

**JOINT INSTITUTIONAL COMMITTEE  
FOR THE PROBLEMS OF THE SLOVENE-SPEAKING  
MINORITY**

**Council of Europe – 6<sup>th</sup> monitoring cycle of the Framework Convention for  
the Protection of National Minorities**

**Update on the state of implementation of the  
Framework Convention for the Protection of National Minorities signed in  
Strasbourg on 1 February 1995**

Table of Contents:

<b>Preamble</b> .....	2
<b>1. Recommendation 2 – Support mechanisms</b> .....	3
<b>2. Recommendation 3 – Access to radio and TV programmes</b> .....	6
<b>3. Recommendations 4 and 12 - Education in the Slovene language</b> .....	8
<b>3.1. The international regulatory framework</b> .....	8
<b>3.2. School sizing</b> .....	9
<b>3.3. The Office for Schools with Slovene as Teaching Language</b> .....	12
<b>3.4 Textbooks and teaching materials</b> .....	14
<b>3.5 Miscellaneous</b> .....	14
<b>4. Recommendation 9 – Right to use the Slovene language when dealing with public authorities</b> .....	15
<b>4.1. Central Office for the Slovene Language of the Friuli Venezia Giulia Region – Linguistic Helpdesks</b> .....	16
<b>5. Recommendation 10 – Correct spelling of names and surnames in official documents</b> .....	18
<b>6. Recommendation 13 – Support for mountain communities</b> .....	19
<b>7. Miscellaneous</b> .....	20
<b>7.1. Representation in Parliament</b> .....	20
<b>7.2. Restitution of buildings</b> .....	21
<b>8. Annexes</b> .....	22

## **Preamble**

A note from the Italian Interior Ministry, dated 7 December 2023, called upon this Committee to provide an update and information on the topics addressed in the Resolution CM/ResCMN (2023)4 on the implementation of the Framework Convention for the Protection of National Minorities by Italy that was issued by the Committee of Ministers of the Council of Europe on 5 April 2023 at the end of the 5<sup>th</sup> monitoring cycle.

The aforementioned Resolution listed the following recommendations, which are also relevant to the Slovene-speaking minority in Italy:

*Recommendations for immediate action:*

*- omitted -*

*2. improve the efficiency of the mechanism for the support to minority languages and cultures by inter alia adapting the secondary legislation implementing the Law No. 482/1999 to linguistic minorities' priorities, including those of numerically smaller ones, and simplifying grant procedures to access funding and making funding more sustainable; furthermore, make sure that failures of municipal and regional authorities to process grant allocation demands in a timely manner do not result in the disadvantage of the applicants;*

*3. increase access for persons belonging to linguistic minorities, in particular numerically smaller ones, to radio and television programmes in their respective minority language, including news programmes; ensure that digital solutions, as well as future RAI Service Contracts, are developed in close consultation with minority representatives; also ensure the effective representation of persons belonging to linguistic minorities in any media monitoring mechanisms, including on the "Steering and Monitoring Committee";*

*4. ensure appropriate provision of qualified teachers of minority languages and/or teachers capable of teaching other subjects in minority languages, and increase support for the training and recruitment of minority language teachers, whilst paying special attention to the needs of numerically smaller minorities;*

- omitted -

7. condemn promptly and publicly instances of hate crimes, as well as hate speech relating to minorities, migrants or refugees in political discourse, the media and on social media;

- omitted -

9. take adequate steps to ensure that linguistic helpdesks are opened in all relevant municipalities and that they are equipped with adequate and sustainable human and financial resources; also raise awareness among persons belonging to national minorities about services provided by linguistic helpdesks;

10. ensure, when implementing the digitalisation strategy, that persons belonging to the Slovene minority are able to obtain identity and administrative documents spelling their surnames and names correctly;

- omitted -

12. provide adequate funding for minority language education to ensure continuity in teaching in and of minority languages when pupils or students of linguistic minorities, including numerically smaller ones, study in schools outside of the areas of traditional settlement and review the framework for teaching (in) minority languages in close consultation with minority representatives to better answer their respective educational needs; furthermore, provide earmarked funding for cultural and language centres or associations, and universities to support the production of textbooks and educational materials in minority languages;

13. carefully analyse the socio-economic participation of persons belonging to linguistic minorities living on islands, in rural or mountainous areas, and tackle any problems identified through investing in infrastructure and employment opportunities and targeted support for women and youth; make efforts to remove barriers in accessing sexual and reproductive healthcare services for women belonging to national minorities;

## **1. Recommendation 2 – Support mechanisms**

The Slovene-speaking minority living within the territory of the Friuli Venezia Giulia Region benefits from State funds under Law no. 38 of 23 February 2001, the

so-called Protection Law. The overall amount of funds was originally equal to Euro 10,621,969.04 per year, from 2002 onwards.

The funds are meant to finance:

- the functioning of the Joint Institutional Committee for the Problems of the Slovene-Speaking Minority (Article 3);
- the use of the Slovene language in the public sector (Article 8);
- public signs and place names (Article 10);
- the elaboration or translation and printing of textbooks (Article 11);
- a private kindergarten and an officially recognised primary school with Slovene/Italian bilingual teaching which are managed by the Institute for Slovene Education in San Pietro al Natisone, in the Province of Udine (Article 11);
- the functioning of the Office for Slovenian Schools (Article 13);
- the establishment of an autonomous section with Slovene as teaching language at the Conservatory of Music "Giuseppe Tartini" in Trieste and for musical education (Article 15);
- cultural, artistic, sports, recreational, scientific, educational, informational, and publishing initiatives that are promoted and carried out by institutions and associations of the Slovene-speaking minority (Article 16);
- interventions aimed at developing the areas of the municipalities of the Province of Udine included in the mountain communities of Canal del Ferro – Canale Valley, Torre Valleys, and Natisone Valleys, where a Slovene-speaking minority is traditionally settled (Article 21).

The biggest share of State resources under Law no. 38 of 23 February 2001, amounting to Euro 9,471,561.30, had been earmarked for the purposes specified in Articles 3 (Functioning of the Joint Institutional Committee), 8 (Use of the Slovene language in the public sector), 16 (Support for entities and associations), and 21 (Development of territories within the Province of Udine). In the original version of the Protection Law, the amount of the appropriations was rigidly split and bound to the purposes envisaged in its various articles. The system, as it was then structured, did not allow the amounts to be adjusted according to the minority's actual and current needs.

Law no. 190 of 23 December 2014 (stability law, i.e. financial law for 2015) overcame the critical issues mentioned above, since the Friuli Venezia Giulia Region was authorised to readjust the allocation of the funds destined for the purposes specified in Articles 3, 8, 16, and 21 of the Protection Law, making the methods for disbursing the funds more aligned with the concrete needs of the minority. Furthermore, the amount of the funds was set at Euro10,000,000.00 per year<sup>1</sup>.

The State funds earmarked for the purposes described in Articles 3, 8, 16, and 21 of Law no. 38 of 23 February 2001 are distributed by the Friuli-Venezia Giulia Region. For a better understanding, the breakdown of funds earmarked for the year 2023 is listed below<sup>2</sup>:

**TABLE Q**  
referring to Article 10, paragraph 7

<b>Article 18 of R. L. no. 26/2001</b> Fund supporting the activities of the bodies and organisations of the Slovene-speaking minority (Article 16 of Law 38/2001)	61%
<b>Article 19 of R. L. no. 26/2001</b> State subsidies for the use of the Slovene language in the public sector of the Friuli Venezia Giulia region (Article 8 of Law 38/2001)	20%
<b>Article 20 of R. L. no. 26/2007</b> Measures aimed at favouring the social, economic, and environmental development of the municipalities in the Province of Udine which are part of the territory where the Slovene-speaking minority is settled (Article 21 of Law 38/2001)	5%
<b>Article 18 ante, par. I bis of R. L. no. 26/2007</b> Percentage referring to the allocation share	14%
<b>TOTAL</b>	<b>100%</b>

Having said that, it should be noted that, since the approval of Law no. 38 of 23 February 2001, the amounts devoted to finance the activities described in Articles 3, 8, 16, and 21 – which originally equalled Euro 9,471,561.30 per year and now equalling Euro 10,000,000.00 – have never been updated and are affected by an

<sup>1</sup> Law no. 190 of 23 December 2014, Article 1, paragraph 524: The Friuli-Venezia Giulia region is allowed to readjust the interventions and initiatives specified in Articles 3, 8, 16, and 21 of Law no. 38 of 23 February 2001, without prejudice to the completions of those interventions and initiatives for the benefit of the Slovene-speaking minority. As of the year 2016, the funds for the activities specified in this paragraph are set at Euro 10 million each year.

<sup>2</sup> Regional Law no. 23 of 29 December 2022.

increasingly heavy inflationary pressure. Based on the indices of consumer prices for blue and white-collar workers' households, the currently revalued amount is equal to Euro 14,491,488.33<sup>3</sup>.

Therefore, it is advisable to update the total amount of State funds earmarked for the purposes referred to in Articles 3, 8, 16, and 21 of Law no. 38 of 23 February 2001. Please, note that the Slovene-speaking minority has never benefitted from the State funds transferred to the Friuli Venezia Giulia region under Law 482/1999.

## **2. Recommendation 3 – Access to radio and TV programmes**

A radio broadcasting in Slovene was set up for the first time in Trieste (in FVG) in 1944, under the German occupation. In 1946 the Radio Trst A broadcaster was assigned autonomous frequencies, and its first show schedule was compiled. After the Free Territory of Trieste was assigned to Italy, the broadcaster found its place within the structures of the public TV and radio broadcasting service concessionaire, which was initially called ERI, then RAI.

The broadcasts in the Slovene language at the RAI – Radiotelevisione italiana regional headquarters for the Friuli Venezia Giulia Region in Trieste is operated by the Rai Radio Trst A radio station and by the Rai 3 BIS Furlanija Julijska Krajina TV channel.

The duties of RAI – the public TV and radio broadcasting service concessionaire – concerning the production and broadcasting of radio and TV programmes for the protection of linguistic minorities living in the Friuli Venezia Giulia Autonomous Region is governed by an appropriate agreement. It should be emphasised that the remuneration for the provision of production and distribution services for radio and TV broadcasts in the Italian and Slovene languages in the Friuli Venezia Giulia Autonomous Region is set at Euro 11,600,000.00.

Critical problems have been identified in the following areas:

---

<sup>3</sup> Index of consumer prices for blue and white-collar workers' households January 1947 - December 2023, as published on the Official Gazette under Article 81 of Law no. 392 of 27 July 1978 (Regulation on the lease of urban real estate properties), and under Article 54 of Law no.449 of 27 December 1997 (Measures to stabilise public finance).

- insufficient participation of minority representatives within supervisory bodies, in particular as far as monitoring the deployment of resources earmarked for the production of transmissions in Slovene is concerned;
- obsolescence of the technical equipment being used at the Trieste branch office;
- difficulties in receiving programmes in the territory where the minority is settled.

Article 59 of the Consolidated Text of Audiovisual Media Services (Legislative Decree no. 208 of 8 November 2021) requires that the branch offices that produce radio and TV programmes in the Slovene language for the Friuli Venezia Giulia Autonomous Region should maintain their financial and accounting autonomy in connection with the discharge of their public service obligations and also act as a decentralised production centre for promoting local cultures and linguistic tools.

Currently, the RAI branch office of Trieste enjoys no financial and accounting autonomy and does not act as a production centre. The accurate fulfilment of the law provisions of the above-mentioned Article 59 of the Consolidated Text of Audiovisual Media Services would allow those critical issues to be solved.

It would also be desirable to set up a Joint Committee for Minority Languages consisting of representatives of the relevant Ministry, of the Friuli Venezia Giulia Region and of RAI, whose tasks would be to:

- monitor the show scheduling activity and evaluate any changes to them, as well as monitor the development and state of implementation of the activities agreed upon,
- upgrade the radio and TV offering;
- supervise the proper and transparent use of remuneration for programmes agreed upon;
- express opinions on technological investment plans.

As regards the quality of the FM radio signal reception, it should be pointed out that the frequencies used to broadcast the signals of the radio stations in Slovene are disrupted by interference caused by the radio installations of private broadcasters. Action needs to be taken with the competent administrative authorities to solve those interference issues.

As far as the TV channel is concerned, its poor broadcast quality is related to the strong compression of its video and audio signals.

Finally, the need to proceed with the digitisation of audiovisual archives, making available to users the historical radio and television archives of the RAI FVG branch office and the productions on the web portals of the Italian and Slovenian programming structures, as well as allowing them to view streaming TV programmes.

### **3. Recommendations 4 and 12 - Education in the Slovene language**

It is judged appropriate to deal jointly with Recommendations 4 and 12 regarding the topic of education in the Slovene language.

#### **3.1. The international regulatory framework**

In order to better contextualize the topics dealt with below, in a first stage, it is advisable to recall the relevant international regulations:

- a) the London Memorandum, 1954
- b) the Cultural Agreement between the Government of the Republic of Italy and the Government of the Federal People's Republic of Yugoslavia, which was signed on 3 December 1960 in Rome and was passed on to Slovenia on 31 July 1992, after its independence was recognised
- c) the Treaty of Osimo (in Italy known as Ratification Law no. 73 of 14 March 1977, Article 8)
- d) the Cultural Cooperation Programme between the Government of the Republic of Italy and the Government of the Republic of Slovenia for the years 1995-1998
- e) the Cooperation Agreement in the sectors of culture and education between the Government of the Republic of Italy and the Government of the Republic of Slovenia concluded in Rome on 8 March 2000 and ratified with Law no. 164 of 17 October 2017 (Articles 3, 6, and 17).

In particular, please be aware that the London Memorandum of 1954, with specific reference to education, orders that the existing *mesures nationales*, which resulted in the fundamental Law no. 1012 of 19 July 1961, be maintained.



International agreements are the substrate on which the complex body of legislation adopted in the aftermath of WWII is grafted, while retaining all its centrality, as evidenced by multiple references found in administrative and constitutional laws:

*The Article 8 of the Treaty of Osimo between Italy and Yugoslavia, which was ratified with Law no. 73 of 14 March 1977 and requires Italy to guarantee and keep in force the “measures” protecting the Slovene-speaking minority living in the Friuli Venezia Giulia Region which were adopted under the London Memorandum of 5 October 1954, should be construed as meaning that the above requirement also concerns the administrative deeds and practices that have de facto protected the Slovene linguistic minority (Ruling no. 358 of 23 August 1995 of the Regional Administrative Court of Friuli Venezia Giulia).*

Again, with reference to international protection, the mechanisms linking it to regional regulations need also to be kept in mind. They were envisaged by Law no. 482/1999 as immediate implementation of the European Charter for Regional or Minority Languages and of Article 6 of the Italian Constitution. The said law distinguishes between Regions with Ordinary and Regions with Special Statutes, thus strengthening the position of the Slovene-speaking minority, who is located within the Friuli Venezia Giulia Autonomous Region. Article 18 provides that the existing protection regulations remain in place intact, whereas the implementation of the more favourable provisions envisaged by the law under review will be governed through implementation rules by the respective Special Statutes. The said principle lacks a linking mechanism between the above State laws (e.g. Law no. 1012/1961) and any future, more favourable, regional laws, because, additionally, any pejorative regional legislation measure is unthinkable. Nor is there any evidence that anybody has made such an effort at a regional level, by adopting more favourable regional rules.

### **3.2. School sizing**

The Slovene-speaking minority, as indeed all populations in the western Countries, is tackling the challenge of declining birth rates and of demographic decline, with unavoidable repercussions in various sectors, not least in the school.

The Budget Law (Law no. 197 of 29 December 2022) changed the national parameter thresholds that guarantee the autonomy of single institutes and allow a school principal and a Director of General and Administrative Services (DSGA) to be appointed. To appoint a school principal and a DSGA, the current threshold requires at least 600 students, 400 in small islands, in mountain municipalities, and in geographical areas marked by linguistic peculiarities, which, however, was lowered to 500 and 300, respectively, in the 2021-2022 school year. The Budget Law passed in December 2022 increased that coefficient to between 900 and 1,000 students.

The sizing should also have included the Slovene language schools of Friuli Venezia Giulia in its streamlining process.

\*\*\*

In this regard, the role and functions of the Regional School Commission for Teaching in the Slovene Language – whose birth and responsibilities should first be mentioned – are particularly significant.

*On issues regarding the functioning of schools with Slovene as teaching language, the school superintendent (or currently the Director of the Regional School Office, or RSO) of the Friuli Venezia Giulia Region is assisted by a committee appointed by the former and consisting of:*

- a) superintendents of education (now administrators of the local areas of the RSO) of Trieste and Gorizia or their delegates;*
- b) two headmasters, including one of a middle school, a teaching director and three teachers, one of a primary school, one of a middle school and one of upper secondary institutes and schools with Slovene as teaching language who are appointed by the teaching and management staff of their schools;*
- c) five Italian Slovene-speaking citizens, three of whom are appointed by the provincial council of Trieste and two by that of Gorizia, with limited voting rights.*

*The Commission is also responsible for the compilation of lists of management and teaching staff to be appointed to the selection boards of competitions for the recruitment of teaching staff to be employed in schools with Slovene as teaching language, pursuant to Article 426.*

The above are the contents of Article 9 of Law no. 932 of 1973. The same provisions had also been taken up by Law no. 38 of 23 February 2001, in its Article 13:

*3. In order to fulfil the autonomy needs of teaching in the Slovene language, a Regional School Commission for Teaching in the Slovene language shall be set up and chaired by the regional director referred to in paragraph 1. The composition of the Commission, its methods of appointment and operation shall be regulated, without any new or additional charges for the State budget, by decree of the President of the Council of Ministers on a proposal from the Minister for Education, after hearing the Committee, within eighteen months of the date of entry into force of this law. The Commission referred to in this paragraph shall replace the Commission provided for in Article 9 of Law no. 932 of 22 December 1973, without prejudice to the provisions of Article 24 of this law.*

For every sizing action, the law requires a binding opinion by the Commission, as required by Decree-Law no. 104/2013, Article 12, paragraph 2-bis, which was converted into Law 128/2013, envisaging:

*1-bis. For schools with Slovene as teaching language, the criteria referred to in paragraph 5-ter of Article 19 of Decree-Law no. 98 of 6 July 2011, which was converted, with amendments, into Law no. 111 of 15 July 2011, and introduced by item c) of paragraph 1 of this article, as well as any sizing action shall be taken on the basis of a binding opinion by the Regional School Commission for teaching in the Slovene language, as referred to in Article 13, paragraph 3, of Law no. 38 of 23 February 2001.*

\*\*\*

It is appropriate to recall here that the regulations on education in the Slovene language can only be amended through Parliament laws.

*The specific and differentiated protection of linguistic minorities in connection with their significance within the State community can only be amended by Parliament lawmakers... omitted [Regional Administrative Court (RAC) of Friuli Venezia Giulia ruling no. 197 of 23 September 1982, RAC 1982, I,3102. Foro amm. 1983, I,116. Giust. civ. 1983, I,2507. Riv. amm. R.I. 1983, 458 (as amended)].*

The above legal provision that restricts those amendments to Parliament lawmakers is reinforced by Article 6 of the Italian Constitution, according to which «*The*

*Republic protects linguistic minorities with special rules». The reference to «special rules» can be understood by reading the ruling of the Constitutional Court no. 86/1975, in which they are deemed as necessary to guarantee «a specific and differentiated treatment» to linguistic minorities, so as to «preserve their cultural specific characteristics and prevent forced and unreasonable assimilation».*

*The Constitution and the Treaty of Osimo require lawmakers to ensure that the members of the Slovene-speaking minority who are resident in Friuli Venezia Giulia have the right to use their mother tongue in their relations with public sector offices and, in particular, in their relations with court services. However, the achievement of that goal is left to lawmakers, who are responsible for adjusting the processes and forms of protection and timing of implementation according to the beneficiaries' social conditions and to the State's organizational and financial resources needed. [Constitutional Court ruling no. 62 of 24 February 1992, Cons. Stato 1992, II,225. Giur. cost. 1992, 326 (note). Giust. civ. 1992, I,1147 (note). Riv. amm. R.I. 1992, 506].*

Therefore, it is clear that the requirement that amendments only be made through parliamentary laws also applies to the sizing of the Slovene language school network.

\*\*\*

The complex legislative and procedural process initiated with the Budget Law, which was to lead to a sizing of schools with Slovene as the language of education, has not been completed, following the Commission's adverse opinion. This could be the end of the story, at least for the part that concerns the failure to size the schools with Slovene as the teaching language, but it reiterates the need to ensure a constant dialogue with relevant institutions.

It is therefore desirable that any future sizing measures, which could affect the system of schools with Slovene as teaching language, be taken in close cooperation with the Regional School Commission for Teaching using the Slovene Language and in compliance with supranational laws and with the relevant legal provisions in force.

### **3.3. The Office for Schools with Slovene as Teaching Language**

The Law on the protection of the Slovenian minority defines the Office for Schools with Slovene as Teaching Language as a special office dealing with affairs

concerning the Slovenian minority. The Office, before the current staff was hired in 2013, was managed by a school director who was directly appointed by the Ministry of Education. Then, in the year 2013 the staff was transferred to the Friuli Venezia Giulia Regional School Office and actually reported to the latter's *interim* General Director, thus making the provisions of Article 13, paragraph 1 of Law 38/2001 ineffective and, however, complicating relations with the Ministry.

The reasons for the "special status", extremely clear, need not be reiterated here, we only wish to emphasize that the current location of the Office does not facilitate effective and prompt communication with the central structures, except through the General Directorate, which has hitherto proved to be ineffective in meeting the Office's needs.

In essence, we need to ensure that the Office for Schools with Slovene as Teaching Language is absolutely autonomous in its technical-administrative decision-making process. It should also be mentioned that the Office performs the following functions, among others:

- It ensures coordination with the schools with Italian as teaching language in Slovenia.
- It ensures the autonomous implementation of competitions, by adapting national calls.
- It translates State examination tests.
- The problem of the management of INVALSI tests (which evaluate the Italian education system) is still unresolved or, as it would be more correct to say, it is seriously compromised.
- It manages the recognition of professional and academic titles obtained in Slovenia.

Moreover, the administrative structure of the Office, deprived of necessary autonomy and seriously understaffed (currently 2 collaborators, 1 part-time executive, and the director) is and will not be able to meet the needs of education in the Slovene language.

### **3.4 Textbooks and teaching materials**

Last but not least, the problem of the procurement of textbooks in the Slovene language remains. Against the background of norms dating back to the 1970s, but reiterated by the Protection Law no. 38/2001, the above provisions cannot be fully implemented, owing to both understaffing and underfunding.

*In fact, Article 11 of Law 38/2001 envisages that as of 1 January 2001 the amount of the fund referred to in Article 8 of Law no. 932 of 22 December 1973, was increased to Lire 250 million a year. The fund can also be used to draw remuneration for the preparation and printing of school handouts or of other teaching materials, as well as for the benefit of authors of texts or handouts who are not Italian citizens but belong to the Slovene cultural area. The management of the fund, the establishment of criteria for its use, including through multi-annual expenditure plans, and the proposal for its regular re-evaluation are the responsibilities of the Commission, as per Article 13, paragraph 3. For the purposes of this paragraph, a maximum expenditure of Lire 155.5 million per year, as of 2001, is authorized.*

Now, the Office for Schools with Slovene as Teaching Language currently receives each year an amount short of Euro 40,000, in sharp contrast to the above-mentioned regulations in force.

### **3.5 Miscellaneous**

The province of Udine only hosts one bilingual school: the comprehensive institute in San Pietro al Natisone. The teaching of Slovene in remote areas (especially the Canale Valley, and in the municipalities of Tarvisio and Malborghetto) is limited and does not make pupils proficient enough in the language to continue their studies in Slovene.

To date, the provisions of Article 15 of the Protection Law have not been enforced, since the Slovenian section of the Conservatory of Music G. Tartini in Trieste has not been established yet.

#### **4. Recommendation 9 – Right to use the Slovene language when dealing with public authorities**

The right to use the Slovene language when dealing with public authorities is recognised and enshrined, above all, in the supranational provisions of the Treaty of Peace of 1947, of the London Memorandum of 1954<sup>4</sup> and of the Treaty of Osimo of 1977<sup>5</sup>. That right is also enshrined in the Constitution, pursuant to its Articles 2, 3, and 6 and to Article 3 of Constitutional Law no. 1 of 31 January 1963, which approved the Special Statute of the Friuli Venezia Giulia Region.

The ordinary rules governing the exercise of that right are instead provided for in Article 8 of Law no. 38 of 23 February 2011, in particular:

- the right to use the Slovene language when dealing with local administrative and judicial authorities, as well as with concessionaires of public services is reiterated;
- the right to receive a reply in Slovene in oral communications, usually directly or through an interpreter and in correspondence, with at least one translation attached to the Italian text, is recognized.
- in the municipalities within the minority's settlement territory, any deeds and measures of any kind intended for public use and drawn up on prepared forms, including personal documents, such as identity cards and registry certificates, must be issued, at the request of the citizens concerned, both in Italian and Slovene, and in the Italian language only;
- the use of the Slovene language is also required in official notices and publications.

Article 8 of the Protection Law requires that, in order to make the right to use the Slovene language effective, the public authorities concerned, including the State

---

<sup>4</sup> Annex II, Special Statute, Article 5, London Memorandum, 1954: *5. The members of the Yugoslav ethnic group in the area administered by Italy and the members of the Italian ethnic group in the area administered by Yugoslavia shall be free to use their language in their personal and official relations with the administrative and judicial authorities of the two areas. They shall have the right to receive from the authorities a reply in the same language; in verbal replies, either directly or through an interpreter; in correspondence, a translation of the replies at least is to be provided by the authorities. Public documents concerning members of these ethnic groups, including court sentences, shall be accompanied by a translation in the appropriate language. The same shall apply to official announcements, public proclamations and publications.*

<sup>5</sup> Treaty of Osimo, Article 8: *Each Party declares that when the Special Statute annexed to the Memorandum of Understanding signed in London on 5 October 1954 ceases to have effect it will maintain in force the national measures already adopted on the basis of that Memorandum and that it will ensure, under its national law, that the level of protection afforded to both ethnic groups as provided for in the repealed Special Statute is maintained.*

administration, should take *the necessary measures, adjusting their offices, staff and internal organisation*. In the central areas of Trieste and Gorizia and in Cividale del Friuli it was required that the single public authorities, including in consortiums, should set up offices serving those citizens who wish to exercise their right to use the Slovene language (the so-called “linguistic helpdesks”).

On the other hand, for concessionaires of public services, according to those provisions, full realisation of the aforementioned right was to be achieved through the adoption of specific agreements.

#### **4.1. Central Office for the Slovene Language of the Friuli Venezia Giulia Region – Linguistic Helpdesks**

Following the adoption of the Protection Law, linguistic helpdesks have been set up at various local administrations. The Region disbursed contributions to them for the translation and interpretation services they provide to the administrations based within the territories, specified in Presidential Decree of 12 September 2007, where protection measures for the Slovene minority apply. However, in all these years, the implementation of the provisions regarding the activities of linguistic helpdesks has been piecemeal and, at times, inconsistent.

Those contributions were granted on a project basis, generally lasting one year. This did not allow the mid-to-long-term hiring of helpdesk workers, thus ensuring no continuity. Furthermore, the staff working at those helpdesks were often employed used for other purposes, mainly performing sundry administrative duties. Finally, the lack of coordination and linguistic and terminology standardisation in the activities of helpdesk clerks and translators affected the quality of the texts produced in the Slovene language.

A further step towards the full implementation of the protection principles was the establishment, in 2019, of a Network for the Slovene language in the Public Sector of Friuli Venezia Giulia by the Regional Government, which was followed by the conclusion of appropriate three-year agreements between member local authorities and the Central Office for the Slovene Language. To date agreements were entered into with 34 organisations, i.e. 29 municipalities, 2 public healthcare organisations, the Chamber of Commerce of Trieste and Gorizia, the Regional Environmental



Agency (ARPA), and the Regional School Office. The Prefecture of Trieste has also joined the network only to have access to its language advice services (it receives no funds).

The Network, therefore, brings together for the first time all eligible organisations and ensures continuity in the disbursement of funds (for a three-year period), also providing coordination and support, both administrative and linguistic, through the Central Office for the Slovene Language. Thanks to those funds, the member organisations can recruit staff or avail themselves of external professionals based on long-term contracts.

The Network's activities are coordinated by the Central Office, which provides for the provision of State funds and the publication of specific calls for proposals to promote the use of Slovene in public-sector administrations in which other non-member parties may also collaborate.

The Office is also responsible for the linguistic coordination of the translation activities carried out at the contractors' language helpdesks and offices, providing them with language advice and translation proofreading services, training courses for translators and helpdesk clerks, and assistance in solving linguistic issues. The ultimate goal is to standardize terminology, improve the quality of translated and produced texts in the public sector and facilitate the work of translators and helpdesk clerks.

However, the language helpdesk system faces a number of problems:

- they are funded through specific three-year contributions, which are divided on an annual basis: this guarantees greater continuity than "project-based" funding, however they do not allow long-term recruitment;
- the system is understaffed to fully guarantee continuous service to users;
- the staff are recruited under fixed-term contracts or are subcontracted.

An immediate consequence of the above is that users rarely rely on those helpdesks. Their staff can ensure the provision of external translations and interpreting services but does not have the necessary skills to provide them directly. As a result, linguistic helpdesks are of limited practical use.

It is advisable that, within the meaning of the law, administrations proceed to systematically adjust their offices by employing staff with adequate knowledge of the Slovene language, in particular for activities that require direct contact with users.

However, the procedures for disbursing funds on an annual basis, although guaranteed in three-year periods, do not allow the public administrations concerned to recruit staff on a permanent basis, who are instead employed – with some exceptions – under fixed-term employment contracts, or consist of leased workers.

Furthermore, shortcomings in the relations with the concessionaires of public services operating in the above protected areas remain. Negotiations are under way to draw up agreements that may comprehensively regulate how the obligations imposed upon the concessionaires are implemented.

## **5. Recommendation 10 – Correct spelling of names and surnames in official documents**

Unfortunately, the issue of the correct spelling of Slovenian names and surnames in official documents is still topical.

The reference provisions are those of Articles 7 and 8 of Law no. 38 of 23 February 2001, which dictate the following: *“The members of the Slovene-speaking minority have the right to give their children Slovenian names. They also have the right to have their names and surnames written or printed correctly according to the Slovene spelling in all public deeds, and any deeds and measures of any kind intended for public use and drawn up on prepared forms, including personal documents, such as identity cards and registry certificates, need to be issued, at the request of the citizens concerned, both in Italian and Slovene, and in the Italian language only.*

Critical issues regard the names and surnames including letters with diacritics (č, š, ž). The problem was last addressed on 16 November 2023, at the meeting of the Permanent institutional round table for the problems regarding the Slovene-speaking minority in Italy, which was set up by Ministerial Decree on 4 July 2012. During that meeting it was announced that the problem of the correct spelling on passports, on the documents issued by the Department of Motor Vehicles, and on healthcare certificates was to be considered largely solved.

The problems concerning the issue of passports have been solved.

Unfortunately, shortcomings remain as far as healthcare documents and certificates are concerned. Difficulties may still be encountered at the Department of Motor Vehicles, especially when renewing or losing driving licenses. Additionally, the issue regarding the cost of replacing driving licenses and registration certificates following the restoration of the original forms of Italianized names and surnames, under paragraph 6 of Article 7 of the Protection Law, which provides that no cost may be charged to applicants, has not been resolved yet.

The problem of the correct spelling of names and surnames with diacritics at school and court administrations and, in part, at the Italian Revenue Office also remains unsolved.

## **6. Recommendation 13 – Support for mountain communities**

A significant portion of the Slovenian community lives in the mountain areas of the province of Udine. The areas that enjoy no substantial tourist inflows face depopulation problems that are the result of a number of factors, including the abandonment of traditional activities due to the insufficient income they generate, the competition from lowland economies, and the lack of services.

Law no. 3 of 23 February 2001, in its Article 21, provided that *in order to allow implementing measures aimed at developing the territories of the municipalities of the Province of Udine that are part of the mountain communities of Canal del Ferro - Canale Valley, Torre Valleys, and Natisone Valleys, which is the traditional area of settlement of the Slovene-speaking minority, as of 2001 the Italian State should pay the Friuli Venezia Giulia Region annual subsidies for Lire 1,000 million.*

Those State funds are regularly distributed by the Friuli Venezia Giulia Region.

## 7. Miscellaneous

### 7.1. Representation in Parliament

In its republican history, Italy has seen a constant presence of a Slovenian representative in either branch of the national parliament, who initially came from the Communist Party and, in recent elections, from the Democratic Party.

Article 26 of Law no. 38 of 23 February 2001 provides that *the laws governing the election of the Senate of the Republic and of the Chamber of Deputies lay down rules to promote access to representation for candidates belonging to the Slovene-speaking minority.*

The electoral law currently in force (Law no. 165 of 3 November 2017) transposed the provisions of the Protection Law by providing that *in the election of the Chamber of Deputies, in the Friuli Venezia Giulia district, one of the single-member constituencies is constituted in such a way as to favour access to representation for candidates expressed by the Slovene-speaking minority, pursuant to Article 26 of Law no. 38 of 23 February 2001* and that in the election of the Senate, *in the Friuli Venezia Giulia Region, one of the single-member constituencies is constituted in such a way as to favour access to representation for candidates who are expressed by the Slovene-speaking minority according to Article 26 of Law no. 38 of 23 February 2001.*

Later, Constitutional Law no. 1/2020 brought the number of elected deputies and senators down to 400 and 200, respectively. The immediate effect of the reform, given the smaller number of MPs to be elected, was an enlargement of electoral constituencies. Against this new background, the Friuli Venezia Giulia district has been assigned 8 seats in the Chamber of Deputies (3 are assigned by a majority system in as many single-member constituencies; 5 are assigned by a proportional system within a single multi-member constituency) and 4 for the Senate (1 is assigned by a majority system within a single-member constituency; 3 by a proportional system within a single multi-member constituency).

The area where the Slovene-speaking minority is settled follows the border between Italy and Slovenia and is divided into various electoral constituencies through which the community cannot exert enough electoral clout to guarantee the election of at

least one candidate to the national parliament. Therefore, those preferential mechanisms are currently utterly ineffective.

In the early general elections of 25 September 2022 Ms. Tatjana Rojc was elected to the Senate in the multi-member constituency of Friuli, since she was the leading candidate of the “Partito Democratico - Italia Democratica e Progressista” list. There is a risk, if not a certainty, that no Slovene-speaking representatives will be elected at the next elections.

The question was also raised at the meeting of 16 November 2023 of the Permanent discussion round table for the problems regarding the Slovene-speaking minority. A continuous dialogue with the representatives of the minority on this specific issue would be desirable, in particular within the relevant Parliamentary Committees upon reviewing proposals for amendments to the electoral law.

Effective provisions for facilitating the election of a Slovene-speaking candidate should regard the following:

- the conditions for submitting lists;
- the reduction of the threshold to be connected with the sole territory to which Law no. 38 of 23 February 2001 applies;
- the adoption of preferential mechanisms to be adjusted according to those introduced by Law no. 18 of 24 January 1979 for European Parliament elections, after duly tweaking them according to the actual numeric size of the Slovene-speaking minority, and without any obligations of connecting with other lists.

## **7.2. Restitution of buildings**

Law no. 38 of 23 February 2001, in its Article 19, ordered that the buildings confiscated to the Slovene community during the Fascist period, i.e. the "Narodni dom" cultural centre in the quarter of San Giovanni in Trieste, the building of the same name located in via Filzi, 9, Trieste, and the building in Corso Verdi, Gorizia, the "Trgovski dom".

The restitution of the "Narodni dom" of Trieste was formalized in the presence of the President of the Republic of Italy, Sergio Mattarella, with the signing of the

transfer agreement in October 2022. The event marked the conclusion of a process started on 13 July 2020 during the joint visit in Trieste of the Presidents of Italy and Slovenia. The formal transfer of ownership over the building to the Narodni Dom Foundation, which had been set up for the purpose, has still to be followed by its transfer of possession, which will be perfected as soon as the new premises destined to house the School of Studies in Modern Languages for Interpreting and Translation, which is currently still based inside the palace, will be made available.

On 11 October 2023, after its renovation had been completed, the "Narodni dom" in the San Giovanni quarter was also inaugurated. The building, which lay abandoned for more than 50 years, is going to host a portion (66,000 volumes) of the Slovenian National Library and the headquarters of the SLORI Institute.

The restitution of those buildings was a keenly felt and marked a crucial step forward in the cultural dialogue between Italy and Slovenia.

## **8. Annexes**

- Summary document.

Trieste, 18 February 2024

Chairman of the  
Joint Institutional Committee  
for the Problems of the  
Slovene Linguistic Minority

Marco Jarc

**JOINT INSTITUTIONAL COMMITTEE  
FOR THE PROBLEMS OF THE SLOVENE-SPEAKING  
MINORITY**

**Council of Europe – 6<sup>th</sup> monitoring cycle of the Framework Convention for  
the Protection of National Minorities**

**Update on the state of implementation of the  
Framework Convention for the Protection of National Minorities signed in  
Strasbourg on 1 February 1995**

**SUMMARY DOCUMENT**

The first column of the table in this document contains the reference articles of the Framework Convention for the Protection of National Minorities and the corresponding paragraph of the report, while the second column summarizes of the issues described in the report.

<p><b>Article 4</b> Convention ----- <b>Paragraph 1</b> Report</p>	<p><u>Support mechanisms</u></p> <p>The amount of State funds earmarked for the purposes referred to in Articles 3, 8, 16, and 21 of the Protection Law is affected by inflationary pressures. To ensure continuity of the funded activities, that amount needs to be adjusted based on the indices of consumer prices for blue and white-collar workers' households.</p> <p>The Slovene-speaking minority does not benefit from the State funds transferred to the Friuli Venezia Giulia Region under Law 482/1999.</p>
<p><b>Article 9</b> Convention ----- <b>Paragraph 2</b> Report</p>	<p><u>Access to radio and TV programmes</u></p> <p>The following aspects are pointed out: Failure to implement Article 59 of the Consolidated Text of Audiovisual Media Services, which required the RAI branch office of Trieste to enjoy financial and accounting autonomy and to act as a decentralised production centre, is emphasised.</p> <p>Insufficient participation of minority representatives within supervisory bodies, in particular as regards monitoring the deployment of resources earmarked for the production of programmes in Slovene.</p> <p>Obsolescence of the technical equipment in use at the Trieste branch office.</p>

	<p>Difficulties in receiving programmes in the areas where the minority is settled.</p> <p>The need to digitise archives and implement digital methods of accessing their contents.</p>
<p><b>Articles 10</b> Convention ----- <b>Paragraph 4</b> Report</p>	<p><u>Right to use the Slovene language when dealing with public authorities</u></p> <p>Since the offices, staff, and internal organisation of the administrations involved has not been systematically and conveniently overhauled, as required by Article 8 of Law 38/2001, the right to use the Slovene language when dealing with public-sector administrations continues to be challenged.</p> <p>The system of linguistic helpdesks and the project-based funding – in three-year cycles – of their activities do not allow an efficient, comprehensive, and definitive solution to be found, thus preventing the members of the Slovene-speaking minority from fully enjoying their right to use their minority language when dealing with public administrations.</p> <p>Serious shortcomings also remain in relations with the concessionaires of public services who operate in the protected areas. Negotiations are under way to draw up agreements that may comprehensively regulate how the concessionaires' obligations are implemented.</p>
<p><b>Articles 11</b> Convention ----- <b>Paragraph 5</b> Report</p>	<p><u>Correct spelling of names and surnames</u></p> <p>The correct spelling of Slovene names and surnames (concerning letters with diacritics: č, ž, š) is not ensured:</p> <ul style="list-style-type: none"> <li>- in the healthcare sector;</li> <li>- in the motor vehicle sector, when renewing or replacing lost driving licenses; the issue regarding the cost of replacing driving licenses and registration certificates following the restoration of the original forms of italianized names and surnames, under paragraph 6 of Article 7 of the Protection Law, which provides that no cost be charged to applicants, has not been resolved yet;</li> <li>- in the school sector;</li> <li>- in the judicial sector;</li> <li>- at the Revenue Office.</li> </ul>
<p><b>Articles 12, 13, and 14</b> Convention ----- <b>Paragraph 3</b> Report</p>	<p><u>Education in the Slovene language</u></p> <p>School sizing: despite the central role of the school system in the protection of minorities' rights, no prior involvement of the advisory offices and bodies of the Slovene-speaking minority (Regional School Commission for Teaching in the Slovene Language and Office for Education in the Slovene language) has been witnessed. We remark that the regulatory measures for sizing and streamlining the school network is not going to affect the educational system in the Slovene language in Italy, for the time being.</p>



	<p>To ensure the efficiency of the system of Slovene-speaking schools, it is advisable that the – now crucially understaffed – Office for Schools with Slovene as Teaching Language be granted decision-making autonomy in the technical and administrative fields.</p> <p>The measures aimed at favouring the use of adequate textbooks remain underfunded and a systematic solution has yet to be found.</p> <p>The teaching of Slovene in remote areas (especially in the Canale Valley, and in the municipalities of Tarvisio and Malborghetto) is limited and does not make pupils proficient enough in the language to continue their studies in Slovene.</p> <p>To date, Article 15 of the Protection Law has not been implemented because the Slovene section of the Conservatory of Music “G. Tartini” in Trieste has not been established yet.</p>
<p><b>Articles 15</b> Convention ----- <b>Paragraph 7</b> Report</p>	<p><u>Representation in Parliament</u></p> <p>The provisions of Article 26 of Law no. 38 of 23 February 2001 have been only formally implemented. The preferential mechanisms for the election of members of the Slovene-speaking minority who are candidates for the Senate and for the Chamber of Deputies have not provided substantial benefits. Following the recent reduction in the number of MPs and unlike what happened in all post-war elections, in all likelihood no candidates belonging to the Slovene-speaking minority are going to be elected in either branch of the Italian Parliament at the next elections.</p>