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**EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES**

**APPLICATION OF THE CHARTER IN SLOVENIA**

**4th 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 improving its legislation, policy and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a Party is required to submit to the Secretary General. The report should be made public by the State. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under 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 of Experts' 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 of Experts' 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 of Experts gathers information from the respective authorities and from independent sources within the State, so as to attempt to obtain a fair and just overview of the real language situation. After a preliminary examination of an initial periodical report, the Committee of Experts submits, if necessary, a number of questions to each Party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an on-the-spot visit by a delegation of the Committee of Experts to the State in question. 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. This information-gathering process is designed to enable the Committee of Experts to evaluate more effectively the application of the Charter in the State concerned.

Having concluded this process of collecting information, 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.

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

adopted by the Committee of Experts on 15 November 2013  
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. 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 fourth periodical report by Slovenia, which was due in June 2012, was submitted to the Secretary General of the Council of Europe on 16 September 2013.

#### **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 fourth periodical report of Slovenia and through interviews held with representatives of regional or minority language speakers in Slovenia and the Slovenian authorities during the on-the-spot visit, which took place on 4-6 November 2013. 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 fourth evaluation report, the Committee of Experts will focus on the provisions and issues which were singled out in the third 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 fourth monitoring cycle.
6. The report contains detailed recommendations that the Slovenian authorities are urged 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 Committee of Experts regrets that the fourth periodical report was submitted by Slovenia with a delay of 15 months. Such delays severely hamper the monitoring process and the functioning of the Charter mechanism. The Committee of Experts therefore calls upon the Slovenian authorities to comply with their reporting obligation at three-year intervals, as provided by Article 15.1 of the Charter.
8. In May 2011 a Charter Implementation Roundtable was organised in Ljubljana by the Council of Europe and the Slovenian authorities. The roundtable was attended by representatives of the Committee of Experts, of the Advisory Committee on the Framework Convention for the Protection of National

Minorities and of the national authorities. A meeting with the representatives of the regional or minority language speakers was organised a day before, since, regrettably, the Slovenian authorities did not find any possibility for a joint meeting to take place.

9. The present evaluation report is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Slovenia (November 2013).

10. The present report was adopted by the Committee of Experts on 15 November 2013.

### **1.3. Particular issues arising in the evaluation of the application of the Charter in Slovenia**

11. Slovenia has a very high legal standard of protection for the Hungarian and Italian languages in the “ethnically-mixed areas”, as was noted by the Committee of Experts in its previous evaluation reports. While gaps in the implementation of this legal framework persist in certain areas, Slovenia shows a continued commitment to the protection and the promotion of the Hungarian and Italian languages.

#### *1.3.1. Territorial scope of application of the Charter with regard to German and Croatian and application of the Charter to German, Croatian and Serbian*

12. In the third monitoring cycle, the Committee of Ministers recommended Slovenia to “**define the areas where German and Croatian have been traditionally spoken in Slovenia and apply the provisions of Part II to German, Croatian [...], in co-operation with the speakers**”. Furthermore, the Committee of Experts urged 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.

13. According to the fourth periodical report, the study entitled “National/ethnic vitality of members of the Serbian, Croatian and German national communities in the area of their historical settlement”, commissioned by the Slovenian authorities in 2008 to the Institute for Ethnic Studies has not yet been finalised.

14. The Committee of Experts notes that this study, which started five years ago, has so far not led to any concrete results with respect to the application of the Charter to German and Croatian. It reiterates 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. Furthermore, the Committee of Experts reiterates that, according to information received from the German speakers in the previous monitoring cycle, the areas where German is traditionally spoken in Slovenia are 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)<sup>1</sup>. On the basis of the information received from the Croatian speakers in the previous monitoring cycle, the Croatian language has a traditional presence in Bela Krajina and Žumberak (Dolenjska region) and Croatian speakers are concentrated in and around the municipality of Metlika, notably in Radovica and Bojanja Vas<sup>2</sup>. In the opinion of the Committee of Experts, this already gives the Slovenian authorities at least a basis to start a dialogue with the speakers on the application of Part II of the Charter to German and Croatian.

15. The Committee of Experts further points out that defining the areas where German and Croatian have been traditionally spoken and applying Part II of the Charter to these languages have been recurrent recommendations of the Committee of Ministers since the first and second monitoring cycles<sup>3</sup>. It is

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<sup>1</sup> Paragraph 14, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

<sup>2</sup> Paragraph 15, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

<sup>3</sup> See Recommendations RecChL(2004)3 and RecChL (2007)5 of the Committee of Ministers on the application of the European Charter for Regional or Minority Languages in Slovenia

therefore of the view that the Slovenian authorities should, as a matter of urgency, take resolute steps and implement these recommendations.

***The Committee of Experts strongly 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.***

16. In the third monitoring cycle, the Committee of Ministers also recommended Slovenia to “[...] **apply the provisions of Part II to [...] Serbian, in co-operation with the speakers**”. Furthermore, the Committee of Experts “encourage[d] 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”.

17. The fourth periodical report contains very limited information with regard to Serbian and there are no indications of a structured application of Part II of the Charter to this language, in the area where this is traditionally used. The Committee of Experts reiterates that Part II of the Charter applies to the Serbian language in Bojanci, Marindol, Miliči and Paunoviči<sup>4</sup>.

***The Committee of Experts urges the Slovenian authorities to apply the provisions of Part II of the Charter to the Serbian language, in cooperation with the speakers.***

### 1.3.2. *Traditional presence of Bosnian*

18. In the third monitoring cycle, the Committee of Ministers recommended Slovenia to “**clarify, in co-operation with the speakers, the issue of the traditional presence of the Bosnian language in Slovenia**”. Furthermore, the Committee of Experts addressed the same recommendation to the Slovenian authorities.

19. According to the fourth periodical report, the presence of the Bosnian language in Slovenia is a result of recent migration.

20. During the on-the-spot visit, the Committee of Experts was informed by representatives of the Bosnian speakers that people of Bosnian origin arrived in the current territory of Slovenia at the end of the 19<sup>th</sup> century. After Bosnia and Herzegovina became part of the Austro-Hungarian Empire in 1878 a higher number of Bosniaks arrived in present-day Slovenia during the First World War, as soldiers. However, this did not develop into a community. A continuous Bosnian presence in Slovenia dates back to the 1950s.

21. Based on the information received, the Committee of Experts considers that the Bosnian language is not “traditionally used” in Slovenia in conformity with the definition of a “regional or minority language” contained in Article 1 of the Charter.

## 1.4. **New legislative measures**

22. In the fourth monitoring cycle, the Slovenian authorities informed the Committee of Experts that new legislation relevant to the protection and promotion of regional or minority languages, in particular Hungarian and Italian in the “ethnically-mixed areas”, has been adopted. Such acts are, for example, the Decree on Publishing in the Official Journal of Slovenia (Ur.l. RS No. 20/2010), the Recognition of Professional Qualifications for Physicians, Specialist Doctors, Doctors of Dental Medicine and Dental Medicine Specialists Act (Ur.l. RS No. 107/2010) the Identity Card Act (Ur.l. RS No. 35/2011), the State Prosecutor Act (Ur.l. RS No. 58/2011), the Police Organisation and Work Act, the Tasks and Powers of the Police Act (Ur.l. RS No. 15/2013). The Committee of Experts observes that several of these new acts are reactions to concerns it raised in previous rounds.

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<sup>4</sup> Paragraph 19, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

## **Chapter 2 Conclusions of the Committee of Experts on how the Slovenian authorities reacted to the recommendations of the Committee of Ministers RecChL (2010)5**

### **Recommendation No. 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”*

23. The Slovenian authorities have not yet defined the areas where Croatian, German and Serbian have been traditionally spoken in Slovenia. The study on this issue was commissioned in 2008 and has not yet been finalised.

24. There are no indications of a structured application of Part II of the Charter to Croatian, German and Serbian, which remain largely absent from public life in Slovenia. No educational models for Croatian, German and Serbian as regional or minority languages have been developed. Also, Croatian, German and Serbian 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 language in Slovenia”*

25. The Slovenian authorities have informed the Committee of Experts that there is no traditional presence of the Bosnian language in Slovenia.

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

*“develop the teaching of the Romani language and Roma culture at all appropriate stages”*

26. Romani is taught in the framework of the optional subject “Roma culture”, offered in the 7th-9th grades of primary education. There are no qualified Romani-speaking teachers, but teaching is carried out by Roma assistants. The 2004 “Strategy for Education of Roma in the Republic of Slovenia” was amended in 2011 and activities at pre-school level have been developed. Under various projects, training of Roma assistants and the development of teaching materials have continued.

### **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. The Slovenian authorities continue to focus on developing the legal framework relevant for Hungarian and Italian. However, a wide gap remains between the legislative framework and the actual 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. There is still a clear need for a more pro-active and practice-oriented approach by the Slovenian authorities, in order to ensure a more systematic enforcement of the applicable legislation.

### **Recommendation No. 5:**

*“intensify measures to raise public awareness of the regional or minority languages in mainstream education and in the mass media”*

28. The curricula for teaching Hungarian and Italian contain some information with respect to the presence of these languages in Slovenia. This does not seem to be the case for Croatian, German or Serbian. As far as media is concerned, the public broadcaster has the legal obligation to support the dissemination of information about the cultures present in Slovenia. However, information about regional

or minority languages is largely absent from the media or contributes to the promotion of a negative image. There is still little knowledge about the regional or minority languages and cultures and their traditional presence in Slovenia. Prejudice and stereotypes continue to influence the perception of certain minorities.

## **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**

29. The Committee of Experts will not comment on provisions in relation to which no major issues were raised in its third 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 and paragraph 2.

30. Part II of the Charter applies to the Croatian, German, Hungarian, Italian, Romani and Serbian languages. Hungarian and Italian are also covered by Part III.

### **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;*

#### **Croatian**

31. In the third evaluation report, the Committee of Experts encouraged the Slovenian authorities to recognise, in their domestic legal order, the Croatian language as an expression of cultural wealth.

32. According to the fourth periodical report and the information received during the on-the-spot visit, the situation has not changed. Croatian is still considered by the Slovenian authorities only as a language of the citizens of the former Yugoslav republics or an “immigrant language”, and not a regional or minority language of Slovenia and an expression of cultural wealth.

#### **German**

33. In the third evaluation report, the Committee of Experts encouraged the Slovenian authorities to recognise, in their domestic legal order, the German language as an expression of cultural wealth.

34. The situation has not changed during the fourth monitoring cycle. Slovenian domestic legislation still makes no provision to recognise German as a regional or minority language and as an expression of cultural wealth. Moreover, the information in the fourth periodical report and that received during the on-the-spot visit clearly indicate that German is generally regarded in Slovenia as a foreign language. 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.

#### **Serbian**

35. The fourth periodical report contains no specific information concerning the recognition of Serbian as a regional or minority language and an expression of cultural wealth. In light of the information received during the on-the-spot visit, Serbian is considered a language of the citizens of the former Yugoslav Republics or an “immigrant language”, and not a regional or minority language of Slovenia and an expression of cultural wealth.

36. The Committee of Experts again reiterates that the present provision puts an obligation on the Slovenian authorities to recognise Croatian, German and Serbian as regional or minority languages and as an expression of cultural wealth, which in the Slovenian case means recognition in their domestic legal order. This lack of recognition hampers the implementation of other Part II provisions to all these languages, and the level of protection and promotion of these languages is generally below the requirements of the Charter. While focusing only on the languages and not on the minorities, the

Committee of Experts considers that, in the Slovenian legal and political context, the recognition of the languages is interlinked with the recognition of the Croatian, German and Serbian minorities under Article 64 of the Constitution, which deals with traditional national minorities. The information in the fourth periodical report indicates a different approach to the Hungarian and Italian “national communities”, the Roma “ethnic community” and “the other nations and ethnic communities”, which is reflected in the protection and promotion of their respective languages.

***The Committee of Experts urges the Slovenian authorities to recognise, in their domestic legal order, the German, Croatian and Serbian 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**

37. In the third evaluation report, the Committee of Experts encouraged 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. It also urged the 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 currently afforded to the Italian language in the “ethnically-mixed area” to other areas of the three municipalities concerned where there was a stable presence of Italian speakers. Furthermore, the Committee of Experts urged the 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.

38. The fourth periodical report contains no relevant information in this respect. According to information received from the Italian speakers, the Ministry of the Interior has notified them that persons belonging to the Italian minority living on the territory of Koper/Capodistria, Piran/Pirano and Izola/Isola, but outside the “ethnically-mixed area”, may use their mother tongue in relations with the local authorities and the local branches of state authorities in the three municipalities. However, the other rights of the Italian speakers in the “ethnically-mixed area” of the three municipalities do not apply to those living outside this area. The Committee of Experts reiterates that, for the purposes of the Charter, a sufficient number of Italian speakers are present in the three municipalities outside the “ethnically-mixed area”. It reiterates that the Slovenian authorities should adopt a more flexible approach and implement the undertaking entered into by Slovenia under the Charter on the entire territory of Koper/Capodistria, Piran/Pirano and Izola/Isola.

39. As far as new administrative divisions are concerned, the Italian speakers have informed the Committee of Experts of the decision of the Constitutional Court of Slovenia that a new municipality of Ankaran/Ancarano, currently part of the municipality of Koper/Capodistria, has to be established, following a local referendum in 2009. The National Assembly has until now rejected the creation of the new municipality and the decision of the Constitutional Court has not yet been implemented. However, according to the Italian speakers, the new municipality will most likely be established in 2014.

40. The Committee of Experts strongly urges the Slovenian authorities to start a dialogue with the Italian speakers and the local authorities on the issue of the 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.

***The Committee of Experts strongly urges the Slovenian authorities to take full account of the views and concerns of the Italian speakers and to ensure that measures relating to new administrative divisions do not 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;*

41. The Committee of Experts reiterates that 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 the provision of adequate financial resources.

**Croatian**

42. In the third evaluation report, the Committee of Experts urged the Slovenian authorities to take resolute action to promote the Croatian language, in co-operation with the speakers.

43. According to the fourth periodical report, the Slovenian authorities granted € 19 800 in 2010, € 15 900 in 2011 and € 13 250 in 2012, to co-finance projects of Croatian associations in Slovenia (publications, festival, exhibitions). However, out of these, only a very limited amount has been dedicated to activities in the area where the language has been traditionally spoken. The authorities further state that the National Programme for Language Policy 2014-2018, which is under preparation, will reflect the entire socio-linguistic picture of Slovenia and include general measures targeting minorities; individual measures for each language will also be foreseen in a sub-programme dedicated to language learning, which will be prepared as of 2015. The Committee of Experts looks forward to receiving more information in this respect, which could be relevant for the future monitoring cycles.

44. The Committee of Experts acknowledges that the Croatian speakers who live in urban centres need support for the protection and promotion of Croatian where they live. However, it should be pointed out that there is also a need for support to protect and promote Croatian in the area where it is in traditional use.

**German**

45. In the third evaluation report, the Committee of Experts urged the Slovenian authorities to take resolute action to promote the German language, in co-operation with the speakers.

46. According to the fourth periodical report, the Slovenian authorities granted € 13 000 in 2010, € 23 250 in 2011 and € 23 449 in 2012, to co-finance projects in relation to German (publications, language courses, children's workshops, theatre exhibitions). The authorities further refer to the National Programme for Language Policy 2014-2018, under preparation by the Ministry of Culture (see also paragraph 43 above). During the on-the-spot visit, however, the Committee of Experts has received evidence that more than half of the projects financed by the authorities have no link to the German minority and the protection and promotion of German as a regional or minority language. The representatives of the German speakers further emphasised that the funding system, based on the co-financing of projects, remains problematic, as it does not offer any stability, or sufficient resources. Moreover, all non-governmental associations, including those not representing the minority, may receive funding. Earmarked permanent funding in order to ensure the running of the institutions of the minority in the long run is necessary.

47. The Committee of Experts notes that the promotion of German by the Slovenian authorities remains in essence confined to the terms of the bilateral agreement with Austria. The Committee of Experts maintains its view that the support of the Slovenian authorities to German is limited and insufficient to safeguard and to promote this language.

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

## **Serbian**

48. According to the fourth periodical report, the Slovenian authorities granted € 90 800 in 2010, € 85 100 in 2011 and € 73 200 in 2012, to co-finance projects of Serbian associations in Slovenia. However, none has targeted the area where Serbian is traditionally spoken.

49. The Committee of Experts considers that there is a need for decided measures to safeguard and to promote the Serbian language in particular in the traditional settlement area. The Committee of Experts encourages the Slovenian authorities to take resolute action to promote the Serbian language in the area where it has been traditionally spoken, 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;*

## **Croatian**

50. In the third monitoring cycle, the Committee of Experts urged the Slovenian authorities “to take measures to facilitate and/or encourage the use of Croatian in public life, in particular in the broadcasting media”.

51. According to the fourth periodical report, in line with the Media Act, the authorities fund media projects promoting the public interest. Programmes about and in minority languages may be funded in this framework. In the call for tenders, producing a programme in a minority language is a criterion for assessing projects in the categories of local, regional, student radio or television broadcaster, as well as non-profit radio or television broadcaster. The report also indicates that the Slovenian News Agency Act (Ur.l. 50/2011) foresees that the Slovenian Press Agency as a public service must provide content for the “Italian and Hungarian national communities, the Roma ethnic community, other nations and ethnic communities in the Republic of Slovenia”. However, during the on-the-spot visit, the Committee of Experts has been informed by the representatives of the speakers that, in practice, Croatian as a minority language is not present in the broadcasting media.

52. The authorities also stated that in a campaign preventing domestic violence leaflets have been published *inter alia* in Croatian.

53. The Committee of Experts notes that Croatian as a regional or minority language continues to remain 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 cultural activities mainly in areas other than those where the Croatian language has traditionally been present.

## **German**

54. In the third monitoring cycle, the Committee of Experts urged the Slovenian authorities to take measures to facilitate and/or encourage the use of German in public life, in particular in the broadcasting media.

55. The fourth periodical report states that in a campaign preventing domestic violence leaflets have been published *inter alia* in German. According to information received during the on-the-spot visit, German is not present in the broadcasting media, although the legal framework with respect to media referred to above (paragraph 51) applies also to German. The German speakers are interested in a certain presence of German on local radio and television, which would help raise awareness of the traditional presence of the German language in Slovenia.

56. Moreover, during the on-the-spot visit, the Committee of Experts has been informed that a German minority association established in 2011 in Celje could not use a bilingual Slovenian and German name for registering, since a 2006 law prohibits the use of foreign languages for names of entities registered in Slovenia.

57. The Committee of Experts notes that German as a regional or minority language still 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.

### **Serbian**

58. The Committee of Experts received no information regarding the facilitation and/or encouragement of the use of Serbian in public life, other than in the cultural sphere and outside the area where the language has been traditionally spoken. There are no indications that Serbian is present in the broadcasting media.

***The Committee of Experts strongly urges the Slovenian authorities to take measures to facilitate and/or encourage the use of Croatian, German and Serbian 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;*

59. In the third evaluation report, the Committee of Experts urged 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.

60. According to the fourth periodical report, cooperation among minorities is a criterion when assessing cultural projects in the call for tenders. However, it remains unclear whether such projects have been financed or whether other relations between the linguistic groups in Slovenia have been established. During the on-the-spot visit, the representatives of the German-speakers informed the Committee of Experts about a cultural evening of all “non-recognised” minorities in Maribor.

61. The Committee of Experts strongly 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;*

62. In the third evaluation report, the Committee of Experts noted that the Elementary School Act (Article 8) provided for the possibility to teach the mother tongue and related culture to all Slovenian citizens whose mother tongue is not Slovenian. However, it seemed that there was no teaching of German and Croatian as regional or minority languages. Therefore, the Committee of Experts asked for more information in this respect in the next periodical report.

63. According to the fourth periodical report, German as a mother tongue and related culture, as well as Croatian as a mother tongue and related culture are offered to “immigrant children”. Such teaching is mainly financed by the kin-state. In 2012/2013, 60 pupils attended this model of German teaching. In 2011/2012, 62 pupils attended this model of Croatian teaching, organised in Lendava/Lendva, Maribor and Šalek with the exclusive support of the Croatian authorities. However, this model is not relevant for the teaching of minority languages under the Charter. Croatian and German are only taught as foreign languages.

64. The authorities also refer to the National Programme for Language Policy 2014-2018, under preparation, and which will include a sub-programme dedicated to language learning (see also paragraph 43 above).

65. The Committee of Experts reiterates<sup>5</sup> 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 that 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.

### **German**

66. In the third evaluation report, the Committee of Experts urged the Slovenian authorities to take concrete measures, in co-operation with the speakers, for providing appropriate forms of teaching German as a minority language".

67. According to the fourth periodical report, there is still no model to teach German as a regional or minority language in the Slovenian education system. German continues to be taught in Slovenia as a foreign language. German is not used at pre-school level. During the on-the-spot visit, the Committee of Experts was informed by the German speakers that the German associations organise language courses in an effort to cover the levels of education where German is not offered. They have reiterated the need for bilingual pre-school education and primary education in German, in the areas where the language has been traditionally spoken.

68. The Committee of Experts reiterates 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 Lower Styria (municipalities of Maribor, Apače, Celje), as well as in the municipalities of Dolenjske Toplice and Semič, as part of the school framework, including provision for pre-school education in German.

### **Croatian**

69. In the third evaluation report, the Committee of Experts urged the Slovenian authorities to take concrete measures, in co-operation with the speakers, for providing appropriate forms of teaching Croatian as a minority language.

70. According to the fourth periodical report, Croatian continues to be taught as a second foreign language (optional subject) in the 7<sup>th</sup>-9<sup>th</sup> years of primary school. In 2012/2013, 110 pupils studied Croatian. However, in the area where the language is traditionally spoken, Croatian as an optional subject was only taught at one school in Novo Mesto, to eight pupils. Croatian is not used at pre-school level. During the on-the-spot visit, the representatives of the Croatian speakers pointed out that more awareness-raising and promotion of the possibilities to study Croatian are necessary. The Committee of Experts reiterates that the current teaching of Croatian 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> year), which excludes pre-school and most parts of primary education.

71. The Committee of Experts reiterates<sup>6</sup> 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 at pre-school level, in the areas where it has been traditionally spoken.

### **Serbian**

72. According to the fourth periodical report, Serbian may be taught as a foreign language (optional subject) at the third level of primary education. In 2010/2011, 27 pupils studied Serbian in two primary schools, in Velenje and Koper/Capodistria. In addition, in 2012/2013, a class of Serbian language and culture was offered to 35 "Serbian-speaking immigrant children", at a school in Ljubljana. However, it appears from the information above that the teaching of Serbian takes place only outside the areas where the language has been traditionally spoken, and not as a regional or minority language. During the on-the-

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<sup>5</sup> Paragraph 55, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

<sup>6</sup> Paragraph 62, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

spot visit, the representatives of the Serbian speakers informed the Committee of Experts that teaching of Serbian is mainly organised by the associations.

73. The Committee of Experts considers that the implementation of this provision requires decided measures from the Slovenian authorities. There is a need to develop the teaching in and of Serbian as a regional or minority language, in the area where it has been traditionally spoken, as part of the school framework, including provision for pre-school education in Serbian.

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

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

74. In the third evaluation report, the Committee of Experts encouraged the Slovenian authorities to promote research on Croatian and German at universities or equivalent institutions.

75. The fourth periodical report refers only to the possibility to study Croatian and German at university level. No information is provided on research carried out on Croatian or German (including its Gottschee variety).

76. The Committee of Experts asks the Slovenian authorities to provide information about research on Croatian and German at universities or equivalent institutions.

### **Serbian**

77. The fourth periodical report contains no information on the promotion of study and research on Serbian at universities or equivalent institutions. The Committee of Experts asks the Slovenian authorities to provide relevant information in this respect in the next periodical report.

*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.*

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

79. The fourth periodical report refers to a cross-border cooperation project (*BeRi*, 2010-2012), co-financed through the Slovenia-Croatia Operational Programme 2007-2013. The project included Slovenian/Croatian language courses in the border area, tolerance and awareness raising activities among children, cultural events, as well as steps to promote cross-border inter-library loans. The *Miran Jarc* Library in Novo Mesto was a partner in the project. It remains unclear whether transnational exchanges in other fields covered by the Charter (e.g. education, media) have been promoted.

80. As for German, the fourth periodical report refers to the agreement on co-operation on culture, education and science for 2008-2012 between Slovenia and Austria. No concrete examples have been provided of how this agreement promotes transnational exchanges in the fields covered by the Charter (e.g. education, media, culture), for the German language.

### **Serbian**

81. The fourth periodical report refers only to co-ordination between the Slovenian and Serbian authorities, in the field of teacher training and for the preparation of a textbook. No information is provided on the concrete results of this co-ordination or on the way the authorities promote appropriate types of transnational exchanges in the fields covered by the Charter, for the Serbian language.

82. The Committee of Experts encourages the Slovenian authorities to promote appropriate types of transnational exchanges in the fields covered by the Charter, for the Croatian, German and Serbian 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.*

83. The Committee of Experts reiterates<sup>7</sup> 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 reiterated that this remains a problem, although there have been certain improvements in societal attitudes towards minorities, their languages and cultures.

### **Specific issues concerning Italian**

84. In the third periodical report, the Committee of Experts encouraged the Slovenian authorities to make every effort to solve the problem of negative attitudes towards the Italian speakers.

85. According to the fourth periodical report, in February 2012 the Commission for National Communities of the National Assembly condemned the online hate speech against the Hungarian and Italian minorities. All forms of hate and intolerance against the Hungarian, Italian and Roma minorities were also publicly condemned in March 2012 by the Government Office for National Minorities. The authorities further refer to the provisions of the Criminal Code sanctioning the breach of the right to equality and the public incitement to hatred, violence or intolerance.

86. The representatives of the Italian speakers informed the Committee of Experts that they remain subject to prejudice and stereotyping linked to the period of fascism.

87. The Committee of Experts urges the Slovenian authorities to take measures to combat negative attitudes towards the Italian speakers.

### **Specific issues concerning German**

88. In the third evaluation report, the Committee of Experts encouraged the Slovenian authorities to take an active stand against expressions of intolerance towards the German speakers.

89. The fourth periodical report refers only to the above-mentioned provisions of the Criminal Code. During the on-the-spot visit, the representatives of the German speakers informed the Committee of Experts that they still face prejudice and stigmatisation. There is a negative perception of the Germans, linked to historical events, in particular in the public and political discourse. The Committee of Experts refers to the European Commission against Racism and Intolerance, which also found that German speakers are facing prejudice and negative attitudes, notably linked to the Second World War, and some manifestations of intolerance<sup>8</sup>.

90. The Committee of Experts urges the Slovenian authorities to take an active stand against expressions of intolerance towards the German speakers.

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<sup>7</sup> Paragraph 70, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

<sup>8</sup> Third report on Slovenia, p. 23

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

91. In the third monitoring cycle, the Committee of Ministers recommended Slovenia to “**intensify measures to raise public awareness of the regional or minority languages in mainstream education and in the mass media**”. Furthermore, the Committee of Experts urged 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 Croatian, German, Hungarian, Italian and Romani languages.

92. According to the fourth periodical report, awareness-raising about the presence of Hungarian is included in the curricula for Slovenian as a mother tongue (for primary, secondary and technical education), Slovenian as a second language (for bilingual primary education in the “ethnically-mixed area” of the Prekmurje region) and for Hungarian as an optional subject (in the 7<sup>th</sup>-9<sup>th</sup> years of primary education, outside the “ethnically-mixed area” of the Prekmurje region). The Regional Unit in Murska Sobota of the National Education Institute contributes to the promotion of intercultural dialogue, by providing *inter alia* advice to teaching staff, parents and other interested persons. It also cooperates with other institutions in Slovenia and Hungary for activities raising awareness about the Hungarian language and culture.

93. Awareness-raising about the presence of Italian is included in the curricula for Slovenian language as first and as second language (for primary, secondary and technical education), Italian as first language (for primary, secondary and technical education in the “ethnically-mixed area” of the Slovenian part of Istria), Italian as a second language (primary, secondary and technical education in the “ethnically-mixed area” of the Slovenian part of Istria, as well as outside the “ethnically-mixed area”). The Regional Unit in Koper/Capodistria of National Education Institute has contributed to the introduction of intercultural content in the new textbooks for Italian language. It has also prepared publications for teachers aimed at developing and assessing intercultural ability in projects implemented by the Institute. It further provides assistance to teachers in raising awareness of pupils about the presence and co-existence of languages, supports teachers and headmasters in developing intercultural communication and exchanges, cooperates with institutions in Slovenia and Italy in activities raising awareness about the presence of the minority languages and cultures.

94. No relevant information about Croatian, German or Serbian is provided in the periodical report.

95. With respect to media, the authorities report that according to the Radio and Television Corporation of Slovenia Act, the public broadcaster has an obligation to support the dissemination of information about the cultures present in Slovenia. Regional media in Koper/Capodistria and Lendava/Lendva regularly inform about the activities of the schools, as well as about the cultural events in the respective regions.

96. During the on-the-spot visit, however, the Committee of Experts was informed by representatives of all regional or minority language speakers that public awareness and perception of minorities remains problematic. Textbooks used in mainstream Slovenian education contain only very limited information about the Hungarian and Italian minorities. A survey conducted by the Italian speakers among students and teachers has illustrated that these are not aware of the traditional presence of Italian in Slovenia, which they link only to the period of fascism.

97. The situation appears to be even more problematic in the media. The representatives of the German speakers pointed out that they remain largely absent from the media coverage at local and national level. The Croatian speakers informed the Committee of Experts of the negative reaction of the media to the request to be recognised as a national minority. The Serbian speakers also reported expressions of prejudice and intolerance to them. According to the Italian speakers, media does not promote awareness and tolerance, and information about the traditional presence of Italian in Slovenia is absent from the media, as well as from the vast majority of publications in Slovenia. In their view there is need for a dedicated information campaign about the traditional presence of Italian in Slovenia. The Hungarian speakers also referred to the negative perception of the Slovenian society and to the prejudice promoted by some media. In particular, they are concerned about internet hate speech. Moreover, the

Hungarian speakers have pointed out that in the context of the economic crisis, the negative discourse about minorities has worsened. The Hungarian association has even received defamatory letters.

98. The Committee of Experts notes as well that the fourth periodical report refers to the Italian culture as a foreign culture and to German being defined in the educational system as the language of the neighbours and a foreign language.

99. The Committee of Experts considers that more resolute steps are needed to promote awareness and tolerance about the regional and minority languages in Slovenia. It reiterates<sup>9</sup> that the media should be encouraged, without prejudice to their independence, to pay more attention to these languages and cultures as integral parts of Slovenia's history and culture. In addition, awareness of regional or minority languages should be raised as a component and as an expected result of mainstream journalist training, as well as of teacher training.

100. The Committee of Experts strongly 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 Croatian, German, Hungarian, Italian, Romani and Serbian 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.*

101. In the third periodical report, the Committee of Experts urged the Slovenian authorities to set up mechanisms with a view to consulting the relevant organisations representing the Croatian and German languages when establishing a structured policy for the maintenance and promotion of these languages.

102. The Committee of Experts notes that no mechanisms for the consultation of the speakers of German and Croatian have been set up.

103. Moreover, the representatives of the Italian speakers informed the Committee of Experts that they were not consulted during the drafting of the periodical report.

104. The Committee of Experts strongly urges the Slovenian authorities to set up mechanisms with a view to consulting the relevant organisations representing the Croatian, German and Serbian languages when establishing a structured policy for the maintenance and promotion of these languages and in other matters of relevance to them.

#### **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.*

#### **Romani**

105. In the third monitoring cycle, the Committee of Ministers recommended Slovenia to **“develop the teaching of the Romani language and Roma culture at all appropriate stages”**. Furthermore, the Committee of Experts urged 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

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<sup>9</sup> Paragraph 76, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

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".

*Implementation of the "Strategy for Education of Roma in the Republic of Slovenia" of 2004*

106. In the third evaluation report, the Committee of Experts encouraged 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.

107. According to the fourth periodical report, the 2004 "Strategy for Education of Roma" in the Republic of Slovenia was amended in 2011, aiming at a more successful participation of Roma children and youth in the educational system at all levels. Pre-school activities have been established. So called Roma education incubators have been set up, including various forms of work with Roma children and parents, in their community. Projects co-financed under the European Social Fund have continued and contributed to developing teaching materials, to the training of Roma assistants and to implementing different forms of educational activities involving the Roma community. Twelve bilingual picture books (Slovenian, Prekmurje dialect of Romani and Dolenjska dialect of Romani), accompanied by handbooks were developed. Thirty schools and pre-schools participate in the above-mentioned projects. In 2012/2013, 2109 Roma children were enrolled in primary education.

108. Romani continues to be taught in the framework of "Roma culture", an optional subject in the 7<sup>th</sup>-9<sup>th</sup> years of primary education, as well as through extracurricular activities, workshops and seminars. Teaching is carried out by Roma assistants.

109. During the on-the-spot visit, the Committee of Experts was informed by representatives of the Roma community that the "Strategy for Education of Roma in the Republic of Slovenia" had an overall positive impact. However, its implementation and results greatly differ among regions. While in the Prekmurje region all Roma children attend primary education, and some continue to secondary and higher education, in Dolenjska region the school attendance rate, as well as the success rate are lower. The situation is even more difficult in Maribor and Ljubljana, where Roma arriving more recently in Slovenia and speaking different Romani varieties live. Concerns have also been expressed by Romani speakers about the availability of some teaching materials in a sufficient number to be used in schools.

110. The Committee of Experts commends the Slovenian authorities for their considerable efforts in the field of education for Roma. However, it urges the Slovenian authorities to further pursue their efforts to make the teaching of Romani more generally available and to develop a scheme for the training of teachers able to teach Romani.

*Codification of Romani*

111. In the third evaluation report, the Committee of Experts urged the Slovenian authorities to further pursue the codification of the varieties of Romani present in Slovenia. According to the fourth periodical report and the information received during the on-the-spot visit, the codification of Romani is being pursued. Romani grammar books and dictionaries have been published. The Committee of Experts encourages the Slovenian authorities to further pursue the codification of the varieties of Romani present in Slovenia.

*Presence of Romani in the media*

112. According to the fourth periodical report and the information received during the on-the-spot visit, programmes in Romani continue to be broadcast by the national public radio and TV broadcaster. In addition, Radio Marš in Maribor, Radio Študent in Ljubljana and Radio ROMIC of the Roma Information Centre broadcast programmes in Romani.

*Awareness-raising in education and the mass media*

113. In the third evaluation report, the Committee of Experts reiterated 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, including through measures to promote a more positive image of the Roma in the media and in the national curriculum.

114. According to the fourth periodical report, the authorities have supported the activities of the Roma associations, including in the media, aimed *inter alia*, at raising awareness and combating intolerance and discrimination. Activities have also continued in the context of the Council of Europe's "Dosta" campaign. One of the objectives of the National Programme of Measures for Roma for 2010-2015 is to raise public awareness about the existence, culture, customs and traditions of the Roma community. The project *Social Integration of the Roma*, co-financed by the EEA and Norway and finalised in January 2012, also aimed *inter alia* at promoting tolerance and intercultural dialogue.

115. As far as education is concerned, during the on-the-spot visit the Committee of Experts was informed that the optional subject "Roma culture" is not systematically offered in Slovenian schools, despite efforts of Roma associations to introduce the teaching of this subject to Slovenian pupils. Therefore, the information offered about Roma and Romani in education depends to a great extent on the school and on the teachers.

116. The Committee of Experts nevertheless notes that Roma continue to suffer from severe prejudices and stigmatisation. It reiterates<sup>10</sup> the 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 at all levels.

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

117. In the third monitoring cycle, the Committee of Experts received no information on the harmonisation of the level of protection of all Romani speakers.

118. According to the fourth periodical report, all measures protecting and promoting Romani, as well as Roma culture and identity apply equally to all Romani speakers and no distinctions are made among them. However, during the on-the-spot visit, representatives of the Romani speakers indicated that a distinction is still being made between Roma traditionally living in Slovenia and Roma having arrived there more recently.

***The Committee of Experts strongly urges the Slovenian authorities to pursue their efforts:***  
***- to ensure the full implementation of the "Strategy for Education of Roma in the Republic of Slovenia";***  
***- 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.***

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<sup>10</sup> Paragraph 89, Third report of the Committee of Experts on Slovenia, ECRML (2010)5

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

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

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

In the case of Italian:

- Article 8, paragraph 1.a i; b i; c i; f iii; g; paragraph 2;
- Article 9, 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; paragraph 3;
- Article 13, paragraph 1.a;
- Article 14 a; b.

121. For these provisions, the Committee of Experts refers to the conclusions reached in the previous reports 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:***

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

122. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it urged 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.

123. According to the fourth periodical report, the Act on the Exercise of the Special Rights of Members of the Italian and Hungarian Ethnic Communities in the Field of Education envisages the possibility of employing foreign teachers in the case of staff shortage. If no candidate fulfilling the required conditions applies for a vacancy, the pre-school or school may employ a visiting foreign teacher for a maximum of two years. During the on-the-spot visit, the representatives of the Hungarian speakers stated that at present the generation shift does not raise problems.

124. However, the Hungarian speakers expressed concerns about the level of knowledge of Hungarian of the teachers and their capacity to teach subjects bilingually. Teacher training takes place only in

Slovenian and there is a possibility to study Hungarian language as a subject; however, this proves to be insufficient in practice. This has consequences on the provision and quality of bilingual education, since some teachers are not able to teach adequately certain subjects in Hungarian. The Slovenian authorities stated that they are aware of these problems and informed the Committee of Experts that further training is organised to deal with these issues. A new project on training teachers for bilingual teaching in Hungarian and Italian will be launched in December 2013.

125. The Committee of Experts maintains its previous conclusion that the undertaking is fulfilled. It encourages the Slovenian authorities to provide adequate basic and further training for teachers working in bilingual schools.

- 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.**

126. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. It however requested the Slovenian authorities to report, in the next periodical report, on the progress in monitoring bilingual education.

127. According to the fourth periodical report, the National Education Institution has launched a two-year test project entitled “Teaching literacy in the Slovenian and Hungarian languages in bilingual primary schools”, for the period from 1 September 2012 to 3 October 2014. This project aims to assess the acquisition of bilingual literacy. At present, no report on the progress of this project is available.

128. The Committee of Experts considers this undertaking fulfilled. It however asks 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.**

129. In the third evaluation report, the Committee of Experts considered these undertakings fulfilled.

130. According to the fourth periodical report, on 12 July 2011 the State Prosecutor Act was passed, providing that in the “ethnically-mixed area”, state prosecutor’s offices shall also conduct their affairs in Hungarian. The costs shall be covered by funds earmarked for state prosecutor’s offices. Moreover, a state prosecutor and his personnel should have advanced knowledge of Hungarian.

131. During the on-the-spot visit, the Committee of Experts was informed by the Hungarian speakers that, in practice, proceedings rarely take place in Hungarian, since not all judges speak the language and the use of interpretation increases the duration of the proceedings. The Slovenian authorities confirmed that one judge and one clerk have knowledge of Hungarian at the Lendava/Lendva Court.

132. The Committee of Experts maintains its previous conclusion that these undertakings are fulfilled. Nevertheless, it encourages the Slovenian authorities to take practical measures facilitating the use of Hungarian before courts.

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

133. In the third 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 [...] 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;*

134. In the third evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It requested the Slovenian authorities to provide concrete information on the practical use of Hungarian in local branches of state administration in the next periodical report.

135. According to the fourth periodical report, the police are bound to use Hungarian in the “ethnically-mixed area”. All forms are issued also in Hungarian and communication with members of the minority takes place in Hungarian. Employees of the Surveying and Mapping Authority of the Republic of Slovenia, working in the area, communicate in Hungarian daily. According to the periodical report, the right to use Hungarian is consistently implemented in practice and daily work in the Administrative Units with “ethnically-mixed” settlements, although the Slovenian authorities admit that only one local office in the Murska Sobota Administrative Unit has a bilingual sign (Prosenjakovci/Pártosfalva) and that not all forms are available in Hungarian in the Lendava/Lendva Administrative Unit. Hungarian-speaking civil servants as well as translators are employed. Civil servants may take Hungarian language courses and the financial bonus system for the certified ability of civil servants to use Hungarian continues to be in place.

136. During the on-the-spot visit, however, the Hungarian speakers informed the Committee of Experts, that, in practice, Hungarian is rarely used by the local branches of state authorities. Only a few employees are able to speak Hungarian. Therefore, Slovenian is used as a working language in the Administrative Units. The Hungarian speakers also emphasised that it is not clear in practice how the knowledge of Hungarian is assessed, as formal qualifications often differed significantly from the actual ability to use the language. Some civil servants only attended a 40-hour language course, which is not sufficient for a command of Hungarian allowing its use in daily work.

137. In light of this information, the Committee of Experts considers the undertaking partly fulfilled. It encourages the Slovenian authorities to take measures encouraging the practical use of Hungarian 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;*

138. This undertaking was considered fulfilled in the previous monitoring cycles.

139. In the fourth periodical report, the Slovenian authorities inform the Committee of Experts that forms are issued also in Hungarian and a special portal for Hungarian was established as part of the E-government State Portal. According to the information received from the Hungarian speakers during the on-the-spot visit, a great number of forms are available in Hungarian, but not all. Moreover, forms in Hungarian are not directly available in public institutions, where the applicants have to request them.

140. The Committee of Experts maintains its previous conclusion that the undertaking is fulfilled. However, it encourages the Slovenian authorities to take measures strengthening the implementation of this undertaking in practice.

## **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;*

141. In the third evaluation report, the Committee of Experts considered these undertakings still fulfilled. Nevertheless, it requested further information from the Slovenian authorities regarding their practical implementation.

142. In the fourth periodical report, the Slovenian authorities state that the right to use Hungarian the local and regional authorities is consistently implemented in practice and daily work. During the on-the-spot visit, the Hungarian speakers confirmed that Hungarian is used more consistently by the local authorities. Most employees of local authorities speak Hungarian and the majority of forms are available in Hungarian. Documents are also published in Slovenian and Hungarian. The Hungarian speakers, however, emphasised the importance of bilingual signage in local institutions, which does not always exist in practice.

143. The Committee of Experts considers the undertakings fulfilled. However, it encourages the Slovenian authorities to look into the issue of bilingual signage in local institutions.

- 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;*

144. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it requested further information from the Slovenian authorities regarding its practical implementation.

145. During the on-the-spot visit, the representatives of the Hungarian speakers informed the Committee of Experts that Hungarian is no longer used in local assemblies, as the councillors who did not speak or understand Hungarian complained about the long duration of debates because of interpretation.

146. The Committee of Experts considers this undertaking formally fulfilled. It encourages the Slovenian authorities to take practical measures encouraging the use by local authorities of Hungarian in debates in their assemblies.

### **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;***

147. In the third monitoring cycle, the Committee of Experts considered this undertaking formally fulfilled. It requested the Slovenian authorities to submit information, in the fourth periodical report, on measures taken to ensure that Hungarian was used in the provision of public services.

148. According to the fourth periodical report, “Eko-park d.o.o. Lendava - Öko-park Kft. Lendva”, a public company providing services of drinking water supply and waste transport, conducts business in both Slovenian and Hungarian. The company communicates with the clients in Hungarian if the clients so request. All notices and publications of the company are bilingual, as well as meter readings entry form. However, the website, the forms for project conditions and approvals, the invoices and money order forms are available in Slovenian only.

149. During the on-the-spot visit, the representatives of the Hungarian-speakers informed the Committee of Experts that companies providing public services operate mainly in Slovenian. Only those entities based in Lendava/Lendva operate bilingually to certain extent, while those having the headquarters outside the “ethnically-mixed area”, for example in Maribor, use only Slovenian.

150. The Committee of Experts considers this undertaking partly fulfilled. It encourages the Slovenian authorities to ensure the use of Hungarian in the provision of public services.

### **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.***

151. In the third evaluation report, the Committee of Experts considered these undertakings fulfilled for local and state administration. As regards public services, the undertakings remained not fulfilled. The Committee of Experts requested the Slovenian authorities to submit more information in the next periodical report as regards public services.

152. The Committee of Experts received no specific information on this issue during the fourth monitoring cycle.

153. The Committee of Experts considers this undertaking fulfilled for local and state administration. As regards public services, the Committee of Experts maintains its previous conclusion that this undertaking is not fulfilled. The Committee of Experts asks the Slovenian authorities to submit more information in the next periodical report as regards 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;*

154. In the third monitoring cycle, the Committee of Experts considered this undertaking partly fulfilled. It urged the Slovenian authorities to gradually increase the provision for Hungarian in public television broadcasting.

155. According to the information in the fourth periodical report, there has been no increase in the extent of television broadcasting. The TV programmes in Hungarian are broadcast several times a week, however their extent cannot be considered equivalent to a Hungarian-speaking television channel, which is the requirement of the present undertaking. The Committee of Experts has not been made aware of any measures taken to increase the provision of Hungarian in public television broadcasting.

156. The Committee of Experts maintains its previous conclusion that this undertaking is partly fulfilled. It again urges the Slovenian authorities to 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.*

157. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it requested the Slovenian authorities to provide information, in the next periodical report, on how the interests of the Hungarian speakers were taken into account.

158. In the fourth periodical report the Slovenian authorities state that the interests of Hungarian speakers are represented and taken into account, as they are present within the Programme Committee and the Programme Council.

159. The Committee of Experts considers this undertaking fulfilled.

## Article 13 – Economic and social life

160. In the third 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 [...] 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;*

161. In the third evaluation report, the Committee of Experts considered this undertaking not fulfilled.

162. According to the fourth periodical report, the Companies Act provides that in areas inhabited by the Hungarian minority communications with employees may also be conducted in Hungarian. Although the acts of the company must be written in Slovenian, in areas inhabited by the Hungarian minority, Hungarian may also be used. The Committee of Experts points out that this provision concerns the whole country and not only in the territory where Hungarian is used.

163. The Committee of Experts considers this undertaking partly fulfilled. It asks the Slovenian authorities to inform, in the next periodical report, whether the legislation prohibits, within the whole country, the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Hungarian, at least between users of this language.

- 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.*

164. In the third evaluation report, the Committee of Experts considered these undertakings fulfilled. Nevertheless, it requested the Slovenian authorities to report on the implementation of the Consumer Protection Act in the next periodical report.

165. The fourth periodical report does not contain any relevant information on the practical implementation of the Consumer Protection Act. During the on-the-spot visit, the Committee of Experts was informed that information relating to the characteristics, intended use of the product, composition and the use of products or services are only provided in Slovenian on products of Slovenian origin, although in line with the existing legislation Hungarian should also be used in the “ethnically-mixed area”.

166. The Committee of Experts underlines that these undertakings apply within the whole territory of the country. It asks the Slovenian authorities to provide information about the implementation of these undertakings also outside the “ethnically-mixed area”.

## **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;*

167. In the third evaluation report, in the absence of relevant information, the Committee of Experts considered this undertaking not fulfilled. It encouraged 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.

168. According to the fourth periodical report, the legislation does not regulate this issue. During the on-the-spot visit, the Committee of Experts was informed by the Hungarian speakers that the payment orders and other financial documents are drawn up in Slovenian.

169. The Committee of Experts considers this undertaking 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;*

170. In the third evaluation report, in the absence of relevant information, the Committee of Experts considered this undertaking not fulfilled. It requested the Slovenian authorities to provide information concerning the organisation of relevant activities to promote the use of Hungarian in the public sector.

171. In the fourth periodical report the Slovenian authorities refer to the National Programme for Language Policy 2014-2018, which aims at providing conditions for the equal public use and development of Hungarian or Italian in “ethnically-mixed areas”.

172. The Committee of Experts considers this undertaking not fulfilled at present. It asks the Slovenian authorities provide further information on the National Programme for Language Policy 2014-2018 and concerning the organisation of relevant activities to promote the use of Hungarian in the public sector in the next periodical report.

**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;*

173. In the previous monitoring cycles, the Committee of Experts considered this undertaking fulfilled.

174. During the on-the-spot visit, the Committee of Experts was informed that Hungarian can be used in social care facilities in Lendava/Lendva. However, the hospital in Murska Sobota, which comprises eight “ethnically-mixed” settlements, does not have Hungarian-speaking staff and is not able to receive and treat persons in Hungarian.

175. The Committee of Experts considers this undertaking partly fulfilled. It encourages the authorities to ensure that social care facilities responsible for the “ethnically mixed areas” offer the possibility of receiving and treating persons in Hungarian.

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

176. In the third evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It requested the Slovenian authorities to provide specific information concerning the implementation of this undertaking in the next periodical report.

177. The fourth periodical report does not contain specific information about this issue.

178. The Committee of Experts maintains its previous conclusion that this undertaking is 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.*

179. In the third evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It requested the Slovenian authorities to provide information on its practical implementation in the next periodical report.

180. The fourth periodical report does not contain the requested specific information.

181. The Committee of Experts maintains its previous conclusion that this undertaking formally fulfilled. It requests the Slovenian authorities to provide information on its practical implementation in the next periodical report

### 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:*

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

182. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled.

183. During the on-the-spot visit, the Committee of Experts was informed by the Italian speakers about delays in translating the new textbooks into Italian, which affect technical and vocational education in particular.

184. The Committee of Experts maintains its previous conclusion that the undertaking is fulfilled. Nevertheless, it encourages the Slovenian authorities to ensure that adequate textbooks are available for all levels of education.

- 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;*

185. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it requested the Slovenian authorities to comment on the problems regarding the recognition of degrees in some subjects, such as pharmacy.

186. According to the fourth periodical report, Slovenia succeeded to the bilateral agreement between the former Socialist Federal Republic of Yugoslavia and the Republic of Italy on Mutual Recognition of Certificates and Degrees, signed in 1983. In 1995, Slovenia and Italy additionally signed the Memorandum of Understanding on Mutual Recognition of Slovenian and Italian Degrees and Professional Titles. Professional titles in pharmacy are recognised by a competent university in a speedy procedure.

187. However, the Committee of Experts was informed by the representatives of the Italian speakers that problems still persist in the recognition and equivalence of diplomas obtained abroad.

188. The Committee of Experts considers this undertaking fulfilled. Nevertheless, it asks the Slovenian authorities to clarify the problems regarding the recognition and equivalence of diplomas.

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

189. In the previous monitoring cycles, the Committee of Experts considered this undertaking fulfilled.

190. During the on-the-spot visit, the representatives of the Italian speakers raised the issue of teacher training, which is organised only in Slovenian. This has consequences on the provision and quality of bilingual education, since the teachers are supposed to teach subjects in Italian. Seminars and trainings, financed by Italy, have been organised to help overcome this problem. The Slovenian authorities informed the Committee of Experts that they are aware of the problem and that further training is organised to deal with this issue. A new project on training teachers for bilingual teaching in Hungarian and Italian will be launched in December 2013 (see also paragraph 124).

191. The Committee of Experts maintains its previous conclusion that the undertaking is fulfilled. It encourages the Slovenian authorities to provide adequate basic and further training for teachers working in schools with Italian as the language of instruction.

- 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.*

192. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. It however requested the Slovenian authorities to report, in the next periodical report, on the progress in monitoring education in Italian.

193. The fourth periodical report refers to the National Education Institute, which monitors the developments in the field of minority language education.

194. The Committee of Experts considers this undertaking fulfilled. However, it asks the Slovenian authorities to report, in the next periodical report, on the progress in monitoring education in Italian.

## **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.*

195. These undertakings were considered fulfilled in the previous monitoring cycles.

196. According to the fourth periodical report, on 12 July 2011 the State Prosecutor Act was passed, providing that in the “ethnically-mixed area”, state prosecutor’s offices shall also conduct their affairs in Italian. The costs shall be covered by funds earmarked for state prosecutor’s offices. Moreover, a state prosecutor and his personnel should have advanced knowledge of Italian.

197. The representatives of the Italian speakers informed the Committee of Experts that there are no judges able to conduct the proceedings in Italian, and, as a rule, interpretation is used. This increases the length of the proceedings. Moreover, all the written documents of the courts, including decisions, are issued only in Slovenian and are translated into Italian if the party so requests.

198. The Committee of Experts maintains its previous conclusion that the undertaking is fulfilled. The Committee of Experts encourages the Slovenian authorities to take practical measures facilitating the use of Italian before courts.

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

199. In the third 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 [...] 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;*

200. In the third evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It urged the Slovenian authorities to take proactive measures to promote the use of Italian in local branches of state administration.

201. In the fourth periodical report, the Slovenian authorities inform the Committee of Experts that the police are bound to use Italian in the “ethnically-mixed area”. All forms are issued in Italian as well and communication with members of minority takes place in Italian. In addition, the police employees can take Italian language courses. In 2012, in the area of the Koper/Capodistria Police Directorate, the bonus for certified knowledge of Italian was foreseen for 175 posts. Furthermore, the Regional Unit Koper/Capodistria of the Inspectorate for Agriculture and Environment operates in Italian. Fisheries inspectors use Italian and issue documents in Italian. Other inspectors from the Koper/Capodistria Regional Unit seldom use Italian in their working time, mainly for communication with clients by phone or in the field.

202. During the on-the-spot visit, however, the Committee of Experts was informed by the Italian speakers that, in practice, Italian is rarely and only orally used by the local branches of the state authorities. A number of institutions (Tax Authority, Ministry of the Interior, police, geodetic office) continue to operate only in Slovenian. According to a survey conducted by the Italian speakers in June 2013, at the employment offices in Koper/Capodistria, Izola/Isola and Piran/Pirano, the job announcements and notifications were only in Slovenian. Webpages are mainly in Slovenian. Italian speakers insisting on the use of their language tend to be perceived as “trouble-makers”, while the use of Italian in administration is seen as an additional cost. 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 and it remains unclear how the knowledge of Italian is assessed. Language courses have been organised by the Italian organisation in the framework of the *Jeziik/Lingua* project, part of the Slovenia-Italy Crossborder Cooperation Programme 2007-2013 and financed by the European Regional Development Fund and the two states.

203. The Committee of Experts maintains its previous conclusion that this undertaking is partly fulfilled. It again urges the Slovenian authorities to take proactive measures to promote the use of Italian in local branches and to provide concrete examples of the practical implementation of this provision in the next periodical report.

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

204. In the third evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged 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.

205. In the fourth periodical report, the authorities refer to the Italian portal established as part of the E-government State Portal. However, not all forms are available in Italian for the moment.

206. During the on-the-spot visit, the Committee of Experts was informed by the representatives of the speakers that a considerable number of widely used administrative texts and forms are not translated into Italian and, where they exist, they are not directly available; forms in Italian are provided only if the applicant so requests. The Committee of Experts was informed by the Italian speakers of a survey conducted by them in June 2013 that showed that no forms in Italian were offered at the Koper/Capodistria and Piran/Pirano administrative units and at the tax office in Lucija/Lucia (municipality of Piran/Pirano).

207. The Committee of Experts maintains its previous conclusion that this undertaking is partly fulfilled. It urges the Slovenian authorities to make systematically available widely used administrative texts and forms for the population in Italian or in bilingual versions.

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

208. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled.

209. During the on-the-spot visit, the Committee of Experts was informed by the representatives of the Italian-speakers that in practice administrative authorities rarely, if at all, draft documents in Italian. Moreover, the representatives of the Italian speakers have pointed out that on personal documents only the template is bilingual, while the information, including place-names, is added in Slovenian.

210. The Committee of Experts must therefore revise its previous conclusion and consider the undertaking partly 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;*

211. In the third evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It urged the Slovenian authorities to promote the use of Italian in the municipalities concerned, including, where necessary, by providing financial resources for interpretation.

212. The fourth periodical report does not contain relevant information. During the on-the-spot visit, the Committee of Experts was informed by the Italian speakers that Italian is used in local assemblies. In practice, the councillors representing the Italian national community speak Italian, while the other councillors have a sufficient command of Italian to understand them.

213. The Committee of Experts considers the undertaking fulfilled.

**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.*

214. In the third evaluation report, the Committee of Experts considered the undertaking partly fulfilled. It urged the Slovenian authorities to clarify, in co-operation with the Italian speakers, the complaints regarding the adoption and use of place-names inside the “ethnically-mixed area” where only Slovenian place-names had been used.

215. According to the fourth periodical report, local communities designate the names of settlements in the Slovenian and Italian languages. The Act on Designating Areas and Naming and Marking Settlements, Streets and Buildings provides for public participation in decision-making, which also applies to determining or changing the names of settlements and prevents the choice or change of a name without prior consultation with “the persons involved” in the area concerned. These persons should have the opportunity to express their opinion on the “new” name of the settlement in which they live. According to the authorities, in the municipalities of Koper/Capodistria, Izola/Isola and Piran/Pirano, place names are consistently used in both Slovenian and Italian.

216. The representatives of the Italian speakers have confirmed that place-names are regularly used both in Slovenian and Italian. However, in many cases, these are not the traditional Italian place-names, but Slovenian names, introduced after the Second World War, translated into Italian. For example, the traditional Italian place name *Santa Lucia* became *Lucija* in Slovenian, and its current name in Italian is *Lucia*. The majority of street names were also changed and do not have any connection to the local tradition anymore. No consultations take place when street names are decided.

217. The Committee of Experts maintains its previous conclusion that the undertaking is only partly fulfilled. It encourages the Slovenian authorities to ensure the use or adoption of traditional and correct forms of place-names in Italian.

### **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;*

218. In the third evaluation report, the Committee of Experts considered the undertaking formally fulfilled. It urged the Slovenian authorities to ensure that Italian was used in the provision of public services in the area concerned and that Slovenia’s legal framework in this field was consistently applied.

219. According to the fourth periodical report, notifications, including invoices, sent by the “Koper Public Utility Company” and the water supply company “Rižanski vodovod Koper” to users are bilingual.

220. However, the Committee of Experts was informed by the representatives of the Italian speakers that public services mainly operate in Slovenian. The post offers only few forms bilingually, while the electricity and phone companies operate exclusively in Slovenian.

221. The Committee of Experts considers this undertaking partly fulfilled.

***The Committee of Experts strongly urges the Slovenian authorities to ensure that Italian is used in the provision of public services in the area concerned.***

#### **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.*

222. In the third evaluation report, the Committee of Experts considered these undertakings fulfilled both for local and for state administration. As regards public services, the undertakings remain not fulfilled. The Committee of Experts requested the Slovenian authorities to provide more information in the next periodical report regarding public services.

223. The Committee of Experts received no specific information on this issue during the fourth monitoring cycle.

224. The Committee of Experts considers this undertaking fulfilled for local and state administration. As regards public services, the Committee of Experts maintains its previous conclusion that this undertaking is not fulfilled. The Committee of Experts asks the Slovenian authorities to submit more information in the next periodical report as regards 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;*

225. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it encouraged the Slovenian authorities to take urgent steps to develop a structured human resources policy regarding Italian-speaking broadcast media.

226. According to the fourth periodical report, the radio and television programmes for the Italian national community were produced, at 1 October 2011, by a total of 215 people. During the on-the-spot visit, however, the Committee of Experts was informed by the Italian speakers that this number comprises also the technical staff, which provides assistance to all productions, not only to those in Italian. The number of staff producing Italian programmes is lower. Representatives of the Italian speakers raised again concerns regarding the overall budgetary situation of the Italian programmes of RTV Capodistria and about the on-going generation shift, namely that lost media posts (e.g. as a result of retirements or non-renewal of temporary contracts) are not replaced. These developments lead to a decrease in the extent and quality of the Italian-language television and radio programmes in Koper/Capodistria.

227. The Committee of Experts considers this undertaking still fulfilled at present. However, it urges the authorities to take 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.*

228. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it requested the Slovenian authorities to provide information in the next periodical report on how the interests of the Italian speakers are taken into account.

229. In the fourth periodical report the Slovenian authorities state that the interests of Italian speakers are represented and taken into account within the Programme Committee and the Programme Council. However, the representatives of the Italian speakers have reiterated that the representation of the members of the Italian community in the Council of RTV Slovenia is purely formal, without any real opportunity to contribute to decisions about relevant issues.

230. The Committee of Experts maintains its previous conclusion that this undertaking is fulfilled. 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.*

231. In the third evaluation report, the Committee of Experts considered this undertaking not fulfilled. It encouraged 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.

232. The fourth periodical report does not contain specific information about this issue. During the on-the-spot visit, the Committee of Experts was informed about a cultural event organised in Maribor in 2012, part of the Maribor European Cultural Capital 2012 activities. However, this was financed by Italy and was the only cultural activity organised outside the territories where Italian is traditionally used.

233. The Committee of Experts considers this undertaking not fulfilled. It urges 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**

234. In the third 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 [...] 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;*

235. In the third evaluation report, the Committee of Experts considered this undertaking not fulfilled.

236. According to the fourth periodical report, the Companies Act provides that in areas inhabited by the Italian minority communications with employees may also be conducted in Italian. Although the acts of the company must be written in Slovenian, in the “ethnically-mixed area”, Italian may also be used. The Committee of Experts points out that this provision concerns the whole country and not only in the territory where Italian is used.

237. The Committee of Experts considers this undertaking partly fulfilled. It asks the Slovenian authorities to inform, in the next periodical report, whether the legislation prohibits, within the whole country, the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Italian, at least between users of this language.

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

238. In the third evaluation report, the Committee of Experts considered this undertaking fulfilled. Nevertheless, it requested the Slovenian authorities to report on the implementation of the Consumer Protection Act in the next periodical report.

239. The fourth periodical report does not contain any relevant information on the practical implementation of the Consumer Protection Act.

240. The Committee of Experts underlines that the undertaking applies within the whole territory of the country. It asks the Slovenian authorities to provide information about the implementation of these undertakings also outside the “ethnically-mixed area”.

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

241. In the third evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Slovenian authorities to take measures to facilitate and/or encourage the use of Italian in accordance with this undertaking.

242. According to the fourth periodical report, leaflets on the prevention of family violence were issued also in Italian. Furthermore, the police have issued bilingual posters and leaflets. However, the representatives of the Italian-speakers have informed the Committee of Experts that private companies do not use Italian, although the legislation foresees that in some business processes companies in the “ethnically-mixed area” must use Slovenian and Italian. Information relating to the characteristics, intended use of the product, composition and the use of products or services are only provided in Slovenian on products of Slovenian origin

243. The Committee of Experts considers this undertaking partly fulfilled. It urges 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;*

244. In the third evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It encouraged the Slovenian authorities to ensure the implementation of the financial and banking regulations which require the use of Italian.

245. The fourth periodical report refers to the public services companies of Koper/Capodistria. These issue bilingual invoices, but not money order forms, which are only in Slovenian. The Committee of Experts was also informed by the Italian speakers that all payment orders and other financial documents are in Slovenian.

246. The Committee of Experts considers this undertaking formally fulfilled. It urges the Slovenian authorities to ensure the implementation the 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;***

247. In the third evaluation report, the Committee of Experts considered this undertaking not fulfilled. It requested the Slovenian authorities to provide information concerning the organisation of relevant activities to promote the use of Italian in the public sector.

248. In the fourth periodical report the Slovenian authorities refer to the National Programme for Language Policy 2014-2018, which aims at providing conditions for the equal public use and development of Hungarian or Italian in “ethnically-mixed areas”.

249. The Committee of Experts considers this undertaking not fulfilled at present. It asks the Slovenian authorities provide further information on the National Programme for Language Policy 2014-2018, including its implementation, and concerning the organisation of relevant activities to promote the use of Italian in the public sector in the next periodical report.

***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;***

250. In the third evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged 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.

251. According to the fourth periodical report, several regulations enable the admission and treatment of Italian speakers in their own language. For regional social work centres in the coastal region bilingualism is required by the Rules on the organisation and job structuring, which ask for additional skills in minority languages. House rules are bilingual. Moreover, health care staff working directly with patients in bilingual areas must have a command of the national community language, i.e. Italian. During the on-the-spot visit, the Committee of Experts was informed by the Italian speakers that in practice Italian is rarely used in social care facilities. Only few staff have adequate knowledge of Italian and the hospital staff in Izola/Isola uses only Slovenian. All written documents issued by the doctors are in Slovenian. Language courses have been organised by one Italian organisation in the framework of the *Jezik/Lingua* programme.

252. The Committee of Experts considers this undertaking partly fulfilled. It urges 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;***

253. In the third evaluation report, the Committee of Experts considered this undertaking partly fulfilled. It encouraged the Slovenian authorities to ensure that safety instructions are also drawn up in Italian.

254. The fourth periodical report does not contain specific information about this issue.

255. The Committee of Experts maintains its previous conclusion that this undertaking is 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.***

256. In the third evaluation report, the Committee of Experts considered this undertaking formally fulfilled. It requested the Slovenian authorities to provide, in the next periodical report, information on the practical implementation of the amendment to the Consumer Protection Act (2007) that placed the use of Slovenian and Italian on the same footing in the “ethnically-mixed area”.

257. The fourth periodical report does not contain the requested specific information.

258. The Committee of Experts maintains its previous conclusion that this undertaking is 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 fourth monitoring round**

A. The Committee of Experts appreciates the good co-operation it enjoyed with the Slovenian authorities during the on-the-spot visit. As already 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 fourth monitoring cycle. While gaps in the implementation of this legal framework persist 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. Certain deficiencies seem to exist with respect to the teacher training system, but the Slovenian authorities are aware of these problems and are trying to deal with them.

C. The highly developed legal framework regarding the use of Hungarian and Italian in relations with local branches of State administration remains poorly implemented in practice. In addition, difficulties still exist concerning the use of Hungarian and Italian in the provision of public services.

D. Hungarian and Italian are only rarely used before courts, and when this happens, it is always with the use of interpreters. For the long-term protection and promotion of Hungarian and Italian it would be beneficial if staff have an adequate working knowledge of these languages. Measures to monitor and evaluate the actual use of these languages in practice are needed, both for the judicial and administrative staff.

E. The Committee of Experts has received information that the Constitutional Court of Slovenia has decided that a new municipality of Ankaran/Ankarano, currently part of the municipality of Koper/Capodistria, has to be established, following a local referendum in 2009. The National Assembly has until now rejected the creation of the new municipality, but this will most likely be established in 2014. The creation of the new municipality might have repercussions for the protection of the Italian language. Measures are needed on behalf of the Slovenian authorities to prevent any negative developments for the use of Italian.

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. There is a need to gradually increase the existing offer with respect to the Hungarian language, and to maintain it, at least, with respect to Italian. Concerning Italian, there are financial problems leading to the reduction of staff.

G. Regarding social and economic activities, there is a wide gap between the legislative framework and the actual practice, and Hungarian and Italian are almost absent from economic activities. There is still 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 to 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 to this language. 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. No steps have been taken by the Slovenian authorities to develop

instruction of Croatian as a regional or minority language in the areas where this language is traditionally used. Protection is offered for Croatian 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 is also not recognised in the Slovenian legal framework as a regional or minority language. Similar to Croatian, it is considered a language of the citizens of the former Yugoslav Republics or an “immigrant language”. Instruction for Serbian as a regional or minority language, in the areas where this language is traditionally used, has not been developed. Serbian as a regional or minority language remains largely absent from public life in Slovenia and is not present in the broadcasting media. Resolute steps are needed to apply Part II of the Charter to Serbian in the areas where it is traditionally spoken, in co-operation with the speakers.

K. Developments have continued with respect to the protection and promotion of the Romani language. Romani is taught in the framework of the “Roma culture” optional subject, offered in the 7<sup>th</sup>-9<sup>th</sup> years of primary education. The “Strategy for Education of Roma in the Republic of Slovenia” was amended in 2011 and pre-school activities established. 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 continued to support projects for the training of Roma teaching assistants. Nevertheless, there is a need for continued efforts to strengthen the offer of Romani education at all appropriate stages. There is also a need 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 broadcast media, Romani is present on public radio and TV, as well as on private radio.

L. Finally, there is still a significant need to increase awareness in the Slovenian population on the whole about Slovenia’s heritage of linguistic diversity 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 Slovenian government 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 1197<sup>th</sup> meeting on 16 April 2014, 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 from the Slovenian authorities

Having received the Fourth Report of the Committee of Experts of the European Charter for Regional or Minority Languages on the application of the Charter in Slovenia, the Government of the Republic of Slovenia has examined it with great interest. We would like to take this opportunity and thank the Committee of Experts for acknowledging the high level of protection of the Italian and Hungarian languages in Slovenia and the progress achieved and would like to submit additional information in connection with certain statements and recommendations in the report:

1. With regard to the second proposal for recommendations (p. 41, item 4.2) and the statements in paragraphs 26 and 105 through 118, the Government wishes to emphasize that the Strategy for the Education of the Roma in the Republic of Slovenia of 2004, as amended in 2011, is being implemented comprehensively. The implementation of the Strategy has significantly influenced the education of Roma and brought visible results, especially in terms of introducing Roma assistants in schools and providing for their training and the creation of a network of teachers working with Roma. It has also contributed to a better school climate, social incubators with different activities for parents and children in Romani, publications in Romani for different age groups (fairy tales, books, dictionaries, grammar books etc.), codification of Romani (varieties), etc. The optional subject Roma culture is taught by teachers, in cooperation with Roma assistants. The Ministry of Education, Science and Sport will continue to strive for better availability of teaching materials both in textbook and online format.
2. With respect to the statement in paragraph 28 that information about minority languages is largely absent from the media or contributes to the promotion of a negative image of these, the Government would like to emphasise that neither the report nor the meeting with the delegation of the Committee of Experts have clearly identified the specific case or cases justifying such an assessment. The Government is of the opinion that such tendencies cannot be considered as wide-spread or prevailing in Slovenian media.
3. As regards the statements in paragraph 46, the Government would like to underline that data on projects co-financed in the 2010–2012 period include projects for the German-speaking ethnic group, regardless of the project organiser or applicant. The project target group was the criterion for granting co-financing.
4. With regard to statements in paragraph 103 on the involvement in the drafting of the 4th Periodic Report of the Republic of Slovenia on the implementation of the Charter, the Government would like to clarify that the draft report was made available on the website of the Ministry of Foreign Affairs together with an open call for amendments to all stakeholders.
5. As regards the statement in paragraph 197 that there are no judges able to conduct the proceedings in Italian and that in item D of Chapter 4 with regard to court personnel and their knowledge of the Hungarian and Italian languages, the Government would like to note that the Koper District Court employs 15 judges and 5 advisers, and the Koper Higher Court 3 judges and 3 advisers who also use Italian in their work; paragraph 131 correctly states the information on Lendava Court personnel who use Hungarian.
6. With regard to the findings and proposals for recommendations of the Committee of Ministers in Chapter 4, the Government would like to note that, ever since 1991, the Ministry of Culture has been implementing systematic measures for all the linguistic groups mentioned therein (alongside the Italian, Hungarian and Roma communities). Pursuant to articles 14, 61 and 62 of the Constitution of the Republic of Slovenia, all of them are guaranteed individual rights for the preservation of their linguistic and cultural traits. Cultural projects in different fields (language, cultural education, media, publishing, etc.) are co-financed by public funds, enhancing their cultural wealth (Part II of the Charter).

The competent ministry protects the cultural rights of minority or regional languages and of other social groups not only through financial, but also organisational means (expert assistance and advice to all entities in this field, the head of the relevant department organises annual open days for artists etc.) and normative tools (mediation, legal counselling and awareness-raising etc.).

A study commissioned in 2012 by the Ministry of Culture shows that special attention should be paid to regional integration and maintaining local identities, as the groups concerned are relatively small. The Republic of Slovenia has adopted measures for the preservation of their cultural heritage and provided more funds in the state budget despite the harsh economic situation in the country, as may be gleaned from the Resolution on the National Programme for Culture 2014–2017 (Official Gazette of the Republic of Slovenia, No. 99/13). The objective "A higher level of minority integration in all areas and regions" also includes measures targeting small autochthonous groups, the preservation of their specific ethnic identities, especially on the local level (regional integration), as well as high-quality cultural integration of members of the German-speaking ethnic group, especially the Gottchee community, whose culture is under threat of extinction and therefore requires particular attention.

In the period 2007–2013, the Ministry of Culture received funding from the European Social Fund to build capacities of NGOs in the field of enhancing cultural diversity. In the 2014–2020 EU financial perspective, the Ministry will support capacity building of NGOs which develop and promote cultural diversity.

Within the Ministry of Culture, the language policy concerning languages for which Slovenia took on commitments by ratifying the Charter is implemented by the Department for Slovenian Language, particularly through strategic documents. Based on the Resolution on the National Programme for Language Policy for the 2014–2018 period, which was adopted in the National Assembly in July 2013, two working groups were established tasked with preparing an action plan on language education and on language reference tools, respectively. The working group on language education includes representatives of the Ministry of Education, Science and Sport. The issue of education, promotion and language reference tools of the languages concerned will be dealt with by these two working groups. Specific measures for further development and promotion of these languages will be proposed. The two action plans will be adopted by the Government by September 2014.

7. With regard to the third proposal for recommendations (paragraph 4.2, page 41) to the Slovenian authorities 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, in economic and social activities, as well as in relations with local branches of State administration", the Government would like to inform the Committee that a law on the autochthonous Italian and Hungarian national communities in the Republic of Slovenia is being drafted.

The Government would like to take this opportunity and thank the experts for the prompt compilation of the report, which will be thoroughly examined with a view to remedying any shortcoming. The Republic of Slovenia consistently implements its commitments taken on with the ratification of the Charter. The Government would like to thank the experts for recognising Slovenia's high standards enshrined in its Constitution and legislation.

These high standards imposed by Slovenian legislation occasionally give rise to the perception that, in practice, we do not always follow through, when in fact there are only minor or transitional inconsistencies.

The Republic of Slovenia will continue to regularly report and cooperate with the experts, and invest further efforts to make headway in the issues mentioned. In accordance with Article 61 of its Constitution, Slovenia already provides for individual rights of all the other groups not included in the ratification of the Charter to freely express their national affiliation and culture and to use their language.

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

### **Recommendation CM/RecChL(2014)4 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 16 April 2014  
at the 1197<sup>th</sup> 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 fourth 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. recognise German, Croatian and Serbian as minority languages traditionally spoken in Slovenia and apply the provisions of Part II to these languages, in co-operation with the speakers;
2. develop the teaching of the Romani language and Roma culture at all appropriate stages;
3. 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;
4. intensify measures to raise public awareness of the regional or minority languages in mainstream education and in the mass media.