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# FIFTH EVALUATION REPORT ON AUSTRIA

Committee of Experts of  
the European Charter  
for Regional or  
Minority Languages

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Adopted on 15 March 2023

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. 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 periodical report shall be made public by the state in accordance with Article 15, paragraph 2.

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, in order to obtain a fair and just overview of the real language situation. After a preliminary examination of a 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, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective state party for possible comments within a given deadline. A confidential dialogue may, at this stage, be requested by this state party. The final evaluation report is made public, together with the comments, if any, which the authorities of the state party may have made. This document is then transmitted to the Committee of Ministers for the adoption of its recommendations to the state party, on the basis of the proposals for recommendations contained in the evaluation report.

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## CONTENTS

<b>Executive Summary .....</b>	<b>4</b>
<b>Chapter 1 The situation of the regional or minority languages in Austria – Recent developments and trends.....</b>	<b>5</b>
1.1 General developments in policies, legislation and practice concerning the regional or minority languages in Austria.....	6
1.2 The situation of the individual regional or minority languages in Austria.....	12
<b>Chapter 2 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages and recommendations .....</b>	<b>19</b>
<b>2.1 Burgenland-Croatian .....</b>	<b>19</b>
2.1.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Burgenland-Croatian .....	19
2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Burgenland-Croatian in Austria.....	22
<b>2.2 Czech .....</b>	<b>23</b>
2.2.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Czech .....	23
2.2.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Czech in Austria.....	24
<b>2.3 Hungarian .....</b>	<b>25</b>
2.3.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Hungarian.....	25
2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Hungarian in Austria .....	27
<b>2.4 Romani.....</b>	<b>29</b>
2.4.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Romani.....	29
2.4.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Romani in Austria.....	30
<b>2.5 Slovak .....</b>	<b>31</b>
2.5.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Slovak .....	31
2.5.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovak in Austria .....	32
<b>2.6 Slovenian .....</b>	<b>33</b>
2.6.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Slovenian .....	33
2.6.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovenian in Austria .....	35
<b>Chapter 3 [Proposals for] Recommendations of the Committee of Ministers of the Council of Europe .....</b>	<b>37</b>
<b>Appendix I: Instrument of Ratification .....</b>	<b>38</b>
<b>Appendix II: Comments from the Austrian authorities.....</b>	<b>40</b>

## Executive Summary

The European Charter for Regional or Minority Languages entered into force in Austria in 2001 and applies to the following languages: Burgenland-Croatian, Czech, Hungarian, Romani, Slovak and Slovenian.

Positive developments can be noticed in the current monitoring cycle, beginning with the provisions in the federal Government Programme 2020-2024 with respect to the ethnic groups and minority languages. The funding for the ethnic groups at federal level has increased significantly starting with 2021. In this context, a special budget allocation for one publication for each ethnic group has been established. The promotion of minority languages has been included in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* with respect to pre-school education. There is a focus on the online use of minority languages, in a wider context of digitalisation, and the federal authorities have been funding the development of some bilingual municipality websites and apps, as well as the translations of forms or publications. New school curricula have been adopted, which make reference to the history and culture of the ethnic groups.

Minority languages are present in education, especially in Burgenland and Carinthia. Nevertheless, even in these two *Länder*, there are problematic issues linked to the continuity of education, the increasing shortage of teachers, in particular in pre-school and in secondary education and the lack of textbooks, for some languages at some levels of education. Outside Burgenland and Carinthia, there is still no structured policy to protect and promote minority languages, which has a negative impact in particular on education.

There is no consistent and sufficient use of minority languages before courts and in administration in practice. Slovenian remains the only minority language used in the judiciary to some extent and has also a stronger presence in administration. Burgenland-Croatian and Hungarian are not used before courts and are rarely employed in administration. There is a need for a more structured and pro-active approach in these domains, in order to facilitate the use of minority languages.

There have been positive developments in the media. Nevertheless, the presence of some minority languages in the broadcasting media remains too limited.

In general, minority languages are used in cultural activities, especially those initiated by speakers. The cultural activities are supported financially by the authorities.

Slovenian is used to some extent in economic and social life. However, the Committee of Experts lacks sufficient information with respect to Burgenland-Croatian and Hungarian.

There is a need to promote awareness among all stakeholders and the society as a whole of the minority languages and cultures as an integral part of the cultural heritage of Austria.

This fifth evaluation report is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Austria in October 2022.

## Chapter 1 The situation of the regional or minority languages in Austria – Recent developments and trends

1. The European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) is a treaty of the Council of Europe which places obligations on its states parties to protect and promote the country’s traditional regional or minority languages in all fields of public life: education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, and transfrontier exchanges. Austria signed the Charter on 5 November 1992 and ratified it on 28 June 2001. The Charter entered into force in Austria on 1 October 2001 and applies to the following languages: Burgenland-Croatian, Hungarian, Slovenian (each protected by Part II and Part III), Czech, Romani and Slovak (each protected by Part II only).

2. States parties are required to submit reports every five years<sup>1</sup> on the implementation of the Charter. The Austrian authorities submitted their fifth periodical report on 15 November 2021, after having submitted on 30 September 2021 their fifth state report on the implementation of the Framework Convention for the Protection of National Minorities (hereafter, FCNM). This fifth evaluation report of the Committee of Experts is based on the information contained in the periodical report, additional information received from the authorities and statements made by representatives of the speakers of the minority languages during the on-the-spot visit (17-23 October 2022) and/or submitted in written form pursuant to Article 16 (2) of the Charter. Following the wishes of the Austrian authorities, the visit was co-ordinated with the monitoring visit of the Advisory Committee on the FCNM, which has prepared in parallel its fifth opinion on Austria.

3. Chapter 1 of this evaluation report focuses on the general developments and trends regarding the regional or minority languages in Austria and the situation of these languages. It examines in particular the measures taken by the Austrian authorities to respond to the recommendations made by the Committee of Experts and the Committee of Ministers at the end of the fourth monitoring cycle and also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each undertaking of Austria in respect of the given language as well as the recommendations addressed to the Austrian authorities. On the basis of its evaluation, the Committee of Experts proposes, in Chapter 3, recommendations to the Committee of Ministers to be addressed to the Government of Austria, as provided in Article 16 (4) of the Charter. The Committee of Experts encourages the Austrian authorities to translate this report into German and the regional or minority languages with a view to supporting the authorities, organisations, advisory bodies and persons concerned in the process of fully implementing the Charter, in accordance with Art. 6 and 7.4.

4. As far as the detailed legal examination of each undertaking is concerned, the Committee of Experts refers to its **third evaluation report on the application of the Charter in Austria**.<sup>2</sup>

5. This evaluation report is based on the political and legal situation prevailing at the time of the Committee of Experts’ on-the-spot visit to Austria in October 2022. It was adopted by the Committee of Experts on 15 March 2023.

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<sup>1</sup> Article 15.1 of the Charter provides that states parties submit periodical reports every three years. However, following the entry into force of the reform of the monitoring mechanism of the ECRML on 1 July 2019, states parties are now to submit their reports every five years instead of every three years. See Committee of Ministers Decisions “Strengthening the monitoring mechanism of the European Charter for Regional or Minority Languages” ([CM/Del/Dec\(2018\)1330/10.4e](#), para. 1.a.).

<sup>2</sup> [ECRML\(2012\)7](#).

## 1.1 General developments in policies, legislation and practice concerning the regional or minority languages in Austria

6. Austria has a generally well-developed system for the protection and promotion of minority languages, with legislation in place – with a focus on the *Länder* of Burgenland, for Hungarian and Burgenland-Croatian<sup>3</sup> and Carinthia, for Slovenian, as well as funding for the organisations of the “ethnic groups”<sup>4</sup> and their cultural activities throughout the country. In Burgenland and Carinthia legal provisions for Burgenland-Croatian, Hungarian and Slovenian provide for the use of minority languages, in certain areas, in education, before courts and in administration, although shortcomings remain in practice. Radio and television programmes, although not in sufficient amount, are broadcast by ORF, the Austrian public broadcaster, in all minority languages, generally with a wide coverage. In Vienna and Styria, where no specific legislation for the protection of minority languages exists, these are present to a limited extent in education, culture and media.

7. In the previous monitoring cycle, the Committee of Ministers recommended that the Austrian authorities “**adopt a structured policy for the protection and promotion of all minority languages, especially in Vienna, and create favourable conditions for their use in public life**”. According to the periodical report, the provisions in the federal Government Programme 2020-2024<sup>5</sup> constitute a first step towards such a structured policy. The ethnic groups and minority languages are the subject of several provisions in the government programme, which, as indicated in the periodical report, aim at addressing long date concerns of these groups. A specific sub-chapter refers to several topics: a new codification of the constitutional provisions concerning the ethnic groups, with a commitment to minority schools (*Minderheitenschulwesen*), minority languages and topography; the increase of funding and the safeguarding of the minority media through a dedicated budget; co-operation with the *Länder* and municipalities with a view to jointly supporting the further development of bi- and multilingual kindergartens, as well as other early childcare facilities; improved visibility of the ethnic groups on ORF; the setting up of a working group including representatives of the ethnic groups to examine the modernisation of their representation; strengthening the minority languages’ online presence; maintaining a bilingual jurisdiction. Other provisions refer to the strengthening of cultural and art projects related to the ethnic groups and the gradual expansion of the multilingual services for the ethnic groups.

8. The Committee of Experts welcomes the commitment of the Austrian authorities to address several of the significant issues raised by the minority language speakers over time. There has been a significant increase in the funding for the ethnic groups. The promotion of minority languages has been included in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* with respect to pre-school education. New curricula with relevant provisions with respect to teaching about the ethnic groups have been adopted. There has been a change of policy in Carinthia, which became increasingly visible during the period covered and especially the 100<sup>th</sup> anniversary of the Carinthian referendum. The federal authorities have also been funding the development of some bilingual municipality websites and apps, and the translations of forms or publications. A special budget allocation for one publication for each ethnic group has been established and developments have taken place with respect to broadcasting media. Despite this, in several fields progress is slow, and a more dynamic approach is needed with respect to the implementation of the Charter. There is still no structured policy to protect and promote minority languages outside Burgenland and Carinthia, with a negative impact, in particular on education.

9. Since the authorities are committed to considering the legal system for the protection of the ethnic groups, the Committee of Experts encourages them to use this opportunity and, in co-operation with the minority language speakers, look into ways of updating the ratification of the Charter. During the on-the-spot visit, the Committee of Experts gained the impression that stronger commitments could be made with respect to Burgenland-Croatian, Hungarian and Slovenian in the fields of education, administration and culture, especially in those cases where the current legal or practical situation is already more favourable than the ratified undertakings.

<sup>3</sup> The instrument of ratification refers to *Burgenland-Croatian* as the minority language protected under the Charter, while in the Austrian legislation *Croatian* is used. The Committee of Experts uses the term interchangeably in the current report. See 1<sup>st</sup> report on the application of the ECRML (2005)1, paragraph 15.

<sup>4</sup> The Austrian legislation uses the term “ethnic group” (*Volksgruppe*) rather than “national minority”.

<sup>5</sup> See 5<sup>th</sup> periodical report and the federal Government Programme 2020-2024, available at <https://www.bundeskanzleramt.gv.at/bundeskanzleramt/die-bundesregierung/regierungsdokumente.html>.

### ***Use of the regional or minority languages in education***

10. Minority languages continue to be offered in education according to different models, depending on the language, the school level and the *Land*. Minority School Acts exist in Burgenland and in Carinthia, with reference to Burgenland-Croatian, Hungarian, Romani and Slovenian, respectively. A specific legal framework for minority language education does not exist in Vienna or in Styria, where the minority languages offer consists of private schools (such as for Czech and Slovak in Vienna) or of teaching them as “mother tongue instruction/first language instruction” in public schools. This second model is not aimed specifically at minority languages and consists of teaching the languages as optional subject without grades (*unverbindliche Übung*) or as optional subject with grades (*Freigegegenstand*); according to the information received during the on-the-spot visit, the number of hours varies, but is generally up to three<sup>6</sup> and classes often take place after regular school hours.

11. The Committee of Experts recalls that, in order to comply with the requirements of the Charter, regional or minority languages should be taught at least three hours per week in primary and secondary education, in particular if the language is not a well-established language with a strong speaker community.<sup>7</sup> Regional or minority languages should also be taught as an integral part of the curriculum. Therefore, in some cases where minority languages are taught only for one or two hours per week and outside the regular school hours, a stronger educational model needs to be developed. In cases where the ratification concerns the “provision of a substantial part of [...] education”, at least 50% of the school hours per week should be in the minority language.<sup>8</sup> At kindergarten level, this implies that it has to be used for at least half of the activities that the children carry out at kindergarten.<sup>9</sup>

12. During the on-the-spot visit, the Committee of Experts was again informed by authorities and minority language speakers that fewer and fewer children learn minority languages in the family.<sup>10</sup> The Committee of Experts underlines that, in this context, education from the early stages is increasingly important, including outside the areas where the minority languages are traditionally spoken.

13. The promotion of the languages of the ethnic groups has been included in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* on pre-school education (*Elementarpädagogik*) for the kindergarten years 2022/2023 – 2026/2027. On this basis, specific measures, including teacher training and development of educational materials, may be taken to promote the minority languages at pre-school level in public kindergartens and these may be funded by the federal government.

14. The Committee of Experts welcomes this measure, in light of the importance of early childhood education for developing language competence and of the difficulties reported at this level.

15. There is a lack of teachers, in particular at pre-school level and, to some extent, this shortage can also be identified for secondary education. This might endanger the provision of bilingual education at these levels. There is still a lack of teaching materials in/for minority languages, despite initiatives of the authorities to support their development. Teaching materials from Hungary and Slovenia have to be adapted to be used in Austrian schools teaching (in) Hungarian or Slovenian. In the case of Burgenland-Croatian, there are very few specialists who can develop them.

16. In the previous monitoring cycle, the Committee of Ministers recommended that the Austrian authorities “**include in the general curricula an adequate presentation of the history and the culture which is reflected by the regional or minority languages in Austria**”.

17. During the on-the-spot visit, the Committee of Experts was informed that the existing curricula and textbooks do not provide an adequate place for minority languages and the history and culture they reflect. Minority schools in Burgenland and Carinthia are teaching about the history and culture of the respective ethnic groups. However, this is not the case for other schools. According to information received during the on-the-spot visit, in Carinthia for example, textbooks contain marginal information, if at all, about the ethnic groups: in primary school, in the textbooks for *Sachunterricht* (subject dealing with nature, history, society, etc. in a

<sup>6</sup> See also the information on this type of education in Vienna, at [Sprachförderzentrum der Bildungsdirektion für Wien - Volksschule, Mittelschule \(sfz-wien.at\)](https://www.sfz-wien.at/).

<sup>7</sup> See 7<sup>th</sup> report of the Committee of Experts on Germany, MIN-LANG(2022)7, para.14.

<sup>8</sup> See 5<sup>th</sup> report of the Committee of Experts on Slovenia, MIN-LANG (2019) 17final, para. 49, 5<sup>th</sup> report of the Committee of Experts on the Slovak Republic, CM(2019)126, para. 57.

<sup>9</sup> See 7<sup>th</sup> report of the Committee of Experts on Germany, MIN-LANG(2022)7, para.14.

<sup>10</sup> See 4<sup>th</sup> report of the Committee of Experts on Austria, CM (2018) 38, paras. 7 and 13.

region), there are references to the history of Carinthia, in particular the 1920 referendum and the Slovenian speakers; secondary school books contain hardly any information. In Burgenland, basic information about the three ethnic groups in the *Land* is provided in the textbooks for *Sachunterricht*.

18. At the time of the on-spot-visit of the Committee of Experts in Austria, new curricula had been prepared, but were not approved or in force. They were approved in January 2023 and will come into force starting with the 2023/2024 school year.

19. In the new curricula, reference to the history and culture of the ethnic groups is made in the context of the general principles of the didactic activity; under the principle of treating everyone with respect, one of the tasks of the school is defined as creating the conditions for the respect and appreciation of diversity; pupils should be aware of and value diversity, as well as experience the importance of multilingualism; in this context, the language, culture and history of each of the six ethnic groups shall be addressed and awareness about the rights and protection of minorities should be raised. The overarching topics of intercultural education and political education also offer the possibility of addressing these issues. The Committee of Experts notes that this could serve as a basis to raise awareness about ethnic groups in the sense of Art 7.3 of the Charter, which applies throughout the country, and to teach the history and culture reflected by Burgenland-Croatian, Hungarian and Slovenian, not only to minority language speaking pupils, but to all pupils living in the area where these are traditionally spoken, as required by Art. 8.1.g. The Committee of Experts encourages the authorities to take measures to implement these objectives, including by providing the necessary teaching materials and training of the teachers. In this context, the Committee of Experts invites the authorities to consider the possibility of joining the Observatory on History Teaching in Europe of the Council of Europe.<sup>11</sup>

20. In a wider context (Art. 7.3), the Committee of Experts also notes several initiatives in the context of the 100<sup>th</sup> anniversary of the Carinthian referendum in 2020 and the 100<sup>th</sup> anniversary of Burgenland in 2021 (such as exhibitions and multilingual websites), the co-operation with the House of History in Vienna, the bilingual publication of the cultural magazine of the *Land* Carinthia (*Die Brücke*), and the use of multilingual inscriptions in the new Museum of Carinthia (*Kärntner Landesmuseum*). Such initiatives contribute to raising awareness and need to be further developed throughout Austria and with regard to all minority languages.

21. Representatives of the Burgenland-Croatian, Hungarian and Slovenian speakers met by the Committee of Experts expressed the need for increased bilingualism in signage. In this context, the Committee of Experts underlines the importance of awareness raising and visibility of minority languages in the public space. Bilingual signage is an important measure increasing the visibility and prestige of a minority language, raising awareness among the majority population and maintaining the linguistic heritage, and should therefore be encouraged.<sup>12</sup>

22. The Committee of Experts recalls that the way a regional or minority language is protected and promoted is also linked to its perception by majority language speakers. Therefore, awareness raising among the majority is of the utmost importance and requires constant efforts in both education and media. The fundamental goal is for the majority population to value the fact that regional or minority language speakers are part of the linguistic and cultural heritage of the state with their different languages and cultures.<sup>13</sup> During discussions with the minority language speakers, it was clear to the Committee of Experts that, despite progress over the years, they still perceive in day-to-day life and interaction that there is not a sufficient knowledge about them in the Austrian society as a whole. In particular Romani speakers raised the issue of an insufficient awareness, but also prejudice of the authorities as regards them.<sup>14</sup> Therefore, the above-mentioned measures and their implementation are essential.

23. Both in Carinthia and in Burgenland, the minority schools' divisions within the education directorates are producing annual reports, which are made public online.<sup>15</sup> These reports provide data on the numbers of schools and pupils enrolled at different levels in different models of education, an overview of developments in this respect over the years, data on the number of teachers, historical information, as well as information about other activities related to minority education. The Committee of Experts recalls the main features of monitoring in the sense of Art. 8.1.i: it requires the examination of the measures taken and the progress achieved in regional or minority language education, in order to identify effective methods, as well as

<sup>11</sup> [The Observatory on History Teaching in Europe - Observatory on History Teaching in Europe \(coe.int\)](https://www.coe.int/t/t09/observers/observers_en.asp).

<sup>12</sup> See 7<sup>th</sup> evaluation report on Germany, MIN-LANG (2022)7 para. 30.

<sup>13</sup> See, for example, 5<sup>th</sup> report of the Committee of Experts on Slovenia, MIN-LANG (2019) 17final, para. 13, 4<sup>th</sup> report of the Committee of Experts on the Slovak Republic, ECRML (2016) 2, paragraph 69.

<sup>14</sup> See *Study on the Evaluation of the National Strategy for Roma Inclusion SENSIRO* (in German), p.174.

<sup>15</sup> <https://www.bildung-bgld.gv.at/schule-unterricht/minderheitenschulwesen> in Burgenland, <https://www.bildung-ktn.gv.at/Minderheitenschulwesen/Jahresberichte.html> in Carinthia (the latest available is for 2019/2020; the report for 2018/2019 gives a comprehensive overview of minority language education from 1958/1959- 2018/2019).

problematic areas; in this context, information on the extent and availability of education, developments in language proficiency, teacher supply and the provision of teaching materials are relevant; reports should be prepared regularly and published; monitoring may be carried out by existing supervisory bodies and integrated into existing administrative structures.<sup>16</sup> While the reports produced in Burgenland and Carinthia meet many of these characteristics, aspects such as the developments in pupils' language proficiency, analysis of the measures taken and the progress achieved, should also be included.

24. The information provided to the Committee of Experts indicates that there is awareness about the practical problems and a concern for the quality of education among the authorities in Burgenland and Carinthia.<sup>17</sup> In Burgenland, there are reports and evaluations on the language competence of pupils, and measures are implemented or planned with a view to strengthening bilingual education (such as the use of an immersion model where each language of instruction would be used for 1-2 days/week or one full week for schools and also pre-schools, the development of innovative teaching and learning methods, and the development of teaching materials, including online). In Carinthia, information about bilingual education and measures to increase quality are included in the report of the *Land* on the situation of the Slovenian minority.<sup>18</sup> A Pedagogical Framework Concept to support teachers in pre-school education was also developed in Carinthia (see also below, para 70). Such measures should be part of the monitoring reports in the sense of Article 8.1.i, leading also to a consultation with minority language speakers regarding their concerns.

### ***Use of the regional or minority languages by judicial authorities***

25. In the previous monitoring cycle, the Committee of Ministers recommended that the Austrian authorities **“take practical measures for the use of the Burgenland-Croatian, Hungarian and Slovenian languages before the relevant judicial [...] authorities”**.

26. Slovenian remains the only minority language used before courts. According to information received from the authorities, after two decades of decrease in the number of cases, an increasing trend can be observed for 2020 and 2021 for the three district courts where Slovenian can be used according to the legal provisions. The authorities informed the Committee of Experts that the language skills of judges and judicial staff are taken into account when appointing them and language courses are also offered. At the time of the on-the-spot visit, further measures concerning the use of Slovenian before courts were under discussion, involving both the representatives of the Slovenian speakers and the presidents of the courts in Klagenfurt and Graz. One of the discussions, as the Committee of Experts was informed, concerned the restructuring of the respective district courts and transferring matters to the courts in Klagenfurt, Villach and Völkermarkt and thus extending the use of Slovenian, which was favoured by representatives of the speakers, but not implemented.

27. The Slovenian speakers emphasise that the number of courts where Slovenian can be used is low and does not cover the whole area where Slovenian is traditionally spoken. They also indicate that Slovenian has been used in a few cases before the *Landesgericht* in Klagenfurt, a higher-level court, but the requirements for using Slovenian are not sufficiently clear. As for the language competence, they point out the lack of bilingual staff in courts.

28. The Committee of Experts invites the authorities, in co-operation with the speakers, to widen the possibilities of using Slovenian before courts. As far as the higher-level courts are concerned, the Committee of Experts underlines that the Charter provisions apply also to courts which are not necessarily in the area where the minority languages are spoken but which have a jurisdiction for this area.<sup>19</sup>

29. Hungarian and Burgenland-Croatian are not used in practice before courts. According to the representatives of the speakers, using German before courts is to some extent more convenient as the speakers master better the complex legal terminology in this language. However, they also highlighted that minority language speakers are not sufficiently informed about the possibility of using Burgenland-Croatian and Hungarian before courts. Moreover, bilingual staff is missing.

30. The Committee of Experts notes that the federal Government Programme 2020-2024 provides for the “safeguarding of the bilingual district jurisdiction in the settlement area”; it further indicates that, in the event of mergers of district courts, it must be ensured that “an equal and efficient part of the Austrian judiciary remains in the languages of the ethnic groups”.

<sup>16</sup> For details, see 7<sup>th</sup> report of the Committee of Experts on Germany, MIN-LANG(2022)7, para.19.

<sup>17</sup> See for example [Samo 15 procentov dice u OŠ zna hrvatski - Hrvati - Visti \(orf.at\)](#).

<sup>18</sup> See *Report on the Situation of the Slovenian ethnic group in Carinthia* (in German and Slovenian), 2022.

<sup>19</sup> See 7<sup>th</sup> report of the Committee of Experts on Germany, MIN-LANG (2022)7 para. 23.

31. While welcoming these provisions, the Committee of Experts underlines that a proactive approach is needed in order to also facilitate the use of minority languages before courts in practice. This includes measures to regularly inform and encourage parties to make use of the possibility to use minority languages in court proceedings, to ensure that a sufficient number of qualified translators and interpreters are available, and to encourage legal professionals to acquire or develop their language competences in minority languages.

#### ***Use of the regional or minority languages by administrative authorities***

32. In the previous monitoring cycle, the Committee of Ministers recommended that the Austrian authorities “**take practical measures for the use of the Burgenland-Croatian, Hungarian and Slovenian languages before the relevant [...] administrative authorities**”.

33. The federal Government Programme 2020-2024 included provisions on the online presence of minority languages, specifically with the tax authorities, on municipality websites and for online services; it also refers to a gradual extension of the multilingual services for the ethnic groups.

34. The authorities further informed the Committee of Experts that funding has been provided for developing bilingual municipality websites and apps, and translating forms or publications. For example, in 2021 and 2022, this was the case for five municipalities in Carinthia and three in Burgenland. The Office for Ethnic Groups of Carinthia also makes available a wide range of forms on its website, including for applications to municipalities. The federal Ministry of Finance made available forms in various languages on its website.<sup>20</sup> However, the Committee of Experts notes, as it has been underlined by representatives of minority language speakers, that these forms indicate that they are only a supporting translation, and that the German language version should be submitted. Therefore, one cannot consider them as means to support the submission of written applications in minority languages.

35. Overall, the Committee of Experts notes that the use of minority languages in the administrative field remains limited. There is still no systematic use by the authorities concerned, but this varies often depending on authority and municipality. Minority languages are used mostly orally, while written correspondence and publication by authorities of documents in minority languages, including at local level, remains rare.

36. The minority language speakers refer to a lack of awareness of authorities about the existing legal obligations, but also to the fact that there is a perception among them that some authorities consider the request of and communication in minority languages a burden. On a practical level, bilingual staff is largely missing, including in local authorities, and translation or interpretation, while available, cause extensive delays and thus discourage the minority language speakers in using their language; in some cases, the quality of translation (for Hungarian and Burgenland-Croatian) was also reported as questionable. Hungarian speakers also indicated that in some cases they have been asked to provide translations of documents submitted in Hungarian.

37. While noting the efforts of the authorities, in particular in Carinthia, the Committee of Experts emphasises that a more structured and pro-active approach is needed to strengthen the use of minority languages in administration and ensure a more consistent presence in this field. Measures should be taken to ensure that all the relevant authorities are fully aware of their obligations related to the use of minority languages and to provide them with the necessary technical and financial support. Application forms should be made further available and easily accessible. The language competences of the staff should continue to be strengthened, including with respect to specific terminology.

#### ***Use of the regional or minority languages in the media***

38. In the previous monitoring cycle, the Committee of Ministers recommended that the Austrian authorities “**secure adequate funding for newspapers in Burgenland-Croatian, Hungarian and Slovenian**”.

39. According to the periodical report and the information received during the on-the-spot visit, the federal Government Programme 2020-2024 foresees the safeguarding of the media funding through a separate budget allocation, concerning one publication for each ethnic group. One so-called “main medium” chosen by each ethnic group receives funding under a dedicated budget, included in the overall increase of the ethnic minority funding.<sup>21</sup> This also covers the digitalisation of the newspapers. There are weekly newspapers in

<sup>20</sup> <https://service.bmf.gv.at/service/anwend/formulare/start.asp??typ=AW&styp=spr>.

<sup>21</sup> See amount for 2022-2023 in *Überblick Medienförderung 2022 und 2023 (Volksgruppen)*, available at [Volksgruppen-Förderung - Bundeskanzleramt Österreich](#); the one-hour daily contribution in Romani on *Radio Mora* is funded from this allocation.

Burgenland-Croatian, Hungarian (online only) and Slovenian. However, representatives of Burgenland-Croatian and Hungarian speakers, indicated that the funding is not sufficient to properly cover the newspapers costs, be it development of the online version or staff costs. Other publications may also receive subsidies from the general funding, but this seems also insufficient.

40. ORF continues to provide radio and television programmes in minority languages. Since March 2019, the video archive “Ethnic Groups in Austria” (*Volksgruppen in Österreich*), containing more recent and historical stories, contributions in the six minority languages or about the six ethnic groups, has been available for an unlimited period in the ORF media library. The radio and TV programmes in minority languages are also available in the respective ORF media libraries, most of them only for a limited period of time. The Committee of Experts is aware of the efforts of the ORF and encourages the authorities to take measures ensuring that these programmes remain online for significant periods of time.

41. The online service *volksgruppen.orf.at*, with a dedicated page for each ethnic group, provides news and information in all six minority languages, as well as links to the radio and television programmes.

42. As of September 2022, a new 30-minutes programme every two weeks (WIR/ČEŠI, HRVATI, MAGYAROK, ROMA, SLOVÁCI, SLOVENCÍ), with contributions in all minority languages and moderation in German is broadcast on ORF III. There is now also a dedicated television programme using Romani – *Romano Dikipe* – broadcast six times per year. While the offer of radio programmes is richer, the Committee of Experts notes that some television programmes are still broadcast only six times per year, which is not sufficient to make a real contribution to the promotion of the language.

### **Use of the regional or minority languages in cultural activities and facilities**

43. Cultural activities are generally organised by the minority organisations and receive funding from the Federal Chancellery (ethnic groups budget), but also from the *Länder* (including some support from the City of Vienna). Cultural activities and projects are generally funded throughout Austria, not only in the areas where the minority language speakers are traditionally present.

44. The funding for the ethnic groups has increased from €3,9 million in 2020, to €7,9 million in 2021. This is a step welcomed by all representatives of the minority language speakers, which the Committee of Experts also commends. The authorities also informed the Committee of Experts that funding has a stronger impact-orientation, and the results of the activities are assessed. However, the representatives of the speakers highlight that the increase is the first one in decades and, to some extent, covers the inflation. The absence of long-term funding rather than annual projects still leads to problems in terms of sustainability of the activities and planning capacity of the organisations. The Committee of Experts was informed by the authorities that media funding follows a two-years cycle and that they are considering extending this model to other activities.

45. A one-time grant of a total of €4 million from 2020 – 2024 was awarded by the federal authorities on the 100<sup>th</sup> anniversary of the 1920 Carinthian referendum; with equal shares for municipalities and for other applicants, the grant is dedicated *inter alia* to initiatives in the field of bilingual education, the bilingual digital presence of municipalities, media, as well as cultural and publishing activities of the Slovenian speakers. In Burgenland, the project of a “House of the Ethnic Groups” in Oberwart, hosting the associations, was announced in the context of the 100<sup>th</sup> anniversary of Burgenland. Other initiatives concern exhibitions, multilingual websites, bilingual publications, etc (see also above, para. 20).

46. As to the way minority languages and cultures are reflected in the cultural policy abroad (12.3), according to the authorities, “culture and human rights” are one of the seven priority areas of Austria’s international cultural policy. As a result, the country’s minority languages and cultures are taken into account, with the Austrian Libraries and the Austrian Cultural Fora being the main institutions responsible in this field. The Committee of Experts welcomes that the examples received from the authorities in this respect include also Czech, Slovak and Romani and thus concern all six minority languages in Austria. Slovenian is particularly well reflected in this field – with Slovenian artists and authors regularly involved in the activities of the Austrian Fora. This concerns not only activities in Slovenia, but also in other countries, such as in the Czech Republic. Indeed, the Committee of Experts recalls that the concept of the “cultural policy abroad” not only refers to the state in which the minority language is used as official language, but also obliges the authorities to show the multilingual nature of the country more generally in states in which their cultural institutions are active.<sup>22</sup> The ORF also informed the Committee of Experts that parts of the program produced in the respective minority languages are used by Slovenian broadcasters and, to a very limited extent, also by Croatian broadcasters.

<sup>22</sup> See also 3<sup>rd</sup> report of the Committee of Experts on the Slovak Republic, ECRML (2013)1 para. 499.

### ***The use of minority languages in economic and social life***

47. Austria has ratified to facilitate and encourage the use of regional or minority languages (13.1.d), “within the whole country”. The Committee of Experts has not received sufficient information on how the authorities facilitate or encourage the use of Burgenland-Croatian and Hungarian in social and economic life.

48. In Carinthia, sport associations of the Slovenian minority exist and receive financial support from the *Land*. The EUROPEADA, the European football championship of autochthonous, national minorities, organised by the Federal Union of European Nationalities (FUEN), took place in Carinthia in 2022, with support from the *Land* and the federal chancellery, under the motto *together unique - skupaj enkratni – gemeinsam einzigartig*. The Slovenian Business Association received support for a joint project with the Carinthian Tourism Agency focused on the Slovenian ethnic group, for a cross-border mobility project, but also for training small companies and associations in the field of EU funding. Slovenian is also used in the tourism sector, often with a cross-border component. The new Museum of Carinthia (*Kärntner Landesmuseum*) also uses Slovenian.

49. The Committee of Experts asks the authorities to provide more information on how they promote regional and minority languages in social and economic life.

### ***Minority languages during the Covid-19 pandemic***

50. According to the periodical report, information about the Covid-19 prevention measures was provided in minority languages, with the involvement of the *Länder* and the ORF. The cultural or educational activities of the minority organisations were carried out in online formats.

51. In education, during distance learning, the minority languages were treated equally to other subjects. While difficulties were reported at the beginning, and teachers had to manage on their own, with time the development of online teaching materials began, and some still are available.

### ***Consultation***

52. Advisory councils<sup>23</sup> exist for each of the six ethnic groups whose languages are protected by the Charter. A conference of chairpersons of the advisory councils is also in place. There has been a debate on the adequate representation of the ethnic groups in the advisory councils. The current Government Federal Programme foresees the setting up of a working group including representatives of the ethnic groups to examine the modernisation of their representation. The Committee of Experts encourages the authorities to continue to work on a reform of the advisory councils in close dialogue with the speakers. The Committee of Experts has been informed that the fifth periodical report on the application of the Charter was not discussed with the advisory councils. The Committee of Experts would like to remind the authorities of the need to discuss the reports under the Charter with the representatives of the minority language speakers.

53. There is a Roma Dialogue Platform of the Federal Chancellery, and the representatives of the Romani speakers informed the Committee of Experts that they have been involved in the development of the National Strategy for the Inclusion of Roma. A new Dialogue Platform for all ethnic groups functions with the Austrian Parliament.

54. In Carinthia, there is a “Dialogue Forum for the development of the mixed areas”, which addresses different topics, from education to administrative forms.<sup>24</sup> In Burgenland, the *Forum4Burgenland*, comprising education authorities, the Private Pedagogical University (PPH) and ethnic group representatives, is dedicated to education issues.

## **1.2 The situation of the individual regional or minority languages in Austria**

55. At pre-school level (Article 8.1.a ii), **Burgenland-Croatian** should be used in addition to German for at least 12 hours per week, in pre-school institutions in the municipalities where Burgenland-Croatian is

<sup>23</sup> The role of the advisory councils is to advise the federal government and ministries on issues related to the ethnic groups. The advisory councils have to safeguard and represent the overall interests of the ethnic groups and have to be heard in particular before the adoption of legal provisions and on general planning regarding funding, if these affect the interests of the ethnic groups. They may also make proposals to improve the situation of the ethnic groups. Advisory councils may also advise *Land* governments when requested. The members of each advisory council are appointed by the federal government; half of them are appointed based on proposals of minority organisations, the other half are members of a general representative body or have been proposed by a religious denomination.

<sup>24</sup> See *Report on the Situation of the Slovenian ethnic group in Carinthia* (in German and Slovenian), 2022, p.35.

traditionally spoken; outside this area, it can be used if 25% of the parents request it.<sup>25</sup> According to the authorities, in the 2021/2022 school year there were 42 pre-school institutions using Burgenland-Croatian.<sup>26</sup> At primary level (Art. 8.1.b ii), in the 2021/2022 school year, bilingual education was provided in 23 bilingual primary schools and in two classes at German-speaking primary schools.<sup>27</sup> Two other schools teach Burgenland-Croatian as a compulsory subject (*Pflichtgegenstand*); others offer it as optional subject without grade (*unverbindliche Übung*) or in other formats. At secondary level<sup>28</sup> (Art. 8.1.c iii), there is one bilingual lower secondary school (*Mittelschule*) and two other lower secondary schools with bilingual classes or bilingual teaching in certain subjects; six other lower secondary schools offer it as compulsory elective subject, optional subjects with grades (*Freigegegenstand*) or optional without grades. Among schools offering lower and upper secondary education (*AHS*), the Bilingual Gymnasium in Oberwart provides bilingual German-Burgenland-Croatian, while two other gymnasias provide Burgenland-Croatian as a compulsory subject; three other schools teach it as an optional subject with grades and one as optional subject without grades. There is a sharp decrease in the number of pupils in secondary education, in particular upper secondary.<sup>29</sup> In vocational education (8.1.d.iv), Croatian is provided as a compulsory elective subject (*Wahlpflichtgegenstand*) in one school, as compulsory subject in three schools, and as optional subject with grades in two others (including the Training Institutes for Early Childhood Education).

56. The Burgenland-Croatian speakers expressed concerns about how bilingual education is organised and the level of the language competences of the children. At pre-school level, the organisation in practice depends on the municipality and available staff and does not always correspond to a bilingual model (equal use of both languages). At primary level, education also does not always correspond to a bilingual model. The possibility to withdraw pupils from bilingual classes at any time contributes to lower requirements and thus lower quality of education. Moreover, bilingual primary education is not always provided yearly, but only every four years, as in one case in Oberwart. The Committee of Experts is concerned about such a situation, as at least one generation of children is excluded from bilingual education. With respect to secondary education, the low number of pupils at this level can be explained on the one hand by the vast choice of subjects, but on the other hand by an insufficient offer, as for example there is only one bilingual gymnasium, which, for logistical reasons, is difficult for pupils from the whole *Land* to reach. The provision of teaching materials in Burgenland-Croatian is problematic. The concerns of the speakers correspond to a large extent to those expressed in the previous monitoring cycle. The *Land* educational authorities informed the Committee of Experts that they are taking measures intended to strengthen bilingual education, such as the introduction of an immersion model, where each language of instruction is used for 1-2 days/week or one full week, to be developed also for kindergarten.

57. At university level (8.1.e iii), Burgenland-Croatian/Croatian is a subject in Graz (Slavic studies), and courses related to Burgenland-Croatian are offered in Vienna (Slavic studies). In adult education, courses of Burgenland-Croatian/Croatian are offered by the adult education centre (*Volkshochschule*)<sup>30</sup> (8.1.fii). Basic and further teacher training (art. 8.1.h) is provided by the PPH (*Private Pädagogische Hochschule*) Burgenland.<sup>31</sup> The Committee of Experts notes that the training offer for secondary level is limited to training language teachers. At the Training Institute for Early Childhood Education Burgenland-Croatian is only an optional subject with grades, with 18 students in 2021/2022. However, there is a lack of teachers, especially for the pre-school level.

58. In Vienna, a bilingual children group and a “Saturday school” using Burgenland-Croatian are organised as an NGO initiative, which receives funding from the federal authorities. “Mother tongue instruction” is only provided for Bosnian/Croatian/Serbian. The authorities explain that this is due to a lack of demand for Burgenland-Croatian.

<sup>25</sup> Burgenland Child Education and Care Act of 2009.

<sup>26</sup> According to the periodical report, in the 2018/2019 school year, 2365 children attended pre-school bilingual education using Burgenland-Croatian or Hungarian, with Burgenland-Croatian used in 37 pre-school facilities. According to information from the authorities, in 2021/2022, 1926 children attended bilingual education using Burgenland-Croatian or Hungarian.

<sup>27</sup> All figures for primary, secondary and technical or vocational education are based on the report of the Directorate for Education for 2021-2022, available at [Minderheitenschulwesen - Bildungsdirektion für Burgenland \(bildung-bglld.gv.at\)](https://www.bildung-bglld.gv.at).

<sup>28</sup> In education, according to the information received during the on-the-spot visit, Burgenland-Croatian is used in primary and lower secondary, while in upper secondary standard Croatian is used.

<sup>29</sup> In 2021/2022, all models of education included, there are 1649 pupils in primary education (1359 in bilingual education), 520 in secondary education and 195 in vocational education, including pre-school teacher training.

<sup>30</sup> The *Burgenländische Volkshochschulen* include one for each ethnic group (Croatian, Hungarian and Roma).

<sup>31</sup> Bachelor level: education for primary schools - specialisation in bilingual education for Burgenland-Croatian, as of the 3<sup>rd</sup> semester; education for secondary schools – Burgenland-Croatian/Croatian as a subject; Master level: education for primary schools – Croatian advanced (*Vertiefung*), education for secondary schools: Burgenland-Croatian/Croatian as a subject; further education programme (*Hochschullehrgang*): additional qualification in bilingual education German – Burgenland-Croatian for primary schools; further training: intensive language course of Burgenland-Croatian; immersion teaching at bilingual primary schools and classes (information received during the on-the-spot visit).

59. Burgenland-Croatian is not used in practice before judicial authorities (Art.9), although there is the legal basis to use the language before courts. Its presence is also limited in the administrative field (Art. 10), where it is mainly used orally. The information from the periodical report confirms that written correspondence is less common, although, when needed, arrangements are made. The availability of application forms, including online, is seen by the speakers as an important step to raise awareness and facilitate the use of the language in the administrative field. There is a very limited use of Burgenland-Croatian also by *Land* authorities; the Committee of Experts notes that only one website, developed by the education authorities on the 100<sup>th</sup> anniversary of Burgenland, provides information in all minority languages spoken in the *Land*. The Committee of Experts has not been informed of documents published in Burgenland-Croatian by local authorities (10.2.d).

60. As far as media is concerned, the weekly *Hrvatske Novine* ( Art.11.1. e i) is the main medium. However, according to the representatives of the speakers, although the funding increased compared to the previous monitoring cycle,<sup>32</sup> it remains insufficient to allow for further development of its online presence and to cover the staff costs. Other weekly or quarterly publications are also funded, but some report financial problems. On the radio, there are several programmes in Burgenland-Croatian of ORF Radio Burgenland (daily news, journal, cultural programme, magazine, etc.), with a total of 318 minutes/week, according to information received from ORF during the on-the-spot visit.<sup>33</sup> These can also be received in Vienna. Funding continues to be provided to *Radio Mora*, which is now also broadcasting in Hungarian and Romani. On television, a 30-minutes weekly magazine (*Dobar Dan Hrvati*) is broadcast by ORF (available regionally and country-wide). As of September 2022, a new programme for all ethnic groups, (WIR) including a part in Burgenland-Croatian is broadcast every two weeks on ORF III (see above, para. 42). As far as the audio-visual works are concerned (11.1.d), the Committee of Experts has been informed about the YouTube and Instagram channels of the *Hrvatski Centar* and *Hrvatski akademski klub*; in 2020-2021 the authorities provided financial support to the YouTube Advent Calendar for children of the association *HKD* and the YouTube channel of the *Bildungswerk der Burgenländischen Kroaten*; there is also the video archive of ORF (see above, paragraph 40).

61. Cultural activities are organised by the minority associations and receive financial support of the Federal Chancellery as well as of the *Land* government. Projects are supported by the federal authorities also in Vienna. Transfrontier exchanges take place in particular in the domains of education and culture, with organisations and institutions in Croatia, but also in the Czech Republic, the Slovak Republic and Hungary.

62. The private Komenský School in Vienna continues to organise bilingual **Czech**-German education from pre-school to upper secondary level. The payment of teachers is financed by the federal authorities and the kindergarten receives subsidies from Vienna, as all private kindergartens. According to the Czech speakers, the rest of the running costs of the school are covered from the federal funding for ethnic groups dedicated to the Czech minority, taking up the largest share of this funding,<sup>34</sup> school fees and donations. This does not ensure a secure and sustainable funding for the school on the long term. Outside the Komenský school, Czech is only offered at one other school<sup>35</sup> in the “mother tongue instruction” format. Czech may be studied at the university of Vienna (part of Slavic studies). There is a 30-minutes weekly magazine in Czech on the radio (*Radio Dráták*).<sup>36</sup> A 25-minutes bilingual television programme in Czech and Slovak continues to be broadcast six times per year (*České Ozvěny/Slovenské Ozveny*). The new ORF TV programme, WIR, also includes contributions in Czech (see above, para.42). There is only a fortnightly publication, *Vídeňské svobodné listy* (also online), which is the main medium of the Czech minority. Czech associations organise cultural activities in Vienna, funded by the authorities. There is regular cross-border co-operation.

63. **Hungarian** is used at pre-school level ( 8.1.a ii) in eight bilingual pre-school institutions, according to the information from the authorities for 2021/2022, one less than in the data provided in the periodical report for 2018/2019.<sup>37</sup> According to the Hungarian speakers the number of kindergartens is low. At primary level (8.1.b ii), two schools provide bilingual education; this is the case also for classes in four German-speaking

<sup>32</sup> See previous evaluation report and amount for 2022-2023 in *Überblick Medienförderung 2022 und 2023* (Volkgruppen), available at [Volkgruppen-Förderung - Bundeskanzleramt Österreich](#).

<sup>33</sup> For details, see annual report of ORF for 2021, available at [Jahresbericht - der.ORF.at](#).

<sup>34</sup> See, for example, *Volkgruppenförderungsbericht an den Nationalrat 2020*, available at [Volkgruppen-Förderung - Bundeskanzleramt Österreich](#); the sums have increased after 2021.

<sup>35</sup> See at <https://www.sfz-wien.at/muttersprachen-down/volksschule-mittelschule>.

<sup>36</sup> See annual report of ORF for 2021, available at <https://der.orf.at/unternehmen/recht-grundlagen/jahresberichte/index.html>.

<sup>37</sup> According to the periodical report, in the 2018/2019 school year, 2365 children attended pre-school bilingual education using Burgenland-Croatian or Hungarian, with Hungarian used in nine pre-school facilities. According to information from the authorities, in 2021/2022, 1926 children attended bilingual education using Burgenland-Croatian or Hungarian.

schools.<sup>38</sup> Hungarian is taught as a compulsory subject at eight schools and as optional subject without grades at numerous schools. At secondary level ( 8.1.c iii), there are classes with bilingual education in one lower secondary school, while six other lower secondary schools teach Hungarian as a compulsory subject, three as optional subject with grades and six as optional subject without grades. Among the schools offering lower and upper secondary education, the bilingual gymnasium in Oberwart/Felsőőr provides bilingual education. In one gymnasium Hungarian is taught as a compulsory subject, in two as optional subject with grades and in two as optional subject without grades (however, with one exception, teaching of Hungarian takes place only at the lower secondary level in these schools). The number of pupils decreases in secondary education.<sup>39</sup> In vocational education (8.1.d.iv) Hungarian is offered as a compulsory elective subject in four institutions, as compulsory subject in one and as optional subject with grades in two others, including the Training Institute for Early Childhood Education. The representatives of the Hungarian speakers raised concern about the provision of textbooks. At university level, Hungarian can be studied in Vienna (Finno-Ugric Studies, including at master level) and in Graz (interpretation). Courses for adults are provided by the adult education centre (8.1. f iii). Basic and further teacher training is provided at the PPH Burgenland.<sup>40</sup> As far as pre-school teachers are concerned, Hungarian is an optional subject with grades at the Training Institute for Early Childhood Education, with 19 students learning it in 2021/2022.

64. In Vienna bilingual Hungarian-German pre-school education continues to be organised at the Komenský School by the Hungarian School Association. It also organises Hungarian language courses. According to the periodical report and the information received during the on-the-spot visit, since 2018/2019, one public primary school organises bilingual education. According to the authorities, bilingual teaching is planned in one additional school as of 2023/2024.

65. Hungarian is not used before judicial authorities in practice (Art.9), although there is the legal basis to use the language before courts. Hungarian is also rarely used in relations with the administrative authorities, especially in writing (Art.10). According to the information received during the on-the-spot visit, there is a lack of Hungarian-speaking staff in the administration. While the possibility exists, translation causes important delays and their quality is questionable, according to the speakers. There is a very limited use of Hungarian also by *Land* authorities; the Committee of Experts notes that only one website, developed by the education authorities on the 100th anniversary of Burgenland, provides information in all minority languages spoken in the *Land* (see also above, para. 59). The Committee of Experts has not been informed of documents published in Hungarian by local authorities (10.2.d).

66. ORF Radio Burgenland broadcasts programmes in Hungarian (15-minutes daily journal, a 56-minutes magazine once per week, a 20-minutes cultural programme once per week), amounting to 181 minutes/week, according to the information provided by ORF during the on-the-spot visit.<sup>41</sup> They can also be received in Vienna. *Radio Mora* is now also broadcasting in Hungarian. On television, a 25-minutes programme in Hungarian (*Adj' Isten magyarok*) continues to be broadcast six times per year (in Burgenland, Vienna and replay country-wide). As of September 2022, a new programme for all ethnic groups (WIR), including a part in Hungarian, is broadcast every two weeks on ORF III (see above, paragraph 42). The main medium is the new online newspaper *Rólunk* ("About us"), which is updated at least weekly (Art. 11.1. ei). However, according to the speakers, funding is not sufficient and does not allow for an adequate development of online media. As far as audio-visual works are concerned (11.1.d), the authorities refer to the YouTube channel of the Hungarian Media and Communication Centre (UMIZ). The production of a documentary film in Hungarian was supported by *Land Burgenland* in 2021. The associations organise a wide range of cultural activities, funded by the authorities.

67. In Burgenland, teaching Romani has been interrupted after the 2011/2012 school year. According to the periodical report, in 2019/2020, teaching of **Romani** started again in a primary and a lower secondary school in Oberwart. According to the information received from the authorities during the on-the-spot visit, in 2021/2022, five pupils only (fewer than in previous years) attended classes of Romani as an optional subject without grades at the primary school in Oberwart. According to the speakers, Romani is taught for one hour/week, after classes. They do not see the current offer as adequate, but underline that the teaching of

<sup>38</sup> All figures for primary, secondary and technical or vocational education are based on the report of the Directorate for Education for 2021-2022, available at [Minderheitenschulwesen - Bildungsdirektion für Burgenland \(bildung-bglld.gv.at\)](https://www.bildung-bglld.gv.at/).

<sup>39</sup> In 2021/2022, all models of education included, there are 987 pupils in primary education (only 150 in bilingual education), 433 in secondary education and 126 in vocational education, including pre-school teacher training.

<sup>40</sup> Bachelor level - education for primary schools - specialisation in bilingual education for Hungarian, as of the 3rd semester; further education programme (*Hochschullehrgang*): additional qualification in bilingual education German – Hungarian for primary and lower secondary schools; further training: intensive language course of Hungarian, immersion teaching at bilingual primary schools and classes (information received during the on-the-spot visit immersion education).

<sup>41</sup> For details, see annual report of ORF for 2021, available at [Jahresbericht - der.ORF.at](https://www.orf.at/).

Romani cannot develop, as teacher training remains a challenge. According to the authorities, indeed, the current solution is to have as teachers Romani speakers. The Committee of Experts underlines that one hour/week is clearly insufficient for teaching minority languages. Some teaching materials were developed as part of projects at the University of Graz. According to the periodical report, research on Romani and “sporadic teaching” is conducted at the University of Graz. Language courses for children and adults are offered by the Romani associations and the adult education centre. In Vienna, Romani is taught as “mother tongue instruction” in eight schools.<sup>42</sup> A 20-minute weekly radio programme in Romani (*Roma Sam*) is produced by ORF Radio Burgenland and received in Burgenland and Vienna. There is also a one-hour daily programme in Romani on *Radio Mora*. A 25-minutes TV programme (*Romano Dikipe*), in Romani and German, is broadcast six times a year. As of September 2022, a new programme for all ethnic groups (WIR), including a part in Romani, is broadcast every two weeks on ORF III (see above, para. 42). Some associations also run YouTube channels. There are two bilingual publications, in German and Romani, *Romano Centro* (twice per year) and *d/ROM/a* (three-four times per year), as well as a publication for children in Romani - *Mri Nevi Mini Multi* (twice per year). According to the information received during the on-the-spot visit, there is not yet a main medium, but the programme in Romani on *Radio Mora* received funding from the special budget allocation. The Romani associations funded through the federal budget for the ethnic groups organise cultural activities where the Romani language is used. Romani speakers maintain cross-border contacts, in particular with organisations in the Slovak Republic, Slovenia and Hungary.

68. The Komenský School in Vienna offers bilingual **Slovak**-German education from pre-school to upper secondary level. Slovak is taught as a “mother tongue instruction” in only one other school.<sup>43</sup> Slovak may be studied at the University of Vienna. A 20-minutes radio programme in Slovak (*Radio Dia:Tón*) is broadcast once per week. A 25-minutes bilingual television programme in Czech and Slovak (*České Ozvěny/Slovenské Ozvěny*) continues to be broadcast six times per year. The new ORF TV programme (WIR) also includes contributions in Slovak (see above, para 42). There is a quarterly publication in Slovak (*Pohlady*) as main medium. Cultural activities are organised by minority associations in Vienna and with financial support from the federal budget for the ethnic groups.

69. **Slovenian** is present at all levels of pre-university education in Carinthia, according to different models. At pre-school level (Art. 8.1.aiv), in the 2021/2022 school year, 43 facilities (27 kindergartens, of which 12 private institutions, including in Klagenfurt, 9 day-care centres, one nursery and 6 afternoon care centres (*Hort*)) offered bilingual education to 1533 children.<sup>44</sup> All pre-school facilities receive financial support from the *Land*.<sup>45</sup> However, there is no legal obligation for local authorities to provide pre-school bilingual education, as it is the case for primary education. Private kindergartens receive additional financial support, on the basis of the 2001 Carinthian Kindergarten Fund Act, which aims specifically at promoting the setting up of bi- or multilingual kindergartens in the “settlement area of the Slovenian ethnic group”.<sup>46</sup> This Act also defines as “bilingual kindergartens” those where upbringing takes place using German and Slovenian “approximately to the same extent”.

70. The lack of legal obligations relating to bilingual pre-school education remains one of the main concerns of the Slovenian speakers, who point out the negative consequences on the area where it is provided, on the quality, as well as on teacher training. All the more, they highlight that, as the last year of pre-school education is compulsory, it should be treated as part of the primary education and therefore an offer of bilingual education should be available in all the area where the Minority School Act applies. According to a recent study, it appears that indeed only 16,7% of the children attending kindergartens or day-care centres in this area (where the Minority School Act applies) receive bilingual education, with significant differences between the eight municipalities where the Slovenian speakers represented over 15%, in accordance with the 2001 census, and the other municipalities.<sup>47</sup> The *Land* authorities are aware of the shortcomings in the area of pre-school education and are working towards improvements in this domain. The Committee of Experts considers that at the moment the undertaking in Art. 8.1.aiv is still fulfilled. However, the issues raised by the Slovenian speakers are concerning and can have future negative effects on the bilingual Slovenian education. The issue of the legal basis for bilingual pre-school education, its availability and the training of teachers should be addressed without delay. The Committee of Experts is aware that amendments to the Carinthian Child

<sup>42</sup> See at [Sprachförderzentrum der Bildungsdirektion für Wien - Volksschule, Mittelschule \(sfz-wien.at\)](https://www.sfz-wien.at/).

<sup>43</sup> See at [Sprachförderzentrum der Bildungsdirektion für Wien - Volksschule, Mittelschule \(sfz-wien.at\)](https://www.sfz-wien.at/).

<sup>44</sup> See *Report on the Situation of the Slovenian Ethnic Group in Carinthia, 2022*, p.17; all data for the 2021/2022 school year is based on this report.

<sup>45</sup> See *Report on the Situation of the Slovenian Ethnic Group in Carinthia, 2022*, pp.18-19.

<sup>46</sup> defined as “those municipalities in which, according to the Minority School Implementation Act, instruction is to be provided bilingually in at least one primary school”.

<sup>47</sup> See the study *Situation, Language Use and Perspectives for the Slovenian Ethnic Group in Carinthia* (in German and Slovenian), September 2022, funded by the Federal Chancery, pp.32-33.

Education and Care Act were adopted in February 2023. As the adoption came after the on-the-spot visit, the Committee of Experts will not deal with these amendments in the current evaluation report. Bearing in mind the importance of pre-school education for minority languages, the Committee of Experts invites the authorities to provide an overview of the amendments and their impact on the Slovenian language in the information on the implementation of the recommendations for immediate action. A new Pedagogical Framework Concept - Guidelines for the Promotion of Bilingual and Multilingual Education and Care in Carinthian Elementary Educational Institutions - was published in February 2022.<sup>48</sup> The Committee of Experts invites the authorities to also provide information on the effects of this concept on the quality of bilingual education in the information on the implementation of the recommendations for immediate action. The Committee of Experts further invites the authorities to consider the upgrading of the ratification of pre-school education for Slovenian and commit themselves to at least “make available a substantial part of pre-school education” in Slovenian (Art 8.1.a.ii), as undertaken for Burgenland-Croatian and Hungarian.

71. At primary level (Art. 8.1. bii), in the 2021/2022 school year, 55 schools offered bilingual German-Slovenian education (“approximately to the same extent”) in the area of application of the Minority School Act to 1956 pupils. This represents 47.05% of all primary school pupils in the area.<sup>49</sup> Outside this area, in Klagenfurt, two primary schools offer bilingual education (181 pupils). At secondary level (Art. 8.1.ciii), teaching of Slovenian is provided at 17 lower secondary schools (*Mittelschule*) to 302 pupils in the 2021/2022 school year. Among the schools offering lower and upper secondary education (*AHS*), the Slovenian gymnasium in Klagenfurt provides education in Slovenian (543 pupils in 2021/2022, 500 in 2022/2023, according to information received during the on-the-spot visit). In other eight such schools, Slovenian was studied as a compulsory elective (one school) or optional subject with grades (seven schools).<sup>50</sup> According to the exchanges during the on-the-spot visit, there is a decreasing trend in the number of pupils, and in particular in upper secondary, there is a low number of pupils enrolled in Slovenian-language education.<sup>51</sup> In vocational education (Art. 8.1.d. iv), there is bilingual education at the Commerce Academy in Klagenfurt (218 pupils in 2021/2022) and at the (private) Secondary School for Economic Professions in St. Peter in St. Jakob im Rosental/Sentjakob v Rožu (143 pupils in 2021/2022). Slovenian is also studied as compulsory elective subject or optional subject with grades in six other vocational schools, including one for training of pre-school teachers.<sup>52</sup> Speakers raised concern about the availability of teaching materials, especially at secondary level.

72. At university level (Art. 8.1.eiii), Slovenian is studied at the universities of Klagenfurt, Graz and Vienna (as part of Slavic Studies). In Klagenfurt, Slovenian is now part of the Master of Cross-Border Studies and is no longer offered as a master programme. This is very much criticised by the representatives of the Slovenian ethnic group. Slovenian language courses are offered by the Carinthian adult education centres (*Kärntner Volkshochschulen*) (Art. 8.1.fiii). Teacher training for Slovenian language teachers is provided at the universities of Klagenfurt (including master level), Graz and Vienna. For bilingual education, teacher training is provided at University College of Teacher Education of Carinthia (PH Kärnten).<sup>53</sup> During the on-the-spot visit, the Committee of Experts has been informed that, from 2019/20 to 2021/2022, there are 69 graduates of the relevant studies at this institution (29 for bilingual education at primary schools, one for Slovenian in the area of application of the Minority School Act/*Neue Mittelschulen*, and 39 for team teacher in bilingual primary schools). At pre-school level, Slovenian is a compulsory elective or optional subject at the Training Institute for Early Childhood Education (77 students in 2019/2022, optional subject with grades only).<sup>54</sup> However, the Committee of Experts has been informed of increasing difficulties in finding teachers, in particular at pre-school level. This is one of the main concerns of the speakers.

<sup>48</sup> See *Report on the Situation of the Slovenian Ethnic Group in Carinthia*, 2022, p.15.

<sup>49</sup> See *Report on the Situation of the Slovenian Ethnic Group in Carinthia*, 2022, p.21.

<sup>50</sup> See periodical report and report of the Education Directorate for 2019/2020, available at [Jahresberichte / Letna poročila . Bildungsdirektion für Kärnten \(bildung-ktn.gv.at\)](#).

<sup>51</sup> Data from the periodical report, the report of the Education Directorate and the *Report on the Situation of the Slovenian Ethnic Group in Carinthia*, 2022, pp.21-22, seem to confirm this trend; at primary level, in 2021/2022, the figures are lower than the previous school year (2028 pupils in 2020/2021), but the percentage in the total number of pupils higher; combined with the data in the periodical report, since 2017/2018, there is a slow decrease in the number of pupils over five years; at Slovenian Gymnasium, the number of pupils is decreasing after 2018/2019; the number of pupils enrolled in upper secondary education has been, for years, almost half of the numbers for lower secondary education; at the bilingual Commerce Academy, the number of pupils has also been decreasing after 2017/2018. According to the data in the periodical report, in 2019/2020, all models of education included, there were 2023 pupils in primary education, 1090 in secondary education and 789 in technical and vocational education, including pre-school teacher training.

<sup>52</sup> See periodical report and report of the Education Directorate for 2019/2020, p. 54, available at [Jahresberichte / Letna poročila . Bildungsdirektion für Kärnten \(bildung-ktn.gv.at\)](#).

<sup>53</sup> Further education programme (*Hochschullehrgang*): Bilingual education for primary schools with teaching in German and Slovenian, Slovenian in the area of application of the Minority School Act/*Neue Mittelschulen* (each eight semesters, leading to an additional teaching qualification); team teacher for primary schools with teaching in German and Slovenian (see periodical report and [Pädagogische Hochschule Kärnten: Zweisprachige Ausbildung / Dvojezična izobrazba \(ph-kaernten.ac.at\)](#), [Pädagogische Hochschule Kärnten: Allgemeine Hochschullehrgänge \(ph-kaernten.ac.at\)](#)).

<sup>54</sup> See periodical report and report of the Education Directorate for 2019/2020, p. 54, available at [Jahresberichte / Letna poročila . Bildungsdirektion für Kärnten \(bildung-ktn.gv.at\)](#).

73. In Styria, Slovenian is taught at primary and secondary level, mainly as a compulsory elective or optional subject, with 450 pupils in total in 2020/2021. The authorities explained that this type of lessons also addresses children without prior knowledge of Slovenian, unlike the “mother tongue instruction”. Slovenian in the framework of “mother tongue instruction” was provided to 41 pupils in 2018/2019. In general, according to the speakers, Slovenian is offered for one-two hours per week and there are organisational problems, with the lessons sometimes being organised in the afternoon, outside the school hours. A bilingual kindergarten was set up in Graz in the current monitoring cycle. Practical problems remain in terms of collecting data about the interested children, staff and the teaching materials. Further education is offered by the minority organisation in Styria. Some Slovenian language teaching is offered also in Vienna (one primary and secondary school and a bilingual kindergarten).<sup>55</sup>

74. Slovenian remains the only minority language which is used before the judicial authorities (Art. 9). In 2021, it was used in 73 criminal, civil, custody and family related proceedings at the three district courts where this is legally possible.

75. The use of Slovenian in relations with the administrative authorities is not systematic and is difficult. According to speakers, the legal provisions governing the use of Slovenian in administration are complex, if not unclear, making it difficult for users to know which authorities they can address in Slovenian. The law is differentiating within municipalities, with respect to the use of Slovenian as official language before the local authority; it can happen that Slovenian speakers living in the same municipality (*Gemeinde*), but in different parts (*Ort*), may or may not use Slovenian with the same municipal authority, depending in which part (*Ort*) they live. The Committee of Experts encourages the authorities to offer to all residents of a municipality the same possibilities to use Slovenian. Authorities should also be encouraged to use Slovenian in those municipalities which are not legally obliged by the national legislation, but where the Slovenian speakers are traditionally present in sufficient numbers for the purposes of the undertakings entered into by Austria.

76. When it comes to the practice, the use of Slovenian differs between authorities and between municipalities. As far as the local branches of the federal and *Land* authorities are concerned (Art. 10.1. aiii, c), difficulties in submitting documents in Slovenian have been reported with respect to tax authorities, the agriculture chamber, the employment office or social security. The situation is better in the case of the *Land* authorities. In particular, the Office for Ethnic Groups of Carinthia made available numerous forms in Slovenian on its website, and it also provides support for translation of written correspondence. However, it seems that speakers are not always aware that translations of forms are available on the website of the Office. Applications in Slovenian can also be submitted for the cultural promotion projects to the responsible unit in the *Land* chancellery. The publication of documents appears to be rare, although the *Land* publishes, for example, the annual report on the situation of the Slovenian minority bilingually; it has also developed bilingual publications related to the anniversary of the Carinthian referendum. At local level (Art. 10.2 b, d), the situation varies; there are municipalities which provide forms in Slovenian on their website, or where all staff are bilingual, but these remain rare. In the other cases, the use of Slovenian depends on whether staff is available. Slovenian is used more often orally than in writing.<sup>56</sup> The publication of documents in Slovenian is rare across local authorities.

77. Radio and television programmes in Slovenian are broadcast and generally cover both Carinthia and Styria. There are eight hours of daily programme in Slovenian produced by ORF and broadcast on the private radio station AGORA. This can also be received in Styria. However, according to the speakers, the area covered is very small. The public ORF Radio Kärnten has also broadcasts in Slovenian. On TV, a 30-minutes programme weekly (*Dober dan, Koroška/Dober dan Štajerska*) is broadcast by ORF in Carinthia (with replay country-wide) and in Styria. The new ORF TV programme (WIR) also includes contributions in Slovenian (see above, para 42). The weekly newspaper *Novice* (print and online) is the main medium and receives funding from the authorities. As far as audio-visual works are concerned (Art. 11.1.d), the Federal Chancellery supported, for example, an NGO project, which included the production of a video in Slovenian about the ethnic group. The bilingual documentary *Verschwenden / Izginjanje* (2022) received financial support from different Austrian institutions, including under the ORF Film/Television Agreement (Art. 11.1.fii).

78. Slovenian is largely used in culture and transfrontier exchanges, which mainly take place with partners in Slovenia, Hungary and Italy. Cultural activities are organised also in Styria by the minority organisation, with financial support from the authorities.

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<sup>55</sup> See periodical reports and [Sprachförderzentrum der Bildungsdirektion für Wien - Volksschule, Mittelschule \(sfz-wien.at\)](https://www.sfz-wien.at/).

<sup>56</sup> See also the study *Situation, Language Use and Perspectives for the Slovenian Ethnic Group in Carinthia*, p.26.

## Chapter 2 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages and recommendations

### 2.1 Burgenland-Croatian

#### 2.1.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Burgenland-Croatian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Burgenland-Croatian <sup>57</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Burgenland-Croatian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Burgenland-Croatian	=				
7.1.c	resolute action to promote Burgenland-Croatian	↗				
7.1.d	facilitation and/or encouragement of the use of Burgenland-Croatian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Burgenland-Croatian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Burgenland-Croatian at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Burgenland-Croatian to learn it	=				
7.1.h	promotion of study and research on Burgenland-Croatian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Burgenland-Croatian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Burgenland-Croatian	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Burgenland-Croatian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Burgenland-Croatian among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Burgenland-Croatian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Burgenland-Croatian</li> </ul>	=				
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.a.ii	make available a substantial part of pre-school education in Burgenland-Croatian		↘			
8.1.b.ii	make available a substantial part of primary education in Burgenland-Croatian		=			
8.1.c.iii	provide, within secondary education, for the teaching of Burgenland-Croatian as an integral part of the curriculum	=				

<sup>57</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/ \(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Austria concerning Burgenland-Croatian<sup>57</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.div	make available technical and vocational education in Burgenland-Croatian, a substantial part of technical and vocational education in Burgenland-Croatian or teaching of Burgenland-Croatian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient	=				
8.1.eiii	encourage and/or allow the provision of university or other forms of higher education in Burgenland-Croatian or of facilities for the study of Burgenland-Croatian as a university or higher education subject	=				
8.1.fiii	favour and/or encourage the offering of Burgenland-Croatian as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Burgenland-Croatian		=			
8.1.h	provide the basic and further training of the teachers teaching (in) Burgenland-Croatian		✓			
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Burgenland-Croatian and for drawing up public periodic reports of its findings	↗				
8.2	in territories other than those in which Burgenland-Croatian is traditionally used, allow, encourage or provide teaching in or of Burgenland-Croatian at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.1.aii	guarantee the accused the right to use Burgenland-Croatian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned			=		
9.1.aiii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Burgenland-Croatian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned	=				
9.1.bii	allow, whenever a litigant has to appear in person before a court, that he or she may use Burgenland-Croatian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations			=		
9.1.biii	allow documents and evidence to be produced in Burgenland-Croatian in civil proceedings, if necessary by the use of interpreters and translations			✓		
9.1.cii	allow, whenever a litigant has to appear in person before a court, that he or she may use Burgenland-Croatian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations			=		
9.1.ciii	allow documents and evidence to be produced in Burgenland-Croatian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations			✓		
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Burgenland-Croatian and the related use of documents and evidence in Burgenland-Croatian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned	=				
9.2.a	not to deny the validity of legal documents solely because they are drafted in Burgenland-Croatian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.aiii	ensure that users of Burgenland-Croatian may submit oral or written applications to local branches of the national authorities and receive a reply in Burgenland-Croatian		=			
10.1.c	allow the national authorities to draft documents in Burgenland-Croatian		=			
10.2.b	possibility for users of Burgenland-Croatian to submit oral or written applications in Burgenland-Croatian to the regional or local authority		=			
10.2.d	publication by local authorities of their official documents also in Burgenland-Croatian				=	
10.4.a	provide translation or interpretation	=				
10.5	allow the use or adoption of family names in Burgenland-Croatian	=				
<b>Art. 11 – Media</b>						
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Burgenland-Croatian on a regular basis	=				
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Burgenland-Croatian on a regular basis	=				
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Burgenland-Croatian	=				
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Burgenland-Croatian	=				

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Burgenland-Croatian <sup>57</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Burgenland-Croatian			✓		
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Burgenland-Croatian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Burgenland-Croatian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Burgenland-Croatian</li> </ul>	=				
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Burgenland-Croatian	=				
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Burgenland-Croatian language and culture in the undertakings which they initiate or for which they provide backing	=				
12.2	In territories other than those in which Burgenland-Croatian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Burgenland-Croatian	=				
12.3	make provision, in cultural policy abroad, for Burgenland-Croatian and the culture it reflects		↗			
<b>Art. 13 – Economic and social life</b>						
13.1.d	facilitate and/or encourage the use of Burgenland-Croatian in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.b	for the benefit of Burgenland-Croatian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Burgenland-Croatian is used in identical or similar form	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

79. In light of the substantial raise in the funding for the ethnic groups at federal level and additional funding in the context of the 2020 and 2021 anniversaries, as well as the inclusion of the promotion of minority languages in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* on pre-school education for 2022/2023 – 2026/2027, the Committee of Experts considers the undertaking in Art. 7.1.c fulfilled. Taking into account the concerns of the speakers with respect to the organisation of pre-school education, the availability of teachers and the fact that it does not always correspond to a bilingual model, the Committee of Expert considers the undertaking in Art. 8.1.a ii only partly fulfilled. Although programmes are generally in place for teacher training, there is a lack of teachers, in particular at pre-school level; in the training of pre-school teachers Burgenland-Croatian is only an optional subject. The Committee of Experts must therefore revise its conclusion and consider the undertaking 8.1.h only partly fulfilled. Reports containing relevant information on minority language education are regularly prepared and made public. Therefore, the Committee of Experts considers the undertaking 8.1.i fulfilled. The Committee of Experts did not receive any information on documents and evidence being submitted in Burgenland-Croatian in civil and administrative proceedings; such data is not monitored, according to the authorities. Taking into account that all the information available indicates that Burgenland-Croatian is not used before courts in practice, the Committee of Experts considers the undertakings in Art. 9.1. b iii and 9 1. c iii as formally fulfilled. The Committee of Experts did not receive information on any audio-visual works in Burgenland-Croatian supported by applying general existing measures for financial assistance to audio-visual productions. It therefore considers the undertaking 11.1.f ii only formally fulfilled. Several events (lectures,

exhibitions, concerts) presenting Burgenland-Croatian language and culture were organised by the Austrian Embassy and the Cultural Forum in Croatia in 2019-2022. The Committee of Experts therefore considers the undertaking in Article 12.3 partly fulfilled. In light of the lack of information on the way authorities promote the use of Burgenland-Croatian in economic and social life, the Committee of Experts cannot conclude on the undertaking in Art. 13.1.d.

### **2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Burgenland-Croatian in Austria**

The Committee of Experts encourages the Austrian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Austria<sup>58</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. **Take steps to strengthen the use of Burgenland-Croatian in education, including by providing a sufficient number of teachers and the necessary teaching materials.**
- b. **Take measures to strengthen the use of Burgenland-Croatian in administration in practice, including the publication of documents, in particular at local level.**
- c. **Promote awareness throughout the country of the Burgenland-Croatian language and culture as an integral part of the cultural heritage of Austria, in mainstream education and in the media.**

#### **II. Further recommendations**

- d. Ensure sufficient financial support to the main newspaper published in Burgenland-Croatian.
- e. Encourage and facilitate the use of Burgenland-Croatian before courts.
- f. Make stronger provision in Austria’s cultural policy abroad for Burgenland-Croatian and the culture it reflects.

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<sup>58</sup> [CM/RecChL\(2005\)1](#); [CM/RecChL\(2009\)1](#); [CM/RecChL\(2012\)7](#); [CM/RecChL\(2018\)2](#).

## 2.2 Czech

### 2.2.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Czech

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Czech <sup>59</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Czech as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Czech	=				
7.1.c	resolute action to promote Czech		↗			
7.1.d	facilitation and/or encouragement of the use of Czech, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Czech</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Czech at all appropriate stages		↘			
7.1.g	provision of facilities enabling (also adult) non-speakers of Czech to learn it	=				
7.1.h	promotion of study and research on Czech at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Czech	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Czech	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Czech among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Czech among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Czech</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Czech</li> </ul>	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

#### Changes in the evaluation compared to the previous monitoring cycle

80. There has been a substantial raise in the funding for the ethnic groups at federal level and the promotion of minority languages has been included in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* on pre-school education for 2022/2023

<sup>59</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

– 2026/2027. Nevertheless, additional measures are still needed for a resolute action to promote Czech, in particular with respect to the Komenský school. The Committee of Experts considers the undertaking in Art. 7.1.c partly fulfilled. The Komenský school is the main option for Czech-language education in Vienna; it has been receiving financial support from the authorities, but this is not structurally secured; parents still have to pay fees. In the public system, there is a very limited offer to learn Czech. Therefore, the Committee of Experts considers the undertaking 7.1.f only partly fulfilled.

## **2.2.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Czech in Austria**

The Committee of Experts encourages the Austrian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.2.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Austria<sup>60</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

- a. Ensure sustainable and sufficient funding for the Komenský School.**
- b. Promote awareness throughout the country of the Czech language and culture as an integral part of the cultural heritage of Austria in mainstream education and in the media.**

### **II. Further recommendations**

- c. Increase the frequency and duration of television programmes in Czech.
- d. Take measures to increase the use of Czech in the online and print media.
- e. Ensure sufficient financial support for cultural activities in Czech.

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<sup>60</sup> [CM/RecChL\(2005\)1](#); [CM/RecChL\(2009\)1](#); [CM/RecChL\(2012\)7](#); [CM/RecChL\(2018\)2](#).

## 2.3 Hungarian

### 2.3.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Hungarian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Hungarian <sup>61</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b>						
<b><i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i></b>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Hungarian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Hungarian	=				
7.1.c	resolute action to promote Hungarian	↗				
7.1.d	facilitation and/or encouragement of the use of Hungarian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		↘			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Hungarian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Hungarian at all appropriate stages		↘			
7.1.g	provision of facilities enabling (also adult) non-speakers of Hungarian to learn it	=				
7.1.h	promotion of study and research on Hungarian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Hungarian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Hungarian	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Hungarian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Hungarian among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Hungarian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Hungarian</li> </ul>	=				
<b>Part III of the Charter</b>						
<b><i>(Additional undertakings chosen by the state for specific languages)</i></b>						
<b>Art. 8 – Education</b>						
8.1.a.ii	make available a substantial part of pre-school education in Hungarian		↘			
8.1.b.ii	make available a substantial part of primary education in Hungarian	=				
8.1.c.iii	provide, within secondary education, for the teaching of Hungarian as an integral part of the curriculum	=				
8.1.div	make available technical and vocational education in Hungarian, a substantial part of technical and vocational education in Hungarian or teaching of Hungarian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient	=				
8.1.e.iii	encourage and/or allow the provision of university or other forms of higher education in Hungarian or of facilities for the study of Hungarian as a university or higher education subject	=				
8.1.f.iii	favour and/or encourage the offering of Hungarian as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Hungarian		↗			
8.1.h	provide the basic and further training of the teachers teaching (in) Hungarian		↘			

<sup>61</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Austria concerning Hungarian<sup>61</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Hungarian and for drawing up public periodic reports of its findings	↗				
8.2	in territories other than those in which Hungarian is traditionally used, allow, encourage or provide teaching in or of Hungarian at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.1.a.ii	guarantee the accused the right to use Hungarian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned			=		
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Hungarian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned	=				
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Hungarian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations			=		
9.1.b.iii	allow documents and evidence to be produced in Hungarian in civil proceedings, if necessary by the use of interpreters and translations			✓		
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Hungarian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations			=		
9.1.c.iii	allow documents and evidence to be produced in Hungarian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations			✓		
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Hungarian and the related use of documents and evidence in Hungarian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned	=				
9.2.a	not to deny the validity of legal documents solely because they are drafted in Hungarian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.a.iii	ensure that users of Hungarian may submit oral or written applications to local branches of the national authorities and receive a reply in Hungarian		=			
10.1.c	allow the national authorities to draft documents in Hungarian		=			
10.2.b	possibility for users of Hungarian to submit oral or written applications in Hungarian to the regional or local authority		=			
10.2.d	publication by local authorities of their official documents also in Hungarian				=	
10.4.a	provide translation or interpretation	=				
10.5	allow the use or adoption of family names in Hungarian	=				
<b>Art. 11 – Media</b>						
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Hungarian on a regular basis	=				
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Hungarian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Hungarian	=				
11.1.e.i	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Hungarian		↗			
11.1.f.ii	apply existing measures for financial assistance also to audiovisual productions in Hungarian			✓		
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Hungarian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Hungarian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Hungarian</li> </ul>	=				
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Hungarian	=				
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Hungarian language and culture in the undertakings which they initiate or for which they provide backing	=				
12.2	In territories other than those in which Hungarian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Hungarian	=				
12.3	make provision, in cultural policy abroad, for Hungarian and the culture it reflects		↗			

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Hungarian <sup>61</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Art. 13 – Economic and social life</b>						
13.1.d	facilitate and/or encourage the use of Hungarian in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.b	for the benefit of Hungarian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Hungarian is used in identical or similar form	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

81. In light of the substantial raise in the funding for the ethnic groups at federal level and additional funding in the context of the 2020 and 2021 anniversaries, as well as the inclusion of the promotion of minority languages in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* on pre-school education for 2022/2023 – 2026/2027, the Committee of Experts considers the undertaking in Art. 7.1.c fulfilled. Bearing in mind the overall limited use of Hungarian in several domains of public life, such as courts, administration, and broadcasting media, the Committee of Experts must revise its conclusion and consider the undertaking in 7.1.d partly fulfilled. In light of the lack of teachers (see below) and the limited offer in pre-school education, the Committee of Experts must revise its conclusion and consider the undertaking 7.1.f and 8.1.a ii partly fulfilled. Although programmes are generally in place for teacher training, there is a lack of teachers, in particular at pre-school level; in the training of pre-school teachers Hungarian is only an optional subject. The Committee of Experts must therefore revise its conclusion and consider the undertaking 8.1.h only partly fulfilled. Minority language schools also teach the history and culture reflected by Hungarian. The Committee of Experts considers the undertaking 8.1.g partly fulfilled. Reports containing relevant information on minority language education are regularly prepared and made public. Therefore, the Committee of Experts considers the undertaking 8.1.i fulfilled. The Committee of Experts did not receive any information on documents and evidence being submitted in Hungarian in civil and administrative proceedings; such data is not monitored, according to the authorities. Taking into account that all the information available indicates that Hungarian is not used before courts in practice, the Committee of Experts considers the undertakings in Art. 9.1. b iii and 9 1. c iii as formally fulfilled. An online newspaper in Hungarian now exists, however the funding is still insufficient. The Committee of Experts therefore considers the undertaking 11.1.e i partly fulfilled. The Committee of Experts did not receive information on any audio-visual works in Hungarian supported by applying general existing measures for financial assistance to audio-visual productions. It therefore considers the undertaking 11.1.f ii only formally fulfilled. Austrian institutions include minority languages in the cultural policy abroad. For example, a touring exhibition focusing on the border area and presenting, inter alia, the Hungarian minority in Burgenland received support from the Austrian Cultural Forum in Budapest. The Committee of Experts therefore considers the undertaking in Article 12.3 partly fulfilled. In light of the lack of information on the way authorities promote the use of Hungarian in economic and social life, the Committee of Experts cannot conclude on the undertaking in Art. 13.1.d.

### 2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Hungarian in Austria

The Committee of Experts encourages the Austrian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.3.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take

particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Austria<sup>62</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. Take steps to strengthen the use of Hungarian in education, including by providing a sufficient number of teachers and the necessary teaching material.**
- b. Increase the frequency and duration of Hungarian language television programmes and ensure sufficient financial support to the main newspaper published in Hungarian.**
- c. Promote awareness throughout the country of the Hungarian language and culture as an integral part of the cultural heritage of Austria, in mainstream education and in the media.**

#### **II. Further recommendations**

- d. Take measures to strengthen the use of Hungarian in administration in practice, including the publication of documents, in particular at local level.
- e. Encourage and facilitate the use of Hungarian before courts.
- f. Make stronger provision in Austria's cultural policy abroad for Hungarian and the culture it reflects.

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<sup>62</sup> [CM/RecChL\(2005\)1](#); [CM/RecChL\(2009\)1](#); [CM/RecChL\(2012\)7](#); [CM/RecChL\(2018\)2](#).

## 2.4 Romani

### 2.4.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Romani

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Romani <sup>63</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Romani as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Romani	=				
7.1.c	resolute action to promote Romani		↗			
7.1.d	facilitation and/or encouragement of the use of Romani, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Romani</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Romani at all appropriate stages				↘	
7.1.g	provision of facilities enabling (also adult) non-speakers of Romani to learn it		=			
7.1.h	promotion of study and research on Romani at universities or equivalent institutions		↘			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Romani	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Romani	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Romani among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Romani among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Romani</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Romani</li> </ul>	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

#### Changes in the evaluation compared to the previous monitoring cycle

82. There has been a substantial raise in the funding for the ethnic groups at federal level and the promotion of minority languages has been included in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* on pre-school education for 2022/2023

<sup>63</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

– 2026/2027. Nevertheless, additional measures are still needed for a resolute action to promote Romani. The Committee of Experts considers the undertaking in Art. 7.1.c partly fulfilled. In light of the limited presence of Romani in education, the Committee of Experts must revise its conclusion and consider the undertaking 7.1.f not fulfilled. According to the periodical report, research and only “sporadic teaching” are carried out at the University of Graz. The Committee of Experts must therefore revise its conclusion and consider the undertaking 7.1.h partly fulfilled.

## **2.4.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Romani in Austria**

The Committee of Experts encourages the Austrian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.4.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Austria<sup>64</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

- a. Strengthen the teaching of Romani at all levels of education.**
- b. Promote awareness throughout the country of the Romani language and culture as an integral part of the cultural heritage of Austria in mainstream education and in the media.**

### **II. Further recommendations**

- c. Take measures to increase the use of Romani in the media.

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<sup>64</sup> [CM/RecChL\(2005\)1](#); [CM/RecChL\(2009\)1](#); [CM/RecChL\(2012\)7](#); [CM/RecChL\(2018\)2](#).

## 2.5 Slovak

### 2.5.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Slovak

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Slovak <sup>65</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Slovak as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Slovak	=				
7.1.c	resolute action to promote Slovak		↗			
7.1.d	facilitation and/or encouragement of the use of Slovak, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Slovak</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Slovak at all appropriate stages		↘			
7.1.g	provision of facilities enabling (also adult) non-speakers of Slovak to learn it	=				
7.1.h	promotion of study and research on Slovak at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Slovak	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Slovak	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Slovak among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Slovak among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Slovak</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Slovak</li> </ul>	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

#### Changes in the evaluation compared to the previous monitoring cycle

83. There has been a substantial raise in the funding for the ethnic groups at federal level and the promotion of minority languages has been included in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* on pre-school education for 2022/2023 – 2026/2027. Nevertheless, additional measures are still needed for a resolute action to promote Slovak, in

<sup>65</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

particular with respect to the Komenský school. The Committee of Experts considers the undertaking in Art. 7.1.c partly fulfilled. The Komenský school is the main option for Slovak-language education in Vienna; it has been receiving financial support from the authorities, but this is not structurally secured; parents still have to pay fees. In the public system, there is a very limited offer to learn Slovak. Therefore, the Committee of Experts considers the undertaking 7.1.f only partly fulfilled.

## **2.5.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovak in Austria**

The Committee of Experts encourages the Austrian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.5.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Austria<sup>66</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

- a. Ensure sustainable and sufficient funding for the Komenský School.**
- b. Promote awareness throughout the country of the Slovak language and culture as an integral part of the cultural heritage of Austria in mainstream education and in the media.**

### **II. Further recommendations**

- c. Increase the frequency and duration of television programmes in Slovak.
- d. Take measures to increase the use of Slovak in the online and print media.
- f. Ensure sufficient financial support for cultural activities in Slovak.

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<sup>66</sup> [CM/RecChL\(2005\)1](#); [CM/RecChL\(2009\)1](#); [CM/RecChL\(2012\)7](#); [CM/RecChL\(2018\)2](#).

## 2.6 Slovenian

### 2.6.1 Compliance of Austria with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Slovenian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

<b>The Committee of Experts considers the undertaking*:</b>						
Article	Undertakings of Austria concerning Slovenian <sup>67</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b>						
<b><i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i></b>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Slovenian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Slovenian	=				
7.1.c	resolute action to promote Slovenian	↗				
7.1.d	facilitation and/or encouragement of the use of Slovenian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Slovenian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Slovenian at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Slovenian to learn it	=				
7.1.h	promotion of study and research on Slovenian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Slovenian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Slovenian	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Slovenian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Slovenian among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Slovenian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Slovenian</li> </ul>	=				
<b>Part III of the Charter</b>						
<b><i>(Additional undertakings chosen by the state for specific languages)</i></b>						
<b>Art. 8 – Education</b>						
8.1.aiv	favour and/or encourage the provision of pre-school education in Slovenian or a substantial part of pre-school education in Slovenian	=				
8.1.bii	make available a substantial part of primary education in Slovenian	=				
8.1.ciii	provide, within secondary education, for the teaching of Slovenian as an integral part of the curriculum	=				
8.1.div	make available technical and vocational education in Slovenian, a substantial part of technical and vocational education in Slovenian or teaching of Slovenian as an integral part of the curriculum at least to those pupils who so wish in a number considered sufficient	=				
8.1.eiii	encourage and/or allow the provision of university or other forms of higher education in Slovenian or of facilities for the study of Slovenian as a university or higher education subject	=				
8.1.fiii	favour and/or encourage the offering of Slovenian as a subject of adult and continuing education	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Slovenian		↗			
8.1.h	provide the basic and further training of the teachers teaching (in) Slovenian		↘			

<sup>67</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/ \(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Austria concerning Slovenian<sup>67</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Slovenian and for drawing up public periodic reports of its findings	=				
8.2	in territories other than those in which Slovenian is traditionally used, allow, encourage or provide teaching in or of Slovenian at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.1.a.ii	guarantee the accused the right to use Slovenian in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned	=				
9.1.a.iii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Slovenian, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned	=				
9.1.b.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Slovenian in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations	=				
9.1.b.iii	allow documents and evidence to be produced in Slovenian in civil proceedings, if necessary by the use of interpreters and translations	=				
9.1.c.ii	allow, whenever a litigant has to appear in person before a court, that he or she may use Slovenian in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations			✓		
9.1.c.iii	allow documents and evidence to be produced in Slovenian in proceedings concerning administrative matters, if necessary by the use of interpreters and translations			✓		
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Slovenian and the related use of documents and evidence in Slovenian, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned	=				
9.2.a	not to deny the validity of legal documents solely because they are drafted in Slovenian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.1.a.iii	ensure that users of Slovenian may submit oral or written applications to local branches of the national authorities and receive a reply in Slovenian		✓			
10.1.c	allow the national authorities to draft documents in Slovenian		✓			
10.2.b	possibility for users of Slovenian to submit oral or written applications in Slovenian to the regional or local authority		=			
10.2.d	publication by local authorities of their official documents also in Slovenian		=			
10.4.a	provide translation or interpretation	=				
10.5	allow the use or adoption of family names in Slovenian	=				
<b>Art. 11 – Media</b>						
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Slovenian on a regular basis	=				
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Slovenian on a regular basis	=				
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Slovenian	=				
11.1.e.i	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Slovenian	↗				
11.1.f.ii	apply existing measures for financial assistance also to audiovisual productions in Slovenian	=				
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Slovenian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Slovenian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Slovenian</li> </ul>	=				
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Slovenian	=				
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Slovenian language and culture in the undertakings which they initiate or for which they provide backing	=				
12.1.f	encourage direct participation by representatives of the users of Slovenian in providing facilities and planning cultural activities	=				

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Austria concerning Slovenian <sup>67</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.2	In territories other than those in which Slovenian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Slovenian	=				
12.3	make provision, in cultural policy abroad, for Slovenian and the culture it reflects	=				
<b>Art. 13 – Economic and social life</b>						
13.1.d	facilitate and/or encourage the use of Slovenian in economic and social life		✓			
<b>Art. 14 – Transfrontier exchanges</b>						
14.b	for the benefit of Slovenian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Slovenian is used in identical or similar form	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

84. In light of the substantial raise in the funding for the ethnic groups at federal level and additional funding in the context of the 2020 and 2021 anniversaries, as well as the inclusion of the promotion of minority languages in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the *Länder* on pre-school education for 2022/2023 – 2026/2027, the Committee of Experts considers the undertaking in Art. 7.1.c fulfilled. Minority language schools also teach the history and culture reflected by Slovenian. The Committee of Experts considers the undertaking 8.1.g partly fulfilled. Although programmes are generally in place for teacher training, there is a lack of teachers, in particular at pre-school level; in the training of pre-school teachers, Slovenian is only an optional subject. The Committee of Experts must therefore revise its conclusion and consider the undertaking 8.1.h only partly fulfilled. The Committee of Experts did not receive any information about the use of Slovenian in proceedings before courts concerning administrative matters; such data is not monitored, according to the authorities. In light of the lack of information on the use of Slovenian in practice, the Committee of Experts considers the undertakings in Art. 9.1. b iii and 9 1. c iii as formally fulfilled. The possibility to use Slovenian in relations with the local branches of national authorities and the drafting of documents in Slovenian by such authorities is not sufficiently implemented in practice. While noting the efforts of the *Land* and in particular the Office for Ethnic Groups, the Committee of Experts must revise its conclusion and consider the undertakings 10.1. a. iii and 10.1.c partly fulfilled. There has been an increase of funding for the weekly newspaper in Slovenian. The Committee of Experts therefore considers 11.1. ei fulfilled. The Committee of Experts received examples of how the authorities encourage the use of Slovenian in economic and social life. However, these concern Carinthia only, while 13.1.d applies “within the whole country”. The Committee of Experts therefore considers this undertaking partly fulfilled.

### 2.6.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovenian in Austria

The Committee of Experts encourages the Austrian authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.6.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Austria<sup>68</sup> remain valid in their own right.

<sup>68</sup> [CM/RecChL\(2005\)1](#); [CM/RecChL\(2009\)1](#); [CM/RecChL\(2012\)7](#); [CM/RecChL\(2018\)2](#).

Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

**I. Recommendations for immediate action**

- a. **Take measures to strengthen the use of Slovenian in administration in practice, including the publication of documents, in particular at local level.**
- b. **Promote awareness throughout the country of the Slovenian language and culture as an integral part of the cultural heritage of Austria in mainstream education and in the media.**

**II. Further recommendations**

- c. Strengthen the use of Slovenian in education, in particular at pre-school level, including by providing a sufficient number of teachers and the necessary teaching materials.
- d. Strengthen the use of Slovenian before courts.

### **Chapter 3 [Proposals for] Recommendations of the Committee of Ministers of the Council of Europe**

The Committee of Experts, while acknowledging the efforts the Austrian authorities have undertaken to protect the minority languages spoken in their country, has in its evaluation chosen to concentrate on some of the most important deficiencies in the implementation of the Charter. The recommendations forwarded by the Committee of Experts to the Committee of Ministers should not, however, be interpreted as diminishing the relevance of the other, more detailed observations contained in the report, which remain valid in their own right. The recommendations proposed by the Committee of Experts are drafted accordingly.

The Committee of Experts of the European Charter for Regional or Minority Languages, in accordance with Article 16 (4) of the Charter, proposes on the basis of the information contained in this report, that the Committee of Ministers makes the following recommendations to Austria.

The Committee of Ministers,

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

Bearing in mind the instrument of ratification deposited by Austria on 28 June 2001;

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

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

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

1. take further steps towards a structured policy for the protection and promotion of all minority languages, especially in Vienna and Styria;
2. take measures to ensure that a sufficient number of trained teachers for minority language education is available, in particular for pre-school education;
3. promote awareness throughout the country of the minority languages and cultures as an integral part of the cultural heritage of Austria in mainstream education and in the media;
4. take practical measures for the use of the Burgenland-Croatian, Hungarian and Slovenian languages before the relevant judicial and administrative authorities;

The Committee of Ministers invites the Austrian authorities to submit the information on the recommendations for immediate action in due course and the next periodical report by 1 October 2025.<sup>69</sup>

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<sup>69</sup> See Committee of Ministers' Decisions [CM/Del/Dec\(2018\)1330/10.4e - CM-Public](#), and "Outlines for the periodical reports on the implementation of the European Charter for Regional or Minority Languages to be presented by the States Parties", [CM\(2019\)69 final](#).

## Appendix I: Instrument of Ratification



**Austria:**

### **Declaration contained in the instrument of ratification deposited on 28 June 2001 - Or. Engl./Aus.**

Austria declares that minority languages within the meaning of the Charter in the Republic of Austria shall be the Burgenlandcroatian, the Slovenian, the Hungarian, the Czech, the Slovakian languages and the Romany language of the Austrian Roma minority.

Pursuant to Article 3, paragraph 1, of the Charter, the Republic of Austria shall specify the minority languages to which the provisions selected pursuant to Article 2, paragraph 3, of the Charter shall apply upon the entry into force of the Charter in the Republic of Austria :

Burgenlandcroatian in the Burgenlandcroatian language area in the Land Burgenland :

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

Slovenian in the Slovenian language area in the Land Carinthia :

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

Hungarian in the Hungarian language area in the Land Burgenland :

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

The separate specification of these provisions for the territories of each individual Land is in keeping with the federal structure of the Republic of Austria and takes into account the situation of each of these languages in the Land in question.

Part II of the Charter shall be applied to the Burgenlandcroatian, the Slovenian, the Hungarian, the Czech, the Slovakian languages and the Romany language of the Austrian Roma minority upon its entry into force in the Republic of Austria. The objectives and principles laid down in Article 7 of the Charter shall form the bases with regard to these languages. At the same time, Austrian law and established administrative practice thus meet individual requirements laid down in Part III of the Charter.

With regard to Czech in the Land Vienna :

Article 8, paragraph 1 a iv;

Article 11, paragraph 1 d; f ii; paragraph 2;  
 Article 12, paragraph 1 a and d; paragraph 3;  
 Article 14 b.

With regard to Slovakian in the Land Vienna :

Article 8, paragraph 1 a iv;  
 Article 11, paragraph 1 d; f ii; paragraph 2;  
 Article 12, paragraph 1 a and d; paragraph 3;  
 Article 14 b.

With regard to Romany in the Land Burgenland :

Article 8, paragraph 1 f iii;  
 Article 11, paragraph 1 b ii; d; f ii;  
 Article 12, paragraph 1 a and d; paragraph 3;  
 Article 14 b.

With regard to Slovenian in the Land Styria :

Article 8, paragraph 1 a iv; e iii; f iii;  
 Article 11, paragraph 1 d; e i; f ii; paragraph 2;  
 Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;  
 Article 13, paragraph 1 d;  
 Article 14 b.

With regard to Hungarian in the Land Vienna :

Article 8, paragraph 1 a iv; e iii; f iii;  
 Article 11, paragraph 1 d; e i; f ii;  
 Article 12, paragraph 1 a and d; paragraph 2; paragraph 3;  
 Article 13, paragraph 1 d;  
 Article 14 b.

The separate specification of these provisions for the territory of each individual Land is in keeping with the federal structure of the Republic of Austria and takes into account the situation of each of these languages in the Land in question.

In accordance with the national distribution competencies, the way in which the above-mentioned provisions of Part III are implemented through legal regulations and Austria's administrative practice with due regard to the objectives and principles specified in Article 7 of the Charter shall be the responsibility of either the Federation or the competent Land.

**Period covered: 1/10/2001 -**

The preceding statement concerns Article(s) : 2, 3

## **Appendix II: Comments from the Austrian authorities**

### **Comments of the Government of Austria on the fifth Evaluation Report of the Committee of Experts of the European Charter for Regional or Minority Languages**

Vienna, July 2023

#### **Statement on the evaluation report**

The Republic of Austria takes the opportunity to comment on the fifth evaluation report concerning the implementation of the European Charter for Regional or Minority Languages in Austria, which was adopted by the Committee of Experts on 15th March 2023 and subsequently published on the Council of Europe's website. Since the report did not reach the Austrian authorities before publication due to technical problems, it is suggested that such important documents be sent with a reading receipt.

Gratitude is expressed to the delegation of the Committee of Experts for the constructive and fruitful dialogue on the occasion of the on-site visit in October 2022. The report and the recommendations presented in it will be studied in detail and closely evaluated, since the national minorities' language and culture form an important element of the Austrian identity. In the sense of a continuous process for the implementation of the European Charter for Regional or Minority Languages, the Republic of Austria is open for a follow-up dialogue.

At this point reference should also be made to the Austria's declaration upon ratification: Minority languages within the meaning of the European Charter for Regional or Minority Languages are, in the Republic of Austria, Burgenland Croatian, Slovenian, Hungarian, Czech, Slovak and Romani.

#### **Comments**

##### **Chapter 2.6., Article 10.1.a.iii; Recommendation for immediate action I.a.:**

As stated in the fifth state report of the Republic of Austria, the Province of Carinthia wishes to point out, that the (bilingual) reports of the Regional Government to the Regional Parliament on the situation of the Slovene minority, which are published on a yearly basis, highlight several measures aimed at fostering the use of Slovenian as an official language.

Concerning the use of official forms, it is to be clarified that forms in Slovenian published on the website of the province [www.ktn.gv.at/volksgruppen](http://www.ktn.gv.at/volksgruppen) are constantly updated and a glossary with a corresponding terminology in Slovenian is currently under work and will be published on the aforementioned website. Several district administrative authorities (Bezirksverwaltungsbehörden) have linked their homepages in regard to official forms to the provincial website. In those cases where a German-language form is obligatory by law, a Slovenian-language form is provided as a translation aid in accordance with section 14 paragraph 3 Volksgruppengesetz (National Minorities Act). In every other case, a Slovenian-language form can be used.

Claims can be submitted orally and in writing at departments and authorities as stated in the National Minorities Act; if it becomes clear that the affected party wants to use the Slovenian language, the matter will be dealt with in this language. Enforcement notification with the relevant case numbers are regularly submitted to the Office of the Carinthian Minority at the Office of the Carinthian Regional Government and to the Federal Chancellery. Furthermore, several departments and authorities of the Office of the Carinthian Regional Government as well as municipalities make use of the translation service provided by the Office of the Carinthian Minority. In some departments, authorities and municipalities, visitor guidance systems are also available in the Slovenian language. Despite best efforts on part of the province, there is no significant increase in requests being submitted in the Slovenian language.

### **Chapter 2.6., Article 8.1.h; Further recommendation II.c.:**

With reference to the lack of Slovenian-speaking pedagogical staff, it is pointed out, that the province of Carinthia is working intensively on the framework conditions for universal language education from the nursery to the university. The Dialogue Forum for the development of the mixed-language areas has established a permanent working group, which together with representatives of the Directorate of Education (Bildungsdirektion), the relevant departments at the Office of the Regional Government of Carinthia as well as those of the national minorities has been tasked with questions of education (e.g. training and further education of educational staff, updating and development of educational language concepts, raising awareness of carriers of childcare facilities and the appropriate information about language opportunities, development of strategies towards continual language education, advancement of legal frameworks). Positive results of this working group were included in the agreement between the Federation and the Provinces on elementary education pursuant to Article 15a of the Austrian Constitution, the amendment of the Carinthian Child Education and Care Act (Kinderbildungs- und Betreuungsgesetz) and the update of pedagogical concepts. Furthermore, continuous language education was the central topic of the European National Minority Congress, which is hosted annually by the Province of Carinthia. According to the resolutions of the Dialogue Forum, further steps are now to be worked out in a joint federal/provincial working group, especially with regard to the training of elementary teachers and the improvement of the legal framework for the use of the language of the national minority group in the field of education. In addition, reference is made once again to the numerous measures and projects on pedagogical measures and teaching materials described in the reports on the situation of the national minority group in Carinthia (2018 to 2023).

### **Chapter 2.6.; Article 13.1.d:**

Although the measures listed in margin number 48 of the Evaluation Report are positively assessed by the Committee of Experts, the tabular presentation of the progress in relation to the previous monitoring cycles, the implementation of Art. 13.1.d. is only rated as "partially fulfilled". This is justified in margin number 47 with the reference that insufficient information is available on the use of Burgenland Croatian and Hungarian. It is not understandable why Carinthia's efforts are then shown in the tabular presentation with "partly fulfilled"/"deterioration" despite the positive assessment. It is therefore suggested that the positive development in this area should also be acknowledged in the tabular presentation in accordance with the competences in legislation and enforcement.

### **Chapter 3 - Proposals for Recommendations of the CoM of the CoE Point 2. and 3.:**

With reference to the statements concerning Art. 13.1.d., it is again pointed out that a detailed report on the situation of the Slovene national minority group in Carinthia is published annually. The public is informed by means of press releases from the responsible member of the Regional Government and by the discussion in the plenary session of the Carinthian Parliament. The report is published on the official homepage in German and Slovenian and will also be discussed in the Dialogue Forum for the development of the mixed-language area. This is composed of the members of the Regional Government, representatives of the parties represented in the Regional Parliament, representatives of the municipalities of the mixed-language area, Slovenian organizations and the Unity List (Einheitsliste). The report is also submitted to all competent authorities and departments of the province and to those municipalities which, according to Annex 1. II. and 2. II. are covered by the National Minority Act. In the regularly published journal of the Carinthian Association of Municipalities "Unsere Gemeinden", information is provided, among other things, on the regulation of the use of the Slovene language as an official language and with regard to bilingual topographical signs.

It is suggested that, when assessing measures, the tabular presentation of the implementation progress of the Charter should also refer to the responsibilities in legislation and enforcement.

**Margin number 31:** To promote the use of the Slovenian language before court and to encourage legal professionals to develop the legal language skills, the Federal Ministry of Justice is supporting the project of legal professionals producing a new edition of the legal dictionary German – Slovenian from 1996 "Wörterbuch

der Rechts- und Wirtschaftssprache” by Paul Apovnik and Ludwig Karničar. The Project is still in an early stage but will be consequently supported.

**Margin number 38 ff:** Austria acknowledges the importance of the representation of national minorities in the media. The ORF therefore offers a wide range of services for the six national minorities on its terrestrial and satellite radio and television channels, as well as on the Internet, on the ORF-TV-Thek video platform, via the ORF-TV-Thek app and in tele- text. The program is being continuously worked on.

The programs on radio and television and the information on the Internet are largely offered in the respective languages of the national minorities, in some cases also in German, in order to bring topics of the national minorities closer to the German-speaking majority.

As part of the public mandate, the programs for the national minorities take special account of Austria's cultural diversity and multilingualism.<sup>1</sup>

**Margin number 44:** With regard to the possibility of long-term financial support, it is pointed out that, in order to make it easier to plan projects, media funding and intercultural funding from the Federal Chancellery will be granted for two years from 2021 and 2022 respectively.

**Margin number 52:** The National Minority Advisory Councils are the central institution for advising the Federal Government and the Federal Ministers on national minorities' matters. Concerning efforts already made to revise and amend the legal framework on the National Minority Advisory Councils, reference is made to a draft law from 2012. This draft law for an amendment to the National Minorities Act provided for a new appointment procedure of the National Minorities Advisory Councils as well as amended competences. No agreement could be reached on this draft within the national minorities. For a future reform of the National Minority Advisory Councils, unity among all six national minorities is an essential factor. As stated in the Government's 2020-2024 program, the Federal Chancellery is open to a dialogue with representatives of the national minorities.

**Margin number 67:** Since 2022, the National Minority Advisory Council of the Roma has defined a lead medium, which is currently supported under the media funding approach of the Federal Chancellery. Multilingual open radio MORA receives a total amount of € 183.400 for the production and broadcast of the daily one-hour radio program in Romani language.

**Margin number 81;** Recommendation concerning the cultural policy broad: In 2023 a new working program between Austria and Hungary for the years 2023 – 2025 was concluded.<sup>2</sup> It concerns cooperation in the area of education, research, culture, art, equality and national minorities. Both sides welcome for instance the direct cooperation between legal and physical persons, which contribute to the preservation and further development of the cultures of the national minorities in Hungary and the cultures of the national minorities in the Republic of Austria and encourage them to do so.

<sup>1</sup> For further information see, ORF report 2022: [https://zukunft.orf.at/rte/upload/2023/veroeffentlichungen/jb\\_2022\\_final.pdf](https://zukunft.orf.at/rte/upload/2023/veroeffentlichungen/jb_2022_final.pdf).

<sup>2</sup> <https://bilaterales.bmbwf.gv.at/wp-content/uploads/2023/03/Arbeitsprogramm-zu-KA-2023-2025.pdf>.

## Comments from the Ministry of Education

The following points should be added/changed in the evaluation report:

- As an addition to the text: Work has already begun on updating the textbooks according to the new curriculum. The competence-oriented curricula were developed with the involvement of teachers and subject specialists from the minority school system and were regularly subjected to comprehensive quality assurance loops. The curricula are applied in ascending order from the 1st or 5th school level and not simultaneously at all school levels.
- Request for deletion: 'which has a negative impact in particular on education' at the end of the 3rd paragraph of the Executive Summary as well as 'with a negative impact, in particular on education' at the end of chapter 1.1, point 8, as this is an assumption and not a statement of fact.
- As an addition to the text: The Federal Ministry of Education, Science and Research strives to support and promote national minorities in its field. This is acknowledged by the report.
- For the qualification of elementary pedagogues, the curriculum amendment from the school year 2023/24 will create the possibility that the BAFEP (educational institutions for elementary education) can teach a second living foreign language or minority language autonomously.

The following points should be noted concerning the evaluation report:

- There is no legal basis for education in minority languages outside of Carinthia and Burgenland. There is no objective justification for providing this only for the languages Slovenian, Croatian and Hungarian. Such a regulation would be an unfair privileging compared to other language groups, e.g. Czech as part of the ethnic groups in Austria, but also Polish, Arabic, Serbian, etc. In addition, also regarding resources and the budget, the desired expansion would have unforeseeable consequences.
- The bilingual primary and secondary school of the Komensky School Association is subsidised by the Federal Ministry of Education, Science and Research. The main reason the number of subsidy posts from the area of provincial teachers has been reduced was that on the one hand, the previous Neue Mittelschule had been replaced by an allgemeinbildende höhere Schule and on the other hand, as the number of posts to be approved is always linked to the number of pupils.
- Elementary educational institutions are undoubtedly an educational institution, but are not included in the minority school system on the basis of the wording alone. Elementary education is the sole responsibility of the Länder for legislation and enforcement. It is clarified that there is no federal regulation for two kindergarten years before school entry, which must be attended on a compulsory basis. The Art. 15a B-VG Agreement provides for one compulsory kindergarten year before school entry. This also includes bilingual kindergartens. Similarly, there is no 'elementary teaching' in the elementary educational institutions, as teaching is only given from primary school onwards.
- An inclusion of kindergartens in the regulation of the minority school system would only be possible with a constitutional amendment in § 1 MinSchG Ktn. This would also require the consent of the Bundesrat due to the associated shift of competences between the Federal State and the Länder. Likewise, a federal statutory basic regulation for elementary education would require a constitutional amendment (2/3 majority) as well as the consent of the Bundesrat for such a shift of competences to be implemented.

The Committee of Experts of the European Charter for Regional or Minority Languages is an independent body that evaluates the compliance of the States Parties with their undertakings and, where appropriate, encourages them to gradually reach a higher level of commitment.

The European Charter for Regional or Minority Languages, adopted by the Committee of Ministers of the Council of Europe on 25 June 1992 and entered into force on 1 March 1998, is the European convention for the protection and promotion of regional and minority languages. It is designed to enable speakers to use them both in private and public life and obliges the States Parties to actively promote the use of these languages in education, courts, administration, media, culture, economic and social life, and cross- border co-operation.

Regional or minority languages are part of Europe's cultural heritage and their protection and promotion contribute to the building of a Europe based on democracy and cultural diversity.

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