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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**APPLICATION OF THE CHARTER IN SLOVENIA**

**3rd monitoring cycle**

- A. Report of the Committee of Experts on the Charter**
- B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Slovenia**

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making Recommendations for improvements in its legislation, policy and practices. The central element of this procedure is the Committee of Experts, established in accordance with Article 17 of the Charter. Its principal purpose is to examine the real situation of the regional or minority languages in the State, to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers has adopted, in accordance with Article 15.1, an outline for the periodical reports that a Party is required to submit to the Secretary General. The report shall be made public by the government concerned. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under its Part II and in more precise terms all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee's first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned.

The Committee's role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee gathers information from the respective authorities and from independent sources within the State, with a view to obtaining a just and fair overview of the real language situation. After a preliminary examination of a periodical report, the Committee submits, if necessary, a number of questions to the Party concerned on matters it considers unclear or insufficiently developed in the report itself. This written procedure is usually followed up by an "on-the-spot" visit of a delegation of the Committee to the respective State. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages, and consults the authorities on matters that have been brought to its attention.

Having concluded this process, the Committee of Experts adopts its own report. This report is submitted to the Committee of Ministers together with suggestions for recommendations that the latter may decide to address to the State Party.

## CONTENTS

<b>A.</b>	<b>Report of the Committee of Experts on the application of the Charter in Slovenia.....</b>	<b>4</b>
	Chapter 1 - Background information.....	4
	1.1. The Charter's ratification by Slovenia .....	4
	1.2. The work of the Committee of Experts.....	4
	1.3. Amendment to the instrument of ratification and new legislative measures .....	5
	1.4. General issues arising in the evaluation of the application of the Charter in Slovenia.....	5
	1.4.1. <i>Territorial scope of application of the Charter with regard to German and Croatian</i> .....	5
	1.4.2. <i>Traditional presence of Serbian and Bosnian</i> .....	6
	Chapter 2 - Conclusions of the Committee of Experts on how the Slovenian authorities reacted to the recommendations of the Committee of Ministers .....	7
	Chapter 3 - The Committee of Experts' evaluation in respect of Part II and Part III of the Charter .....	9
	3.1. Evaluation in respect of Part II of the Charter .....	9
	3.2. Evaluation in respect of Part III of the Charter .....	19
	3.2.1. <i>The Hungarian language</i> .....	19
	3.2.2. <i>The Italian language</i> .....	28
	Chapter 4 - Findings of the Committee of Experts in the third monitoring round.....	37
	Appendix I: Instrument of Ratification .....	39
	Appendix II: Comments by the Slovenian authorities .....	41
<b>B.</b>	<b>Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Slovenia.....</b>	<b>43</b>

## **A. Report of the Committee of Experts on the application of the Charter in Slovenia**

adopted by the Committee of Experts on 20 November 2009 and presented to the Committee of Ministers of the Council of Europe in accordance with Article 16 of the Charter

### **Chapter 1 Background information**

#### **1.1. The Charter's ratification by Slovenia**

1. Slovenia ratified the European Charter for Regional or Minority Languages (hereafter referred to as the Charter) on 4 October 2000. The Charter entered into force in Slovenia on 1 January 2001.
2. The instrument of ratification of Slovenia is set out in Appendix I of this report. Slovenia declared at the time of ratification that Hungarian and Italian were regional or minority languages, protected under Part III of the Charter. It also declared that Slovenia would apply the provisions of Article 7, paragraphs 1 to 4 *mutatis mutandis* to the Romani language, in accordance with Article 7, paragraph 5 of the Charter. On 26 April 2007, the National Assembly adopted the Act Amending the Act Ratifying the European Charter for Regional or Minority Languages, which was published in Uradni list Republike Slovenije – MP No. 7/2007 (Ur. l. RS No. 44/2007). This led to a new declaration attached to the instrument of ratification.
3. Article 15, paragraph 1 of the Charter requires States Parties to submit three-yearly reports in a form prescribed by the Committee of Ministers. The Slovenian authorities presented their third periodical report to the Secretary General of the Council of Europe on 2 June 2009. The report was made public by the authorities.

#### **1.2. The work of the Committee of Experts**

4. This evaluation report is based on the information obtained by the Committee of Experts from the third periodical report of Slovenia and through interviews held with representatives of regional or minority languages in Slovenia and the Slovenian authorities during the on-the-spot visit, which took place on 10-12 October 2009. The Committee of Experts received a number of statements from bodies and associations legally established in Slovenia, submitted pursuant to Article 16, paragraph 2 of the Charter.
5. In the present third evaluation report, the Committee of Experts will focus on the provisions and issues which were singled out in the second evaluation report as raising particular problems. It will evaluate in particular how the Slovenian authorities have reacted to the recommendations of the Committee of Experts and the Committee of Ministers. The Committee of Experts will also look at the new issues detected during the third monitoring cycle.
6. The report contains detailed recommendations that the Slovenian authorities are encouraged to take into account in order to develop their policy on regional or minority languages. The Committee of Experts has, on the basis of its detailed recommendations, also established a list of proposals for general recommendations to be addressed to Slovenia by the Committee of Ministers, as provided in Article 16.4 of the Charter.
7. The report is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Slovenia (October 2009).
8. The present report was adopted by the Committee of Experts on 20 November 2009.

### 1.3. Amendment to the instrument of ratification and new legislative measures

9. After consultation of the umbrella organisations of the national communities (Pomurje Hungarian Self-governing National Community and Coastal Italian Self-governing Community), Slovenia ratified two additional undertakings under the Charter: Article 8.1.b.i in respect of the Italian language and Article 8.1.b.ii in respect of the Hungarian language. The Committee of Experts welcomes this step, which overcomes the previous absence of options regarding primary education with respect to the Hungarian and Italian languages in the instrument of ratification deposited by Slovenia.

10. In the third monitoring cycle, the Slovenian authorities inform the Committee of Experts that new legislation has been adopted that regulates the protection and promotion of regional or minority languages in the “ethnically-mixed areas”. Such acts are for example the Consumer Protection Act (Ur. I. RS No. 20/1998, ..., 126/2007), the Civil Servants Act (Ur. I. RS Nos. 63/2007 and 65/2008), the Salary System in the Public Sector Act (Ur. I. RS No. 95/2007, ..., 80/2008) and the Act Designating Areas and Naming and Marking Settlements, Streets and Buildings (Ur. I. RS No. 25/2008).

### 1.4. General issues arising in the evaluation of the application of the Charter in Slovenia

#### 1.4.1. Territorial scope of application of the Charter with regard to German and Croatian

11. In the second monitoring cycle, the Committee of Ministers recommended the Slovenian authorities to **“define, in co-operation with the speakers, the areas where German and Croatian have been traditionally spoken in Slovenia and apply the provisions of Part II to German and Croatian.”**

12. The third periodical report states that the areas where German and Croatian have been traditionally spoken in Slovenia have not yet been officially identified. However, in response to the Committee of Ministers’ recommendation, the Slovenian authorities requested the Institute for Ethnic Studies in 2008 to carry out a study entitled “National/ethnic vitality of members of the Serbian, Croatian and German national communities in the area of their historical settlement”. This study, which will be finalised at the end of 2009, intends to “acquire objective indicators of ethnic vitality” of the national minorities in question. Furthermore, it has been conceived “with a view to abolishing protective ‘discrimination’ between different minorities in Slovenia” (i.e. those recognised in the Constitution as well as the German, Croatian and Serbian national minorities). The Committee of Experts welcomes the fact that initial steps have been taken to implement the Committee of Ministers’ recommendation.

13. However, there are no indications that all relevant associations representing the speakers of the languages concerned have so far been consulted in the framework of the field research of this study. During the on-the-spot visit, the Committee of Experts has asked representatives of relevant associations to specify the areas where, in their views, German and Croatian have been traditionally spoken in Slovenia and where the provisions of Part II could be applied.

14. During the on-the-spot visit and in statements submitted thereafter, two associations of the German-speakers<sup>1</sup> were of the view that, in the light of their territorial scope of activity and the census results, these areas were the municipalities of Apače, Celje, Muta, Limbuš, Radlje, Maribor, Ruše, Ptuj, Šentilj, Lenart and Svečina as well as the villages of Kočevske Poljane, Občice, Stare žage, Mali Rigelj, Hrib (Dolenjske Toplice municipality), Črmošnjice and Srednja vas (Semič municipality).

15. According to associations of the Croatian-speakers, the Croatian language has a traditional presence in Bela Krajina and Žumberak (Dolenjska region). Croatian-speakers are concentrated in and around the municipality of Metlika, notably in Radovica and Bojanja Vas. However, the periodical report does not contain any information as to whether these places, or other areas of Bela Krajina and Žumberak, are covered by the aforementioned study.

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<sup>1</sup> Društvo Kočevarjev staroselcev and Kulturno društvo nemško govorečih žena “Mostovi”

16. The Committee of Experts recalls that measures to define the areas where German and Croatian have been traditionally spoken in Slovenia should be taken in close co-operation and on the basis of transparent consultations with the speakers. It urges the Slovenian authorities to initiate this co-operation and to complete the definition of the areas where German and Croatian have been traditionally spoken.

***The Committee of Experts urges the Slovenian authorities to define, in co-operation with the speakers, the areas where German and Croatian have been traditionally spoken in Slovenia and apply the provisions of Part II to German and Croatian.***

#### 1.4.2. Traditional presence of Serbian and Bosnian

17. In the second monitoring cycle, the Committee of Ministers recommended the Slovenian authorities to “**clarify, in co-operation with the speakers, the issue of the traditional presence of the Bosnian and Serbian languages in Slovenia.**”

18. During the on-the-spot visit, the Committee of Experts visited the villages of Bojanci, Marindol, Miliči and Paunoviči in Bela Krajina (municipality of Črnomelj, Dolenjska region) and received evidence of the traditional presence of the Serbian language in these places since the 16<sup>th</sup> century. According to the census of 1991, about 300 Serbian-speakers lived there. Representatives of the Serbian-speakers stated that the four villages correspond to the area where the Serbian language has a traditional presence in Slovenia. The Slovenian authorities have confirmed this and explicitly included the four places in the scope of the study mentioned above.

19. In the light of the available information, the Committee of Experts observes that the Serbian language complies with the definition of a “regional or minority language” contained in Article 1.a of the Charter and that the villages of Bojanci, Marindol, Miliči and Paunoviči correspond to the “territory in which the regional or minority language is used” in accordance with Article 1.b. It follows from the above that, pursuant to Article 2.1 of the Charter, the provisions of Part II apply to the Serbian language in Bojanci, Marindol, Miliči and Paunoviči.

***The Committee of Experts encourages the Slovenian authorities to co-operate with the Serbian speakers in the implementation of the provisions of Part II of the Charter to the Serbian language.***

20. The Committee of Experts has not received any information from the Slovenian authorities as to whether Bosnian has a traditional presence in Slovenia as a regional or minority language. In particular, it has not been informed of the measures that have been taken on the basis of the findings of two earlier studies dealing *inter alia* with the status of Bosnian in Slovenia (“The situation and status of members of the former Yugoslav nations in the Republic of Slovenia” and “Perception of the Slovene Integration Policy”).

***The Committee of Experts urges the Slovenian authorities to clarify, in co-operation with the speakers, the issue of the traditional presence of the Bosnian language in Slovenia.***

## **Chapter 2      Conclusions of the Committee of Experts on how the Slovenian authorities reacted to the recommendations of the Committee of Ministers**

### **Recommendation No. 1:**

*“define, in co-operation with the speakers, the areas where German and Croatian have been traditionally spoken in Slovenia and apply the provisions of Part II to German and Croatian;”*

21. The Slovenian authorities have not identified the areas where German and Croatian have been traditionally spoken in Slovenia. Until now, they have commissioned a study on this issue which will be finalised by the end of 2009. However, the Committee of Experts has not received sufficient information from the authorities about the outline of this study and the measures that are envisaged on the basis of its findings. Furthermore, it seems that not all relevant associations representing the speakers of the languages concerned have been consulted in the framework of the drafting of this study.

22. There are no indications of a structured application of Part II of the Charter to German and Croatian, which remain largely absent from public life in Slovenia. No educational models for German and Croatian as regional or minority languages exist. Also, German and Croatian are not present in the broadcasting media and receive limited financial support from the Slovenian authorities.

### **Recommendation No. 2:**

*“clarify, in co-operation with the speakers, the issue of the traditional presence of the Bosnian and Serbian languages in Slovenia”*

23. The Slovenian authorities have confirmed that the Serbian language has a traditional presence in Bojanci, Marindol, Miliči and Paunoviči (Bela Krajina). Serbian therefore complies with the definition of a “regional or minority language” contained in Article 1.a of the Charter. Consequently, the provisions of Part II of the Charter apply to the Serbian language in the four places mentioned above.

24. However, the Committee of Experts has not received any information from the Slovenian authorities as to whether Bosnian has a traditional presence in Slovenia as a minority language.

### **Recommendation No. 3:**

*“continue efforts to implement the “Strategy for Education of Roma in the Republic of Slovenia” and harmonise the level of protection for all speakers of the Romani language”*

25. There have been encouraging developments with respect to the implementation of the “Strategy for Education of Roma in the Republic of Slovenia”. Initial steps have been taken to introduce Romani teaching at schools. Codification of two varieties of Romani is still in progress and should be pursued. Although at present there are no qualified Romani-speaking teachers, the authorities have supported projects for the training of Roma teaching assistants. Furthermore, they have taken commendable steps to oppose segregation of Romani-speaking pupils at schools.

26. However, the Committee of Experts lacks information about measures to harmonise the level of protection for all speakers of Romani.

**Recommendation No. 4:**

*“take proactive measures to reduce the gap between the legislative framework and practical implementation regarding the use of Hungarian and Italian in the provision of public services, in economic and social activities, as well as in relations with local branches of State administration”*

27. Progress has been made in relation to the use of Hungarian in courts. However, the situation remains problematic in the field of economic activities. There is a wide gap between the legislative framework and the actual practice of economic actors and a clear need for a more pro-active approach by the Slovenian authorities with a view to ensuring a more systematic enforcement of the applicable legislation.

**Recommendation No. 5:**

*“ensure that future changes to administrative divisions do not constitute an obstacle to the protection and promotion of the Italian language”*

28. Attempts persist to divide the present territory of the Municipality of Koper/Capodistria into several smaller municipalities, without supplying adequate guarantees of the present level of protection to the Italian language. During the on-the-spot visit, the Slovenian authorities confirmed that they were not supportive of the local initiatives to split Koper/Capodistria into smaller municipalities.

**Recommendation No. 6:**

*“provide, in the third periodical report, the detailed information the Committee of Experts has requested regarding the formal and practical implementation of Slovenia’s individual undertakings.”*

29. The Slovenian authorities have, in the third periodical report, replied to most requests for further information by the Committee of Experts. However, the information provided with respect to the Part II and Part III undertakings generally concerns the legal framework and does not provide sufficient information about the practical implementation of individual undertakings.



## Chapter 3 The Committee of Experts' evaluation in respect of Part II and Part III of the Charter

### 3.1 Evaluation in respect of Part II of the Charter

30. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in its second evaluation report and for which it did not receive any new elements requiring a revised assessment. Under Part II, this concerns Article 7 paragraph 1.g (see paragraph 64-66 of the first evaluation report) and paragraph 2 (see paragraph 75 of the first evaluation report).

31. Part II of the Charter applies to the Hungarian and Italian languages (which are also covered by Part III), as well as to the German, Croatian and Serbian languages. Furthermore, the provisions of Part II apply, in accordance with the instrument of ratification deposited by Slovenia, *mutatis mutandis* to the Romani language. Considering that the third periodical report does not contain sufficient information with respect to the Serbian language, the Committee of Experts will deal with Serbian in the next evaluation report.

#### Article 7

##### Paragraph 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;*

#### German

32. In the second evaluation report, the Committee of Experts reiterated that the present provision puts an obligation on the Slovenian authorities to recognise German as an expression of cultural wealth in their domestic legal order.

33. According to the third periodical report, the situation has not changed. Slovenia's domestic legislation makes no provision to recognise German as a regional or minority language and as an expression of cultural wealth, which hampers the implementation of other Part II provisions. The only legal text which makes reference to the German language remains the 2001 Agreement between Austria and Slovenia on Co-operation in the Fields of Culture, Education and Science.

#### Croatian

34. In the second evaluation report, the Committee of Experts stated that Croatian was not considered as a regional or minority language by the Slovenian authorities, but as a migrant language. There had been no concrete measures to recognise Croatian as a regional or minority language and as an expression of Slovenia's cultural wealth.

35. According to the third periodical report, the situation has not changed. Slovenia's domestic legislation makes no provision to recognise Croatian as a regional or minority language and as an expression of cultural wealth, which has important repercussions for the implementation of other Part II provisions. Croatian is considered by the Slovenian authorities as a language of citizens of the former Yugoslav Republics or as an "immigrant language".

36. The Committee of Experts reiterates that the present provision puts an obligation on the Slovenian authorities to recognise, in their domestic legal order, German and Croatian as regional or minority languages and as an expression of cultural wealth. While focusing only on the said languages and not on the minorities, the Committee of Experts is aware that, in the Slovenian legal and political context, the recognition of the languages is interlinked with the pending recognition of the German and Croatian minorities under Article 64 of the Constitution, which deals with traditional national minorities. During the on-the-spot visit, all associations representing the speakers of German and Croatian expressed their deep

dissatisfaction with the fact that the lack of recognition hampers a structured application of Part II of the Charter to both languages, notably regarding education, media, culture, stable funding and consultation mechanisms. For example, pre-school education in regional or minority languages is at present only available to recognised national minorities.

37. The Committee of Experts notes nonetheless that the Slovenian authorities have commissioned a study<sup>2</sup> (cf. 1.4.1) “with a view to abolishing protective ‘discrimination’ between different minorities in Slovenia”. It therefore hopes that such steps will contribute to the implementation of the present provision.

***The Committee of Experts encourages the Slovenian authorities to recognise, in their domestic legal order, the German and Croatian languages as an expression of cultural wealth.***

*b the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of the regional or minority language in question;*

### **Italian**

38. In the second evaluation report, the Committee of Experts “encourage[d] the Slovenian authorities to continue their dialogue with Italian-speakers and the local authorities” on the issue of a progressive extension of the scope of the protection currently afforded to the Italian language in the “ethnically-mixed area” to other areas of the three municipalities concerned where there is a stable presence of Italian-speakers. With regard to plans to split the three Italian-speaking municipalities into smaller entities, the Committee of Experts trusted “that the authorities [would] take full account of the views and concerns of the Italian-speakers and refrain from taking measures relating to administrative divisions which would constitute an obstacle to the promotion of the Italian language.” Furthermore, the Committee of Ministers recommended to Slovenia to “**ensure that future changes to administrative divisions do not constitute an obstacle to the protection and promotion of the Italian language.**”

39. According to the information that the Committee of Experts received during the on-the-spot visit, no consultations have been carried out between the Slovenian authorities and representatives of the Italian-speakers on the extension of the bilingual regime currently applied in most parts of Koper/Capodistria, Piran/Pirano and Izola/Isola to the entire territory of these municipalities. Representatives of the Italian-speakers expressed the view that the areas in Slovenia where the Italian language has a traditional presence correspond to the entire territory of the three municipalities. Furthermore, they stated that, in those municipal territories where the bilingual regime does not apply at present, a sufficient number of speakers of Italian (11.2% of the entire linguistic group) are present for the purposes of the Charter. Pursuant to the London Memorandum of 1954, the borders of the “ethnically-mixed area” were defined at the time on the basis of a 25%-threshold. As a consequence, adjacent areas (which nowadays belong to the three municipalities) were excluded from the bilingual regime. Slovenia does not apply the provisions of the Charter in these areas. The Committee of Experts observes that the exclusion of Italian-speaking areas on the territory of the three aforementioned municipalities causes problems for the Italian-speakers. Therefore, it encourages the Slovenian authorities to adopt a more flexible approach regarding the implementation of the undertakings entered into by Slovenia under the Charter on the entire territory of Koper/Capodistria, Piran/Pirano and Izola/Isola.

40. With regard to plans to split the three Italian-speaking municipalities into smaller entities, the Committee of Experts has been informed by representatives of the Italian-speakers that attempts persist to divide the present territory of the Municipality of Koper/Capodistria into several smaller municipalities, without guaranteeing the present level of protection of the Italian language. During the on-the-spot visit, the Slovenian authorities confirmed that they were not supportive of the local initiatives to split Koper/Capodistria into smaller municipalities.

41. The Committee of Experts urges the Slovenian authorities to start a dialogue with the Italian-speakers and the local authorities on the issue of a progressive extension of the scope of the protection

<sup>2</sup> “National/ethnic vitality of members of the Serbian, Croatian and German national communities in the area of their historical settlement”

currently afforded to the Italian language in the “ethnically-mixed area” to other areas of the three municipalities concerned where there is a stable presence of Italian-speakers. In addition, the Committee of Experts urges the Slovenian authorities to take full account of the views and concerns of the Italian-speakers and refrain from taking measures relating to administrative divisions which would constitute an obstacle to the promotion of the Italian language.

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

42. Resolute action to promote regional or minority languages in order to safeguard them covers several aspects. These include the creation of a legal framework for the promotion of regional or minority languages, the establishment of bodies which are responsible for the promotion of these languages, and provision of adequate financial resources.

**German**

43. In the second evaluation report, the Committee of Experts noted that the limited promotion of German by the Slovenian authorities, which in essence was confined to the terms of the bilateral agreement with Austria, was insufficient to safeguard and to promote this language. In the absence of any developments in this regard, the Committee of Experts “encourage[d] the Slovenian authorities to take resolute action to promote the German language in the areas where it has been traditionally spoken.”

44. According to the third periodical report, the Slovenian authorities granted € 12,000 in 2008 and € 5,500 in 2007 to co-finance projects promoting German (publications, language courses, children’s theatre, exhibition). On the basis of the agreement with Austria, a new programme took effect in 2008. It is, however, unclear to what extent it will provide adequate financial support. The associations representing the German-speakers stated during the on-the-spot visit that the amounts granted are too small to finance their projects to promote German and cover the running costs of the two existing cultural centres. In particular, the funding system, which is based on the co-financing of projects, does not create any stability in planning. The Committee of Experts considers that the support remains limited and insufficient to safeguard and to promote this language.

**Croatian**

45. In the second evaluation report, the Committee of Experts noted that the promotion of Croatian had been “very limited”. It “encourage[d] the Slovenian authorities to take resolute action to promote the Croatian language in the areas where it has been traditionally spoken.”

46. According to the third periodical report, a limited number of cultural projects have been assisted by the Slovenian authorities. The Committee of Experts underlines that there is a need for decided measures to safeguard and to promote the Croatian language in particular in the traditional settlement area.

***The Committee of Experts urges the Slovenian authorities to take resolute action to promote the German and Croatian languages, in co-operation with the speakers.***

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

**German**

47. In the second evaluation report, the Committee of Experts noted that German as a regional or minority language remained largely absent from public life in Slovenia, and the facilitation and/or encouragement of the use of German by the Slovenian authorities was limited to the cultural sphere. Also, there was no information indicating the presence of German in the broadcasting media in Slovenia. The Committee of Experts therefore “encourage[d] the Slovenian authorities to take measures to facilitate and/or encourage the use of [German] in public life, in particular in the broadcasting media.”

48. In the third monitoring cycle, the situation has not changed. German as a regional or minority language remains largely absent from public life in Slovenia, and the facilitation and/or encouragement of

the use of German by the Slovenian authorities is limited to the cultural sphere. Also, the Public Broadcasting Law makes no provision for German, which is not present in the broadcasting media in Slovenia. The associations representing the German-speakers consider that a certain presence of German on local radio (e.g. 20 minutes per week) and local television (e.g. 10 minutes per week) broadcast in Maribor and Novo mesto would help raise awareness of the German language.

### **Croatian**

49. In the second evaluation report, the Committee of Experts noted that Croatian as a regional or minority language remained largely absent from public life in Slovenia, and the facilitation and/or encouragement of the use of Croatian by the Slovenian authorities was limited to the cultural sphere. Also, Croatian was not present in the broadcasting media in Slovenia. The Committee of Experts therefore “encourage[d] the Slovenian authorities to take measures to facilitate and/or encourage the use of [Croatian] in public life, in particular in the broadcasting media.”

50. In the third monitoring cycle, the situation has not changed. Croatian as a regional or minority language remains largely absent from public life in Slovenia, and the facilitation and/or encouragement of the use of Croatian by the Slovenian authorities is limited to a few cultural activities in areas other than those where the Croatian language has traditionally been present. Also, the Public Broadcasting Law makes no provision for Croatian, which is not present in the broadcasting media in Slovenia.

51. The Committee of Experts urges the Slovenian authorities to take measures to facilitate and/or encourage the use of German and Croatian in public life, in particular in the broadcasting media.

- e *the maintenance and development of links, in the fields covered by this Charter, between groups using a regional or minority language and other groups in the State employing a language used in identical or similar form, as well as the establishment of cultural relations with other groups in the State using different languages;*

52. In the second evaluation report, the Committee of Experts “encourage[d] the Slovenian authorities to take active measures” to maintain and develop links, in the fields covered by this Charter, between the various groups of German-speakers present in different areas in Slovenia and to establish cultural relations with other groups in Slovenia using different languages.

53. The Slovenian authorities have not reacted to the recommendation of the Committee of Experts. In the light of the information obtained by the Committee of Experts during the on-the-spot visit, it appears that the regional or minority language speakers have themselves developed links within their linguistic groups. As far as contacts between different linguistic groups are concerned, they exist to some extent between the speakers of Italian and Hungarian. There are no regular contacts between all the linguistic groups (Italian, Hungarian, German, Croatian and Romani).

54. The Committee of Experts urges the Slovenian authorities to maintain and develop links, in the fields covered by this Charter, within all the linguistic groups concerned, as well as to establish cultural relations between them.

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

55. The Committee of Experts stresses that the present provision requires the authorities to provide *appropriate forms* and means for the teaching and study of regional or minority languages at all appropriate stages. This implies *inter alia* the development of an educational model which takes the traditional character of the given language into account, for example by covering the local culture which is reflected by the language. Furthermore, such a model needs to be provided pro-actively by the authorities who should inform parents and/or pupils about its availability and encourage them to apply for it.

56. According to the third periodical report, the Elementary School Act (Article 8) provides possibilities for the teaching of the mother tongue and related culture for all Slovenian citizens whose mother tongue is not Slovenian. However, the Committee of Experts has not received sufficient information about how such

teaching is organised and what it covers. It is therefore not clear whether the Elementary School Act could be of relevance for the teaching of German and Croatian as regional or minority languages. The Committee of Experts would welcome further information on this issue in the next periodical report.

### **German**

57. In the second evaluation report, the Committee of Experts “encourage[d] the Slovenian authorities to develop an educational model for German as a regional or minority language in co-operation with the speakers, and to provide for teaching in or of German at all appropriate levels, including pre-schools, in the areas where it has a traditional presence.”

58. In the third monitoring cycle, no model has been developed to teach German as a regional or minority language in the Slovenian education system. In the area of Maribor and Apače, German is taught, as of the 4<sup>th</sup> grade, as an optional subject or as a second foreign language at primary and secondary levels. In those parts of the Kočevska area where German-speakers live, no teaching of German is provided in public schools. Rather, the local association of the German-speakers organises language courses once every two weeks. During the on-the-spot visit, the associations of the German-speakers proposed the provision of bilingual pre-school education in Maribor and Apače as well as in Kočevske Poljane or Občice. Regarding the latter places, it was suggested to use the Gottscheer variety of German in addition to standard German and Slovenian. Furthermore, they proposed to introduce teaching of German as the first foreign language at the two primary schools of Dolenjske Toplice and Semič (Kočevska).

59. The Committee of Experts repeats its observation of the previous monitoring cycle that the implementation of this provision requires more decided measures from the Slovenian authorities. There is a need to develop the teaching in and of German as a regional or minority language, in particular in the municipalities of Dolenjske Toplice and Semič, as part of the school framework, including provision for pre-school education in German.

***The Committee of Experts urges the Slovenian authorities to take concrete measures, in co-operation with the speakers, for providing appropriate forms of teaching German as a minority language.***

### **Croatian**

60. In the second evaluation report, the Committee of Experts noted that the Slovenian authorities provided classrooms to an association of Croatian-speakers which organised Croatian courses (1.5 hours per week) in primary schools in five cities, outside the normal curriculum. While the Committee of Experts encouraged the Slovenian authorities to continue and to develop such co-operation, it nevertheless considered that more pro-active measures were needed to provide for the teaching in or of Croatian as a regional or minority language at all levels, including the pre-school level, in particular in the areas where it had been traditionally spoken. Also, the Committee of Experts requested more information regarding the content of the “remedial classes” for Croatian-speaking children and the number of hours devoted to Croatian-teaching.

61. According to the third periodical report, the Croatian language (including Croatian culture and civilisation) is an optional subject which is taught two hours per week in primary school. However, pupils can opt for this subject only in the 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> grades. In the 2008/09 school year, 70 pupils in eight primary schools attended Croatian as an optional subject. Croatian is not used at pre-school level. It appears from the information obtained by the Committee of Experts during the on-the-spot visit that the teaching of Croatian takes place only outside the areas where it has been traditionally spoken. Associations of the Croatian-speakers proposed the provision of the teaching of the Croatian language and culture as an optional subject at primary and secondary levels in Bela Krajina. The Committee of Experts considers that the amount of time devoted to the existing Croatian-classes (two hours per week) is too limited to ensure the transmission of Croatian as a living language. In addition, the teaching of Croatian is made available too late (as of the 7<sup>th</sup> grade), which excludes pre-school and most parts of primary education.

62. The Committee of Experts considers that more pro-active measures are needed to provide for the teaching in or of Croatian as a regional or minority language at all levels, including the pre-school level, in the areas where it has been traditionally spoken.

***The Committee of Experts urges the Slovenian authorities to take concrete measures, in co-operation with the speakers, for providing appropriate forms of teaching Croatian as a minority language.***

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

63. In the second evaluation report, the Committee of Experts requested information as to whether any research is being conducted on German and Croatian.

64. The third periodical report does not provide the requested information. From the information gained during the on-the-spot visit, it appears that no research is being conducted on German (including its Gottscheer variety) or Croatian.

65. The Committee of Experts encourages the Slovenian authorities to promote research on German and Croatian at universities or equivalent institutions.

*i*        ***the promotion of appropriate types of transnational exchanges, in the fields covered by this Charter, for regional or minority languages used in identical or similar form in two or more States.***

66. In the second evaluation report, the Committee of Experts requested information about what concrete steps the Slovenian authorities had taken to promote transnational exchanges, in the fields covered by the Charter, for German and Croatian.

67. With regard to German, the third periodical report makes general reference to two working programmes on co-operation on culture, education and science, which execute the bilateral agreement between Slovenia and Austria. However, no concrete examples have been provided of how these programmes promote transnational exchanges in the fields covered by the Charter (e.g. education, media, culture), for the German language.

68. With regard to Croatian, the third periodical report makes general reference to the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia on Cooperation in the Fields of Culture and Education of 1994 and interministerial programmes concluded on its basis. However, no concrete examples have been provided of how these programmes promote transnational exchanges in the fields covered by the Charter (e.g. education, media, culture), for the Croatian language in the area where it has a traditional presence. Associations of the Croatian-speakers informed the Committee of Experts during the on-the-spot visit that no transnational exchanges in the fields covered by the Charter have been promoted for Croatian during the third monitoring cycle.

69. In the absence of concrete examples of practical implementation, the Committee of Experts urges the Slovenian authorities to promote appropriate types of transnational exchanges in the fields covered by the Charter, for the German and Croatian languages.

### **Paragraph 3**

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

70. The Committee of Experts recalls that the extent to which a regional or minority language is protected or promoted is, in many respects, a reflection of the majority language speakers' approach and perception and that awareness-raising within the majority is therefore of the utmost importance. As this

provision indicates, education and the media are especially relevant in this respect. The Committee of Experts also underlines that the purpose of the present obligation is not just knowledge of the existence of regional or minority languages in one's country but also understanding and tolerance in relation to these languages and their speakers. During the on-the-spot visit, representatives of all regional or minority language speakers pointed out that this remains a problem.

#### **Specific issues concerning Italian**

71. The Committee of Experts was informed by representatives of the Italian-speakers that Italian-speakers are still subject to some residual prejudice and stereotyping linked to the period of fascism in Italy. In their view, expression of intolerance has also contributed to the fact that fewer persons declared themselves as members of the Italian minority in the census of 2002. The Committee of Experts encourages the Slovenian authorities to make every effort to solve the problem of negative attitudes towards the Italian-speakers.

#### **Specific issues concerning German**

72. In the second evaluation report, the Committee of Experts expressed "special concern" with regard to attitudes towards German as a regional or minority language (stigmatisation of German-speakers, expressions of negative attitudes towards activities of their associations in the mass media, derogatory statements by local officials, local acts of intolerance). The Committee of Experts was of the view that "further efforts [were] needed from the Slovenian authorities to fully protect and promote German as a regional or minority language and as an expression of Slovenia's cultural wealth, and to take an active stand against expressions of intolerance."

73. The third periodical report does not comment on this. According to the associations representing the German-speakers, the situation has not improved. German-speakers usually do not use their language in public for fear of stigmatisation. The Committee of Experts refers in this context to the findings of the European Commission against Racism and Intolerance according to which German-speakers are facing prejudice and negative attitudes, notably linked to the Second World War, and some manifestations of intolerance.<sup>3</sup> The Committee of Experts encourages the Slovenian authorities to take an active stand against expressions of intolerance towards the German-speakers.

#### **All regional or minority languages**

74. In the second evaluation report, the Committee of Experts requested further information about the implementation of this undertaking. In particular, it "urge[d] the Slovenian authorities to provide information on the implementation of this provision with respect to all of Slovenia's regional or minority languages, and in particular on the following points:

- provision made in teaching materials, such as history books, used in the education system for majority language-speaking pupils throughout the country;
- how awareness of regional or minority languages is raised as a component and as an expected result of mainstream teacher training;
- measures taken to promote the majority population's awareness of regional or minority languages in the media and to discourage practices contrary to the objectives of this provision."

75. According to the third periodical report, the objectives of Slovenia's education system encompass tolerance, respect for diversity, human rights and other cultures as well as the development of "awareness of the status of the Slovene language as the language of the Republic of Slovenia". However, it is not clear from the information contained in that report how exactly awareness is being raised in relevant subjects regarding the Hungarian, Italian, German, Croatian and Romani languages and their traditional presence. While textbooks, according to the periodical report, cover topics such as cultural heritage or local history, no specific provision is made for regional or minority languages. Furthermore, in-service teacher training is organised annually on intercultural dialogue, but regional or minority languages are not considered. Against this background, the Committee of Experts notes with appreciation that the Ministry of Education and Sport has commissioned a research project on the inclusion of regional or minority languages in the curriculum, teaching materials and teacher training programmes. It is, however, unclear

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<sup>3</sup> Third report on Slovenia, p. 23

whether all regional or minority languages are covered by this project. Also, it was confirmed by representatives of the regional or minority language speakers that no consultations about this project have taken place so far.

76. Representatives of several regional or minority languages stated during the on-the-spot visit that no initiatives to raise the awareness of the general public in the mass media have been taken. The Committee of Experts considers that the media should be encouraged, without prejudice to their independence, to pay more attention to these languages and cultures. In addition, awareness of regional or minority languages should be raised as a component and as an expected result of mainstream journalist training.

77. The Committee of Experts urges the Slovenian authorities to raise the awareness of the general public in mainstream education, notably in curricula, teaching materials and teacher training, as well as in the mass media regarding the traditional presence of the Hungarian, Italian, German, Croatian and Romani languages.

#### **Paragraph 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.*

78. The Committee of Experts has been informed by representatives of the regional or minority language speakers during the on-the-spot visit that their associations were not consulted with regard to the implementation of the recommendations of the Committee of Experts and the Committee of Ministers contained in the second evaluation report. Furthermore, it follows from information contained in the third periodical report that no comprehensive consultations have taken place in the framework of the drafting of that report. This concerned also bodies representing Part III languages. The Committee of Experts notes with concern that there is practically no dialogue between the authorities and the associations representing the regional or minority language speakers about the application of the Charter.<sup>4</sup> However, such a dialogue is indispensable for a state in determining its policy with regard to regional or minority languages.

79. In the second evaluation report, the Committee of Experts “encourage[d] the Slovenian authorities to set up mechanisms with a view to consulting the relevant organisations representing [the German and Croatian languages] when establishing a structured policy for the maintenance and promotion of these languages.”

80. No mechanisms for the consultation of the speakers of German and Croatian have been set up.

81. The Committee of Experts urges the Slovenian authorities to set up mechanisms with a view to consulting the relevant organisations representing the German and Croatian languages when establishing a structured policy for the maintenance and promotion of these languages.

82. Similar problems also exist regarding the Part III languages. A specific issue will be dealt with under Article 11.3.

#### **Paragraph 5**

*The Parties undertake to apply, mutatis mutandis, the principles listed in paragraphs 1 to 4 above to non-territorial languages. However, as far as these languages are concerned, the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned.*

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<sup>4</sup> Cf. the similar findings of the Advisory Committee on the Framework Convention for the Protection of National Minorities, Second Opinion on Slovenia, p. 4



## Romani

83. In the second evaluation report, the Committee of Experts “encourage[d] the Slovenian authorities: - to ensure the full implementation of the “Strategy for Education of Roma in the Republic of Slovenia”; - to pursue and support the work on the codification of Romani; - to improve the presence of the Romani language in the media; - to promote awareness and acceptance of the Romani language and culture as an integral part of Slovenia’s cultural wealth, to include this promotion among the objectives of national education, and to encourage the mass media to pursue the same objective; - to harmonise the level of provision for Romani for all speakers of this language.”

84. Furthermore, the Committee of Ministers recommended Slovenia to **“continue efforts to implement the “Strategy for Education of Roma in the Republic of Slovenia” and harmonise the level of protection for all speakers of the Romani language.”**

### *Implementation of the “Strategy for Education of Roma in the Republic of Slovenia” of 2004*

85. According to the third periodical report, the Slovenian authorities adopt annual action plans for the implementation of the “Strategy for Education of Roma in the Republic of Slovenia”. Furthermore, they co-finance a project of the European Social Fund which supports the work of Roma assistants and projects for learning about the culture and getting acquainted with Romani. During the reporting period, Romani has been introduced in several pre-schools where Romani is used alongside Slovenian. In total, Roma pre-school children are integrated in regular classes in 20 municipalities. As regards primary schools, 1,797 Roma children were enrolled in such schools in the 2007/2008 school year. In accordance with a new curriculum, Romani is taught in the framework of the optional subject “Roma culture” in primary school. A textbook on Roma culture was introduced. Furthermore, associations working with Roma have developed further materials and teaching aids for teaching Romani language and culture, for example in Novo mesto. Romani is also taught through school projects and language courses at summer schools. However, there is no information about the training of Romani teachers.

86. The Committee of Experts commends the Slovenian authorities for the considerable progress that has been made. It encourages the Slovenian authorities to pursue their efforts to make the teaching of Romani more generally available and to develop a scheme for the training of teachers who would be able to teach Romani.

### *Codification of Romani*

87. According to the third periodical report, the Slovenian authorities have co-financed a research project entitled “Standardization of the Romani Language in Slovenia and the Inclusion of Roma Culture in Education”. The Committee of Experts observes that the lack of codification is one of the main reasons for the limited presence of Romani teaching in schools and urges the Slovenian authorities to pursue further the codification of the varieties of Romani present in Slovenia.

### *Presence of Romani in the media*

88. The amended Public Broadcasting Law now also makes provision for Romani, which has improved its presence in the broadcasting media in Slovenia. According to the third periodical report, a weekly Roma show “Naše poti – Amare drama” has been broadcast by the national radio station since 2007 and a fortnightly 15-minute show prepared by Roma authors has been broadcast on the national television since 2008. The Committee of Experts welcomes these steps.

### *Awareness-raising in education and the mass media*

89. According to the third periodical report, the Roma information centre (ROMIC) was assigned a local radio frequency for the wider Murska Sobota area. The radio station educates and informs Roma as well as the non-Roma population, and its mission is to preserve the identity, culture and especially the Romani language. While this measure can contribute to improving the portrayal of the Roma in the mass media, the Committee of Experts notes that such steps should be taken on a wider scale. At present, the Roma continue to suffer from severe prejudices, stigmatisation and attempts at exclusion.<sup>5</sup> The

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<sup>5</sup> Third report on Slovenia, p. 35

Committee of Experts would like to reiterate the urgent need for resolute action to promote awareness and acceptance of the Roma language and culture as an integral part of Slovenia's cultural wealth. This should include measures to promote a more positive image of the Roma in the media and in the national curriculum. Activities have been initiated to combat intolerance and prejudices in the context of the Council of Europe's "Dosta" campaign.

*Harmonisation of the level of provision for Romani for all speakers of this language*

90. The third periodical report does not provide any information as to whether the Slovenian authorities have harmonised the level of protection of all Romani-speakers.

*General development*

91. In 2007, the Roma Community Act was adopted. It regulates the status of the Roma minority in Slovenia and stipulates that Slovenia shall create the conditions to preserve and develop Romani, as well as the cultural, information and publishing activities of the Roma community. Further to the adoption of the Roma Community Act, the Roma Community Council of the Republic of Slovenia was founded to represent the interests of the Roma in relations with state authorities. It has the right to submit proposals, initiatives and opinions on matters within its competence to the National Assembly, the National Council, the Government, other state authorities, bearers of public authority and local authorities. When adopting or issuing regulations and other general acts relating to the Roma community, these authorities must obtain the prior opinion of the Council.

92. The cultural development of the Roma minority remains a cultural priority for the Slovenian authorities who have included this topic in the National Programme for Culture 2008–2011. In addition, publications of the Union of Roma and literary works by Roma authors were co-financed during the period under review.

***The Committee of Experts urges the Slovenian authorities:***

- to ensure the full implementation of the "Strategy for Education of Roma in the Republic of Slovenia" of 2004;***
- to promote awareness and acceptance of the Romani language and culture as an integral part of Slovenia's cultural wealth, to include this promotion among the objectives of national education, and to encourage the mass media to pursue the same objective.***

### 3.2. Evaluation in respect of Part III of the Charter

93. Slovenia applies the provisions it has chosen under Part III of the Charter (quoted in bold italics) to Hungarian and Italian.

94. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in the previous evaluation reports and for which it did not receive any new elements requiring a revised assessment or a different presentation of their implementation. These provisions are listed below:

In the case of Hungarian:

- Article 8, paragraph 1.a; c; d; e.i; f; g; paragraph 2,
- Article 9, paragraph 2.a;
- Article 10, paragraph 1.b; 2.c; e; g; paragraph 5;
- Article 11, paragraph 1.e.i; paragraph 2;
- Article 12, paragraph 1.a; d ; e; f; 3
- Article 13, paragraph 1.a; paragraph 2.c;
- Article 14.a.

In the case of Italian:

- Article 8, paragraph 1.a; c; d; f; g; h; paragraph 2,
- Article 9, paragraph 1.a; b; c; d; paragraph 2.a;
- Article 10, paragraph 2.a; b; c; d; e; paragraph 5;
- Article 11, paragraph 1.e.i; paragraph 2;
- Article 12, paragraph 1.a; d; e; f; 3
- Article 13, paragraph 1.a;
- Article 14.a; b.

95. For these provisions, the Committee of Experts refers to the conclusions reached in its first report but reserves the right to evaluate the situation again at a later stage.

#### 3.2.1. The Hungarian language

### Article 8 – Education

#### Paragraph 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:*

...

***b***

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

96. The Republic of Slovenia declared in 2007 that it accepted also the present undertaking in respect of the Hungarian language.

97. The third periodical report states that, pursuant to the 2006 Elementary School Act, education in primary schools is carried out bilingually (Slovenian and Hungarian) in the “ethnically-mixed area”. A total of 997 pupils are enrolled in 73 such bilingual primary school classes. Most textbooks are bilingual as well.

98. The Committee of Experts considers this undertaking fulfilled.

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

99. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it encouraged the Slovenian authorities to find a rapid solution to the problem of a possible temporary shortage of Hungarian teachers due to a significant number of retirements.

100. The third periodical report does not comment on this issue.

101. The Committee of Experts considers this undertaking fulfilled. Nevertheless, it urges the Slovenian authorities to make efforts to find a solution to the problem of a possible temporary shortage of Hungarian teachers due to a significant number of retirements.

*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.**

102. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It asked the Slovenian authorities to clarify the precise functions performed by the Education Committee for National Communities and whether the reports of the body in question were drawn up periodically or made public.

103. According to the third periodical report, the Education Committee for National Communities produces opinions for the Council of Experts for General Education inter alia regarding the adoption of syllabi and curricula. The existing bodies follow the developments in the field of minority language education. They also supervise and contribute to the development of bilingual instruction in co-operation with the Hungarian-speakers. The Slovenian authorities reiterate that the establishment of a special supervisory body would not be economical, as the implementation of regulations governing the organisation and carrying out of education activities in pre-school institutions and schools is supervised by the Inspectorate for Education and Sport. Furthermore, the implementation of the constitutional and statutory provisions relating to the special rights of members of the Italian and Hungarian national communities in education is monitored by the Government Office for National Minorities, with the participation of representatives of the national communities. Nevertheless, the relevant Ministry requested the National Education Institute to include in its annual work plan, as one of the tasks concerning education of members of both national communities, regular monitoring of education in pre-school institutions, elementary and secondary schools in “ethnically- mixed areas” and to report on its findings annually. The Committee of Experts has received the most recent report.

104. The Committee of Experts considers this undertaking fulfilled. It requests the Slovenian authorities to report, in the next periodical report, on the progress in monitoring bilingual education.

## Article 9 – Judicial authorities

### Paragraph 1

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

- a *in criminal proceedings:*
  - i *to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; if necessary by the use of interpreters and translations involving no extra expense for the persons concerned;*
  - ...
- b *in civil proceedings:*
  - i *to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or if necessary by the use of interpreters and translations;*
  - ...
- c *in proceedings before courts concerning administrative matters:*
  - i *to provide that the courts, at the request of one of the parties, shall conduct the proceedings in the regional or minority languages; and/or if necessary by the use of interpreters and translations;*
  - ...
- d *to take steps to ensure that the application of sub-paragraphs i and iii of paragraphs b and c above and any necessary use of interpreters and translations does not involve extra expense for the persons concerned.*

105. In the second monitoring cycle, the Committee of Experts considered these undertakings fulfilled. Nevertheless, it “encourage[d] the Slovenian authorities to address [the lack of Hungarian-speaking lawyers], in co-operation with the Bar Association, possibly by facilitating the recognition of law degrees obtained in Hungary and the procedures to obtain equivalence in Slovenia.”

106. According to the third periodical report, the Lendava/Lendva Local Court has recruited two judges since 2007 who have an active knowledge of Hungarian. The president of the court has also passed an exam on active knowledge of Hungarian and may thus conduct proceedings in Hungarian. Other staff of that court usually also have active knowledge of Hungarian. Furthermore, the Lendava/Lendva Local Court has employed an interpreter for Hungarian, who assists in conducting proceedings and issuing court decisions.

107. The Committee of Experts considers these undertakings fulfilled.

## Article 10 – Administrative authorities and public services

108. In the second monitoring cycle, the Committee of Ministers recommended to Slovenia to “**take proactive measures to reduce the gap between the legislative framework and practical implementation regarding the use of Hungarian and Italian in the provision of public services [...]** as well as in relations with local branches of State administration.”

## **Paragraph 1**

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

*a i to ensure that the administrative authorities use the regional or minority languages;*

109. In the second monitoring cycle, the Committee of Experts considered this undertaking formally fulfilled. It “encourage[d] the Slovenian authorities to take measures to promote the use of Hungarian in State administration.” In addition, it encouraged the Slovenian authorities to comment on reports by representatives of the Hungarian-speakers that the exam results, which condition the salary increases for proficiency in Hungarian, do not necessarily reflect the civil servants’ command of Hungarian.

110. The Slovenian authorities have informed the Committee of Experts of several new acts regulating the use of minority languages in relations with administrative authorities located in the “ethnically-mixed areas”.

111. The State Administration Act (Article 4) provides that state administrative bodies in the “ethnically-mixed areas” shall inform parties about the right to use their minority language. According to the third periodical report, the local branches of the state administration have a sufficient number of officials with adequate knowledge of Hungarian. In addition, the certified ability of civil servants to use Hungarian is stimulated by a bonus system according to which the salary may be raised between three and six percent. For some posts, the knowledge of Hungarian is compulsory. However, the periodical report contains no information on the actual use of Hungarian, nor on how the Hungarian-speakers have been informed of the possibility to use their language in relation with local branches of State administrative authorities.

112. The Committee of Experts considers this undertaking formally fulfilled. It requests the Slovenian authorities to provide concrete information on the practical use of Hungarian in local branches of state administration in the next periodical report.

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

113. In the second monitoring cycle, the Committee of Experts was not in a position to reach a conclusion concerning the fulfilment of this undertaking. It encouraged the Slovenian authorities to provide information on the practical implementation of this undertaking.

114. According to the third periodical report, the state administration bodies in the “ethnically-mixed area” are obliged to draw up documents in Hungarian.

115. The Committee of Experts considers this undertaking fulfilled.

## **Paragraph 2**

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

*a the use of regional or minority languages within the framework of the regional or local authority;*  
*b the possibility for users of regional or minority languages to submit oral or written applications in these languages;*

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

...  
*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;*

116. In the second monitoring cycle, the Committee of Experts considered these undertakings fulfilled. Nevertheless, it requested further information from the Slovenian authorities regarding their practical implementation.

117. The third periodical report does not contain sufficient examples of the practical implementation of these undertakings.

118. While the Committee of Experts still considers these undertakings fulfilled, it requests the Slovenian authorities to submit more detailed information regarding their practical implementation in the next periodical report.

### **Paragraph 3**

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

- a to ensure that the regional or minority languages are used in the provision of the service;*

119. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It "encourage[d] the authorities to take measures to ensure that Hungarian is used in the provision of public services."

120. The third periodical report states that in the "ethnically-mixed area" bilingualism must be implemented also by "bearers of public authority", which appears to extend to public service providers. However, there is no information regarding the practical implementation of this undertaking.

121. The Committee of Experts considers this undertaking formally fulfilled. It requests the Slovenian authorities to submit information on measures taken to ensure that Hungarian is used in the provision of public services in the next periodical report.

### **Paragraph 4**

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

- a translation or interpretation as may be required;*
- b recruitment and, where necessary, training of the officials and other public service employees required;*
- c compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.*

122. In the second monitoring cycle, the Committee of Experts considered these undertakings fulfilled with respect to the municipal authorities, partly fulfilled in relation to the local branches of State administration and not fulfilled with respect to public services. It requested further information about the way Slovenian legislation and practice complies with sub-paragraphs a. and c.

123. According to the third periodical report, the staffing regulations of state administration bodies require, for certain posts, an adequate knowledge of Hungarian. A bonus for bilingualism is granted from the state budget. The bonus amounts to between three and six per cent of the basic salary. The Slovenian authorities have informed the Committee of Experts of several new acts regulating the use of minority languages in relations with administrative authorities located in the "ethnically-mixed areas" (cf. paragraph 10 above).

124. The Committee of Experts considers these undertakings now fulfilled not only for local, but also for state administration as a result of the new legislation. As regards public services, the Committee of Experts requests the Slovenian authorities to submit more information in the next periodical report. However, it seems that these undertakings remain not fulfilled for public services.

## Article 11 – Media

### Paragraph 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:*
  - i *to ensure the creation of at least one radio station and one television channel in the regional or minority languages;*

125. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled with respect to radio and partly fulfilled with respect to television. It “encourage[d] the Slovenian authorities to gradually increase the provision for Hungarian in public television broadcasting.”

126. According to the third periodical report, the television programmes in Hungarian are produced within the public Radiotelevizija Slovenija, at the Regional RTV Centre Maribor – Hungarian Programmes Studio Lendava/Lendva. They comprise the series MOSTOVI-HIDAK that is broadcast by the national television (Programme I) and by the regional TV programme Maribor. Episodes of the series (30 minutes each) are broadcast by the national television four times per week (with an additional rerun of each episode) through most of the year, and three times per week (plus reruns) in the summertime. They are also shown four times per week by the Regional Programme Maribor through most of the year, and three times per week in the summertime. Although there have been positive developments recently, the Committee of Experts considers that the extent of television broadcasting in Hungarian cannot be considered equivalent to a Hungarian-speaking television channel, which is the requirement of the present undertaking.

127. The Committee of Experts considers this undertaking partly fulfilled. It urges the Slovenian authorities to gradually increase the provision for Hungarian in public television broadcasting.

### Paragraph 3

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

128. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it requested the Slovenian authorities to provide more information on the new RTV Slovenija Act and its concrete repercussions for Hungarian-language media.

129. According to the third periodical report, members of the Italian and Hungarian national minorities are represented on the Programme Council, each by one representative. Furthermore, the Radiotelevizija Slovenija Act (Article 23) sets out that the Programme Council shall appoint one Programme Committee for the Italian and one for the Hungarian national community programmes, to actively participate in implementing the obligations of RTV Slovenija in providing information for national communities. Two-thirds of the members in the Programme Committees are appointed by the Italian and Hungarian self-governing national communities in Slovenia. The Programme Committees shall inter alia grant their consent to the scope and programme plan, programme standards and programme scheme. During the on-the-spot visit, the Committee of Experts was informed by representatives of the Hungarian-speakers that this Programme Committee does not have enough influence in the decision-making process and that the implementation of the accepted decisions is slow within the Programme Council.

130. The Committee of Experts nevertheless considers this undertaking fulfilled at present. It requests the Slovenian authorities to provide information in the next periodical report on how the interests of the Hungarian-speakers are taken into account.



## Article 12 – Cultural activities and facilities

### Paragraph 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.*

131. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled.

132. The third periodical report provides one example of support for a cultural activity for the Hungarian language outside the Hungarian-speaking area.

133. The Committee of Experts considers this undertaking fulfilled.

## Article 13 – Economic and social life

134. In the second monitoring cycle, the Committee of Ministers recommended to Slovenia to “**take proactive measures to reduce the gap between the legislative framework and practical implementation regarding the use of Hungarian and Italian [...] in economic and social activities...**”

### Paragraph 1

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

...

*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;*

135. In the previous monitoring cycles, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and requested the Slovenian authorities to provide specific information about the way in which the Slovenian legislation complies with this obligation.

136. The third periodical report does not contain the requested specific information.

137. The Committee of Experts considers this undertaking not fulfilled.

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

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

138. In the second monitoring cycle, the Committee of Experts considered these undertakings partly fulfilled. It requested the Slovenian authorities to provide information about the practical consequences of the new Consumer Protection Act.

139. According to the third periodical report, the use of Hungarian in economic life has been regulated by the amendments to the 2007 Consumer Protection Act and, in 2008, through the implementing regulation, i.e. the “Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities”. The Rules specify business processes in which companies, in the “ethnically-mixed area”, must use Slovenian and Hungarian (information relating to the characteristics, sales conditions, intended use of the product, composition and the use of products or services, price lists, opening times). In order to ensure sufficient time to companies to adapt to new operating conditions, the Rules took effect on 1 August 2009. The

Market Inspectorate will monitor the implementation of these Rules by companies. In accordance with the Consumer Protection Act, advertisements in the “ethnically-mixed area” may also be in Hungarian. The obligations imposed by the Consumer Protection Act are also binding on other organisations which provide consumers with goods and services, including health care and social welfare institutions (hospitals, retirement homes etc.). The Committee of Experts has not been made aware of any practices designed to discourage the use of Hungarian in connection with social and economic activities.

140. The Committee of Experts considers these undertakings fulfilled. Nevertheless, it requests the Slovenian authorities to report on the implementation of the Consumer Protection Act in the next periodical report.

## **Paragraph 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:***

- a*** ***to include in their financial and banking regulations provisions which allow, by means of procedures compatible with commercial practice, the use of regional or minority languages in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;***

141. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It urged the Slovenian authorities to provide information about whether their financial and banking regulations contained provisions which allow the use of Hungarian in drawing up payment orders.

142. The third periodical report does not contain the requested specific information.

143. In the absence of relevant information, the Committee of Experts considers this undertaking still not fulfilled. It encourages the Slovenian authorities to include in their financial and banking regulations provisions which allow the use of Hungarian in drawing up payment orders (cheques, drafts, etc.) or other financial documents.

- b*** ***in the economic and social sectors directly under their control (public sector), to organise activities to promote the use of regional or minority languages;***

144. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It urged the Slovenian authorities to provide information concerning the organisation of relevant activities to promote the use of Hungarian in the public sector.

145. The third periodical report does not contain the requested specific information.

146. In the absence of relevant information, the Committee of Experts considers this undertaking not fulfilled. It requests the Slovenian authorities to provide information concerning the organisation of relevant activities to promote the use of Hungarian in the public sector.

- d*** ***to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;***

147. In the second monitoring cycle, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Slovenian authorities to provide specific information concerning the implementation of this undertaking.

148. The third periodical report does not contain the requested specific information.

149. The Committee of Experts considers this undertaking partly fulfilled. It requests the Slovenian authorities to provide specific information concerning the implementation of this undertaking in the next periodical report.

- e *to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.*

150. In the previous evaluation reports, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and requested the Slovenian authorities to provide concrete information about their compliance with the present obligation.

151. According to the third periodical report, an amendment to the Consumer Protection Act (2007) places the use of Slovenian and Hungarian on the same footing in the “ethnically-mixed area”.

152. The Committee of Experts considers this undertaking formally fulfilled. It requests the Slovenian authorities to provide information on its practical implementation in the next periodical report

#### **Article 14 – Transfrontier exchanges**

##### ***The Parties undertake:***

...

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

153. In the previous evaluation reports, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and requested the Slovenian authorities to provide concrete information about their compliance with the present obligation.

154. According to the third periodical report, the Slovenian authorities provide financial support to co-operation across borders of Lendava/Lendva, Dobrovnik/Dobronak, Hodoš/Hodos, Moravske Toplice and Šalovci.

155. The Committee of Experts considers this undertaking fulfilled.

### 3.2.2. The Italian language

## Article 8 – Education

### Paragraph 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:*

...

*b i to make available primary education in the relevant regional or minority languages*

156. The Republic of Slovenia declared in 2007 that it accepted also the present undertaking in respect of the Italian language.

157. Pursuant to the 2006 Elementary School Act, education in primary schools is provided in Italian in the “ethnically-mixed area”. A total of 389 pupils are enrolled in 41 such Italian-medium primary school classes. Most textbooks are in Italian.

158. The Committee of Experts considers this undertaking fulfilled.

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

159. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled. Nevertheless, some minor problems persisted, particularly regarding the recognition of degrees in subjects such as pharmacy, where the equivalence of degrees was difficult to prove and required a costly procedure.

160. The third periodical report does not comment on this issue. During the on-the-spot visit, representatives of the Italian-speakers reported that problems regarding the recognition of degrees in subjects such as pharmacy have persisted. The Committee of Experts requests the Slovenian authorities to comment on this issue in the next periodical report.

161. The Committee of Experts nevertheless considers this undertaking fulfilled.

*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.*

162. The Committee of Experts refers to its assessment with regard to the Hungarian language which applies accordingly and considers the undertaking fulfilled.

## Article 10 – Administrative authorities and public services

163. In the second monitoring cycle, the Committee of Ministers recommended to Slovenia to “**take proactive measures to reduce the gap between the legislative framework and practical implementation regarding the use of Hungarian and Italian in the provision of public services [...] as well as in relations with local branches of State administration.**”

## **Paragraph 1**

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

***a i to ensure that the administrative authorities use the regional or minority languages;***

164. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It “encourage[d] the Slovenian authorities to take proactive measures to promote the use of Italian in local branches of State Administration”. In addition, it requested the Slovenian authorities to provide information on the human resources policies concerning the linguistic skills of administrative staff in the mixed areas.

165. The Slovenian authorities have informed the Committee of Experts of several new acts regulating the use of minority languages in relations with administrative authorities located in the “ethnically-mixed areas”.

166. The State Administration Act (Article 4) provides that state administrative bodies in the “ethnically-mixed areas” shall inform parties about the right to use their minority language. According to the third periodical report, the local branches of the state administration have a sufficient number of officials with adequate knowledge of Italian. In addition, the certified ability of civil servants to use Italian is stimulated by a bonus system according to which the salary may be raised between three and six percent. For some posts, the knowledge of Italian is compulsory. However, the periodical report contains no information on measures to encourage Italian-speakers to use their language in relations with local branches of State administrative authorities. During the on-the-spot visit, representatives of the Italian-speakers stated that Italian-speakers remain in general reluctant to use Italian, for fear of being seen as “trouble-makers”. Furthermore, they were of the view that many Italian-speakers are reluctant to ask for services in Italian, due to a perceived pressure not to use this language in dealings with the administration. The Committee of Experts received information pointing out that a number of local State administrative authorities (Health Protection Institute, Social Security Institute, Tax Authority, Ministry of the Interior, police) only work in Slovenian. Representatives of the Italian-speakers also informed the Committee of Experts that the formal qualifications on knowledge of Italian often differed significantly from the ability to use the language. There seems to be a clear gap between the legal framework and the implementation in practice.

167. The Committee of Experts considers this undertaking formally fulfilled. It urges the Slovenian authorities to take proactive measures to promote the use of Italian in local branches of state administration.

***b to make available widely used administrative texts and forms for the population in the regional or minority languages or in bilingual versions;***

168. In the second monitoring cycle, the Committee of Experts considered this undertaking partly fulfilled.

169. According to the third periodical report, a selection of forms/applications (including a selection of e-forms) in the Italian language may be obtained from the national e-Government portal and local branches of the state authorities have bilingual forms, instructions and texts in paper form. During the on-the-spot visit, however, representatives of the Italian-speakers provided evidence to the Committee of Experts that a considerable number of widely used administrative texts and forms are not available in Italian or in bilingual versions. There seems to be a wide gap between the legal framework and the availability of documents in Italian or in bilingual versions in practice.

170. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Slovenian authorities to make available widely used administrative texts and forms for the population in Italian or in bilingual versions and to provide the Committee of Experts with examples of such documents.

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

171. In the second monitoring cycle, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and encouraged the authorities to provide information on its practical implementation.

172. According to the third periodical report, the state authorities in the “ethnically-mixed area” are obliged to draw up documents in Italian.

173. The Committee of Experts considers this undertaking fulfilled.

## **Paragraph 2**

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

...

*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;*

174. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled in Izola/Isola and Piran/Pirano and only formally fulfilled in Koper/Capodistria. It “encourage[d] the Slovenian authorities to promote the use of Italian in all relevant municipalities, including, where necessary, by providing financial resources for interpretation.”

175. The third periodical report does not provide sufficiently specific information on the encouragement of the use of Italian by local authorities in debates in their assemblies, for example through the provision of interpretation. During the on-the-spot visit, representatives of the Italian-speakers stated that in the local councils of Izola/Isola, Piran/Pirano and Koper/Capodistria the right to use an interpreter exists, but that no organisational measures have been taken to ensure its practical implementation. In practice, the councillors representing the Italian national community do speak in Italian, but not all other councillors have a sufficient command of Italian. The Committee of Experts considers that the central authorities have an obligation under this undertaking to encourage the use of Italian in the municipal council concerned, for example by providing the additional funds required for interpretation.

176. The Committee of Experts considers this undertaking formally fulfilled. It urges the Slovenian authorities to promote the use of Italian in the municipalities concerned, including, where necessary, by providing financial resources for interpretation.

*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.*

177. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it encouraged the authorities to clarify, in co-operation with the Italian-speakers, complaints regarding the adoption of place-names for new districts inside the “ethnically mixed area” (in particular in Izola/Isola) where only Slovenian place-names had been used.

178. The third periodical report does not provide the requested specific information. During the on-the-spot visit, representatives of the Italian-speakers stated that inconsistencies have persisted with regard to the adoption and use of bilingual place-names.

179. The Committee of Experts considers this undertaking nevertheless partly fulfilled. It urges the Slovenian authorities to clarify, in co-operation with the Italian-speakers, complaints regarding the adoption and use of place-names inside the “ethnically-mixed area” where only Slovenian place-names had been used.

### **Paragraph 3**

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

- a to ensure that the regional or minority languages are used in the provision of the service;*

180. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It “urge[d] the Slovenian authorities to ensure that Italian is used in the provision of public services in the areas concerned and that Slovenia’s legal framework in this field is consistently applied.”

181. The third periodical report states that in the “ethnically-mixed area” bilingualism must be implemented also by “bearers of public authority”, which appears to extend to public service providers. It is also stated that the bilingual municipalities already issue bilingual invoices and money order forms for local public services. During the on-the-spot visit, however, representatives of the Italian-speakers provided the Committee of Experts with information which indicates that Italian is not systematically used in the provision of public services provided by the administrative authorities or other persons acting on their behalf. Based on the information received during the on-the-spot visit, it appears that public utility companies operate exclusively in Slovenian. There seems to be a clear gap between the legal framework and the implementation in practice.

182. Based on evidence received during the on-the-spot visit, the Committee of Experts considers this undertaking formally fulfilled. It requests the Slovenian authorities to ensure that the regulation is implemented in practice and to report about this in the next periodical report.

***The Committee of Experts urges the Slovenian authorities to ensure that Italian is used in the provision of public services in the area concerned and that Slovenia’s legal framework in this field is consistently applied.***

### **Paragraph 4**

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

- a translation or interpretation as may be required;*
- b recruitment and, where necessary, training of the officials and other public service employees required;*
- c compliance as far as possible with requests from public service employees having a knowledge of a regional or minority language to be appointed in the territory in which that language is used.*

183. In the second monitoring cycle, the Committee of Experts considered these undertakings fulfilled with respect to the municipal administrations, partly fulfilled in relation to the local branches of State administration and not fulfilled with respect to public services.

184. According to the third periodical report, the staffing regulations of state administration bodies require, for certain posts, an adequate knowledge of Italian. A bonus for bilingualism is granted from the state budget. The bonus amounts to between three and six per cent of the basic salary. The Slovenian authorities have informed the Committee of Experts of several new acts regulating the use of minority languages in relations with administrative authorities located in the “ethnically-mixed areas” (cf. paragraph 10 above). During the on-the-spot visit, representatives of the Italian-speakers confirmed that these provisions are implemented in practice. The bonus system applies also to journalists as civil servants in the “ethnically-mixed area”, but it is not clear to the Committee of Experts to what extent this has been implemented in practice. The Committee of Experts requests the Slovenian authorities to comment on this in the next periodical report.

185. The Committee of Experts considers these undertakings now fulfilled not only for local, but also for state administration as a result of the new legislation. As regards public services, the Committee of

Experts requests the Slovenian authorities to submit more information in the next periodical report. However, it seems that these undertakings remain not fulfilled for public services.

## **Article 11 – Media**

### **Paragraph 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:*
  - i to ensure the creation of at least one radio station and one television channel in the regional or minority languages;*

186. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it urged the Slovenian authorities to provide information on the economic recovery programme with respect to Italian-language radio and TV and its effects.

187. According to the third periodical report, daily radio and television programmes are produced within the public RTV Slovenija, at the Regional RTV Centre Koper-Capodistria. There are 18 hours of radio programme daily which amounts to 126 hours weekly, while television programmes are broadcast for nine hours on Tuesdays, Wednesdays, Fridays, Saturdays and Sundays, and for 7.5 hours on Mondays and Thursdays. However, no information has been provided by the authorities regarding the recovery programme with respect to Italian-language radio and TV and its effects. Representatives of the Italian-speakers raised concerns regarding the overall budgetary situation of the Italian programmes of RTV Capodistria. They also voiced severe concerns about the ongoing generation shift, namely that lost media posts (e.g. as a result of retirements) have not been filled. These developments threaten the existence of the Italian-language television and radio in Koper/Capodistria.

188. The Committee of Experts considers this undertaking fulfilled. Nevertheless, it encourages the Slovenian authorities to take urgent steps to develop a structured human resources policy regarding Italian-speaking broadcast media.

### **Paragraph 3**

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

189. In the second monitoring cycle, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it requested the Slovenian authorities to provide more information on the new RTV Slovenija Act and its concrete repercussions for Italian-language media.

190. According to the third periodical report, members of the Italian and Hungarian national minorities are represented on the Programme Council, each by one representative. Furthermore, the Radiotelevizija Slovenija Act (Article 23) sets out that the Programme Council shall appoint one Programme Committee for the Italian and one for the Hungarian national community programmes, to actively participate in implementing the obligations of RTV Slovenija in providing information for national communities. Two-thirds of the members in the Programme Committees are appointed by the Italian and Hungarian self-governing national communities in Slovenia. The Programme Committees shall inter alia grant their consent to the scope and programme plan, programme standards and programme scheme. According to representatives of the Italian-speakers, however, members of the Italian community are represented in the Council of RTV Slovenia in a purely formal way, in order to meet the criterion of the right of representation without any real opportunity to contribute to decisions about relevant issues.



191. The Committee of Experts nevertheless considers this undertaking fulfilled at present. It requests the Slovenian authorities to provide information in the next periodical report on how the interests of the Italian-speakers are taken into account.

## Article 12 – Cultural activities and facilities

### Paragraph 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.*

192. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It encouraged the Slovenian authorities to provide the requested information on cultural activities promoted by the Slovenian authorities in parts of Slovenia other than the coastal municipalities.

193. The third periodical report states that there is a possibility for funding to meet cultural needs outside the “ethnically-mixed area”. However, it does not contain any example of such support as no application has been submitted to the Ministry of Culture. It became clear during the on-the-spot visit that there exists no structured approach for the implementation of this provision.

194. The Committee of Experts considers this undertaking not fulfilled. It encourages the Slovenian authorities to support appropriate cultural activities and facilities for the Italian language in parts of Slovenia other than the coastal municipalities where the number of speakers justifies it.

## Article 13 – Economic and social life

195. In the second monitoring cycle, the Committee of Ministers recommended to Slovenia to “**take proactive measures to reduce the gap between the legislative framework and practical implementation regarding the use of Hungarian and Italian [...] in economic and social activities...**”

### Paragraph 1

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

...

*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;*

196. In the previous monitoring cycles, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and requested the Slovenian authorities to provide specific information about the way in which the Slovenian legislation complies with this obligation.

197. The third periodical report does not contain the requested specific information.

198. The Committee of Experts considers this undertaking not fulfilled.

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

199. In the previous monitoring cycles, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and requested the Slovenian authorities to provide specific information about the way in which the Slovenian legislation complies with this obligation.

200. According to the third periodical report, the use of Italian in economic life has been regulated by the amendments to the 2007 Consumer Protection Act and, in 2008, through the implementing regulation, i.e. the “Rules on the use of national community languages by companies in doing business with consumers in the areas inhabited by the Italian and Hungarian national communities”. The Rules specify business processes in which companies in the “ethnically-mixed area” must use Slovenian and Italian (information relating to the characteristics, sales conditions, intended use of the product, composition and the use of products or services, price lists, opening times). In order to ensure sufficient time for companies to adapt to new operating conditions, the Rules took effect on 1 August 2009. The Market Inspectorate will monitor the implementation of these Rules by companies. In accordance with the Consumer Protection Act, advertisements in the “ethnically-mixed area” may also be in Italian. The obligations imposed by the Consumer Protection Act are also binding on other organisations which provide consumers with goods and services, including health care and social welfare institutions (hospitals, retirement homes etc.).

201. The Committee of Experts considers this undertaking fulfilled. Nevertheless, it requests the Slovenian authorities to report on the implementation of the Consumer Protection Act in the next periodical report.

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

202. In the second monitoring cycle, the Committee of Experts considered this undertaking partly fulfilled. It requested further information in the next periodical report about the practical consequences of the Consumer Protection Act on the implementation of this undertaking following the Act’s entry into force.

203. The Committee of Experts refers to its respective assessment with regard to the Hungarian language. During the on-the-spot visit, representatives of the Italian-speakers stated that for example RTV Slovenia, Telekom (fixed and mobile telephone operator) and Elektro Primorska (electricity distributor) operate only in Slovenian in the ethnically mixed territories.

204. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Slovenian authorities to take measures to facilitate and/or encourage the use of Italian in accordance with this undertaking.

## **Paragraph 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:*

*a to include in their financial and banking regulations provisions which allow, by means of procedures compatible with commercial practice, the use of regional or minority languages in drawing up payment orders (cheques, drafts, etc.) or other financial documents, or, where appropriate, to ensure the implementation of such provisions;*

205. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It requested the Slovenian authorities to provide specific information about the way in which the Slovenian legislation complies with this obligation.

206. The third periodical report states that in the municipality of Koper/Capodistria, a municipal decree imposes the use of Italian in payment orders (e.g. Banka Koper). During the on-the-spot visit, representatives of the Italian-speakers reported that the use of Italian in drawing up payment orders or other financial documents is allowed. However, they submitted information to the Committee of Experts which indicated that this possibility is not implemented and that all financial documents are invariably only in Slovenian.

207. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Slovenian authorities to ensure the implementation of those financial and banking regulations which require the use of Italian.

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

208. In the second monitoring cycle, the Committee of Experts considered this undertaking not fulfilled. It urged the Slovenian authorities to provide information concerning the organisation of relevant activities to promote the use of Italian in the public sector.

209. The third periodical report does not contain the requested specific information, and the Committee of Experts has not been made aware of the organisation of any such activities.

210. The Committee of Experts considers this undertaking not fulfilled. It requests the Slovenian authorities to provide information concerning the organisation of relevant activities to promote the use of Italian in the public sector.

***c to ensure that social care facilities such as hospitals, retirement homes and hostels 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;***

211. In the second monitoring cycle, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Slovenian authorities to provide information on the situation in non-medical care facilities, such as retirement homes and hostels, as well as on the presence of specialised medical staff with a knowledge of Italian.

212. The third periodical report does not contain the requested specific information. During the on-the-spot visit, the Slovenian authorities presented the legal framework and reported on some bilingual services (e.g. in hospitals) under this undertaking. However, representatives of the Italian-speakers stated that the healthcare system does not function bilingually, except for a few public signs. According to them, few general practitioners, doctors and nurses speak Italian. Furthermore, hospitals in the “ethnically-mixed area” use only the Slovenian language for their diagnoses and prescriptions.

213. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Slovenian authorities, after consultation with the Italian-speakers, to ensure that social care facilities such as hospitals, retirement homes and hostels offer the possibility of receiving and treating persons using the Italian language in Italian.

***d to ensure by appropriate means that safety instructions are also drawn up in regional or minority languages;***

214. In the second monitoring cycle, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Slovenian authorities to provide information on the implementation of this undertaking.

215. The third periodical report does not contain the requested specific information. According to the information provided by the Italian-speakers, safety instructions, such as instructions in lifts or fire instructions, are rarely available in Italian. It appears that the implementation of this undertaking is not systematically ensured by the authorities.

216. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Slovenian authorities to ensure that safety instructions are also drawn up in Italian.

***e to arrange for information provided by the competent public authorities concerning the rights of consumers to be made available in regional or minority languages.***

217. In the previous monitoring cycles, the Committee of Experts was not in a position to conclude on the fulfilment of this undertaking and requested the Slovenian authorities to provide specific information about the way in which the Slovenian legislation complies with this obligation.

According to the third periodical report, an amendment to the Consumer Protection Act (2007) places the use of Slovenian and Italian on the same footing in the “ethnically-mixed area”.

218. The Committee of Experts considers this undertaking formally fulfilled. It requests the Slovenian authorities to provide information on its practical implementation in the next periodical report.

## Chapter 4 Findings of the Committee of Experts in the third monitoring round

- A. The Committee of Experts appreciates the good co-operation it enjoyed with the Slovenian authorities. As noted by the Committee of Experts in its previous evaluation reports, Slovenia has a very high legal standard of protection for the Hungarian and Italian languages, which it has maintained and developed during the third monitoring cycle. While there are still gaps in the implementation of this legal framework in certain areas, Slovenia should be complimented for its continued commitment to the protection and the promotion of the Hungarian and Italian languages, as well as for its efforts to protect Romani.
- B. As for Part III languages, the provision for Hungarian and Italian in the Slovenian education system in the respective areas remains satisfactory. One positive development in the field of education is the ratification by Slovenia of undertakings in the field of primary education. The monitoring and development of minority language education has become part of the existing activities of the National Institute for Education. The institute publishes an annual report in which it covers the situation of minority language education.
- C. The legal framework regarding the use of Hungarian and Italian in relations with local branches of State administration has been further developed in recent years, but is poorly implemented in practice. In addition, there are considerable difficulties concerning the use of Hungarian and Italian in the provision of public services.
- D. The long-term protection and promotion of Italian and Hungarian is threatened by an insufficient new recruitment of teachers, judicial staff and journalists using Italian or Hungarian in the “ethnically-mixed areas”. Measures to promote recruitment of teachers, journalists and judicial staff with a language competence in Italian or Hungarian are needed.
- E. The Committee of Experts has received information that locally initiated changes to administrative boundaries are envisaged in the “ethnically-mixed area” where Italian is spoken. This might have repercussions on the protection of the Italian language. During the on-the-spot visit, the Slovenian authorities confirmed that they were not supportive of the local initiatives to split Koper/Capodistria into smaller municipalities.
- F. Slovenia chose a very high level of undertakings for Hungarian and Italian with respect to the media, including the creation or maintenance of one radio station and one television channel. These undertakings are by and large fulfilled with respect to the Italian language. With respect to the Hungarian language, however, there is a need to gradually increase the existing offer. In regard to both languages, there is a shortage of staff with adequate language competence.
- G. Regarding social and economic activities, there is a wide gap between the legislative framework and the actual practice of economic actors. In particular, Italian and Hungarian remain practically absent from economic activities. There is a clear need for a pro-active approach by the authorities with a view to ensuring a more systematic enforcement of the applicable legislation and continuing to promote the bilingual character of the relevant areas.
- H. Slovenia’s domestic legislation still makes no provision for German to be recognised as a regional or minority language, which hampers the implementation of Part II of the Charter. There is a need to develop instruction in/of German as a regional or minority language. The financial support by the Slovenian authorities remains limited and insufficient to safeguard this language. German as a regional or minority language is largely absent from public life in Slovenia and not present in the broadcasting media. Measures to promote German should be developed in close co-operation with the speakers.
- I. Slovenia’s domestic legislation also makes no provision for Croatian to be recognised as a regional or minority language, despite its centuries-long and continuous presence in Slovenia. No steps have been taken by the Slovenian authorities to develop instruction for Croatian as a regional or minority

language in the areas where this language is traditionally used. Croatian receives some protection as a language spoken by “citizens of the former Yugoslav Republics” or by “members of the nations of the former Yugoslav State”, but this does not correspond to the purpose of the Charter. Croatian as a regional or minority language remains largely absent from public life in Slovenia and is not present in the broadcasting media. Resolute measures are needed to apply Part II of the Charter to this language in the areas where it is traditionally spoken, and should be developed in co-operation with the speakers.

J. Serbian qualifies as a regional or minority language due to its centuries-long and continuous presence in Bela Krajina. It is therefore covered by Part II of the Charter. However, the third periodical report did not provide sufficient information on Serbian. As for the Bosnian language, the Slovenian authorities have not taken any measures to clarify the issue of its traditional presence in Slovenia.

K. There have been encouraging developments with respect to the protection and promotion of the Romani language, the most important of which is the implementation of the “Strategy for Education of Roma in the Republic of Slovenia”. Initial steps have been taken to introduce the subject of Roma language and culture at schools. Codification of the varieties of Romani is still in progress and should be pursued. Although at present there are no qualified Romani-speaking teachers, the authorities have supported projects for the training of Roma teaching assistants. They have also taken commendable efforts to oppose segregation of Romani-speaking pupils at school. Activities to combat intolerance and prejudices began in the context of the Council of Europe’s “Dosta” campaign. Nevertheless, there is a need for continued efforts to increase the awareness and acceptance of Roma language and culture as an integral part of Slovenia’s cultural wealth. In the field of the media, the amended Public Broadcasting Law now also makes provision for Romani, which has significantly improved its presence in the broadcasting media in Slovenia. A weekly national Roma radio show and a fortnightly national television show prepared by Roma authors has been broadcast since 2008.

L. Finally, there is a need to increase awareness of Slovenia’s regional or minority languages in the Slovenian population at large and to promote mutual understanding and further contacts between the different language groups. Co-ordinated measures should notably be taken regarding the media and education, including teaching materials and teacher training as well as journalist education.

The government of Slovenia was invited to comment on the content of this report in accordance with Article 16.3 of the Charter. The comments received are attached in Appendix II.

On the basis of this report and its findings the Committee of Experts submitted its proposals to the Committee of Ministers for recommendations to be addressed to Slovenia. At the same time it emphasised the need for the Slovenian authorities to take into account, in addition to these general recommendations, the more detailed observations contained in the body of the report.

At its 1085th meeting on 26 May 2010, the Committee of Ministers adopted its Recommendation addressed to Slovenia, which is set out in Part B of this document.

## Appendix I: Instrument of Ratification



### Slovenia :

**Declaration contained in a Note Verbale from the Permanent Representation of Slovenia, dated 19 September 2000, handed to the Secretary General at the time of deposit of the instrument of ratification, on 4 October 2000 - Or. Fr.**

In accordance with Article 7, paragraph 5, of the Charter, the Republic of Slovenia will apply *mutatis mutandis* the provisions of Article 7, paragraphs 1 to 4, also to the romani language.

**Period covered: 1/1/2001 -**

The preceding statement concerns Article(s) : 7

**Declaration contained in a Note verbale from the Permanent Representation of Slovenia, dated 26 June 2007, registered at the Secretariat General on 27 June 2007 - Or. Engl.**

The Republic of Slovenia declares that it accepts several other obligations of the Charter not already specified in a Note verbale handed to the Secretary General at the time of deposit of the instrument of ratification. At the same time the Republic of Slovenia specifies the paragraphs or sub-paragraphs chosen in accordance with Article 2, paragraph 2, and Article 3, paragraph 2, of the Charter, from among the provisions of Part III of the Charter it applies in respect of each of the two languages it declared are considered as regional or minority languages in the territory of the Republic of Slovenia, respectively. In accordance with Article 3, paragraph 3, these undertakings are deemed to form an integral part of the ratification and have the same effect as from their date of notification. Within the meaning of the above-said, the Republic of Slovenia replaces the declaration contained in a Note verbale, dated 19 September 2000, with the following declaration:

"The Republic of Slovenia declares that the Italian and Hungarian languages are considered as regional or minority languages in the territory of the Republic of Slovenia within the meaning of the European Charter for Regional or Minority Languages. In accordance with Article 2, paragraph 2, of the Charter, the Republic of Slovenia will apply to these two languages the following provisions of the Part III of the Charter :

#### **Article 8**

For the Italian language:

Paragraph 1, sub-paragraphs a (i), b (i), c (i), d (i), e (iii), f (iii), g, h, i

Paragraph 2

For the Hungarian language :

Paragraph 1, sub-paragraphs a (ii), b (ii), c (ii), d (ii), e (iii), f (iii), g, h, i

Paragraph 2

#### **Article 9**

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a, b, c, d

Paragraph 2, sub-paragraph a

#### **Article 10**

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a (i), b, c

Paragraph 2

Paragraph 3, sub-paragraph a

Paragraph 4

Paragraph 5

#### **Article 11**

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a (i), e (i)

Paragraph 2

Paragraph 3

**Article 12**

For the Italian and Hungarian languages:

Paragraph 1, sub-paragraphs a, d, e, f

Paragraph 2

Paragraph 3

**Article 13**

For the Italian and Hungarian languages:

Paragraph 1

Paragraph 2

**Article 14**

For the Italian and Hungarian languages:

Paragraph a

Paragraph b".

**Period covered: 27/6/2007 -**

The preceding statement concerns Article(s) : 2



## Appendix II: Comments by the Slovenian authorities

### COMMENTS OF SLOVENIA ON THE INTERIM REPORT OF THE COMMITTEE OF EXPERTS UNDER THE EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES

The Interim Report of the Committee of Experts under the European Charter for Regional or Minority Languages, to be considered and adopted by the Committee of Ministers of the Council of Europe, includes findings and recommendations that the authorities of Slovenia:

1. Define, in co-operation with the speakers, the areas where German and Croatian have been traditionally spoken in Slovenia and apply the provisions of Part II to German, and Croatian languages;
2. Clarify, in co-operation with the speakers, the issue of the traditional presence of the Bosnian and Serbian languages in Slovenia;

With regard to the findings and recommendations of the Committee of Ministers of the Council of Europe indicated in the second monitoring round, the Republic of Slovenia has commissioned a study on the “national/ethnic vitality of members of the Serbian-, Croatian- and German-speaking communities in the area of their historical settlement – Analysis of immigration processes in Slovenia and EU Member States”; the institution in charge of the study is the Institute for Ethnic Studies.

The key issue of research and study is to find the “autochthonous” settlement areas of Serbs, Croats and Germans and to examine whether these areas are still ethnically vital or have been buried under a thick crust of history.

Based on the identified needs, the objectives of the study include:

- Examining the views of inhabitants of the villages Bojanci, Marindol, Miliči and Paunoviči on the methods of preserving the ethnic and cultural heritage of the *Uskok* territories; identifying objective indicators of the ethnic vitality of the population on this territory;
- Examining the views of villagers along the Slovenian-Croatian border, which is also included in the Report of the Committee of Experts under the Charter;
- Examining the views of inhabitants of historical German settlements (Baška grapa, Apaška kotlina, Kranjska Gora and its surrounding area, etc.).

Regardless of the findings of the study, it has to be stressed that the Ministry of Culture has drawn up a draft Law on Radiotelevizija Slovenija, intended to offer greater opportunities for citizens and members of other ethnic communities to implement their cultural rights and possibilities to express linguistic diversity through public radio and television programming.

The draft Law includes a broad definition of public service in the area of the media in its Article 1, paragraph 2:

*“By performing a public service, RTV Slovenia ensures a wide range of content, programmes and services, as well as a quality and diverse offer and access of the general public to this content, programmes and services, without discrimination and based on equal opportunities, through different media channels, with the aim of providing for the democratic, social and cultural needs of the residents of the Republic of Slovenia, of the citizens of the Republic of Slovenia, of Slovenes throughout the world, of members of Slovene national minorities in the neighbouring countries, of the autochthonous Italian and Hungarian national communities, of the Roma ethnic community, of members of ethnic communities from the former Yugoslav republics, and of other ethnic communities in the Republic of Slovenia, as well as ensuring pluralism, including cultural and linguistic diversity, and other activities in accordance with the Act and with the Statute of RTV Slovenia, as well as with the Act regulating the media.”*

The draft Law does not explicitly state the languages concerned; however, it does refer to members of ethnic communities from the former Yugoslav republics (which includes Croatian and other languages), as well as other ethnic communities.

Obvious progress has been made in this regard, as the currently applicable Radiotelevizija Slovenija Act (Ur. l. RS No. 96/2005 with amendments) only refers to social and cultural needs of citizens of the Republic of Slovenia and of Slovenes throughout the world, of members of the Slovenian minorities in Italy, Austria and Hungary and of the Italian and Hungarian national communities in the Republic of Slovenia.

Apart from the above, the Republic of Slovenia allocates funds from the state budget to annual public projects intended for the exercising of the public interest in the media area. The funds are earmarked to co-finance non-commercial programming and the production of audiovisual works by independent producers in the fields of culture, education, and science. The call for applications is open under equal conditions to publishers of print media, radio and television broadcasters, and publishers of electronic publications based in the Republic of Slovenia which are on the day of publication in the Official Gazette of the Republic of Slovenia entered in the media register at the Ministry of Culture of the Republic of Slovenia (except as otherwise provided in the call for applications), and legal and natural persons registered for the purpose of production of audiovisual works or radio programmes (independent producers).

In this way the Republic of Slovenia provides for the exercise of their cultural and other rights to all social groups concerned, including minority social groups, while respecting media autonomy and the autonomy of editors, journalists and other authors in creating programming as a basic principle of the work of the media.

In conclusion, a table is provided including data on financial support to the projects of the German-speaking ethnic group in the Republic of Slovenia in 2009 under the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Austria on Cooperation in the Fields of Culture, Education and Science, signed in Ljubljana on 30 April 2001:

Cultural Society of German speaking women <i>Mostovi – Kultur Verein deutschsprachiger Frauen Bruecken</i>	Publication – printing of the 2009 bilingual publication – yearbook ‘Ties between people’ – <i>Zwischenmenschliche Bindungen</i>	EUR 1,500.00
Institute for the Protection of Cultural Heritage Nesselstal Koprivnik	Five photographers of the Kočevje Germans	EUR 1,000.00
<i>Apaško polje</i> Cultural Association	Slovene and German language courses	EUR 3,500.00
Society for the Preservation of German mother tongue	Mach mit / Join us	EUR 3,000.00
Association of Kočevje German settlers	Preservation of the Kočevje dialect through workshops for youth, especially elementary school pupils	EUR 2,000.00
Association of Kočevje German settlers	Publication of the bulletin <i>Bakh – Path</i> , partly bilingual	EUR 1,000.00

## **B. Recommendation of the Committee of Ministers of the Council of Europe on the application of the Charter by Slovenia**

*COUNCIL OF EUROPE  
COMMITTEE OF MINISTERS*

### **Recommendation RecChL(2010)5 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Slovenia**

*(Adopted by the Committee of Ministers on 26 May 2010  
at the 1085th meeting of the Ministers' Deputies)*

The Committee of Ministers,

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

Having regard to the instrument of ratification submitted by Slovenia on 4 October 2000 and the Declaration of 26 June 2007;

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

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

Having taken note of the comments made by the Slovenian authorities on the contents of the Committee of Experts' report;

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

1. define the areas where German and Croatian have been traditionally spoken in Slovenia and apply the provisions of Part II to German, Croatian and Serbian, in co-operation with the speakers;
2. clarify, in co-operation with the speakers, the issue of the traditional presence of the Bosnian language in Slovenia;
3. develop the teaching of the Romani language and Roma culture at all appropriate stages;
4. take proactive measures to reduce the gap between the legislative framework and practical implementation regarding the use of Hungarian and Italian in the provision of public services, in economic and social activities, as well as in relations with local branches of State administration;
5. intensify measures to raise public awareness of the regional or minority languages in mainstream education and in the mass media.