slovakia. The mission of the museum is to purposefully acquire, protect, scientifically and technically process, and make available museum collections and funds documenting the history and development of the material and spiritual culture of the Hungarian ethnic group in Slovakia. The seat and exposition of the museum is located in Bratislava. The museum also has expositions in Dolná Strehová and Sklabiňa.

b):

Support of access to works created in minority languages as well as support of the access of minorities to works created in other languages has a long tradition in Slovakia, which had been extensively developed in the Slovak Republic even before it signed the Charter.

Access to cultural forms made in regional or minority languages is provided in several forms. Mainly there are translations of works created in regional or minority languages into the Slovak language by means of the subsidy programme support of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities. The Kaligram publishing house is one of the most important publishing houses that publishes translations of literary works in regional or minority languages which receive support under this grant scheme.

Support for cultural production in regional or minority languages also takes the form of theatre plays, performances in theatres, and exhibitions presenting national minorities in museums and galleries, e.g. in the exhibition rooms of the Dom umenia Národného osvetového centra – the House of Arts of the National Education Centre in Bratislava. Minority theatres in Slovakia regularly receive the opportunity for presentation within theatre festivals (Dotyky a spojenia/Touches and connections in Martin, Astorka festival, international festival Divadelná Nitra/Theatre Nitra, etc.) organized by several Slovak theatres and non-Bratislava minority theatres host within the project of the Slovak National Theatre called “In the National Theatre - like at home” at the Slovak National Theatre in Bratislava.

c):

Access to works in other than regional or minority languages is provided by supporting and developing translation activities. Through its grant scheme, the Deputy Prime Minister for Human Rights and National Minorities annually spends significant amounts of funds for the support of publishing and publication activities of the Hungarian national minority publishing houses for publishing translations of literature into the Hungarian language.

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the Strategy in the field of minority

cultures is to have written information (descriptions) on the exhibited collection items as well as other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and, in the case of specialised expositions, in minority languages in addition to the state and the English languages.

d):

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The concept includes the task to fully prepare and start installations of representative standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities and ethnic groups by 2011.

The Slovak Republic continually pursues inclusion of cultural activities of individual national minorities into the cultural life of majority society through the Deputy Prime Minister for Human Rights and National Minorities. With his grant programme, the Deputy Prime Minister for Human Rights and National Minorities annually supports several cultural events with a significant involvement of cultural ensembles of national minorities, with the aim of promoting projects presenting national-minority cultures to the majority population, in order to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination (e.g. the Festival of minority cultures – Minority Cultural Summer, Hungarian art ensemble Ifjú Szívek – Young Hearts, etc.)

The Deputy Prime Minister for Human Rights and National Minorities supports amateur ensembles presenting Hungarian national culture in Slovakia. The objective of this support is to foster and develop the national-minority culture of the Hungarians living in Slovakia be it through NGOs, amateur ensembles, publishing houses, or organisations of Csemadok – the Hungarian Social and Cultural Union in Slovakia, which present and promote Hungarian language and culture.

e):

All organisations fostering, developing and presenting the culture of national minorities in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic, and theatres run by individual self-governing regions are headed by persons belonging to the relevant national minority. All employees have, of course, command of the relevant minority language. This is also true for the Jókai Theatre in Komárno and the Thália Theatre in Košice – the two Hungarian national-minority theatres in the Slovak Republic - and the Múzeum kultúry Maďarov na Slovensku – the Museums of the Culture of Hungarians Living in Slovakia in Bratislava. It naturally also applies to the Ministry of Culture of the SR and the Government Office of the SR – there are also employees of Hungarian nationality speaking the Hungarian language working in departments in charge of minority and regional culture.

f):

The Deputy Prime Minister for Human Rights and National Minorities provides administrative support to the activities of 13 grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Their members include representatives of all regions and experts in all cultural areas. These commissions, being advisory bodies to the Deputy Prime Minister for Human Rights and National Minorities, give a technical evaluation of all applications for subsidies for the respective national minority,

and propose the amount of grant. They elect the chair of the commission by themselves. At the same time, grant commissions define annual priorities for support to the culture of the individual national minorities.

The Deputy Prime Minister for Human Rights and National Minorities has appointed two separate grant commissions composed of persons belonging to the Hungarian national minority for the Hungarian national minority – one only for the area of live culture, and the other for periodical and non-periodical press. By the stated enlargement by another grant commission, the Deputy Prime Minister for Human Rights and National Minorities has satisfied the request of the Hungarian national minority in Slovakia. The Hungarian grant commission decides on the amount of financial contributions to individual projects on the basis of priorities and criteria set for the pertinent year by the commission in an independent manner.

g):

Through his grant programmes, the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities annually supports NGOs, which have the task of collecting, archiving and publishing works in regional or minority languages. The most important is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) in Šamorín whose mission is the expert research of minorities living in Slovakia, the documentation of their culture, written documents, and other related records. The Forum Minority Research Institute has received and still receives annual financial support of tens of thousands of EUR from the state budget.

The state also subsidises the Museum of the Culture of Hungarians in Slovakia which is a specialised museum of the Slovak National Museum, with a country-wide competence, that specialises in the history and culture of Hungarians in Slovakia. The mission of the museum is to purposefully acquire, protect, scientifically and technically process, and make available museum collections and funds documenting the history and development of the material and spiritual culture of the Hungarian ethnic group in Slovakia.

Paragraph 2:

The Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities fosters the culture of national minorities through its grant scheme regardless of the percentage of the pertinent national minority in the region. When complying with all particulars, civil national-minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities.

There are no legal or other restrictions in the Slovak Republic which would impede performance of cultural activities of the Hungarian national minority anywhere on the territory of the SR. On the contrary, the Slovak authorities have traditionally supported extension and presentation of minority cultural activities, including activities of the Hungarian minority also beyond areas where members of the minority live, be it by independent performances or within Slovak-wide cultural events at which members of the Hungarian minority present their cultural activities regularly several times a year. (See para. 1 (b) and (d)).

Paragraph 3:

The Hungarian art ensemble Ifjú Szívek – Young Hearts, under the founder's competence of the Government Office of the Slovak Republic, is the only national-minority artistic ensemble

receiving contributions from the budget of the Government Office of the Slovak Republic. In the past, the ensemble has toured the USA, Australia, and performed in Austria. It has several performances in Hungary every year, as well as in other countries.

The culture of all 13 national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures both at home and abroad, be it in promotional materials for tourists, or by sending such minorities out for presentations abroad.

The inclusion of presentations of traditional Hungarian folk culture in the performances of Slovak folk ensembles, and the presentations of Hungarian folk ensembles, including amateur, at festivals in Slovakia and abroad is also an important form of its presentation.

### **Article 13 – Economic and Social Life**

#### **Selected provisions:**

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

- a) to eliminate from their legislation any provision prohibiting or limiting without justifiable reasons the use of regional or minority languages in documents relating to economic or social life, particularly contracts of employment, and in technical documents such as instructions for the use of products or installations;*
- b) to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of regional or minority languages, at least between users of the same language;*
- c) to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;*

*2. With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which regional or minority languages are used, and as far as this is reasonably possible:*

- c) to ensure that social care facilities such as hospitals, retirement homes and hospices offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on the grounds of ill-health, old age or for other reasons.*

#### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

- a)  
Article 8 para. 2 of Act No. 270/1995 Coll. on the State Language of the Slovak Republic, as amended, regulates the use of languages in the area of labour-legal relations in the following way: Written legal actions in labour relations or a similar labour relation are made in the state language; a copy with equal content can be made in a different language along with the state language.

Article 8 para. 1 of Act No. 270/1995 Coll. on the State Language of the Slovak Republic, as amended, also regulates the use of languages in other areas of the social and economic life in the following way: In the interests of consumer protection, the use of the state language shall be mandatory in the labelling of products, whether domestic or imported, in manuals for the use of products, particularly foodstuffs, medicinal products, consumption electronic and drugstore goods in warranty terms and conditions, as well as other information for the consumer in the range and in the conditions assigned by separate regulations.

Article 8 para. 3 of Act No. 270/1995 Coll. on the State Language of the Slovak Republic, as amended, regulates other aspects of social and economic activities: Accounting, financial statements, technical documentation whose elaboration or submission is required for the purpose of proceedings in line with a special regulation, and statutes of associations, societies, political parties, political movements and companies necessary for registration purposes, shall be executed in the state language; other language mutations of the text in the state language of identical content may also be provided.

Recently, there have been several changes in this area. The amendment of the Act on the State Language which come into force on 1 March 2011 allows the issuance of stated documents also in the languages of national minorities along with the state language. It also limited the range of provisions for the violation of which sanctions may be imposed. In line with the new wording, corporate entities as well as natural persons–entrepreneurs may be imposed sanctions only in the case when they do not state information related to life, health or safety threat, or a threat to the property of citizens of the Slovak Republic in the state language.

Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended also regulates the area of displaying any signs and notices intended to inform the public. Pursuant to Article 8 para. 6 of the State Language, all signs, advertisements and notices intended to inform the public, particularly in retail shops, sporting facilities, restaurants, in streets, by and above roads, at airports, bus stations and railway stations, as well as in public transport vehicles, shall be presented in the state language. If they contain a text in other languages, the other-language texts shall be presented after the text in the state language and shall, in terms of content, be identical with the state language text. The other-language text shall be presented in the same or smaller font than the state language text. No sequence of texts is determined in signs and notices intended to inform the public in the language of national minorities and in the state language in municipalities where the language of this national minority is used in official communications in line with the Act on the Use of Languages of National Minorities, nor in advertisements.

The obligation stated in Article 8 para. 6 shall not apply to business name, trademark, name of the institution registered or enlisted in registers or lists in line with acts valid in the Slovak Republic or in a different EU Member state, or in a contractual state of the Agreement on the European Economic Area and for the use of the name and surname which are a part of a sign, advertisement or notice intended to inform the public, and to some established expressions in a foreign language which are usually used with the trademark in advertising texts, they are known to the general public and form part of advertising.

The issue of displaying signs is also regulated by Act No 184/1999 on the Use of Languages of National Minorities. Pursuant to Article 4 para. 2 the information related to life, health or safety threat or a threat to the property of citizens of the Slovak Republic are stated in a minority

language in addition to the state language in municipalities where the minority language may be used in official communications. Decisions as well as official forms are also issued in minority languages at request.

The Government of the Slovak Republic has introduced a sanction mechanism in this area. In line with the amendment of the Act on the Use of Languages of National Minorities, a corporate entity or a natural person–entrepreneur commits an offence in the area of the use of minority languages if he/she does not display a sign or notice in a minority language, if it is a sign or notice containing information concerning threats to life, health, security or the property of citizens of the Slovak Republic.

The issue of contracts regulating contractual relations is also subject to Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended. The valid and effective wording of the Act on the State Language regulates this issue in Article 8 para. 5 as follows: “In proceedings before the state authorities, authorities of municipal administration, legal persons founded by them and legal persons established by the operation of law concerning contracts regulating contractual relationships, also versions of the contracts in other official language of the European Union, in addition to the state language, shall be recognised. In the case of any ambiguities or disputes, the national language version of the contract shall prevail.” Such regulation ensures equality only to those languages which are official EU languages. It may be stated that the regulation is advantageous for the Bulgarian, Czech, Hungarian, German and Polish languages.

b):

These bans are not expressly laid down in the legal system of the Slovak Republic. Legal regulations deal with this area generally, either through a general discrimination ban regulated mainly by Act No 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act) and Act No 311/2001 Coll. of the Labour Code.

The Labour Code explicitly provides in its Article 1 Fundamental Principles that natural persons have the right to free choice of employment, to fair and satisfying working conditions, and to protection against unemployment. These rights belong to them without any sort of restriction, and without direct or indirect discrimination on the grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied in all provisions of the Labour Code. It must be applied in the same way to work rules and other internal standards, which must comply with legal provisions.

c):

Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic. The last amendment to the Antidiscrimination Act has expanded protection against discrimination. In respect of the Charter implementation, the provisions of Article 8a, legislating the so-called specific positive action, is of importance.

The Committee of Experts found this obligation as fulfilled in the second Assessment Report. Since the submission of the second regular report, the legal framework has not changed.

Paragraph 2:

c):

The amendment of the Act on the State Language, effective from 1 March 2011, lays down the following: The administrative paperwork of healthcare facilities and facilities for social services shall be kept in the state language. The personnel of these facilities communicate with their patients or clients usually in the state language; if the mother tongue of the patient or the client is not the state language, communication may be in a language in which the patient or client can communicate. The personnel are not obliged to speak a foreign language or a language of the national minority. Patients or clients belonging to national minorities may use their mother tongue in communication with personnel in these facilities in municipalities where the minority language is used in official communications in line with a special regulation.

Act No 184/1999 Coll. on the Use of Languages of National Minorities originally did not regulate this issue. In its Article 5 para 3, Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, stipulates the following: "A citizen of the Slovak Republic who is a person belonging to a national minority may use the minority language in communication with personnel of healthcare institutions and social care institutions or institutions for the social and legal protection of children and social probation in a municipality referred to in Article 2 para. 1. The healthcare institution or social care institution or institution for social and legal protection of children and social probation, as referred to in the preceding sentence, shall allow the use of the minority language under this Act and special laws insofar as the conditions of the institution so permit."

Such wording does not lay down any obligation to health-care or social care institutions to ensure the possibility to use a national minority language, not even in language-mixed areas (e.g. to interpreters, translators). Such obligation could lead to a significant costs increase of these institutions, which might represent a threat to their existence.

## **Article 14 – Cross-border Cooperation**

### **Selected provisions:**

*The Parties undertake:*

- a) to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in an identical or similar form, or if necessary to seek to conclude such agreements in such a way as to foster contacts among the users of the same language in the States concerned in the fields of culture, education, information, vocational training and life-long education;*
- b) for the benefit of regional or minority languages, to facilitate and/or promote cross-border co-operation, in particular among regional or local authorities in whose territory the same language is used in an identical or similar form.*

### **Measures adopted to ensure the implementation of the Charter provisions:**

a):



The Slovak Republic and the Republic of Hungary concluded a Treaty on Good Neighbourly Relations and Friendly Cooperation (hereinafter the “Basic Treaty”). This Treaty came into force on 15 May 1996. Article 7 of the Basic Treaty provides:

“The Contracting Parties shall create conditions for development of various forms of economic cooperation in the border region at regional and local levels, including cooperation between legal and natural persons.”

“The Contracting Parties shall attach importance to co-operation between higher-level self-governing units, towns and villages, in conformity with their competence and with the principle of subsidiarity.”

Article 15 of the Basic Treaty includes numerous provisions relevant to this provision of the Charter. According to Article 15 para. 6 of the Basic Treaty, eleven joint Slovak-Hungarian commissions were established on the basis of the Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary of 24 November 1998, concerning creation of a mechanism facilitating fulfilment of the Basic Treaty. In 2004, a twelfth joint Slovak-Hungarian commission for cross-border cooperation was established.

One of the joint Slovak-Hungarian commissions is established specifically for minority issues (the Joint Slovak-Hungarian Commission for Minority Affairs) and this Commission also covers areas relevant for the Charter (education, culture, press, media). To date, 10 sessions of the joint Slovak-Hungarian Commission for Minority Affairs have been held.

b):

On 23 April 2001, the Prime Ministers signed the Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Cross-Border Cooperation between Territorial Units or Authorities (Budapest, 23 April 2001, valid from 28 October 2001, No 4/2002). By signing this Agreement, favourable conditions for development of cooperation between neighbouring border areas, towns, municipalities and their associations have been created, and contacts among users of the Slovak and Hungarian languages in both countries in the field of culture, education, information, vocational training and life-long learning have been fostered.

In line with Article 8 of the Agreement, a joint Slovak-Hungarian Commission for Cross-Border Cooperation was established in 2004. The work of this Commission has been conducted according to its statutes approved at the constituent session on 22 November 2004. Since its establishment, the Joint Commission has held 14 sessions.

Cooperation, contacts and the cooperation of border towns, municipalities and regions are an important component in the development of Slovak-Hungarian relations. Currently, there are eight Euroregions along our common border with Hungary: Ipeľ/Ipoly Euroregion, Triple Danube-Euroregion, Noegradiensis Euroregion, Sajo-Rima-Slaná-Rimava Euroregion, Carpathian Euroregion, Euroregio Vagus – Danubius – Ipolia, Karst Euroregion, and Ister – Granum Euroregion. The activities of these Euroregions aim at joining forces and resources for the benefit of economic development, addressing environmental problems, education, youth, sports, culture, social affairs, health care, regional development, transport infrastructure, tourism, etc.

On 20 December 2007, the European Commission approved a cross-border cooperation programme between Hungary and the Slovak Republic for the period 2007 – 2013. The

operational programme also aims at supporting the Community within the European Fund for Regional Development for specific Hungarian and Slovak regions sharing the same border: they are the Hungarian regions of Győr-Moson-Sopron, Komárom-Esztergom, Pest, Nógrád, Heves, Borsod-Abaúj-Zemplén, Szabolcs-Szatmár-Bereg and Budapest, and the Slovak regions of Bratislavský kraj, Trnavský kraj, Nitriansky kraj, Banskobystrický kraj, and Košický kraj.

## **RUTHENIAN AND UKRAINIAN LANGUAGES**

### **Article 8 - Education**

#### **Selected provisions:**

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 to be provided in the relevant regional or minority languages;*
  - b) *ii to make available a substantial part of primary education to be provided in the relevant regional or minority languages;*
  - c) *ii to make available a substantial part of secondary education to be provided in the relevant regional or minority languages;*
  - d) *ii to make available a substantial part of technical and vocational education to be provided in the relevant regional or minority languages;*
  - e) *ii to provide facilities for the study of these languages as university and higher education subjects;*
  - f) *ii to offer such languages as subjects of adult and continuing education;*
  - g) *to make arrangements to ensure teaching of history and culture which have influenced the regional or minority language;*
  - h) *to provide the basic and further training of teachers required to implement those of paragraphs a) to g) accepted by the Party;*
  - i) *to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.*

#### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) ii:

Kindergartens with the languages of national minorities as the languages of education and instruction form an inseparable part of the education system in the Slovak Republic and they have equal position to other schools. The process of education and instruction at kindergartens with the languages of national minorities as the languages of education and instruction is carried out in line with the State Educational Programme – pre-primary education.

Pre-primary education in the **Ruthenian language** is available in the region where this language is spoken and in the national-minority kindergarten in the regional capital. Parents do not seem to be interested in education in this language, it is used as a secondary language. Currently the Ruthenian language is being introduced in the kindergarten in the municipality of Bajerovce.

Pre-primary education in the **Ukrainian language** is available in the region where this language is spoken and in the national-minority kindergarten in Prešov.

According to information provided by the Ministry of Education, Science, Research and Sport of the Slovak Republic, the current numbers concerning kindergartens with pre-school education in the **Ukrainian language** are as follows:

Kindergartens 2010/2011				
		Number		
School language	Class language	schools	classes	pupils
Ukrainian	Ukrainian	5	11	188
Slovak-Ukrainian	Slovak	3	-	-
	Ukrainian		-	-

b) ii:

Since the Second Periodic Report of the SR on the application of the European Charter for Regional or Minority Languages, Act No 245/2008 Coll. on Upbringing and Education (the “School Act”) and on amendments and supplements to some acts as amended, has been adopted, effective from 1 September 2008. This Act triggered a school-system reform and the transformation of the regional school system also from the point of view of its content. The Act lays down principles, aims, conditions, scope, content, forms and organisation of instruction and education in schools and school establishments, education levels, admission for instruction and education, education and instruction termination, length and fulfilment of obligatory schooling, educational programmes at the state level, and pedagogic-educational programmes at the school level, system of schools and school establishments, etc.

Children and pupils of citizens belonging to national minorities and ethnic groups are ensured, in addition to the right to learn the state language, also the right to education and instruction in their language under the conditions stipulated by this Act. Elementary and secondary schools with a non-state language of instruction shall have an obligatory subject – the Slovak language and literature – as a part of education and instruction, in the extent as necessary for learning.

Act No 596/2003 Coll. on State Administration in the Education and School Self-governments and on amendments and supplements to some laws as amended enables councils, municipal school councils and territorial school councils to enforce the interests of local and regional self-governments, parent and teachers in the field of education and instruction, i.e. including teaching in the mother tongue.

At schools with instruction in the minority language and teaching of the minority language, individual subjects are taught according to the same syllabi as at schools with instruction in the Slovak language, except teaching of the mother tongue and minority literature subjects.

**The Ruthenian language** is taught at schools or classes with teaching of the national minority language, i.e. Ruthenian language, as the mother tongue, while other subjects are taught in the Slovak language. The Ruthenian language is taught at three schools with instruction in the Slovak language (75 pupils). In the 2010/2011 school-year there is 1 elementary school with the Ruthenian language as the language of instruction.

**The Ukrainian language** is taught as the mother tongue at schools and classes with the teaching of the national minority language, while other subjects are taught in the Slovak language. In respect of the Ukrainian language, instruction is conducted at schools or classes with combined instruction, i.e. some of the subjects are taught in the state language and others in the minority language, which is the Ukrainian language in this case.

**Primary schools with Ukrainian language as the language of instruction in the 2010/2011 school year:**

		Number		
School language	Class language	schools	classes	pupils
Ukrainian	Ukrainian	6	34	395
Slovak-Ukrainian	Slovak	1	-	-
	Ukrainian		-	-

c) ii:

Currently the **Ruthenian language** is not taught at any secondary school as secondary schools have not benefited from this possibility.

Secondary schools have not used the chance to be involved in school educational programmes for teaching the **Ukrainian language**, with the exception of the secondary grammar school with the Ukrainian teaching language in Prešov. In the 2010/2011 school-year, there are 132 students studying at this school.

d) ii:

Secondary vocational schools have not used the chance to be involved in school educational programmes of the **Ruthenian language**.

Secondary vocational schools have not used the chance to be involved in school educational programmes of the **Ukrainian language** or in the Ukrainian language.

e) ii:

Study and research of minority languages is supported in compliance with Act No. 131/2002 Coll. on Higher Education and on the amendment to some laws, as amended, (hereinafter the "Higher Education Act").

Education in the **Ruthenian language** is provided by Prešov University in Prešov, where the Institute for Regional and Minority Studies – Department of Ruthenian Language and Culture is established, and on 1 March 2008 an independent Institute of Ruthenian Language and Culture was opened.

Education in the **Ukrainian language** is provided by Prešov University in Prešov at the Faculty of Philosophy (Department of Ukrainian Studies). The institutes of Prešov University in Prešov also include the Institute of Russian, Ukrainian and Slavic Studies.

f) ii:

See information under subparagraph e) point ii.

g):

The Ministry of Education, Science, Research and Sport of the Slovak Republic approved curricula for the Ruthenian language and literature for secondary schools with the Ruthenian language of instruction, effective from 1 September 2006. The Ministry of Education, Science, Research and Sport of the Slovak Republic also approved a supplementary teaching text for teaching Ruthenian history called 'Ruthenians in Slovakia' by P.R. Magocsi.

The **secondary grammar school with the Ukrainian language of instruction** uses teaching texts from the history of the Ruthenians – Ukrainians, by Andrej Kováč. During the school year, these are used to supplement the subject matter of history lessons in grades 1 – 3. The texts are also used as a source material for questions concerning regional history, which make a part of the oral school leaving exam in history.

h):

Pursuant to Article 14 para. 2 (c) of Act No 596/2003 Coll. on State Administration in Education and School Self-government and on amending and supplementing some laws as amended, a Methodological Pedagogical Centre has been established, with its seat in Bratislava and three regional offices in different Slovak towns. It is a directly managed organization of the Ministry of Education, Science, Research and Sport of the Slovak Republic carrying out methodical activities and providing further education of pedagogic and non-pedagogic employees. It manages schools and educational facilities in the foundation competences of self-governing towns, municipalities and regions, as well as regional boards of education in the Slovak Republic.

Currently the Methodological Pedagogical Centre has 167 accredited educational programmes for teaching and non-teaching employees of schools and school establishments. Teachers of continuous teaching for relevant languages of national minorities can choose any of the accredited programmes in line with their requirements and interests, and can teach teachers in languages of national minorities.

i):

State school inspection supervises kindergartens, elementary schools, secondary schools and educational facilities. On the basis of current methodology, it also inspects education in the languages of national minorities and the stated issue is evaluated in the annual Report on education and instruction in schools and educational facilities in the Slovak Republic for each school year. No special supervisory body has been established.

In addition, there is the Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality, and within it a Committee for National Minorities and Ethnic Groups which also comments on the issue of using the languages of national minorities in the pedagogic-educational process.

## Article 9 – Judicial authorities

### **Selected provisions:**

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

*a) in criminal proceedings:*

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

*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 regional or minority languages, through interpreters or by means of translations, if necessary;*

*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, through interpreters or by means of translations, if necessary;*

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

3. *The Parties undertake to make available in regional or minority languages the most important national statutory texts and those relating particularly to users of these languages, unless the texts have been made available otherwise.*

### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006 is the relevant law for criminal proceedings. The Criminal Procedure Code is in effect and it is applied in the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of the Criminal Procedure Code in the provision of Article 2 para. 20: "If the accused, his/her legal guardian, victim, participating person or witness declares that he/she

does not know language of the proceedings, he/she has the right to an interpreter and translator.”

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: “If the content of the statement needs to be interpreted or if the person specified in Article 2 para. 20 declares not to understand or speak language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter.”

In line with the provisions of Article 28 para. 3 of the Criminal Procedure Code: “If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate.”

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and decided on after the completion of pre-trial proceedings; i.e. in pre-trial proceedings, when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is ascertained only before the court that there is a person appearing who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.

iii):

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: “If the content of the statement needs to be interpreted or if the person specified in Article 2 para. 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter.” The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which is related to the crime or the accused, and which are in a regional or minority language, are translated in compliance with Article 28 para. 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. the Civil Procedure Code as amended (hereinafter the “Civil Procedure Code”) is the relevant legal provision with respect to these commitments. Under Article 18 of the Civil Procedure Code: “In civil proceedings, the parties shall have an equal status. They have the right to use their mother tongue or the official language of the state, understood by them, before a court. The court shall have the obligation to ensure for them equal opportunities for the exercise of their rights.”

Pursuant to Article 141 para. 2 of the Civil Procedure Code: “Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

Judicial practice in civil proceedings shows that judges mostly establish poor command of the Slovak language as late as the first hearing and therefore they assign an interpreter by ruling, adjourn the hearing, and summon the interpreter to appear at the next hearing and, after performing the interpretation, to charge an interpreter's fee. There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter. It results from the above-stated that the Slovak Republic encountered no difficulty with the application of this obligation.

iii):

The effective legal order of the Slovak Republic allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional costs to these parties. Thus, it fully respects the pertinent provision of the Charter.

c) ii):

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to use one's mother tongue before the court, apply mutatis mutandis to court proceedings in administrative cases.

iii):

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional costs to these parties in the same way as in civil court proceedings. Thus, the pertinent provisions of the Charter are fully respected.

d):

The costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrative proceedings are borne by the State.

Paragraph 3:

Legal provisions concerning persons belonging to national minorities have not yet been translated into the Ruthenian and Ukrainian languages.



## Article 10 – Administrative authorities and public services

### **Selected provisions:**

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

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

2. In respect of the local and regional authorities in whose territory the number of residents who are users of regional or minority languages is such as to justify the adoption of 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;*

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

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

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

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

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

*c) to allow users of regional or minority languages to submit applications in these languages.*

4. For the purpose of ensuring the provisions of paragraphs 1,2 and 3 which they adopted, the Parties undertake to adopt one or more of the following measures:

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

*c) if possible, fulfil the requests of employees of public services speaking regional or minority languages to be appointed in the territory where this language is used.*

*5. The Parties undertake to allow the use or adoption of surnames in the regional or minority languages, at the request of the persons concerned.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a), iii, iv:

In line with Article 2 para. 3 of Act No. 184/1999 Coll. on the Use of Languages of National Minorities, citizens of the Slovak Republic belonging to national minority have the right to submit written applications to state administration authorities and territorial self-government authorities (hereinafter “public administration authority”) also in minority language in municipalities where persons belonging to the relevant national minority form at least 20% of the population according to the latest census of the population. The use of languages of national minorities in official communications is possible in municipalities stated in Government Ordinance No. 221/1999 Coll. and under the conditions as stated by Act No 184/1999 Coll. on the Use of Languages of National Minorities. The stated right may be applied in 68 municipalities in the case of the Ruthenian language, and 18 municipalities in the case of the Ukrainian language.

According to Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, in view of Article 2 para. 1, if citizens of the Slovak Republic belonging to a national minority and with a permanent address in the given municipality, make up at least 15% of citizens in two subsequent censuses in the municipality, they have the right to use the minority language in this municipality.

Pursuant to Article 2 para. 8 of this Act, citizens of the Slovak Republic belonging to a national minority can use a minority language in official oral communications in municipalities which do not meet the conditions in line with Article 2 para. 1, if the public administration authority employee and the persons present at the proceedings so agree.

Local state administration authorities usually have employees speaking the Ruthenian language in municipalities where the Ruthenian national minority is represented more significantly.

Paragraph 2:

b):

See the paragraph above.

c), d):

The issue of publishing official documents is mainly regulated by the provisions of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, and Act No 184/1999 Coll. on the Use of Languages of National Minorities. The Act on the State Language stipulates in Article 3 para. 2 (a) that laws, government ordinances and other generally binding regulations, including regulations including regulations of territorial self-governing authorities, decisions and other public instruments shall be issued in the state language; this does not affect the use of languages of national minorities and the use of foreign languages in line with special regulations. Article 2 para. 3 of the Act on the Use of Languages stipulates that public

instruments shall not be issued in national minority languages. The stated provisions are not fully in compliance with Article 2 para. 4 of the Act on the Use of Languages of National Minorities, saying that a public administration authority's decision in administrative proceedings in a municipality in line with para. 1 may be issued in an equal copy in a minority language at request along with the state language. In case of doubt, the text of the decision in the state language prevails.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, is an effort to remove contradictions in this area. The amendment changes the wording of the Act on the State Language in the sense that it refers to the Act on the Use of Languages of National Minorities as a *lex specialis* when issuing public instruments. It also extends the group of public instruments which may be issued bilingually, i.e. in the state language and in the national minority language, namely for the birth certificate, marriage certificate, death certificate, permissions, confirmations, statements and declarations. In line with the amendment, such public instruments are to be issued in municipalities where the national minority language may be used in official communication, at a request of the citizen, or as a reply to a written communication written in the national minority language. If a public administration authority refuses to issue a decision, birth certificate, marriage certificate or a death certificate bilingually, it may be fined by the Government Office of the SR from EUR 50 to 2,500.

In addition to the amendment of the Act on the Use of Language of National Minorities, an amendment of the Act on the State Language No 318/2009 Coll. has been adopted, which extends the scope for applying other languages while previous wording of the Act did not allow it, e.g. when making work contracts, financial and technical documentation, statutes of associations, organizations, political parties, political movements and business companies, when adopting national technical standards in the system of Slovak technical standards, in live broadcasts of radio and television programmes, theatre plays with original texts, and in pedagogic-educational events aimed at education in foreign languages. However, Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended lays down the obligation to also use the state language in most of the stated cases.

f):

This issue is regulated by the Act on the State Language and the Act on the Use of Languages of National Minorities. Pursuant to Article 3 para. 2 (b) of the Act on the State Language, state authorities, territorial self-administration authorities, other authorities of public administration, corporate entities established by them, and corporate entities established by the law use the state language at their meetings. Pursuant to Article 3 para. 1 and 2, sessions of the territorial self-administration authorities in a municipality where a national minority language may be used in official communications may also be held in the minority language if all persons present so agree. A member of the municipal assembly in such municipalities has the right to use the minority language at the sessions of this body. Interpretation is provided by the municipality.

The Act on the State Language in the stated wording did not ensure the status of the Act on the Use of Languages of National Minorities as *lex specialis* as for sessions of local authorities. The amendment of the Act on the Use of Languages of National Minorities, in its indirect amendment of the Act on the State Language, ensures such status of the Act on the Use of Languages of National Minorities. The amendment of the Act on the Use of Languages of National Minorities also extends the possibility to hold sessions in a national minority language

to state administration authorities, if all persons present agree with the use of the national minority language at such session.

g):

The issue of using geographic names is regulated by Act No 270/1995 Coll. on the State Language, as amended by Act No 184/1999 Coll. on the Use of Languages of National Minorities.

According to Article 3a of Act No 270/1995 Coll. on the State Language as amended, the following shall be presented in the state language: names of municipalities and their parts, the names of streets and other public areas, other geographical names, as well as information contained in the official maps and cadastral maps; denomination of municipalities, streets and other local geographical names in the languages of national minorities are governed by separate regulations.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws nullified the Act on Denomination of Municipalities in the Language of National Minorities, while most of its provisions have been implemented in the Act on the Use of Languages of National Minorities. This has unified the regulation and removed ambiguities of the wording of the Act on Denomination of Municipalities in the Language of National Minorities. In line with the amendment, a list of denominations of municipalities in the languages of national minorities should form part of the Order of the Government of the Slovak Republic including a list of municipalities where languages of national minorities may be used in official communications. The amendment also extends the areas of using traditional names of municipalities in the languages of national minorities (Article 4 para. 1: “In a municipality referred to in Article 2 1, the designation of the municipality in the minority language shall be provided in addition to the name of the municipality in the state language on traffic signs indicating the beginning and the end of the municipality, on buildings of public administration bodies, or in decisions issued in the minority language insofar as such designation is provided in the Government Regulation referred to in Article 2 para. 2.” Article 4 para. 3: “The municipality designation in the minority language in a municipality referred to in Article 2 para. 1 may also be provided next to the designation of a railway station, bus station, airport and port. The municipality designation in the minority language shall be displayed below the name of the municipality in the state language using the same or a smaller font size.”). The amendment also reads in its Article 4 para. 5: “Where a minority language is used in specialized publications, press and other mass communication media and official activities of public administration authorities, designations of geographic objects<sup>3b)</sup> in the minority language which are customary and established may be used in addition to the standardized geographic names.”

As regards point raised by the Committee of Experts for the European Charter for Regional or Minority Languages related to displaying minority names also in places with less than 20% threshold of the minority members in its total population, it may be stated that such possibility has been retained in the Slovak Republic. It is also evidenced by the fact that in municipalities where number of members has dropped below 20%, traditional minority names are still displayed and signposts with these names have remained in place. In addition, the provision of Article 4 para. 1 of Act No 184/1999 on Use of Languages of National Minorities says the following: “A municipality referred to in Article 2 para. (1) may designate streets and other local geographic objects within its territory also in the minority language.” The notion of other local geographic objects includes all local designations and may also refer to lower

territorial units within municipalities, if there is a traditional and correct name in the minority language for their designation.

Paragraph 3:

c):

Article 2 para. 3 of Act No 184/1999 Coll. on the Use of the Language of National Minorities guarantees to the citizens of the Slovak Republic belonging to national minorities to file applications (in general written applications) in the language of the national minority and to receive replies written also in the language of the national minority (the reply is bilingual mainly to enable its usage on the whole territory of the Slovak Republic).

Citizens of the Slovak Republic may file written applications to state administration authorities or territorial self-administration authorities in municipalities where the languages of national minorities may be used in official communication. Public services are mainly provided by corporate entities established by state administration authorities, territorial self-administration authorities, or directly by law. The Act on the Use of Languages of National Minorities does not deal with this issue.

The amendment of the Act on the Use of the Language of National Minorities extends the rights of citizens belonging to national minorities in the issue of submitting written applications, continuing herewith with the Charter implementation. According to the amendment, a citizen of the Slovak Republic who is a person belonging to a national minority shall have the right to communicate orally and in writing before a local state administration authority, a territorial self-government authority, and a corporate person established by a territorial self-governing unit including submitting written documents and evidence also in the minority language, and the public administration body shall provide a response to a filing made in a minority language in the minority language in addition to the state language, with the exception of the issuance of public instruments, provided that the foregoing exception shall not apply to public documents referred to in Article 2 para. 4 and 5 (i.e. decisions, birth certificates, marriage certificates, death certificates, authorizations, acknowledgements, permits, statements, and declarations). So it also enlarges the group of authorities also to corporate entities founded by territorial self-governing authorities. In practice they are mainly medical establishments and social-care establishments, companies, etc. However, not even the amended wording deals with filing documents to corporate entities founded by law (e.g. public universities, post office, Social Insurance company, etc.).

Paragraph 4:

a):

Article 7 para. 2 of Act No 184/1999 Coll. on the Use of Languages of National Minorities lays down that public administration authorities in municipalities where languages of national minorities may be used in official communications is obliged to create conditions for the use of the minority language in view of this Act and special laws. This obligation also includes the potential provision of interpreters or translators.

c):

See documentation related to para. 1 (a) iii and iv.

Paragraph 5:

In this issue the amendment to the Act on the Use of Language of National Minorities or an indirect amendment to other acts expects the following changes:

a) Article 7 para. 2 of Act No 300/1993 Coll. on Names and Surnames as amended reads:

(2) The permit to change surname is not necessary if it is a surname change:

- a) after a dissolution of marriage;
- b) after becoming full-aged consisting in using only one of two or more surnames;
- c) consisting in the registration of females' surname of a person of other than Slovak nationality without the ending of the Slovak female names;
- d) consisting in the modification of the surname in line with Slovak orthography or with the orthography of a language of national minority in line with a special regulation<sup>3ca</sup>;
- e) of a child after its lawful adoption;
- f) due to a gender change;
- g) of a minor child whose parents got married after it had been born, into a surname determined for other children of theirs;
- h) of a minor child whose father is not known, into a surname determined for other children of its mother and her husband.

Amendment of Article 7 para. 2 (d) was important in order to harmonize the regulation of the use of the state language and languages of national minorities. The surname change into the Slovak-spelling form was possible free of charge, until the Act allowed a free-of-charge change into a spelling form in the language of a national minority. The amendment has removed this shortcoming.

b) Act No. 154/1994 Coll. on Register Offices has been amended as follows:

Article 19 has been supplemented with paragraphs 10 and 11 which read as follows:

“(10) If it is a deceased person whose name is registered at the registry office in a non-Slovak language and a later exemplification from the registry office was issued with a name in a Slovak equivalent, the registry office shall issue an exemplification from the registry office in the original form, if a member of his/her family – a husband or children of the deceased person, and if they do not exist, parents of the deceased person - asks for it in writing.

(11) Registry offices shall issue exemplifications from registry with original names also in cases when the person whom the exemplification relates to, or his/her family member, proves that the name in its Slovak equivalent was registered only later, without the agreement of the person whom the entry relates to.”

Such change is justified by cases which have happened in practice in relation to the Slovakisation of names and surnames of persons in registries which were written in other languages originally. If relatives of the deceased person asked for issuing a birth certificate of a deceased person, the name and surname of the deceased person were always stated in the Slovak spelling form in the birth certificates, regardless of the spelling form in which they were registered in the original registry.

The amendment of the Act on the Use of Languages of National Minorities was supplemented with this indirect amendment of the Act on Registry Offices in the legislative procedure of the National Council of the Slovak Republic as proposed by the Committee for Human Rights and National Minorities.

## **Article 11 - Media**

### **Selected provisions:**

1. *The Parties undertake, for users of regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media,*
  - a) *if radio and television fulfil the function of public-service media:*
    - iii *to take adequate measures so that broadcasters offer programmes in the regional or minority languages;*
  - b) *ii to encourage and/or facilitate the broadcasting of radio programmes in the regional or minority languages on a regular basis;*
  - c) *ii to encourage and/or facilitate the broadcasting of television programmes in the regional or minority languages on a regular basis;*
  - d) *to encourage and/or facilitate the production and distribution of audio and audiovisual works in the regional or minority languages;*
  - e) *i to encourage and/or facilitate the establishment and/or maintenance of at least one daily in the regional or minority languages;*
  - f) *ii to apply existing measures for financial assistance also to audiovisual productions in the regional or minority languages.*
2. *The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in an 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 press using a language in an 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 order, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.*

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 for the purpose of guaranteeing the freedom and pluralism of the media.*

**Measures adopted to ensure the implementation of the Charter provisions:**

Paragraph 1:

a) iii:

In line with Article 5 para. 1 (g) of Act No. 532/2010 Coll. on Radio and Television of Slovakia and on amendments and supplements to some acts, the public service broadcaster Radio and Television of Slovakia is obliged to provide broadcast in languages of minorities and ethnic groups living in the territory of the Slovak Republic. At the same time, one of the radio programme services of the public-service broadcaster must be determined for broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic. Contrary to the past, the time extent of the broadcast of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic has to correspond to the national and ethnic structure of the population of the Slovak Republic.

Extent of broadcasting in the Ruthenian language:

The annual length of national-minority broadcast in the Ruthenian language in the broadcast of Slovak Radio was 480 hours in 2008, 281 hours in 2009 and 274 hours in 2010. The annual length of national-minority broadcast in the Ruthenian language in the broadcast of Slovak Television was 6 hours in 2010.

Extent of broadcasting in the Ukrainian language:

The annual length of national-minority broadcast in the Ukrainian language in the broadcast of Slovak Radio was 476 hours in 2008, between 2009 and 2010 it was from 281 to 294 hours. The annual length of national-minority broadcast in the Ukrainian language in the broadcast of Slovak Television was 7 hours in 2008, between 2009 and 2010 it was 5 hours.

b) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongue, to associate in national minority associations, and to establish and maintain educational and cultural institutions.”

Act No 308/2000 Coll. on Broadcasting and Retransmission, and on amending Act No. 195/2000 Coll. on Telecommunications, as amended, guarantees the right to free and independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within the scope of legislation. This law makes it possible for the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within the scope of legislation.



Adoption of the amendment to the Act on the State Language in June 2009 completely abolished limiting conditions for private radio broadcasters offering broadcast in minority languages by abolishing the obligation to provide a Slovak language version of radio programmes broadcast in languages of national minorities. Pursuant to Article 5 para. 1 (b) there was an exception introduced in the broadcast in the state language related to: “radio programmes in regional broadcast or local broadcast designed for members of national minorities including events in live transmission”. In this way the recommendations suggested by the Committee of Ministers in the second Assessment Report in points 127, 128, 255, 256, 376, 377, 507, 508, 644, 645, 804, 805 have been fulfilled.

Radio signal of numerous radio stations (both public and private) from neighbouring countries can be received in the territory of the Slovak Republic. The Council for Broadcasting and Retransmission does not have any data about how many license holders broadcast in the Ruthenian and Ukrainian languages.

c) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, and to establish and maintain educational and cultural institutions.”

Act No 308/2000 Coll. on Broadcasting and Retransmission, and on amending Act No. 195/2000 Coll. on Telecommunications, as amended, guarantees the right to free and independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within the scope of legislation. This law makes it possible for the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within the scope of legislation.

The obligation to provide subtitles in the state language is maintained in the TV broadcast in view of their great importance in removing barriers between different language communities and in getting to know the culture and life of members of minorities, which significantly contributes to building mutual understanding and getting closer among members of the majority nation and members of minorities. By means of the Audiovisual Fund established in 2009, the Slovak Republic supports the distribution of Slovak audio-visual works, while this support may also be used to cover the costs related to the provision of subtitles. Productions of any audio-visual work in a national minority language (movie, documentary, animated and other films) may ask for a financial contribution for the production of subtitles in the state language.

TV signal of numerous TV stations (both public and private) from neighbouring countries may be received in the territory of the Slovak Republic. The Council for Broadcasting and Retransmission does not have any data about how many license holders broadcast in the Ruthenian and Ukrainian languages.

d):

On 1 January 2009 Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts became effective, establishing the Audiovisual Fund as a public-service institution to support and develop audiovisual culture and industry.

Basic activity of the Fund is the support and development of audiovisual culture and industry in the Slovak Republic, then it is a strategic and planning activity in audio-visual area and awarding co-production statutes in view of the European Convention on Cinematographic Co-production. The Fund provides finances for the creation, development, preparation and production of audiovisual works, their distribution, for festivals, shows and other cultural activities of subjects active in the area of audiovision and cinematography, as well as for publishing periodic and non-periodic publications in the area of audiovision and cinematography, etc.

The Fund started to provide finances on 1 January 2010. The support activity is made in the form of subsidies, loans or grants. The basic funding principle is multi-source financing composed of a contribution from the state budget and contributions of subjects in view of Articles 24 to 28 of Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts as amended by Act No 532/2010 Coll., i.e. broadcaster established by law, TV broadcaster authorized to broadcast on the basis of a license, provider of audiovisual technical equipment, provider of retransmission and distributor of audiovisual works.

In accordance with the provision of Article 5 para. 2 of the Statute of the Audiovisual Fund, the Board of the Audiovisual Fund annually discloses a binding structure of the support activity. It includes programme 1 aimed at supporting the development, creation and production of cinematographic and audiovisual works also focused on the issue of minorities, including audiovisual works for children under the age of 12. Makers of audiovisual works can ask for the support of the development and production of documentary audiovisual works whose content deals with the issue of minorities.

Priorities of the support activity in programme 1 for 2011 include e.g. the support of the development, creation and production of audiovisual works whose content deals with the issue of minorities and disadvantaged groups.

As for the availability of children's programmes in national minority languages, it is ensured in view of Article 5 para. 2 of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, in view of which audiovisual works for minors under 12 broadcast in a foreign language has to be dubbed in the national language, except for the broadcasting of audiovisual works for minors under 12 in languages of minority languages which are broadcast as a part of minority TV broadcasting with dubbing in the national minority language or in the original language of a national minority.

e) i:

Thanks to the Slovak legal system, Slovak authorities have long been providing favourable conditions for the publishing and dissemination of minority periodical press. Act No 212/1997 Coll. on Compulsory Copies of Periodical Publications, Non-periodical Publications and Audiovisual Works, in its Article 2 para. 8, as amended, stipulates the following: "Publishing periodicals, non-periodicals and the production of audiovisual copies in a non-state language is not limited by observing this Act and the stipulations of special provisions". It results from the above-stated that publishing periodical press in the languages of national minorities or ethnic

groups living in the territory of the Slovak Republic is not limited in any way in the Slovak Republic.

Publishing periodical and non-periodical press in the languages of national minorities and ethnic groups in the Slovak Republic is supported by state subsidies – by a subsidy programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

The Slovak Republic has a long-term and stable framework established for the permanent and regular support of newspapers published in minority languages. Several periodicals in the Ruthenian language (Národné novinky, Rusín, Info Rusín) and the Ukrainian language (Nové Žyťľa, Dukla, Veselka) are subsidized by the grant system annually.

f) ii:

Under the grant programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities, national minorities are allocated purpose-bound funds for cultural activities and for periodical and non-periodical press. This also meets the requirements for the fulfilment of the goal of the European Charter for Regional or Minority Languages and for ensuring its functionality, since minorities and ethnic groups are given the possibility to develop and use their own languages as the medium of their cultural heritage and the preservation of their linguistic identity.

On 1 January 2009 Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts, establishing the Audiovisual Fund as a public-service institution to support and develop audiovisual culture and industry, came into force.

Basic activity of the Fund is support and development of audiovisual culture and industry in the Slovak Republic, then it is a strategic and planning activity in audio-visual area and awarding co-production statutes in view of the European Convention on Cinematographic Co-production. The Fund provides finances for the creation, development, preparation and production of audio-visual works, as well as for their production and distribution.

The Fund started to provide finances on 1 January 2010. The support activity is made in the form of subsidies, loans or grants. The basic funding principle of the Fund is a multi-source financing composed of a contribution from the state budget and contributions of subjects - users of audio-visual contents or subjects which obtain economic benefits from the provision of services related to the use of audio-visual contents (economic benefits are achieved in a direct or indirect relation with the existence and use of audio-visual works).

In accordance with the provision of Article 5 para. 2 of the Statute of the Audiovisual Fund, the Board of the Audiovisual Fund annually discloses a binding structure of the support activity. It includes programme 1 aimed at supporting the development, creation and production of cinematographic and audiovisual works also focused on the issue of minorities, including audiovisual works for children under the age of 12. Makers of audiovisual works can ask for the support of the development and production of documentary audiovisual works whose content deals with the issue of minorities.

Priorities of the support activity in the programme 1 for 2011 include e.g. the support of the development, creation and production of audiovisual works whose content deals with the issue of minorities and disadvantaged groups.

Paragraph 2:

TV and radio signal of numerous TV and radio stations (both public and private) from neighbouring countries may be received in the territory of the Slovak Republic. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.

Paragraph 3:

The Council for Broadcasting and Retransmission (hereinafter referred to as the 'Council') is the supervisory body for broadcasting in the Slovak Republic. In line with Article 4 para. 1 of Act No 308/2000 Coll. on Broadcasting and Retransmission and on changes of Act No 195/2000 Coll. on Telecommunications as amended, its mission is to promote public interest when applying the right to information, freedom of expression and the right to access to cultural values and education; and to perform state regulation in broadcasting, retransmission, provision of audiovisual media services on request.

The Council has nine members selected and withdrawn by the National Council of the SR. Proposals for candidates for the Council members may be submitted to the Committee of the National Council of the SR by MPs, occupational institutions and civil associations active in the area of audiovision, mass information means, culture, science, education, sport, registered churches and religious communities, as well as civil associations of disabled people by means of the Coordination Committee for issues of disabled citizens of the Slovak Republic. So also a person belonging to a national minority may become a member of the Council.

Persons belonging to a national minority may also become members of the Board of the Radio and Television, which is a supervisory body in view of Act No 532/2010 Coll. on the Radio and Television of Slovakia and on amendments of some acts. Members of the Board are selected and withdrawn by the National Council of the SR, while candidate applications are submitted by corporate entities in line with a special provision (civil associations) active in the area of audiovision, media, culture, economy, law, economics, science, education, development and the protection of spiritual values, human rights and environment, health protection, representing the interests of national minorities or ethnic groups, other minorities, or registered churches and religious communities.

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

### **Selected provisions:**

*1. With regard to cultural activities and cultural facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, folk 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 expressions and activities specific to regional or minority languages and to foster the different means of access to works produced in these languages;*

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

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

*d) to ensure that the bodies responsible for developing and supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in activities which they organize or support;*

*e) to promote measures to ensure that the bodies responsible for developing and supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;*

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

*g) to encourage and/or facilitate the creation of a body or bodies responsible for collecting, filing and presenting or publishing works produced in the regional or minority languages.*

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

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

### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a):

The Slovak Republic promotes the publishing of periodicals and non-periodical literature in the Ruthenian and Ukrainian languages through the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

In the field of periodical literature, the grant system of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities is the vehicle to support culture pages and supplements to newspapers and magazines, as well as periodicals in e-form covering the cultural life of the Ruthenian and Ukrainian national minorities, journals relating to literature, art sciences, art reviews and student-university journals, and magazines for children. Allocation of the financial support to live culture, periodical and non-periodical press is decided by the Ruthenian and Ukrainian grant commission. Information about periodicals in the Ruthenian and Ukrainian languages is presented in Article 11 – Media.

The task of the grant scheme in the area of non-periodical literature of national minorities is to support publishing activities and publications enhancing the identity of national minorities through original, fiction, technical, scientific literature and translations. The subsidy is also aimed at bringing out audio recordings of national minority authors, where it should mainly be used to partially cover the costs linked with the production of CD recordings. In 2010 14 titles (5,400 copies) were published in the Ruthenian language, and 10 titles (7,040 copies) in the Ukrainian language.

Archiving of periodical and non-periodical press in national minority languages is ensured by Act No. 212/1997 Coll. on the Compulsory Copies of Periodicals, Non-Periodicals and Audiovisual Copies, as amended.

Expressions and characteristic features of the Ruthenian language are also supported through the Ruthenian – Ukrainian national minority Alexander Duchnovič Theatre in Prešov, and the Museum of Ruthenian Culture in Prešov. The Alexander Duchnovič Theatre in Prešov is a national minority theatre with two companies (one for drama and the Poddukelský umelecký ľudový súbor – PULS (Trans-Dukla Artistic Folk Ensemble)), which perform in the Ruthenian and Ukrainian languages.

The Alexander Duchnovič Theatre is the only professional theatre in the world that performs in the Ruthenian language. Their activities are not limited to a particular region – they perform all over Slovakia. The Theatre is under the competence of the Prešov Higher Territorial Unit that runs the Theatre. In his effort to promote and develop these activities, the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities supports theatre performances staged outside its home stage.

In its effort to be responsive to the Ruthenian minority, in 2007 the Ministry of Culture of the Slovak Republic established a separate Museum of the Ruthenian Culture in Prešov that exclusively collects, archives and presents artefacts of the Ruthenian national minority. This documentation, research and methodology workplace is focused on the history and culture of the Ruthenian ethnic group in Slovakia. The mission of this specialised museum is to acquire, protect, scientifically and technically process, and make available museum collections documenting the development of the material and spiritual culture of the Ruthenians in Slovakia in a targeted manner.

b):

Access to the cultural forms made in regional or minority languages is provided by several forms. Mainly there are translations of works created in regional or minority languages into the Slovak language by means of the subsidy programme support of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

Support to presentations of culture produced in regional or minority languages also takes the form of theatre plays and exhibitions presenting national minorities in museums and galleries. Minority theatres in Slovakia regularly receive the scope for presentation within theatre festivals (Dotyky a spojenia/Touches and connections in Martin, Astorka festival, international festival Divadelná Nitra/Theatre Nitra, etc.) organized by some Slovak theatres and non-Bratislava minority theatres host within the project of the Slovak National Theatre called “In the National Theatre - like home” on the stage of the Slovak National Theatre in Bratislava.

c):

Access to works produced in other than regional or minority languages is provided by assisting and developing translation activities. Through his grant programme, the Deputy Prime Minister for Human Rights and National Minorities channels significant amounts of funds to the support publishing and publication activities of the Ruthenian and Ukrainian national minorities for publishing translations of literature into the Ruthenian and Ukrainian languages.

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the Strategy in the field of minority cultures is to have written information (descriptions) of the exhibited collection items, other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and, in the case of specialised expositions, in the minority languages in addition to the state and English languages.

d):

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The concept includes the task to fully prepare and start installations of representative standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities, and ethnic groups by 2011.

The Slovak Republic continuously pursues inclusion of cultural activities of individual national minorities into the cultural life of the majority society through the Deputy Prime Minister for Human Rights and National Minorities. Through his grant scheme, the Deputy Prime Minister for Human Rights and National Minorities supports several cultural events with a large involvement of cultural ensembles of national minorities with the aim of promoting projects presenting minority cultures to majority population, in order to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination (e.g. the Festival of Minority Cultures – Minority Cultural Summer, etc.)

The Deputy Prime Minister for Human Rights and National Minorities supports amateur ensembles presenting Ruthenian and Ukrainian national cultures in Slovakia. The aim of the support is to develop the nationality-minority culture of the Ruthenians and Ukrainians living in Slovakia by supporting NGOs, amateur ensembles, publishing houses, etc. and presenting and promoting the Ruthenian and Ukrainian languages and cultures.

An example is the support to the ensemble of Poddukelský umelecký súbor – PULS, which is a company within the Ruthenian-Ukrainian Alexander Duchnovič Theatre in Prešov. The objective of the support is to foster and develop the national-minority culture of the Ruthenians living in Slovakia, be it by supporting concerts of the PULS ensemble - Živá krása (Live Beauty) that presents and promotes Ruthenian folklore, or to support presentations of amateur Ruthenian folklore (the DUMA and DUKAT ensembles from Snina, ROLAND from Čirča and other) which enhances the feeling of pride of Ruthenians living outside their original region of their culture, eliminates prejudice against national minorities, and creates scope for cooperation with the majority society and with other national minorities such as the Hungarian, Ukrainian and Roma minorities who live in the region of Eastern Slovakia.

e)

All organisations fostering, developing and presenting the culture of national minorities in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic and theatres run by the individual self-governing regions, are headed by persons belonging to the relevant national minority. All employees have, of course, command of the relevant minority language. This also applies to the Ruthenian - Ukrainian national minority Alexander Duchnovič Theatre in Prešov and the Museum of Ruthenian Culture in Prešov.

f):

The Deputy Prime Minister for Human Rights and National Minorities provides administrative support to the activities of 13 grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Members include representatives of all regions and experts in all areas of culture. These commissions, being advisory bodies to the Deputy Prime Minister for Human Rights and National Minorities, give an expert evaluation of all applications for subsidies for the respective national minority, and propose the amount of the grant. They elect the chair of the commission from among themselves. At the same time, grant commissions define their annual priorities to support the culture of individual national minorities.

The Ruthenians, being a separate national minority, have their own grant commission composed of persons belonging to the Ruthenian national minority. Equally, the Ukrainians, being a separate national minority, also have their own grant commission, composed of persons belonging to the Ukrainian national minority that decides on the amount of financial contributions for individual projects on the basis of priorities set for the pertinent year by the commission.

g):

Through his grant programme, the Deputy Prime Minister for Human Rights and National Minorities supports NGOs which have the task of collecting, archiving and publishing works in regional or minority languages. The most important is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) in Šamorín whose mission is an expert research of minorities living in Slovakia, documentation of their culture, written documents and other related records. The Forum Minority Research Institute has received and still receives annual financial support of tens of thousands of EUR from the state budget.

The Deputy Prime Minister for Human Rights and National Minorities also supports academic conferences about individual national minorities, their history and cultural and different literary seminars for particular national minorities. These seminars deal with current issues in the context of other literature in Slovakia.

Paragraph 2:

Through his grant scheme, the Deputy Prime Minister for Human Rights and National Minorities fosters the culture of national minorities, regardless of the percentage of people belonging to a national minority living in the region. When complying with all particulars, civil national minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities.

There are no legal or other restrictions in the Slovak Republic which would impede the performance of cultural activities of the Ruthenian and Ukrainian national minorities anywhere



in the territory of the SR. On the contrary, the Slovak authorities have traditionally supported spreading and presentation of minority cultural activities, including the activities of these two minorities also beyond areas where members of minorities live, be it by independent performances or within Slovak-wide cultural events at which members of the Ruthenian and Ukrainian minorities present their cultural activities regularly several times a year. (See para. 1 (b) and (d)).

Paragraph 3:

The Ruthenian - Ukrainian national minority Alexander Duchnovič Theatre in Prešov does not fall under the founder's competence of the Government Office of the Slovak Republic. Nevertheless, the Deputy Prime Minister for Human Rights and National Minorities supports its activities, with aim of creating adequate scope for the presentation of the Ruthenian and Ukrainian languages and cultures.

The culture of all 13 national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures both at home and abroad, be it in promotion materials for tourists, or by sending them for presentations abroad.

The inclusion of presentations of the Ruthenian and Ukrainian folk culture in performances of the Slovak folk ensembles is also an important form of its presentation.

### **Article 13 – Economic and Social Life**

#### **Selected provisions:**

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

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

*b) to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of regional or minority languages, at least among users of the same language;*

*c) to oppose practices designed to discourage the use of regional or minority languages in connection with economic and social activities;*

*2. With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:*

*c) to ensure that social care facilities such as hospitals, retirement homes and hospices offer the possibility of receiving and treating in their own language persons using a regional or*

*minority language who are in need of care on grounds of ill-health, old age or for other reasons.*

**Measures adopted to ensure the implementation of the Charter provisions:**

Paragraph 1:

a)

Article 8 para. 2 of Act No. 270/1995 Coll. on the State Language as amended regulates the use of languages in the area of labour-legal relations in the following way: Written legal actions in labour relations or in a similar labour relation are made in the state language; a copy with equal content can be made in a different language in addition to the copy in the state language. Such regulation is in line with Article 1 para. 2 of the Act on the State Language according to which the state language takes precedence over other languages used on the territory of the Slovak Republic, i.e. over the languages of national minorities too.

Article 8 para. 1 of Act No. 270/1995 Coll. on the State Language as amended also regulates use of languages in other areas of social and economic life in the following way: In the interests of consumer protection, the use of the state language shall be mandatory in the labelling of products, whether domestic or imported, in manuals for the use of products, particularly foodstuffs, medicinal products, consumption electronic and drugstore goods in warranty terms and conditions, as well as other information for the consumer in the range and in the conditions assigned by separate regulations.

Article 8 para. 3 of Act No. 270/1995 Coll. on the State Language as amended regulates other aspects of social and economic activities: Accounting, financial statements, technical documentation, whose elaboration or submission is required for the purpose of proceedings in line with a special regulation, as well as statutes of associations, societies, political parties, political movements and companies necessary for the purposes of registration shall be executed in the state language; other language versions of the text in the state language of identical content may also be executed. Use of the state language in Slovak Technical standards is regulated by a special regulation.

The Act on the Use of Languages of National Minorities does not deal with these issues, as in line with Article 1 para. 4 of the Act on the State Language, the Act on the Use of Languages of National Minorities has a *lex specialis* position exclusively in those areas where the Act on the State Language grants it.

There have been several changes in this area recently. The amendment to the Act on the State Language in 2009 brought some restrictions as well as advantages in this area. Before this amendment, the Act on the State Language did not regulate the use of languages of national minorities at all. It may be considered an advantage that the current wording enables to make the stated documents also in the languages of national minorities along with wording in the state language. However, the amendment of 2009 also introduced penalties for violation of the law, and also for violation of the quoted provisions. In practice it meant that each corporate entity could be fined if they made a work contract exclusively in a national minority language. Such regulation was not in compliance with Article 13 para. 1 (a) of the Charter, so the Act was changed again by means of an amendment which became effective on 1 March 2011. This amendment limited the scope of provisions for the breaking of which penalties may be imposed.

In line with the new wording, corporate entities as well as natural persons – entrepreneurs may be imposed sanctions only in the case when they do not state information related to life, health or safety threat, or a threat to property of citizens of the Slovak Republic in the state language. Nevertheless, a work contract or similar act made only in a minority language is still considered to be a violation of the Act on the State Language.

Act No 270/1995 Coll. on the State Language as amended also regulates the area of displaying any signs and notices intended to inform the public. Pursuant to Article 8 para. 6 of the State Language, all signs, advertisements and notices intended to inform the public, particularly in retail shops, sporting facilities, restaurants, in streets, by and above roads, at airports, bus stations and railway stations, as well as in public-transport vehicles, shall be presented in the state language. If they contain a text in other languages, the other-language texts shall be presented after the text in the state language and shall, in terms of content, be identical with the state-language text. The other-language text shall be presented in the same or smaller font than the state-language text. No sequence of texts is determined in signs and notices intended to inform the public in the language of national minorities and in the state language in municipalities where the language of this national minority is used in official communication in line with the Act on the Use of Languages of National Minorities, nor in advertisements.

The obligation stated in Article 8 para. 6 shall not apply to business name, trademark, name of the institution registered or enlisted in registers or lists in line with the Acts valid in the Slovak Republic or in a different EU Member state, or in a contractual state of the Agreement on the European Economic Area, and for the use of the name and surname which are a part of a sign, advertisement or notice intended to inform the public, and to some established expressions in a foreign language which are usually used with the trademark in advertising texts, they are known to the general public and form part of the advertisement.

The area of displaying signs is also regulated by the Act on the Use of Languages of National Minorities. Pursuant to Article 4 para. 2, the information related to life, health or safety threat or a threat to property of citizens of the Slovak Republic are stated in a minority language in addition to the state language in municipalities where the minority language may be used in official communications.

The Government of the Slovak Republic has introduced a sanction mechanism in this area. In line with the amendment to the Act on the Use of Languages of National Minorities, a corporate entity or a natural person–entrepreneur commits an offence in the area of the use of minority languages if he/she does not display a sign or notice in a minority language, if it is a sign or notice containing information concerning threats to life, health, security or property of citizens of the Slovak Republic.

The issue of contracts regulating contractual relations is also a subject of the Act on the State Language. The valid and effective wording of the Act on State Language regulates this issue in Article 8 para. 5 as follows: In proceedings before the state authorities, authorities of municipal self-administration, corporate entities established by them, corporate entities established by the operation of law concerning contracts regulating contractual relationships, also versions of the contracts in other official language of the European Union, in addition to the state-language, shall be recognised. In the case of any ambiguities or disputes, the national language version of the contract shall prevail. Such regulation ensures equality only to those languages which are official EU languages. We may say that such regulation is advantageous for the Bulgarian,

Czech, Hungarian, German and Polish languages, but disadvantageous for the Croatian, Roma, Ruthenian and Ukrainian languages, as these are not official languages of the EU.

b):

These bans are not expressly laid down in the legal system of the Slovak Republic. Legal regulations deal with this area generally, either through a general discrimination ban regulated mainly by Act No 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act), and Act No 311/2001 Coll. the Labour Code.

The Labour Code explicitly provides in Article 1 Fundamental Principles that natural persons have the right to a free choice of employment, to fair and satisfying working conditions, and to protection against unemployment. These rights belong to them without any sort of restrictions, and without direct or indirect discrimination on the grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied with respect to all provisions of the Labour Code. It must be applied in the same way to issuing work rules and other internal standards, which must comply with legal provisions.

c):

Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic. The last amendment to the Antidiscrimination Act has expanded protection against discrimination. In respect of Charter implementation, the provisions of Article 8a, legislating so-called specific positive action, is of importance.

The Committee of Experts considered this obligation fulfilled in the second Assessment Report. Since the submission of the second regular report, the legal framework has not changed.

Paragraph 2:

c):

The 2009 amendment of the Act on the State Language had an impact on the area of health care. Article 8 para. 4 stipulates the following: The administrative paperwork of healthcare facilities and facilities for social services shall be kept in the state language. The personnel of these facilities communicate with their patients or clients usually in the state language; if a patient or client does not speak the state language, the communication may be in a language in which the patient or client can communicate. Patients or clients belonging to national minorities may use their mother tongue in communication with the personnel in municipalities where the minority language is used in official communications in line with a special regulation. The staff is not obliged to speak the languages of national minorities.

Another amendment of the Act on State Language, effective from 1 March 2011, has slightly changed the wording of the quoted regulation: The administrative paperwork of healthcare facilities and facilities for social services shall be kept in the state language. The personnel of these facilities communicate with their patients or clients usually in the state language; if it is a patient or client whose mother tongue is not the state language, the communication may be in a language in which the patient or client can communicate. The personnel are not obliged to speak a foreign language or a language of national minorities. Patients or clients belonging to national minorities may use their mother tongue in communication with the personnel in

municipalities where the minority language is used in official communications in line with a special regulation.

Act No 184/1999 Coll. on the Use of Languages of National Minorities originally did not regulate this issue. Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, stipulates the following in its Article 5 para. 3: "A citizen of the Slovak Republic who is a person belonging to national minority may use minority language in communication with personnel of healthcare institutions and social care institutions or institutions for the social and legal protection of children and social probation in a municipality referred to in Article 2 para. 1. The healthcare institution or social care institution or institution for social and legal protection of children and social probation, as referred to in the preceding sentence, shall allow the use of the minority language under this Act and special laws insofar as the conditions prevailing at the institution so permit."

Such wording does not lay down any obligation to health-care or social-care institutions to ensure the possibility to use a national minority language, not even in language-mixed areas (e.g. by interpreters, translators). Such obligation could be related to a significant cost increase of these institutions, which might represent a threat to their existence. Employing persons speaking the relevant minority language, or language teaching of staff, could be appropriate solutions. The Act on the State Language or the Act on the Use of Languages of National Minorities or other legal regulations do not exclude such procedures.

## **Article 14 – Cross-border Cooperation**

### **Selected provisions only for the Ukrainian language:**

*The Parties undertake:*

*a) to apply existing bilateral and multilateral agreements which bind them with the States in which the same language is used in an 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 life-long education;*

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

### **Measures adopted to ensure the implementation of Charter provisions:**

a):

The Slovak Republic has a Treaty on Good Neighbourhood, Friendly Relations and Cooperation of 1993 concluded with Ukraine. On the basis of this Treaty, an Intergovernmental Slovak-Ukrainian Commission for National Minority Issues, Education and Culture was set up in 1994, and it has held 10 sessions.

In addition, a Programme of Cooperation between the Ministry of Education of the Slovak Republic and the Ministry of Education and Science of Ukraine in the area of education for the

period of 2005 – 2008 was established, whose validity has been extended until signing a new cooperation programme.

b):

Cross-border cooperation with Ukraine develops in compliance with the Agreement between the Government of the Slovak Republic and the Cabinet of Ministers of Ukraine on Cross-border Cooperation (Bratislava, 5 December 2000, effective from 29 January 2001, No 172/2001 Coll.). On this basis a Slovak-Ukrainian working group for cross-border cooperation that started to work at the Intergovernmental Commission for Trade, Economic and Scientific - Technological Cooperation between the Slovak Republic and Ukraine was created at the Ministry of Economy of the Slovak Republic on 7 March 2003. At its third session on 6 May 2004, the working group transformed into the Slovak-Ukrainian Intergovernmental Commission for Cross-Border Cooperation. So far eight sessions have been held by the Commission (the last session was held on 8-9 June 2011).

Following a successful evaluation and a subsequent approval of providing a non-repayable financial contribution for a Regional Tourist Association 'Zemplín' as a grant applicant, the town of Michalovce became a partner to the project 'Cross-border Cooperation in Tourist Industry Slovakia – Ukraine' as a part of the Initiative Programme of the INTERREG III A association – Neighbourhood Programme Hungary – Slovakia – Ukraine.

Slovakia and Ukraine should be joined by new border crossing Čierna - Solomonov. This has been confirmed by representatives of the Slovak-Ukrainian Intergovernmental Commission for Cross-border Cooperation, which held a discussion in Michalovce.

As for the issue of developing contacts among persons speaking the Ruthenian language in the Slovak Republic and Ukraine, though this issue is not a part of the agenda of Slovak-Ukrainian cross-border cooperation, but a draft of an amendment of the Agreement between the SR and Ukraine about local border traffic, which was a result of the last 8th session of this Commission in October 2010, such can help simplify contacts among the Ruthenian-speaking citizens of both countries and intensify cultural exchange among Ruthenian communities.

## **LANGUAGES: BULGARIAN, CZECH, CROATIAN, GERMAN, POLISH**

### **Article 8 - Education**

#### **Selected provisions**

*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) iii to enable pre-school education or to enable that a major part of pre-school education is provided in the relevant regional or minority languages at least to those pupils whose families so request and whose number is considered sufficient;*
- b) iii to provide, within primary education, for the teaching of relevant regional or minority languages as an integral part of the curriculum;*

- c) *iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;*
- d) *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;*
- e) *ii to provide facilities for the study of these languages as university and higher education subjects;*
- f) *ii to offer such languages as subjects of adult and continuing education;*
- g) *to make arrangements to ensure the teaching of history and culture which have influenced a regional or minority language;*
- h) *to provide basic and further training of the teachers required to implement those of paragraphs a) to g) accepted by the Party;*
- i) *to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

<p>The Constitution of the Slovak Republic in concurrence with international documents including the European Charter for Regional or Minority Languages guarantees, inter alia, the right to learn the state language and the right to education in their language to citizens who belong to national or ethnic groups in the Slovak Republic.</p>
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a) iii:

In Slovakia, **the Bulgarian national minority** has one kindergarten in Bratislava. In the school-year of 2010/2011, there were two classes and 30 children in this school.

There are no Czech-language, Croatian-language, German-language or Polish-language kindergartens in the Slovak Republic's network of kindergartens. Pre-school teaching in national minority languages is arranged according to parents' interests.

b) iii:

Since the Second Periodic Report of the SR regarding the European Charter for Regional or Minority Languages, Act No 245/2008 Coll. on Upbringing and Education (the "School Act") and on amendments and supplements to some acts as amended, has been effective from 1 September 2008. This Act triggered a school-system reform and the transformation of the regional school system also in its content. The Act lays down principles, aims, conditions, scope, content, forms and organisation of instruction and education in schools and school establishments, education levels, admission for instruction and education, education and instruction termination, length and fulfilment of obligatory schooling, educational programmes on the state level and educational and instruction programmes at the school level, system of schools and school establishments, etc.

Children and pupils of citizens belonging to national minorities and ethnic groups are ensured, in addition to the right to learn the state language, also the right to education and upbringing in their language under the conditions stipulated by this Act. Elementary and secondary schools

with a non-state language of instruction shall have an obligatory subject – the Slovak language and literature – as a part of education and instruction, in an extent as necessary for learning it.

Act No 596/2003 Coll. Coll. on State Administration in Education and School Self-governments and on amendment to certain acts as amended, enables councils, municipal school councils and territorial school councils to enforce the interests of local and regional self-governments, parent and teachers in the field of education, i.e. including teaching in the mother tongue.

In Slovakia, **the Bulgarian national minority** has one elementary school with the Bulgarian language of instruction, in Bratislava. In the school-year of 2010/2011, there were 6 classes and 50 pupils in this school. Effective from 1 September 1995, the Ministry of Education, Science, Research and Sport of the SR included a private Bulgarian primary school and the Primary Bulgarian secondary grammar school of Christ Botev, whose founder is the Ministry of Education and Science of the Bulgarian Republic, in the network of school facilities. In late 2010 discussions started between the Ministry of Education, Science, Research and Sport of the SR and the Ministry of Education and Science of the BR about the issue of the legal status of the private Bulgarian primary school and the Primary Bulgarian secondary grammar school of Christ Botev which are still on-going.

For those of German descent, there is education in the **German language** available in schools or classrooms with combined-language instruction. That is, some subjects are taught in the official national language and others are taught in German; or in those schools or classrooms where teaching is conducted in German as the mother tongue, the other subjects are taught in Slovak.

Elementary schools 2010/2011				
		Number		
School language	Class language	schools	classes	pupils
German	German	1	13	233
Slovak-German	Slovak	1	-	554
	German			

Czech-language, Croatian-language and Polish-language elementary schools are not included in the network of schools and school facilities.

c), d) iii:

Secondary schools where subjects are taught in Bulgarian, Czech, Croatian, German and Polish languages are not included in the network of schools and school facilities. These schools and school facilities are run only based on interest from the target group they serve.

However, in line with Article 12 para. 5 of the Decree of the Ministry of Education of the SR No 318/2008 Coll. on Completing the Study in Secondary Schools as amended by the Decree of 209/2011 Coll., also Croatian and Polish languages are enlisted as final-examination subjects, among others. It means that pupils at schools with the Slovak language of teaching may choose this subject as the subject of their school-leaving examination.

e) ii:



Study and research of minority languages is supported in compliance with Act No. 131/2002 Coll. on Higher Education and on the amendment to certain laws, as amended, (hereinafter the “Higher Education Act”). **Bulgarian language** can be studied at Comenius University in Bratislava and at Prešov University in Prešov.

**Czech language** is not taught at universities in the Slovak Republic because of its extraordinary similarity to Slovak.

**Croatian language** can be studied as a professional foreign language at Comenius University in Bratislava.

**German language** can be studied as a professional foreign language at the Constantine the Philosopher University in Nitra, Comenius University in Bratislava, Prešov University in Prešov, and the Catholic University in Ružomberok.

**Polish language** can be studied as a professional foreign language mainly at Comenius University in Bratislava, Prešov University in Prešov, and Matej Bel University in Banská Bystrica.

f) ii:

As regards the **Czech language**, since it is extraordinarily close to Slovak, there is actually no interest in education provided in Czech.

As regards the **Bulgarian, Croatian, German and Polish languages**, please see item e) ii.

g):

At schools with instruction in the minority language, individual subjects are taught according to the same syllabi as at schools with instruction in the Slovak language, except teaching of the mother tongue and minority literature subjects.

Elementary and secondary schools where subjects are taught in **Czech, Croatian and Polish** or where Czech language is taught as a subject, are not included in the network of schools and school facilities. For this reason, no measures have been taken to ensure the teaching of history and culture that have influenced the regional or minority language.

As regards the **German language**, schools teaching the German language use approved history teaching texts for elementary schools; teachers only prepare individual texts to make pupils acquainted with regional minority history.

h):

Pursuant to Article 14 para. 2 (c) of Act No 596/2003 Coll. on State Administration in Education and School Self-government and on amending and supplementing certain other acts as amended, a Methodological Pedagogical Centre has been established in the Slovak Republic, with its seat in Bratislava and three regional offices.

The national project of *Education of elementary-school teachers in foreign languages* is aimed at primary education teachers which should prepare 100%-qualified primary-education teachers, in the most optimal case, for education of other than majority language within 2013. Accreditation of the education programme of 'pre-school and elementary pedagogics with a foreign language' is also supposed to be an outcome of the project.

i):

State school inspection supervises kindergartens, elementary schools, secondary schools and educational facilities. On the basis of current methodology, it also inspects education in the languages of national minorities and the stated issue is evaluated in the annual Report on education and instruction in schools and educational facilities in the Slovak Republic for each school year. No special supervisory body has been established.

In addition, there is the Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality, and within it the Committee for National Minorities and Ethnic Groups which also comments on the issue of using languages of national minorities in the pedagogic-educational process.

## **Article 9 – Judicial authorities**

### **Selected provisions:**

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

*a) in criminal proceedings:*

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

*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 for this party; and/or  
iii to allow documents and evidence to be produced in the regional or minority languages, through interpreters or using translations if necessary;*

*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 for this party; and/or  
iii to allow documents and evidence to be produced in the regional or minority languages, through interpreters or using translations if necessary;*

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

## **Measures adopted to ensure the implementation of these Charter provisions**

Paragraph 1:

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006 is the relevant law for criminal proceedings. The Criminal Procedure Code is in effect and is applied on the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of the Criminal Procedure Code in the provisions of Article 2 para. 20 of the Criminal Procedure Code: "If the accused, his/her legal guardian, victim, participating person or witness declare that he/she does not know the language of the proceedings, he/she has the right to an interpreter and translator."

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Article 2 para. 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter."

In line with the provision of Article 28 para. 3 of the Criminal Procedure Code: "If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate."

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and deciding after the completion of pre-trial proceedings; i.e. in pre-trial proceedings, when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is established only before the court that there is a person appearing who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.

iii):

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Article 2 of paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter." The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which is related to the crime or the accused and which is in a regional or minority language is translated in compliance with Article 28 of paragraph 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. of the Civil Procedure Code as amended (hereinafter the “Civil Procedure Code”) is the relevant legal provision with respect to these commitments. Under Article 18 of the Civil Procedure Code: “In civil proceedings, the parties shall have equal status. They have the right to use their mother tongue or the official language of the state, understood by them, before a court. The court shall have the obligation to ensure for them equal opportunities for the exercise of their rights.”

Pursuant to Article 141 para. 2 of the Civil Procedure Code: “Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

Judicial practice in civil proceedings also shows that judges mostly establish poor command of the Slovak language as late as at the first hearing and therefore they assign an interpreter by ruling, adjourn the hearing, and summon the interpreter to appear at the next hearing and, after performing the interpretation, charge an interpreter’s fee. There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter. The Slovak Republic encountered no difficulty with the application of this obligation.

iii):

The current legislation of the Slovak Republic enables submission of documents and evidence in regional and minority languages while no additional costs shall occur to these parties, respecting fully the relevant regulations of the Charter. This shall not apply for documents issued in the Czech language during the existence of the common state between 1918-1992.

c) ii:

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code, which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to act before a court in one’s mother tongue, apply *mutatis mutandis* to court proceedings in administrative cases.

iii):

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense to these parties in the same way as in civil court proceedings. Thus, the pertinent provision of the Charter is fully respected.

d):

Costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrat

ive proceedings are borne by the State.

## Article 10 – Administrative authorities and public services

### **Selected provisions:**

1. *Within the administrative districts of the State in which the number of residents who are users of regional or minority languages justifies the adoption of 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 the regional or minority languages could submit oral or written applications and also to receive replies in these languages;*

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

2. *In respect of the local and regional authorities in whose territory the number of residents who are users of the 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 the regional or minority languages to submit oral or written applications in these languages;*

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

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

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

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

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

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

4. *For the purpose of ensuring the provisions of paragraphs 1, 2 and 3 which they have adopted, the Parties undertake to adopt one or more of the following measures:*

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

*c) if possible, fulfil the requests of employees of public services speaking regional or minority languages to be appointed in the territory where this language is used.*

*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.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a), iii, iv:

In line with Article 2 para. 3 of Act No. 184/1999 Coll. on the Use of Languages of National Minorities, citizens of the Slovak Republic belonging to national minority have the right to submit written applications to state administration authorities and territorial self-government authorities (hereinafter “public administration authority”) also in a minority language in municipalities where persons belonging to the relevant national minority form at least 20% of the population according to the latest census of population.

The use of languages of national minorities in official communications is possible in municipalities stated in Government Ordinance No. 221/1999 Coll. and under the conditions as stated by Act No 184/1999 Coll. on the Use of Languages of National Minorities.

In the case of the German language, it is only possible in one municipality. Members of the Czech national minority do not reach 20% in any municipality in the Slovak Republic, but for the purposes of its usage in official communications, the Czech language is generally understandable on the territory of the Slovak Republic. Members of the Bulgarian, Croatian and Polish national minorities live scattered across the territory of the Slovak Republic, and their share does not reach 20% of the population of any municipality.

Act No. 184/1999 Coll. on the Use of Languages of National Minorities as a special legal regulation determines the territory in which the citizens of the Slovak Republic belonging to national minorities can use the national minority language, while relevant public administration authorities are obliged to create conditions for using the national minority language in this territory.

Principles of the Government of the Slovak Republic related to the Act on the State Language of 16 December 2009 stipulate the following:

“In line with Article 10 of the European Charter for Regional or Minority Languages valid for the Slovak Republic, persons belonging to national minorities can use a national minority language in official oral communications in the territory of municipalities whose citizens belonging to the national minority do not form at least 20% of population, unless a third person is present at such communication not belonging to the same national minority or belonging to the same national minority, and does not express an explicit consent with official oral communication in the national minority language.”

It results from the above-stated that the use of languages of national minorities is enabled on the whole territory of the Slovak Republic, if there is sufficient interest in it, the public administration authority conditions allow it (mainly if the public administration authority has an employee with sound command of the national minority language), it does not obstruct the public administration running, it cannot lead to the discrimination of third persons, and is not to the prejudice of the use of state language.

Principles of the Government of the Slovak Republic regarding the Act on the State Language represent an internal legal regulation which has a non-binding character. It is therefore necessary that regardless of the number of persons belonging to national minorities living on the given territory, the rules related to the use of languages of national minorities are laid down in public statute as well. On 25 May 2011, the National Council of the Slovak Republic adopted Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, and which stipulates the following in its Article 2 para. 8:

*“(8) Citizens of the Slovak Republic who are persons belonging to a national minority may use the minority language in oral official communication in a municipality not meeting the conditions laid down in para. 1 if the public administration officer and the persons involved in the proceeding so agree.”*

The regulation, based on the principles of the Government to the Act on the State Language, limits the state-wide opportunity to use languages of national minorities for oral communication, as allowing written communication could hamper the running of public administration, while people are not really interested in written communication in the languages of national minorities, not even in municipalities where national minorities are more significantly represented.

In municipalities where national minorities are more significantly represented, public administration authorities are obliged to create such conditions which provide a full application of the language rights of members of national minorities, in addition to allowing communication in the minority languages in official communications. For personnel financial and organizational reasons, a full application of language rights of national minorities in public administration may be provided in territories where persons belonging to national minorities are more significantly represented, and it can be expected that they will have a real interest in exerting these rights.

As the current regulation was rather disadvantageous from the point of view of the protection of rights of persons belonging to under-represented national minorities on the territory of the Slovak Republic, the Government of the Slovak Republic has decided to decrease the 20% threshold. Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, counts with decreasing the limit for using the national minority languages from 20 to 15%.

In view of the approved wording of the amendment, a 15% threshold is applied when it has been confirmed in two subsequent population censuses that the citizens of the Slovak Republic belonging to national minorities who have their permanent addresses in the given municipalities make up at least 15% of population. Such regulation has been applied since the announcement of results of the census 2011, so if the given municipality is to be enlisted among municipalities where the languages of national minorities could be used, the 15% threshold has to be confirmed in the censuses in 2011 and 2021.

The Government of the Slovak Republic expects that the new adjustment of the limit for using the languages of national minorities will have a positive impact on national languages which are less represented in the territory of the Slovak Republic. It is expected that municipalities with Croatian population and least one German municipality could appear in the list of municipalities where national minority languages can be used.

Paragraph 2:

b):

See the previous para. 1 (a) iii, iv.

c), d):

The issue of publishing official documents is mainly regulated by the provisions of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, and Act No 184/1999 Coll. on the Use of Languages of National Minorities. The Act on the State Language stipulates in Article 3 para. 2 (a) that laws, government ordinances and other generally binding regulations, including regulations issued by the authorities of territorial self-administration, as well as decisions and other public documents, shall be issued in the Slovak language; this does not affect the use of languages of national minorities and the use of foreign languages in line with special regulations. Article 2 para. 3 of the Act on the Use of Languages stipulates that public instruments shall not be issued in national minority languages. The stated provisions are not quite in harmony with Article 2 para. 4 of the Act on the Use of Languages of National Minorities, saying that decisions of public administration authorities in administrative proceedings in municipalities in view of Article 2 para. 1 shall be issued in a minority language on request, in an equal copy along with the state language. In the case of doubt, the text of the decision in the state language prevails.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, was an effort to remove contradictions in this area. The amendment changes the wording of the Act on the State Language in the sense that it refers to the Act on the Use of Languages of National Minorities as a *lex specialis* when issuing public instruments. It also extends group of public instruments which may be issued bilingually, i.e. in the state language and in the national minority language, namely to birth certificate, marriage certificate, death certificate, permissions, confirmations, statements and declarations. In line with the amendment, such public instruments are to be issued in municipalities where the national minority language may be used in official communications, at the request of the citizen, or as a reply to a written communication written in the national minority language. If a public administration authority refuses to issue a decision, birth certificate, marriage certificate or a death certificate bilingually, it may be fined by the Government Office of the SR from EUR 50 to 2,500.

In addition to the amendment of the Act on the Use of Language of National Minorities, an amendment to the Act on the State Language No 318/2009 Coll. has been adopted, which extends scope for applying other languages while the previous wording of the Act did not allow it, e.g. when making work contracts, financial and technical documentation, statutes of associations, political parties, political movements and business companies, when adopting national technical standards in the system of Slovak technical standards, in live broadcasts of the radio and television programmes, theatre plays with original texts, and pedagogic-educational events aimed at education in foreign languages. However, the Act on the State Language stipulates to use also the state language in most stated cases.

f):

This issue is regulated by Act No 270/1995 Coll. on the State Language as amended and Act No 184/1999 Coll. on the Use of Languages of National Minorities. Pursuant to Article 3 para.



2 (b) of the Act on the State Language, state authorities, territorial self-administration authorities, other authorities of public administration, corporate entities established by them and corporate entities established by the law, use the state language at their sessions. Pursuant to Article 3 para. 1 and 2, sessions of the territorial self-administration authorities in a municipality where a national minority language may be used in official communication may also be held in the minority language if all persons present so agree. A member of the municipal assembly in such municipalities has the right to use the minority language during the sessions of this body. Interpretation is provided by the municipality.

The Act on the State Language in the stated wording did not ensure the status of the Act on the Use of Languages of National Minorities as *lex specialis* for sessions of local authorities. The amendment of the Act on the Use of Languages of National Minorities, in its indirect amendment of the Act on the State Language, ensures such status to the Act on the Use of Languages of National Minorities. The amendment of the Act on the Use of Languages of National Minorities also extends the possibility to hold sessions in a national minority language to state administration authorities, if all persons present agree with the use of the national minority language at such session.

g):

The issue of using geographic names is regulated by Act No 270/1995 Coll. on the State Language as amended, and Act No 184/1999 Coll. on the Use of Languages of National Minorities.

According to Article 3a of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, the following shall be presented in the state language: names of municipalities and their parts, names of streets and other public areas, other geographical names, as well as information contained in the official maps and cadastral maps; denomination of municipalities, streets and other local geographical names in the languages of national minorities are governed by a separate regulations.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, nullified the Act on Denomination of Municipalities in the Language of National Minorities, while most of its provisions have been implemented in the Act on the Use of Languages of National Minorities. This has unified the regulation and removed ambiguities of the wording of the Act on Denomination of Municipalities in the Language of National Minorities. In line with the amendment, a list of denominations of municipalities in the languages of national minorities should form part of the Ordinance of the Government of the Slovak Republic, including a list of municipalities where the languages of national minorities may be used in official communications. The amendment also extends the areas of using traditional names of municipalities in the languages of national minorities (Article 4 para. 1: “In a municipality referred to in Article 2 para. 1, the designation of the municipality in the minority language shall be provided in addition to the name of the municipality in the state language on traffic signs indicating the beginning and the end of the municipality, on buildings of public administration bodies, or in decisions issued in the minority language insofar as such designation is provided in the Government Regulation referred to in Article para. 2.” Article 4 para. 3: “The municipality designation in the minority language in a municipality referred to in Article 2 para. 1 may also be provided next to the designation of a railway station, bus station, airport and port. The municipality designation in the minority language shall be displayed below the name of the municipality in the state language using the same or a smaller font

size.”). The amendment also reads in Article 4 para. 5: “Where a minority language is used in specialized publications, press and other mass communication media and official activities of public administration bodies, designations of geographic objects<sup>3b)</sup> in the minority language which are customary and established may be used in addition to the standardized geographic names.”

As regards the question raised by the Committee of Experts for the European Charter for Regional or minority languages related to displaying minority names also in places with less than 20% threshold of minority members in the total municipality population, it may be stated that such possibility has been retained in the Slovak Republic. It is also evidenced by the fact that in municipalities where the number of members has dropped below 20%, traditional minority names are still displayed, and signposts with these names have remained in place. In addition, provision of Article 4 para. 1 of Act No 184/1999 on the Use of Languages of National Minorities says the following: “A municipality referred to in Article 2 para. 1 may designate streets and other local geographic objects within its territory also in the minority language.” The notion of *other local geographic objects* includes all local designations and may also refer to lower territorial units within municipalities, if there is a traditional and correct name in the minority language for their designation.

Paragraph 3:

c):

Article 2 para. 3 of Act No 184/1999 Coll. on the Use of the Language of National Minorities guarantees to the citizens of the Slovak Republic belonging to national minorities to file applications (in general written applications) in the language of the national minority and to receive replies written also in the language of the national minority (the reply is bilingual mainly to enable its usage at any authority in the whole territory of the Slovak Republic).

Citizens of the Slovak Republic may file written applications to state administration authorities or territorial self-administration authorities in municipalities where the languages of national minorities may be used in official communications. Public services are mainly provided by corporate entities established by state administration authorities, territorial self-administration authorities, or directly by law. Act No 184/1999 Coll. on the Use of Languages of National Minorities does not regulate this issue.

The amendment to the Act on the Use of the Languages of National Minorities extends the rights of citizens belonging to national minorities in the issue of submitting written communications, continuing herewith with the Charter implementation. According to the amendment, a citizen of the Slovak Republic who is person belonging to national minority shall have the right to communicate both orally and in writing in a minority language in the minority language in addition to the state language before a local state authority, a territorial self-government authority, and a corporate entity established by a territorial self-government unit, including submitting written documents and evidence also in the minority language, and the public administration body shall provide a response to a filing made, with the exception of the issuance of public instruments, provided that the foregoing exception shall not apply to public documents referred to in Article 2 para. 4 and 5 (i.e. decisions, birth certificates, marriage certificates, death certificates, authorizations, acknowledgements, permits, statements and declarations). So it also extends the group of authorities to corporate entities founded by territorial self-government authorities. In practice they are mainly medical establishments and social-care establishments, companies, etc. However, not even the amended wording deals with

filing documents to corporate entities founded by law (e.g. public universities, post office, Social Insurance company, etc.).

Paragraph 4:

a):

Article 7 para. 2 of Act No 184/1999 Coll. on the Use of Languages of National Minorities lays down that public administration authorities in municipalities where languages of national minorities may be used in official communications are obliged to create conditions for the use of the minority language in view of this Act and particular Acts. This obligation also includes potential provision for interpreters or translators.

c):

See para.1 (a) iii and iv.

Paragraph 5:

In this issue, the amendment to the Act on the Use of Language of National Minorities or an indirect amendment to other Acts anticipates the following changes:

a) Article 7 para. 2 of Act No 300/1993 Coll. on Names and Surnames as amended reads:

(2) The permit to change surname is not necessary if it is the surname change:

a) after a dissolution of marriage

b) after becoming full-aged consisting in using only one of two or more surnames;

c) consisting in the registration of females' surname of a person of other than Slovak nationality without the ending of the Slovak female names;

d) consisting in the modification of the surname in line with Slovak orthography or with the orthography of a language of national minority in line with a special regulation;

e) of a child after its lawful adoption;

f) due to a gender change;

g) of a minor child whose parents got married after it had been born, into a surname determined for other children of theirs;

h) of a minor child whose father is not known, into a surname determined for other children of its mother and her husband.

The amendment of Article 7 para. 2 (d) was important in order to harmonize the regulation of the use of the state language and languages of national minorities. The surname change into the Slovak-spelling form was possible free of charge, until the Act allowed a free-of-charge change into a spelling form in the language of a national minority. The amendment has removed this shortcoming.

b) Act No. 154/1994 Coll. on Register Offices has been amended as follows:

Article 19 has been supplemented with paragraphs 10 and 11 which read as follows:

“(10) If it is a deceased person whose name is registered at the registry office in a non-Slovak language and a later exemplification from the registry was issued with a name in the Slovak equivalent, the registry office shall issue an exemplification from the registry in the original

form, if a member of his/her family – a husband or children of the deceased person, and if they do not exist, parents of the deceased person - asks for it in writing.

(11) Registry offices shall issue exemplifications from the registry in the original spelling of the name also in the case when the person whom the entry relates to, or his/her family member, proves that the name in its Slovak equivalent was registered only later, without the consent of the person whom the entry relates to.”

Such change is justified by cases which have happened in practice in relation to the Slovakisation of names and surnames of persons in registries which were in other languages originally. If the relatives of the deceased person asked for issuing a birth certificate of the deceased person, the name and surname of the deceased person were always stated in the Slovak spelling form in the birth certificates, regardless of the spelling form in which they were registered in the original registry.

The amendment to the Act on the Use of Languages of National Minorities was supplemented with this indirect amendment of the Act on Registry Offices in the legislative procedure of the National Council of the Slovak Republic, as proposed by the Committee for Human Rights and National Minorities.

## **Article 11 - Media**

### **Selected provisions:**

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

*a) if radio and television fulfil the function of public-service media:*

*iii to make adequate provision so that broadcasters offer programmes in regional or minority languages;*

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

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

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

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

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

2. *The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in an 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 press using a language in an 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 order, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.*

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

**Measures adopted to ensure the implementation of the Charter provisions:**

Paragraph 1:

a) iii:

In line with Article 5 para. 1 (g) of Act No. 532/2010 Coll. on Radio and Television of Slovakia and on amendments and supplements to some acts, the public-service broadcaster Radio and Television of Slovakia is obliged to provide broadcast in the languages of minorities and ethnic groups living in the territory of the Slovak Republic. At the same time, one of the radio programme services of the public-service broadcaster must be determined for broadcasting programmes with well-balanced content and regional distribution in the languages of the national minorities and ethnic groups living in the territory of the Slovak Republic. Contrary to the past, the time extent of the broadcast of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living on the territory of the Slovak Republic has to correspond to the national and ethnic structure of the population of the Slovak Republic.

Since 2008, the yearly extent of the national broadcast in the Polish language within the broadcast of the Slovak Radio has been at the same level, i.e. 16 to 17 hours; in 2008 the yearly extent of the broadcast in the Polish language within the broadcast of the Slovak Television was 5 hours, in both 2009 and 2010 it was 3 hours. The yearly extent of the broadcast in the Bulgarian and Croatian languages within the broadcast of the Slovak Television (Slovak Radio does not broadcast in these languages) has been 1-3 hours since 2008. Since 2008, the yearly extent of the national broadcast in the German language within the broadcast of the Slovak Radio has been at the same level, i.e. 16 to 17 hours. In 2008 the yearly extent of the national-minority broadcast in the German language within the broadcast of Slovak Television decreased from 7 to 4 hours, in both 2009 and 2010 it was 7 hours.

b) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal

development, particularly the right to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, and to establish and maintain educational and cultural institutions.”

Act No 308/2000 Coll. on Broadcasting and Retransmission, and on amending Act No. 195/2000 Coll. on Telecommunications, as amended, guarantees the right to free and independent broadcasting also in minority languages. Intervention in their content is possible only on the basis of and within the scope of legislation. This law enables the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within the scope of legislation.

Adoption of the amendment to the Act on the State Language in June 2009 completely abolished limiting conditions for private radio broadcasters offering broadcast in minority languages by abolishing obligation to provide a Slovak language version of radio programmes broadcast in languages of national minorities. Pursuant to Article 5 para. 1 (b) there was an exception introduced in the broadcast in the state language related to: “radio programmes in regional broadcast or local broadcast designed for members of national minorities including events in live transmission”. In this way, recommendations suggested by the Committee of Ministers in the second Evaluation Report in points 127, 128, 255, 256, 376, 377, 507, 508, 644, 645, 804, 805 have been met.

c) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the right to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, and to establish and maintain educational and cultural institutions.”

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The obligation to provide subtitles in the state language is maintained in the TV broadcast in view of their great importance in removing barriers between language communities and in getting to know the culture and life of members of minorities, which significantly contributes to building mutual understanding and getting closer to members of the majority nation and members of minorities. By means of the Audiovisual Fund established in 2009, the Slovak Republic supports the distribution of Slovak audio-visual works, while this support may also be used to cover the costs related to the provision of subtitles. Producers of any audio-visual work in a national minority language (movie, documentary, animated and other films) may ask for a financial contribution for the production of subtitles in the state language.

d):

On 1 January 2009 Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts became effective, establishing the Audiovisual Fund as a public-service institution to support and help develop audiovisual culture and industry.

Basic activity of the Fund is support and development of audiovisual culture and industry in the Slovak Republic, then it is a strategic and planning activity in audio-visual area and awarding co-production statutes in view of the European Convention on Cinematographic Co-production. The Fund provides finances for the creation, development, preparation and production of audiovisual works, their distribution, for festivals, shows and other cultural activities of subjects active in the area of audiovision and cinematography, as well as for the publishing and dissemination of periodic and non-periodic publication in the area of audiovision and cinematography, etc.

The Fund started to provide finances on 1 January 2010. The support activity is made in the form of subsidies, loans or grants. Basic funding principle of the Fund is multi-source financing composed of a contribution from the state budget and contributions of subjects in view of Articles 24 to 28 of Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts as amended by Act No 532/2010 Coll., i.e. broadcaster established by law, TV broadcaster authorized to broadcast on the basis of a license, provider of audiovisual technical equipment, provider of retransmission, and distributor of audiovisual works.

In accordance with the provision of Article 5 para. 2 of the Statute of the Audiovisual Fund, the Board of the Audiovisual Fund annually discloses a binding structure of support activity. It includes programme 1 aimed at supporting development, creation and production of cinematographic and audiovisual works also focused on the issue of minorities, including audiovisual works for children under the age of 12. Makers of audiovisual works can ask for the support of the development and production of documentary audiovisual works whose content deals with the issue of minorities.

Priorities of the support activity in programme 1 for 2011 include e.g. support for the development, creation and production of audiovisual works whose content deals with the issue of minorities and disadvantaged groups.

As for the availability of children's programmes in national minority languages, it is ensured in view of Article 5 para. 2 of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, in view of which audiovisual works for minors under 12 broadcast in a foreign language have to be dubbed in the national language, except for the broadcasting of audiovisual works for minors under 12 in the languages of national minorities which are broadcast as a part of minority TV broadcasting with dubbing in the national minority language or in the original language of a national minority.

e) i:

Thanks to the Slovak legal system, the Slovak authorities have long been providing favourable conditions for publishing and dissemination of minority periodical press. Act No 212/1997 Coll. on Compulsory Copies of Periodical Publications, Non-periodical Publications and Audiovisual Works, in its Article 2 para. 8 stipulates the following: "Publishing periodicals, non-periodicals and the production of audiovisual copies in a non-state language is not limited by observing this Act and the provisions of special regulations". It results from the above-stated that publishing periodical press in the languages of the national minorities or ethnic

groups living in the territory of the Slovak Republic is not limited in any way in the Slovak Republic.

Publishing periodical and non-periodical press in the languages of national minorities and ethnic groups in the Slovak Republic is supported by state subsidies – by a subsidy programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

The Slovak Republic has a long-term and stable framework established for the permanent and regular support of newspapers issued in minority languages. The subsidy system annually supports periodicals in the Bulgarian language (*Sanarodnik – Fellow countryman*), Czech language (*Stříbrný vítr – Silver wind*), Croatian language (*Hrvatska rosa*), German language (*Karpatenblatt, Karpatenjahrbuch*), and the Polish language (*Monitor Polonijny*).

f) ii:

Under the grant programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities, individual national minorities are allocated purpose-bound funds for cultural activities and for periodical and non-periodical press. This also meets the requirements for the fulfilment of the goal of the Charter and for ensuring its functionality, since the minorities and ethnic groups are given opportunity to develop and use their own language as the medium of their cultural heritage and preservation of their linguistic identity.

On 1 January 2009 Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts, establishing the Audiovisual Fund as a public-service institution to support and develop audiovisual culture and industry, came into force.

Basic activity of the Fund is the support of audiovisual culture and industry in the Slovak Republic, then it is a strategic and planning activity in the audio-visual area and awarding co-production statutes in view of the European Convention on Cinematographic Co-production. The Fund provides finances for the creation, development, preparation and production of audio-visual works, as well as for their production and distribution.

The Fund started to provide finances on 1 January 2010. The support activity is made in the form of subsidies, loans or grants. The basic funding principle of the Fund is a multi-source financing composed of a contribution from the state budget and contributions of business entities - users of audio-visual contents or subjects which obtain economic benefits from the provision of services related to the use of audio-visual contents (economic benefit is achieved in a direct or indirect relation with the existence and usage of audio-visual works).

In accordance with the provision of Article 5 para. 2 of the Statute of the Audiovisual Fund, the Board of the Audiovisual Fund annually discloses a binding structure of support activity. It includes programme 1 aimed at supporting development, creation and production of cinematographic and audiovisual works also focused on the issue of minorities, including audiovisual works for children under the age of 12. Producers of audiovisual works can ask for support for the development and production of documentary audiovisual works whose content deals with the issue of minorities.

Priorities of the support activity in programme 1 for 2011 include e.g. the support of the development, creation and production of audiovisual works whose content deals with the issue of minorities and disadvantaged groups.



Paragraph 2:

The TV and radio signals of numerous TV and radio stations (both public and private) from neighbouring countries can be received in the territory of the Slovak Republic. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.

Paragraph 3:

The Council for Broadcasting and Retransmission (hereinafter referred to as the 'Council') is the supervisory body for broadcasting in the Slovak Republic. In line with Article 4 para. 1 of Act No 308/2000 Coll. on Broadcasting and Retransmission and on changes of Act No 195/2000 Coll. on Telecommunications as amended, its mission is to promote public interest when applying the right to information, freedom of expression, and the right of access to cultural values and education, and to perform state regulation in broadcasting, retransmission, and the provision of audiovisual media services on request.

The Council has nine members selected and withdrawn by the National Council of the SR. Proposals for candidates for Council members may be submitted to the Committee of the National Council of the SR by MPs, occupational institutions, and civil associations active in the area of audiovision, mass information means, culture, science, education, sport, registered churches and religious communities, as well as civil associations of disabled people through the Coordination Committee for the issues of disabled people of the Slovak Republic. Thus also a person belonging to a national minority may become a member of the Council.

Persons belonging to a national minority may also become members of the Board of the Radio and Television which is a supervisory body in view of Act No 532/2010 Coll. on the Radio and Television of Slovakia and on amendments of some acts. Members of the Board are selected and withdrawn by the National Council of the SR, while candidate applications are submitted by corporate entities in line with a special regulation (civil associations) active in the area of audiovision, media, culture, economy, law, economics, science, education, development and the protection of spiritual values, human rights and environment, health protection, representing the interests of national minorities or ethnic groups, other minorities, or registered churches and religious communities.

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

### **Selected provisions:**

*1. With regard to cultural activities and cultural facilities – especially libraries, video libraries, cultural centres, museums, archives, academies, theatres and cinemas, as well as literary work and film production, folk cultural expression, festivals and the cultural industry, 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 expressions and activities specific to regional or minority languages and to foster different means of access to works produced in these languages;*

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

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

*d) to ensure that the bodies responsible for developing or supporting the cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of regional or minority languages and cultures in the activities which they organize or support;*

*e) to promote measures to ensure that the bodies responsible for developing or supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;*

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

*g) to encourage and/or facilitate the creation of a body or bodies responsible for collecting, filing and presenting or publishing works produced in the regional or minority languages.*

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

*3. The Parties undertake to make appropriate scope, in pursuing their cultural policy abroad, for regional or minority languages and their cultural expressions.*

### **Measures adopted to ensure the implementation of the Charter provisions:**

Paragraph 1:

a):

The Slovak Republic promotes publishing periodical and non-periodical literature in the Bulgarian, Czech, Croatian and German languages through the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

In the field of periodical literature, the grant system of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities is the vehicle to support culture pages and supplements to newspapers and magazines as well as periodicals in e-form covering the cultural life of national minorities, journals relating to literature, art sciences, art reviews and student - university journals and magazines for children. Allocation of the financial support to live culture, periodical and non-periodical press is decided by single grant commissions. Detailed information on periodicals in the Bulgarian, Czech, Croatian, German and Polish languages is presented in Article 11 – Media.

The task of the grant scheme in the area of non-periodical literature of national minorities is to support publishing activities and publications enhancing the identity of national minorities through original, fiction, technical, scientific literature and translations. The subsidy is also meant for bringing out audio recordings of national minority authors, where it should mainly be used to partially cover costs linked with the production of CD recordings. 2010 saw the publication of two titles in the Bulgarian language (2,140 copies), 118 titles in the Czech language (256,978 copies), four titles in the Croatian language (13,540 copies), 41 titles in the German language (34,481 copies) and nine titles in the Polish language (7,800 copies).

Archiving periodical and non-periodical press in national minority languages is regulated by Act No. 212/1997 Coll. on Compulsory Copies of Periodicals, Non-Periodicals and Audiovisual Copies, as amended.

Expressions and characteristic features of the Czech language are also supported by the Museum of Czech Culture in Slovakia. The Museum of Czech Culture in Slovakia is the newest of the permanent exhibitions of the Slovak National Museum in Martin, and brings to its viewers the unique environment and work of husband and wife Anna Horáková, PhD, and Jiří Horák, academic. The Horáks were important figures in the documentation of traditional relations between Czechs and Slovaks.

Presentation and characteristic elements of the Croatian language are supported through the Documentation Centre of the Croatian Culture which was founded in 1996 on the grounds of the Slovak National Museum – Historical Museum, as a working centre focused on the history and culture of the Croatian national minority in Slovakia. Since its founding, the centre has aimed to become an independent, specialised museum of the national minority with nationwide coverage that functions as part of the network of Slovak National museums similar to other national minority museums. This process was implemented in 2006. The offices moved to a new purpose-built building in Devínska Nová Ves. The museum is a documentation, research and methodological centre devoted to the history and culture of Croats in Slovakia since their arrival in the territory of the present-day Slovakia until the present. It collects, preserves, processes and presents tangible evidence associated with its profiling.

Presentation and characteristic elements of the German language are also supported through the Museum of Culture of the Carpathian Germans in Bratislava. Similarly to all the minority museums, the Museum of Culture of the Carpathian Germans was founded as a part of the Slovak National Museum. In 1997 it became independent and now functions as one of the specialised museums with a nationwide reach. It is a documentation, research and methodological museum centre focused on the history and culture of Carpathian Germans in Slovakia since their arrival in the territory of Slovakia until the present. It collects, preserves, processes and presents tangible evidence associated with its profiling. The collections cover all aspects of life of the Carpathian Germans – clothing, textiles, home-based and craft production, industrial products, works of art, sacred items and other items. The museum is located in Bratislava. There is also an exhibition in Nitrianske Pravno devoted to the history and culture of Hauerland.

b):

Access to the cultural forms made in regional or minority languages is provided in several forms. Mainly there are translations of works created in regional or minority languages into the

Slovak language by means of the subsidy programme support of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

Support for presentations of culture produced in regional or minority languages also takes the form of theatre plays and exhibitions presenting national minorities in museums and galleries. Minority theatres in Slovakia regularly receive scope for presentation within theatre festivals (Dotyky a spojenia/Touches and connections in Martin, Astorka festival, international festival Divadelná Nitra/Theatre Nitra, etc.) organized by some Slovak theatres and non-Bratislava minority theatres within the project of the Slovak National Theatre called “In the National Theatre - like home” on the stage of the Slovak National Theatre in Bratislava.

Given the similarities of the Czech and Slovak languages and the existence of a common state of Czechs and Slovaks until 1993, Czech literature is very significantly represented in Slovakia; and not only in translations but also by Czech literature itself as published by the Czechs.

c):

Access to works created in other than regional or minority languages is provided by the support and development of translation activities. Through his grant programme, the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities supports the publishing activities of national minorities. See para. 1 (a).

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the Strategy in the field of minority cultures is to have written information (descriptions) on exhibited collection items, other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and, in the case of specialised expositions, in minority languages in addition to the state and English languages.

d):

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The concept includes the task to fully prepare and start installations of representative standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities and ethnic groups by 2011.

The Slovak Republic continually pursues the inclusion of cultural activities of individual national minorities into the cultural life of majority society through the Deputy Prime Minister for Human Rights and National Minorities. Through his grant scheme, the Deputy Prime Minister for Human Rights and National Minorities supports several cultural events with a large involvement of cultural ensembles of national, with the aim of promoting projects presenting minority cultures to the majority population, in order to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination (e.g. the Festival of Minority Cultures – Minority Cultural Summer).

e)

All organisations fostering, developing and presenting the culture of national minorities in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic, and theatres run by the individual self-governing regions are headed by persons belonging to the relevant national minority.

f)

The Ministry of Culture of the Slovak Republic provides administrative support to the activities of 13 grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Members include representatives of all regions and experts in all areas of culture. These commissions, being advisory bodies to the Deputy Prime Minister for Human Rights and National Minorities, give an expert evaluation of all applications for subsidies for the respective national minority, and propose the amount of grant. They elect the chair of the commission from among themselves. At the same time, grant commissions define the annual priorities for support to the culture of the individual national minorities.

Each relevant national minority has its own grant commission, composed of persons belonging to the given national minority, deciding on the amount of financial contributions for individual projects on the basis of priorities and criteria set for the pertinent year by the commission.

g)

Through his grant scheme, the Deputy Prime Minister for Human Rights and National Minorities supports NGOs which have the task of collecting, archiving and publishing works in regional or minority languages. The most important is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) in Šamorín whose mission is the expert research of minorities living in Slovakia, documentation of their culture, written documents and other related records. The Forum Minority Research Institute has received and still receives annual financial support of tens of thousands of EUR from the state budget.

The Deputy Prime Minister for Human Rights and National Minorities also supports academic conferences on national minorities, their history and culture and different literary seminars for particular national minorities. These seminars deal with current issues in the context of other literature in Slovakia.

As for the issue of the Committee of Experts related particularly to the collection, archiving and presentation of works created in the German language, the Government of the SR, through the Ministry of Culture of the SR, has created conditions for collecting and archiving German culture in Slovakia through the Museum of the Carpathian Germans Culture in Slovakia as a specialized unit of the Slovak National Museum with a Slovak-wide operation. It is a documentation, research and methodological museum centre focused on the history and culture of Carpathian Germans in Slovakia since their arrival in the territory of Slovakia until the present. The Museum collects, preserves, processes and presents tangible evidence associated with its profiling. The collections cover all areas of life of Carpathian Germans.

Paragraph 2:

Through his grant scheme, the Deputy Prime Minister for Human Rights and National Minorities fosters the culture of national minorities, regardless of the population percentage of the pertinent national minority in the region. When complying with all particulars, civil national minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities.

There are no legal or other restrictions in the Slovak Republic which would impede the performance of cultural activities of the Czech, Croatian, German and Polish national

minorities anywhere in the territory of the SR. On the contrary, Slovak authorities have traditionally supported the spread and presentation of minority cultural activities, including the activities of these minorities also beyond areas where members of the minority live, be it by independent performances or within Slovak-wide cultural events at which members of the stated minorities present their cultural activities regularly several times a year. (See para. 1 (b) and (d)).

Paragraph 3:

Culture of all 13 national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures both at home and abroad, be it in promotion materials for tourists, or by sending them for presentations abroad.

One significant form of presenting national minority cultures is also through its inclusion in the programs of Slovak folklore groups and through presentations by amateur minority culture groups in Slovakia as well as abroad. For example, Czech culture is presented not only in the form of folklore, but also by Czech literature and visual arts and design in Slovakia's exhibition spaces. Since the Czechs and Slovaks had a common state until 1993, Czech culture is deeply enrooted in all regions of Slovakia.

## **Article 13 – Economic and Social Life**

### **Selected provisions:**

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

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

*b) to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of regional or minority languages, at least among users of the same language;*

*c) to oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities;*

*2. With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:*

*c) to ensure that social care facilities such as hospitals, retirement homes and hospices offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on the grounds of ill-health, old age or for other reasons.*

## **Measures adopted to ensure the implementation of the Charter provisions:**

Paragraph 1:

a)

Article 8 para. 2 of Act No. 270/1995 Coll. on the State Language as amended regulates the use of languages in the area of labour-legal relations in the following way: Written legal actions in labour relations or a similar labour relation are made in the state language; a copy with an equal content can be made in a different language in addition to the state language. Such regulation is in line with Article 1 para. 2 of the State Language according to which the state language takes precedence over other languages used in the territory of the Slovak Republic, i.e. over languages of national minorities too.

Article 8 para. 1 of Act No. 270/1995 Coll. on the State Language as amended also regulates the use of languages in other areas of social and economic life in the following way: In the interests of consumer protection, the use of the state language shall be mandatory in the labelling of products, whether domestic or imported, in manuals for the use of products, particularly foodstuffs, medicinal products, consumption electronic and drugstore goods in warranty terms and conditions, as well as other information for the consumer in the range and in the conditions assigned by separate regulations.

Article 8 para. 3 of Act No. 270/1995 Coll. on the State Language as amended regulates other aspects of social and economic activities: Accounting, financial statements, and technical documentation whose elaboration or submission is required for the purpose of proceedings in line with a special regulation shall be elaborated in the state language, as well as bylaws of associations, societies, political parties, political movements and companies necessary for registration purposes; other language versions of the text in the state language of identical content may also be executed. Use of the state language in Slovak technical standards is regulated by a special regulation.

Act No 184/1999 Coll. on the Use of Languages of National Minorities does not deal with these issues, as in line with Article 1 para. 4 of Act No 270/1995 Coll. on the State Language, the Act on the Use of Languages of National Minorities has a *lex specialis* position exclusively in those areas where the Act on the State Language grants it.

There have been several changes in this area recently. The amendment of the Act on the State Language in 2009 brought some restrictions as well as advantages in this area. Before this amendment, the Act on the State Language did not regulate the use of languages of national minorities at all. It may be considered as an advantage that the current wording enables making the stated documents also in the languages of national minorities along with a wording in the state language. However, the amendment of 2009 also introduced penalties for breaking the law and breaking the quoted provisions. In practice it meant that each corporate entity could be fined if he/she made a work contract exclusively in a national minority language. Such regulation was not in harmony with Article 13 para. 1 (a) of the Charter, so the Act was changed again by means of an amendment which became effective from 1 March 2011. This amendment limited the scope of provisions for the breaking of which penalties may be imposed. In line with the new wording, corporate entities as well as natural persons–entrepreneurs may be imposed sanctions only in the case they do not state information related to life, health or safety threat or a threat to property of citizens of the Slovak Republic in the state language.

Act No 270/1995 Coll. on the State Language as amended also regulates the area of displaying any signs and notices intended to inform the public. Pursuant to Article 8 para. 6 of the State Language, all signs, advertisements and notices intended to inform the public, particularly in retail shops, sporting facilities, restaurants, in streets, by and above roads, at airports, bus stations and railway stations, as well as in public-transport vehicles, shall be presented in the state language. If they contain a text in other languages, the other-language texts shall be presented after the text in the state language and shall, in terms of content, be identical with the state-language text. The other-language text shall be presented in the same or smaller font than the state-language text. No sequence of texts is determined in signs and notices intended to inform the public in the language of national minorities and in the state language in municipalities where the language of this national minority is used in official communications in line with the Act on the Use of Languages of National Minorities, nor in advertisements.

The obligation stated in Article 8 para. 6 shall not apply to business name, trademark, name of the institution registered or enlisted in registers or lists in line with acts valid in the Slovak Republic or in a different EU Member state, or in a contractual state of the Agreement on the European Economic Area and for the use of the name and surname which are a part of a sign, advertisement or notice intended to inform the public, and to some established expressions in a foreign language which are usually used with the trademark in advertising texts, they are known to general public and form part of the advertising.

The area of displaying signs is also regulated by Act No 184/1999 on the Use of Languages of National Minorities. Pursuant to Article 4 para. 2, the information related to life, health or safety threat or a threat to property of citizens of the Slovak Republic are stated in a minority language in addition to the state language in municipalities where the minority language may be used in official communications.

The Government of the Slovak Republic has introduced a sanction mechanism in this area. In line with the amendment of the Act on Use of Languages of National Minorities, a corporate entity or a natural person–entrepreneur commits an offence in the area of the use of minority languages if he/she does not display a sign or notice in a minority language, if it is a sign or notice containing information concerning threats to life, health, security or the property of citizens of the Slovak Republic.

The area of contracts regulating contractual relations is also subject to Act No 270/1995 Coll. on the State Language as amended. The valid and effective wording of the Act on the State Language regulates this area in its Article 8 para. 5 as follows: “In proceedings before the state administration authorities, territorial self-administration authorities, corporate entities established by them, and corporate entities established by the operation of law concerning contracts regulating contractual relationships, also versions of the contracts in other official language of the European Union, in addition to the state-language, shall be recognised. In the case of any ambiguities or disputes, the national language version of the contract shall prevail.” Such regulation ensures equality only to those languages which are official EU languages. It may be said that such regulation is beneficial for the Bulgarian, Czech, Hungarian, German and Polish languages, but disadvantageous for the Croatian, Roma, Ruthenian and Ukrainian languages, as they are not official EU languages.



b):

These bans are not expressly laid down in the legal system of the Slovak Republic. Legal regulations either deal with this issue generally, either through a general discrimination ban regulated mainly by Act No 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act) and the Act No 311/2001 Coll. of the Labour Code.

The Labour Code explicitly provides in Article 1 Fundamental Principles that natural persons have the right to a free choice of employment, to fair and satisfying working conditions and to protection against unemployment. These rights belong to them without any sort of restriction, and without direct or indirect discrimination on the grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied in all provisions of the Labour Code. It must be applied in the same way to work rules and other internal standards, which must comply with legal provisions.

c):

Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic. The last amendment to the Antidiscrimination Act has expanded protection against discrimination. In respect of Charter implementation, the provisions of Article 8a, legislating so-called specific positive action, is of importance.

The Committee of Experts considered this obligation fulfilled in the second Evaluation Report. Since the submission of the second regular report, the legal framework has not changed.

Paragraph 2:

c):

The 2009 amendment to the Act on the State Language also had an impact on health care. Article 8 para. 4 stipulates the following: The administrative paperwork of healthcare facilities and facilities for social services shall be kept in the state language. The personnel of these facilities communicate with their patients or clients usually in the state language; if a patient or client does not speak the state language, the communication may be in a language in which the patient or client can communicate. Patients or clients belonging to national minorities may use their mother tongue in communication with the personnel in municipalities where the minority language is used in official communications in line with a special regulation. Staff are not obliged to speak national minority languages.

Another amendment to the Act on the State Language, effective from 1 March 2011, has slightly changed the wording of the quoted regulation: The administrative paperwork of healthcare facilities and facilities for social services shall be kept in the state language. The personnel of these facilities communicate with their patients or clients usually in the state language; if it is a patient or a client whose mother tongue is not the state language, the communication may be in a language in which the patient or client can communicate. The personnel are not obliged to speak foreign languages or the languages of national minorities. Patients or clients belonging to national minorities may use their mother tongue in communication with the personnel in municipalities where the minority language is used in official communications in line with a special regulation.

Act No 184/1999 Coll. on the Use of Languages of National Minorities originally did not regulate this issue. In its Article 5 para 3 of Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws stipulates the following: "A citizen of the Slovak Republic who is a person belonging to a national minority may use the minority language in communication with personnel of healthcare institutions and social care institutions or institutions for the social and legal protection of children and social probation in a municipality referred to in Article 2 para. 1. The healthcare institution or social care institution or institution for social and legal protection of children and social probation, as referred to in the preceding sentence, shall allow the use of the minority language under this Act and special laws insofar as the conditions prevailing at the institution so permit."

Such wording does not lay down any obligation to health-care or social-care institutions to ensure the possibility to use a national minority language, not even in language-mixed areas (e.g. to interpreters, translators). Such obligation could be related to a significant cost increase of these institutions, which might represent a threat to their existence. Employing persons speaking the relevant minority language, or language teaching of staff, could be an appropriate solution. The Act on the State Language, the Act on the Use of the Languages of National Minorities, or other legal regulations do not exclude such procedures.

## **LANGUAGES: CZECH, GERMAN, POLISH**

### **Article 14 – Cross-border Cooperation**

#### **Selected provisions:**

*The Parties undertake:*

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

#### **Measures adopted to ensure the implementation of Charter provisions:**

### **CZECH LANGUAGE**

b):

In 2002, on the basis of Article 8 of the *Agreement between the Government of the Slovak Republic and the Government of the Czech Republic on Cross-Border Cooperation* (Bratislava, 2 November 2000, effective from 19 January 2001, No 164/2001 Coll.) a *Slovak-Czech Intergovernmental Committee for Cross-border Cooperation* (hereinafter referred to as the "Committee") was established. Its goal is to support and coordinate cross-border cooperation among local and regional bodies. Its task is also the establishment of general guidelines and forms of cross-border cooperation, development of recommendations on the basis of decisions by common coordinating bodies of the state administration authorities and the self-governments, and the resolution of disputes which hinder this cooperation.

At its sessions, the Committee deals with various issues related to its main work. Thirteen Committee sessions have been held so far.

### GERMAN LANGUAGE

b):

Cooperation in the area of science and education between Slovakia and Austria is pursued on the basis of *the Agreement between the Government of the SR and the Government of the Republic of Austria on Cooperation in the Area of Culture, Education and Science*, signed in Vienna on 13 October 1999, and the *Protocol of the 3rd session of the Joint Slovak-Austrian Committee on Cooperation in the Area of Culture, Education and Science for 2008-2012*, signed in Bratislava on 3 June 2008.

*Framework Agreement between the Slovak Republic and the Republic of Austria on Cross-border Cooperation Among Territorial Units or Bodies* (Bratislava, 25 October 2003, effective from 1 September 2004, No 407/2004). Within the Agreement, the cross-border cooperation develops in regional development, cross-border transport, land-use planning, protection of nature and the environment, waste management, education, culture, sport and leisure time, health system, tourist industry and tourism, agriculture and nourishment, social affairs, mutual provision of aid after disasters, and criminality prevention. Currently the cooperation is developed on the basis of the Cross-border Cooperation Programme of the Slovak Republic and Austria for 2007-2013 in the stated contractual framework.

No intergovernmental committee on cross-border cooperation between the Slovak Republic and the Austrian Republic has been created.

### POLISH LANGUAGE

Cooperation between the Slovak Republic and Poland is carried out on the basis of the valid *Cooperation Programme between the Ministry of Education of the SR and the Ministry of National Education and Sport of the PR for 2003-2006*, whose validity is automatically prolonged.

The Ministry of Education, Science, Research and Sport of the SR supports the activity of the *Slovak-Polish Committee of Arts* at the Ministry of Education, Science, Research and Sport of the SR and the Ministry of Science and Higher Education of the Polish Republic (hereinafter referred to as the Committee) holding its sessions once a year. The Committee's task is to coordinate joint action in the area of history, linguistics, literary science, ethnology, sociology and other arts and social sciences in the area of Polonistics research in the SR and Slovakistics research in the PR. It should also create a forum of mutual exchange of scientific information related to research projects and research results in the stated areas in both states.

Cross-border cooperation between the Slovak Republic and the Polish Republic is carried out on the basis of the *Agreement between the Government of the Slovak Republic and the Government of the Polish Republic on Cross-Border Cooperation* (Warsaw, 18 August 1994, effective from 19 January 1995, No 44/1995).

In accordance with this agreement, a *Slovak-Polish Intergovernmental Committee for Cross-border Cooperation* with 12 working groups has been operating since September 1996. In addition to a focus on the broad issues of bilateral cooperation, the priority task of the Committee is to create conditions for the development of border regions which strengthens relations between territorial self-governments of both countries, local administration bodies of the state administration, and the activities they pursue. Currently mutual relations in border areas also develop in the form of Euro-regions: Carpathian Euro-region, Euro-region Tatry, Euro-region Beskydy. The last 17<sup>th</sup> session of the Committee was held in April 2011 in Warsaw.

## **ROMA LANGUAGE**

### **Article 8 - Education**

#### **Selected provisions**

*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) iii enable pre-school education or enable the major part of pre-school education to be provided in the relevant regional or minority languages at least to those pupils whose families so request and whose number is considered sufficient;*
- b) iii to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;*
- c) iii to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum;*
- d) 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;*
- e) ii to provide facilities for the study of these languages as university and higher education subjects;*
- f) ii to offer such languages as subjects of adult and continuing education;*
- g) to make arrangements to ensure the teaching of history and culture which have influenced the regional or minority languages;*
- h) to provide the basic and further training of teachers required to implement those of paragraphs a to g accepted by the Party;*
- i) to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of the regional or minority languages and for drawing up periodic reports of their findings which will be made public.*

#### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

The Constitution of the Slovak Republic in concurrence with international documents including the European Charter for Regional or Minority Languages guarantees, inter alia, the right to learn the state language and the right to education in their language to citizens who belong to national or ethnic groups in the Slovak Republic.
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a) iii:

The network of kindergartens currently does not include any pre-school education in the Roma language as the language of education. It is not possible to provide pre-school education in the Roma language also for capacity reasons. Though teachers in municipalities with Roma population speak the minority language, parents do not seem to be interested in pre-school education in the Roma language as their children need to learn the literary language necessary for successful elementary-school inclusion.

b) iii:

Since the Second Periodic Report of the SR on the application of the European Charter for Regional or Minority Languages, Act No 245/2008 Coll. on Upbringing and Education (the “School Act”) and on amendments and supplements to some acts as amended, effective from 1 September 2008, was adopted. This Act triggered a school-system reform and transformation of the regional school system also in its content. The Act lays down the principles, aims, conditions, scope, content, forms and organisation of instruction and education in schools and school establishments, education levels, admission for instruction and education, education and instruction termination, length and fulfilment of obligatory schooling, educational programmes on the state level and educational and instruction programmes on the school level, system of schools and school establishments, etc.

Children and pupils of citizens belonging to national minorities and ethnic groups are ensured, in addition to the right to learn the state language, also the right to education and instruction in their language under the conditions stipulated by this Act. Elementary and secondary schools with a non-state language of instruction shall have an obligatory subject – the Slovak language and literature – as a part of education and instruction, in an extent as is necessary for learning it.

Education in the Roma mother tongue was carried out as a part of the experimental examination of the subject ‘Roma language and literature and Roma facts of life’ which took place between 2003 – 2009; while three elementary schools took part in the experiment. Private elementary school on Galaktická 9, Košice, the elementary school on Parková 1, Veľká Ida, and the private elementary school on Angyalova 417/31, Kremnica. The experiment was carried out under the projects entitled “Experimental verification of the effectiveness of the curriculum of the Roma language and literature in elementary and secondary schools” and “Experimental verification of the effectiveness of the curriculum in the subject of Roma facts of life.” The aim of the experiments was to try different variants and models of teaching plans and curricula, set criteria for the creation of textbooks and manuals, propose principles for verifying standards, and propose principles for teachers’ training and teaching. The outcomes are curricula for teaching in the Roma language. Textbooks have also been published, though not for all school-years.

All the above-stated schools, except for the elementary school of Parková 1, Veľká Ida, continued teaching the subject of Roma language as an optional subject after finishing the experimental examination.

So elementary schools have conditions for the introduction of the subject of ‘Roma language and literature’ in the school educational programme according to the interest of pupils and their parents. When planning instruction of the Roma language and literature, schools have elaborated materials at their disposal which were approved by the Subject Committee for the Roma language and literature and Roma facts of life in 2011.

c), d) iii:

Education in the Roma mother tongue was carried out as a part of the experimental examination of the subject 'Roma language and literature' and 'Roma facts of life' which took place between 2003 – 2009 under the auspices of the State Pedagogical Institute. In addition to the above-mentioned three elementary schools, also three secondary schools took part in the experiment: Private secondary grammar school on Galaktická 8, Košice, the Secondary Arts School on Exnárova 8, Košice, the Private Academy for Social and Legal Studies for the Roma Communities on Jegorovovo námestie 5, Košice. The experiment was carried out under the projects entitled "Experimental verification of the effectiveness of the curriculum in the Roma language and literature in elementary and secondary schools" and "Experimental verification of the effectiveness of the curriculum in the subject of Roma facts of life." The aim of the experiments was to try different variants and models of teaching plans and curricula, set criteria for the creation of textbooks and manuals, propose principles for verifying standards, and propose principles for teachers' training and teaching. The outcomes are curricula for teaching in the Roma language. Textbooks have also been published, though not for all school-years.

So secondary schools have conditions for the introduction of the subject of the 'Roma language and literature' in the school educational programme according to the interest of pupils and their parents. When planning instruction of the Roma language and literature, schools have elaborated materials at their disposal which were approved by the Subject Committee for the Roma language and literature and Roma facts of life in 2011. Effective from 1 September 2011, in line with Article 12 para. 5 of the Decree of the Ministry of Education No 318/2008 Coll. on Completing the Study in Secondary Schools as amended by Decree No 209/2011 Coll., also the Roma language is enlisted as a final-examination subject, among others. It means that pupils may choose this subject as the final-school examination subject.

With support from the European Social Fund, the State Pedagogical Institute has implemented a project entitled "Improving the qualification potential of members of the Roma community by opening a new study programme on Romology in the system of education at secondary schools".

e) ii:

Study and research of minority languages is supported in compliance with Act No. 131/2002 Coll. on Higher Education and on amendments to certain laws, as amended, (hereinafter the "Higher Education Act").

As regards the Roma language, there is an Institute of Romological Studies at the University of Constantine the Philosopher in Nitra, conducting the study programme of the 'Roma language, history, literature and culture'.

f) ii:

Pursuant to Article 14 para. 2 (c) of Act No 596/2003 Coll. on State Administration in Education and School Self-government and on amending and supplementing certain other acts as amended, a Methodological Pedagogical Centre has been established, with its seat in Bratislava and three regional offices.

The Methodological-Pedagogical Centre houses the Roma Education, Information, Documentation, Advisory and Consultation Centre – ROCEPO, which functions on a nationwide basis. Its goal is to address specific needs and conditions of the Roma ethnic

minority through teachers working in schools with high concentrations of Roma children and pupils. Some teachers of special schools have undergone a Roma language course in the Centre.

g):

Elementary and secondary schools have the opportunity to integrate the subject of the 'Roma facts of life' in their school educational programme within available lessons. Standards of the 'Roma facts of life' as for their content and performance will be available in the course of 2011 on the webpage of the State Pedagogical Institute for schools as a supporting document and an aid when preparing the mentioned subject.

h):

See answer f) ii.

i):

State school inspection inspects kindergartens, elementary schools, secondary schools and educational facilities. On the basis of current methodology, it also inspects education in the languages of national minorities and the stated issue is evaluated in the annual Report on education and instruction in schools and educational facilities in the Slovak Republic for each school year. No special supervisory body has been established.

In addition, there is an advisory and consultancy body of the Government of the SR - the Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality and within it a Committee for National Minorities and Ethnic Groups. It also comments on the issue of education in minority languages and is also competent for implementation of the European Charter for Regional or Minority Languages.

## **Article 9 – Judicial authorities**

### **Selected provisions:**

*1. The Parties undertake, in respect of those judicial districts in which the number of residents using the regional or minority languages justifies the adoption of 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;*

*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, through interpreters or by means of translations, if necessary;*

*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, through interpreters or by means of translations, if necessary;*

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

### **Measures adopted to ensure the implementation of the Charter provisions**

Paragraph 1:

a) ii:

Act No. 301/2005 Coll., the Criminal Procedure Code, effective from 1 January 2006 is the relevant law for criminal proceedings. The Criminal Procedure Code is in effect and applied on the whole territory of the Slovak Republic.

The right to use one's mother tongue in proceedings before courts is stipulated in the basic principles of the provision of Article 2 para. 20 of the Criminal Procedure Code: "If the accused, his/her legal guardian, victim, participating person or witness declares that he/she does not know the language of the proceedings, he/she has the right to an interpreter and translator."

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: "If the content of the statement needs to be interpreted or if the person specified in Article 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter."

In line with the provision of Article 28 para. 3 of the Criminal Procedure Code: "If there is a need to translate the record of the statements or other documents, a translator shall be assigned by ruling. The provision of paragraph 2 shall be applied as appropriate."

A typical feature of criminal proceedings is that a criminal case is submitted to a court for hearing and deciding after the completion of pre-trial proceedings; i.e. in pre-trial proceedings, when the accused, the victim or witnesses declared not to have command of the language of the proceedings, an interpreter, who would then also appear before the court, is already assigned at this stage. If it is established only before the court that there is a person appearing who does not know the language of the proceedings, the court will assign an interpreter. The quoted provisions of the Criminal Procedure Code apply to all persons taking part in the proceedings, i.e. in addition to the accused, defendant, participating person, and the victim, they also apply to witnesses, in so far as they declare not to understand the language of the proceedings. In criminal cases, the courts comply with the relevant provisions of the Criminal Procedure Code and they assign an interpreter to the proceedings at the request of the accused or a party to proceedings.



iii):

Pursuant to Article 28 para. 1 of the Criminal Procedure Code: “If the content of the statement needs to be interpreted or if the person specified in Article 2 paragraph 20 declares not to understand or speak the language of the proceedings, an interpreter shall be assigned by a ruling. Exceptionally, the recording clerk may also act as interpreter.” The costs incurred from assigning an interpreter are borne by the state. Therefore, it is self-evident that the exercise of this right does not give rise to any additional costs for the persons concerned.

Documentary evidence which supports or refutes the facts to be proved, which is related to the crime or the accused, and which is in a regional or minority language is translated in compliance with Article 28 paragraph 1 of the Criminal Procedure Code.

b) ii:

Act No. 99/1963 Coll. the Civil Procedure Code as amended (hereinafter the “Civil Procedure Code”) is the relevant legal provision with respect to these commitments. Under Article 18 of the Civil Procedure Code: “In civil proceedings, the parties shall have an equal status. They have the right to use their mother tongue or the official language of the state, understood by them, before a court. The court shall have the obligation to ensure for them equal opportunities for the exercise of their rights.”

Pursuant to Article 141 para. 2 of the Civil Procedure Code: “Costs incurred in obtaining evidence not covered by the advance payment, as well as cash expenditures of the assigned representative other than a lawyer, and the costs resulting from the use of the mother tongue by the party, are borne by the State.”

Judicial practice in civil proceedings also shows that judges mostly establish poor command of the Slovak language as late as at the first hearing, and therefore they assign an interpreter by ruling, adjourn the hearing and summon the interpreter to appear at the next hearing and, after performing the interpretation, to charge an interpreter’s fee. There are also cases when the party to proceedings informs the court in writing that he/she has no command of the Slovak language and requests an interpreter to be assigned. In such case, the court mostly issues a ruling on the assignment of an interpreter. The Slovak Republic encounters no difficulty with the application of this obligation.

iii):

The effective legal order of the Slovak Republic allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense. Thus, it fully respects the pertinent provision of the Charter.

c) ii:

Provisions concerning court proceedings in administrative cases are an integral part of the Civil Procedure Code, which includes separate norms concerning this area of law in its Part V. This means that the general provisions of the Civil Procedure Code, including the right to act before a court in one’s mother tongue, apply mutatis mutandis to court proceedings in administrative cases.

iii):

In administrative court proceedings, the legal order in force allows parties to submit documents and evidence in regional and minority languages without thereby incurring additional expense in the same way as in civil court proceedings. Thus, the pertinent provisions of the Charter are fully respected.

d):

The costs of interpretation and/or translations linked with the right of the party to use a regional or minority language before a court in civil and administrative proceedings are borne by the State.

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

### **Selected provisions:**

*1. Within the administrative districts of the State in which the number of residents who are users of the 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) to ensure that users of the regional or minority languages may submit oral or written applications and receive a reply in these languages;*

*iv to ensure that users of the regional or minority languages may submit oral or written applications in these languages.*

*2. In respect of the local and regional authorities on whose territory the number of residents who are users of the 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 the regional or minority languages to submit oral or written applications in these languages;*

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

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

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

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

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

*c) to allow users of the regional or minority languages to submit requests in these languages.*

*4. For the purpose of ensuring the provisions of paragraphs 1, 2 and 3 which they have adopted, the contracting Parties undertake to adopt one or more of the following measures:*

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

*c) if possible, fulfil the requests of employees of public services speaking the regional or minority languages to be appointed in the territory where this language is used.*

*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.*

#### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a), iii, iv:

In line with Article 2 para. 3 of Act No. 184/1999 Coll. on Use of Languages of National Minorities, citizens of the Slovak Republic belonging to a national minority have the right to submit written applications to state administration authorities and territorial self-government authorities (hereinafter “public administration authority”) also in a minority language in municipalities where persons belonging to the relevant national minority form at least 20% of the population according to the latest census of population.

The use of languages of national minorities in official communications is possible in municipalities stated in Government Ordinance No. 221/1999 Coll. and under the conditions as stated by Act No 184/1999 Coll. on the Use of Languages of National Minorities. As regards the Roma language, this right may be exercised in 57 municipalities.

The Act on the Use of Languages of National Minorities as a special legal regulation determines the territory on which the citizens of the Slovak Republic belonging to national minorities can use the national minority language, while relevant public administration authorities are obliged to create the conditions for using the national minority language on this territory. The state language is usually used on other territories of the Slovak Republic.

Principles of the Government of the Slovak Republic related to the Act on the State Language of 16 December 2009 stipulate the following:

“In line with Article 10 of the European Charter for Regional or Minority Languages valid for the Slovak Republic, persons belonging to national minorities can use a national minority language in official oral communications in the territory of municipalities whose citizens belonging to the national minority do not form at least 20% of population, if a third person is not present at such communication belonging not belonging to the same national minority, or belonging to the same national minority, but he/she does not express a clear consent with official oral communication in the national minority language.”

It results from the above-stated that the use of languages of national minorities is enabled on the whole territory of the Slovak Republic, if there is sufficient interest in it, the public administration authority conditions allow it (mainly if the public administration authority has an employee with sufficient command of the national minority language), it does not obstruct the public administration running, cannot lead to discrimination of third persons, and is not to the prejudice of the state language use.

Principles of the Government of the Slovak Republic regarding the Act on the State Language represent an internal legal regulation which has a non-binding character. It is therefore necessary that regardless of the number of persons belonging to national minorities living on the given territory, rules related to the use of languages of national minorities are laid down in a public statute as well. On 25 May 2011, the National Council of the Slovak Republic adopted Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, and which stipulates the following in its Article 2 para 8:

*“(8) Citizens of the Slovak Republic who are persons belonging to a national minority may use the minority language in oral official communication in a municipality not meeting the conditions laid down in paragraph 1 if the public administration officer and the persons involved in the proceeding so agree.”*

The regulation, based on the principles of the Government to the Act on the State Language, limits the state-wide possibility to use languages of national minorities to oral communication, as allowing written communication could hamper the running of the public administration, while people are not even really interested in written communication in languages of national minorities in municipalities where national minorities are more significantly represented.

In municipalities where national minorities are more significantly represented, public administration authorities are obliged to create such conditions which provide a full application of language rights of members of national minorities, in addition to allowing communication in minority languages in official communication. For personnel, financial and organizational reasons, a full exertion of the language rights of national minorities in public administration may be provided on territories where persons belonging to national minorities are more significantly represented and it can be expected that they will have a real interest to exert these rights.

As current regulation was rather disadvantageous from the point of view of the protection of rights of persons belonging to less-represented national minorities on the territory of the Slovak Republic, the Government of the Slovak Republic has decided to decrease the 20% threshold. The Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, counts with decreasing the limit for using the national minority languages from 20 to 15%.

In view of the approved wording of the amendment, the 15% threshold is applied when it has been confirmed in two subsequent population censuses that the citizens of the Slovak Republic belonging to national minorities who have their permanent addresses in the given municipalities make up at least 15% of the total municipality population. Such regulation has been applied since the announcement of the results of the census 2011, so if the given municipality is to be enlisted among the municipalities where languages of national minorities could be used, the 15% limit has to be confirmed in the censuses in 2011 and 2021.

The Government of the Slovak Republic expects that the new adjustment of the limit for using the languages of national minorities will have a positive impact on national languages which are less-represented in the territory of the Slovak Republic.

Paragraph 2:

b):

When monitoring the implementation of international conventions by the Slovak Republic in the area of the protection of rights of national minorities, international organizations have called attention to various shortcomings in the legal system of the Slovak Republic.

It is therefore the purpose of Act No 204/2011 Coll. amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 and amending and supplementing some acts adopted by the National Council of the Slovak Republic on 25 May 2011, to harmonize regulations for the use of the state language and the use of languages of national minorities on the territory of the Slovak Republic, as well as to continue implementing international conventions in the area of the protection of rights of national minorities and ethnic groups.

The amendment of the Act on the Use of Languages of National Minorities delimits the territory where the national minority languages may be used in official communications. Decreasing the limit for using the languages of national minorities in official communication from 20% to the current 15% reflects the recommendations of the Committee of Ministers of the Council of Europe saying that the Slovak Republic should reconsider the rules for determining the territorial sphere of action of the Act on Use of Languages of National Minorities. According to Article 2 para. 8 of this Act, also citizens of the Slovak Republic who are persons belonging to a national minority may use the minority language in oral official communication in a municipality not meeting the conditions laid down in Article 2 para. 1, if the public administration officer and the persons involved in the proceeding so agree.

Each citizen of the Slovak Republic belonging to a national minority has the right, in line with Article 2 para. 1 of the stated Act, to communicate, both orally and in writing, with authorities of local state administration, territorial self-government authorities and corporate entities established by the territorial self-government authority (hereinafter referred to as the 'public administration authority'), also including the presentation of written documents and evidence, also in the minority language (Article 2 para. 3). The public administration authority shall reply to a communication written in a minority language in the minority language too, along with the state language, with the exception of issuing public instruments, while this exception does not apply to public instruments in view of Article 2 para. 4 and 5. In case of doubt, the text of the reply of the public administration authority in the state language prevails.

Public administration authorities, in line with this Act, shall create the conditions for applying the right in view of the first sentence accordingly, while they can define a time period for arranging the matters in the national minority language. Public administration authorities shall provide information about the possibilities of using minority languages in their offices in a visible place.

See the para. 1 (a) (iii), (iv).

c), d):

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, stipulates that public administration authorities in view of Article 2 para. 3 shall reply to a communication written in a minority language in the minority language too, as well as in the state language, with the exception of issuing public instruments, while this exception does not apply to public

instruments in view of Article 2 para. 4 and 5. In case of doubt, the text of the reply of the public administration authority in the state language prevails.

Public administration authorities, in line with this Act, will create conditions for exerting the right in view of the first sentence accordingly, while they can define a time period for arranging the matters in the national minority language. Public administration authorities will provide information about the possibilities of using minority languages in their offices in a visible place.

Pursuant to Article 2 para. 4 of this Act, the public administration authority's decision in administrative proceedings in a municipality in view of para. 1 shall be issued, in addition to the state language, in an equal copy in a minority language if the proceeding has been initiated by a lodging in a minority language or on demand. In case of doubt, the text of the decision in the state language prevails.

Pursuant to Article 2 para. 5 of the same Act, birth certificates, marriage certificates, death certificates, permissions, authorizations, confirmations, statements and declarations in municipalities in view of Article 2 para. 1 shall be issued in two languages on request, i.e. in the state language and in a minority language. In case of doubt, the text of the public instrument in the state language prevails.

Pursuant to Article 2 para. 6 of this Act, identification of public administration authorities placed on buildings is to be made both in the state language and in a minority language in municipalities in line with para.1.

Pursuant to Article 2 para. 7, public administration authorities in municipalities in line with Article 2 para. 1 shall provide citizens with official forms issued within the scope of their competence in two languages on request, i.e. in the state language and in a minority language.

Article 3 of this Act is supplemented by para. 4 reading as follows:

*“(4) Official agenda, mainly minutes, resolutions, statistics, records, balances, information meant for the public and the agenda of churches and religious communities meant for the public, except for the registry offices, can be kept in a minority language along with the state language in municipalities in view of Article 2 para. 1.”*

Pursuant to Article 4 para. 8, under their competence, public administration authorities in municipalities in view of Article 2 para. 1 shall provide, on request, information on generally binding regulations also in a minority language along with the state language. A municipality referred to in Article 2 para. 1 can issue generally binding regulations under its competence in a minority language along with the state language; in such case the wording in the state language shall be decisive.

In addition, the amendment to the Act on the State Language No 318/2009 Coll. extends the scope for applying other languages while the previous wording of the Act did not allow it, e.g. when making work contracts, financial and technical documentation, statutes of associations, organization, political parties, political movements and business companies, when adopting national technical standards in the system of Slovak technical standards, in live broadcasts of the radio and television programmes, theatre plays with original texts, and in pedagogic-educational events aimed at education in foreign languages. However, the Act on the State Language stipulates to also use the state language in most of the stated cases.

The amendment to the Act introduces several changes in favour of minority languages used on the territory of the SR, extending the possibilities of their lawful use in comparison with the status until now.

f):

The amended version of Act No 184/1999 Coll. on the Use of Languages of National Minorities lays down in its Article 3 para. 2 that a new second sentence shall be placed after the first sentence, saying: "Other participants in a municipality council meeting may use the minority language if all of the municipal council members and the mayor of the municipality so agree." This lays down the possibility to use a minority language at sessions of municipal councils, if the conditions for granting an approval by other participants present at the session are met for the purpose of mutual understanding.

g):

The issue of using geographic names is regulated by Act No 270/1995 Coll. on the State Language as amended and Act No 184/1999 Coll. on the Use of Languages of National Minorities.

According to Article 3a of Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, the following shall be presented in the state language: names of municipalities and their parts, the names of streets and other public areas, other geographical names, as well as information contained in the official maps and cadastral maps; denomination of municipalities, streets and other local geographical names in the languages of national minorities are governed by a separate regulations.

Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws, nullified the Act on the Denomination of Municipalities in the Language of National Minorities, while most of its provisions have been implemented in the Act on the Use of Languages of National Minorities. This has unified the regulation and removed ambiguities of the wording of the Act on the Denomination of Municipalities in the Language of National Minorities. In line with the amendment, a list of denominations of municipalities in the languages of national minorities should form part of the Ordinance of the Government of the Slovak Republic including a list of municipalities where languages of national minorities may be used in official communications. This Ordinance should also contain identifications of municipalities in the Roma language, where the Roma language may be used in the official communications.

As regards the question raised by the Committee of Experts for the European Charter for Regional or Minority Languages related to displaying minority names also in places with less than 20% share of minority members in the total municipality population, it may be stated that such possibility has been retained in the Slovak Republic. It is also evidenced by the fact that in municipalities where the number of members has dropped below 20%, traditional minority names are still displayed and signposts with these names have remained in place. In addition, the provision of Article 4 para. 1 of Act No 184/1999 on the Use of Languages of National Minorities says the following: "*A municipality referred to in Article 2 para. 1 may designate streets and other local geographic objects within its territory also in the minority language.*" The notion of *other local geographic objects* includes all local designations and may also refer to lower territorial units within municipalities, if there is a traditional and correct name in the minority language for their designation.

Paragraph 3:

c):

In line with the amended Act No 184/1999 Coll. on the Use of Languages of National Minorities, the Article 5 is amended by paragraph 3 which reads:

"(3) A citizen of the Slovak Republic who is a person belonging to a national minority may use the minority language in communication with personnel of healthcare institutions and social care institutions or institutions for social and legal protection of children and social probation in a municipality referred to in Article 2 para. 1. The health-care institution or social-care institution or institution for social and legal protection of children and social probation, as referred to in the preceding sentence, shall allow the use of the minority language under this Act and special laws insofar as the conditions prevailing at the institution so permit."

Pursuant to Article 2 para. 8 of this Act, citizens of the Slovak Republic belonging to a national minority can also use a minority language in the official communications in municipalities which do not meet the conditions in line with Article 2 para. 1, if the public authority employee and the persons present at the proceedings agree with it. The agreement is important for cases when the employee understands the language of minorities.

Paragraph 4:

a):

Pursuant to Article 2 para. 8 of this Act, citizens of the Slovak Republic who are persons belonging to a national minority may use the minority language in oral official communications in a municipality not meeting the conditions laid down in Subsection 1 if the public administration officer and the persons involved in the proceeding so agree. Services of translation and interpretation are available in the whole territory of the SR by choosing a translator or an interpreter from a list of registered experts and interpreters at a relevant district court and asking him/her for his/her services. These services are charged for so their usage depends on the financial situation of the subjects involved.

c):

See para.1 (a) iii and iv.

Paragraph 5:

In this issue the amendment to the Act on the Use of Language of National Minorities or an indirect amendment to other acts expect the following changes:

a) Article 7 para. 2 of Act No 300/1993 Coll. on Names and Surnames, as amended, reads:

(2) The permit to change a surname is not necessary when it is a surname change:

- a) after a dissolution of marriage,
- b) after becoming full-aged consisting in using only one of two or more surnames;
- c) consisting in the registration of females' surname of a person of other than Slovak nationality without the ending of the Slovak female names;
- d) consisting in a modification of the surname in line with Slovak orthography or with the orthography of a language of national minority in line with a special regulation<sup>3ca)</sup>;



- e) of a child after its lawful adoption;
- f) due to a gender change;
- g) of a minor child whose parents got married after it had been born, into a surname determined for other children of theirs;
- h) of a minor child whose father is not known, into a surname determined for other children of its mother and her husband.

The amendment of Article 7 para. 2 (d) was important in order to harmonize the regulation of the use of the state language and languages of national minorities. The surname change into Slovak-spelling form was possible free of charge, until the Act allowed a free-of-charge change into a spelling form in the language of a national minority. The amendment has removed this shortcoming.

b) Act No. 154/1994 Coll. on Register Offices has been amended as follows:

Article 19 has been supplemented with paragraphs 10 and 11 which read as follows:

“(10) If it is a deceased person whose name is registered at the registry in a non-Slovak language and a later exemplification from the registry was issued with a name in its Slovak equivalent, the registry office shall issue an exemplification from the registry in the original form, if a member of his/her family – a husband or children of the deceased person, and if they do not exist, parents of the deceased person - asks for it in writing.

(11) Registry offices shall issue exemplifications from registries with original names also in cases when the person whom the exemplification relates to, or his/her family member, proves that the name in its Slovak equivalent was registered only later, without an agreement of the person whom the entry relates to.”

Such change is justified by cases which have happened in practice in relation to the Slovakisation of names and surnames of persons in registries which were written in other languages originally. If the relatives of the deceased person asked for issuing a birth certificate of the deceased person, the name and surname of the deceased person were always stated in the Slovak spelling form in the birth certificates, regardless of the spelling form in which they were registered in the original registry.

The amendment to the Act on the Use of Languages of National Minorities was supplemented with this indirect amendment of the Act on Registry Offices in the legislative procedure of the National Council of the Slovak Republic as proposed by the Committee for Human Rights and National Minorities.

## **Article 11 - Media**

### **Selected provisions:**

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

*a) if radio and television fulfil the function of public-service media:*

*iii to adopt adequate measures so that broadcasters offer programmes in the regional or minority languages;*

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

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

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

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

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

*2. The Parties undertake to guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in a language used in an 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 press in a language used in an 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 order, 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.*

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

### **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a) iii:

In line with Article 5 para. 1 (g) of Act No. 532/2010 Coll. on Radio and Television of Slovakia and on amendments and supplements to some acts, the public-service broadcaster Radio and Television of Slovakia is obliged to provide broadcast in the languages of minorities and ethnic groups living in the territory of the Slovak Republic. At the same time, one of the radio programme services of the public-service broadcaster must be determined for broadcasting of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic.

Contrary to the past, the time extent of the broadcast of programmes with well-balanced content and regional distribution in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic has to correspond to the national and ethnic structure of the population of the Slovak Republic.

Extent of broadcasting in the Roma language: Since 2008, the yearly extent of the national broadcast in the Roma language within the broadcast of the Slovak Radio (currently an organizational unit of the Radio and Television of Slovakia) gradually increased from 106 hours to 128 hours in 2009, and to 126 hours in 2010. The yearly extent of the national broadcast in the Roma language within the broadcast of the Slovak Television (currently an organizational unit of the Radio and Television of Slovakia) was 46 hours in 2008, 58 hours in 2009, and 47 hours in 2010.

b) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, to establish and maintain educational and cultural institutions.”

Act No 308/2000 Coll. on Broadcasting and Retransmission, and on amending Act No. 195/2000 Coll. on Telecommunications, as amended, guarantees the right to free and independent broadcasting also in minority languages. Intervention in their content is possible only on the basis of and within the scope of legislation. This law makes it possible for the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within the scope of legislation.

Adoption of the amendment to the Act on the State Language in June 2009 completely abolished the limiting conditions for private radio broadcasters offering broadcast in minority languages by abolishing the obligation to provide a Slovak language version of radio programmes broadcasted in the languages of national minorities. Pursuant to Article 5 para. 1 (b) there was an exception introduced in the broadcast in the state language related to: “radio programmes in regional broadcast or local broadcast designed for members of national minorities including events in live transmission”. In this way the recommendations suggested by the Committee of Ministers in the second Assessment Report in points 127, 128, 255, 256, 376, 377, 507, 508, 644, 645, 804, 805 have been fulfilled.

c) ii:

In its Article 34 para 1, the Constitution of the Slovak Republic reads: “Citizens belonging to national minorities or ethnic groups in the Slovak Republic shall be guaranteed their universal development, particularly the rights to promote their culture together with other members of the minority or group, to disseminate and receive information in their mother tongues, to associate in national minority associations, to establish and maintain educational and cultural institutions.”

Act No 308/2000 Coll. on Broadcasting and Retransmission, and on amending Act No. 195/2000 Coll. on Telecommunications, as amended, guarantees the right to free and

independent broadcasting in minority languages. Intervention in their content is possible only on the basis of and within the scope of legislation. This law enables the retransmission operator to provide programme retransmission service in a free and independent manner. Retransmission of programme services can be limited only on the basis of and within the scope of legislation.

The obligation to provide subtitles in the state language is maintained in the TV broadcast in view of their great importance in removing barriers between language communities and in getting to know the culture and life of members of minorities, which significantly contributes to building mutual understanding and getting closer to members of the majority nation and members of minorities. By means of the Audiovisual Fund established in 2009, the Slovak Republic supports the distribution of Slovak audio-visual works, while this support may also be used to cover the costs related to provision of subtitles. Producers of any audio-visual work in a national minority language (movie, documentary, animated and other films) may ask for a financial contribution for the production of subtitles in the state language.

d):

On 1 January 2009 Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts, establishing the Audiovisual Fund as a public-service institution to support and develop audiovisual culture and industry, came into force.

The basic activity of the Fund is the support of audiovisual culture and industry in the Slovak Republic, then it is a strategic and planning activity in the audio-visual area and awarding co-production statutes in view of the European Convention on Cinematographic Co-production. The Fund provides finances for the creation, development, preparation and production of audiovisual works, their distribution, for festivals, shows and other cultural activities of subjects active in the area of audiovision and cinematography, as well as for publishing and spreading periodicals and non-periodicals from the area of audio-vision and cinematography, etc.

The Fund started to provide finances on 1 January 2010. The support activity is made in the form of subsidies, loans or grants. The basic funding principle of the Fund is multi-source financing composed of a contribution from the state budget and contributions of subjects in view of Articles 24 to 28 of Act No 516/2008 Coll. on the Audiovisual Fund and on the amendments of some acts as amended by Act No 532/2010 Coll., i.e. broadcaster established by law, TV broadcaster authorized to broadcast on the basis of a license, provider of audiovisual technical equipment, provider of retransmission and distributor of audiovisual works.

In accordance with the provision of Article 5 para. 2 of the Statute of the Audiovisual Fund, the Board of the Audiovisual Fund annually discloses a binding structure of the support activity. It includes programme 1 aimed at supporting the development, creation and production of cinematographic and audiovisual works focused also on the issue of minorities, including audiovisual works for children under the age of 12. Producers of audiovisual works can ask for the support of development and production of documentary audiovisual works whose content deals with the issue of minorities.

Priorities of the support activity in programme 1 for 2011 include e.g. the support of the development, creation and production of audiovisual works whose content deals with the issue of minorities and disadvantaged groups.

As for availability of children's programmes in national minority languages, it is ensured in view of Article 5 para. 2 of the Act No 270/1995 Coll. on the State Language of the Slovak Republic as amended, in view of which audiovisual works for minors under 12 broadcast in a foreign language has to be dubbed in the national language, except for the broadcasting of audiovisual works for minors under 12 in languages of minority languages which are broadcast as a part of minority TV broadcasting with dubbing in the national minority language or in the original – language of a national minority.

e) i:

Thanks to the Slovak legal system, Slovak authorities have long been providing favourable conditions for publishing and spreading minority periodical press. Act No 212/1997 Coll. on Compulsory Copies of Periodical Publications, Non-periodical Publications and Audiovisual Works, in its Article 2 para. 8 stipulates the following: "Publishing periodicals, non-periodicals and the production of audiovisual copies in a non-state language is not limited by observing this Act and the provisions of special regulations". It results from the above-stated that publishing periodicals in the language of national minorities or ethnic groups living in the territory of the Slovak Republic is not limited in any way in the Slovak Republic.

Publishing periodical and non-periodical press in the languages of national minorities and ethnic groups in the Slovak Republic is supported by state subsidies – by a subsidy programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

The Slovak Republic has a long-term and stable framework established for a permanent and regular support of newspapers published in minority languages. The grant system annually supports three periodicals in the Roma language (Mišusosori – Myš(u)lienka, Lulud'i, Romano nevo ľil – Roma new letter).

f) ii:

Under the grant programme of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities, individual national minorities are allocated purpose-bound funds for cultural activities and for the periodical and non-periodical press. This also meets the requirements for the fulfilment of the goal of the Charter and for ensuring its functionality, since the minorities and ethnic groups are given the possibility to develop and use their own language as the medium of their cultural heritage and preservation of their linguistic identity.

On 1 January 2009 Act No 516/2008 Coll. on the Audiovisual Fund and on amendments of some acts became effective, establishing the Audiovisual Fund as a public-service institution to support and help develop audiovisual culture and industry.

The basic activity of the Fund is the support of audiovisual culture and industry in the Slovak Republic, then it is a strategic and planning activity in audio-visual area and awarding co-production statutes in view of the European Convention on Cinematographic Co-production. The Fund provides finances for the creation, development, preparation and production of audio-visual works, as well as for their production and distribution.

The Fund started to provide finances on 1 January 2010. The support activity is made in the form of subsidies, loans or grants. The basic funding principle of the Fund is multi-source financing composed of a contribution from the state budget and contributions of business

entities - users of audio-visual contents or subjects which obtain economic benefit from the provision of services related to the use of audio-visual contents (economic benefit is achieved in a direct or indirect relation with the existence and usage of audio-visual works).

In accordance with the provision of Article 5 para. 2 of the Statute of the Audiovisual Fund, the Board of the Audiovisual Fund annually discloses a binding structure of the support activity. It includes programme 1 aimed at supporting the development, creation and production of cinematographic and audiovisual works also focused on the issue of minorities, including audiovisual works for children under the age of 12. Producers of audiovisual works can ask for the support of development and production of documentary audiovisual works whose content deals with the issue of minorities.

Priorities of the support activity in programme 1 for 2011 include e.g. the support of the development, creation and production of audiovisual works whose content deals with the issue of minorities and disadvantaged groups.

Paragraph 2:

TV and radio signal of numerous TV and radio stations (both public and private) from neighbouring countries may be received in the territory of the Slovak Republic. In addition to electronic media, many periodicals and non-periodicals are published with a financial contribution from the state in the Slovak Republic every year. There are no restrictions placed on access to foreign literature.

Paragraph 3:

The Council for Broadcasting and Retransmission (hereinafter referred to as the 'Council') is the supervisory body for broadcasting in the Slovak Republic. In line with Article 4 para. 1 of Act No 308/2000 Coll. on Broadcasting and Retransmission and on changes of Act No 195/2000 Coll. on Telecommunications as amended, its mission is to promote public interest when applying the right to information, freedom of expression and the right to access to cultural values and education, and to perform state regulation in broadcasting, retransmission and provision of audiovisual media services on request.

The Council has nine members selected and withdrawn by the National Council of the SR. Proposals for candidates for the Council members may be submitted to the Committee of the National Council of the SR by MPs, occupational institutions and civil associations active in the area of audiovision, mass information means, culture, science, education, sport, registered churches and religious communities as well as civil associations of disabled people through a Coordination Committee for the issues of disabled citizens of the Slovak Republic. Thus also a person belonging to a national minority may become a member of the Council.

Persons belonging to national minority may also become members of the Board of the Radio and Television which is a supervisory body in view of Act No 532/2010 Coll. on the Radio and Television of Slovakia and on amendments of some acts. Members of the Board are selected and withdrawn by the National Council of the SR, while candidate applications are submitted by corporate entities in line with a special provision (civil associations) active in the area of audiovision, media, culture, economy, law, economics, science, education, development and the protection of spiritual values, human rights and environment, health protection,

representing the interests of national minorities or ethnic groups, other minorities, or registered churches and religious communities.

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

### **Selected provisions:**

*1. With regard to cultural activities and cultural 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 cultural industry, 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 expressions and activities specific to the regional or minority languages and foster different means of access to works produced in these languages;*

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

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

*d) to ensure that organizations responsible for developing and supporting cultural activities of various kinds make appropriate allowance for incorporating the knowledge and use of the regional or minority languages and cultures in activities which they organize or support;*

*e) to promote measures to ensure that organizations responsible for developing and supporting cultural activities have at their disposal staff who have a full command of the regional or minority language concerned, as well as of the language(s) of the rest of the population;*

*f) to encourage direct participation by representatives of 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, filing and presenting or publishing works produced in the regional or minority languages.*

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

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

## **Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a)

The Slovak Republic promotes publishing of periodicals and non-periodical literature in the Roma language through the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

In the field of periodical literature, the grant system of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities is the vehicle to support culture pages and supplements to newspapers and magazines as well as periodicals in e-form covering the cultural life of the Roma national minority, then journals relating to literature, art sciences, art reviews and student - university journals and magazines for children. Allocation of the support for live culture, periodical and non-periodical press is decided by the Roma grant commission. Detailed information on periodicals in the Roma language is presented in Article 11 – Media.

The task of the grant scheme in the area of non-periodical literature of national minorities is to support the publishing activities and publications enhancing the identity of national minorities through original, fiction, technical, scientific literature and translations. The subsidy is also meant for publishing audio recordings of national-minority authors, where it should mainly be used to partially cover costs linked with the production of CD recordings. Three titles (1,550 copies) were published in the Roma language in 2010.

Archiving periodical and non-periodical press in national-minority languages is ensured by Act No. 212/1997 Coll. on the Compulsory Copies of Periodicals, Non-Periodicals and Audiovisual Copies, as amended.

Presentation and characteristic elements of the Roma language are also supported through the Romathan Theatre in Košice, an ethnic Roma theatre that operates in the competence of the Košice higher territorial unit. The Romathan Theatre was founded in 1991 as an ethnic musical theatre with four performing groups. Since its founding, despite many organisational, personnel and, above all, financial problems, the Romathan Theatre has become a professional and reputable theatre collective that very successfully represents the culture of the Roma living in Slovakia and abroad. Their activities are not limited to a particular region – they perform all over Slovakia. In his effort to promote and develop these activities, the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities supports theatre performances staged outside its home stage.

The Museum of the Culture of Roma in Slovakia in Martin as a part of the Slovak National Museum is under the foundation competence of the Ministry of Culture of the Slovak Republic. This centre with a nationwide reach was formed as part of the Slovak National Museum – Ethnographic Museum in Martin as a documentation centre of the Roma culture in Slovakia in 2002. After its transformation in 2004 it has become a documentation and scientific-research museum centre which, within its orientation, emphasizes acquisitions, methodological-expert and cultural-educational activities. It presents the Roma culture and provides information on its specific characteristics.

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of



Culture of the Slovak Republic. One of the Strategy's priority projects in the field of minority culture is the task to create, until 2011, a permanent exhibition of the Roma culture and to build several research, documentation and interpretation centres of the Roma culture by extending activities of the documentation centre of the Roma culture of the Slovak National Museum.

b):

Access to cultural forms made in regional or minority languages is provided in several forms. Mainly they are translations of works created in regional or minority languages into the Slovak language by means of the subsidy programme support of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities.

Support for presentations of culture produced in the regional or minority languages also takes the form of theatre plays in theatres and exhibitions presenting national minorities in majority museums and galleries. Minority theatres in Slovakia regularly receive scope for presentation within theatre festivals (Dotyky a spojenia/Touches and connections in Martin, Astorka festival, international festival Divadelná Nitra/Theatre Nitra, etc.) organized by some Slovak theatres, and non-Bratislava minority theatres host within the project of the Slovak National Theatre called "In the National Theatre - like at home" on the stage of the Slovak National Theatre in Bratislava.

c):

Access to works created in other than regional or minority languages is provided by aiding and developing translation activities. Through his grant scheme, the Deputy Prime Minister for Human Rights and National Minorities spends significant amounts of funds to the support of publishing and publication activities of the Roma national minority for publishing translations of literature into the Roma language. See para. 1 (a).

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The priority task of the Strategy in the field of minority cultures is to have written information (descriptions) on the exhibited collection items, other information on the exhibition or exposition in the English language in addition to the state language in museums and galleries established by public administration, and, in the case of specialised expositions, in the minority languages in addition to the state and English languages.

d):

In December 2006, the Government of the Slovak Republic approved a Development Strategy for Museums and Galleries in the Slovak Republic until 2011, drafted by the Ministry of Culture of the Slovak Republic. The concept includes the task to fully prepare and start installations of representing standing expositions presenting the history and culture of Slovakia, the Slovaks, national minorities and ethnic groups, by 2011.

The Slovak Republic continually pursues the inclusion of cultural activities of individual national minorities into the cultural life of the majority society through the Deputy Prime Minister for Human Rights and National Minorities. Through his grant scheme, the Deputy Prime Minister for Human Rights and National Minorities supports several cultural events with a large involvement of cultural ensembles of national minorities, with the aim of promoting projects presenting minority cultures to the majority, to foster multiculturalism, suppress racism, xenophobia and all expressions of discrimination (e.g. the Festival of Minority Cultures – Minority Cultural Summer).

The Deputy Prime Minister for Human Rights and National Minorities supports amateur ensembles presenting the Roma ethnic culture in Slovakia. The aim of the support is to develop the ethnic culture of the Roma and in this way to eliminate ethnic prejudice against national minorities and to create scope for cooperation with the majority society and other national minorities living in the Slovak Republic.

e):

All organisations fostering, developing and presenting the cultures of national minorities in the Slovak Republic, national minority museums run by the Ministry of Culture of the Slovak Republic and theatres run by individual self-governing regions are headed by persons belonging to the relevant national minority. All employees have, of course, command of the relevant minority language.

f):

The Deputy Prime Minister for Human Rights and National Minorities provides administrative support to the activities of thirteen grant commissions; each national minority has its own grant commission composed of persons belonging to the respective national minority. Their members include representatives of all regions and experts in all areas of culture. These commissions, being advisory bodies to the Deputy Prime Minister for Human Rights and National Minorities, give an expert evaluation of all applications for subsidies for the respective national minority, and propose the amount of the grant. They elect the chairman of the commission from among themselves. At the same time, grant commissions define the annual priorities for support to the culture of individual national minorities.

The Roma national minority has its own grant commission decides on the amount of financial contributions for individual projects on the basis of priorities and criteria set for the pertinent year by the commission.

g):

Through his grant schemes, the Deputy Prime Minister for Human Rights and National Minorities supports NGOs which have the task of collecting, archiving and publishing works in regional or minority languages. The most important is the Fórum inštitút pre výskum menšín (Forum Minority Research Institute) in Šamorín whose mission is the expert research of minorities living in Slovakia, documentation of their culture, written documents and other related records. The Forum Minority Research Institute has received and still receives annual financial support of tens of thousands of EUR from the state budget.

The Museum of Culture of the Roma as a part of the Slovak National Museum is also active in Slovakia. This workplace with a Slovak-wide operation started form as a Documentation Centre of the Roma Culture in Slovakia in 2002. After its transformation in 2004 it is a documentation and scientific-research museum workplace.

Paragraph 2:

Through his grant schemes, the Deputy Prime Minister for Human Rights and National Minorities fosters the culture of national minorities, regardless of the percentage share of the pertinent national minority in the region. When complying with all particulars, civil national minority associations and societies from regions which do not traditionally use regional or minority languages may still receive grants to foster their cultural activities.

There are no legal or other restrictions in the Slovak Republic which would impede the performance of cultural activities of the Roma national minority anywhere in the territory of the SR. On the contrary, Slovak authorities have traditionally supported the dissemination and presentation of minority cultural activities, including activities of the Roma minority also beyond areas where members of the minority live, be it by independent performances or within Slovak-wide cultural events at which members of the Roma minority present their cultural activities regularly a few times a year. (See para. 1 (b) and (d)).

Paragraph 3:

Although the Romathan Theatre is not under the foundation competences of the Government Office of the Slovak Republic, (it falls under the higher territorial unit of Košice), in an effort to support and develop the theatre's activities, the Deputy Prime Minister of the Slovak Republic supports its performances beyond its home stage. In addition, the Deputy Prime Minister of the Slovak Republic provides appropriate room for Roma groups to present their culture both at home and abroad, above all at folklore festivals in Slovakia and festivals and reviews in the Czech Republic.

The culture of all thirteen national minorities living in Slovakia is an integral part of the tangible and intangible cultural wealth of the Slovak Republic, and this is the stance Slovakia takes in respect of the presentation of these cultures both at home and abroad, be it in promotion materials for tourists, or by sending them for presentations abroad.

The inclusion of presentations of the traditional Roma folk culture in the performances of Slovak folk ensembles is also an important form of its presentation.

### **Article 13 – Economic and Social Life**

#### **Selected provisions:**

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

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

*b) to prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of the regional or minority languages, at least between users of the same language;*

*c) to oppose practices designed to discourage the use of the regional or minority languages in connection with economic or social activities.*

*2. With regard to economic and social activities, the Parties undertake, in so far as the public authorities are competent, within the territory in which the regional or minority languages are used, and as far as this is reasonably possible:*

*c) to ensure that social care facilities such as hospitals, retirement homes and hospices offer the possibility of receiving and treating in their own language persons using a regional or minority language who are in need of care on grounds of ill-health, old age or for other reasons.*

**Measures adopted to ensure the implementation of Charter provisions:**

Paragraph 1:

a)

Article 8 para. 2 of Act No. 270/1995 Coll. on the State Language as amended regulates the use of languages in the area of labour-legal relations in the following way: Written legal actions in labour relations or a similar labour relation are made in the state language; a copy with an equal content can be made in a different language in addition to the state language. This regulation is in line with Article 1 para. 2 of the State Language according to which the state language takes precedence over other languages used in the territory of the Slovak Republic, i.e. over languages of national minorities, too.

Article 8 para. 1 of Act No. 270/1995 Coll. on the State Language as amended regulates the use of languages also in other areas of the social and economic life in the following way: In the interest of consumer protection, the use of the state language shall be mandatory in the labelling of products, whether domestic or imported, in manuals for the use of products, particularly foodstuffs, medicinal products, consumption electronic and drugstore goods in warranty terms and conditions, as well as other information for the consumer in the range and in the conditions assigned by separate regulations.

Article 8 para. 3 of Act No. 270/1995 Coll. on the State Language as amended regulates other aspects of social and economic activities: Accounting, financial statements, technical documentation whose elaboration or submission is required for the purpose of proceedings in line with a special regulation shall be elaborated in the state language, as well as statutes of associations, societies, political parties, political movements and companies necessary for registration purposes; other language versions of the text in the state language of identical content may also be executed. Use of the state language in Slovak Technical standards is regulated by a special regulation.

Act No 184/1999 Coll. on the Use of Languages of National Minorities does not deal with these issues, as in line with Article 1 para. 4 of Act No 270/1995 Coll. on the State Language as amended, the Act on the Use of Languages of National Minorities has a *lex specialis* position exclusively in those areas where the Act on the State Language grants it.

There have been several changes in this area recently. The amendment of the Act on the State Language in 2009 brought some restrictions as well as advantages in this area. Before this amendment, the Act on the State Language did not regulate the use of languages of national minorities at all. It may be considered as an advantage that the current wording enables to make the stated documents also in the languages of national minorities along with a wording in the state language. However, the amendment of 2009 also introduced penalties for breaking the law, also for breaking the quoted provisions. In practice it meant that each corporate entity could be fined if he/she has made a work contract exclusively in a national minority language. Such regulation was not in harmony with Article 13 para. 1 (a) of the Charter, so the Act was

changed again by means of an amendment which became effective from 1 March 2011. This amendment limited the scope of provisions for the violation of which penalties may be imposed. In line with the new wording, corporate entities as well as natural persons–entrepreneurs may be imposed sanctions also in the case they do not state information related to life, health or safety threat or a threat to property of citizens of the Slovak Republic in the state language.

Act No 270/1995 Coll. on the State Language as amended also regulates the area of displaying any signs and notices intended to inform the public. Pursuant to Article 8 para. 6 of the State Language, all signs, advertisements and notices intended to inform the public, particularly in retail shops, sporting facilities, restaurants, in streets, by and above roads, at airports, bus stations and railway stations, as well as in public-transport vehicles, shall be presented in the state language. If they contain a text in other languages, the other language texts shall be presented after the text in the state language and shall, in terms of content, be identical with the state language text. The other language text shall be presented in the same or smaller font than the state language text. No sequence of texts is determined in signs and notices intended to inform the public in the language of national minorities and in the state language in municipalities where the language of this national minority is used in official communications in line with the Act on the Use of Languages of National Minorities, nor in advertisements.

The obligation stated in Article 8 para. 6 shall not apply to business name, trademark, name of the institution registered or enlisted in registers or lists in line with acts valid in the Slovak Republic or in a different EU Member state or in a contractual state of the Agreement on the European Economic Area and for the use of the name and surname which are a part of a sign, advertisement or notice intended to inform the public, and to some established expressions in a foreign language which are usually used with the trademark in advertising texts, they are known to the general public and form part of advertising.

The area of displaying signs is also regulated by the Act on the Use of Languages of National Minorities. Pursuant to Article 4 para. 2, the information related to life, health or safety threat or a threat to property of citizens of the Slovak Republic are stated in a minority in addition to the state language in municipalities where the minority language may be used in official communications.

The Government of the Slovak Republic has introduced a sanction mechanism in this area. In line with the amendment of the Act on the Use of Languages of National Minorities, a corporate entity or a natural person–entrepreneur commits an offence in the area of the use of minority languages if he/she does not display a sign or notice in a minority language, if it is a sign or notice containing information concerning threats to life, health, security or property of citizens of the Slovak Republic.

The area of contracts regulating contractual relations is also subject to Act No 270/1995 Coll. on the State Language as amended. The valid and efficient wording of the Act on the State Language regulates this area in its Article 8 para. 5 as follows: “In proceedings before the state administration authorities, territorial self-administration authorities, corporate entities established by them and corporate entities established by the operation of law concerning contracts regulating contractual relationships, also versions of contracts in other official language of the European Union, in addition to the state-language, shall be recognised. In the case of any ambiguities or disputes, the national language version of the contract shall prevail.” Such regulation ensures equality only to those languages which are official EU languages. It may be said that such regulation is beneficial for the Bulgarian, Czech, Hungarian, German and

Polish languages, but disadvantageous for the Croatian, Roma, Ruthenian and Ukrainian languages, as they are not official EU languages.

b):

These bans are not expressly laid down in the legal system of the Slovak Republic. Legal regulations deal with this area generally, either through a general discrimination ban regulated mainly by Act No 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act) and Act No 311/2001 Coll. the Labour Code.

The Labour Code explicitly provides in Article 1 Fundamental Principles that natural persons have the right to a free choice of employment, to fair and satisfying working conditions and to protection against unemployment. These rights belong to them without any sort of restriction, and without direct or indirect discrimination on the grounds of sex, marital and family status, race, colour of skin, language, and the like. This principle is applied in all provisions of the Labour Code. It must be applied in the same way to work rules and other internal standards, which must comply with legal provisions.

c):

Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection Against Discrimination, as amended (the Antidiscrimination Act), is applied in the Slovak Republic. The last amendment to the Antidiscrimination Act has expanded protection against discrimination. In respect of the Charter implementation, the provisions of Article 8a, legislating so-called specific positive action, is of importance.

The Committee of Experts considered this obligation fulfilled in the second Evaluation Report. Since the submission of the second regular report, the legal framework has not changed.

Paragraph 2:

c):

The 2009 amendment of the Act on the State Language also had an impact on the health care. Article 8 para. 4 stipulates the following: The administrative paperwork of healthcare facilities and facilities for social services shall be kept in the state language. The personnel of these facilities communicate with their patients or clients usually in the state language; if a patient or a client does not speak the state language, the communication may be in a language in which the patient or client can communicate. Patients or clients belonging to national minorities may use their mother tongue in communication with the personnel in municipalities where the minority language is used in official communications in line with a special regulation. Staff are not obliged to speak national minority languages.

Another amendment to the Act on the State Language, effective from 1 March 2011, has slightly changed the wording of the quoted regulation: The administrative paperwork of healthcare facilities and facilities for social services shall be kept in the state language. The personnel of these facilities communicate with their patients or clients usually in the state language; if it is a patient or a client whose mother tongue is not the state language, the communication may be in a language in which the patient or client can communicate. The personnel are not obliged to speak foreign languages or the languages of national minorities. Patients or clients belonging to national minorities may use their mother tongue in

communication with the personnel in municipalities where the minority language is used in official communications in line with a special regulation.

Act No 184/1999 Coll. on Use of Languages of National Minorities originally did not regulate this issue. In its Article 5 para 3, Act No 204/2011 Coll., amending Act No 184/1999 Coll. on the Use of Languages of National Minorities as amended by Act No 318/2009 Coll. amending some laws stipulates the following: "A citizen of the Slovak Republic who is a person belonging to a national minority may use the minority language in communication with personnel of healthcare institutions and social care institutions or institutions for social and legal protection of children and social probation in a municipality referred to in Article 2 para. 1. The healthcare institution or social care institution or institution for social and legal protection of children and social probation, as referred to in the preceding sentence, shall allow the use of the minority language under this Act and special laws insofar as the conditions prevailing at the institution so permit."

Such wording does not lay down any obligation to health-care or social-care institutions to ensure the possibility to use a national minority language, not even in language-mixed areas (e.g. to interpreters, translators). Such obligation could be related to a significant cost increase of these institutions, which might represent a threat to their existence. Employing persons speaking the relevant minority language, or language teaching of staff, could be appropriate solutions. The Act on the State Language, the Act on Use of the Languages of National Minorities or other legal regulations does not exclude such procedures.

#### **Article 14 – Cross-border Cooperation**

**Please state if there are bilateral or multilateral agreements with Hungary, Poland, Germany and the Czech Republic to support contacts among persons speaking the Roma language who live in these states?**

Currently the Slovak Republic has intergovernmental agreements concluded, or a framework agreement on cross-border cooperation with all neighbouring countries (Czech Republic, Austria, Hungary, Poland and Ukraine), which has created a legal framework for cross-border cooperation. The stated agreements or the framework agreement define subjects and basic areas of cross-border cooperation which can be extended by an agreement of the parties involved.

On 31 March 2009 the 10<sup>th</sup> session of the Intergovernmental Slovak-Hungarian Joint Committee for Cross-border Cooperation (hereinafter referred to as the 'Committee') was held in the town of Komárom (Hungary).

The third point of the meeting's agenda was *Experience from the integration of marginalized population groups, particularly of the Roma community, in the area of housing, education, unemployment, in view of population living in border areas, and cooperation possibilities*. The Committee pointed out that the highest number of handicapped regions is located along the border and expressed its support for cooperation in this area.

The Committee proposed the following to partner organizations of both countries, ministries in charge of social affairs, and equality of opportunities:

- To build a system of means strengthening the support of self-administrations in border areas which would help persons involved to cooperate more efficiently in the area of social integration, mainly in the issues of housing, education and employment. (organization of a thematic Roma forum among municipal self-administrations).

- To organize a series of cultural events so that the Roma and the non-Roma population, the Hungarian and Slovak Roma population get to know each other's culture.