

GOOD PRACTICES OF MULTILINGUAL AND MINORITY LANGUAGE MEDIUM EDUCATION



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COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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TABLE OF CONTENTS

LIST OF ABBREVIATIONS	5
INTRODUCTION	6
MINORITY LANGUAGE MEDIUM EDUCATION: AN OVERVIEW	11
LANGUAGES AND MODELS	18
Slovak.....	18
Hungarian.....	37
Bulgarian.....	43
Polish	46
Romanian	58
Russian.....	62
German	68
Gaelic	73
Basque	79
TEACHER TRAINING, TEACHING MATERIALS, AWARENESS-RAISING	83
Teacher Training	83
Teaching Materials.....	90
Awareness-raising	94
CONCLUSIONS	96

LIST OF ABBREVIATIONS

ACFC	Advisory Committee on the Framework Convention for the Protection of National Minorities
CAHLR	Ad hoc Committee of Experts on Regional or Minority Languages in Europe
Committee of Experts	Committee of Experts of the European Charter for Regional or Minority Languages
EACEA	Education, Audiovisual and Culture Executive Agency
ECRML	European Charter for Regional or Minority Languages
FCNM	Framework Convention for the Protection of National Minorities
NC	National Council (Serbia)
NSG	Nationality Self-Government (Hungary)
RML(s)	Regional or Minority Language(s)

INTRODUCTION

This study presents a range of good practices of minority language medium education in selected countries. The publication is situated within the framework of the Council of Europe Action Plan for Ukraine 2018–2021, Project ‘Protecting national minorities, including Roma, and minority languages in Ukraine’. Its aim is to contribute to the ongoing discussion in Ukraine on minority language education.

The focus of this study is on models of education in which a minority language is used as a medium of instruction, rather than as simply a subject in the curriculum; such education is often referred to as ‘bilingual’ education, as it generally also includes the use of an official language¹ (where other languages are also used as a medium of instruction, which happens in some cases, such forms of education are referred to as ‘multilingual education’).² Both the European Charter for Regional or Minority Languages (ECRML) (Art. 8) and the Framework Convention for the Protection of National Minorities (FCNM) (Art. 14) provide that both the use of a minority language as a medium of instruction and the teaching of a minority language simply as a subject in the curriculum are options for states which are parties to those treaties. However, in this study we focus on the use of minority languages as the medium or at least the partial medium of instruction. One important reason for this is that such forms of education tend to be much more effective in promoting fluency in the minority language than merely the teaching of the language as a subject, particularly for students with limited abilities in the minority language when entering school.³ This is unsurprising, as there is a correlation between fluency in a language and the amount of time to which a person is exposed to the language, and minority language medium education ensures much greater levels of exposure to the minority language.

Where children already speak the official language – and in many cases, children who are members of the minority often speak the official language and, as we shall see, often that language is the first language and perhaps the only language in which they are fluent – research has shown that minority language medium education not only promotes much more effective acquisition of the minority language, but also that such education does not adversely affect children’s abilities in the official language. There is, in fact some evidence to suggest that they may perform better in achievement in the official language than comparable cohorts in official language medium (‘mainstream’) education. Research also suggests that there are other benefits in minority language education for such students, including parental satisfaction with their children’s learning and personal and social behaviour, and more positive attitudes among such children about themselves and their education.⁴

Minority language medium education also has a number of benefits for children who have the minority language as their first language. First, such children maintain their first language much better than linguistic minority children who do not receive such education; thus – and as we shall discuss further in the next section – such education is the most beneficial form in terms of linguistic and cultural maintenance, crucial policy goals of both the ECRML and the FCNM. Second, research suggests that minority children educated through their first language tend to perform as well in relation to the curriculum as a whole (in subjects such as mathematics, science, history and geography) as children in ‘mainstream’ education; indeed, some studies suggest that they perform better in such areas. This is obviously very important in terms of the overall life chances of such children

1 Or, where the minority language is an official language, a more widely-spoken official language.

2 Ofelia García (2009), *Bilingual Education in the 21st Century: A Global Perspective* (Malder, MA: Wiley-Blackwell), p. 6.

3 Colin Baker and Wayne E. Wright (2017), *Foundations of Bilingual Education and Bilingualism*, 6th edition (Bristol: Multilingual Matters), pp. 257–258.

4 *Ibid.*, pp. 258–260.

in the societies in which they live. Third, research suggests that when the home language is used in school, students' sense of identity, self-esteem and self-concept are enhanced, whereas when such children are placed in 'mainstream' education, they are vulnerable to a loss of self-esteem and status, and their motivation and interest in schoolwork suffers, with adverse effects on performance. This clearly does not promote the life chances of such children. Finally, and perhaps most surprisingly, research has tended to show that children in minority language education tend to perform at least as well as children in mainstream education in their performance in the official language. The explanation seems to be that self-esteem is enhanced in minority language education, and that language and intellectual skills are better promoted by education in the first language, and that these skills appear to transfer easily into the official language. In any case, children with a minority language as a first language are usually exposed to the official language in both their immediate environment and through the media; furthermore, as we shall see, the various models of minority language education make significant provision for both the teaching of and instruction through the medium of the official language. Fluency in the official language is important in terms of enhancing integration, which is also a crucial policy goal of the ECRML and the FCNM. Through exposure to other languages and cultures of the state, minority language medium education also fosters an appreciation for diversity, thereby furthering intercultural dialogue, both of which are also important policy goals of these two international instruments.

Minority Language Medium Education Models and 'Effectiveness'

A range of models of minority language medium education have been developed. At the same time, multiple difficulties exist in assessing their effectiveness. The first issue is the lack of longitudinal studies; among the reasons for this lacuna is that evaluation methods differ in different systems – for example, evaluation may be centralised, or regional or at school level. Second, there are context-specific factors that may influence students' performance, complicating the comparison of models. Such factors include the size of the minority linguistic community, the vibrancy of the language in the communities in which schools are located (which affects the degree to which language skills developed in school will be reinforced outside of the school) and the use of the language in extra-curricular activities and in social and leisure settings, the linguistic mix in classrooms (not all children in minority language education have the same levels of language skills in the regional or minority language (RML), and some may not speak the language at home), the presence of the language in the media (particularly electronic media such as radio and television), and the overall status of the language as reflected in its use in the provision of services (both in the public and private sector), in deliberative institutions, in the legal system, and so forth. Third, there is a lack of consensus as to what 'effectiveness' itself signifies, as the concept is defined (and evaluated) differently in different contexts. There are sufficient studies, however, to allow us to identify principles that are conducive to effective minority language medium models, and that can serve as criteria to assess effectiveness. We summarise these as:

- ▶ Achievement of fluency / biliteracy over the long term
- ▶ Actual patterns of minority language use during the years of school education and after the end of school education (use of the language outside the classroom)
- ▶ Language ability in the official/state language
- ▶ Achievement of social integration
- ▶ Promotion of general cognitive development

Case studies

Several case studies have been selected for this study. One reason for their inclusion is the achievement of positive results in relation to many of the criteria listed above. Other rationales for their inclusion are:

- ▶ Overall positive (or partially positive) assessment in Council of Europe monitoring (under the ECRML and the FCNM, if ratified)
- ▶ Relevance to the Ukrainian context
- ▶ Availability of information

We focus mostly on programmes that are state funded (or partially funded by external sources).

The study also includes some established practices from Western Europe, which we consider to have been effective, based on the above criteria.

Most of the languages covered by this study also have communities of speakers in Ukraine, and have been selected by the Ukrainian authorities for undertakings under Part III of the ECRML. These include Bulgarian, German, Hungarian, Polish, Romanian, Russian and Slovak. We prioritise models present in countries with geographical proximity to Ukraine, and for their relevance to the Ukrainian context (particularly Poland, Slovakia and Hungary).

Sources of information

The sources of information that were employed for this study include:

- ▶ Council of Europe monitoring for the ECRML and FCNM (documents compiled by the Council of Europe monitoring bodies and reports by the member states)
- ▶ Eurydice, National Education Systems⁵
- ▶ Regional dossiers by Mercator, the European Research Centre on Multilingualism and Language Learning⁶
- ▶ State-level official statistics
- ▶ Existing studies by linguists/sociolinguists (where available)
- ▶ Education specialists from the countries in question

Levels/Types of Minority Language Education

Good practices and existing models of minority language medium education are included in this study with reference to:

- a. pre-school education
- b. primary education
- c. secondary education
- d. vocational education
- e. higher education
- f. basic and further training of teachers
- e. teaching materials
- g. awareness raising

We focus, in particular, on a, b, and c.

5 See European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, https://eacea.ec.europa.eu/national-policies/eurydice/national-description_en

6 See <https://www.mercator-research.eu/en/knowledge-base/regional-dossiers/>

Tables of case studies – summary

AREA OF EDUCATION	LANGUAGE	COUNTRY	LEVEL	MODEL
PRE-SCHOOL TO SECONDARY	HUNGARIAN	SLOVAKIA	Pre-school Primary	Minority language
		SERBIA	Pre-school Primary Secondary / vocational Tertiary	Minority language
		ROMANIA	Tertiary	Minority language
	SLOVAK	HUNGARY	Pre-school Primary Secondary	Minority language & bilingual
	BULGARIAN	SERBIA	Pre-school Primary Secondary Tertiary	Minority language
	POLISH	LITHUANIA	Pre-school Primary Secondary / vocational Tertiary	Minority language & bilingual
		LATVIA	Pre-school Primary Secondary / vocational Tertiary	Minority language & bilingual
	RUSSIAN	MOLDOVA	Pre-school Primary Secondary	Minority language
	GERMAN	HUNGARY	Pre-school Primary Secondary	Minority language & bilingual
	ROMANIAN	SERBIA	Pre-school Primary Secondary	Minority language
	SCOTTISH GAELIC	UK (Scotland)	Pre-school Primary Secondary	Minority language & bilingual
	BASQUE	FRANCE	Pre-school Primary Secondary	Minority language & bilingual
TEACHER TRAINING	Hungarian	Slovakia		
	Slovak	Hungary		
	Polish	Latvia		
	Polish	Lithuania		
	Frisian	Netherlands		
	Scottish Gaelic	UK (Scotland)		
	Basque	France		
TEACHING MATERIALS	France	Hungary		
	Hungarian	Serbia		
	Polish	Latvia		
	Polish	Lithuania		
	Scottish Gaelic	UK (Scotland)		
	Basque	France		

The report also contains references to other RMLs languages which, while not addressed in dedicated chapters, are relevant to Ukraine (Belarusian, Gagauz, Jewish (Hebrew) and Ruthenian). In order to draw the reader's attention to these cases, these languages are highlighted in **blue** in the text. In addition, other languages relevant to Ukraine are highlighted when they appear outside their dedicated chapter, also in blue (the languages in question are Bulgarian, German, Hungarian, Romanian and Russian).

MINORITY LANGUAGE MEDIUM EDUCATION: AN OVERVIEW

Minority language medium education models are a form of bilingual education which generally aims to foster positive outcomes in terms of the measures of effectiveness described above. It is important to note that not all forms of education which could be described as 'bilingual education' have such an aim. The different forms of bilingual education can be divided into two main groups – subtractive and additive. **Subtractive** bilingualism encourages minority children to ultimately abandon their mother tongue and transition to the use of the official language. It therefore aims at the assimilation of linguistic minorities. In these educational models, children initially use the mother tongue (L1) in the early years of education, with the official language added at a slightly later stage in primary education. Essentially, the L1 is being used to assist the child to develop fluency in the official language. Once this is achieved, usually in the later stages of primary education, the student is taught through the medium of the official language only. The use of the L1 is subtracted, with the aim that the L2 (the official language) will become the dominant language once the children become adults. Because language skills in the L1 are insufficiently developed in the school, adults who have come through this system are particularly unlikely to use the language in more formal and prestigious domains (although states which pursue these policies seldom create opportunities for the use of the minority language in such domains in any case). This form of bilingual education is also referred to as 'transitional bilingual education', because the aim is that there is a transition in both the education of the child and in the child's language preference from the L1 to the L2, the official language. This transition can be represented as follows:

Subtractive Bilingualism: L1 + L2 – L1 → L2

This model implies that languages other than the state language are not valued within society.⁷ As Skutnabb-Kangas and Dunbar write, in subtractive language learning,

[...] a new (dominant/majority) language is learned at the cost of the mother tongue. The mother tongue (hereinafter 'MT')⁸ is first displaced. This leads to an unstable diglossic situation: the MT is used in some contexts (e.g. home) and a dominant language in most official contexts, e.g. in school. Later, the MT is often completely replaced by the dominant language.⁹

A significant consequence of this process is that adults who have gone through this form of education are less likely to pass the language on to their own children;¹⁰ this 'intergenerational transmission' of the language – the use of the language by parents in the home, thus passing it on to the next generation as their L1 – is thought to be essential to the maintenance of the minority language as a whole.¹¹

7 García, *Bilingual Education in the 21st Century* (n. 2), pp. 51–52.

8 The concept of 'mother tongue' is somehow blurry. Language shifts mean that for persons belonging to national minorities who have continuous exposure to a dominant language such a language becomes for them the most used language in formal, and sometimes informal, domains. The concept of mother tongue should not be linked to the 'most used' or 'best known' language, as this is not linked to personal choice but rather to circumstances. Tove Skutnabb-Kangas and Robert Dunbar (2010), 'Indigenous Children's Education as Linguistic Genocide and a Crime Against Humanity? A Global View', *GálduČála – Journal of Indigenous Peoples Rights*, 1, p. 34.

9 Ibid. Skutnabb-Kangas and Dunbar were writing primarily about minority language education for indigenous peoples, but the same applies to minority language education more broadly.

10 Ibid.

11 Joshua Fishman (1991), *Reversing Language Shift: Theoretical and Empirical Foundations of Assistance to Threatened Languages* (Clevedon: Multilingual Matters).

Given that the maintenance and indeed revitalisation of minority languages is the overarching purpose of the ECRML, any form of subtractive bilingual education is inconsistent with the purpose of the ECRML.

By contrast, **additive** bilingual education seeks to promote high levels of fluency in both the minority language as well as in the official language. It is 'additive' because, if the child's L1 is the minority language, it provides a high level of fluency in an L2, the official language, as well as continuing to develop skills to high levels of fluency suitable to both high (formal) and low (informal) domains. If the child's L1 is the official language, the child continues to develop skills in that language but also develops high levels of fluency in the minority language, the L2. Additive bilingual education can be represented as follows:

Additive Bilingualism: L1 + L2 = L1 + L2

The aim of the various models of additive bilingual education is the enhancement of the linguistic repertoire.¹² They result in competence to use L1 in a range of domains, while also enhancing its perceived value, thereby increasing the likelihood of intergenerational transmission. These models of education include¹³:

- ▶ *Heritage Language Education*, sometimes referred to as *Developmental Maintenance Bilingual Education* or *Maintenance Bilingual Education*: In such models, the medium of instruction is primarily the minority language, for children whose L1 is the minority language, although the official language is taught and is used as the medium of instruction for part of the curriculum, particularly in the later stages of primary and in secondary education.
- ▶ *Immersion Bilingual Education*: In such models, children whose L1 is **not** the minority language (their L1 is usually the official language, although it could be a third language) receive their instruction through the medium of the minority language; total immersion usually begins with all of the instruction through the medium of the minority language, with the official language being introduced after two to three years, and increased as the student proceeds through primary and into secondary school, but with the minority language continuing to be used as a medium of instruction to the end of secondary education (usually at least 50% of the education through the medium of the minority language, even in later stages). This model was pioneered in Canada in the 1960s to develop fluency in French of children whose L1 was English, but it has been adopted in many jurisdictions in Europe (notably, in Wales, Ireland, Scotland, the Basque Autonomous Community and Navarre, and in regions of France, among other places) to support the revitalisation of autochthonous minority languages whose numbers of speakers have fallen over time, in part due to assimilationist education policies of the past.
- ▶ *Dual Language Bilingual Education*, sometimes referred to as *Two-Way Bilingual Education*: In such models, children whose L1 is the minority language and children whose L1 is the official language are in the same classroom – frequently in roughly equal numbers – and both languages are used as the medium of instruction, with the minority language being used for at least 50% of the instruction, and with only one of the two languages used for each period of instruction during the day. These models aim to balance the numbers of children from each linguistic background so that neither language becomes dominant, although given inequalities in the status of the two languages, greater use of the minority language is often employed, or larger numbers of children with the minority language as the L1 are present in the classroom. The aim, however, is for all students to develop balanced bilingual abilities in both the minority language and the official language.
- ▶ *Content and Language Integrated Learning (CLIL)*: These models are most commonly developed for the purposes of developing bilingualism in both the official language of the state and a

12 García, *Bilingual Education in the 21st Century* (n. 2), p. 52.

13 For a fuller discussion of these models, see Baker and Wright, *Foundations of Bilingual Education and Bilingualism* (n. 3), chapter 11, pp. 214–242.

major international language or language which is the official language of another (often a neighbouring) state with which the state in question has significant shared economic, social and cultural contacts, although in principle they can be used for minority languages instead of a major international language. In practice, these models bear some similarities to Immersion Bilingual Education and Dual-Language Bilingual Education, and involve the integration of language learning and content learning, such that some content areas in the curriculum, such as physics or geography, are taught through the medium of a language other than the student's L1, while at the same time that additional language is developed, with generally from 10 to 50 per cent of the curriculum being taught through the additional language. There are, however, considerable differences amongst these models in terms of the intensity of use of the additional language, the age at which the additional language is introduced, the duration of teaching in the additional language, and the amount of explicit language teaching. Potential advantages are that learning the additional language may be quicker when it is via the integration of language teaching and content teaching, and that students gain competence in academic domains and not merely in social communication.

Factors for Effective Minority Language Education

While there is considerable diversity in the various case studies included in this report, a number of common elements emerge which tend to contribute to the effectiveness of minority language education, based on the principles of effectiveness which were discussed above. These and other themes will be considered in further detail in the conclusions. However, such elements include the following:

1. *Continuity* in provision of education through the medium of the minority language from pre-school to the end of secondary education. In all of the case studies, the aim is to ensure that minority language medium education continues from pre-school to the end of secondary education; although teaching through the medium of the official language increases in later years, teaching through the medium of the minority language does not cease to be a significant part of the curriculum. In all cases, this aim is generally not fully realised, but this is usually due to the fact that in some geographic areas in which minority language medium education is available at the primary level, it is not possible to carry it on at secondary level because of small numbers of students. In areas where there are greater numbers, such education continues. Research tends to show that such continuity is more crucial than any other factor in leading to functional and balanced bilingualism. This includes competence in both the minority and the majority/state language.¹⁴ Conversely, and as was noted earlier, the worst results in terms of acquiring full fluency in acquiring a minority language occur when minority languages are only taught as subjects;¹⁵ in such circumstances, pupils generally do not have the material conditions to reach fluency, as too little time is devoted to the study and practice of a language. The achievement of full fluency and the actual use by pupils of the minority language are particularly relevant in relation to the ECRML. For example, the Committee of Experts has stated the following:

[O]ne of the purposes of minority language education is to lead to the degree of fluency and competence which enables the learner to use the language in public life [...]. It should also support and encourage language transmission within the family. [...].¹⁶

14 Wayne P. Thomas and Virginia Collier (2002), *A National Study of School Effectiveness for Language Minority Students' Long-Term Academic Achievement Report: Project 1:1* (Fairfax, Virginia: VREDE, George Mason University).

15 Ibid, and Skutnabb-Kangas and Dunbar, 'Indigenous Children's Education' (n. 8), p. 11.

16 Committee of Experts (2018), *Fourth Report of the Committee of Experts in respect of Serbia*, 4th Monitoring Cycle, Council of Europe, CM(2018)144,30 October 2018, para 8. The Committee of Experts was referring to the fact that teaching a minority language for only two hours or less per week does not meet the requirements of the ECRML as it does not lead to fluency, 'especially where the minority language is not a well-established language with a strong speaker community' (ibid, para 4). See also, for example, Committee of Experts, *Application of the Charter in Switzerland: Report of the Committee of Experts on the Charter*, 2nd Monitoring Cycle, Council of Europe, ECRML (2004) 6, 22 September 2004, para. 44; and Jean-Marie Woehrling (2005), *The European Charter for Regional or Minority Languages: A Critical Commentary* (Strasbourg: Council of Europe), p. 150.

2. *A legislative basis for minority language medium education.* In virtually all of the cases studied in this report, legislation has been passed which provides a basis for minority language medium education at the pre-school, primary, and secondary levels. A legislative basis is both consistent with and mandated by the ECRML, which provides in Article 7(1), for example, that states must base their policies, *legislation*, and practice on a range of objectives and principles. In some cases, the legislation prescribes that such education is only available in districts in which members of the linguistic minority represent a certain percentage of the local population, or sets minimum numerical thresholds for demand for such education, in terms of numbers of children whose parents request it, before such education has been provided. In such cases, as we shall see, the Committee of Experts of the ECRML has expressed concerns, and has stated that such measures not be used to unnecessarily restrict provision. The provision for community involvement – the next point – is an important factor here.
3. *Community involvement in decision-making* in relation to minority language medium education. In several of the cases examined in this report, minority language communities themselves are explicitly involved in various aspects of decision-making regarding minority language medium schools and minority language education in general, and, in such cases, this involvement is made explicit in legislation and policies. In states like Hungary and Serbia, which have developed forms of national minority self-government structures, those bodies play a role in decision-making about the provision of education, the methods of teaching, the suitability of teaching materials such as translations of textbooks, and so forth. The principle of consultation and minority involvement in such decision-making is an important one which is recognised in both the ECRML (Art. 7(4)) and the FCNM (Art. 15).
4. *Holistic planning of educational provision and monitoring of effectiveness.* As will be seen, the Committee of Experts of the ECRML has been concerned about the adverse impact of broader educational (and other) policies on minority language medium education. A recurring example is the decision to close or merge schools because of local demographic conditions, budgetary concerns, and so forth; where these factors have reduced access to minority language medium education, the Committee of Experts have expressed concern. Monitoring of the system of minority language medium education is also of great importance, both in terms of ensuring that objectives of these forms of education in terms of student performance are being met, and in identifying areas where changes in policy and practice may be required. In some of the cases examined in this study, for example, performance on children in the minority language is assessed at different stages in the child's education, and student performance in other aspects of the curriculum is also assessed.
5. *Building the infrastructure to support minority language medium education.* Even in systems in which minority language medium education is well developed, the development of high quality textbooks and other teaching materials, and the training of sufficient numbers of teachers, are challenges which states sometimes have difficulties with. The creation of institutions dedicated to the production of curriculum materials and of teacher-training programmes are examples of good practice, and are elements of the holistic planning for educational provision, referred to in 4., above.
6. *Development of an inter-cultural approach.* The most obvious element of this is the provision for the teaching of the official language and, at appropriate stages, the phased introduction and expansion in teaching through the medium of that language, to accompany the continued teaching through the medium of the minority language. However, creating the possibility that children for whom the minority language is not the L1 can also access minority language medium education is also important. In addition to supporting the maintenance and revitalisation of the minority language by creating an expanded pool of speakers, it also equips students who acquire the minority language to use the language in their own work, thereby enhancing the pool of people who can provide minority language services. There is also some evidence that

students whose L1 is not the minority language but who receive minority language medium education have more positive attitudes to the linguistic minority itself.¹⁷

7. Presence of a *link between education policies and other spheres of language use* (essentially, the existence of opportunities to use the language outside the classroom). Although we did not expressly consider this in the various case studies, the societal context outside of the school is of critical importance in the achievement of high levels of fluency. The maintenance (and revitalisation) of minority languages involves moving from a condition of vulnerability to a situation in which a language is fully functioning and transmitted to future generations.¹⁸ Grin and Moring have argued that three conditions must exist to ensure the maintenance and development of a minority language:

- 1) the *capacity* to use a language;
- 2) *opportunities* to use it; and
- 3) a *desire* to use it.¹⁹

Capacity to use the minority language relates, essentially, to the acquisition of the language, either in the home as an L1, or through the education system, or through both the home environment and the educational system. We have noted repeatedly the fundamental importance of minority language medium education in promoting a strong capacity to use the language across the broadest range of domains as possible, including, crucially, higher register domains. This is the case both for children whose L1 is the minority language and for those whose L1 is another language. Minority language medium education is particularly important where language shift is already occurring, and where not all members of the minority community can use the minority language, in combating this loss of capacity. Even where the language is still being transmitted in the home, though, without minority language medium education, the minority language is destined to be used mainly in the domestic sphere, and over time will weaken even there. However, policies, legislation and practices which provide for the use of the minority language in the provision of public services, to support the expanded use of the language in other sectors, and in the media and particularly the broadcast media, as well as in the education system, are important.

Opportunities to use the language refers to the ability to use the language in obtaining services, not only from the public sector but the private and voluntary sectors, to be able to use the language in the workplace, in accessing various media, and so forth. Increasing the capacity to use the language is very important here, because without sufficient numbers of speakers, the provision of such services through the minority language is restricted. Both the ECRML and the FCNM make considerable provision for these various domains of language use, and a strategic approach to the planning of such provision has often been noted by the Committee of Experts of the ECRML.²⁰ For example, with reference to Hungary, the Committee of Experts' (and the Committee of Ministers') recommendations have included '*long-term strategies and structured plans* for the promotion of each regional or minority language' [italics added].²¹ These strategies should involve 'set[ting] out annual objectives for higher enrolment numbers in bilingual education and mid-term and long-term objectives for increasing the number of speakers of each regional or minority language [...]'.²² In addition to expanding opportunities to use the minori-

17 Baker and Wright, *Foundations of Bilingual Education and Bilingualism* (n. 3), p. 260.

18 For example, see Fishman's Graded Intergenerational Disruption Scale, ranging from stage 8 (moribund language) to stage 1, where a language is fully functioning and inter-generational transmission is secured. Fishman, *Reversing Language Shift* (n. 11). Other scales include the Ethnologue's 'Expanded Graded Intergenerational Disruption Scale' (<http://www.ethnologue.com/about/language-status>) and UNESCO's 'Language Vitality and Endangerment' (<http://www.unesco.org/new/en/culture/themes/endangered-languages/language-vitality/>).

19 François Grin and Tom Moring (2002), *Support for Minority Languages in Europe: Final Report* (European Bureau for Lesser-Used Languages/European Centre for Minority Issues), p.74.

20 Indeed, the ECRML encompasses multiple spheres of language use: education, judiciary, administrative authorities, media, cultural activities, economic and social life.

21 Committee of Experts (2016), *Application of the Charter in Hungary: Report of the Committee of Experts on the Charter, 6th Monitoring Cycle*, Council of Europe, ECRML (2016) 1, 18 March 2016, para 6.

22 Ibid.

ty language, measures in support of creating such opportunities signal the importance that the state attaches to such languages, and the opportunities can themselves lead to changes in perceptions of the prestige and utility of the minority language. In turn, such attitudinal changes can increase the likelihood that speakers of those languages will transmit the language to the next generation. Attitudinal changes can also increase the desire of non-speakers – both those who are members of the minority but do not speak the language, and members of the broader population – to learn it. As noted, we do not comment on the wider policy of states in respect of minority languages, but in each of the cases which are examined here, the states in question have instituted policies which support opportunities to use the language in dealing with the public sector, within deliberative bodies such as local assemblies, with the judicial system, and within the media.

This brings us to the last condition, the *desire* to use the minority language. The desire to use the minority language is closely linked to attitudes towards the language, of both speakers of the language itself and in the general population. Where the language is perceived negatively, where it is considered to have little worth or prestige and is of limited utility in many aspects of daily life outside of the home, it is less likely that speakers of the language will transmit it in the home, that non-speakers will learn it, and that speakers will take advantage of whatever opportunities that do exist to use the language outside of the home. Where the language is perceived positively, the opposite occurs. The presence of the minority language in the education system, and particularly the ability to receive education through the medium of the minority language itself sends an important signal to both speakers and non-speakers about the value of the language. The expansion of opportunities to use the language in the various domains just discussed is also crucial in signalling to speakers and non-speakers the value of the language. Generally, however, such benefits are enhanced by public awareness campaigns led by government which are designed to enhance respect for and prestige of minority languages, their speakers, and the communities in which they are spoken. In addition to support minority language maintenance, the fundamental goal of the ECRML, this also promotes better inter-community understanding and thereby greater social cohesion. The latter are not only key goals of both the ECRML and FCNM, but also are outcomes which, as is made clear in the preambles to and explanatory reports for both treaties, are promoted by measures of support for those language in the education system and in the other domains covered by those treaties.

Benefits of Minority Language Medium Education

Minority language medium education has a number of significant benefits, including the following:

- ▶ *Increased cognitive development and creativity in children.* There is now a very substantial body of research documenting the many benefits of bilingualism, including a variety of cognitive and attitudinal benefits. Further information is available from *Bilingualism Matters*, an internationally-respected research and information centre based at the University of Edinburgh: <https://www.bilingualism-matters.ppls.ed.ac.uk/>.
- ▶ *Language ability in the official/state language.* In many countries, it is often claimed that students in minority language medium education tend to have lower levels of competence in the official language. Often, such claims are due to long-standing but erroneous language ideologies which suggested that the maintenance or addition of another language or languages would impair abilities in the language of wider communication. As is noted in point 1., above, there is now a substantial body of evidence which shows that the opposite is the case, and that bilingualism and indeed multilingualism, fostered by minority language medium education, has a range of cognitive benefits, including in the area of enhanced language skills. As noted in the introduction to this report, above, there is now evidence that the performance of children in minority language medium education in the official language is enhanced, and that this is the case both for children whose L1 is not the minority language (usually, their L1 is the official language) and, crucially, children whose L1 is the minority language which is the medium

of instruction. The phased introduction of the teaching of the official language and through the medium of that language has a role to play, but continuity in provision of minority language medium education is also important (as noted elsewhere, above).

- ▶ *Public attitudes to minority languages and minority linguistic communities.* As has also been noted in the introduction to this report, when minority language children attend schools where the official language is the language of instruction, they (and their parents) develop the perception that their language is 'worth less' than the majority language. Similarly, representatives of other groups who are not exposed to minority languages learn that the state language is the only one linked to social and economic success.²³ A multilingual educational environment, by contrast, favours mutual understanding and respect for diversity, which are fundamentally important goals of both the ECRML and the FCNM.
- ▶ *Preservation and development of languages as cultural wealth.* Languages that are marginalised are destined not to evolve to develop the terminology necessary to be employed in particular domains (e.g. science and technology). This obviously has an impact on the ability of speakers of those languages to use their language across a range of domains, including prestigious domains. This, in turn, has an impact on the perceived status and utility of those languages, and with it, the desire of parents to pass the language on to the next generation; as has been noted earlier, this intergenerational transmission of a minority language is absolutely essential to its maintenance. The preservation and development of such languages as an expression of cultural wealth is, of course, a fundamental value underlying the ECRML, as is clearly expressed in its preamble, and in the ECRML's explanatory report.

²³ See, also Skutnabb-Kangas and Dunbar, 'Indigenous Children's Education...' (n. 8), p.10.

LANGUAGES AND MODELS

SLOVAK

Slovak (Hungary)

Strengths

- ▶ Both bilingual and Slovak-language instruction is available
- ▶ **Bilingual schools must provide at least 50% minority language instruction.**
- ▶ 50% refers to the obligatory part of the curriculum (or 75% of total teaching time), with the rest developed on the basis of local demand; in practice, several schools provide **more than 50% of total teaching time** in Slovak.
- ▶ Continuity of Slovak-language education, from pre-school to secondary level.
- ▶ 25% of the curriculum is non-compulsory, and developed in line with local demand: as a result, some bilingual schools provide more than 50% of total teaching time in a minority language.
- ▶ National self-governments (NSGs) (elected minority representative institutions) may establish and take over the management of schools from pre-school to secondary level, thereby exercising a degree of autonomy in managing educational matters for the linguistic minority community.
- ▶ The law includes obligations for the state authorities to consult with NSGs on education policies and programmes.
- ▶ Recent increase in funds for Slovak-language (and minority language more generally) and bilingual education, and financial incentives to minority language teachers.
- ▶ Some administrative organs operate in Slovak, providing opportunities to practice the language at the local level outside schools.
- ▶ A flexible minority education system exists, by which if threshold requirements on local demand for minority language education are not met, supplementary classes may be established by NSG and the local authorities.

Weaknesses

- ▶ The merging of schools tends to have a negative impact on minority language education.
- ▶ The autonomy of NSGs is circumscribed in certain areas.

Overview

According to the 2011 census, 35,208 persons self-identified as belonging to the Slovak minority out of a population of 9,9 million. Slovaks were the fourth largest national minority after the Roma (315,583), Germans (185,696) and Romanians (35,641). Less than a third (9,888) of persons belonging to the Slovak

minority indicated that Slovak was the mother tongue, and less than half (16,266) that they used the language with family members and friends.²⁴

Hungary ratified the ECRML and FCNM in 1995, both treaties entering into force in 1998. Hungary has chosen undertakings under the ECRML that include pre-school, primary and secondary education through the medium of Slovak.²⁵

A feature of the Hungarian regime of minority protection is its nationality (minority) self-governments (NSGs). NSGs operate at the local, regional and national levels through elected representatives for minority communities, with elections taking place at the same time as local elections. NSGs may be established in a settlement where at least 25 persons declare to belong to one of the nationalities recognised by Hungary, according to the last (2011) census.²⁶ NSGs may self-manage in various spheres of language use (education, culture and media); *inter alia*, NSGs may run educational institutions for the minority community.²⁷ Among this system's benefits is that it gives the minority ownership of specific educational and cultural projects.

Hungary's 7th state report under the ECRML (2017) lists the educational institutions managed by NSGs, both at the national and the local level. The schools maintained by *national-level* Slovak self-government are:

- ▶ Slovak Primary School, Nursery and Halls of Residence, Szarvas (management taken over in 2004)
- ▶ Slovak Gymnasium, Primary School, Nursery and Halls of Residence, Békéscsaba (2005)
- ▶ Hungarian-Slovak Bilingual Nationality Primary School and Halls of Residence, Sátoraljaújhely (2007)
- ▶ Slovak Bilingual Primary School and Nursery, Tótkomlós 2013
- ▶ Slovak-speaking Nursery, Primary School, Gymnasium and Halls of Residence, Budapest (2014)²⁸

Schools managed by *local* Slovak NSGs are:

- ▶ Felső-Mátrai Zakupszky László Primary School and Nursery School Mátraszentimre
- ▶ Mikszáth Kálmán Slovak Nationality Primary School, Nézsa²⁹

Moreover, the Catholic Church manages several institutes where minority language education is organised (in the case of Slovak, in Dabas-Sári and Kétsoprony).³⁰

According to 2013 regulations,³¹ bilingual schools must provide at least 50% of classes in a minority language, with the remaining classes taught in Hungarian.³² The percentage of 50% refers to the obligatory part of the curriculum, or 75% of total teaching time, with the rest being developed on the basis of local demand. In practice, the regulations have created an obligation to teach, besides minority language and literature, three other subjects in the minority language. A number of schools provide more than 50% of the total amount of teaching (including both obligatory and optional classes) in a minority language.

24 Government of Hungary (2018), *Seventh periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter*, MIN-LANG (2018) PR 4, 6 April 2018, p.9. Source: Hungarian Central Statistical Office.

25 Hungary's instrument of ratification includes Slovak with reference to Art. 8, Paragraph 1, sub-paragraphs a (iv), b (iv), c (iv), d (iv), e (iii), f (iii), g, h, l; Paragraph 2.

26 There are 13 such nationalities. Appendix 1, Act CLXXIX on the Rights of Nationalities (2011).

27 A similar system also exists in Serbia (see *Slovak (Serbia)*). Also see below on Hungary's legislation on NSGs.

28 Government of Hungary (2018), 7th state report under the ECRML (n. 24), p. 61.

29 *Ibid.*, p. 63.

30 *Ibid.*, p.29.

31 Ministry of Human Capacities Decree 17/2013 (III. 1.) EMMI, 'On issuing the guidelines of minority pre-school and school education', Section 8(3)(f) (available in Hungarian at http://njt.hu/cgi_bin/njt_doc.cgi?docid=159180.353179). However, this decree was repealed in February 2020, and a new one had still not been adopted at the time of writing.

32 Advisory Committee on the Framework Convention on the Protection of National Minorities (ACFC) (2016), *Fourth Opinion on Hungary*, Council of Europe, ACFC/OP/IV(2016)003, 12 September 2016, para 152.

As in other countries, parents tend to place an emphasis on the learning of wide-spread, high-status world languages such as English and German rather than lesser-used languages, and generally subjects in the curriculum seen to be conducive to upward mobility and financial security. Some outstanding challenges have been linked to the merging of schools, which tend to negatively affect minority language education,³³ and the overall advanced stage of linguistic assimilation of Slovaks in Hungary. At the same time, efforts have been made by the Slovak community to promote Slovak language and culture, in conjunction with the Hungarian authorities and the kin-state.³⁴ During the Committee of Experts on-the-spot visit of October 2015, Slovak speakers' representatives noted that, despite an earlier period of stagnation, ongoing developments were benefiting the Slovak minority, including with regard to financial support.³⁵ This resulted in high rates of enrolment in Slovak minority educational institutions, despite the fact that according to the 2011 census, only approximately 28% of Slovak-speakers consider Slovak their mother-tongue.³⁶

This trend was already recorded in the mid-2000s, when an increase of demand for education in Slovak was reported (as well as an increased demand for teachers able to teach specialised subjects).³⁷ Interest in Slovak-language or bilingual education has been linked to the development of Slovak-Hungarian economic relations, the establishment of Slovak NSGs, and the fact that some administrative organs also operate in Slovak. These developments have further contributed to incentives for adult education for employees of administrative bodies operating in Slovak, resulting in Slovak NSGs organising language courses to teach administrative terminology.³⁸ The use of Slovak in administrative body has further contributed to an environment that supports the language, by providing opportunities to use it.

Education Policy and Legislation in Hungary

Overall, in 2019 the Committee of Experts noted that in Hungary '[t]he protection and promotion of regional or minority languages enjoys a high level of political support.'³⁹ At the same time, it recommended 'long-term strategies and structured plans for the promotion of each regional or minority language', including: annual objectives for higher enrolment numbers in bilingual education; and mid-term and long-term objectives for increasing the number of speakers of each RML.⁴⁰

Five models of minority language education exist in Hungary, from pre-school to secondary education:⁴¹

- a) minority-medium education;
- b) bilingual education;
- c) education primarily in Hungarian, with the teaching of a minority language, culture and history as subjects;
- d) supplementary minority education;
- e) Roma minority education.

We focus here on the first two models (a and b). In the third case (c), schools have a 'nationality education component', which consists of the teaching of Slovak (or other minority) language and culture. The Council of Europe's Advisory Committee on the Framework Convention for the Protection

33 Committee of Experts (2016), 6th report on Hungary (n. 21), para. 633.

34 Ibid, para 619.

35 Ibid, para 622.

36 Ibid, para 621.

37 Mercator-Education, *Slovak: The Slovak Language in Education in Hungary* (Ljouwert/Leeuwarden, Mercator, 2005), p. 27, https://www.mercator-research.eu/fileadmin/mercator/documents/regional_dossiers/slovak_in_hungary.pdf

38 Ibid, p. 25.

39 Committee of Experts (2019), *Seventh Report of the Committee of Experts in respect of Hungary*, 7th Monitoring Cycle, Council of Europe, CM(2019)86, 21 May 2019, para 6.

40 Committee of Experts (2016), 6th report on Hungary (n. 21), para 6.

41 Outlined in the Act on the Rights of Nationalities and the Act on National Public Education.

National Minorities (ACFC) noted (in 2016) that the 'nationality education component' model had expanded in the preceding years, so that a quarter of Hungary's schools offered it. This is due to extra funding provided to these schools, as well as demand for additional opportunities to learn languages other than Hungarian, particularly with reference to **German**.⁴² In these cases, the target audience is not only persons belonging to linguistic minorities, but all students.

Supplementary minority education (d) takes place in separately organised compulsory classes on minority languages, culture and history. This model is applied when demand exists but the required threshold of pupils is not reached.⁴³ Roma minority education (e) consists primarily in the teaching of Roma culture and history in Hungarian (approximately 80% of Roma are Hungarian-speakers); at the same time, the teaching of Romani or Beash is to be provided in case of parental demand.

In minority-medium schools (a) instruction is in the minority language, with the exception of Hungarian language and literature. In bilingual schools (b), instruction takes place in the two languages, and 50% of the obligatory classes are to be taught in the minority language. The National Curriculum establishes 75% of the requirements in public education, while the rest is provided in line with local demand.⁴⁴

The 2011 Fundamental Law of Hungary (Constitution) states at Article XXIX that:

Nationalities living in Hungary shall be constituent parts of the State. Every Hungarian citizen belonging to any nationality shall have the right to freely express and preserve his or her identity. Nationalities living in Hungary shall have the right to use their native languages and to the individual and collective use of names in their own languages, to promote their own cultures, and *to be educated in their native languages*. [italics added]

Act CLXXIX on the Rights of Nationalities (2011) also stipulates at Section 12(1):

Persons belonging to a national minority have the right:

- a) to use freely their mother tongue orally and in writing, to learn, foster, enrich and pass on their history, culture and traditions;
- b) to learn their mother tongue, to attend public education [...] in their mother tongue;

The Act further states that minority language education in nurseries and in schools is established by the municipality if demand exists (if eight pupils belonging to the same minority request it – Section 22(5)). If the said number is not reached, supplementary minority education can be established by the local authorities at the initiative of NSGs, or directly established by NSG themselves.⁴⁵

The Act on the Rights of Nationalities, in conjunction with the Act CXC on National Public Education (2011, amended 2017) detail the framework for the various models of teaching in and through the medium of minority languages. The ACFC has referred to the educational opportunities created through the Act on National Public Education as 'a well-developed system of minority language education [...] permitting students belonging to national minorities to receive instruction in or of their languages.'⁴⁶ In particular, this Act enables municipal NSGs to establish, or take over from the state, the management

42 ACFC (2016), *Fourth Opinion on Hungary*, Council of Europe, ACFC/OP/IV(2016)003, 12 September 2016, para. 153.

43 See below, on Section 22(5) of the Act on the Rights of Nationalities.

44 Mercator, *The Slovak Language in Education in Hungary* (n. 37), p. 16.

45 Government of Hungary (2015), *Sixth periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter*, MIN-LANG (2015) PR 4, 10 March 2015, p. 37. Section 22(6) of the Act on the Rights of Nationalities states:

If the number of students is not sufficient for organising national minority kindergarten education or school education in a settlement, at the initiative of the national minority self-government concerned, the organ obliged to carry out such tasks shall create the conditions for supplementary national minority education. The national self-government of the given national minority may also organise such supplementary national minority education. [...]

46 ACFC (2016), *4th Opinion on Hungary* (n. 42), para 150.

of educational institutions (at both the school and pre-school level) for children belonging to national minorities.⁴⁷

A growing number of NSGs have done so,⁴⁸ in order to manage local schools autonomously, thus distancing themselves from the orbit of the Klebelsberg Institution Maintenance Centre (KLIK), which oversees schools and teachers across the country.⁴⁹ In practice, autonomy has been circumscribed by the fact that the buildings where schools are situated are owned by the municipality, while the state has determined budgets (KLIK) and curricula (Ministry of Education). At the same time, NSGs, in conjunction with school directors, have managed staff and activities within schools.⁵⁰ According to Hungary's 7th report under the ECRML, since 2017 the system has been modified so that educational institutes themselves have more autonomy, and education district centres have their own budgets and decision-making powers.⁵¹ Since 2018 each district has a consultative council, to which national NSGs have the right to delegate members.⁵²

When local authorities (rather than a NSG) manage an educational institution for a minority community, the authorities must obtain the consent of relevant local NSGs with regard to matters concerning nationality education;⁵³ moreover, the government has to obtain the consent of local, regional and national NSGs with reference to issues relating to ethnicity when compiling its public education development plan.⁵⁴

Secondary school examinations include two foreign languages, and languages of national minorities qualify as such;⁵⁵ this attracts students from both the majority and minorities to schools with a 'nationality education component'.⁵⁶

Funding

NSGs, along with the institutions they run, are supported through central subsidies from the state budget. In the fifth report, Committee of Experts indicated that the funding remained 'tight', reiterating the need, already highlighted in the previous cycle, to secure financial support to maintain mother tongue or bilingual schools managed by NSGs.⁵⁷ Since then, efforts were made to increase the amount of funding available to NSGs, including to manage their institutions. The funding for institutions was, according to Hungarian government, 611,500,000 forints (1,959,175 euro) in 2014, a figure that doubled in 2015. From this time onwards, funds were allocated per purpose and task, and in some cases on the basis of 'nationality tenders'.⁵⁸ Special attention was given, in the provision of funds, to Slovak educational institutions. In 2019, the Slovak NSG had more than 402m HUF for its school in Budapest, 217m in Tótkomlós, 348m in Békéscsaba, 479m in Szarvas, 172m in Sátoraljaújhely

47 Section 2(3), Act on National Public Education:

Public education institutions may be established and operated by the State, nationality self-governments and, within the framework of this Act, church legal persons registered in Hungary [...]

Section 74(7), Act on National Public Education:

The minority self-government may take over the right to operate institutions established to provide preschool and primary school education for children belonging to the minority from the state by concluding a public education agreement.

48 As the ACFC noted, 'Management of many of 'nationality kindergartens' and 'primary nationality schools' has been taken over by national minority self-governments since the legal possibility was created in 2004 and the process is ongoing.' ACFC, 4th Opinion on Hungary (n. 42), para. 151.

49 *Klebelsberg Intézményfenntartó Központ*.

50 ACFC (2016), 4th Opinion on Hungary (n. 42), para. 154.

51 Committee of Experts (2019), 7th report on Hungary (n. 39), para. 46.

52 Governmental Decree 134/2016 (10 June), 2/B(4)(b). The relevant amendment has been in force since November 2017.

53 Section 81(2), Act on the Rights of Nationalities; Section 5(9), Act on National Public Education.

54 Section 75(4), Act on National Public Education.

55 Section (6)(2)(d), Act on National Public Education.

56 ACFC (2016), 4th Opinion on Hungary (n. 42), para. 153.

57 Committee of Experts (2013), *Application of the Charter in Hungary: Report of the Committee of Experts on the Charter, 5th Monitoring Cycle*, Council of Europe, ECRML (2013) 6, 10 July 2013, paras. 194–195.

58 Committee of Experts (2016), 6th report on Hungary (n. 21), para. 57.

(totalling 1.619.951.929).⁵⁹As funding allocated to NSGs has, overall, increased, more schools have also been taken over by NSGs.⁶⁰

In 2016, the ACFC welcomed the funding allocated to NSGs.⁶¹ The Committee of Experts noted, also in 2016, that ‘considerable efforts were made with a view to promoting and enhancing the Slovak language education and commends the Hungarian authorities for their approach.’⁶²

Moreover, there have been attempts to introduce measures of a financial nature to incentivise minority language education: according to the (7th) state report under the ECRML, subsidies may be applied to teachers’ wages for classes of 8 or more pupils, rather than 12, as is normally the case.⁶³In 2017 teachers involved in minority education received 10% extra, in 2018 15%, and in 2019–20 between 10 and 40% extra.⁶⁴If the funds provided are not sufficient (in case of an even lower number of pupils), a further allowance may be applied through a public education contract. The state report refers to such contracts having been concluded with four national-level NSGs (the Serbian, Slovenian, Slovak and **Romanian**), and with one local NSG (in Mátraszentimre). As of 2017, such contracts were extended from a timeframe of 1 to 5 years.⁶⁵

Pre-school Education

Slovak institutions are among the ‘nationality kindergartens’ that operate in Hungary. Pre-school education may be Slovak-only, bilingual and with supplementary minority language classes. Bilingual institutions are the most common form of minority education; in bilingual settings, the extent to which each of the two languages is used depends on the children’s language skills.⁶⁶

Slovak-language education is provided in the towns of Szarvas, Békéscsaba and Budapest, and bilingual education in Tótkomlós.⁶⁷ According to data from the 2016/2017 academic year, in Hungary there were 9 Slovak-language pre-school with 236 students, and 34 bilingual institutions with 1,463 students.⁶⁸In 2016 the Committee of Experts noted an increase in the number children receiving pre-school education in Slovak from preceding years.⁶⁹ At the same time, the number of bilingual institutions, and the number of students attending them, had decreased (see below).

Pre-school education, academic year 2013/14⁷⁰

Slovak-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
6	189	39	1,832

59 The annual budget is available at http://www.slovaci.hu/images/szabalyzatok/koltsgv/2019_evi_koltegvetes_mellekletek.pdf

60 Committee of Experts (2016), 6th report on Hungary (n. 21), para 58.

61 Although it also noted delays in transferring funds to NSGs for the management of institutions run by them. ACFC (2016), 4th Opinion on Hungary (n. 42), paras. 67–70. The ACFC added that the financial framework for operating ‘nationality schools’ is sufficient as regards larger schools (teaching 150 or more children). Smaller schools often struggle with the amount of funding allocated by the Ministry of Human Capacities and are obliged to seek extra funding from the municipal authorities or private donors.’ ACFC(2016), para 151

62 Committee of Experts (2016), 6th report on Hungary (n. 21), para 623.

63 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 64. See also Committee of Experts (2016), 6th report on Hungary(n. 21), para. 58.

64 Annex 8, Act on National Public Education.

65 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 64.

66 Mercator, *The Slovak Language Education in Hungary* (n. 37), p. 14.

67 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 63.

68 Ibid, p. 105

69 Committee of Experts (2016), 6th report on Hungary(n. 21), para 629.

70 Government of Hungary (2015), 6th report under the ECRML (n. 45), p.56. Source: Ministry of Human Capacities.

Pre-school education (Slovak), academic year 2016/17⁷¹

Slovak-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
9	236	34	1,463

Pre-school education (Slovak), academic year 2018/19⁷²

Slovak-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
12	357	34	1,570

Pre-school programmes devised for the various municipal governments have to be approved by the Slovak NSG. As noted, in line with the Act on National Public Education, NSGs may also establish their own pre-school institutions.

With reference to pre-school education, the Committee of Experts considered ‘fulfilled’ the undertaking under Article 8.1.a.iv ECRML.⁷³

Primary Education

The demographic declines as well as a tendency towards assimilation mean that children starting school and belonging to the Slovak minority speak little or no Slovak.⁷⁴

The Slovak NSG took over the management of one multi-purpose institution in Budapest in 2014–2015. Other institutions managed by NSGs are in Szarvas, Békéscsaba, Mátraszentimre and Nézsa (Slovak-language), and in Sátorajújhely and Tótkomlós (bilingual).

As noted, the National Curriculum determines the obligatory part of the educational plan (75% of teaching time), while the remaining is devised at the local level to reflect local demand.⁷⁵ In bilingual schools, instruction takes place in both languages, with 50% of the obligatory classes taught in the minority language. A number of bilingual schools provide more than 50% of the total amount of teaching: for example, the table below shows the total number of teaching hours per week for grades 1 to 8 in the bilingual school of Szarvas, and those where instruction occurs through the medium of Slovak.

Szarvas bilingual school-teaching in Slovak⁷⁶

GRADES	1–2–3–4	5	6	7–8
Total number of teaching hours	27	30	30	33
Teaching hours in Slovak	17	16	16	18.5

71 Government of Hungary (2018), 7th report under the ECRML (n. 24), p.111, and Government of Hungary (2019), *Berzámoló a Magyarország területén élő nemzetiségek helyzetéről [Report on the situation of nationalities in Hungary]* (January 2017 – December 2018), B/8328 Budapest, November 2019, Annex 5, p. 192, at <https://www.parlament.hu/irom41/08328/08328.pdf>. State statistics also include data on supplementary minority education and teaching of minority languages and culture (albeit not in all cases). They are not included here given the publication’s focus on minority language-medium education.

72 Ibid (Government of Hungary – 2019), p. 198.

73 Committee of Experts (2016), 6th report on Hungary(n. 21), para. 630, and Committee of Experts (2019), 7th report on Hungary (n. 39), Chapter 2.12.1.

74 Mercator, *The Slovak Language Education in Hungary*(n. 37), p. 17.

75 Ibid, p. 16

76 See the school’s website (in Hungarian), <http://www.tkszllovakiskola.sulinet.hu/bemutakozas.htm>

Five hours a week in all years are devoted to Slovak language and literature, with the remaining of the hours covering a range of subjects, such as mathematics.⁷⁷

In the period 2012–2019, the number of pupils receiving Slovak-medium education decreased and increased again: in the academic year 2012/2013 there were 290 pupils in Slovak-medium primary education, which went down to 171 in 2013/2014 171, and 91 in 2016/2017.⁷⁸ The negative trend was exacerbated by the merging of schools.⁷⁹ The numbers went up again in 2018–2019, with two new institutions operating in Slovak.⁸⁰

Primary education, academic year 2016/17⁸¹

Slovak-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
1	91	4	809

Primary education, academic year 2018/19⁸²

Slovak-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
3	345	4	823

Secondary Education

There are three models of secondary schools: gymnasias and two types of largely vocational secondary schools (industrial/trade schools and vocational secondary schools).

As for pre-school and primary education, the legislation stipulates that the conditions for Slovak-medium instruction, and the teaching of Slovak language in regular schools, have to be provided upon parents’ request.

In the academic year 2014/2015, there was one Slovak-language secondary school with 41 students, and 1 bilingual institution with 52 students.⁸³ The number of students receiving education through the medium of Slovak and bilingually has remained constant in recent years, and slightly increased. Slovak-speakers have noted that more schools and students at secondary level would be auspicious in order to increase enrolment to tertiary education by Slovak-speakers.⁸⁴

Secondary education, academic year 2016/17⁸⁵

Slovak-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
1	44	1	56

77 Ibid

78 Committee of Experts (2016), 6th report on Hungary (n. 21), para 632.

79 Ibid, para 633.

80 Meanwhile, the number of pupils studying Slovak language and culture in Hungarian-medium schools decreased but remained (2,797 in 2016/2017 to 2,294 in 2018/2019). Government of Hungary (2018), 7th state report under the ECRML (n. 24), p. 112, and Government of Hungary (2019), Report on the situation of nationalities in Hungary (n. 71), p. 198.

81 Government of Hungary (2018), 7th state report under the ECRML (n. 24), p. 112.

82 Government of Hungary (2019), Report on the situation of nationalities in Hungary (n. 71), p. 198.

83 Government of Hungary (2018), 7th state report under the ECRML (n. 24), p. 106

84 Committee of Experts (2016), 6th report on Hungary (n. 21), para 637. The Committee of Experts has recommended further efforts to establish more bilingual and secondary schools, in order to promote continuity of Slovak-language education. Ibid, para 635.

85 Government of Hungary (2018), 7th state report under the ECRML (n. 24), p.112.

Secondary education, academic year 2018/19⁸⁶

Slovak-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
1	48	1	60

In bilingual gymnasias at least 50% of the teaching takes place in Slovak.⁸⁷ Bilingual schools teach sciences in Hungarian, and arts and the humanities in a minority language.⁸⁸ At the secondary school-leaving examination in Slovak-Hungarian bilingual education three subjects must be in Slovak: 'Slovak language and literature' plus two others.

Slovak (Serbia)

Strengths

- ▶ **Minority education in Serbia consists primarily in instruction through the medium of RMLs, including Slovak, reflecting the preferences of minority communities.**
- ▶ Continuity of Slovak-language education, which is provided at all levels
- ▶ Schools have significant autonomy in organising and implementing education programmes
- ▶ National councils (minority representative institutions) can establish or take over the management of schools.
- ▶ National Councils by law participate in decision-making in the field of education and culture.
- ▶ Attention is placed on the knowledge of the state language, with different methodologies applied to different categories of pupils.
- ▶ 'Native language', which can be either Serbian or a minority language, is major component in primary and secondary school examinations
- ▶ Special provisions made in Vojvodina as the most diverse region in the country (e.g. recognition of official languages at the regional level, their use outside schools – e.g. in the administration and the media)

Weaknesses

- ▶ In some cases/localities there have been limited efforts to implement legislation on minority language education
- ▶ The autonomy of NCs is circumscribed in some areas

Overview

Slovak-language and bilingual instruction is provided from pre-school to secondary education, thereby ensuring continuity. Slovak is also taught in Serbia as a university subject. All undertakings under the ECRLM were considered fulfilled for all levels of education by the Committee of Experts in the last (fourth, 2018) monitoring cycle.⁸⁹

The ECRML entered into force in Serbia in 2006 and the FCNM in 2001.

⁸⁶ Government of Hungary (2019), Report on the situation of nationalities in Hungary (n. 71), p. 199.

⁸⁷ Mercator, *The Slovak Language Education in Hungary* (n. 37), pp. 20–21.

⁸⁸ ACFC(2016), 4th Opinion on Hungary (n. 42), para 150.

⁸⁹ 8.1.a.iii, 8.1.b.iv, 8.1.c.iv, 8.1.div, 8.1.eii. See Committee of Experts (2018), 4th report on Serbia (n. 16), Chapter 2.13.1.

We focus here on education entirely through the medium of Slovak. Indeed, minority communities in Serbia have generally required monolingual minority education (alongside the study of Serbian), while Serbian legislation does not specify the percentage of instruction in the RML that should take place in bilingual schools.

Minority Language Legislation and Education Policy in Serbia

The Law on the Protection of the Rights and Freedoms of National Minorities⁹⁰ states at Article 11 that a minority language and its script have to be declared official in municipalities where persons belonging to the relevant national minority amount to over 15% of the population, on the basis of the latest census data. This declaration enables the use of the language in the administration and court proceedings, and in the operation of representative bodies. Moreover, persons belonging to a national minority whose share in the total population of the country is no less than 2% may communicate with the authorities at the national level (and receive responses) in the relevant minority language.⁹¹ Both the Cyrillic and Latin alphabets are employed in Serbia.

The Autonomous Province of Vojvodina, as the country's most ethnically diverse region, has created particularly auspicious foundations for multilingualism. The 2014 Statute of the Autonomous Province of Vojvodina provides at Article 6 for equal rights of its different ethnic groups, while Article 7 recognises multilingualism and multiculturalism as 'values of particular interest' in the region.⁹² Article 24 stipulates that, besides Serbian and the Cyrillic script, a number of languages and their scripts (Hungarian, Slovak, Croatian, Romanian and Ruthenian) are in official use in Vojvodina.

The main models for minority language education are:

- a) minority language-medium education
- b) bilingual education
- c) education in Serbian with the study of a minority language as a subject.⁹³

There is also an alternative model foreseeing instruction in a minority language from 1st to 4th grade in primary school, to later on join Serbian classes (and maintaining the study of the minority language for 5 hours a week).⁹⁴

The Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) has noted the 'broad offer' for the teaching in and of minority languages in schools in Serbia. At the same time, in some instances limited efforts were reported in the implementation of legislation on minority language education in some localities; at times this has resulted in

90 Official Gazette of the FRY No. 11/02, amended in Official Gazette of Serbia and Montenegro No. 1/03, and Official Gazette of the RS Nos. 72/09, 97/13 and 47/18.

91 Analogous provisions are also contained in Article 11 of the Law on the Official Use of Languages and Scripts. Official Gazette of the RS No. 45/91, amended in Nos. 53/93, 67/93, 48/94, 101/05 and 30/10.

92 It states:

Multilingualism, multiculturalism and freedom of confession shall represent values of particular interest to the AP of Vojvodina.

Within the scope of its competences, the AP Vojvodina shall promote and help to preserve and develop multilingualism and cultural heritage of national minorities – national communities living in its territory and undertake special measures and activities to support mutual learning about and respect of languages, cultures and confessions in the AP Vojvodina.

Statute of the Autonomous Province of Vojvodina. 'Official Gazette of AP Vojvodina' No. 20/14. <https://www.skupstinavojvodine.gov.rs/Strana.aspx?s=statut&j=EN>

93 In the school year 2019/20, 15 minority languages were taught using this model (through the subject 'mother tongue with elements of national culture'). Republic of Serbia (2020), *Fifth periodical report* presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, Council of Europe, MIN-LANG (2020) PR 2,6 February 2020, para 102.

94 Brohy, Claudine, *Analysis of the Existing Models of Minority Language Education in Serbia and Other States, with Recommendations for Amending Existing Models of Minority Language Education*, May 2019, p. 34; for example, in the case of the Slovak minority (see also below, Primary Education).

parents transferring their children to state language-medium schools.⁹⁵ Despite this, overall minority language education was considered by the Committee of Experts to be an educational model that ‘works very well and leads to good results’ in Serbia.⁹⁶

Full education for national minorities is provided in eight languages including Slovak (the other languages are Albanian, Bosnian, **Bulgarian**, Croatian, **Hungarian**, **Romanian** and **Ruthenian**). The percentage of pupils enrolled in minority language-medium education is just over 5%.⁹⁷ In 2018, out of 1240 public schools in Serbia, 1,114 schools were monolingual, of which the majority operated in Serbian (1077), while others employed as languages of instruction Albanian (12), Bosnian (8), **Hungarian** (8), **Romanian** (4), Slovak (4) and **Ruthenian** (1).⁹⁸ Minority schools are situated in regions with the largest proportion of minority inhabitants, which makes minority language-medium instruction a viable option. To graduate from primary and secondary schools students have to take examinations that may encompass RMLs (see below).

The model of minority language-medium education has been judged to yield good results in Serbia. It is described by linguist Claudine Brohy as follows:

[I]t assures learning academic content in the minority language, the safeguard and the development of the language of the minority and its private and public use, while developing at the same time the competencies in Serbian needed for full participation in Serbian society. Students integrated in this minority education model learn with the same curriculum as the majority students who learn in Serbian.⁹⁹

Bilingual education is available in pre-school, primary and secondary education in **German** in conjunction with **Hungarian** or Serbian.¹⁰⁰ In these cases, 30% to 45% of the curriculum is taught in German. There are also legal provisions for the establishment of bilingual education for RLMs.¹⁰¹ In general, however, the model is seldom implemented in practice as not all national minorities support it. Bilingual education has been requested by the German minority¹⁰² and also supported by the **Bulgarian** minority. Among the minorities that have opposed the bilingual model,¹⁰³ believing it tends to lead to assimilation, and instead requested full instruction in the minority language, are Slovaks, Hungarians and Bosniaks.¹⁰⁴ Bilingual education is also offered in foreign languages (English, French and Italian).

While the overall responsibility for developing and supervising education policies lies with the Ministry of Education, Science and Technological Development (hereinafter – Ministry of Education), schools have significant autonomy in organising and implementing their education programmes.¹⁰⁵ These institutions are both state and private, the former mostly funded from the state budget.

95 ACFC (2013), *Third Opinion on Serbia*, adopted on 28 November 2013, Council of Europe, ACFC/OP/III(2013)006, 23 June 2014, paras.42, 153–154.

96 Committee of Experts (2018), 4th report on Serbia (n. 16), para 7. Languages employed as media of instruction are Slovak, Albanian, Bosnian, **Bulgarian**, Croatian, **Hungarian**, **Romanian**, **Ruthenian**. Ibid (Committee of Experts (2018)).

97 Vicsek, Annamária, ‘Minority Education in the Republic of Serbia – A Success Story with Challenges’, *Hungarian Journal of Minority Studies*, Vol II, 2018, pp. 85–100.

98 Ibid, p. 90

99 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 14.

100 Republic of Serbia (2020), 5th state report under the ECRML (n. 93), paras.259–262.

101 For example, the Law on Preschool Education states at Article 5 that, for members of national minorities, instruction can be provided in the relevant language or bilingually if at least 50% of parents request it (see also below, Education Legislation).

102 This is reflected in Recommendation CM/RecChL(2019)2 of the Committee of Ministers to member States on the application of the European Charter for Regional or Minority Languages by Serbia, adopted on 4 April 2019. It states that the Committee of Ministers recommends that Serbia, *inter alia*, ‘extend the existing teaching and study in/of German.’

103 Minority communities’ principal concerns are the quality of bilingual education (given the lack of trained bilingual teachers and adequate bilingual textbooks), and the absence of clarity as to the modality of implementation of bilingual teaching programmes. Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p.35. Recommendations on RML bilingual education include that this model should: ‘be negotiated with and approved by the National Councils’; ‘assure that about 50% of the teaching time is devoted to the minority language’; and be ‘regulated by a structured policy’. Ibid (Brohy), pp. 41–42.

104 Ibid, p. 15.

105 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, ‘Serbia Overview’, https://eacea.ec.europa.eu/national-policies/eurydice/content/serbia_en

As in Hungary, Serbia has a system of National Councils (NCs). They were introduced through the Law on National Councils of National Minorities (hereinafter 'NC Law'),¹⁰⁶ adopted in 2009.¹⁰⁷ A number of the NC Law's provisions were later contested in the Constitutional Court,¹⁰⁸ resulting in amendments that reduced the scope of its provisions. Moreover, practical difficulties in implementation have stemmed from some contradictions between the NC Law and other Serbian legislation (some later rectified).¹⁰⁹ Despite this, the NC Law provides relatively broad competences in the management of minority languages and cultures by representatives of minorities.

An important aspect of minority education in Serbia is the emphasis placed on the teaching of Serbian as the state language. Three separate models exist specifically for the teaching of Serbian:

- a) Serbian for Serbian students attending Serbian-language schools;
- b) Serbian for minority students receiving an education in their native language; and
- c) Serbian as a foreign language (mostly developed for migrants and refugees).¹¹⁰

Moreover, with reference to (b), methodologies and curricula have been developed taking into account a minority's mother language in conjunction with the ethnic composition of the municipality where a school is located.¹¹¹ The curricula incorporate two main teaching programmes for Serbian as a second language:

- 1) for students whose native language belongs to the Slavic language family (and thereby has an affinity to Serbian), and for students who have regular exposure to Serbian in their area of residence (locations where the majority of inhabitants are Serbs/Serbian-speakers); and
- 2) for students whose native language belongs to a different language family (e.g. Hungarian or Albanian) or who live in areas where there are no or few opportunities to acquire Serbian through everyday practice.

These differentiated curricula began in Vojvodina in 2006. In 2014 the OSCE supported programmes to improve the study of Serbian as a non-mother tongue in the municipalities of Preševo/Preshevë, Bujanovac/Bujanoc and Medveđa/Medvegja. It led to the preparation of the 'Standards of Learning Outcomes for Serbian as Non-Mother Tongue', to be employed in other parts of Serbia, with the involvement of the Ministry of Education, in both primary and secondary education. The OSCE has also supported training of teachers of Serbian as a non-mother tongue.¹¹²

Education legislation

The 2002 Law on the Protection of the Rights and Freedoms of National Minorities¹¹³ stipulates at Article 13 that persons belonging to national minorities have the right to instruction in their own language in preschool, primary and secondary school education.

The 2010 Law on Preschool Education¹¹⁴ states at Article 5 that education is in Serbian, but, for members of a national minority, instruction is provided in their language or bilingually if at least 50% of parents request it.¹¹⁵

106 Official Gazette of the RS No. 72/09, amended through Nos. 20/14, 55/14 and 47/18. Legislation following amendments (in Serbian) at https://www.paragraf.rs/propisi/zakon_o_nacionalnim_savetima_nacionalnih_manjina.html

107 Minority National Councils were established already in 2002 under Article 19 of a Yugoslav Law on the Protection of Rights and Freedoms of National Minorities. However, it was only in 2009 that a Serbian Law of the same name clearly determined their competences, funding mechanisms and election procedures.

108 See ACFC (2013), 3rd Opinion on Serbia (n. 95), para 190; Katinka Beretka (2014), 'Fragile Autonomy Arrangements in the Republic of Serbia: The Territorial Autonomy of Vojvodina and the National Minority Councils', in L. Salat et al, eds., *Autonomy Arrangements around the World: A Collection of Well and Lesser Known Cases* (Cluj: Romanian Institute for Research on National Minorities), pp. 247–273.

109 ACFC (2013), 3rd Opinion on Serbia (n. 95), para 15.

110 Vicsek, 'Minority Education in the Republic of Serbia' (n. 97), p. 97.

111 Ibid, pp. 97–98.

112 Ibid, p. 98.

113 See note 90.

114 Official Gazette of the RS, Nos. 18/10 and 101/17.

115 Official Gazette of the RS No. 18/10, amended through Nos 101/17, 113/17, 95/18 and 10/19). Relevant regulations are also included in the Bylaw on Bilingual Education.

In 2013, new laws on primary and secondary education were adopted. The Law on Primary Education¹¹⁶ states at Article 12 that the curriculum may be taught in the language and script of a national minority or bilingually, if at least 15 students request it when enrolling in the first grade (Art. 12(2)). When less than 15 students do so, minority language or bilingual instruction can still be introduced through approval of the Ministry of Education (Art. 12(4)), based on an opinion obtained from the relevant NC following consultation. Finally, Serbian-language classes are provided to pupils in minority language-medium education, as well as classes in a minority language and culture for representatives of the relevant minorities enrolled in Serbian-language institutions (Art. 12(4) and (5)).

According to the same law, the objectives of primary education include: '[...] respect for and promotion of the Serbian language and one's own mother tongue, the tradition and culture of the Serbian people, of national minorities and of ethnic communities and other nations, development of multiculturalism [...]' (Art. 21(14)), and 'development and respect of racial, national, cultural, linguistic, religious, gender and age equality and tolerance' (Art. 21(15)).

The Law on Secondary Education¹¹⁷ replicates, at Article 5, the same provisions in the Law on Primary Education concerning the use of languages (with the requirement of a 15 students' threshold for the introduction of minority language or bilingual education). This threshold has been considered by the Council of Europe monitoring bodies excessively rigid. The Committee of Experts stated that 'this threshold is too high for the purposes of the Charter because speakers of a number of minority languages in Serbia are unlikely to attain it.'¹¹⁸ The Serbian authorities noted that the threshold is flexibly applied, given that exemptions exist;¹¹⁹ indeed, as noted, minority language classes may also be set up with fewer requests with the approval of the Ministry of Education, although in 2018 the procedure was not yet generally applied.¹²⁰

NC Law

Serbian legislation provides far-reaching rights for National Councils (NCs).¹²¹ According to the aforementioned NC Law,¹²² national minorities may establish NCs in order to realise their 'rights to self-government in culture, education, information and official use of language and script' (Art. 2(1)). 'Self-government' is understood as a form of partial autonomy in managing linguistic and cultural matters.

One NC is elected for each minority for the country as a whole. NCs in Serbia represent the communities whose languages are protected under the ECRML, including Slovak.¹²³ Pursuant to the NC Law,

116 Official Gazette No.55/13, amended through Nos. 101/17, 10/19 and 27/18. Moreover, in 2017, a new Law on the Education System Foundations was adopted, which regulates the adoption of the National Education Framework as the basis for the development of new curricula. See also European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, 'National Reforms in School Education', https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-58_en

117 Official Gazette of the RS No.55/13, amended in Nos. 101/17, 27/18 and 6/20.

118 Committee of Experts (2018), 4th report on Serbia (n. 16), para 10. Similarly, for pre-school institutions, the Committee of Experts stated that 'a 50% threshold is too high and not in conformity with the Charter.' Ibid, para. 11. Along the same lines, the ACFC has recommended 'that a more flexible approach be favoured as to the number of pupils required to open a minority language class.' ACFC (2013), 3rd Opinion on Serbia (n. 95), para 169.

119 Republic of Serbia (2017), *Fourth periodical report* presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, MIN-LANG (2017) PR 6, 15 November 2017, para 64.

120 In response to this, the Committee of Experts stated that opportunities ought to be better publicised: it argued that 'the Serbian authorities should introduce a standard procedure for informing parents and/or pupils of the possibility to set up minority language classes with less than 15 pupils and carry out parallel awareness-raising about the advantages of and opportunities for minority language education.' Committee of Experts (2018), 4th report on Serbia (n. 16), para 10.

121 A National Council is defined in Article 1(a) as 'an organisation entrusted by law with certain public powers to participate in decision-making or to decide independently on certain issues in the field of culture, education, information and official use of language and script in order to exercise the collective rights of national minorities in self-government in these areas.'

122 See note 106.

123 The others are Albanian, Bosnian, Bulgarian, Bunjevac, Croatian, Czech, German, Hungarian, Macedonian, Romani, Romanian, Ruthenian, Ukrainian and Vlach. There are also NCs representing the Ashkali, Egyptian, Greek, Jewish, Montenegrin, Polish, Russian and Slovenian minorities. Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), pp. 13–14.

NCs 'participate in decision-making process or decide on issues' in the fields of education and culture (Art. 2(2)). According to the ACFC, NCs are 'given overall responsibility for the education of persons belonging to national minorities in their mother tongue'¹²⁴ and play 'an overwhelmingly dominant role' in the realisation of minority rights in Serbia.¹²⁵

The NC Law further states that NCs may establish educational institutions (Art. 11).¹²⁶ In the case of pre-school, primary or secondary institutions established by state organs, and when teaching takes place in the language of a national minority, NCs participate in the institutions' management, by being consulted on members of school management boards (Art. 12) and compiling recommendations to the relevant authorities on teaching programmes (for content relating to a national minority) (Art. 13). NCs can further propose textbooks and teaching aids for official approval (Art. 14), and enjoy a range of general consultation rights (Art. 15), such as: declaring educational institutions 'of special importance';¹²⁷ proposing candidates for the electoral list of members of national education councils; and giving opinions on the procedure for the adoption of relevant legislation. Moreover, the activities of NCs have included: promoting awareness on the importance of minority language education;¹²⁸ and pre-approving textbooks translated from Serbian into the relevant minority language – by checking the quality of the translation – as well as textbooks authored in Serbia itself.¹²⁹

Of the funding provided to NCs by the state, 30% is divided equally among the registered NCs, while 70% is allocated on the basis of the number of members represented by the NC, the number of institutions established by the NC and the scope of their activities.¹³⁰

Pre-school education

Preschool education is available in Slovak in Serbia. According to the third state report under the ECRML (2015), Slovak-language instruction was available in 12 pre-school institutions in 10 local self-government units (Alibunar, Bač, Bačka Palanka, Bači Petrovac, Beočin, Zrenjanin, Kovačica, Novi Sad, Odžaci and Stara Pazova). As noted, pre-school education is carried out in a minority language when at least 50% of parents request it. Bilingual (Serbian-Slovak) pre-school education was available in four pre-school institutions in four local self-government units (Bačka Palanka, Belo Blato – municipality Zrenjanin, Odžaci and Pančevo).¹³¹

Primary Education

According to the state report submitted to the Committee of Experts in 2015, complete education in Slovak is offered in 18 primary schools¹³² in 12 local self-government units: Alibunar, Bač, Bačka Palanka, Bački Petrovac, Beočin, Zrenjanin, Inđija, Kovačica, Novi Sad, Odžavi, Stara Pazova and Šid.¹³³ Slovak-medium education is offered in areas traditionally inhabited by persons belonging to the Slovak minority.¹³⁴

124 ACFC (2013), 3rd Opinion on Serbia (n. 95), para 170.

125 Ibid, para 196.

126 This may be done independently or in co-operation with the Republic, an autonomous province, a local self-government unit or another legal entity in accordance with the law.

127 An education institution 'of special importance' for a national minority is one 'in which the constitutionally guaranteed right of persons belonging to national minorities to education and upbringing in their own language is traditionally or substantially exercised.' (Art. 11(a))

128 Republic of Serbia (2017), 4th state report under the ECRML (n. 119), para. 65.

129 Ibid, para. 17. Each textbook for speakers of minority languages has also to be approved by the Ministry of Education (or, in the case of Vojvodina, the regional authorities).

130 Article 115, NC Law.

131 Republic of Serbia (2015), *Third periodical report* presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter, MIN-LANG (2015) PR 1, 2 February 2015, para 191.

132 The Slovak NC, however, referred to 11 primary schools in 2018/19. Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 34.

133 Republic of Serbia (2015), 3th state report under the ECRML (n. 131), para 207.

134 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 34.

An alternative model provides for pupils to study in the mother tongue (Slovak) in primary schools (1st to 4th grade). Teaching takes in Slovak place in small classes, with 4–6 students, where students of different grades attend the same class. Subsequently the pupils join Serbian classes and have instruction in Serbian, with 5 lessons per week of Slovak during a ‘language class’ (while Serbian pupils study Serbian).¹³⁵ This model is mostly for small communities whose number are declining, and are effectively transitioning to the use of Serbian.

In 2018 there were also 12 bilingual schools (Serbian and Slovak), and two trilingual institutions (Serbian, Slovak and **Hungarian**).¹³⁶ The Slovak minority has generally been opposed to bilingual education, subscribing to the view that it ultimately leads to assimilation.¹³⁷ At the same time, bilingual education in practice exists in schools that lack teachers who may provide instruction in Slovak for particular subjects.¹³⁸

Primary education lasts 8 years, and is divided into two cycles: 1st to 4th grade; and 5th to 8th grade. Pupils complete primary education when they pass the final exam at the end of the 8th grade. The final exam involves three tests: native language (Serbian or minority language), mathematics and a combined test (natural and social sciences).¹³⁹ Native language is also an integral part of the final secondary school examination (see below). The importance given to RMLs in final examinations can constitute an incentive to acquire fluency.

Moreover, curricula for the subjects ‘World around Us’(1st and 2nd grades), ‘Nature and Society’(3rd and 4th grade), ‘History and Geography’(grades 5 to 8) and ‘Music and Arts’(all grades) have an additional 30%content catering for the specificities of national minorities.¹⁴⁰

The tables below (for 2018) show, *inter alia*, the hours devoted to multilingual education in minority language (as well as regular) schools, for the first and second cycles of primary school.

National curriculum for Cycle 1 of Primary Education

#		1th grade		2th grade		3th grade		4th grade	
		hrs/week	hrs/year	hrs/week	hrs/year	hrs/week	hrs/year	hrs/week	hrs/year
A. COMPULSORY SUBJECTS									
1	Serbian language 1 / Minority language	5	180	5	180	5	180	5	180
2	Serbian language 2 ¹	2	72	2	72	3	108	3	108
3	Foreign language	2	72	2	72	2	72	2	72
4	Mathematics	5	180	5	180	5	180	5	180
5	World around us	2	72	2	72	–	–	–	–
6	Nature and society	–	–	–	–	2	72	2	72
7	Fine arts	1	36	2	72	2	72	2	72
8	Music education	1	36	1	36	1	36	1	36
9	Physical education	3	108	3	108	3	108	3	108
10	Health education**	1	36	1	36	–	–	–	–
	TOTAL: A	18-20*	648-720	19-21*	684-756	20-23*	720-828*	20-23*	720-828*

135 Ibid.

136 Vicsek. ‘Minority Education in the Republic of Serbia’ (n. 97), p. 90.

137 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 15.

138 Ibid, p. 35

139 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, ‘Assessment in Primary Education’, https://eacea.ec.europa.eu/national-policies/eurydice/content/assessment-primary-education-40_en

140 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 14.

B. ELECTIVE and OPTIONAL SUBJECTS ²									
1	Religion / Civic education ³	1	36	1	36	1	36	1	36
2	National tradition	1	36	1	36	1	36	1	36
3	Hands in dough – discovering the world	1	36	1	36	1	36	1	36
4	Nature keepers	1	36	1	36	1	36	1	36
5	Creative writing	1	36	1	36	1	36	1	36
6	From toys to computers	1	36	1	36	1	36	1	36
7	Native language / Language with national culture elements	2	72	2	72	2	72	2	72
8	Chess	1	36	1	36	1	36	1	36
	TOTAL: B	2-3*	72-108*	2-3*	72-108*	2-3*	72-108*	2-3*	72-108*
	TOTAL: A+B	21-24*	756-864*	22-25*	792-900*	23-26*	828-936*	23-26*	828-936*

1 For schools where teaching language is minority language.

2 Pupils choose 2 subjects / minority pupils choose 3 subjects.

3 Compulsory – pupils have to choose 3 subjects.

* Number of school hours for national minority pupils.

** Class teacher realizes the proposed topics in the field of health education according to the age group and educational level of pupils and integrated thematic planning through the compulsory and optional subjects.

Sources: Bylaw on the curriculum for the first, second, third and fourth grade of primary education (Official Gazette, no. 12/2018) and Bylaw on the curriculum for the first and the second grade of the primary education (Official Gazette, no. 12/2018)¹⁴¹

The national curriculum is composed of compulsory subjects (the majority) and some optional classes. The total number of hours is greater for pupils in minority language schools: for the 1st cycle of primary education they amount to an extra 3 hours a week. In minority schools, the minority language is studied for 5 hours a week in the 1st cycle of primary school, and the Serbian language for 2 hours a week, as compulsory subjects. The 2 hours raise to 3 hours a week in the 2nd cycle of primary school (except for 8th grade, when it goes back to 2). In regular schools Serbian is studied for 5 hours a week, and 'native language' or 'language with national culture elements' can be studied for 2 hours a week as an optional subject.¹⁴²

National curriculum for Cycle 2 of Primary Education

#		5th grade		6th grade		7th grade		8th grade	
		hrs/week	hrs/year	hrs/week	hrs/year	hrs/week	hrs/year	hrs/week	hrs/year
A. COMPULSORY SUBJECTS									
1	Serbian language 1/ Minority language	5	180	4	144	4	144	4	136
2	Serbian language 2 ¹	3	108	3	108	3	108	2	68
3	Foreign language	2	72	2	72	2	72	2	68
4	Fine arts	2	72	1	36	1	36	1	34
5	Music education	2	72	1	36	1	36	1	34
6	History	1	36	2	72	2	72	2	68
7	Geography	1	36	2	72	2	72	2	68
8	Physics	–		2	72	2	72	2	68

141 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, 'Teaching and Learning in Primary Education', https://eacea.ec.europa.eu/national-policies/eurydice/content/teaching-and-learning-primary-education-40_en

142 As well as in the first year of the 2nd cycle, after which it is discontinued.

9	Mathematics	4	144	4	144	4	144	4	136
10	Biology	2	72	2	72	2	72	2	68
11	Chemistry	–	–	–	–	2	72	2	68
12	Technics & technology	2	72	–	–	–	–	–	–
13	IT education	1	36	–	–	–	–	–	–
13	Technical and IT education	–	–	2	72	2	72	2	68
14	Physical and health education	2	72+54 ²	–	–	–	–	–	–
14	Physical education	–	–	2	72	2	72	2	68
	TOTAL: A	24-27*	918-1026*	24-27*	864*-972*	26-29*	936-1044*&	26-28*	884-952*
B. ELECTIVE SUBJECTS									
1	Religion / Civic education ³	1	36	1	36	1	36	1	34
2	Foreign language ⁴	2	72	2	72	2	72	2	68
3	Native language / Language with national culture elements ⁵	2	72	–	–	–	–	–	–
3	Physical education – selected sport ⁶	–	–	1	36	1	36	1	34
	TOTAL: B	3-5	108-180	4	144	4	144	4	136
	TOTAL: A+B	27-30*	1026-1134*	28-31*	1008-1116*	30-33*	1080-1188*	30-32*	1020-1088*
C. OPTIONAL SUBJECTS⁷									
1	Nature keepers	–	–	1	36	–	–	–	–
2	Everyday life in the past	–	–	1	36	1	36	1	34
3	Drawing, painting and sculpting	–	–	1	36	1	36	1	34
4	Choir and orchestra	–	–	1	36	1	36	1	34
5	ICT	–	–	1	36	1	36	1	34
6	Native language / Language with national culture elements	–	–	2	72	2	72	2	68
7	Chess	–	–	1	36	1	36	1	34
8	Crafts	–	–	–	–	1	36	1	34
9	Optional curricular activities ⁸	1	136	–	–	–	–	–	–
	TOTAL: C	1*	36*	1-2*	36-72*	1-2*	36-72*	1-2*	34-68*
	TOTAL: A+B+C	28-31*	1062-1152*	29-32*	1044-1152*	31-34*	1116-1224*	31-33*	1054-1122*

- 1 For schools where teaching language is minority language.
- 2 Compulsory physical activities carried out within the subject of Physical and Health Education.
- 3 Pupils have to choose one of this two subjects.
- 4 Pupils have to choose one of foreign languages offered by school.
- 5 Pupils belonging to a national minority who is attended classes in Serbian language may choose this program, but not in the obligation.
- 6 Pupils choose a sport branch from the list offered by the school at the beginning of the school year.
- 7 School is obliged to offer at least 4 optional subjects from the following lists pupils have to choose one of them.
- 8 Pupils have to select one activity from the list of the three optional curricular activities offered by the school.
- * Number of school hours for national minority pupils.

Sources: Bylaw on the curriculum for the second cycle of primary education (Official Gazette, no. 15/2018) and Bylaw on the curriculum for the fifth and the sixth grade of primary education (Official Gazette, no. 15/2018)¹⁴³

The curricula are identical for the majority of subjects for all pupils, regardless of the language of instruction. One difference is literature in minority language, in that pupils study both works of minority language authors and works Serbian authors (the latter translated into the minority language).¹⁴⁴

Secondary education

Secondary education is divided between general secondary schools (gymnasia), and 'vocational' secondary schools. The former (lasting 4 years) offer general education and prepare students for higher education. Vocational secondary schools provide specialised training, mostly preparing students to enter the labour market.

The third report by Serbia under the ECRLM (2015) refers to complete education in Slovak in two gymnasia in two local self-government units, Bački Petrovac and Kovačica.¹⁴⁵ 2019 data refer to complete education in 3 secondary schools, in areas traditionally inhabited by persons belonging to the Slovakian national minority,¹⁴⁶

For gymnasia, the number of hours per subject was as follows in 2018.¹⁴⁷

National curricular for Secondary Education, Gymnasium, General Direction

#		1th grade		2th grade		3th grade		4th grade	
		hrs/week	hrs/year	hrs/week	hrs/year	hrs/week	hrs/year	hrs/week	hrs/year
COMPULSORY SUBJECTS									
1	Serbian language and literature / Minority language and literature	4	148	4	140	4	144	4	128
2	Serbian as a second language ¹	2	/	2	/	2	/	2	/
3	Foreign language 1	2	74	2	70	4	144	3	96
4	Foreign language 2	2	74	2	70	2	72	2	64
5	Latin	2	74	2	70	/	/	/	/
6	Constitution and civic rights	/	/	/	/	/	/	1	32
7	Sociology	/	/	/	/	/	/	2	64
8	Psychology	/	/	2	70	/	/	/	/
9	Philosophy	/	/	/	/	2	72	3	96
10	History	2	70	2	74	2	72	2	64
11	Geography	2	74	2	70	2	72	/	/
12	Biology	2	74	2	70	2	72	2	64

¹⁴³ European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, https://eacea.ec.europa.eu/national-policies/eurydice/file/serbia52-cycle-ii_en

¹⁴⁴ Vicsek, 'Minority Education in the Republic of Serbia' (n. 97), p. 91. In addition, the course 'native language / language of national culture elements' is an elective course that may be chosen by pupils belonging to a national minority attending schools with Serbian as medium of instruction. These courses are designed specifically for minority communities. Ibid (Vicsek).

¹⁴⁵ Republic of Serbia (2015), 3th state report under the ECRML (n. 131), para. 221.

¹⁴⁶ Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 34.

¹⁴⁷ European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, 'Teaching and Learning in General Upper Secondary Education', https://eacea.ec.europa.eu/national-policies/eurydice/content/teaching-and-learning-general-upper-secondary-education-51_en

13	Mathematics	4	148	4	140	4	144	4	128
14	Physics	2	74	2	70	3	108	2	64
15	Chemistry	2	74	2	70	2	72	2	64
16	ICT ²	2	74	/	60	1	66	1	62
17	Fine arts	1	37	1	35	/	/	/	/
18	Music education	1	37	1	35	/	/	/	/
19	Physical education	2	74	2	70	2	72	2	64
	TOTAL:	30	1110	30	1110	32	1110	32	990

- 1 For schools/classes where where teaching language is minority language.
- 2 ICT classes in 2nd, 3rd and 4th grade are held in blocks, e.g. once a month a whole school day is dedicated to ICT classes.

As shown in the table above, Serbian language and literature are studied for 4 hours a week for the 4 grades in regular schools, while in minority schools minority language and literature are studied for 4 hours a week, and Serbian as a second language for 2 hours a week.

The secondary school examination (*Maturski ispit*) at the end of the 4th year consists of a general part (test and essay) and an individual part (a paper on a subject of the student's choice). The general part is on two subjects – one (for all students) is Serbian or minority language, and the second can be either mathematics or a foreign language.¹⁴⁸ Thus, as for primary education, knowledge of RMLs is a component of the final examination.

Vocational Training

Students may enrol in vocational secondary schools following the completion of primary education.

In the fourth monitoring cycle, vocational education was considered to have improved since the previous cycle, in which it had been assessed partly fulfilled.¹⁴⁹ Thus, in the report for the fourth cycle, the Committee of Experts stated that 'Technical and vocational education in Slovakian is available in several schools, fulfilling Art. 8(1)d.iv'.¹⁵⁰ Below are the number of students and classes for Slovak-language education in the Secondary Technical School in Novi Sad.¹⁵¹

Slovak-language vocational education

School Year	Number of Local Self-Government Units	Number of Schools	Number of Classes	Number of Pupils
2013/14	1	1	2	55
2014/15	1	1	4	97
2015/16	1	1	4	115

Tertiary

Lectures are conducted in Slovak in the Faculty of Philosophy in Novi Sad, Department of Slovakian Studies, Study Group for Slovak Language and Literature. Undertaking 8.1.eii (on tertiary education) was considered fulfilled by the Committee of Experts in the fourth monitoring cycle.¹⁵²

¹⁴⁸ Ibid.

¹⁴⁹ Committee of Experts (2016), *Application of the Charter in Serbia*, 3rd monitoring cycle, adopted on 4 November 2015, Council of Europe, ECRML (2016) 1, 27 April 2016, para 637.

¹⁵⁰ Committee of Experts (2018), 4th report on Serbia (n. 16), para.61.

¹⁵¹ Republic of Serbia (2017), 4th state report under the ECRML (n. 119), para. 490.

¹⁵² Committee of Experts (2018), 4th report on Serbia (n. 16), Chapter 2.13.1.

HUNGARIAN

Hungarian (Slovakia)

Strengths

- ▶ **Hungarian-language education consists primarily in instruction through the medium of Hungarian**
- ▶ Hungarian-language education is provided at all levels.
- ▶ An advisory, expert body (in the sense of Art.8 ECRML) exists, where persons belonging to minorities, including Hungarian representatives, participate in the monitoring of the quality of minority language education.
- ▶ Pupils have the opportunity to practice Hungarian outside the school, resulting in good prospects for inter-generational transmission.
- ▶ Measures were introduced in recent years to reduce the impact upon minorities of the closure of schools due to demographic decline (e.g. increase in funding to minority language schools and the exemption of minority language-medium primary school classes from the normal rules concerning the minimum numbers of pupils).
- ▶ Cross-border cooperation between Slovakia and Hungary exists on the basis of an inter-governmental agreement involving activities in the area of minority education for the respective communities.
- ▶ Schools with a minority language of instruction can choose between two framework curriculum plans, with some flexibility on the number of hours devoted to the study minority language and literature.

Weaknesses

- ▶ There is a tendency for small minority language schools to close due to demographic decline.

Overview

The Hungarian minority is the largest in Slovakia, amounting to 8.37% of the overall population in 2016.¹⁵³

A developed system of Hungarian-language education exists in Slovakia, encompassing all levels of education. Reportedly many Slovak Hungarian families speak Hungarian at home.¹⁵⁴ Thus, the family and school environment, by supplementing each other, offer prospects for inter-generational transmission of Hungarian. Moreover, Slovak law provides for the right to use minority languages in municipalities where persons belonging to national minorities with permanent residency reside compactly.¹⁵⁵

Slovakia ratified the FCNM in 1998 and the ECRML in 2001. Under the ECRML, Slovakia selected a high number of languages and undertakings, several of which far-reaching.¹⁵⁶ The Committee of Experts,

153 Government of Slovakia (2018), *Fifth periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter*, MIN-LANG (2018) PR 5, 28 August 2018, p.23. It was 8.5% of the population according to the last (2011) census. A new census is due to take place in Slovakia in 2021.

154 Rixt van Dongera, Cor van der Meer, RichtSterk (2017), *Research for CULT Committee -Minority Languages and Education: Best Practices and Pitfalls*, European Parliament, Policy Department for Structural and Cohesion Policies, Brussels, [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/585915/IPOL_STU\(2017\)585915_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/585915/IPOL_STU(2017)585915_EN.pdf)

155 Act No. 184/1999 Coll. on the Use of Languages of National Minorities, as amended. The percentage foreseen by the (amended) law is 15% of the local population (according to two successive censuses). At the same time, the provision was still not operational at the time of the fifth monitoring cycle, in 2019, when the threshold commonly applied remained 20%. Committee of Experts (2019), *Fifth report of the Committee of Experts in respect of the Slovak Republic*, 5th monitoring cycle, CM(2019)126, 2 September 2019, para 16.

156 Ibid, para 4.

in its 2019 report, noted that '[t]he current monitoring cycle has seen several positive steps taken by the authorities in favour of the minority languages in the country. Nevertheless, the ambitious ratification [instrument] is still to be fully reflected in the everyday practice and in the actual use of minority languages.'¹⁵⁷ An Action Plan for Protecting the Rights of Persons belonging to National Minorities and Ethnic Groups for 2016–2020 was approved by the Slovak government in October 2016. Among its aims is the promotion of the use of minority languages in practice.¹⁵⁸

With reference to Hungarian, Slovakia committed to make available both primary and secondary education through the medium of this language under the ECRML (8.1.b.i and 1.c.i).¹⁵⁹ These undertakings were found to be met in the case of education in Hungarian.¹⁶⁰

At the same time, some challenges persist. The number of Hungarian schools has decreased, which has particularly affected secondary-level education.¹⁶¹ Indeed, Slovakia has been undergoing a process of 'school rationalisation', which implies the closure of small schools to reduce costs in the education sector. Minority communities tend to be disproportionately affected by 'school rationalisation':¹⁶² the closure of schools require pupils to travel to a more distant Hungarian-language school or enrol in a Slovak-language school.¹⁶³ Hungarian-medium schools are often small: Hungarian classes have tended to be smaller than those in Slovak-language schools, as Hungarian communities often reside in small settlements.¹⁶⁴ The trend of 'school rationalisation' is exacerbated by the Hungarian minority's demographic situation, which has seen an overall decline. The Committee of Experts has therefore noted that 'minority languages are particularly at risk' and '[s]pecial measures need to be put in place to ensure that these languages are not disproportionately affected' by school rationalisation.¹⁶⁵

The Committee of Experts has welcomed, in its fifth report (2019), measures to partially offset the impact of the decreasing numbers of schools, namely: the exemption of minority language-medium primary school classes from the rules concerning the minimum number of pupils;¹⁶⁶ and the increase in funding, as of January 2018, to schools teaching in languages other than Slovak or teaching a minority language as a compulsory subject.¹⁶⁷

Education Policy and Legislation in Slovakia

The main laws governing education in minority languages in Slovakia are:

- ▶ Act No. 245/2008 'On education and training and on the change and supplement to some acts as amended by subsequent provisions' (2008);
- ▶ Act No. 596/2003 'On state administration in education and school self-government and on change and supplements of some acts as amended by subsequent provisions' (2003);
- ▶ Decree No. 231/2009 of the Ministry of Education, Science, Research and Sport of the Slovak Republic 'On details and organisation of school year on primary schools, secondary schools,

157 Ibid, para 6.

158 Ibid.

159 The full undertaking for Hungarian under Article 8 are: paragraph 1 a i; b i; c i; d i; e i; f i; g; h; i

160 To a lesser extent for other languages. Committee of Experts (2016), *Application of the Charter in the Slovak Republic: Report of the Committee of Experts on the Charter, 4th Monitoring Cycle*, Council of Europe, ECRML (2016), 27 April 2016, paras, 77, 83; Committee of Experts (2019), 5th report on Slovakia (n. 156), para 21.

161 Ibid (Committee of Experts – 2019), para 54.

162 Reportedly, of the 441 schools in question, 81 are Hungarian-language schools. Committee of Experts (2016), 4th report on Slovakia (n. 161), para. 81

163 Ibid.

164 van Dongera et al, *Research for CULT Committee -Minority Languages and Education* (n. 155), pp. 71–74.

165 Committee of Experts (2016), 4th report on Slovakia (n. 161), para. 82. See also Committee of Experts(2019), 5th report on Slovakia (n. 156), para 54.

166 Provided for in Act No 216/2016, supplementing the Schools Act.

167 Committee of Experts (2019), 5th report on Slovakia (n. 156), para 21. Despite this, some representatives of RML speakers still expressed concerns about financial constraints often experienced in minority schools (ibid).

basic schools of arts, practical schools, vocational secondary schools and language schools as amended by subsequent provision' (2009).¹⁶⁸

Hungarian representatives – together with persons belonging to German, Romanian, Ruthenian and Ukrainian national minorities – participate in the monitoring of the quality of minority language education through the Council of National Minority Education, which has been operating alongside the Minister of Education since 2013.¹⁶⁹ The Council is an advisory, expert body in the sense of Article 7(4) and 8 of the ECRLM, which can issue opinions and recommendations.¹⁷⁰

Cross-border cooperation is based on the *Agreement between the Government of the Slovak Republic and the Government of Hungary on Cross-Border Cooperation between Territorial Units or Authorities*, signed on 23 April 2001. Among other things, cooperation involves activities in the area of minority education (minority language and culture), school twinning, and partnerships between territorial units with Slovak or Hungarian minority populations.¹⁷¹

Pre-school

Both Hungarian-language and bilingual pre-school education institutions operate in Slovakia (nurseries with children aged 3–6).¹⁷² The undertaking to make available pre-school education in Hungarian was considered fulfilled by the Committee of Experts in its 2019 report.¹⁷³ In the year 2019–20, according to data from the Ministry of Education, there were 262 nurseries using Hungarian as language of instructions, and 73 Slovak-Hungarian nurseries. In the same year there were 519 classes running in Hungarian, teaching 8,859 children. There were also 13 church-run Hungarian-language nurseries.¹⁷⁴

Primary education

Primary schools have a first (grades 1–4) and second stage (grades 5–9) (primary education and lower secondary education respectively). The undertaking for primary school education was considered fulfilled by the Committee of Experts in 2019.¹⁷⁵

On 15 September 2017, the network of schools comprised 223 primary schools with Hungarian as language of instruction and 28 primary schools operating in both Slovak and Hungarian.¹⁷⁶ Schools that employ both Hungarian and Slovak are often referred to as 'bilingual' schools, but teaching itself is not in two languages: rather, in these institutions Hungarian and Slovak streams operate separately, with pupils being taught all classes in one or the other language (with the exception of Hungarian or Slovak language and literature). These two-language schools are set up in regions in which two separate Hungarian and Slovak-medium schools would not be economically viable, so they operate jointly in order to contain costs.¹⁷⁷ Thus, the primary form of minority language education for the Hungarian community is monolingual. When pupils study in Hungarian, examinations are also in Hungarian (except for the subject Slovak language and literature).

Framework curricula contain 'education areas' (categories) and a list of compulsory and optional subjects, with the minimum number of teaching hours. Optional subjects may be added to schools'

168 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Slovakia. 'National Reforms in School Education', https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-63_en

169 Committee of Experts (2019), 5th report on Slovakia (n. 156), para 25.

170 Statute of the Council of the Minister of Education, Science, Research and Sport of the Slovak Republic for National Education; Committee of Experts (2019), 5th report on Slovakia (n. 156), para 25.

171 Government of Slovakia (2018), 5th state report under the ECRML (n. 154), p. 71.

172 Attendance of these institutions is non-compulsory.

173 Committee of Experts (2019), 5th report on Slovakia (n. 156), Chapter 2.5.1.

174 Data from the Ministry of Education, Science, Research and Sport of the Slovak Republic / Slovak Centre of Scientific and Technical Information / Statistical Yearbook / Daycares/nurseries: https://www.cvtisr.sk/cvti-sr-vedecka-kniznica/informacie-o-skolstve/statistiky/statisticka-rocenka-publikacia/statisticka-rocenka-materske-skoly.html?page_id=9602

175 Committee of Experts (2019), 5th report on Slovakia (n. 156), Chapter 2.5.1.

176 Government of Slovakia (2018), 5th state report under the ECRML (n. 154), p. 42.

177 These schools follow the regular curricula, for either Hungarian-language or Slovak-language schools.

teaching plans in line with the pupils' interests and school resources. Regular schools have between 20 and 25 compulsory teaching hours a week in primary school, and 1–3 optional lessons (2 in the first year, 3 in the second, 2 in the third and 1 in the fourth). Optional lessons increase to 3–5 hours in secondary lower secondary school. Optional subjects may include the subject 'national minority language and literature'. This is part of 'language and communication' 'education area', together with 'Slovak language and literature' and 'English language' (the latter two are compulsory, while minority language and literature is non-compulsory). 'Education areas' include a number of cross-sectional themes, such as 'multicultural education' and 'regional education, traditional folk culture'.¹⁷⁸

In 2015 the Ministry of Education approved new state education programmes for the first and second stage of primary school, for minority language-medium schools.¹⁷⁹ The new programmes were first implemented in September 2015. The classes on Hungarian language were set at 5 hours a week in Hungarian schools, which was considered (by representatives of speakers) insufficient.¹⁸⁰ The 5th state report clarified that, as of 1 September 2016, schools with a minority language as language of instruction could choose between two framework curriculum plans for the academic year 2016/2017 – the one of 1 September 2015, and a second one valid from 1 September 2016 (approved on 25 August 2016), a supplement to the *Upgraded National Programme of Education and Training* (uNPET). The 2016 framework curriculum plan increased the number of lessons on minority language from 5 to 8 (and for minority language and literature combined from 21 to 24 in primary education).¹⁸¹ According to the state report, this dual model allows schools to add to their school education programme other subjects beyond the compulsory curriculum plan, although schools have to raise their own funds for the additional subjects.¹⁸²

Secondary education

Secondary education is divided into lower secondary school (for pupils aged 11 to 15) and higher secondary school (15–18). Schooling is compulsory until the age of 16. The founders of upper secondary schools are the eight self-governing regions of Slovakia. When decisions are made concerning the registration or removal of institutions from the secondary school network, the region's population, cultural and ethnic characteristics as well as local need must be taken into account.¹⁸³

According to the last state report under the ECRLM, in 2017 there were 7 secondary 'bilingual' and 18 Hungarian-language gymnasiums (schools preparing students for higher education)¹⁸⁴ with a total of 3,428 students.¹⁸⁵ 'Bilingual' is to be understood in the sense described above – Slovak-medium and Hungarian-medium schools joined for administrative reasons, but effectively operating separately.

In terms of other secondary schools (non-gymnasium), in 2018 there were 29 bilingual and 11 Hungarian-language schools (with 6160 students).¹⁸⁶

178 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Slovakia. 'Curriculum, Subjects, Number of Hours'. https://eacea.ec.europa.eu/national-policies/eurydice/content/teaching-and-learning-single-structure-education-30_en

179 Ministry of Education, Science, Research and Sport of the Slovak Republic, 'State Education Programme for Primary School – First Stage' (at <https://www.statpedu.sk/sk/svp/inovovany-statny-vzdelavaci-program/inovovany-svp-1.stupen-zs/>) and 'State Education Programme for Primary School – Second Stage' (at <https://www.statpedu.sk/sk/svp/inovovany-statny-vzdelavaci-program/inovovany-svp-2.stupen-zs/>), 6 February 2015.

180 Committee of Experts (2016), 4th report on Slovakia (n. 161), para 80.

181 Government of Slovakia (2018), 5th report under the ECRML (n. 154), pp. 42–43.

182 Ibid, p. 43.

183 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Slovakia, 'Upper Secondary Education', https://eacea.ec.europa.eu/national-policies/eurydice/content/organisation-upper-secondary-education-11_en

184 Approximately 35% of pupils in Slovakia study at gymnasiums.

185 Government of Slovakia (2018), 5th report under the ECRML (n. 154), p. 43. According to information by Hungarian-speakers, reported in the Committee of Experts' report under the 5th monitoring cycle, two secondary Hungarian-language schools were closed in the 2018–19, reducing their numbers from 18 to 16. Committee of Experts (2019), 5th report on Slovakia, para 54.

186 Government Slovakia (2018), 5th report under the ECRML (n. 154), p. 43. The number of students were slightly higher the previous year (6,537) (ibid).

Hungarian (Romania)

Strengths

- ▶ A range of opportunities exist to undertake tertiary education programmes **fully in Hungarian**, both at the undergraduate and postgraduate levels.
- ▶ Babeş-Bolyai University places a special emphasis on multiculturalism, multilingualism and intercultural dialogue, through its study programmes and internal policies representing the interests of the communities that make up its staff and student population.

Tertiary

The main Romania-based institution offering tertiary education in Hungarian in a range of disciplines is Babeş-Bolyai University (UBB) in Cluj-Napoca/Kolozsvár/Klausenburg. The university has both undergraduate and master courses in Hungarian.¹⁸⁷ Students can also choose to study in Romanian and **German**, as well as English and other languages, with study programmes implemented fully in the chosen language.

Established in the 16th century and the oldest university in Romania, UBB has a history of multi-ethnicity of staff and student population, and teaching according to a multilingual education programme. The lines of study in Romanian, Hungarian and **German** 'have their own representation and autonomy of decision at any level (department, college, university)': the university's multicultural character is reflected in the ethnic background of post-holders in management and academic positions.¹⁸⁸ The university's mission states emphasis that 'multiculturalism' and 'intercultural dialogue' are among the cultural components it seeks to promote.¹⁸⁹

In 2019–2020, of 243 undergraduate programmes, 148 were in Romanian, 70 in Hungarian, 10 in **German**, 14 in English and 1 in French.¹⁹⁰ Of 228 master's programmes, 143 were in Romanian, 40 in Hungarian, 36 in English, 5 in **German**, 3 in French and 1 in Italian.¹⁹¹

Tertiary university in Hungarian is also provided by the following institutions:

- ▶ the University of Medicine, Pharmacy, Science and Technology in Târgu Mureş/Marosvásárhely/Neumarkt, which also offers a Master's Degree in Hungarian (10 places)
- ▶ the Arts University in Târgu Mureş/Marosvásárhely/Neumarkt
- ▶ the Protestant Theology Institute in Cluj-Napoca/Kolozsvár/Klausenburg
- ▶ *Sapientia* University in Cluj-Napoca/Kolozsvár/Klausenburg (private)

187 Government of Romania (2016), *Second periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter*, MIN-LANG (2016) PR 2, 2 March 2016, pp. 165–166.

188 See the university's website (in April 2020), which states:

[T]he university's structure is organized according to the three major lines of study (English, Hungarian, **German**). Within each faculty of the existing 21 from the Babeş-Bolyai University [...] a deputy dean belongs to, as applicable, the **German** or Hungarian minority, being responsible and having the obligation of coordinating the activities of those study lines. When it comes to the rectorship, the Hungarian and **German** lines are being represented by one deputy dean and a general deputy secretary and in the Senate by one of its vice presidents.

The groups, belonging to the lines of study, that have attributions in the preparation and implementation of the decisions which concern those lines are being set up within the Senate. Their activity is regulated by rules on the organization and functioning of each line of study and one of their main tasks is preparing and submitting to the Senate decisions related to their groups. The groups for the Romanian, Hungarian and **German** lines of study are led by vice presidents from the Senate, elected through a secret vote by senators belonging to those lines of study. These, together with the president of the Senate, represent in the Senate the three lines of study at the University.

UBB, Mission, at <https://www.ubbcluj.ro/en/despre/prezentare/misiune>

189 Ibid.

190 UBB, List of specialisations for the undergraduate programme, https://www.ubbcluj.ro/en/programe_academice/licenta/

191 BBU, Master's level educational offer 2019–2020, at https://www.ubbcluj.ro/en/programe_academice/masterat/

- ▶ *Partium* University in Oradea/Nagyvárad/Großwardein.¹⁹² (private)

In the 2nd monitoring report, the Committee of Experts considered fulfilled the undertaking of making available university and other higher education in Hungarian (Article 8.1.e.i).¹⁹³

192 Government of Romania (2016), 2nd state report under the ECRML (n. 168), p. 166.

193 Committee of Experts (2019), *Second Report of the Committee of Experts in respect of Hungary, 2nd Monitoring Cycle*, CM(2018)4, 21 December 2017, Chapter 2.8.1

BULGARIAN

Bulgarian (Serbia)

Strengths

- ▶ **Minority education in Serbia consists primarily in instruction through the medium of RLMS, including Bulgarian, reflecting the preferences of minority communities.**
- ▶ Continuity of Bulgarian-language or bilingual education, which is provided from pre-school to secondary level.
- ▶ Schools have significant autonomy in organising and implementing education programmes.
- ▶ National councils (minority representative institutions) can establish or take over the management of schools.
- ▶ National Councils by law participate in decision-making in the field of education and culture.
- ▶ Attention is placed on the knowledge of the state language, with different methodologies applied to different categories of pupils.
- ▶ 'Native language', which can be either Serbian or a minority language, is major component in primary and secondary school examinations

Weaknesses

- ▶ The declining number of students, linked to demographic conditions, is a challenge to Bulgarian minority education.
- ▶ The autonomy of NCs is circumscribed in some areas.

Overview

According to the 2011 census, there were 18,543 Bulgarians (and 13,337 Bulgarian-speakers) in Serbia out of a population of nearly 7.2 million people.¹⁹⁴ Between 2005 and 2015 the population shrank with a negative population growth rate of 5.3%, resulting in demographic decline which has also reduced the number of speakers of Bulgarian.¹⁹⁵

Low birth rate and emigration was considered by the Bulgarian community among the main obstacles to Bulgarian education, resulting in a low number of pupils attending Bulgarian-language or bilingual schools.¹⁹⁶ Most Bulgarian-speakers are concentrated in the municipalities of Bosilegrad (49.48%) and Dimitrograd¹⁹⁷ – in the South East of the country and near the border with Bulgaria. Only 4.5% of Bulgarian-speakers reside in Vojvodina, which has more far-reaching provisions and practices to promote minority languages compared to the rest of the country.¹⁹⁸

Serbia has a system of national councils (NCs), introduced through the Law on National Councils of National Minorities,¹⁹⁹ adopted in 2009 ('NC Law').²⁰⁰ The NC Law provides relatively broad compe-

194 Republic of Serbia (2015), 3th state report under the ECRML (n. 131), para 12.

195 Republic of Serbia (2017), 4th report under the ECRML (n. 119), paras. 11–12.

196 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p.21.

197 Republic of Serbia (2015), 3th state report under the ECRML (n. 131), para. 17

198 The Third ACFC Opinion (2013) referred to discrepancies in the implementation of minority rights between the Autonomous Province of Vojvodina and other regions of the country. This was considered to create a 'two-speed' system that effectively placed at a disadvantage minorities residing in substantial numbers in other parts of the country, as is the case for the Bulgarian minority. ACFC (2013), 3rd Opinion on Serbia (n. 108), para 14.

199 Official Gazette of the RS No. 72/09, amended through Nos. 20/14, 55/14 and 47/18. Legislation following amendments (in Serbian) at https://www.paragraf.rs/propisi/zakon_o_nacionalnim_savetima_nacionalnih_manjina.html

200 Minority National Councils were established already in 2002 under Article 19 of a Yugoslav Law on the Protection of Rights and Freedoms of National Minorities. However, it was only in 2009 that a Serbian Law of the same name clearly determined their competences, funding mechanisms and election procedures.

tences in the management of minority languages and cultures by representatives of national minorities. In particular, NCs may establish schools and participate in decision-making on education programmes.²⁰¹

Different models exist for the teaching of Serbian as the state language to students enrolled in minority language schools – taking into account the differentiated needs of pupils and the conditions of the areas in which they live.²⁰²

The ECRML entered into force in Serbia in 2006 and the FCNM in 2001.

For an overview of Serbian legislation and policies in education see 'Minority Language Legislation and Education Policy in Serbia', in Slovak (Serbia).

Pre-school

There is no pre-school education fully in Bulgarian. Between the year 2010 and 2013 (the last for which disaggregated data was supplied under the ECRLM monitoring procedure),²⁰³ bilingual pre-school education (Serbian and Bulgarian) was provided in three pre-school institutions in three local self-government units (Babušnica, Bosilegrad and Dimitrovgrad).²⁰⁴ There was a total of 20 groups for the 3 institutions.²⁰⁵

The relevant ECRML undertaking²⁰⁶ was considered fulfilled by Committee of Experts in the last report (2018).²⁰⁷

Primary Education

Complete education in Bulgarian is provided at primary level in the town of Bosilegrad.²⁰⁸ The primary schools of Bosilegrad, Klisura and Bozica have both classes with instruction in Bulgarian and mixed Serbian/Bulgarian classes.²⁰⁹ Moreover, the subject 'Bulgarian Language with Elements of the National Culture' is offered, in five primary Serbian-medium schools, according to the third state report under the ECRLM (2015).²¹⁰

Unlike other minority communities (see *Slovak (Serbia)* and *Romanian (Serbia)*), the Bulgarian minority has not been opposed to bilingual education. The Bulgarian National Council in 2019 was the only National Council to have formulated demands for bilingual education.²¹¹

In primary schools the majority of subjects in the curriculum are compulsory, to which some optional classes are added. The total number of teaching hours is greater for pupils in minority schools: for the 1st cycle of primary education, or grades 1–4, they amount to an extra 3 hours a week. In minority schools, the minority language is studied for 5 hours a week in the 1st cycle of primary school, and Serbian language for 2 hours a week (both as compulsory subjects). The 2 hours of Serbian classes increase to 3 hours a week in the 2nd cycle (grades 5–8) of primary school (except for 8th grade, when it is 2 hours a week) (see table, and more details on curricula, under 'Primary Education', *Slovak (Serbia)*).

Pupils complete primary education when they pass the final exam at the end of the 8th grade. The final exam involves three tests: native language (Serbian or minority language), mathematics and a

201 See 'Minority Language Legislation and Education Policy in Serbia', in *Slovak (Serbia)*.

202 Ibid.

203 The Forth state periodical report does not provide disaggregated data.

204 Republic of Serbia (2015), 3th state report under the ECRML(n. 131), para. 182.

205 Ibid.

206 8.1.a.iii

207 Committee of Experts (2018), 4th report on Serbia (n. 16), Chapter 2.1.3.

208 Republic of Serbia (2015), 3th state report under the ECRML(n. 131), paras. 197–198.

209 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia*(n. 94), p.21

210 Republic of Serbia (2015), 3th state report under the ECRML (n. 131), paras. 197–198.

211 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), pp. 15–16.

combined test (natural and social sciences).²¹² Native language is also an integral part of the final secondary school examination.

The relevant ECRML undertaking for primary school education²¹³ was considered fulfilled by the Committee of Experts.²¹⁴

Secondary Education

Education using Bulgarian as language of instruction is provided in a secondary school in Dimitrovgrad.²¹⁵ The subject 'Bulgarian Language with Elements of the National Culture' was offered in two secondary schools, in two local self-government units: Bosilegrad and Dimitrovgrad.²¹⁶

In minority secondary schools, minority language and literature are taught for 4 hours a week for the four grades of secondary education, and Serbian as a second language for 2 hours a week. In regular secondary schools, Serbian language and literature is taught for four hours a week. As for primary school, the numbers of hours of education a week are greater in minority schools compared to regular schools.

For more details on curricula, see 'Secondary Education', *Slovak (Serbia)*.

The relevant ECRML²¹⁷ undertaking was considered fulfilled by the Committee of Experts.²¹⁸

Tertiary

The undertaking to 'provide facilities for the study of Bulgarian as a university and higher education subject' (8.1.e.ii) was considered fulfilled.²¹⁹ The University of Belgrade has a Study Group for Bulgarian Language, Literature and Culture, where Bulgarian can be studied.²²⁰

212 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, 'Assessment in Primary Education' (n. 139).

213 8.1.b.iv

214 Committee of Experts (2018), 4th report on Serbia (n. 16), Chapter 2.1.3.

215 Republic of Serbia (2015), 3th state report under the ECRML (n. 131), para 214.

216 Ibid, para. 215.

217 8.1.c.iv.

218 Committee of Experts (2018), 4th report on Serbia (n. 16), Chapter 2.1.3.

219 Ibid.

220 Republic of Serbia (2015), 3th state report under the ECRML (n. 131), para 240. See also Republic of Serbia (2017), 4th state report under the ECRML (n. 119), para. 46.

POLISH

Polish (Latvia)

Strengths

- ▶ Schools determine the subjects which shall be taught in Latvian (the state language) , in a minority language or bilingually; in Grades 1–6, the proportion of hours allocated for Latvian should be no less than 50% of the total teaching load per academic year, including foreign languages, and subjects to be taught in the minority language and bilingually.²²¹
- ▶ A variety of bilingual education models facilitates a more pupil-centred approach to planning a unique path that schools may develop to achieve educational standards for pupils with different linguistics competencies, and to meet expectations of parents and members of minority communities.
- ▶ A longer period (10 years) is provided for piloting and gradual transition to a second language immersion, which is essential for the adjustment of programmes and building necessary capacity of schools and teachers.
- ▶ Provision by the state of continuous support to schools and teachers during the period of transition, such as access to a second language learning by teachers, development of teacher guides and instructional materials, and professional development.
- ▶ Regular centralized diagnostics and assessment in a mother tongue, a second language and in non-linguistic subjects taught in the second language; this allows monitoring the effectiveness of models by schools and by the Ministry of Education.

Weaknesses

- ▶ Transition to a model that requires instruction mostly in the second (state) language in upper-secondary education (from 1 September 2020) may impede development of academic competencies in a mother tongue which may affect abilities of learners to pursue higher education in this language.

Overview

While acknowledging the fact that the Polish language is a less-spoken language in Latvia compared to Russian, the case on Polish schools is included here to illustrate another approach to education provision in minority languages than the one described in the Section *Polish (Lithuania)*. The model of bilingual education described here is relevant to all other minority languages represented in the education system in Latvia.

Latvia has a long tradition of ethnic minority education²²² and one of the most elaborated system (among post-Soviet countries) of bilingual education including legislation, a specialised agency and support

221 This requirement will be in place from 1 September 2020; it is also required that in Grades 7–9 instruction in Latvian should not be less than 80% of the total number of teaching hours per academic year, including foreign languages, and subjects to be taught in the minority language and bilingually, Cabinets of Ministers, Nr. 147, 27 November 2018, Regulations on the state basic education standard and basic education programmes examples (Noteikumi par valsts pamatizglītības standartu un pamatizglītības programmu paraugiem) Latvijas Vēstnesis, 249 para 7.2, at <https://likumi.lv/ta/id/303768>

222 The first law on education institutions of independent Latvia in 1919 ensured autonomy of education for **German, Russian, Jewish, Polish** and **Belarusian** schools. Now, the state continues to develop and finance its ethnic minority (bilingual) education model providing publicly-funded education in five ethnic minority languages: Estonian, Polish, Ukrainian, **Belarusian, Russian**. In the 2016/2017 school year, among 763 general education day schools, 161 provided the teaching content bilingually (the national minority education programmes), of which 94 schools in **Russian**, four schools in **Polish**, one school in Ukrainian, one school in **Belarusian**. A further 57 schools offered both Latvian and the national

provided to ethnic minority schools i.e. examples of programmes, teaching and learning materials for different subjects, subject specific guidelines and access to teacher professional development. In the school year 2014/2015, 71% of all pupils were enrolled in education programmes with Latvian as language of instruction and 29% were enrolled in minority education programmes; and the number remains rather stable, i.e. 26% in 2017, considering the negative demographic trend. In this regard, the Advisory Committee on the Framework Convention for the Protection of National Minorities (Third Opinion on Latvia, 23 February 2018) 'note[d] with satisfaction the continued efforts of the authorities to provide persons belonging to national minorities with opportunities for minority language instruction'²²³.

The case of Polish schools is included in this study for several reasons:

- 1) Polish schools are relatively new (most were established or reorganised after 1991), however they have been of good quality and two of four schools have acquired the status of the State Gymnasium which is awarded by the Ministry of Education and Science on the basis of several quality criteria such as achievements in centralised exams and the role a school plays at the regional level as a methodological and teaching professional development centre²²⁴;
- 2) these schools are provided with a variety of educational programmes (see Table 1) to accommodate diverse populations of pupils and students, including inclusive education. This makes these schools attractive not only to ethnic Poles in the capital (Riga) and the region of Latgale but also to Latvians, Russians, Belarusians and other ethnic minorities; it also ensures sustainability for the learning of the Polish language from pre-school to the end of basic (11 years) or non-compulsory secondary education (14 years);
- 3) pupils' achievement in the Polish language are systematically monitored (Grade 3, 6 and 9) according to the minority language standards; at the end of Grade 12 students may take an exam in the Polish language as their first language, which is recognised by the Polish authorities.

In accordance with Section 41 of the Education Law (1998)²²⁵ – and until its amendment in 2018 (see below) – schools teaching in a bilingual format could choose between one of five models providing for different proportions of teaching of subjects: in Latvian, in the language of the minority and bilingually. The school has the option to develop its own model (Model 5). These models were designed to address the situation in schools (as of 1995) in terms of characteristics of pupils' population such as language abilities (knowledge of the Latvian language and a minority language) and parents' language preferences (see Table 2).

In addition to a variety of bilingual education models, the approach to transition to a minority (bilingual) education system has been gradual and included several phases. After 1998, when five models were introduced, their selection and implementation was in progress until 2002. In primary schools two subjects had to be taught using Latvian as a language of instruction by the year of 2006. In 2007, all schools that had chosen to implement minority education programmes had implemented them throughout their primary education, from grade 1 through to grade 9. In non-compulsory secondary schools, the transition to minority education programmes began in the 1995/1996 academic year, when 3 subjects had to be taught in the national language. Starting from the academic year 2004/2005, state and municipal minority education institutions provide education in proportion – 60% of the curriculum is taught in Latvian or bilingually and 40% is taught in the minority language. In 2007, minority education institutions received 12th grade state examination materials in Latvian, but students could choose whether to take the exam in Latvian or minority languages.

minority education programmes ("dual stream schools"). Children acquiring education bilingually numbered 60 248 in the 2016/2017 school year (constituting 28.03% of the total number of students).

223 ACFC (2018), *Third Opinion on Latvia*, adopted 23 February 2018, Council of Europe, ACFC/OP/III(2018)001REV, para. 147.

224 In the beginning of 2019, there were 28 State Gymnasias in Latvia, attended by 10 % of all pupils enrolled into general upper secondary education programmes. Ministry of Education and Science, News (17 January 2019), at <https://www.izm.gov.lv/lv/aktualitates/3319-marupes-vidusskolai-plano-pieskirt-valsts-gimnazijas-statusu>

225 Education Law (Izglītības likums), Latvijas Vēstnesis, 343/344, 17 November 1998, at <https://likumi.lv/ta/id/50759>

Allocation of hours for instruction in basic minority education programmes

Bilingual education models	Gr. 1	Gr.2.	Gr.3	Gr.4	Gr.5	Gr.6	Gr.7	Gr.8	Gr.9
Number of hours per week	22	23	24	26	28	30	32	34	34
Model 1	5*	5	5	5	2	2	2	2	2
Model 2	1	1	1	1	2	2	2	6	6
Model 3**	8	7	6	5	7	8	10	13	6
Model 4***	10	13	13	1	2	2	2	2	2
Latvian language as a subject (hours)	4	4	4	4	4	4	5	5	5
Minority language	5–6			4			3		

Notes:

* number of hours for learning subjects in the minority language (mother tongue);

** in Grades 1–8 mathematics is taught in the mother tongue;

*** in Grades 4–6, 50% of subjects are taught in Latvian or bilingually

In March 2018, the Parliament approved amendments to the Education Law and the General Education Law 226 introducing new bilingual education models²²⁷. It is anticipated that starting from the 2022/2023 academic year all general education subjects in non-compulsory upper-secondary programmes (grades 10–12) will be taught only in the Latvian language (excluding foreign languages); at the same time, children belonging to national minorities will continue learning their language, literature and subjects related to culture and history in the respective minority language²²⁸.

In accordance with bilateral agreements, support to minority schools is provided by Belarus, Estonia, Israel, Lithuania, Poland and Ukraine, assisting with teaching aids, the organization of student summer camps, and the participation of guest teachers and renovation of school buildings. For example, the funding for the renovation and refurbishment of the Józef Piłsudski State Polish Gymnasium (grades 1 to 12) was shared in equal proportions by the Latvian authorities and a Polish Foundation “Wspólnota Polska”. The financial support provided by the Republic of Poland to Polish schools in Latvia covers different projects, activities of scout units, meals and accommodation in a boarding school i.e. of Rezekne State Polish Gymnasium²²⁹.

Furthermore, the state funding for schools teaching bilingually in Latvian and Polish, **Belarusian**, Estonian, Hebrew, Lithuanian or Ukrainian has, since September 2017, been increased, by 30%. This followed a decision of the Minister of Education, taking into account the higher costs of acquiring teaching and learning materials and of the training of qualified teachers incurred by schools with small numbers of students learning lesser spoken languages²³⁰.

Pre-school education

Pre-school education in Latvia is a part of general (basic) education. Typically, this education is provided to children from 1.5 to 6 years old. Starting from 2002, preschool education is compulsory for five and six-year-old children. It is a duty of every local government to ensure the possibility to acquire

226 General Education Law (Vispārējās izglītības likums), Latvijas Vēstnesis, 213/215, 30 June 1999, at <https://likumi.lv/ta/id/20243>

227 The new models foresee reduction of instruction in minority languages starting from the grade 7, which is currently under discussion.

228 The Advisory Committee expressed concerns regarding the amendments as they target reduction of hours for learning in minority languages, although they welcomed the positive trends that the average results of centralized exams for students who had studied in national minority programmes have been improving in mathematics, history and biology. ACFC (2018), 3rd Opinion on Latvia (n. 224), paras. 151–152.

229 Based on information provided in the self-assessment reports of the Polish schools that is publically available on the schools' websites.

230 ACFC (2018), 3rd Opinion on Latvia (n. 224), para. 153.

pre-school education for children residing in the territory of the municipality. The founders of pre-school education institutions are local governments (for public pre-schools) or physical or legal entities (for private pre-schools). Decision-making on the foundation, reorganisation and closing of the institutions should be co-coordinated with the municipality's board of education and the Ministry of Education and Science²³¹.

In public pre-school institutions the language of instruction is Latvian, **Russian**, Polish or another minority language. In the institutions where the language of instruction is other than Latvian, a part of education content is learned in Latvian; therefore, the programme is implemented bilingually. In 2014, the Ministry of Education established a working group composed of teachers from public and private pre-school education institutions, as well as representatives of the National Centre for Education, Latvian Language Agency, Riga Teacher Training and Educational Management Academy. The group was tasked to evaluate the modalities for improving pre-school curricula and to develop the education programme for national minority children with a view to ensuring early acquisition of the Latvian language. Measures proposed included: legislative changes (mandating seven targeted Latvian language lessons for 1.5–4 year old children, including five integrated lessons through play per week, and ten Latvian language lessons per week for 5–6 year old children²³²); improvement of the Latvian language skills of the management and administration of pre-school education institutions; and fostering an environment conducive to the Latvian language learning through play²³³.

Three out of four schools with Polish as language of instruction provide pre-school education programmes which are implemented bilingually. The Ministry of Education's recommendation has been that schools employ a 50/50 model of instruction with equal use of the two languages (although no data are available as to whether the recommendation is fully implemented). Until August 2019 there were guidelines (examples of programmes) developed specially for pre-school institutions in Polish such as pre-school education curriculum for schools with Polish as language of instruction and integrated curriculum for six-year-olds in the Polish minority education programme (both actual till August 31, 2019). Since 1 September 2019, the new guidelines introducing competence-based approach are available.²³⁴

Basic education (primary and general lower secondary education)

Basic education (from Grade 1 to Grade 9) in Latvia is compulsory and represent a single structure or integrated primary and lower-secondary education school typically serving populations from 7 to 15/16 years old.

According to the previously mentioned amendments to the Education Law, new requirements were introduced starting from the 2019/2020 academic year for grades 1–6 that stipulate that 50% of total hours allocated for subjects will be taught in the minority language i.e. Polish.

One of the features of strong bilingual education programmes is regular monitoring of pupils' achievement in their first (native) language. It is noteworthy that the achievement of standards in

231 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Latvia, at https://eacea.ec.europa.eu/national-policies/eurydice/content/early-childhood-education-and-care-40_en

232 According to Annex 2 "Example of a pre-school education program for minorities" to the LR Cabinet of Ministers Provisions on national guidelines for pre-school education and models of pre-school education programs (Par.9), , the acquisition of the Latvian language is promoted through an integrated learning process and by using a bilingual approach that is developed in co-operation with educators, professionals and other educational staff, as well as used in everyday communication. For children from the age of five, Latvian is the main means of communication in play, with the exception of purposefully organized activities aimed at learning the minority language and ethnic culture. Cabinet of Ministers, 21 November 2018, N. 716. Regulations on the state pre-school education guidelines and pre-school education programmes examples (Noteikumi par valstspirmsskolasizglītības vadlīnijām un pirmsskolas izglītības programme paraugiem), Latvijas Vēstnesis, 236, 30 November 2018, at <https://likumi.lv/ta/id/303371>

233 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Latvia, at https://eacea.ec.europa.eu/national-policies/eurydice/content/organisation-programmes-all-pre-primary-education-0_en

234 New guidelines and example of programmes are being gradually uploaded now at the new platform – Skola (School) 2030 at <https://mape.skola2030.lv/materials/40>

minority languages is regularly assessed (at the end of Grade 3, 6 and 9) and monitored at the national level. This demonstrates the state's commitment to ensure quality teaching of first languages (mother tongue) of pupils. It is further enhanced in the latest (2018) regulations by articulating standards (expected results) minority languages for grades 3, 6 and 9; these regulations will enter into force 1 September 2020²³⁵.

Regarding the effectiveness of the previously implemented models in Polish schools²³⁶, these schools have demonstrated results that are close to national average: whether slightly below or above the national average²³⁷.

Upper secondary education

The upper-secondary education comprised of grade 10 to 12 is not compulsory in Latvia. Three out of four Polish schools implement upper-secondary education programmes. According to the information annually made available to the public by the State Education Content Centre²³⁸, two Polish schools that have the status of state gymnasium demonstrate achievements that are close to the national average for this type of schools and in some subjects – i.e. Latvian and World History – their results are noticeably above average.

Higher education

Higher education in state-funded institutions is to be provided in the Latvian language according to the Education Law. In some programmes, some subjects may be taught in other languages. For example, the Latvian University offers a programme in **Russian** Philology (Bachelor) with education is provided in Latvian and **Russian** and, for some subjects, the lectures may be in Polish, Czech and English.

Types of programmes provided by Polish schools in Latvia

School name	Types of programmes	Total number of pupils/students (2018/2019)	Language of instruction
J.Pilsudski Daugavpils State Polish Gymnasium	Basic minority education programme Special basic education minority programme for students with physical disabilities General secondary minority education programme with specialisation in mathematics, science and technology General secondary minority education programme (general profile) education	381	Polish
Kraslava Plateru Polish Basic Education School	Basic minority education programme Pre-school minority education programme	56	Polish
Rezekne State Polish Gymnazium	Pre-school minority education programme Special basic minority education program for pupils with mental disabilities Special basic minority education program for students with learning disabilities General secondary minority education programme with professional (vocational) orientation in the state borders security General secondary minority education programme (general profile)	526	Polish

235 Cabinets of Ministers, Nr. 147, 27 November 2018, Regulations on the state basic education standard and basic education programmes examples (Noteikumi par valsts pamatizglītības standartu un pamatizglītības programmu paraugiem) Latvijas Vēstnesis, 249, at <https://likumi.lv/ta/id/303768>

236 Two models were implemented across four schools – Model 4 and 5 (see Table 2) based on the information provided in self-assessment schools reports for the academic year 2018/2019.

237 State Education Content Center, Statistics, at <https://visc.gov.lv/vispizglitiba/eksameni/statistika.shtml>

238 Ibid.

Rīga Ita Kozakevica Polish Secondary Education School	Basic minority education programme (with extensive learning of Polish and English) Pre-school minority education programme General secondary minority education programme (general profile)	375	Latvian, Polish, Russian
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Polish (Lithuania)

Strengths

- ▶ Access to education in minority languages is promoted by special financial provisions for these schools from the state budget and strong support to these schools from the kin state
- ▶ The same number of hours is allocated for the study of the mother tongue and the state language; this demonstrates equal treatment of these languages in the education system. For other subjects, instruction is, for the most part, provided in Polish (there is no required number of hours for teaching other academic subjects in minority or in Lithuanian).

Weaknesses

- ▶ The examination system does not include minority languages into graduation (Matura) exams which may affect quality of teaching of minorities languages and motivation to study in these languages
- ▶ Setting the same requirements for the examination in the state language for minority pupils as for native speakers undermines the principles of equity in education.

Overview

Polish has the status of a regional language since Lithuania did not sign the ECRML and the Constitution also calls for only one official language (Lithuanian) at the state level. Under Lithuanian law, national minorities have the right to state-supported (free) pre-school and general education in national minorities' languages, in areas of compact residence. The Law on Education (last amended in 2015) also discusses the opportunity for learners belonging to national minorities to learn their native language or to study in their native language²³⁹. According to the Ministry of Education and Science, in the 2018/2019 academic year, there were 50 schools with Polish as the language of instruction. Schools with Polish as language of instruction are located in Vilnius and in Vilnius, Šalčininkai, Trakai and Švenčionys district municipalities. Also, there are 9 schools with Lithuanian and Polish languages of instruction, 7 with **Russian** and Polish, and 7 with Lithuanian, **Russian** and Polish languages of instruction. Bilingual education does not exist as such and schools with two or three languages of instruction provide with the monolingual type of education i.e. classes only in Polish, Lithuanian or **Russian**.

²³⁹ This is provided by Article 28(7): "If the community requests so, in areas where a national minority traditionally constitutes a substantial part of the population, the municipality shall guarantee the teaching in the national minority language or the learning of the national minority language"; also, by paragraph 2 of Article 30 The right to receive instruction in the state language and in the native language : "General education and non-formal education schools shall create opportunities for learners belonging to national minorities to foster the national, ethnic and linguistic identity, to learn the native language, history and culture. At a general education and non-formal education school the regulations (statutes) of which (respecting the requests of parents (guardians, curators) and learners) provide for teaching of national minority language, the teaching process may be conducted or certain subjects may be taught in the national minority language. At such schools the subject of the Lithuanian language shall be a constituent part of the curriculum and the time allotted for teaching it shall not be less than the time allotted for teaching the native language", Republic of Lithuania Education Law, Lietuvosaidas, August 16, 1991, No. 153-0, at <https://www.e-tar.lt/portal/en/legalAct/TAR.9A3AD08EA5D0/xbPKUCNrMi>

Despite the annual decline in pupils' population in Polish schools – a trend observed for all schools in Lithuania – these schools remain rather popular. The case of Polish schools in Lithuania was mentioned among the best practices in the recent study commissioned by the European Parliament's Committee on Culture and Education²⁴⁰. The criteria for selection included special financial provisions for these schools from the state budget²⁴¹ and strong support to these schools from the Polish government.

A "student's basket" (the methodology to calculate schools' funding) is 20% higher for a pupil in a minority school than for a pupil attaining education at a school instructing in the Lithuanian language. At the same time, Poland grants 30 scholarships a year to Polish-speaking students from Lithuania. Support measures include also renovation and refurbishing of schools, provision of textbooks and access for teachers to professional development in Polish.

The model implemented in national minority schools in Lithuania is characterised by the gradual decrease in the amount of time provided for teaching Lithuanian between Lithuanian and national minorities' schools: in 2011 it was 800 hours, in 2018 it was reduced to 300–400 hours, and in 2020 it is estimated to be 100 hours. In the primary grades, more hours are allocated for the mother tongue – i.e. Polish (see Table 1); in grades 5–8 the hours allocated are the same (5 hours per week); in grades 9–10 and in upper-secondary education, more hours are allocated for the Lithuanian language and literature than for Polish (see Table 2 and Table 3). However, the amount hours for teaching subjects in Polish remains higher than 50%. In order to achieve the same standards in the Lithuanian language and literature for pupils in the Lithuanian schools and in ethnic minority schools, a unified graduation exam (Matura) in the Lithuanian language and literature in all schools was introduced from 2013 (decision of 2011²⁴²). While the content of the exam is the same, students in minority schools are allowed to make more mistakes than in Lithuanian schools without being penalised. However, the introduction of this exam raised concerns related to equal treatment towards pupils whose native language is other than Lithuanian. In particular, the Advisory Committee on the Framework Convention for the Protection of National Minorities (Fourth Opinion on Lithuania, 30 May 2018)²⁴³ noted that students from Polish minority language schools with little exposure to Lithuanian in their family environment and extra-curricular activities had difficulties with the Lithuanian language exam taken at the level of native speakers.

The Matura examination in Polish (as in **Russian** or **Belarusian** languages) is included in the list of optional examinations. Each school is free to decide whether the Matura examination in Polish language is mandatory²⁴⁴.

240 van Dongera et al, *Research for CULT Committee - Minority Languages and Education* (n. 155), pp. 83–86.

241 Funds allocated from the state budget to schools of general education established by municipalities are calculated on the basis of the methodology for the calculation of the number of reference pupils. The methodology for the calculation of the number of reference pupils determines the amount of funds required for educating one child according to the type of school, the education programme (grades 1–4, grades 5–8, grades 9–10, grades 11–12), location (whether the school is situated in an urban or a rural area), pupils with special needs, pupils of national minority schools and other indicators. The funds of the "student's basket" are spent on salaries for educators, professional development of teachers, for the acquisition of textbooks as well as visual and technical aids, and for the financing of other activities. ACFC (2018), *Fourth Opinion on Lithuania*, Council of Europe, ACFC/SR/IV(2017)004, 20 May 2018, para 95

242 Matura examination programmes were approved by Order Nr. V-1197 of the Minister of Education and Science on 1 July 2011. On 9 May 2012, one of these programmes, the programme of the Matura examination in the Lithuanian language and literature, was adjusted by Order Nr. V-776 of the Minister providing for a transition period of 8 years during which different evaluation standards shall be applied for learners from schools with a minority language as the language of instruction even though a uniform Matura examination of the Lithuanian language and literature shall be taken.

243 ACFC (2018), 4th Opinion on Lithuania (n. 242), para 95.

244 Pursuant to clause 4 of the Description of the Procedure for Organizing and Holding Matura Examinations, which provides that the school principal shall make a decision aligned with the school board regarding the Matura examination in the language (**Belarusian**, Polish, **Russian**, **German**) that was taught as the native language before 10 January of the current academic year.

Pre-school and pre-primary education

Pre-school education in Lithuania is not mandatory. Compulsory education starts from the age of 6 which is called pre-primary education and is provided for children 6–7 years old²⁴⁵. The integrated curriculum (with no separate subject areas) at the pre-primary education stage is adapted to the specific needs of children. The pre-school type of education may be provided in different forms (formal and informal, state and private, also by the family) and there is no unified curriculum for this level of education. In the pre-primary programme provided by pre-school institutions or primary schools in Polish, Lithuanian is taught according to a special programme to meet the level of children’s command of the state language set in the standards. Lithuanian, as the state language, has to be taught for no less than four hours a week²⁴⁶.

Primary education

Primary education encompasses four years of schooling, from Grade 1 to Grade 4. Representatives of the Polish community may consider two options for their children:

1. They can study in schools where lessons are taught in Lithuanian language and, in addition, they can study their native language (Polish) as a subject; some of the recommended courses can also be taught in Polish;
2. They can study in schools with Polish as language of instruction. Lithuanian is taught during the Lithuanian language lessons and integrally. Lithuanian language fragments are incorporated in primary education subjects. The Ministry of Education recommends to teach in Lithuanian those topics of world perceptions and understanding that are related to Lithuanian history, geography and culture. If parents (guardians) decide that other subjects should also be taught in Lithuanian, the school should provide it (to the extent that the school’s resources allow it).

The curriculum is planned biannually and schools may vary the number of hours given to a particular subject in a certain grade as soon as the total hours are met. Table 1 presents the allocation of hours (total hours for two years and per week) for primary school grades. In schools operating in minority languages, the Lithuanian language is taught as a subject from Grade 2 (see Table below).

Distribution of hours during the week, for centres, for four years according to the General Teaching Plan* (2018/2019)**

Subjects	Subject’s education hours for centre		Total hours for primary education
	Subject’s education hours for centre per week		Total hours for primary education per week
	Grades 1 to 2	Grades 3 to 4	
Moral education (ethics or religion)	70 / 2	70 / 2	140 / 4
Lithuanian language	525 / 15	490 / 14	1015 / 29
Mother tongue (Belarusian , Polish, Russian or German)*	490* / 14*	490 / 14*	1015 / 29
Lithuanian language*	315* / 9*	350* / 10*	665* / 19*
Foreign language** (English, French or German)	70 / 2	140 / 4	210 / 6
Mathematics	315 (280*) / 9 (8*)	315 / 9	630 (595*) / 18 (17*)
World knowledge	140 / 4	140 / 4	280 / 8
Arts and technologies	140 / 4	140 (105*) / 4 (3*)	280 (245*) / 8 (7*)

²⁴⁵ The process of shifting compulsory pre-primary education from 6 years old to 5 has been initiated in 2018. It is planned that from 2021 all 5-year old children will start compulsory pre-primary education, at

²⁴⁶ https://eacea.ec.europa.eu/national-policies/eurydice/content/teaching-and-learning-pre-primary-class-2_en

Music	140 / 4	140 / 4	280 / 8
Physical education	175 / 5	210 (175*) / 6 (5*)	385 (350*) / 11 (10*)
Mandatory educational hours per pupil per week	1 st grade – 22 (25*) 2 nd grade – 23 (27*)	3 rd grade – 24 (27*) 4 th grade – 23 (28*)	92 (107*)
Hours for pupils to achieve educational needs	70 (30*)	105 (70*)	175 (105*) / 5(3*)****
	5(3*) ****		
Total hours for primary education	1645 (1855*)	1750(1995*)	3395(3850*) / 97 (110*)
Non-formal education	140	140	280

Notes:

* In schools where teaching is conducted in the language of an ethnic minority

** First foreign language is taught in grades 2 to 4

*** Duration of an educational hour is 35 minutes in the first grade and 45 minutes in grades 2 to 4

**** The number of hours assigned to fulfil pupils' educational needs is provided in a sum. The hour count is increased in correlation with the increased number of classrooms

Source: European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Lithuania Eurydice: Country Profiles, Lithuania, https://eacea.ec.europa.eu/national-policies/eurydice/content/teaching-and-learning-primary-education-27_en

General lower secondary education

The lower secondary education programme lasts for 6 years. The compulsory lower secondary education programme consists of two cycles. The first cycle lasts for 4 years and is implemented in grades 5–8 grades. The second cycle lasts for 2 years. It is implemented in grades 9–10 (gymnasium I-II).

The same provisions apply as for primary education. In the case of schools with Polish as language of instruction, all subjects except foreign languages and the state language are taught in Polish.

Polish may be taught as a subject in schools in Lithuanian according to the mother tongue programme. Other subjects, except foreign languages, are taught in Lithuanian. Other chosen subjects can also be taught in minority languages.

Since lower secondary education is compulsory (till 16 years old), the examination in Lithuanian (as a mother tongue or the state language) and mathematics are compulsory as well; examinations in Polish as mother tongue (the same for **Belarusian, German, Russian**) are optional i.e. if the pupil so chooses. Table 2 presents the allocation of hours per week. In Grades 5–8, the same number of hours is provided for learning Polish as a mother tongue and for Lithuanian as the state language. In the second cycle, one more hour for Lithuanian is added (schools may decide whether to add it in Grade 9 or 10), in light of the requirement to take the compulsory examination in Lithuanian language and literature (See Table below).

Distribution of hours in lower secondary education according to the General Teaching Plan (2018–2019)

Class	5	6	7	8	Lower secondary education programme I part (5–8 grades)	9 / gymnasium I	10 / gymnasium II	Total in lower secondary education programme
Moral education								
Moral education (ethics or religion)	1;1		1;1		4		1;1	6
Languages								
Lithuanian language and literature	5;5		5;5		20		4;5 / 5;4	29
Mother tongue (Belarusian, Polish, Russian, German)*	5;5		5;5		20		4;4	28

First foreign language	3;3	3;3	12	3;3	18				
Second foreign language	0;2	2;2	6	2;2	10				
Math and information technologies									
Math	4;4	4;4	16	3;4 / 4;3	23				
Information technologies	1;1 / 2;0 / 0;2	1;0 / 0,5;0,5	3	1;1 / 2;0 / 0;2	5				
Natural sciences									
Nature and human	2;2	–	4	–	4				
Biology	–	2;1 / 1;2 / 3;0	3	2;1 / 1;2 / 0;3 / 3;0	6				
Chemistry	–	0;2	2	2;2	6				
Physics	–	2;1 / 1;2 / 0;3	3	2;2	7				
Social education									
History	2;2	2;2	8	2;2	12				
Basics of citizenship	–	–	–	1;1 / 2;0 / 0;2	2				
Social and public activity**	10;10**	10;10**	40**	10;10**	60**				
Geography	0;2	2;2	6	2;1 / 1;2 / 0;3 / 3;0	9				
Economics and entrepreneurship	–	–	–	1;0 / 0;1	1				
Artistic education									
Art	1;1	1;1	4	1;1	6				
Music	1;1	1;1	4	1;1	6				
Technologies, physical education, human safety									
Technologies	2;2	2;1 / 1;2 / 0;3;3;0	7	1,5;1 / 1;1,5	9,5				
Physical education	2;3 / 3;2 and 2*;2*	2;2	9; 8*	2;2	12*; 13				
Human safety	1	1	2	0,5	2,5				
Chosen subjects / subject modules/ project activity									
Project activity (...); ... (chosen ; ... (subject module)									
Minimum number of lessons per pupil per week	26; 29*	28; 32*	29; 32*	30; 33*	113; 126*	31; 33*	31; 33*	175; 192*	
Cognitive cultural activity	Integrated into educational content								
	5–8 grades			9–10 grades					
Number of lessons per week, dedicated to meeting educational needs, providing learning aid	12; 12*			12; 12*			14; 10*		26; 22*
Non-formal education (number of hours per week)	8			8			5		13

Notes:

* in schools which teach in an ethnic minority language;

** number of hours (lessons) per year.

Source: European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Lithuania, https://eacea.ec.europa.eu/national-policies/eurydice/content/teaching-and-learning-general-lower-secondary-education-22_en

General upper secondary education

Upper secondary education is not compulsory in Lithuania. It lasts for two years (gymnasium grades III-IV or grades 11–12 in upper-secondary education schools). Due to the fact that the curriculum is individualised at this level of education, there are more variations between schools: for example, vocational education subjects may be added to general education subjects (See Table below).

Distribution of hours in upper secondary education (per week) for languages according to the General Teaching Plan (2019 2018)

Area of curriculum, subjects	Minimum number of lessons for compulsory content per week	General course	Extended course
Languages			
Lithuanian language and literature	8	8	10
Lithuanian language and literature *	11	11	13
Mother tongue (Belarusian , Polish, Russian , German) *	8	8	10
Foreign language		Course for B1 level	Course for B2 level
Foreign language (...)	6	6	6
		General course	Extended course
Social education	4		

Notes:

* in schools, which teach in an ethnic minority language;

Source: European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Lithuania, https://eacea.ec.europa.eu/national-policies/eurydice/content/teaching-and-learning-general-upper-secondary-education-31_en

The minimum number of compulsory lessons is 28 lessons per week. In minority schools, such as schools operating in Polish, it is 31.5 lessons per week, which is mostly due to more hours allocated for the Lithuanian language. In schools which teach in a minority language, upper secondary education programmes are implemented bilingually²⁴⁷: in the minority language and in Lithuanian. Each school ensures that a minimum number of subjects are taught in Lithuanian. If parents or pupils request that more subjects be taught in Lithuanian than it is required by legal acts, the school must ensure it.

Vocational education

There are no specific language-related regulations concerning vocational education in Lithuania. However, since vocational education may be provided by general education institutions which also provide general secondary education, the same requirements to languages allocation (Polish and Lithuanian) apply as described above.

Adult education

Vilnius Adult Education Centre (VAEC) – the first Adult Gymnasium in Lithuania – is the only adult school where students belonging to Lithuanian, **Russian** and Polish minorities study in their native languages. Adult learners here may complete formal education – basic and/or upper secondary – or received non-formal education.

²⁴⁷ Here it means that some subjects are taught in the ethnic minority language and some subjects in Lithuanian.

Higher education

There are six programmes provided in Polish at the level of higher education: Informatics – 1, Economy – 2, Political science – 1, Pedagogy – 1 and Philology (Polish) – 1²⁴⁸. A branch of Białystok University has been operating in Lithuania; at this institution higher education courses can be taken in Polish language. Moreover, as mentioned previously, Poland grants 30 scholarships a year to Polish-speaking students from Lithuania.

248 Based on data retrieved from AIKOS 01.09.2019 from http://rsvs.emokykla.lt/cognos8/cgi-bin/cognosisapi.dll?b_action=cognosViewer&ui.action=run&ui.object=/content/folder%5b%40name%3d%27Bendroji%20informacija%27%5d/folder%5b%40name%3d%27Ataskaitos_SVIS_puslapiui%27%5d/folder%5b%40name%3d%27SMPKR%27%5d/report%5b%40name%3d%27Studiju_kryptys_kalbos%27%5d&ui.name=Studiju_kryptys_kalbos&run.outputFormat=&run.prompt=true

ROMANIAN

Romanian (Serbia)

Strengths

- ▶ **Minority education in Serbia consists primarily in instruction through the medium of RLMS, including Romanian, reflecting the preferences of minority communities.**
- ▶ Continuity of Romanian-language education, which is provided at all levels.
- ▶ Schools have significant autonomy in organising and implementing education programmes.
- ▶ National councils (minority representative institutions) can establish or take over the management of schools.
- ▶ National Councils by law participate in decision-making in the field of education and culture.
- ▶ Attention is placed on the knowledge of the state language, with different methodologies applied to different categories of pupils.
- ▶ 'Native language', which can be either Serbian or a minority language, is major component in primary and secondary school examinations

Weaknesses

- ▶ The declining number of students, linked to demographic conditions, is a challenge to Romanian-language education.
- ▶ The autonomy of NCs is circumscribed in some areas.

Overview

According to the last (2011) census, there were 29,332 Romanians in Serbia (total population: 7,186,862), of which 29,075 declared to be Romanian-speakers.²⁴⁹ Most of them resided in Vojvodina, particularly in Vršac/Vârșeț, Alibunar, Pančevo/Panciova and Zrenjanin/Becicherecul Mare. Smaller settlements were in Belgrade and municipalities of Eastern Serbia.²⁵⁰

Within Serbia, the Romanian language is primarily used in Vojvodina, where it is an official language at the provincial level and in several municipalities. At the same time, while the provincial authorities do employ Romanian, the language is used rarely at the local level. RTV Vojvodina broadcasts radio and television programmes in Romanian, which are partially rebroadcast in Eastern Serbia. Some private local media outlets use Romanian,²⁵¹ and there are transnational exchanges promoting Romanian.²⁵²

Romanian-language education is provided in Serbia from pre-school to secondary education. Bilingual education is provided primarily at the pre-school level. Lectures in Romanian language and literature are conducted in Romanian at tertiary level. In the fourth monitoring cycle, the Committee of Experts considered Serbia's undertakings in respect of Romanian fulfilled for primary education, while they were deemed partially fulfilled for pre-school, secondary and vocational education.²⁵³ Among the existing challenges to education in Romanian is the small number of students due to low birth rate and emigration.²⁵⁴

249 Republic of Serbia (2015), 3th state report under the ECRML (n. 131), paras. 12–13.

250 Ibid, para 24.

251 Committee of Experts (2018), 4th report on Serbia (n. 16), para 48.

252 Ibid.

253 Ibid.

254 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 32.

Serbia has a system of national councils (NCs), introduced through the Law on National Councils of National Minorities,²⁵⁵ adopted in 2009 ('NC Law').²⁵⁶ The NC Law provides relatively broad competences in the management of minority languages and cultures by representatives of national minorities. In particular, NCs may establish schools and participate in decision-making on education programmes.²⁵⁷

Different models exist for the teaching of Serbian as the state language to students enrolled in minority language schools – taking into account the differentiated needs of pupils and the conditions of the areas in which they live.²⁵⁸

The ECRML entered into force in Serbia in 2006 and the FCNM in 2001.

For an overview of Serbian legislation and policies in education see 'Minority Language Legislation and Education Policy in Serbia', in Slovak (Serbia).

Pre-school education

Pre-school education is primarily in Romanian, with bilingual (Romanian/Serbian) education available in a number of pre-school institutions in Vojvodina.²⁵⁹ Education in Romanian was available in the academic year 2015–16 in seven local self-government units: Alibunar, Bela Crkva/Biserica Albă, Vršac/Vârșeț, Žitište/Jitiște, Zrenjanin/Becicherecul Mare, Pančevo/Panciova and Plandište/Plandište.²⁶⁰ There were 11 groups employing Romanian as language of instruction in four educational institutions, with a total of 82 children being taught in Romanian. The numbers had however decreased compared to only a few years earlier.²⁶¹

Bilingual education is provided in pre-school institutions located in three local self-government units: Alibunar, Vršac/Vârșeț and Kovačica/Covăcița. In the academic year 2015/16 there were 4 bilingual groups in 3 institutions, with a total of 67 children being taught in the two languages.²⁶²

Primary Education

Teaching in Romanian is available in nine municipalities of Vojvodina for the full course of primary education: Alibunar, Bela Crkva/Biserica Albă, Vršac/Vârșeț, Žitište/Jitiște, Zrenjanin/Becicherecul Mare, Kovačica/Covăcița, Pančevo/Panciova, Plandište/Plandište and Sečanj/Seceani.²⁶³

Primary Romanian-language education²⁶⁴

School year	Number of local self-government units	Number of schools	Number of classes	Number of pupils
2013/14	9	18	99	1,015
2014/15	9	18	97	921
2015/16	9	18	90	874

255 Official Gazette of the RS No. 72/09, amended through Nos. 20/14, 55/14 and 47/18. Legislation following amendments (in Serbian) at https://www.paragraf.rs/propisi/zakon_o_nacionalnim_savetima_nacionalnih_manjina.html

256 Minority National Councils were established already in 2002 under Article 19 of a former Yugoslav Law on the Protection of Rights and Freedoms of National Minorities. However, it was only in 2009 that a Serbian Law of the same name clearly determined their competences, funding mechanisms and election procedures.

257 see 'Minority Language Legislation and Education Policy in Serbia', in *Slovak (Serbia)*.

258 Ibid.

259 However, there are no nurseries in Eastern Serbia employing Romanian. Committee of Experts (2018), 4th report on Serbia (n. 16), para 48.

260 Republic of Serbia (2017), 4th state report under the ECRML (n. 119), para 382.

261 In 2011/2012 Romanian-language pre-school education was available in 8 self-government units, 9 institutions, with 17 groups and a total of 138 children. Republic of Serbia (2015), 3th state report under the ECRML (n. 131), para 187.

262 Republic of Serbia (2017), 4th state report under the ECRM (n. 119), para 383.

263 Ibid, para 384.

264 Ibid.

The Romanian community has been generally opposed to bilingual education, arguing instead in favour of the teaching in the mother language.²⁶⁵ This is linked to the belief that bilingual education will ultimately lead to linguistic assimilation.

The majority of subjects in the curriculum are compulsory, to which some optional classes are added. The total number of teaching hours is greater for pupils in minority schools: for the 1st cycle of primary education, or grades 1–4, they amount to an extra 3 hours a week. In minority schools, the minority language is studied for 5 hours a week in the 1st cycle of primary school, and Serbian language for 2 hours a week (both as compulsory subjects). The 2 hours of Serbian classes increase to 3 hours a week in the 2nd cycle (grades 5–8) of primary school (except for 8th grade, when it is 2 hours a week) (see table, and more details on curricula, under Primary Education, *Slovak (Serbia)*).

Pupils complete primary education when they pass the final exam at the end of the 8th grade. The final exam involves three tests: native language (Serbian or minority language), mathematics and a combined test (natural and social sciences).²⁶⁶ Native language is also an integral part of the final secondary school examination.

Pursuant to the 2013 *Law on Primary Education*, the curriculum may be taught in the language and script of a national minority or bilingually, if at least 15 students request it when enrolling in the first grade (Article 12(2)). In case less than 15 students request it, minority language or bilingual instruction can still be introduced following approval of the Ministry of Education (Article 12(4)), based on an opinion obtained from the relevant National Council. Indeed, the Serbian authorities have provided education in Romanian in primary school also in cases when the number of pupils has been lower than 15.²⁶⁷

Moreover, Romanian may be studied as a subject (through the course ‘Romanian Language with Elements of National Culture’) in Serbian-language schools. This option exists primarily in schools located in Vojvodina and Eastern Serbia.²⁶⁸

Secondary Education

Between the academic years 2013/14 and 2015/16, one school taught fully in Romanian, the Gymnasium in Vršac/Vârșeț, Vojvodina. There were four Romanian-language groups with 82–84 pupils (depending on the year).²⁶⁹

In minority secondary schools, minority language and literature are taught for 4 hours a week for the four grades of secondary education, and Serbian as a second language for 2 hours a week. In regular secondary schools, Serbian language and literature is taught for four hours a week. As for primary school, the numbers of hours of education a week are greater in minority schools compared to regular schools.

For more details on curricula, see ‘Secondary Education’, *Slovak (Serbia)*.

Technical and Vocational Education

Teaching in Romanian takes place at Alibunar’s technical school. Between the academic years 2013/14 and 2015/16 there were 4 groups employing Romanian as language of instruction, with a total of 107 to 120 pupils (depending on the year).²⁷⁰ Romanian can also be studied as a subject in some schools.²⁷¹

265 Brohy, *Analysis of the Existing Models of Minority Language Education in Serbia* (n. 94), p. 32.

266 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, ‘Assessment in Primary Education’ (n. 139).

267 Committee of Experts (2018), 4th report on Serbia (n. 16), para 48. The Committee of Experts linked this practice to a recommendation of the Serbian-Romanian Intergovernmental Joint Committee for Minorities.

268 Republic of Serbia (2017), 4th state report under the ECRM (n. 119), para 385.

269 Ibid, para 386.

270 Ibid, para 388.

271 Republic of Serbia (2015), 3th state report under the ECRM (n. 131)L, para 251.

Tertiary education

Lectures are conducted in Romanian in the Department of Romanian Studies of the Faculty of Philology in Novi Sad (for the Study Group for Romanian Language and Literature). In 2012/13 there were 16 students enrolled in the programme Romanian Language and Literature (with 10 in the first year).²⁷²

²⁷² Republic of Serbia (2017), 4th state report under the ECRM (n. 119), para 389.

RUSSIAN

Russian (Moldova)

Strengths

- ▶ In minority schools, instruction is provided entirely in the minority language, with the exception of the state language (Romanian) and foreign languages.
- ▶ An opportunity to study minority languages and culture is embedded into the national study plan and guaranteed by the state at all levels of education regardless of the main language of instruction.
- ▶ Flexibility in curriculum planning promotes implementation of bilingual forms of education in a minority and the state language.
- ▶ Strong support from some kin states promotes quality of learning of minority languages.

Weaknesses

- ▶ Insufficient support from the state to promote bilingual forms of education creates a barrier to achievement of high levels of competencies in the state language by pupils in minority schools.

Overview

Moldova has an ethnically and linguistically diverse population.²⁷³ In terms of geographical distribution, compact residence is typical for the Taraclia district where Bulgarians predominate (66.1%) and in the Autonomous Territorial Unit of Gagauzia (ATU), where 83.8% Gagauz people live. Most of Ukrainians and Russians live in Chişinău and Bălţi municipality: the share of Russians is 37.7% and 13.6% for Chişinău and Bălţi, but the share of Ukrainians is 14.9%, and 9.6%, respectively.

The Russian language has a special status in the Republic of Moldova as the language of inter-ethnic communication but also as a language of education for representatives of different national minorities such as Gagauz, Bulgarians, Ukrainians, Poles and the Jewish minority. In line with Article 6 of the Law on National Minorities, the special status of the Russian language is also anchored in the education system, where instruction in the Russian language from preschool level through to university is guaranteed. The Russian language is one of the official languages (together with Gagauz and Romanian) at the Autonomous Territorial Unit (ATU) of Gagauzia.

The model of minority education has been characterized by a network of education institutions that consistently provide education in Russian from preschool to higher education.

In the year 2018/19, early childhood education was provided in 207 institutions with a single language of instruction and in 114 with two or more languages of instruction. Out of 25,538 children attending these institutions, 17.1 % studied in Russian (compared to 82.9% in Romanian). Primary and secondary general education was provided in 1,246 institutions, including 103 primary schools, 780 gymnasia, 350 high schools (lyceum) and 13 schools for children with mental or physical disabilities. The total numbers of pupils in primary and secondary school have been decreasing, given the general negative population growth. The proportion of pupils and students enrolled into primary and secondary education programmes in Romanian and Russian languages of instruction remained about the same during the last four years – 80,7% and 19,2% respectively; 0.1% of the total population of pupils and

²⁷³ In the 2014 census, 2,754.7 thousand people (98.2% of the population covered by the census) declared their ethnicity. A share of 75.1% of Moldova's population stated they were Moldovans, 7.0% – Romanians, 6.6% – Ukrainians, 4.6% – Gagauz, 4.1% – Russians, 1.9% – Bulgarians, 0.3% – Roma, while other ethnicities represented 0.5% out of the total population. The ethnic groups accounting for more than one thousand people are: Belarusians (2.8 thousand people), Jews (1.6 thousand people), Poles (1.4 thousand people), and Armenians (1.0 thousand people).

students (334,159 in 2018/2019) were enrolled in programmes that carry out instruction in other languages. About 32% of pupils chose to study the Russian language as their first foreign language²⁷⁴. As for vocational secondary and post-secondary education in Russian, there studied 13% and 11 % of all students respectively. Finally, about 14% of higher education programmes is provided in Russian.

Since 2016, the government has been implementing several reforms in the area of education including those specifically targeting improved access to learning minority languages and Romanian in primary and secondary schools. To promote bilingual models of education and, in particular, Content and Language and Integrated Learning (CLIL) in schools with instruction in Russian and other minority languages, the Ministry of Education, Culture and Research (MECC) has been implementing the National Programme on improvement of quality teaching of the Romanian language in educational institutions with instruction in the minority languages (2016–2020)²⁷⁵. Under this programme, schools may join the project “Sociolinguistic integration of pupils/students representatives of national minorities by increasing the number of school subjects studied in Romanian” with the aim of studying individual disciplines (History, Civic Education, Musical Education, Physical Education, etc.) in Romanian, provided that schools have resources to organize such bilingual education and there is parents’ and students’ consent.

Primary and lower secondary education

Primary and lower secondary education in the Republic of Moldova represents a single structure education which incorporates primary education (grades 1–4) and gymnasium (grades 5–9). Two models of education in Russian have been developed, which are implemented in 243 gymnasiums and high schools (lyceum):

- ▶ **schools with instruction in Russian** where representatives of Russian and other minorities (i.e. **Bulgarian**, **Gagauz** and Ukrainian) traditionally study;
- ▶ **schools with instruction in Russian** where, in addition to Russian, the Ukrainian, **Gagauz**, **Bulgarian**, etc. languages are studied as a discipline 3 hours per week; the discipline “History, culture and traditions of Russian, Ukrainian, **Gagauz** and **Bulgarian** people” is taught 1 hour per week.

Most recently, the MECC released the new curriculum plan for the 2019/2020 academic year, which provides a variety of models that schools may choose from to ensure that Russian and other minorities languages are studied not only in schools with instruction in Russian, but access to these languages is consistent through the compulsory years of schooling, regardless of the language of instruction in schools. The same provisions apply for Russian and other minority languages such as Ukrainian, **Bulgarian** and **Gagauz** (see Table below)²⁷⁶. In addition, schools may select additional (optional) subjects for study programmes; the teaching and learning of these subjects may be provided in the languages included in the curriculum plan²⁷⁷. Overall, the new curriculum plan is conducive to the promotion of mother-tongue-based bilingual and trilingual education models²⁷⁸ (for example, Russian/Romanian/other minority language) since it foresees access to mother-tongue (first language) support through grades 1 to 9.

Regardless of the language of instruction, access to learning Russian (whether as the first or second language) remains consistent through primary and secondary grades. At the same, schools may ensure learning of other subjects in Romanian and/or Russian provided that schools have resources and

274 National Bureau of Statistics of the Republic of Moldova, Education in the Republic of Moldova 2018/2019, Statistical Publication, Chişinău (2019).

275 Approved by Resolution the Government of the Republic of Moldova No. 904, 31 December 2015.

276 MECC, National Curriculum, Study Plan for primary, gymnasium and lyceum programmes for the academic year of 2019/2020, Chişinău.

277 The pilot plan (E) for primary schools and gymnasias with Russian as the language of instruction for pupils of Ukrainian, **Gagauz** and **Bulgarian** nationalities is meant for schools that intend to provide access to learning in minority languages.

278 The term was introduced in 2003 when UNESCO released Education in a multilingual world: UNESCO education position paper, available at <https://unesdoc.unesco.org/ark:/48223/pf0000129728>

there is a request from parents. The purpose of introducing experimental plan E (See Table below) was to facilitate the transition to bilingual and multilingual models of education where support for mother-tongue instruction is ensured during the compulsory general education grades.

This is in compliance with the Advisory Committee on the Framework Convention for the Protection of National Minorities' recommendations to ensure that the education system provides persons belonging to national minorities with effective access to full proficiency in the state language (Romanian), whilst also enhancing access to quality teaching and learning of and in all minority languages through bilingual and trilingual education models, that allows access to the languages used in Moldova²⁷⁹.

So far, bilingual models of education have been piloted under the educational project "Socio-linguistic integration of pupils belonging to national minorities by increasing the number of school subjects studied in Romanian" coordinated by the MECC, which has been extended until 2020. The project has been piloted, since 2011, in 45 primary and secondary schools over the country;²⁸⁰ 94 teachers teach 6 school subjects in the Romanian language (using CLIL methodology) to pupils from 171 classes who benefit from the opportunity to improve their knowledge of Romanian²⁸¹.

Variation in curriculum planning for primary education and gymnasias programmes with different languages of instruction (2019/2020)

Subjects	Primary education				Gymnasium				
	Grade /number of hours per week				Grade/number of hours per week				
A. Plan for primary schools and gymnasias with Russian as the language of instruction									
	I	II	III	IV	V	VI	VII	VIII	IX
Russian language and literature	8	7	7	7	6	6	5	5	5
Romanian Language and literature	3	3	4	4	4	4	4	4	4
Foreign language	–	2	2	2	2	2	2	2	2
History, Culture and Traditions of Russian, Ukrainian, Gagauz, Bulgarian, Roma and other peoples	1	1	1	1	1	1	1	1	1
B. Plan for primary schools and gymnasias with the native language of instruction for pupils of Ukrainian, Gagauz and Bulgar nationalities									
	I	II	III	IV	V	VI	VII	VIII	IX
Ukrainian/Gagauz/Bulgarian language and literature	8	7	7	7	6	6	5	5	5
Romanian language and literature	3	3	4	4	4	4	4	4	4
Russian language and literature	–	2	2	2	2	2	2	2	2
Foreign language	–	2	2	2	2	2	2	2	2

279 ACFC (2016), Fourth Opinion on the Republic of Moldova, adopted on 25 May 2016, ACFC/OP/IV(2016)004, 7 February 2017, para 86.

280 At the time of writing the project was due to be piloted at least until the end of 2020.

281 Republic of Moldova (2019), Fifth Report submitted by the Republic of Moldova Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities, received on 22 May 2019, ACFC/SR/V(2019)011, p.50.

History, Culture and Traditions of Russian, Ukrainian, Gagauz, Bulgarian, Roma and other peoples	1	1	1	1	1	1	1	1	1
C. Plan for primary schools and gymnasia with Romanian as the language of instruction for pupils of Ukrainian, Gagauz and Bulgar nationalities									
	I	II	III	IV	V	VI	VII	VIII	IX
Romanian language and literature	8	7	7	7	6	6	5	5	5
Ukrainian/Gagauz/Bulgarian language and literature	3	3	3	3	3	3	3	3	3
Russian language and literature	–	2	2	2	2	2	2	2	2
Foreign language	–	2	2	2	2	2	2	2	2
History, Culture and Traditions of Russian, Ukrainian, Gagauz, Bulgarian, Roma and other peoples	1	1	1	1	1	1	1	1	1
D. Plan for primary schools and gymnasia with Russian as the language of instruction for pupils of Ukrainian, Gagauz and Bulgar nationalities									
	I	II	III	IV	V	VI	VII	VIII	IX
Russian language and literature	8	7	7	7	6	6	5	5	5
Ukrainian/Gagauz/Bulgarian language and literature	3	3	3	3	3	3	3	3	3
Romanian language and literature	3	3	4	4	4	4	4	4	4
Foreign language	–	2	2	2	2	2	2	2	2
History, Culture and Traditions of Russian, Ukrainian, Gagauz, Bulgarian, Roma and other peoples	1	1	1	1	1	1	1	1	1
E. Pilot plan for primary schools and gymnasia with Russian as the language of instruction for pupils of Ukrainian, Gagauz and Bulgar nationalities²⁸²									
	I	II	III	IV	V	VI	VII	VIII	IX
Russian language and literature	7	6	6	6	5	5	4	4	4
Ukrainian/Gagauz/Bulgarian language and literature	3	3	3	3	3	3	3	3	3

²⁸² In I-IX classes, the subject Russian language and literature is reduced by 1 hour provided that: educational institutions are located in places of compact residence of Ukrainians /Gagauz / Bulgarians of the Republic of Moldova, where their mother tongue is used as the main language of communication and 4 languages are studied simultaneously.

Romanian language and literature	3	3	4	4	4	4	4	4	4
Foreign language	–	2	2	2	2	2	2	2	2
History, Culture and Traditions of Russian, Ukrainian, Gagauz, Bulgarian, Roma and other peoples	1	1	1	1	1	1	1	1	1

Upper secondary education

Upper secondary education is comprised of grades X-XII and is not compulsory; it is provided through the lyceum type programmes, at the end of which students sit the national (Baccalaureate) exit examinations (See Table below). Four types of the curriculum plan are available for schools to provide access to learning Russian and minority languages regardless of the main language of instruction. The fourth (pilot) model allows students from the areas where their minority language is spread to choose the language for the Baccalaureate examination – Russian or Ukrainian/**Bulgarian/Gagauz**.

As for the primary and lower secondary general education, this model is also characterised by sustained access to learning Russian (and in Russian) regardless of the language of instruction. This also allows, in the long term, to develop plurilingual competencies of pupils whose mother tongue is Russian or another minority language.

Variation in curriculum planning for lyceum programmes with different languages of instruction (2019/2020)

Subjects	Profile/ number of hours per week					
	Humanities profile			Exact Sciences profile		
A. Plan for lyceum with Russian as the language of instruction						
	X	XI	XII	X	XI	XII
Russian language and literature	5	5	5	4	4	4
Romanian Language and literature	4	4	4	4	4	4
Foreign language I	3	3	3	3	3	3
Foreign language II	2	2	2			
B. Plan for lyceum with Romanian as the language of instruction for pupils of Russian, Ukrainian, Gagauz and Bulgar nationalities						
	X	XI	XII	X	XI	XII
Romanian Language and literature	6	6	6	5	5	5
Russian/Ukrainian/Gagauz/Bulgarian language and literature	4	4	4	3	3	3
Foreign language	3	3	3	3	3	3
C. Plan for lyceum with Russian as the language of instruction for pupils of Ukrainian, Gagauz and Bulgar nationalities						
	X	XI	XII	X	XI	XII
Russian language and literature	5	5	5	4	4	4
Ukrainian/Gagauz/Bulgarian language and literature	4	4	4	3	3	3
Romanian Language and literature	4	4	4	4	4	4
Foreign language	3	3	3	3	3	2

D. Pilot plan for lyceum with Russian as the language of instruction for pupils of Ukrainian, Gagauz and Bulgar nationalities²⁸³						
	X	XI	XII	X	XI	XII
Russian language and literature	4	4	4	3	3	3
Ukrainian/Gagauz/Bulgarian language and literature	4	4	4	3	3	3
Romanian Language and literature	4	4	4	4	4	4
Foreign language	3	3	3	3	3	2

283 In X-XII classes, the subject Russian language and literature is reduced by 1 hour. In the XII grade, students are given the right to choose to take exam for the Bacculaureate diploma - Russian language and literature or Ukrainian / **Gagauz / Bulgarian** language and literature, given that the pilot schools: located in areas densely populated by national minorities of Republic of Moldova, where their mother tongue is the main language of communication and they study 4 languages simultaneously (4 language exams: Romanian, Russian, native and foreign); exams for the Bacculaureate diploma are reduced from 6 to 5.

GERMAN

German (Hungary)

Strengths

- ▶ A range of opportunities to study through the medium of German or bilingually.
- ▶ **Bilingual schools must provide at least 50% minority language instruction.**
- ▶ High number of bilingual German-Hungarian schools, accommodating not only pupils who are of German minority background but others with a desire to learn the language.
- ▶ Continuity of German-language education, from pre-school to tertiary level.
- ▶ National self-governments (NSGs) (elected minority representative institutions) may take over the management of schools, thereby exercising a degree of autonomy in managing educational matters for the linguistic community.
- ▶ A large number of schools are managed by German NSGs.
- ▶ Legal obligations exist for the state authorities to consult with NSGs on education policies and programmes.
- ▶ Recent increase in funds for German-language (minority language more generally) and bilingual education, and financial incentives to minority language teachers.

Weaknesses

- ▶ The autonomy of NSGs is circumscribed in certain areas.

Overview

According to the 2011 census, the number of persons who declared to belong to the German minority were 185,696 out of a population of 9,9 million. Germans were the second largest national minority after the Roma (315,583), followed by Romanians (35,641) and Slovaks (35,208). Of the persons belonging to the German minority, approximately 20% (38,248) considered German their mother tongue, and over half (95,661) stated that they used the language with family members and friends.²⁸⁴ German communities reside in the Western part of the country, with the larger settlements in Baranya/Branau, Győr/Raab-Moson/Wieselburg-Sopron/Ödenburg, Komárom/Komorn-Esztergom/Gran, Pest, Tolna/Tolnau, Veszprém/Wesprim counties, as well as in Budapest.²⁸⁵

Overall, the number of persons who declared to speak German in the 2011 census is much higher than the number of persons who self-identified as belonging to the German minority (1,111,997 versus 185,696 persons). This reflects the fact that German education has been generally popular: pupils who are enrolled in German minority education go far beyond what one may expect given the size of German community,²⁸⁶ with approximately two thirds of pupils not being of German background. Demand for options to learn German has led to some German-language schools switching to a bilingual model that accommodates the needs of pupils aiming at fluency in both Hungarian and German. Besides schools located in regions where German-speakers reside, German-language institutions are found in predominantly Slovenian and Romanian areas of settlement (where German communities are also autochthonous); some of these have similarly transitioned from German-language to bilingual education.²⁸⁷

²⁸⁴ Government of Hungary (2018), 7th state report under the ECRML (n. 24), p.9. Source: Hungarian Central Statistical Office.

²⁸⁵ Ibid, p.13.

²⁸⁶ Committee of Experts (2016), 6th report on Hungary (n. 21), para 262.

²⁸⁷ Ibid. See also Government of Hungary (2018), 7th state report under the ECRML (n. 24), para 24.

The Committee of Experts considered the undertakings for German fulfilled or partly fulfilled in the 7th cycle (2019); despite this, the overall decline in numbers of pupils in German schools in the second half of the 2010s led to the Committee of Experts' recommendation to promote education in German or bilingual at all levels of education.²⁸⁸ The numbers have increased again in 2018/2019 (see data below).

There are currently a range of opportunities to study through the medium of German or bilingually. Bilingual schools provide at least 50% of (obligatory) classes in a minority language (covering at least three subjects) with the rest taught in Hungarian.²⁸⁹ Several German schools are managed by NSGs, as per the provisions of Act CLXXIX on the Rights of Nationalities (2011), which stipulates that Nationality Self-Governments (NSGs) (at both the municipal and national level) may establish schools, or take over their management from the state (for an overview of these and other relevant legal provisions, see the section *Slovak (Hungary)*). NSGs have to be consulted on matters concerning nationality education.²⁹⁰

According to data from the Hungarian government (in the 7th state report, 2018), the German NSG (operating at the *national* level) managed the following institutions:

- ▶ Valéria Koch Grammar School, Primary School, Nursery School, Halls of Residence and Pedagogical Institute, Pécs/Fünfkirchen (taken over in 2004);
- ▶ Friedrich Schiller Grammar School, Secondary Vocational School and Halls of Residence, Pilisvörösvár/Werischwar (2004);
- ▶ German Nationality Grammar School and Halls of Residence in Budapest (2015)²⁹¹

Of the institutions operated by the *local* NSGs, those operated by German NSGs were by far the most common: they were 46 out of 60 in 2018 (the others were: two Croatian, two Slovak, one Rusyn, one Roma).²⁹² Four primary schools (in Csolnok, Újhartyán, Kópháza/Kohlhof, Taksony) were taken over by the German NSG institutions in the period 2014–2015.²⁹³ By the end of 2018 it meant altogether 53 pre-school and educational institutions operated by local German NSGs.

The Catholic Church has managed several institutes with minority language education is organised (in the case of German, in Baja, Budaörs/Wudersch, Budapest-Óbuda/Altofen, Érd/Hanselbeck, Esztergom/Gran, Mohács/Mohatsch, Mór/Moor, Szekszárd.²⁹⁴ Finally, the Evangelical Church has been operating a German-speaking public education institute in Soltvadkert.²⁹⁵

Between 2012 and 2014, the funding for educational institutions operated by the German NSG increased from 105,600,000 forints (338,330 euro) to 125,600,000 forints (402,408 euro).²⁹⁶ In light of this, the Committee of Experts in 2016 commended the Hungarian authorities 'for the significant increase in budgetary support for German language education'²⁹⁷. Besides annual national budget laws,²⁹⁸ a ministerial decree has offered the option of supplementary assistance for bilingual education where needed. In this case, a special education contract is concluded, although this has not been necessary to do so for the German NSG.²⁹⁹

288 Committee of Experts (2019), 7th report on Hungary (n. 39), Chapter 2.7.2(a).

289 There are also schools with a 'nationality education component', teaching a minority culture and language, including German, for five hours a week).

290 Section 81(2), CLXXIX on the Rights of Nationalities (2011); Section 5(9), Act CXC on National Public Education (2011, amended 2017).

291 Government of Hungary(2018), 7th state report under the ECRML (n. 24), p. 61. Source: Ministry of Human Capacities.

292 Ibid, pp. 62–64.

293 Committee of Experts (2016), 6th report on Hungary (n. 21),para 261.

294 Government of Hungary (2018), 7th report under the ECRML (n. 24), p.29.

295 Ibid.

296 Committee of Experts (2016), 6th report on Hungary (n. 21),para 261.

297 Ibid,para 263.

298 See also the Section *Slovak (Hungary)*.

299 Committee of Experts (2016), 6th report on Hungary (n. 21),para. 261. The state report refers to such contracts with four national-level NSGs (Serbian, Slovenian, Slovak and **Romanian**), and one local NSG (in Mátraszentimre). Government of Hungary (2018), 7th state report under the ECRML (n. 24), p. 64.

Programmes for the German community in Hungary have been included in cultural agreements concluded with a number of German regions. Joint committees on educational and cultural issues have been established, with German NSGs in Hungary playing a significant role in maintaining contacts with Germany.³⁰⁰

Pre-school education

While the undertaking on pre-school education was considered fulfilled in the 6th monitoring cycle for German,³⁰¹ it was considered partly fulfilled under the 7th (2019),³⁰² primarily as the number of children had declined for the bilingual model³⁰³ compared to the previous cycle.³⁰⁴ However, the numbers have since increased again.³⁰⁵

In the 6th monitoring cycle, the Committee of Experts further pointed out that the number of children enrolled in mother-tongue pre-school education was relatively low compared to the number of children enrolled in bilingual kindergartens.³⁰⁶

German pre-school institutions (2013/14) (nationality kindergartens)³⁰⁷

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
28	1,113	245	12,540

German pre-school institutions (2016/17)³⁰⁸

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
30	1,542	238	11,522

German pre-school institutions (2018/19)³⁰⁹

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
38	1,999	189	12,039

300 Government of Hungary (2018), 7th state report under the ECRML (n. 24), p. 22

301 Committee of Experts (2016), 6th report on Hungary (n. 21), para.271

302 8.1.a.iv ('favour and/or encourage the provision of pre-school education in German and a substantial part of pre-school education in German'), Chapter 2.5.1.

303 As well as the supplementary minority education model.

304 Committee of Experts (2016), 6th report on Hungary (n. 21), para. 269.

305 The exact factors that led to this increase are difficult to establish with certainty. They might be linked to financial incentives and awareness-raising activities. Parents might also choose church-run or minority schools as less centralised than state-run schools, as they might be seen to offer better-quality education.

306 Committee of Experts (2016), 6th report on Hungary, para. 270 (n. 21). The Committee of Experts added that, according to representatives of the German community, at 'pre-school level the educational model of mother tongue kindergarten corresponds better to the situation of the German language in Hungary.' Ibid, para 270.

307 Government of Hungary (2015), 6th report under the ECRML (n. 45), p.56. Source: Ministry of Human Capacities.

308 Government of Hungary (2018), 7th report under the ECRML (n. 24), Annex 1, p. 111. Source: Ministry of Human Capacities. State statistics also include data on supplementary minority education and teaching of minority languages and culture (albeit not in all cases). They are not included here given the publication's focus on minority language-medium education.

309 Government of Hungary (2019), Report on the situation of nationalities in Hungary (n. 71), Annex 5, p. 198.

Primary education

Primary education is both in German and bilingual. The relevant undertaking was considered fulfilled for primary education in the 7th monitoring report.³¹⁰

German primary education, academic year 2016/17³¹¹

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
9	1,076	35	6,036

German primary education, academic year 2018/19³¹²

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
16	1,833	31	5,315

A sharp decrease in student numbers was recorded between in the school years 2011/2012 and 2012/2013 (when the number of pupils in monolingual primary schools decreased from about 2,000 pupils to just over 1,100 pupils, and the number of mother-tongue institutions from 18 to 11). The number of school institutions and of pupils in bilingual education was stable in the same period, and between the academic years 2013/14 and 2016/17 it increased, from 34 schools with 5,502 pupils³¹³ to 35 institutions with 6,036 pupils. Moreover, the number of pupils in German-medium schools grew substantially between the academic year 2016–2017 and 2018/2019.

Secondary education

In the academic year 2018/2019 there were two secondary institutions operating fully in German, while two years earlier there had been only one. The Committee of Experts in 2016 had noted a decreasing number of children in German-medium education in the preceding years,³¹⁴ while the number of pupils attending bilingual institutions increased (see below), following a similar pattern as in primary education. In 2018/2019 the numbers of students in German-medium secondary education rose again.

German secondary education (gymnasia), academic year 2011/12³¹⁵

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
3	240	10	1,991

German secondary education (gymnasia), academic year 2016/17³¹⁶

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
1	17	11	2,260

310 Article 8.1.b.iv.

311 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 112.

312 Government of Hungary (2019), Report on the situation of nationalities in Hungary (n. 71), p. 198.

313 Committee of Experts (2016), 6th report on Hungary (n. 21), para 273.

314 Ibid, para 276.

315 Government of Hungary (2015), 6th report under the ECRML (n. 45), p. 59.

316 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 112.

German secondary education (gymnasia), academic year 2018/19³¹⁷

German-medium		Bilingual	
Number of institutions	Number of students	Number of institutions	Number of students
2	139	10	2,401

There were no vocational schools in which German was used as language of instruction of bilingually, but only institutions where German could be studied as a subject.³¹⁸ In 2018/2019 there was only one vocational school in which German was taught as a minority language for 93 students.³¹⁹

Both secondary education (Art. 8.1.c.iv) and vocational education (Art. 8.1.div) were considered partially fulfilled by the Committee of Experts in the 7th monitoring cycle.³²⁰

Tertiary education

Courses taught in German and training of teachers for German minority education are provided, *inter alia*, by Apor Vilmos Catholic College (Vác/Waitzen), Eötvös József College (Baja), Eötvös Loránd University (Budapest), Eszterházy Károly University (Eger/Erlau), Pázmány Péter Catholic University (Budapest), University of Pécs/Fünfkirchen, University of Sopron/Ödenburg, University of Szeged, Corvinus University of Budapest and the Budapest University of Technology and Economics. Moreover, the Andrassy University Budapest (AUB) (Andrassy Gyula Deutschsprachige Universität Budapest), established in 2001, operates entirely in German, and offering postgraduate degrees (masters and PhD).³²¹ AUB is supported by a range of states and regions: Austria, Baden-Württemberg, Bavaria, Germany, Hungary, Switzerland and the autonomous region of Trentino-South Tirol.

In its 7th report, the Committee of Experts considered undertaking 8.1.eiii fulfilled ('encourage and/or allow the provision of university or other forms of higher education in German or of facilities for the study of German as an university or higher education subject').³²²

317 Government of Hungary (2019), Report on the situation of nationalities in Hungary (n. 71), p. 199.

318 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 112.

319 Government of Hungary (2019), Report on the situation of nationalities in Hungary (n. 71), p. 200.

320 Committee of Experts (2019), 7th report on Hungary (n. 39), Chapter 2.5.1. The same conclusions were reached in the previous monitoring cycle. Committee of Experts (2016), 6th report on Hungary (n. 21), para 272.

321 See AUB's website, <https://www.andrassyuni.eu/en/university/about-the-university/history.html>

322 Committee of Experts (2019), 7th report on Hungary (n. 39), Chapter 2.5.1.

GAELIC

Gaelic (Scotland)

Strengths

- ▶ Continuity of Gaelic-medium education, from pre-school to secondary level, although continuity between primary and secondary is weaker than it should be.
- ▶ Gaelic-medium education follows an immersion model in the first three years of primary, with English in year four, but with Gaelic predominating throughout primary school.
- ▶ Gaelic-medium education is open to all, with no requirement that students need to belong to a Gaelic-speaking ethnic group, and it has expanded rapidly in areas not typically associated with the Gaelic-speaking population, notably in Glasgow and Edinburgh.
- ▶ Educational performance is measured, and Gaelic-medium education compares very favourably with English-medium, with children in Gaelic-medium performing at least as well in most areas of the curriculum with comparable cohorts in English-medium, and having higher English language skills.
- ▶ Legislation provides that parents have a right to request Gaelic-medium education which education authorities are required to try to facilitate. Changes to Gaelic-medium education provision require parental consultation.
- ▶ The Scottish Government has established significant funding to support the extension of Gaelic-medium education, and has also created a sizeable fund to support capital and other costs associated with the creation of Gaelic-medium schools.
- ▶ A generally supportive language policy, with significant Gaelic-medium television and radio, a language board and a statutory basis for language policy.

Weaknesses

- ▶ Continuity between primary and secondary education is weaker than it should be, with significant numbers in Gaelic-medium at primary level not continuing in Gaelic-medium at secondary
- ▶ Even where it is possible to continue at secondary, the range of subjects available in Gaelic is limited beyond the second year of secondary.
- ▶ Generally, Gaelic-medium education at primary and secondary level is delivered in classes in schools in which English is the dominant language; there are very few Gaelic-medium schools (only one at secondary level).

Overview

At the end of the first millennia, Gaelic is thought to have been spoken in most parts of Scotland, but owing to a variety of factors, by the late Middle Ages it had receded to the Scottish Highlands and the Hebridean Islands. Even in these areas, the language has for at least two centuries been in retreat. The extent of the decline of the language can be seen in the results of successive United Kingdom (UK) censuses. In 1901, for example, there were 230,800 people in Scotland aged 3 or over who claimed to speak Gaelic, representing 5.1% of the Scottish population.³²³ In the most recent census, of 2011, Gaelic was spoken by only 57,600 people in Scotland aged 3 or over, representing 1.2% of the Scottish population, although a somewhat higher number, 87,100 (1.7% of the Scottish population) claimed to have some Gaelic language skills, including 23,400 who could understand but no speak, read or write

³²³ Donald MacAulay (1992), 'The Scottish Gaelic Language', in Donald MacAulay (ed.), *The Celtic Languages*, Cambridge: Cambridge University Press, 137–246, at p. 141.

it.³²⁴ Of Scotland's 32 local government areas, Gaelic is spoken by a majority in only one, that of Comhairle nan Eileanan Siar (CNES) (the Western Isles, or Outer Hebrides), and even there only by a bare majority (52.3%). In the two other local government areas most strongly associated with the historical Gaelic-speaking region, Highland Council and Argyll and Bute Council, 5% or fewer now speak the language. There are, however, significant numbers of Gaelic-speakers living outside the traditional 'heartlands', especially in the greater Glasgow area and in Edinburgh.

The UK has been a highly centralised state, with sole legislative power resting with the UK Parliament in Westminster. This has changed significantly over the last two decades, however, thanks to the process of Scottish, Welsh, and Northern Irish devolution. As a result of the *Scotland Act 1998*,³²⁵ legislative powers and administrative responsibilities were given in 1999 to the Scottish Parliament and the Scottish Executive (now known as the Scottish Government), respectively, including power over education. Overall responsibility for education now rests with the Scottish Government Cabinet Secretary for Education and Skills and the Scottish Government Education Department which serves the secretary. In practice, however, significant powers with respect to many aspects of pre-school, primary, and secondary education have been exercised by local 'education authorities' – essentially, the 32 local governments (or councils) – including decisions on the curriculum, the operation of schools (including staffing), and the language through which education is offered.

There had been a rudimentary church-supported system of Gaelic education in the nineteenth century, but for many years after the passage by the UK Parliament of the *Education (Scotland) Act 1872*,³²⁶ which introduced universal state-funded education in Scotland, little provision was made in schools for the teaching of Gaelic. In 1918, an amendment to the *Education (Scotland) Act* – which still forms part of the act – required that local education authorities provide for the teaching of Gaelic in Gaelic-speaking areas. In practice, the effect of this legislative change was limited, as the relevant areas were undefined and it did not appear to require the use of Gaelic as the medium of instruction, but it did provide the basis for Gaelic to be taught as a subject, mainly at secondary school level, and mainly in the Highlands and Western Isles. Without question, the limited teaching of Gaelic and the historical absence of any Gaelic-medium education contributed to the numerical decline and spatial reduction of the language.

It was only in the 1970s that this began to change. With local government reorganisation, a new local authority for the Western Isles (the only majority Gaelic-speaking area in Scotland), CNES, was created, and in 1975 it instituted a short-lived Gaelic bilingual program which was gradually extended to all of its schools. In 1985, campaigning by parents in Glasgow and Inverness for Gaelic-medium primary education led to the establishment of a Gaelic 'unit' – that is, Gaelic-medium classrooms in an English-medium school – in each city by each of the two local education authorities. As described below, Gaelic-medium primary education has grown steadily since 1985, although many local education authorities have at times not been supportive of parents' desire to have their children educated through the medium of Gaelic. One key issue has been how best to direct or constrain the high degree of autonomy enjoyed by local education authorities – essentially, they determine whether Gaelic-medium education will be offered, and how it will be delivered. A second key issue has been the development of an infrastructure to support Gaelic-medium education, and in particular teaching materials, teacher recruitment and training, and special needs provision and support; in 1985, there was very little in the way of such infrastructure.

The United Kingdom signed the European Charter for Regional or Minority Languages on 2 March 2000 and ratified it on 27 March 2001, and it came into force for the UK on 1 July 2001. The UK elected to apply Part III in respect of Gaelic in Scotland, and under Article 8, 'Education', chose to apply 10 paragraphs or subparagraphs, namely, paragraphs 1a (i), 1b (i), 1c (i), 1d(iv), 1e (iii), 1f (iii), 1g, 1h, 1i, and 2.

324 Scotland's Census 2011: Gaelic Report (part 2) (National Records of Scotland, 2015), available on-line at: https://www.scotlandscensus.gov.uk/documents/analytical_reports/Report_part_2.pdf.

325 1998 c. 46.

326 35 & 36 Vict. c. 62.

Legislation

In 1986, the year after Gaelic-medium education began, the Westminster government introduced secondary legislation under the *Education (Scotland) Act 1980* in the form of a statutory order, which aimed to provide an incentive to education authorities in Scotland to develop Gaelic-medium education and the teaching of Gaelic. As a result of this secondary legislation, *The Grants for Gaelic Language Education (Scotland) Regulations 1986*³²⁷ (the so-called ‘Gaelic Specific Grants’), the Scottish Government will pay to education authorities and certain other bodies involved in the development and provision of Gaelic education up to 75% of the costs associated with delivery of Gaelic education.³²⁸ This financial assistance is available for up to five years, after which the local authorities or other bodies will be expected to assume full responsibility for funding delivery.³²⁹ The Scottish Government currently provides £4.482 million per year to fund these grants.

While the Gaelic Specific Grants has helped to facilitate a steady expansion of Gaelic-medium education, the development of the system still depends on the local educational authorities. In the 1990s, frustrated with opposition to expansion in Gaelic-medium in certain council areas, Gaelic-speakers began a campaign for language legislation – at this time, Gaelic had no significant legislative support – and their demands included a statutory right to Gaelic-medium education, which would have required local education authorities to provide Gaelic-medium primary and secondary education if there was sufficient demand for it.

Although no such right was created, legislation was ultimately passed by the Scottish Parliament, the *Gaelic Language (Scotland) Act 2005*.³³⁰ It created Bòrd na Gàidhlig, a language planning authority, which, in addition to having to prepare a national Gaelic language plan every five years, is given the power to require public authorities in Scotland, including all 32 local councils, to prepare Gaelic language plans in which they must set out the measures the public authority will take in relation to the use by it in providing services to the public and in its internal operations.³³¹ In practice, the Bòrd has sometimes required local councils to make commitments with regard to Gaelic-medium education and the teaching of Gaelic in their Gaelic language plans. A second provision in the 2005 act that is relevant to education is that the Bòrd is required to provide Guidance on Gaelic Education, and councils and their local education authorities, as well as other bodies involved in the education system, are required to have regard to the guidance in carrying out their functions.³³² In 2016, the Bòrd issued its statutory guidance, *Statutory Guidance on Gaelic Education*.³³³

The *Education (Scotland) Act 2016*³³⁴ created a formal process by which parents can request an education authority to assess the need for Gaelic-medium primary school education. The legislation only applies in relation to primary education; local education authorities continue to have a wide discretion with regard to the provision of Gaelic-medium pre-school education, and Gaelic-medium education and the teaching of Gaelic as a subject at secondary level. Under the legislation, a parent of a child not yet in primary education can request that the education authority provide Gaelic-medium primary education, and must in the request provide evidence of the demand in the area from other parents of children of the same age. The education authority must then undertake an initial assessment of the need for Gaelic-medium primary education; however, if it appears that there are at least five children of the same age in the local area who desire Gaelic-medium primary education, the local authority must then undertake a full assessment of the need for Gaelic-medium primary education in the area. In that full assessment, the education authority must consider a number of factors, include the results of a public consultation on the issue, Bòrd na Gàidhlig’s 2017 statutory guidance (referred to above), demand for such education,

327 1986 No. 410 (S. 35)

328 Prior to devolution, these grants were administered by the Scottish Office, a department of the Westminster government.

329 Bòrd na Gàidhlig, *Statutory Guidance on Gaelic Education*, Inverness, 2017 (see below), paras. 2,68–2,70.

330 2005 asp 7.

331 Section 3(4).

332 Section 9.

333 Bòrd na Gàidhlig, Inverness, 2017. Available on-line at: <https://www.gaidhlig.scot/wp-content/uploads/2017/01/Statutory-Guidance-for-Gaelic-Education.pdf>.

334 2016 asp 8.

availability of suitable premises, costs, the likelihood that a teacher or teachers could be found, and the potential to develop Gaelic-medium primary education in the area. However, there is a presumption that Gaelic-medium primary education should be provided: the legislation stipulates that the local authority must decide to provide Gaelic-medium primary education unless it would be unreasonable to do so. Although the 2016 legislation does not create a right to Gaelic-medium primary education, it does create a mechanism which considerably constrains the wide discretion previously enjoyed by education authorities, and should facilitate the further expansion of Gaelic-medium primary education.

In 2007, in recognition of the growing demand for Gaelic-medium education in general (and not simply at primary school level), and to assist education authorities in their development of Gaelic education, the Scottish Government created a Gaelic Capital Fund, which can be accessed money to assist with the costs of establishing or expanding Gaelic education by local authorities. It has been used to assist with the capital costs relating to the construction of Gaelic-medium schools (see below, 'primary education') – either the costs of renovating an existing school or building new school buildings. The Scottish Government provides £4 million per year for this fund, which is additional to the Gaelic Specific Grants.

There are two notable features of Gaelic language policy in general and Gaelic education policy in particular. First, the overall aim of policy is to maintain and to revitalise the Gaelic language, and therefore policy is aimed not only at serving the existing community of Gaelic speakers but to create significant numbers of new speakers of Scottish Gaelic. It is irrelevant whether these new speakers have any previous family or other ethnic connections to the traditional Gaelic-speaking 'heartlands'. Many of the students in Gaelic education do not come from Gaelic-speaking homes – indeed, in areas outside of the traditional 'heartlands', and especially in Glasgow and Edinburgh, the two biggest cities and places where Gaelic-medium education is growing rapidly, a large majority of students do not come from Gaelic-speaking homes. Second, and related to this, it is not necessary for students to be members of a Gaelic ethnic group in order to benefit from Gaelic education, or Gaelic-medium services in general.

Pre-school education

There is an entitlement to a free, part-time early learning and childcare place for all 3- and 4-year olds whose parents wish it.³³⁵ In 2018–19, Gaelic-medium nursery provision was available in 12 of Scotland's 32 local government areas. In total, there were 1,078 children in 56 nursery groups, representing 1.1% of all children in nursery groups in Scotland. In Highland Council area, 367 children (8.7% of all nursery children) were enrolled in 19 groups, and in CNES, 331 children (73.6% of all nursery children) were enrolled in 20 groups; significant numbers were also enrolled at nurseries in Glasgow (108 children in 3 nurseries) and Edinburgh (101 children in 1 nursery).³³⁶

That progress has been made is evident from successive monitoring reports of the Committee of Experts under the ECRML. In its third monitoring report in 2010, for example, the experts noted that in 2007–08 there were 718 children in Gaelic-medium pre-schools, although the number of pre-school centres – 55 – and the number of local authorities involved – 12 – are essentially the same as now. In their third monitoring report, they noted that a major difficulty was the lack of qualified pre-school teachers who master the Gaelic language.³³⁷ In their most recent report, from 2014, the experts noted a number of positive developments, including the appointment of five regional development officers by Bòrd na Gàidhlig and that the Bòrd has developed resources to assist early years, including constitutions for pre-school groups, policies and a handbook for pre-school groups. In spite of this, the experts found that the UK's obligations under Article 8, subparagraph 1 a i was only partly fulfilled.³³⁸

335 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, United Kingdom – Scotland, Overview: https://eacea.ec.europa.eu/national-policies/eurydice/content/united-kingdom-scotland_en.

336 Bòrd na Gàidhlig (2019), *Dàta Foghlaim Ghàidhlig / Gaelic Education Data*, Inverness: Bòrd na Gàidhlig, available at: <https://www.gaidhlig.scot/wp-content/uploads/2019/07/Dàta-Foghlaim-AM-FOLLAIS-2018-19-egn-2-PUBLIC-Education-Data-1.pdf>.

337 Committee of Experts (2010), *Application of the Charter in the United Kingdom: Report of the Committee of Experts on the Charter*, 3rd Monitoring Cycle, Council of Europe, ECRML (2010) 4, 21 April 2010, para. 221.

338 Committee of Experts (2014), *Application of the Charter in the United Kingdom: Report of the Committee of Experts on the Charter*, 4th Monitoring Cycle, Council of Europe, ECRML (2014) 1, 15 January 2014, paras. 144–149.

Primary education

In Scotland, all children begin primary education between the ages of 4 ½ and 5 ½ depending on the child's birthday. Primary education is compulsory, and lasts for seven years, until the child is 12.³³⁹ In 2018–19, Gaelic-medium primary education was available in 14 of Scotland's 32 local government areas. 3,467 pupils, representing just under 1% of all primary school pupils in Scotland, were enrolled in Gaelic-medium primary education in 6 fully Gaelic-medium schools, and 53 units (Gaelic-stream classes) in English-medium schools. In the Highland Council area, 963 primary students were enrolled in Gaelic-medium primary education – 5.6% of all students enrolled in Highland Council primary schools – at 3 schools (Inverness, Ft. William, and Portree) and 17 units – a little over one-tenth of primary schools in the council area. In the CNES area, 732 primary students were enrolled in Gaelic medium – 39% of all such students in the council area – in Gaelic-units in 20 primary schools – just over 90% of Western Island primary schools have Gaelic streams although there are still no stand-alone Gaelic schools in this, Scotland's last majority Gaelic-speaking area. Gaelic-medium primary education has greatly expanded in Glasgow, where there were 699 pupils in 2 stand-alone Gaelic schools in 2018–19 (and where a third stand-alone Gaelic school has opened in 2019–20) and in Edinburgh, where there were 375 students at the capital's one stand-alone Gaelic school.³⁴⁰ Both Glasgow City Council and Edinburgh City Council have been supportive of Gaelic-medium primary education, and both cities have plans to open one more stand-alone Gaelic school in the near future.

As with pre-school education, the Committee of Experts' monitoring reports indicate progress at the primary level. In its third monitoring report in 2010, the experts noted that in 2007–08 there were 2,164 students in Gaelic-medium primary education, although the number of primary schools at which such education was available – 61 – was slightly higher than now.³⁴¹ In its fourth monitoring report in 2014, the Committee of Experts acknowledged the positive measures which had been taken in respect of primary education, but still concluded that the undertaking under subparagraph 1 b i had only been partly fulfilled.³⁴²

In Gaelic-medium primary education, all students, whether they come from Gaelic speaking homes or not, are taught together. It is generally only possible to enter Gaelic-medium primary education in year one of primary school. For the first three years of primary education, teaching is through the medium of Gaelic only, and Gaelic is the only language of the classroom. There is strong correlation between full immersion in the first three years and later pupil achievement. From the fourth to the seventh and final year of Gaelic-medium primary education, English language and literacy is introduced, but schools are encouraged to ensure that all aspects of the curriculum continue to be delivered through the medium of Gaelic. The aim of Gaelic-medium primary education is for children and young people to be able to operate fluently and confidently through the medium of Gaelic and English.³⁴³

Secondary education

Secondary education begins at age 12 and last for 4 years, until the age of 16, and is compulsory. Upper secondary education, which begins at age 16 and lasts until age 18, is not compulsory, and different courses are studied for national qualifications necessary to enter further and higher education.³⁴⁴

Gaelic-medium education is not as well developed at the secondary level, and at present there is only one stand-alone Gaelic-medium secondary school in the country, in Glasgow, although there are plans for one in Edinburgh, hopefully by 2024–25. Indeed, the lack of continuity between primary and secondary is a major issue, as aside from Glasgow, many children who have gone through Gaelic-medium education in primary school will not be able to do so at secondary; even where it exists,

339 European Commission, Eurydice, 'United Kingdom – Scotland Overview' (n. 336).

340 Bòrd na Gàidhlig (2019), *Dàta Foghlaim Ghàidhlig* (n. 337).

341 Committee of Experts (2010), 3rd report on the United Kingdom (n. 338), para. 224.

342 Committee of Experts (2014), 4th report on the United Kingdom (n. 339), para. 153.

343 Bòrd na Gàidhlig (n. 334), paras. 2.10 to 2.12.

344 European Commission, Eurydice, 'United Kingdom – Scotland Overview' (n. 336)

the number of courses offered through Gaelic is limited, and decreases after the second year of secondary education. In spite of this, in its statutory guidance to which all education authorities must have regard, Bòrd na Gàidhlig has indicated that where Gaelic-medium education is available at primary school level, it is considered essential that children and young people be given the opportunity to continue their language skills in secondary education.³⁴⁵

In 2018–19, Gaelic-medium secondary education was available in only 12 of Scotland’s 32 council areas – pupils in Gaelic-medium primary education have no Gaelic-medium secondary education in Angus and Inverclyde council areas. 1,423 students, representing 0.5% of all secondary students in Scotland, in the one stand-alone Gaelic-medium secondary school and in 33 English-medium secondary schools. In the Highland Council area, 416 secondary students were enrolled in at least some courses offered through the medium of Gaelic – representing 3.1% of all secondary students in the council area – in 14 schools, which is almost half of the area’s secondary schools. In the CNES area, at least some courses were available through the medium of Gaelic in all four of the area’s secondary schools, and 353 secondary students did at least some of their courses through the medium of Gaelic – representing 23.9% of all secondary students in the council. In Glasgow 343 students were enrolled in the all-Gaelic secondary school (Sgoil Ghàidhlig Ghlaschu) and in Edinburgh 105 secondary students were doing at least some of their courses through the medium of Gaelic, albeit at an English-medium school.³⁴⁶

Gaelic-medium education at secondary school level remains based on the principle of immersion in Gaelic. In its statutory guidance to which all education authorities and schools must have regard, Bòrd na Gàidhlig indicates that schools should aim to deliver a sufficient proportion of the secondary curriculum through the medium of Gaelic to enable young people to continue to develop their fluency in Gaelic, and that schools and education authorities should plan for this.³⁴⁷ Currently, Gaelic, History, Geography, Modern Studies and Mathematics are available in the upper years of secondary education, with a somewhat wider range of courses available in the first two years of secondary.³⁴⁸

Gaelic is also taught as a subject at secondary schools 7 local government areas in Scotland (Glasgow and Edinburgh are not included here; although Gaelic is taught as a subject, it is only available at the sole secondary school providing Gaelic-medium education in each city). Fully, 3,266 secondary students take Gaelic as a subject in 29 different English-medium schools. Again, the numbers are largest in the Highland Council area, where 1,887 secondary students take Gaelic as a subject in 15 schools, and in CNES area, where Gaelic is taught as a subject in all four of the Western Islands’ secondary school, with 580 students enrolled.³⁴⁹

As with pre-school and primary education, the Committee of Experts’ monitoring reports indicate progress at the secondary level. In its third monitoring report in 2010, the experts noted that in 2007–08 there were 2,733 students taking Gaelic for learners and 968 students were taking Gaelic courses for fluent speakers, although the number of secondary schools at which such education was available – 39 – was, somewhat higher.³⁵⁰ In its fourth monitoring report in 2014, the Committee of Experts again acknowledged the positive measures which had been taken in respect of secondary education, but still concluded that the undertaking under subparagraph 1 c i had only been partly fulfilled.³⁵¹

For teachers’ training and teaching materials for Gaelic, see the relevant sections, below.

345 Para. 2.14.

346 Bòrd na Gàidhlig (2019), *Dàta Foghlaim Ghàidhlig*, (n. 337).

347 Para. 2.16.

348 Bòrd na Gàidhlig (n. 334), para. 2.19.

349 *Ibid.*

350 Committee of Experts (2010), 3rd report on the United Kingdom (n. 338), para. 228.

351 Committee of Experts (2014), 4th report on the United Kingdom (n. 339), para. 159.

BASQUE

Basque (France)

Strengths

- ▶ Continuity of Basque-language education, from pre-school to secondary level (though continuity weakens between primary and secondary).
- ▶ Private immersion schools (Ikastolas) receive substantial public funding.
- ▶ Private schools offer full immersion, and bilingual schools provide equal amounts of Basque and French medium instruction at primary and almost equal amounts at secondary.
- ▶ A flexible minority education system exists with a good range of Basque-medium options: private Basque immersion schools (Ikastolas), private Catholic denominational schools where bilingual education is available, and public schools, which also provide bilingual education.
- ▶ Cross-border exchanges with Spanish Basque Country exist, and the Basque Autonomous Community (Spain) provides some financial support.

Weaknesses

- ▶ In spite of the creation of a language planning authority (Office Public de la Langue Basque) in 2004, the general framework for minority languages in France is weak.
- ▶ Basque and other regional or minority languages have limited recognition in law, though there is some presence on public radio and television, on some signage, place-names, websites of public institutions and in official election material.
- ▶ France has not signed or ratified the FCNM and has signed but has not ratified the ECRML.

Overview

The Basque language (Euskara) is spoken in the Basque Country (Euskal Herria), a territory which straddles the French-Spanish border. There are seven provinces in the Basque Country. Three, Labourd, Lower Navarre, and Soule, collectively referred to as the 'Northern Basque Country' or the 'French Basque Country' (Iparralde), are located in the Pyrénées-Atlantique département, one of 96 local administrative districts on the mainland of France. The other four provinces are in Spain: Biscay, Gipuzkoa and Álava form the Basque Autonomous Community (BAC), one of seventeen autonomous communities (or regional devolved governments) in Spain, and the other, The Foral Community of Navarre (here, 'Navarre'), is itself an autonomous community.

With regard to demographics, the population of the Northern Basque Country in 2016 was 298,664, and that in 2014 the population of the BAC was 2,189,000 and of Navarre was 640,790. Across the entirety of the Basque Country, it was estimated in 2016 (the most recent year for which information is available) that in the whole of the Basque Country, 28.4% of the population aged 16 or over spoke Basque (as well as French, in France, or Spanish, in Spain), and that the numbers and percentages overall continue to increase. However, in the Northern Basque Country, it was estimated that a smaller percentage, 20.5%, spoke Basque (51,000 speakers aged 16 or over), and that a further 9.3% (23,300 people) had a passive understanding of the language, but that numbers and percentages of speakers have been in a state of steady decline.³⁵²

The different trajectory of the Basque language in the Northern Basque Country is to a significant degree the result of much different and significantly less favourable language policies, including in the

³⁵² Jean-Baptiste Coyos (2019), 'Public Language Policy and the Revitalisation of Basque', in Michelle A. Harrison and Aurélie Joubert (eds.), *French Language Policies and the Revitalisation of Regional Languages in the 21st Century*, (Springer [Palgrave Macmillan]: Cham, Switzerland), pp. 245–246.

education system, in the Northern Basque Country. After Spain returned to democracy, the Spanish Constitution of 1978, Castilian Spanish was designated the sole official language of the Spanish state, but Article 3.2 of the constitution provided that other Spanish languages could be official languages in the various autonomous communities if their Statutes of Autonomy so provided. Article 3.3 also provided that the “richness of the different linguistic modalities of Spain is a cultural heritage which shall be specially respected and protected”. Article 6.1 of the Statute of Autonomy of the BAC of 1979 provides that Euskera and Spanish are the official languages of the BAC and that all inhabitants of the BAC have the right to know and use both languages. Article 6.2 provides that the institutions of the BAC shall guarantee the use of both languages and shall effect and regulate whatever measures and means are necessary to ensure knowledge of them. Article 9.1 of the Statute of Autonomy of Navarre of 1982 stipulated that Spanish is its official language but Article 9.2 provided that Basque is also an official language in the Basque-speaking areas of the Community, and that a subsequent law would determine those areas, regulate the official use of Basque, and organise its teaching. The official status of the language was further clarified by legislation in both autonomous communities.

In France, the situation is much different: essentially, Basque, as well as all the other regional or minority languages of France, has no official status, even in its territories of the Northern Basque Country. Article 2 of the French Constitution of 1958 was amended in 1992 and provides simply that the language of the French Republic is French. No provision is made in the Constitution for the recognition of other languages, either at the national or local level, although as a result of an amendment in 2008, Article 75.1 now provides that ‘Regional languages’ are ‘part of France’s heritage’. Unlike Spain, France has not signed or ratified the FCNM, and although it signed the ECRML in 1999, it has not yet ratified it, partly because of a ruling of the French Constitutional Court that recognition of regional or minority languages through ratification of the treaty would be inconsistent with the French Constitution.³⁵³

Since the immediate aftermath of the French Revolution of 1789, education policy in France has generally been aimed at ensuring that the use of French is universal in France, and has until relatively recently made little to no provision for regional or minority languages. In short, its aim has been assimilationist. The first step towards a more significant place for regional or minority languages in the French education system was the Deixonne Law of 1951, which created the possibility of teaching a regional or minority language and culture in pre-school and primary education for up to 2 of the 24 hour school week, but on an optional basis, and only initially for Basque, Breton, Catalan and Occitan. One of the aims of the law was to teach regional languages as a tool to foster mastery of French, and therefore it could be considered to have introduced a subtractive model of bilingual education.³⁵⁴

In the 1960s, parents and teachers in the Northern Basque Country who wished to revive the Basque language there set up an association, Seaska (which means ‘cradle’) (<https://www.seaska.eus/fr>) for this purpose. A similar initiative, the Ikastola movement, was taking place in the Spanish Basque Country where, at that time, the Franco dictatorship was still implementing strongly assimilationist education policies as part of a wider policy of non-recognition of regional and minority languages. These movements aimed at creating a system which would foster additive rather than subtractive bilingualism. In 1969, Seaska launched its first Basque-medium Ikastola as a private school, paid for by parents themselves. Since then, the number of Seaska Ikastolas has continued to grow; in 2018–19, there were 36 Ikastolas, including 11 pre-schools, 20 primary schools, 4 collèges and one lycée, with 3,689 students in total.³⁵⁵ The Ikastolas are private institutions, but since 1993 they have had a contract of association with the state, and the majority of instructors are paid by the state.³⁵⁶ By 2007,

353 Geoffrey Roger (2019), ‘The *Langues de France* and the European Charter for Regional or Minority Languages: Keeping Ratification at bay through Disinformation: 2014–2015’, in Michelle A. Harrison and Aurélie Joubert (eds.), *French Language Policies and the Revitalisation of Regional Languages in the 21st Century*, *ibid.*, pp. 309–33.

354 Michelle A. Harrison and Amélie Joubert (2019), ‘Introduction: Shifting Dynamics in French Language Policies’, in Michelle A. Harrison and Aurélie Joubert (eds.), *French Language Policies and the Revitalisation of Regional Languages in the 21st Century*, *ibid.*, pp. 245–6 p. 14.

355 Seaska, ‘Développement des Ikastola’: <https://www.seaska.eus/fr/developpement-ikastola>.

356 Jean-Baptiste Coyos (2016), ‘L’enseignement Scolaire Bilingue Basque-Français: Avancées et Limites’, in Christine Hélot et Jürgen Erfur, *L’éducation bilingue en France: Politiques linguistiques, modèles et pratiques*, (Limoges: Lambert-Lucas), pp.168–182, at p. 175.

about 70% of the costs of Ikastolas were being paid for by the French State, with parents and Seaska providing the rest.³⁵⁷

In spite of the constitutional position, policy in relation to regional and minority languages in France has been slowly changing. The Haby Law of 1975 created the possibility of teaching regional or minority languages in the public school system, and the Mitterrand government extended this, with the Savary education bills of 1982 and 1983 which created the possibility of bilingual education in the public schools and resulted in the creation, in 1983, of the first Basque bilingual programme in a public school.³⁵⁸ In addition to initiatives in the schools, in 2004, Nouvelle-Aquitaine, the region in which the Northern Basque Country is located, the département of Pyrénées-Atlantique, the Intercommunal Syndicat of support of Basque Culture, and the government of the BAC created the Office Public de la Langue Basque (OPLB) (<https://www.mintzaira.fr/fr.html>), which in 2018 had a budget of 4.186 million Euros (400,000 of which came from the BAC).³⁵⁹ The OPLB was the first public office to be created in France with responsibility for promoting a regional or minority language, and its principal mission is to develop and implement a linguistic policy in support of the Basque language and in particular Basque education. In 2006, the OPLB published its 'Projet de politique linguistique – Un objectif central: de locuteurs complets; un coeur di cible: les jeunes générations' (Language policy plan – one central aim: complete speakers; one main target: young generations). The plan noted that intergenerational transmission of Basque was very weak in the Northern Basque Country, and that the quasi-disappearance of intergenerational transmission led them to focus on the growth in the number of fluent speakers among younger generations. To this end, the plan focused on the aim of structuring and developing the learning process of Basque, which was considered to be an essential tool for the transmission of Basque.³⁶⁰ Thus, Basque language education policy is, as in Scotland, focused centrally on language revitalisation, and to this end on the development of new speakers through the school.

Pre-school Education

Pre-school education through the medium of Basque is available in the Northern Basque Country and enrolment has steadily increased: in 2003–4, 30.4% of pre-school children were enrolled in Basque-medium pre-school education, whereas by 2015–16, this had increased to 44.7%.³⁶¹ Where pre-school education is offered by an Ikastola, the education is entirely in Basque; the public and Catholic-run pre-schools are bilingual, with both Basque and French being used about half the time.

Primary Education

There are essentially two models of Basque-medium primary education, a full immersion model and a model in which there is a parity between teaching in French and in Basque (essentially, a bilingual model). The full immersion model aims to produce students who reach the B1 level in the Common European Framework of Reference for Languages by the end of primary education, whereas the bilingual model only aims to produce students who reach the A2 level by that stage, and research has shown that students in full immersion do in fact achieve better results in Basque than those in bilingual education.³⁶² In Basque immersion education, Basque is the sole medium of education in the first two years of primary; in the third year, 2 hours of French is introduced out of the 24 hour school week, which is increased to 5 hours in fourth year and 8 hours in the fifth and final year of primary school. All of the non-teaching staff are Basque speakers.³⁶³ It is also important to note that where bilingual

357 Daniel Sanchez (2007), *Basque: The Basque language in education in France*, 2nd Edition, Mercator Regional Dossier Series, (Ljouwert: Mercator Research Centre on Multilingualism and Language Learning), p. 10.

358 Harrison and Joubert, 'Introduction' (n. 355), p. 15.

359 Euskara renerakundepublikoa / Office public de la langue basque, 'Etat Previsionnel des Recettes et des Expenses 2018': https://www.mintzaira.fr/fileadmin/images/Budget/EPRD_2018_ADOPTTE.pdf.

360 Coyos, 'Public Language Policy and the Revitalisation of Basque' (n. 353), p. 249.

361 Ibid, p. 251.

362 Ibid, 251.

363 Coyos, 'L'enseignement Scolaire Bilingue Basque-Français' (n. 357) pp. 175–6.

education is offered, it is in classes in schools in which French-medium is also offered, rather than in stand-alone schools; in this sense, the situation is very similar to the majority of Gaelic-medium education in Scotland (as we have seen, Gaelic-medium schools are still the exception).

Basque-medium instruction is available in three types of schools: public schools (which employ the bilingual model), Catholic denominational schools, which are private schools (and which also employ the bilingual model), and *Ikastolas* (which employ the full immersion model). Numbers and percentages of children in some form of Basque-medium education have steadily increased: from 1993–94 to 2013–14, those in Basque-medium in public schools went from 1,309 to 5,003, those in Basque-medium in Catholic schools went from 593 to 2,072, and those in Basque-medium in *Ikastolas* went from 1,005 to 2,175. Fully, by 2013–14, fully 36.6% of children in primary education in the Northern Basque Country were in some form of Basque-medium education.³⁶⁴

Secondary Education

There are two levels in French secondary education, *collèges*, for children aged 11 to 15, and *lycées*, for children aged 15 to 18. While Basque-medium education is available at secondary level, there are significant problems in terms of continuity. In the *collèges*, only 9.9% are in either bilingual or immersion education – in 2013–14, the total number was 2,115 – and in the *lycées*, this drops to only 5% – 575 students.³⁶⁵ In Basque immersion schools (*Ikastolas*), the majority of the curriculum is still taught in Basque, and the Basque language itself is taught for 4 hours per week.³⁶⁶ In bilingual schools, French is used as the language of instruction for about 15 hours per week and Basque is used about 12 hours per week.³⁶⁷

For teachers' training and teaching materials for Basque, see the relevant sections, below.

³⁶⁴ Ibid, p. 173.

³⁶⁵ Ibid. p. 174.

³⁶⁶ Ibid, p. 176.

³⁶⁷ Sanchez, *Basque: The Basque language in education in France* (n. 358), p. 22.

TEACHER TRAINING, TEACHING MATERIALS, AWARENESS-RAISING

TEACHER TRAINING

Hungarian (Slovakia)

The institution responsible for further training of teachers in Slovakia, including minority language teachers, is the Methodology and Pedagogy Centre (MPC). Further training for teachers from Hungarian schools exist in Komárno/Komárom branch of the Centre, the Košice branch and in Trnava. Teacher training is provided for Hungarian-language teachers. Besides pedagogical programmes taught in Hungarian, various activities organised. These include a summer university, conferences and seminars for teachers from Hungarian-language schools, organised by the Komárno/Komárom branch in cooperation with Hungarian Teachers in the Slovak Republic.³⁶⁸ Moreover, the programmes organised by the Košice branch of MPC, and conducted in Hungarian, have included programmes such as Digital Technologies for the Improvement of Teaching Using the Interactive Board in Schools with Teaching Conducted in Hungarian, and Creation and Development of Positive Climate in the Class.³⁶⁹

The Slovak system provides for professional development, particularly through progression through career grades that involve attaining a first and second attestation.³⁷⁰ The MPC attestation can be conducted in a minority language,³⁷¹ and written assignments be completed in a minority language.³⁷² In the fifth monitoring cycle (2019), the Committee of Experts considered the undertaking on the provision of basic and further training of teachers fulfilled for Hungarian.³⁷³

Slovak (Hungary)

Hungary's geographical proximity to Slovakia facilitates exchanges, providing opportunities for increased language proficiency in teachers. Slovak teachers are also invited to teach in Hungary from Slovak institutions.³⁷⁴ Through a joint ministerial workplan, minority language teachers (for Slovak, as

368 Committee of Experts (2016), 4th report on Slovakia (n. 161), para 96.; Committee of Experts (2019), 5th report on Slovakia (n. 156), para 28; Government of Slovakia (2015), *Fourth periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter*, MIN-LANG (2015) PR 5, 30 March 2015, pp.27–29.

369 Government of Slovakia (2015), *ibid*, p. 28.

370 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Slovakia, 'Continuing Professional Development for Teachers working in Early Childhood and School Education', https://eacea.ec.europa.eu/national-policies/eurydice/content/continuing-professional-development-teachers-working-early-childhood-and-school-education-68_en The latest legislation is the 2019 Act No. 138/2019 on pedagogical employees and professional employees and on the change and supplement to some acts.

371 Government of Slovakia (2015), 4th state report under the ECRML (n. 369), p. 29.

372 Internal MPC Directive No. 8/2013 on Attestations. Government of Slovakia (2015), 4th state report under the ECRML (n. 369), p. 29.

373 Committee of Experts (2019), 5th report on Slovakia(n. 156), Chapter 2.1.5. The undertaking had also been considered fulfilled in the 4th monitoring cycle.

374 At the same time, this practice has led to concerns by representatives of national minorities that these teachers have 'limited awareness of cultural specificity of minority children and of the context of the Hungarian state'. ACFC (2016), 4th Opinion on Hungary (n. 42), para 155.

well as **German**, Croatian and Slovenian) may participate in further training programmes organised for teachers in cooperation with the kin-states.³⁷⁵

The ACFC has referred to 'the continued assistance of the **German**, Serb and Slovak pedagogical and methodological centres offered to institutions teaching their respective languages in Hungary.'³⁷⁶

Overall, with reference to Slovak, the Committee of Experts considered the undertaking on teacher training partly fulfilled.³⁷⁷ While the situation of further training was judged 'largely satisfactory', the basic training of teachers was not considered to satisfy the demands of RML education, particularly for teaching through the medium of such languages.³⁷⁸ This was also acknowledged by the Hungarian government, along with a need to increase training in order to meet demand.³⁷⁹ There has been a reduced number of students applying for teacher training, including for Slovak.³⁸⁰ The issue of low numbers of teachers is exacerbated by the fact that some of the trained teachers may choose to emigrate for better prospects, and some of the retired teachers are not replaced.³⁸¹ The Committee of Experts and the Committee of Ministers recommended the adoption of measures aimed at increasing in the number of teachers able to teach subjects in RMLs.³⁸²

A range of measures have been adopted to mitigate existing problems. In particular, incentives have been introduced for pre-school teachers using RMLs. The Committee of Experts has recommended that similar incentives, such as guaranteed employment, and a salary bonus, be introduced also at primary and secondary levels, so as to encourage students to become RML teachers.³⁸³ Other measures have included (according to information by the Hungarian government):

- ▶ partial government grants for selected students, including students in Slovak receiving basic teacher training with minority-teacher specialisation, starting with the academic year 2013/14. One Slovak-speaking student per year benefits from a state-supported place in higher education related to teacher training.³⁸⁴
- ▶ the development of several accredited training programmes, including some in connection with the European Union; the EU also supported a textbook improvement programme (SROP41 3.4.1 on minority student education and training assistance), which offered applicants the opportunity to develop further teacher training programmes.³⁸⁵

Accredited further training courses for Slovak teachers have been offered by Eötvös Loránd University (ELTE) (the Faculty of Humanities, Institute of Slavic and Baltic Philology), on:

- ▶ The theory and methodology of teaching Slovak cultural studies in grades 1–8 of public education institutes
- ▶ The theory and methodology of teaching Slovak cultural studies in grades 9–12 of public education institutes³⁸⁶

Besides ELSE, the University of Szeged offers training courses for Slovak teachers, on Slovak language and culture, for both nursery teachers and school teachers.³⁸⁷ Finally, Slovak teachers are also trained at Vitéz János Catholic College.³⁸⁸

375 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 60.

376 ACFC (2016), 4th Opinion on Hungary (n. 42), para 156.

377 Committee of Experts (2019), 7th report on Hungary (n. 39), Chapter 2.12.1.

378 Ibid, para. 17.

379 Government of Hungary (2018), 7th report under the ECRML (n. 24), p.48.

380 Committee of Experts (2019), 7th report on Hungary (n. 39), para. 17.

381 Committee of Experts (2016), 6th report on Hungary (n. 21), para 648.

382 Ibid, para 645.

383 Committee of Experts (2019), 7th report on Hungary (n. 39), para 17.

384 Committee of Experts (2016), 6th report on Hungary (n. 21), para 646; Government of Hungary (2018), 7th report under the ECRML (n. 24), p.50.

385 Committee of Experts (2016), 6th report on Hungary (n. 21), para 647.

386 Government of Hungary (2018), 7th report under the ECRML (n. 24), pp. 56–57.

387 Government of Hungary (2015), 6th report under the ECRML (n. 45), p. 127.

388 Government of Hungary (2018), 7th report under the ECRML (n. 24), p.29.

German (Hungary)

German is in a more favourable position compared to other languages in terms of teacher training in Hungary: while for other languages the number of students for teacher training (for all levels of education) is low, this has not been the case for German.³⁸⁹ It reflects the popularity of German education in Hungary (see 'German (Hungary)'). Teachers training for German-language teachers is by far the most common type of teachers training, for both nursery and school teachers, teaching German language and culture. It is offered by: Apor Vilmos Catholic College, Eötvös József College, Eötvös Loránd University of Sciences, University of Western Hungary (NYME), Pázmány Péter Catholic University, University of Pécs/Fünfkirchen, Szent István University, the University of Szeged,³⁹⁰ and Vitéz János Catholic College.³⁹¹

The training itself is usually conducted in Hungarian, and in some cases in German as the training for 'German minority education officer' at Eötvös Loránd University of Sciences Humanities is in German.³⁹²

A joint ministerial workplan foresees the opportunity for German-language teachers to participate in further training programmes organised for teachers in cooperation with Germany.³⁹³ At the same time, in the 7th monitoring cycle (2019), the Committee of Experts noted a need to '[i]ncrease the number of teachers who are able to teach subjects in German'.³⁹⁴ It considered only partially fulfilled Article 8.1.h (provide the basic and further training of the teachers teaching (in) German).

The Klebelsberg Training Scholarship was introduced to support students in higher education and enhance the supply of high-quality teachers and to support students' studies in higher education, starting with the academic year 2013/14. The 7th report (2017) refers to a total number of 1,517 students in receipt of a scholarship, of which 16 studied in on the teacher degree course for German and nationality German language and culture.³⁹⁵

Accredited further training courses for nationality teachers mentioned in the 7th report were:

At the Valéria Koch Grammar School, Primary School, Nursery School, Halls of Residence and Pedagogical Institute

- ▶ 'The use of mBook in teaching history, social and civic studies in German';
- ▶ 'Development of interactive teaching materials for German nationality education';
- ▶ 'New teaching and learning methods in German nationality language teaching
- ▶ 'Teaching German folklore in Hungary in secondary school (folk dance, folk songs, folk costumes and traditions)'
- ▶ 'Games and dance in German nationality nursery schools and schools'
- ▶ 'Puppetry in German nationality nursery schools and in the first four grades of primary school'
- ▶ 'Conveying nationality contents using project methods and organising playing stations'³⁹⁶

At the University of Pécs/Fünfkirchen, IllyésGyula Faculty, Pedagogical Institute

- ▶ 'Diverse German language in nursery school / Language acquisition in German nationality nursery schools'
- ▶ 'Diverse German language teaching in the lower grades of German nationality primary schools.'³⁹⁷

389 Ibid, p.48.

390 Government of Hungary (2015), 6th report under the ECRML (n. 45), pp. 125–127.

391 Government of Hungary (2018), 7th report under the ECRML (n. 24), p.29.

392 Government of Hungary (2015), 6th report under the ECRML (n. 45), pp. 114–115. The report listed training courses for 2014.

393 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 60.

394 Committee of Experts (2019), 7th report on Hungary (n. 39), recommendation in Chapter 2.5.2.

395 Government of Hungary (2018), 7th report under the ECRML (n. 24), p. 50.

396 Ibid, pp. 56–58.

397 Ibid.

Frisian (Netherlands)

Frisian is a Germanic language closely related to Dutch, and spoken in a region of the Netherlands, Fryslân. Over half of the population of the region (620,000, out of the Netherlands's 16 million) consider Frisian their mother language.³⁹⁸ Given its official status within the Netherlands, efforts have been made to develop Frisian-medium education (bilingual – Dutch and Frisian, or trilingual – supplemented with English).³⁹⁹ The language is also studied as a subject, and through immersion or bilingual programmes in pre-school education. The results have been mixed, partially due to a need to increase schools' motivation to teach the language adequately.⁴⁰⁰ Efforts include awareness-raising programmes. Of particular interest to this study are programmes for teacher training and teaching materials.

Teacher training for primary school lasts four years (or up to six years part-time), and it envisages an integrated model, encompassing both theoretical and practical aspects of teaching. Given that Frisian is a compulsory subject in Frisian primary schools, the study of the language as a subject is an integral part of primary-level teacher training programmes. In the first two years, all students attend language courses for Frisian, while later it is optional.⁴⁰¹

Training for secondary school teachers is divided into two parts. The lower level (level-two certificate – four years) is required to teach in pre-vocational institutions and grades 1–3 of general secondary education and pre-university secondary education. For higher levels, the level-one course has to be completed (3 years part-time, following the completion of the level-two certificate). For the level-one course, subjects include Frisian language, history of Fryslân and pedagogy. For a considerable part of the programme, candidates practice as trainees in schools. In-service training is also foreseen, to enhance teachers' language competence and familiarity with new teaching methods.⁴⁰²

Polish (Latvia)

Teaching training programmes are available in Daugavpils University where a dual speciality may be obtained such as a teacher of Polish and English or **German**/French/Swedish/Spanish.

All teachers in Latvia are required to undergo the minimum amount of continuous professional development of 36 hours per 3 years. The specialized agency – Latvian Language Learning State Agency⁴⁰³ was established in 1995. From 1997 to 2012, professional development was provided to 4000 teachers of minority education programmes in bilingual education methodology and specific subject methodology in all subject areas. A special 60-hour programme was developed in the Content Language Integrated Learning (CLIL) methodology which was available for teachers working in minority education programmes and for teachers in schools with the Latvian language of instruction⁴⁰⁴. The Agency developed a vast number of materials for teachers working in minority education programmes covering both theoretical aspect of bilingual education i.e. handbook on bilingual education) and practical, subject-related materials and samples of lessons and tests, DVD materials and other. These materials remain available for teachers on the special website page of the agency devoted to different aspects of teaching and learning of the Latvian language and bilingual education⁴⁰⁵.

398 Mercator, *Frisian: The Frisian Language in Education in the Netherlands*, 4th Edition (Ljouwert/Leeuwarden, Mercator, 2007), p.5, https://www.mercator-research.eu/fileadmin/mercator/documents/regional_dossiers/frisian_in_netherlands_4th.pdf

399 Ibid, pp. 9–10.

400 Ibid, p. 38.

401 Ibid, 30.

402 Ibid, pp. 31–2.

403 Renamed The Latvian Language Agency after reorganization together with the State Language Agency in 2009, <https://valoda.lv/par-mums/>

404 Indra Lapinska, Latvian language Agency, "CLIL experience in Latvia", presentation (data unknown), available in Latvian at <http://maciunmacies.valoda.lv/clil#tab2>

405 Latvian Language Agency, at <http://maciunmacies.valoda.lv/clil#tab3>

Furthermore, the Latvian Language Agency has continued to offer Latvian language improvement courses for teachers. Between 2012 and 2016, 8 084 teachers participated in such courses.

To ensure that schools with the Polish language of instruction have qualified teaching staff, especially teachers of Polish, the state issues authorization for guest teachers from Poland to work in Polish schools and their number has varied between 8 and 12 in the years 2012–2017⁴⁰⁶. Teachers from Poland are provided with free Latvian language classes; at the same time, local teachers are provided with opportunities to improve their knowledge of Polish in Poland i.e. Polish language and culture school organized by the University of Wrocław.⁴⁰⁷

Polish (Lithuania)

Teacher training in Lithuania has been undergoing a fundamental reform. The Regulations adopted on 29 May 2018 state that Teacher Training Centres (further – Centre) and other higher education institutions that have cooperation treaties with Centres provide initial teacher education. The Centre is a university that meets the requirements set by the Minister for Education and Science. It has to concentrate the state’s (regional) educational potential and cooperate with other higher education institutions that provide initial teacher education study programs.

So far, teachers for the schools with the Polish language of instruction have been prepared at the Lithuanian University of Educational Sciences (LEU)⁴⁰⁸. Currently, there was no shortage of teachers reported, although the higher education reform foresees reduction of fourteen existing universities to nine⁴⁰⁹.

According to the Law on Higher Education (2009), Lithuanian higher education institutions deliver instruction in the Lithuanian language to ensure that teachers are duly prepared for educational activity in any school which follows pre-school, pre-primary, primary, basic and secondary education programmes in the state language. This ensures the opportunity to work as teachers of the national language at schools which instruct in the national minority language.

Professional development and certification of educators working in the language of a national minority at pre-school institutions and schools of general education is arranged according to the general professional development and certification procedure for educators that operates in the Lithuanian education system. Based on international agreements, teachers have the opportunity to develop their qualifications at foreign higher education institutions.⁴¹⁰

Russian (Moldova)

Access to higher education programme including pedagogical studies is available in Russian. The same applies to teacher professional development. At the same time, to address shortage of teachers and to provide schools in Russian and other minority languages with qualified and multilingual staff the MECC in cooperation with national and international partners has been implementing several measures. For example, under the Government Decision 334 (March 24, 2016) “On specific measures

406 ACFC (2018), 3rd Opinion on Latvia (n. 224), para. 153.

407 Based on information provided in the self-assessment reports of the Polish schools that is publicly available on the schools’ websites.

408 The Lithuanian University of Educational Sciences confers the qualification degree of a Bachelor in Polish, **Russian** and **German** philology and the professional qualification of a teacher.

409 On 5 June 2019, the Parliament (Seimas) issues a decision to merge the Lithuanian University of Educational Sciences (LEU) and Aleksandras Stulginskis University (ASU) with Vytautas Magnus University (VDU). Following the merger, the LEU, currently based in Vilnius, will become the VDU Education Academy in Kaunas, Lithuania’s second-largest city, and the ASU will become the VDU Agriculture Academy. According to the information provided by the office of the High Commissioner on National Minorities, national minorities’ representatives are concerned that in the future there will be limited possibility for training teachers of **Russian** and Polish language; the Ministry of Education and Science has assured that for students who are currently enrolled at the LEU there will be the possibility to complete their education at Vilnius University in philology studies (Iryna Ulasiuk, HCNM Legal Adviser, e-mail communication, July 2019)

410 ACFC (2018), 4th Opinion on Lithuania (n. 242), para. 111.

to improve the socio-economic situation in the territorial autonomous unit of Gagauzia for the period 2016–2019”, the MECC together with Romanian partners supported the training of 40 teachers of Romanian language in the region. Also, under the same programme, the University of Comrat has opened preparation programmes for the Romanian and **Gagauz** language teachers, and pedagogical studies for pre-school and primary education teachers. There are several teacher training programmes which prepare teachers of two languages:

- ▶ teachers of Romanian-Ukrainian philology (A. Russo University in the Bălți municipality);
- ▶ teachers of Russian-Romanian, Romanian-**Gagauz** and Romanian-**Bulgarian** philology (I. Creanga Pedagogical University in the Chişinău municipality);
- ▶ teachers of **Gagauz**-Romanian, **Bulgarian**-Romanian philology (Comrat State University).

Educators of kindergartens with instruction in and teaching of the **Gagauz** and **Bulgarian** languages are prepared in colleges in the Comrat municipality and the Taraclia city. The programmes are implemented in Russian.

There were attempts to integration bilingual instruction into higher education to ensure that minimum 30% of learning is provided in Romanian, however, this requirement is not strictly implemented and, mostly, availability of staff in higher education with certain languages determines the language of instruction. It is noteworthy that the Romanian language is included into teacher training programmes, as well as into other specializations (language for occupation)⁴¹¹.

Gaelic (Scotland, UK)

Shortages of teachers at both primary and secondary level has been an ongoing problem for Gaelic-medium education in Scotland since it was first introduced in 1985, and has been repeatedly highlighted by the Committee of Experts as being a problem; in its most recent monitoring report in 2014, the experts made particular reference to shortage of teachers in its findings,⁴¹² and it recommended that the authorities continue to take measures to strengthen Scottish Gaelic education through the training of teachers.⁴¹³ However, basic and further training for teachers has greatly expanded, especially since the creation in 2006 of Bòrd na Gàidhlig. For a good part of the period since 1985, teacher training was provided primarily through a post-graduate course offered at Strathclyde University.

There are now three universities which offer a four or five year undergraduate B.A. degree in Gaelic and Primary Education, one at the University of Edinburgh Moray House School of Education, one at the University of Strathclyde, and one at Sabhal Mòr Ostaig, UHI (SMO), the Gaelic college on the Isle of Skye which is part of the new University of the Highlands and Islands (UHI). Both the Edinburgh course, which began in 2014, and the newer SMO course take students with no Gaelic and bring them to fluency as part of the course, as well as train students who already have the language (as at Strathclyde).

For those who already have an undergraduate degree (in any subject), it is possible to become a primary or secondary school Gaelic teacher by doing a Post-Graduate Diploma in Education (PGDE), which lasts for one year. These courses are offered at the University of Aberdeen, the University of Strathclyde, and the University of the Highlands and Islands, but to gain entry, an applicant must already be fluent in Gaelic.

Two courses have recently been developed to assist already-qualified teachers to transfer from English-medium to Gaelic-medium education. The first, STREAP, is a one-year part-time programme that is delivered by Aberdeen University and SMO for teachers who are already fully fluent in Gaelic. The course is funded by the Scottish Government and allows teachers to enhance their professional practice in the teaching of a subject or a stage through the medium of Gaelic. The second is the Gaelic

411 Interview with the representatives of the National Agency of Quality Assurance in Education and Research on 18 September 2019 in Chişinău, Moldova.

412 Committee of Experts (2014), 4th report on the United Kingdom (n. 339), Chapter 4, finding F.

413 *ibid*, Recommendation 1.

Immersion for Teachers (GIft) course, a one-year full-time course designed by Strathclyde University and the University of Edinburgh and based at Strathclyde University which is designed for qualified teachers who have intermediate Gaelic language competence and who wish to improve their Gaelic in order to work in Gaelic-medium education.⁴¹⁴ In order to enhance the recruitment of Gaelic-medium and Gaelic language teachers, Bòrd na Gàidhlig Bòrd na Gàidhlig employs a Gaelic teacher recruitment officer and has launched a campaign called 'Thig gam Theagasg' ('Come teach me').⁴¹⁵

Basque (France)

Since 1991, teacher training for both primary and secondary education has been provided by university teacher training institutes (IUFM: Institut universitaire de formation des maitres), which are linked to universities and provide training over two years. Candidates must have completed three years of post-secondary education to be admitted to an IUFM. The only IUFM which provide Basque language teacher training is the IUFM of Aquitaine, in the territory of the Académie of Bordeaux. Seaska primary teachers are trained in the superior institute of languages of the French Republic (ISLRF) in Montpellier, whereas secondary teachers are also trained at the IUFM of Aquitaine.⁴¹⁶ Ikas unites teachers of Basque and aims to create good conditions for the teaching of Basque by organising monthly meetings in a teacher training college in the BAC. These meetings promote contacts between teachers in the two jurisdictions and facilitate exchanges of teaching methods. Ikas has also set up a centre for educational information where teachers from the Northern Basque Country can consult teaching materials supplied by the government of the BAC.⁴¹⁷

Summary

Measures promoting teachers' training include:

- ▶ Incentives to enrol in programmes for minority teacher specialisation
- ▶ In-service training and continuous professional development
- ▶ Presence of accredited training programmes (where possible in cooperation with international institutions such as the EU)
- ▶ Training programmes on the use of technology to teach languages; piloting innovative methods
- ▶ The creation of a positive, intercultural climate in the classroom

414 Bòrd na Gàidhlig (n, 334), para. 2.66 and notes 15 and 16.

415 See below ('Awareness-raising').

416 Sanchez, *Basque: The Basque language in education in France* (n. 358), p. 29.

417 Ibid, pp. 12–13.

TEACHING MATERIALS

Slovak and German (Hungary)

With reference to teaching materials for minority languages in Hungary, the Committee of Experts noted that:

In Hungary, teaching materials in regional or minority languages have been developed and published for nearly all levels of education. In a European perspective, Hungary has achieved a high standard in this field. Mention should be made of teaching materials on the history of the Nationalities or school atlases putting emphasis on the use of place names in the regional or minority languages.⁴¹⁸

Similarly, the ACFC as noted 'the efforts of the Department of Education of the Ministry of Human Capacities to ensure an adequate supply of textbooks in languages of national minorities'.⁴¹⁹ Some textbooks have been published with support from the EU Social Fund (ESF).⁴²⁰ With reference to Slovak, the Slovak National Self-Government has been involved in the development of teaching materials for all the education grades, from primary to secondary school.⁴²¹

At the same time, frequent changes to the school curricula require continuous effort to replace textbooks. In these cases, manuals and other teaching aids produced from the kin-states may be employed as additional teaching aids.⁴²²

In its 6th report (2015), the Hungarian government noted that EU funding has been utilised in order to accelerate curriculum development and the provision of textbooks. Since 2012 there have been tenders for projects of up to two years, aiming to develop 'appropriate content requirements for new textbooks and workbooks, but also visual aids [...], digital learning materials [...] and methodological materials', for both minority education and teachers' training.⁴²³

With reference to German, the Committee of Experts refers to the fact that, in the on-the-stop visit for the 6th monitoring cycle (2016), representatives of the German speakers indicated that 'considerable progress had been made in the publication of teaching materials for German language education'.⁴²⁴ The situation had improved since the previous monitoring cycle, when representative of German-speaking communities had informed the Committee of Experts of the paucity of teaching materials.⁴²⁵

Hungarian (Serbia)

With reference to the provision of textbooks for teaching *in* minority languages, Serbia was considered by the Committee of Experts to be 'making tremendous efforts to achieve this goal'.⁴²⁶ The Ministry of Education issues an annual Catalogue of Textbooks, which lists, among others, textbooks in the languages of national minorities.⁴²⁷ In 2016 several textbooks were planned, including 7 textbooks in Hungarian, 11 in **Bulgarian**, as well as for other languages.⁴²⁸

418 Committee of Experts (2019), 7th report on Hungary (n. 39), para. 20.

419 ACFC (2016), 4th Opinion on Hungary (n. 42), para. 155.

420 Ibid.

421 Committee of Experts (2016), 6th report on Hungary (n. 21), para. 625.

422 ACFC (2016), 4th Opinion on Hungary (n. 42), para 155. New education policies might require teaching materials to be published directly by the state, which has led to concerns that textbooks currently in use (and produced by private publishing houses) might be discontinued. The Committee of Experts has noted, on this point, that '[g]iven the positive situation at present, the Committee of Experts hopes that the existing teaching materials will remain in use after this possible change in publication policy'. Committee of Experts (2019), 7th report on Hungary (n. 39), para 20.

423 Government of Hungary (2015), 6th report under the ECRML (n. 45), p. 52.

424 Committee of Experts (2016), 6th report on Hungary (n. 21), para 266.

425 Ibid, para 264. The Committee of Experts had recommended that the Hungarian government 'accelerate the production of teaching materials for education in German at all stages of education' (Ibid, para 258).

426 Committee of Experts (2018), 4th report on Serbia (n. 16), para 40.

427 Ibid.

428 Ibid, para 41.

The Law on Textbooks (2015) includes provisions on textbooks in the language and script of national minorities. The Law regulates the textbooks market, including through equal access to textbooks to minorities. It states that the publisher must provide funds for issuing low-circulation textbooks corresponding to 2% of the income from textbook sales in the previous year. A 'low-circulation textbook' encompasses the category of 'textbook on the language and script of a national minority'.⁴²⁹ The price of textbooks in RMLs must be equal to corresponding textbooks in Serbian.⁴³⁰

The Institute for Textbooks has been providing textbooks for speakers of minority languages in accordance with the relevant textbook plans (for education in minority languages, and for the elective subject Mother Tongue with Elements of the National Culture). All textbooks for RMLs have to be approved by the Ministry of Education (or the regional institutions of Vojvodina). If textbooks are translated from Serbian into a minority language, the Law on Textbooks stipulates that the translation must be approved by the relevant national council, so as to ensure the quality of the translation.⁴³¹ Textbooks which are written directly in a RML are commissioned to authors who are representatives of the national minority, and quality-approved by the relevant national council.⁴³²

Polish (Latvia)

Textbooks and other teaching and learning materials approved for use in schools in Poland, by the virtue of bilateral agreement, may be used in Latvian schools where the Polish language is used as a language of instruction together with the textbooks approved in Latvia. Teaching guides and materials for different grades and subject areas for schools with minority education were also developed and distributed by Latvian Language Agency⁴³³. In addition, teachers in Polish schools may use the library electronic catalogue ALISE (BIS ALISE) which connects school libraries with Latvia National Library and Poland National Library. Teachers develop their own bilingual (in Polish and Latvian) teaching and learning materials including materials for interactive boards (Interactive Whiteboards)⁴³⁴.

Polish (Lithuania)

Publishing and supply of textbooks for schools of national minorities in Lithuania are arranged according to the same general principles as for schools in the Lithuanian language⁴³⁵. Original textbooks for teaching Polish as the mother tongue for grades 1–12 are developed by representative of Polish national communities, teachers and researchers working at Lithuanian universities and general education schools and published in Lithuania. According to the Ministry of Education and Science⁴³⁶, as of 2017, textbooks in 32 titles for teaching Polish as a native language were developed and published; in addition, within the framework of the EU Structural Funds project, digital teaching aids for teaching Polish as a native language were developed for grades 9–12⁴³⁷. Textbooks for other subjects in the primary and basic education curriculum are being translated from Lithuanian.

Teachers in schools with the Polish language of instruction working in pre-school education use or adapt materials published in Lithuania or develop their own. As schools procure textbooks using the

429 European Commission, EACEA National Policies Platform, Eurydice: Country Profiles, Serbia, 'Teaching and Learning in Upper Secondary Education'.

430 Republic of Serbia (2017), 4th state report under the ECRML (n. 119), para 17.

431 Ibid.

432 Ibid.

433 Latvian Language Agency, see <http://maciunmacies.valoda.lv/clil#tab3>

434 Based on information provided in the self-assessment reports of the Polish schools that is publicly available on the schools' websites.

435 Description of the Procedure for the Assessment of the Compliance of General Education Textbooks and Teaching Aids with Legal Acts and Supply Thereof (approved by Order No V-2310 of the Minister of Education and Science of 30 November 2011) and Description of the Procedure for the Assessment of Content of General Education Textbooks (approved by Order No VK24 of the Director of the Education Development Centre of 29 February 2016).

436 ACFC (2018), 4th Opinion on Lithuania (n. 242).

437 Ibid.

financial resources allocated from the “student’s basket”, this poses a problem for small schools located in rural areas (where many Polish schools are located); publishing textbook in Polish proved to be economically-challenging due to smaller numbers of pupils in these schools and, in general, relatively small population of students studying in Polish (around 11,000 in 2018). Lithuanian textbooks are used in the upper secondary education classes (non-compulsory education), but the subjects are still being taught in Polish. Additionally, some schools also use teaching material from Poland⁴³⁸.

Gaelic (Scotland)

The shortage of appropriate teaching materials has been a persistent problem from the start of Gaelic-medium education in 1985, and has been wholly due to the exclusion of Gaelic as a medium of instruction until that time. As with teacher shortages, the Committee of Experts has repeatedly identified this as a problem; in its most recent monitoring report in 2014, the experts made particular reference to shortage of teachers in its findings,⁴³⁹ and it recommended that the authorities continue to take measures to strengthen Scottish Gaelic education through the production of teaching and learning materials.⁴⁴⁰ In the early years of Gaelic-medium education, teachers were generally forced to translate texts and other materials themselves, sticking the Gaelic text into English language books and other materials with glue. The inadequacy of teaching materials has been highlighted by the Committee of Experts under the ECRML in each of its four monitoring reports on the UK. In the findings in its most recent report of 15 January 2014, for example, the Committee of Experts again made reference to the shortage of teaching materials, noting that too much still relies on the goodwill of teachers.⁴⁴¹

To address this problem, the Scottish Government established Stòrlann, a company based on the Isle of Lewis which is specifically charged with the development of teaching materials for Gaelic-medium education at all levels, from pre-school through secondary, and also materials to support life-long learning. In addition to producing textbooks and a wide range of other teaching material, Stòrlann has developed ‘An Seotal’, a terminological data-base to support the teaching of subjects through the medium of Gaelic.⁴⁴² Stòrlann is primarily funded by the Scottish Government (£560,000 per year) and Bòrd na Gàidhlig (£280,000 per year).

Frisian (Netherlands)

In recent years new technologies have been employed to promote the use of Frisian, both in and outside schools, often through efforts of the Fryske Akademy (Frisian language academy). Resources have included an online language-learning facility, education materials, a Twitter account, a Facebook page, and a Wikipedia presence.⁴⁴³

Pre-school

In 1996 the Tomke project was established to promote Frisian among pre-school children, by improving their reading skills.⁴⁴⁴ The project’s theme varies from year to year, and employs rhymes, songs, and games aimed at language development among children. It has a range of supporting activities,

438 van Dongera et al, *Research for CULT Committee -Minority Languages and Education* (n. 155).

439 Committee of Experts (2014), 4th report on the United Kingdom (n. 339), Chapter 4, finding F.

440 Ibid, Recommendation 1.

441 Ibid.

442 Further information can be found at the Stòrlann website (<https://www.storlann.co.uk/index.html>), and in their most recent annual report (from 2015–16): <https://www.storlann.co.uk/PDFs/Storlann-Annual-Report-2015-16.pdf>.

443 Tjeerd de Graaf, Cor van der Meer and Lysbeth Jongbloed-Faber (2014), ‘The Use of New Technologies in the Preservation of an Endangered Language: The Case of Frisian’, in Mari C. Jones (ed.), *Endangered languages and new technologies* (Cambridge: Cambridge University Press), pp. 141–149.

444 Tomke is a joint project of the Afûk (foundation for the promotion of the knowledge and use of Frisian), the Bibliotheekservice Fryslân (Public Library Service), the SFBO (Sintrum Frysktalige Berne-opfang – Frisian Childcare Centre), Taalsintrum Frysk of CEDIN (Centrum voor Educatieve Dienstverlening in Noord Nederland (School Advisory Centre in the north of the Netherlands), and the foundation It Fryske Berneboek (Frisian Children’s Book – foundation for the promotion of reading and writing of children’s books in Frisian). Mercator (2007), *Frisian: The Frisian Language in Education in the*

including information meetings for those involved, publication of a book, a TV series, activities in libraries, and an interactive website. In the period 1996–2006 participation in the Tomke project involved a growing number of playgroups and day care centres. The project's success led to editions of its books in other languages: North Frisian (Germany), Papiamentu (Antilles and Aruba), and some Lower-Saxon dialects.⁴⁴⁵

Primary education

Teaching materials have been developed for a Frisian-language teaching method, Studio F, introduced in 2006. It combines reading and writing with television and IT tasks. Classes are mixed, with Frisian mother-tongue speakers and second language learners following Frisian lessons simultaneously, using the same teaching materials. Materials have been designed to be used by both sets of pupils: the Studio F method can deliver differentiated targets depending on the pupils' linguistic skills. Meanwhile, pupils work collaboratively to enhance each other's linguistic skills, thereby also increasing integration of first- and second-language Frisian speakers.

In addition to this method, a monthly magazine, LinKk, is issued to accompany Frisian school radio and television programmes.⁴⁴⁶

Secondary education

In secondary school Frisian-medium education is rare. In order to teach Frisian as a subject (compulsory in the lower grades of secondary education), new materials were introduced in the 2000s under the method Freemwurk (Framework). It was developed by a team of teachers, and it involves, among other things, learning through IT methods. These teaching materials (and others for the higher grades) can be used in conjunction with Frisian school television programmes, the LinKk magazine, as well as the electronic learning environment Digischool (digital school).⁴⁴⁷

Basque (France)

In the pre-schools, instruction material in Basque is prepared mainly by the teachers, although some associations or private organisations produce and distribute such materials. Teaching materials for the Ikastolas are being developed and purchased by Seaska, sometimes in collaboration with Ikastolas in the BAC.⁴⁴⁸

In primary and secondary education, Ikas (<http://ikas.eus/?lang=fr>), which is funded by the OPLB,⁴⁴⁹ is generally responsible for making material available for public, Catholic and Ikastola schools. Ikas has various areas of activity. First it is a resource centre of documentation in Euskara, with a collection of over 16,000 books, video cassettes, magazines, CDs, CD-ROMs, and DVDs. Second is the production of school materials, including manuals in maths, history and geography, science and technology. Third, they organise a school trip during the school holidays which provides 800 children with an opportunity to practice their Basque in Basque-speaking environment.⁴⁵⁰

Summary

Best practices with regard to teaching materials include:

- ▶ Use of materials that employ new technologies/social media

Netherlands, 4th Edition (Ljouwert/Leeuwarden: Mercator), pp. 6–7. https://www.mercator-research.eu/fileadmin/mercator/documents/regional_dossiers/frisian_in_netherlands_4th.pdf.

445 Ibid, p. 7.

446 Ibid, pp.20–21.

447 Ibid, pp. 24–25.

448 Sanchez, *Basque: The Basque language in education in France* (n. 358), p. 15.

449 In 2018, OPLB dedicated 410,000 Euros to the production of teaching materials: https://www.mintzaira.fr/fileadmin/images/Budget/EPRD_2018_ADOPTTE.pdf.

450 Sanchez, (n. 358), p. 13.

- ▶ Facilitating equal access to textbooks in the RLM to pupils belonging to national minorities
- ▶ Involvement of minority institutions (such as national councils) in preparing materials and/or checking the quality of materials (including translations)
- ▶ Including place names in RML in teaching materials on the history of national minorities and school atlases

AWARENESS-RAISING

Raising awareness as to the benefits of multilingual education can make a significant difference in language revitalisation and the achievement of bilingualism. Little information is publicly available on states' awareness-raising programmes, including campaigns to popularise bilingual or minority language education. For the cases considered in this study, state reports (under the ECRML) refer to such programmes, yet they do not tend to provide information on long-term efforts or their impact. Given the difficulties of modifying perceptions and priorities, awareness-raising efforts require resources and sustained efforts in order to be effective, particularly when RMLs have become marginalised, and/or considered of less importance (lower-status or less valued in the job market) than the state language. Promotion of RLMs involves not only providing the practical conditions to use a language, but also a *desire* to do so.⁴⁵¹

The need of awareness-raising has often been advocated by the Committee of Experts in its reports. Besides general recommendations to actively promote RML education among parents and pupils,⁴⁵² it has referred to the need for information campaigns in particular circumstances. For example, in the case of **Serbia**, exemptions exist to the general rule that a -threshold of 15 pupils be met to introduce minority language or bilingual education (generally considered by the Council of Europe monitoring bodies as an excessively high threshold). The exemptions have been seldom applied, resulting in the Committee of Experts' recommendation that a standard procedure be put in place to inform parents and pupils of options to establish classes in the presence of fewer pupils, to be accompanied by 'parallel awareness-raising about the advantages of and opportunities for minority language education.'⁴⁵³

Although these are not very numerous or (as noted) detailed, a few examples of awareness-raising activities are available from state reports to the Committee of Experts. **Slovakia**, in its 5th report (2018), refers to the dissemination of information on the procedure of establishment of minority language-medium schools (*Process and Possibilities of Founding a School with Instruction in a Language Other than Slovak*, produced in February 2017).⁴⁵⁴ **Hungary's** 6th report (2016) makes reference to an action plan by the Slovak National Self-Government to raise awareness among Slovak parents of the importance of Slovak education and to involve them in preventing pupils from dropping Slovak courses (caused by the fact that, unlike other foreign languages, pupils can interrupt Slovak classes at any stage of their education).⁴⁵⁵

In its 2nd and 3rd reports under the ECRML (2015/2019),⁴⁵⁶ **Poland** lists a series of adopted following Council of Europe recommendations to actively promote RML education. This has involved a campaign,

451 Grin and Moring, *Support for Minority Languages in Europe* (n. 19), p.74.

452 See, for example, Committee of Experts (2015), *Application of the Charter in Poland: Report of the Committee of Experts on the Charter*, 2nd Monitoring Cycle, ECRML (2015) 7, 1 December 2015, para. 77. In other cases, the Committee of Experts has pointed out shortcomings in this area. For example, in a report on Slovakia, it has noted that '[t]he involvement of the authorities in promoting minority language education to pupils and parents is very limited.' Committee of Experts (2016), 4th report on Slovakia (n. 161), para. 37.

453 Committee of Experts (2018), 4th report on Serbia (n. 16), para 10. Similarly, the ACFC stated that 'The ACFC recommended that 'the authorities remove all unnecessary obstacles to the exercise of the right to education in minority languages, notably by ensuring that the legal provisions governing teaching in and of minority languages are applied consistently throughout Serbia, especially at local level, and that formal requirements for the opening of classes are not used as a means to hamper their opening in practice.' ACFC (2013), Third Opinion on Serbia (n. 95), para 175.

454 Government of Slovakia (2018), 5th report under the ECRML (n. 154), p. 42.

455 Committee of Experts (2016), 6th report on Hungary (n. 21), para 633.

456 Government of Poland (2015), *Second periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter*, MIN-LANG (2015) PR 3, 16 February 2015, pp. 9–12; Government of Poland

in 2014,⁴⁵⁷ to promote the use of RML, including leaflets with information about RML education distributed to the relevant authorities, schools, teacher training units and minority organisations.⁴⁵⁸ Moreover, the campaign involved creating a website furthering knowledge of and about RMLs,⁴⁵⁹ as well as promoting their broader use before the authorities, and in economic and social life.⁴⁶⁰ ⁴⁶¹ it is no easy task to evaluate the impact of awareness-raising activities, which tend to materialise only over the long-term (as they require changes of attitudes as well as an alteration in enrolment data and fluency).

In the case of Gaelic, **Scotland's** Bòrd na Gàidhlig has launched a campaign to recruit Gaelic-medium and Gaelic language teachers, called 'Thig gam Theagasg' ('Come teach me'). The campaign aims at addressing the ongoing issue of shortages of teachers in primary and secondary level. The Bòrd has developed a website to provide information to those interested in training to be Gaelic teachers, and information on job openings (<https://www.teagasg.com/en/>). They have also mounted a 'Thig gam Theagasg' advertising campaign that appears in certain local papers serving the Highlands and Islands, and in other places, for example in the city of Glasgow's public transport system, and on-line in social media.

(2019), *Third periodical report presented to the Secretary General of the Council of Europe in accordance with Article 15 of the Charter*, MIN-LANG (2019) PR 8, 4 October 2019, pp. 12–14.

457 'Campaign promoting national and ethnic minority languages and regional languages', on the official website (in Polish) of the Ministry of Internal Affairs and Administration webpage 'National and Ethnic Minorities' <http://mniejszosci.narodowe.mswia.gov.pl/mne/prawo/europejska-karta-jezyk/kampania-promujaca-jezy/9067,Sprawozdania-Pelnomocnikow-Wojewodow-do-spraw-mniejszosci-narodowych-i-etnicznych.html>

458 Committee of Experts (2015), 2nd report on Poland (n. 457), para. 78.

459 The website is www.jezyki-mniejszosci.pl

460 Government of Poland (2019), 3rd report under the ECRML (n. 457), p. 13. The campaign was allocated PLN 158,480 (approximately 37,000 euro). Ibid.

461 Committee of Experts (2015), 2nd report on Poland (n. 457), para. 79.

CONCLUSIONS

This study has highlighted a range of factors that are highly significant in determining the outcomes of minority language and bilingual education. These confirm, and allow us to elaborate on, the factors that contribute to effective minority language medium education (enumerated in the Introduction). The cases presented in this study also reveal some shortcomings, as well as a frequent tendency for the number of pupils in minority language medium education – and, consequently, the number of speakers of the relevant languages – to decrease over time. This leads us to two conclusions: first, building effective minority language medium education programmes is a continuous process, which requires revision and adjustments (to, among other things, reflect demographic and social change as well as technological innovations); and, second, the promotion of minority language medium education calls for sustained efforts. While proactive measures necessitate commitment and resources, the benefits for minority communities, and societies more generally, are well-documented.

Below we summarise the main aspects of minority language medium education, and factors for success, elucidated through this study.

A 'Favourable' Environment: Active Promotion of Minority Languages

General factors for effective minority language medium education and bilingual education more generally encompass a commitment to support this type of education, including an appropriate legislative framework, sufficient funding, the development of the human and material resources that are essential to support such education. These factors should be accompanied by broader policies that support the use of minority languages, such as in the provision of public services, in the legal system, in broadcasting and in economic and social life. The latter create opportunities to use minority languages outside the classroom, so as to consolidate, and further develop, language skills. They also demonstrate a commitment to the maintenance of such languages by increasing their prestige and practical utility in everyday life. The cases considered in this study reveal considerable efforts in terms of financial and human resources for the provision of minority language medium education, and relevant training and materials. Although we have not considered broader measures taken in support of minority languages, in most of the cases we have examined, the state has taken measures in a range of policy areas.

A possible measure to enhance opportunities to use minority languages outside schools is to declare a language official at the regional level (in areas where linguistic minorities are concentrated),⁴⁶² or at the national level. Official status can facilitate the use of minority languages in the state administration and the judiciary, and other spheres of language use envisaged under the ECRML, all of which are, as we have just noted, important in creating a context which is supportive of minority language medium education and bilingual education more generally. Valuable supplementary measures also include the conclusion of bilateral agreements with governments of neighbouring countries that are kin-states to minority language speakers. We have seen in several of the case studies that such agreements have enabled the provision of additional support for teacher training, the development of teaching materials, the provision of scholarships to facilitate tertiary level education through the medium of the minority language, and even financial support for construction and improvement of buildings. Further benefits include cooperation in promoting minority languages and cultures in the countries in question, and exchange programmes to enhance language skills in teachers from minority schools.

⁴⁶² See, for example, as per Serbia's Law on the Protection of the Rights and Freedoms of National Minorities (see the section *Slovak (Serbia)*).

Specifically in the realm of education, a number of incentives, outlined in this study, can be created for the active promotion of minority languages. These include:

- ▶ the holding of secondary-school examinations in minority languages when instruction has taken place in such languages,
- ▶ incentives for pupils and students to learn minority languages – for example, minority languages counting as ‘foreign languages’ in secondary school examinations for access to tertiary education;
- ▶ incentives for students to qualify as minority language teachers, particularly in the form of scholarships;
- ▶ supplementary funding for schools operating in a minority language and/or bilingually;

In many cases, it is essential to raise societal awareness of the importance of multilingualism in general and minority language medium education in particular. This involves not only responding to potential demand, but also stimulating such demand. Limited information exists on awareness-raising programmes implemented by governments (including for the cases/models considered in this study), which appears to indicate this issue is often neglected; at the same time, most governments whose educational models are presented here have, at least to some extent, engaged in activities to publicise the advantages of minority language education. Meanwhile, some cases – such as that of Scottish Gaelic – reveal the importance of awareness-raising programmes in order to revitalise a language and promote its use in the education system. Such programmes are particularly important to challenge lingering beliefs that minority language education will result in an uncertain knowledge of the state language, which existing research has undeniably disproven. These beliefs are harmful as they create obstacles to the realisation of the benefits of minority language education, in the shape of enhanced academic performance and multilingualism.

Strong forms of minority language medium education

Effectiveness stems from what can be referred to as ‘strong forms’ of minority language medium education. In the context of this study, this type of education involves the continuity and sustainability (ideally to tertiary level) of minority language medium education programmes, and the substantial use of minority languages as the medium of instruction in the education process. In the cases considered in this study, minority language medium education programmes are provided at all levels of education, allowing students to consolidate their learning. As was noted at the outset of this report, such consolidation is essential to ensure that speakers of minority languages are comfortable in using their language across a wide range of domains, from informal ones to formal contexts, including in the workplace. In light of this, we have not included educational models which only involve the study of a language as a subject, rather than being actively used as a medium of instruction; as was noted at the outset of this report, research shows that such models generally do not equip students with the same levels of competence or, crucially, ensure that students are, on completion of their education, comfortable in using their language across a wide range of domains. Indeed, where the student is not already a fluent speaker of the minority language when entering the school system, the study of a language as a subject generally does not lead to effective bilingualism; by contrast, strong forms of minority language medium education lead to high levels of fluency in both the minority and the official or majority language, and can also lead to better educational performance in general.

Participation of linguistic communities

Another highly significant factor that emerges from our case studies is the importance of participation of minority communities in formulating, and ideally contributing to the implementation of, education policies. The requirement of consultation through bodies representing the interests of speakers

of minority languages is enshrined in Article 7(4) ECRML.⁴⁶³ The Explanatory Report to the ECRML illustrates the motivation for the inclusion of this article, from the perspective of the Ad Hoc Committee of Experts on Regional or Minority Languages in Europe (CAHLR), established in 1989 by the Committee of Ministers of the Council of Europe and tasked with the responsibility for drafting the ECRML:

The CAHLR thought it important that in each State mechanisms should exist whereby the *public authorities take account of the needs and wishes expressed by the speakers of regional or minority languages* themselves. Consequently, it is recommended that for each regional or minority language there should be a promoting body responsible for representing the interests of the language at national level, carrying out practical measures to promote it, and monitoring the implementation of the charter in relation to that particular language.⁴⁶⁴ [emphasis added]

Of particular relevance to participation are autonomy institutions such as National Self-Governments in Hungary and National Councils in Serbia: although a number of challenges persist (with these institutions' real autonomy having at times been circumscribed), they indisputably bring a range of benefits. Among these is the partial management of educational institutions by minority communities themselves, offering greater control of the implementation of policies and use of funds, in line with the needs of the communities. The decentralisation of education facilitates responsiveness to local needs and the views of local communities, flexibility in implementation and, generally, greater efficiency.

The choice between minority language medium education and other forms available also depends on circumstances at the local level: for example, on whether a language, particularly at the early stages of education, necessitates substantial support (e.g. through full immersion programmes) for its revitalisation or maintenance – as well as, clearly, the preferences of linguistic communities.

Planning for and monitoring of minority language medium education

Planning for and monitoring of educational policies and practices in general and minority language medium education in particular involve a range of considerations. First, with regard to general educational policies, there needs to be a careful assessment of micro-level conditions before devising particular education policies. School mergers (or re-arrangement/merging of districts, as in the case of Ukraine) may seem to optimise the use of resources and funds in the short term, but they can have a disproportionate impact on minority language education. This is shown in many of the cases outlined in this study. The process of 'rationalisation' of the education system has been considered problematic by the treaty bodies monitoring the ECRML and the FCNM, frequently resulting in recommendations that the interests of speakers of minority languages be taken into account. This point is linked the issue of participation referred to above: the involvement of minority language speakers in regulating the educational environment is likely to prevent possible negative consequences in minority language education that can be brought about by the introduction of new policies.

Second, with regard to minority language education itself, it is of fundamental importance to devise long-term strategies and structured plans for each minority language (with annual objectives for higher enrolment numbers in bilingual education), and mid-term and long-term objectives for increasing the number of speakers for each language.⁴⁶⁵ If such plans are not developed, the consequence is an absence of benchmarks against which to measure how effective policies and practices are.

463 Article 7(4) ECRML states:

In determining their policy with regard to regional or minority languages, the Parties shall take into consideration the needs and wishes expressed by the groups which use such languages. They are encouraged to establish bodies, if necessary, for the purpose of advising the authorities on all matters pertaining to regional or minority languages.

464 Explanatory Report to the European Charter for Regional or Minority Languages, Council of Europe, 5 November 1992, European Treaty Series – No. 148, para 75 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800cb5e5>

465 See, for example, Committee of Experts (2019), 7th report on Hungary (n. 39), para 6.

Finally, in light of changing circumstances, there is a need continuously to monitor and, where needed, revise minority language educational policies. Their effectiveness has to be verified periodically, by, *inter alia*, considering examination results, levels of bilingualism, students' experience and teachers' professional development. Indeed, the ECRML includes a provision on the establishment of a supervisory body, which can be selected as an undertaking under the ECRML.⁴⁶⁶ The importance of having such a body is illustrated in the Explanatory Report to the ECRML

Considering the fundamental importance of teaching and, more specifically, of the school system, for the preservation of regional or minority languages, the CAHLR considered it necessary to provide for a specific body or bodies to monitor what was being done in this field. [...]. It could accordingly be an education authority body or an independent institution. [...] [T]he charter requires the findings of the monitoring to be made public.⁴⁶⁷

Many of the cases here considered do not focus on monitoring and review; and, when the relevant ECRML provision was selected as an undertaking, the resulting practice has often been found to be wanting by Committee of Experts. This reflects a tendency, for many governments, to devote little attention to review and future planning, including with regard to planning for the allocation of teaching resources – even when they might otherwise fulfil their undertakings under pre-school to tertiary education. In these cases, governments may devote a great deal of resources to minority language education, but might not be optimising such resources by focusing primarily on implementation itself and insufficiently on planning and evaluation. However, this report does contain some examples of good practice. In Latvia, for example, achievements in standards in minority languages is regularly assessed at the end of Grades, 3, 6, and 9 and monitored at the national level. These practices demonstrate the commitment of the state to ensuring the quality of teaching of the mother tongue, and also allow for the articulation of the standards that are expected pupils to reach. In Scotland, there has been significant monitoring of the performance of primary students, in particular, in Gaelic-medium education, both in terms of their skills in Gaelic and English but also in their performance in other key areas of the curriculum.

Summary of factors

Creation of an environment conducive to multilingualism, with opportunities to also use minority languages outside the classroom

Relevant measures

- ▶ Promotion of the use of minority languages in regions where speakers are concentrated
- ▶ Bilateral agreements with governments of kin-states
- ▶ Various incentives for pupils, students and future language teachers
- ▶ Holding examinations in minority languages
- ▶ Awareness-raising programmes

Strong forms of Minority Language Medium Education

Relevant measures

- ▶ Continuity of education (primary to tertiary)
- ▶ Substantial use of minority languages as media of instruction

Participation of minority communities in the education process

⁴⁶⁶ Article 8.1.i. States parties to the ECRML may choose as undertaking 'to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.'

⁴⁶⁷ Explanatory Report to the European Charter for Regional or Minority Languages (n. 465), para. 88.

Relevant measures

- ▶ Participation of minority communities in developing education policies
- ▶ Involving minority communities in the management of minority schools, potentially through local autonomy institutions established by minorities
- ▶ Continuous consultation and dialogue

Planning for and monitoring of minority language medium education

Relevant measures

- ▶ Assessment of the needs and concerns of linguistic minorities before devising any education policy
- ▶ Planning teaching resources, including for teachers' professional development
- ▶ Devising long-term strategies and structured plans for each minority language, and mid-term and long-term objectives to increase the number of speakers for each minority language
- ▶ Periodic review of policies and practices, particularly through an *ad hoc* supervisory body

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