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FIFTH EVALUATION REPORT ON CZECHIA

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

Adopted on 6 March 2024

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a party is required to submit to the Secretary General. This outline requires the state to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the state concerned. The periodical report shall be made public by the state in accordance with Article 15, paragraph 2.

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

Having concluded this process, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective state party for possible comments within a given deadline. A confidential dialogue may, at this stage, be requested by this state party. The final evaluation report is made public, together with the comments, if any, which the authorities of the state party may have made. This document is then transmitted to the Committee of Ministers for the adoption of its recommendations to the state party, on the basis of the proposals for recommendations contained in the evaluation report.

MIN-LANG(2024)4

Published on 22 May 2024

Secretariat of the European Charter for Regional or Minority Languages
Council of Europe
F-67075 Strasbourg Cedex
France

www.coe.int/minlang

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Executive Summary

The European Charter for Regional or Minority Languages entered into force in Czechia in 2007 and applies to the following languages: Moravian Croatian (covered by Part II), German (Parts II and III), Polish (Parts II and III), Romani (Part II) and Slovak (Parts II and III).

On 28 February 2024, Czechia notified the Council of Europe that it accepts the obligations arising out of Part III with regard to German. This commendable decision sets development goals for this language and can form the basis for a structured policy for the protection and promotion of German in public life.

With regard to the use of regional or minority languages in education, pre-school, primary and secondary education is available in Polish. German is currently mainly taught as a subject (foreign language), with an offer of extended teaching at some schools. Moravian Croatian, Romani and Slovak are not taught in mainstream education.

In the field of judicial authorities, the legislation should be amended with a view to enabling the use of regional or minority languages before, and by, courts in conformity with the Charter.

The legislation allows the use of regional or minority languages in contacts with national, regional and local authorities. In practice, only Polish and Slovak have been used in contacts with authorities, and such use was limited to the level of local authorities.

In several municipalities, place names in Polish have been signposted. However, the 10% threshold hinders the introduction of such place names in additional places and creates uncertainty as to whether the signage will be maintained if the local share of the Polish minority falls below 10%.

Measures should be taken to extend the duration of the public television programme in Polish. Furthermore, there are currently no television programmes in German and Slovak. With regard to public radio, the broadcast duration of the programmes in German and Slovak is too short to make an impact on the promotion of these languages and to encourage their use. Romani is only used on radio. There are neither radio nor television programmes in Moravian Croatian.

State funding has been granted to a number of cultural activities in Polish which have addressed different generations, including in the fields of music, film, publishing of literature and theatre. The authorities have also supported cultural activities in Moravian Croatian, German, Slovak and Romani.

There is a need to design and implement a strategy and action plan for the application of the Charter for each regional or minority language.

This fifth evaluation report is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Czechia in September 2023.

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

1. The European Charter for Regional or Minority Languages (hereafter referred to as "the Charter") is a treaty of the Council of Europe putting obligations on its states parties to protect and promote the country's traditional minority languages in all fields of public life: education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, and transfrontier exchanges. Czechia signed the Charter on 9 November 2000 and ratified it on 15 November 2006. The Charter entered into force in Czechia on 1 March 2007 and applies to the following languages: Moravian Croatian, German, Polish, Romani and Slovak. German, Polish and Slovak receive protection under both Part II (Article 7) and Part III (Articles 8-14). On 28 February 2024, Czechia notified the Council of Europe that it accepts the obligations arising out of Part III with regard to German. The Committee of Experts commends the Czech authorities for their decision.

2. States parties are required to submit reports every five years[1] on the implementation of the Charter. The Czech authorities submitted their fifth periodical report on 29 March 2023. This fifth evaluation report of the Committee of Experts is based on the information contained in the periodical report, additional information received from the authorities and statements made by representatives of the speakers of the minority languages during the on-the-spot visit (25-29 September 2023) and/or submitted in written form pursuant to Article 16 (2) of the Charter.

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

4. This report is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Czechia in September 2023.

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

General issues

German

5. In all monitoring cycles, the Committee of Ministers recommended the authorities to **adopt a structured policy for the protection and promotion of German and create favourable conditions for its use in public life**.[2] Considering that Czechia's state reports had always included some information on German in the chapters about Part III, the Committee of Experts invited the authorities in the fourth monitoring cycle to examine the application of Part III to German in co-operation with the speakers.[3] In 2023, Czechia decided to apply Part III to German in eight districts selected from the areas

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

[2] See CM/RecChL(2009)7, No. 2; CM/RecChL(2013)1, No. 3; CM/RecChL(2015)5, No. 3; CM/RecChL(2019)3, No. 2.

[3] See Second evaluation report of the Committee of Experts on the Czech Republic, ECRML(2013)2, para. 49; Third evaluation report of the Committee of Experts on the Czech Republic, ECRML(2015)6, para. 42; Fourth evaluation report of the Committee of Experts on the Czech Republic, CM(2019)73, para. 6; Evaluation of the Implementation of the Recommendations for Immediate Action contained in the Committee of Experts' fourth evaluation report on the Czech Republic, MIN-LANG(2020)7, para. 18.

where German is traditionally used in Bohemia, Moravia and Silesia.[4] In the other areas where German is traditionally used, only Part II applies. The fifth state report contains information on the new undertakings and explains that one of the reasons for applying Part III was that the German culture and language "have been an important part of the history and culture of the Czech lands for centuries."[5] The Committee of Experts welcomes this decision, which sets medium and long-term development goals for this language[6] and can thus form the basis for a structured policy for the protection and promotion of German in public life, as recommended by the Committee of Ministers.

6. Since the first monitoring cycle, the Committee of Experts has recommended to further develop the promotion of German in certain areas (e.g. teaching and broadcasting in German, use of place names, teaching of the history related to German).[7] With the exception of place names (Article 10.2.g), the selected 35 undertakings largely cover these areas. According to representatives of the users of German, Article 10.2.g was omitted due to a drafting error,[8] while the promotion of the use of place names is in fact one of the areas of co-operation between the authorities and the German minority. The Committee of Experts invites the authorities to continue the co-operation in this regard.

Slovak

7. In the previous monitoring cycles, the Committee of Experts asked the Czech authorities to determine the areas (places or districts) in Czechia where Slovak is traditionally used. In the fifth state report, however, the authorities reiterate that Slovak is a non-territorial language in Czechia.[9] This was confirmed by representatives of the users of Slovak.

Structured policy for the promotion of the regional or minority languages

8. Given that regional or minority languages are often no longer used in all fields of private and public life, the Charter requires the authorities to take resolute action to promote these languages in order to safeguard them (Article 7.1.c). A structured policy in language promotion comprises several elements. Czech legislation contains provisions relating to most fields covered by the Charter. In general, however, the relevant legislation has been conceived through the prism of the protection of national minorities, which does not always match the needs of the promotion of regional or minority languages. It needs to be borne in mind that the Charter undertakings constitute obligations for the state, which require a proactive approach by the authorities. However, there are no public bodies specialising in the comprehensive promotion of all or individual regional or minority languages (see also under Article 7.4), and in different fields the legislation foresees that action by the authorities must be initiated by requests from national minorities.

9. The implementation of the Charter undertakings is to a certain extent delegated to national minority associations by means of grant programmes. This also concerns the maintenance and development of links, in the fields covered by the Charter, within groups using a regional or minority language (Article 7.1.e), which is largely ensured by the umbrella associations of the national minorities concerned. However, the respective associations have a low administrative capacity and do not receive institutional funding from the state (in addition to grant programmes) to make full use of the grant opportunities. Considering that these associations are expected to contribute significantly to the implementation of the state's obligations under the Charter, the Committee of Experts considers that the authorities should provide long-term baseline funding, including funds to cover salaries and operating costs. Such support could be earmarked with regard to measures implementing the Charter provisions and the monitoring recommendations and would build capacity of the associations. This would be in the interest of the authorities themselves in the context of their co-operation with the associations in the consultative bodies (see under Article 7.4).

[4] Districts of Cheb, Karlovy Vary, Sokolov, Liberec, Ústí nad Labem, Český Krumlov, Opava and Svitavy. The state report also includes information about the districts of Chomutov, Česká Lípa and Jeseník.
[5] Fifth periodical report by Czechia, MIN-LANG(2023)PR5, p. 65.
[6] See also Seventh evaluation report of the Committee of Experts on Germany, MIN-LANG(2022)7, para. 6.
[7] See e.g. Fourth evaluation report of the Committee of Experts on the Czech Republic, CM(2019)73, para. 25; Third evaluation report of the Committee of Experts on the Czech Republic, ECRML(2015)6, paras. 56, 57, 65, 69; Second evaluation report of the Committee of Experts on the Czech Republic, ECRML(2013)2, para. 74; First evaluation report of the Committee of Experts on the Czech Republic, ECRML(2009)7, para. 79.
[8] See Government Council for National Minorities, report of 8 January 2021, pp. 7-8 (also concerning Articles 10.2.e, f, g, 10.4.a).
[9] See Fifth periodical report by Czechia, MIN-LANG(2023)PR5, p. 51.

10. Czechia has introduced a programme "Support for the Implementation of the European Charter for Regional or Minority Languages" which the Committee of Experts commended in previous monitoring cycles. However, only projects in some fields covered by the Charter are eligible for support under this programme (e.g. educational activities, research, use of place names, translation). The implementation of promotional measures for regional or minority languages depends to an important degree on additional financial support from "kin-states" of national minorities. The Committee of Experts considers that the authorities should provide adequate financial resources to fully cover the needs of the implementation of the Charter.[10]

11. Language-specific strategies for the implementation of the Charter undertakings and of the monitoring recommendations do not exist at present. Most recommendations that the Committee of Experts and the Committee of Ministers made in the previous monitoring cycle were not implemented.

12. As far as Slovak is concerned, its proximity with Czech is often presented as a reason why promotional measures for this language are not needed, which hampers the application of the Charter. However, during the on-the-spot visit, representatives of the speakers voiced strong interest in promoting Slovak, notably in the fields of pre-school education and media. It is also necessary to design and implement a structured approach to the application of the Charter to Moravian Croatian which takes its specific situation (dispersion of users) into account. At present, several undertakings applying to Moravian Croatian are not implemented.

13. Nevertheless, some initial steps in the planning of language policy have been taken recently. In the case of German, the decision to extend its promotion under the Charter has raised awareness of the need for a structured approach to the promotion of this language. In order to support the authorities in the implementation of the undertakings under Part III, the umbrella organisation of the German minority is preparing a detailed action plan. Furthermore, the Committee of Experts is pleased to note that the Strategy for Roma Equality, Inclusion and Participation (Strategy for Roma Integration) 2021-2030 includes a chapter entitled "Preservation and development of the Romani language" which refers to the recommendations made in the previous monitoring cycle and emphasises the importance of preserving Romani.[11] The Committee of Experts looks forward that these general observations will be followed up by a concrete action plan for the application of the Charter to Romani.

14. The maintenance of the regional or minority languages depends not only on measures in public life, but in particular on their use and transmission in private life (Article 7.1.d). In order to raise awareness of this aspect, the authorities could, for example, regularly provide parents of new-born children with an information package about the advantages of raising them in the local regional or minority language, and opportunities for teaching in/of such languages, as well as encourage the elderly to use the language with younger family members and the youth to use it on social media.[12]

15. According to the Czech law, the use of regional or minority languages depends in some fields (notably education, place names and consultation) on whether persons belonging to a national minority make up 10% of the population in a municipality. However, since the census of 2021, the Polish minority is the only national minority still reaching the 10% threshold. This means that the legislation in question, which in principle grants rights to several national minorities, is in reality only applicable to one national minority. During the on-the-spot visit, representatives of regional or minority language speakers (including Polish speakers) requested the abolition of the threshold. In addition, they pointed out that a significant proportion of the census respondents had not answered the optional question on nationality (ethnicity), which is why the results do not accurately reflect the demographic situation. The authorities mentioned that they are currently revisiting the 10% threshold. Given that the 10% threshold limits the application of the Charter and constitutes a disproportionate obstacle for some linguistic groups, the Committee of Experts invites the authorities to consider replacing it with a more flexible arrangement. For example, the authorities, in co-operation with the representatives of the national minorities, could determine the areas in which each regional or minority language is traditionally used, taking into account the situation of each language and the demographic structure of the area over a longer period than the

[10] See similarly Fifth Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities, ACFC/OP/V(2021)3, para. 77.
[11] See Strategy for Roma Equality, Inclusion and Participation (Strategy for Roma Integration) 2021-2030, Office of the Government of the Czech Republic, April 2021, pp. 33-35.
[12] See also Third evaluation report of the Committee of Experts on the Czech Republic, ECRML(2015)6, para. 82; Second evaluation report of the Committee of Experts on the Czech Republic, ECRML(2013)2, para. 88.

ten-year census intervals. In these areas, the measures currently based on the 10% threshold could be applied on a sustainable basis, without census-related fluctuations.

Participation and consultation of regional or minority language users in the implementation of the Charter

16. During the on-the-spot visit, representatives of the speakers of different regional or minority languages praised their co-operation with the national authorities at working level. However, they regretted that political decisions concerning some of their matters are implemented slowly or not at all.

17. National minorities are represented in, and consulted through, the Government Council for National Minorities, which *inter alia* has a working group on national minority broadcasting, as well as committees, commissions and working groups at the level of the regions, statutory cities and municipalities. With respect to the Roma minority, a dedicated Government Council for Roma Minority Affairs exists as well.

18. The Committee of Experts underlines that the purpose of Article 7.4 is to establish bodies, if necessary, advising the authorities on the development of a policy covering all matters of the promotion of a regional or minority language. This complex task requires the bodies to be specialised in language policy and to meet sufficiently often to develop, for each regional or minority language, strategies and action plans for the implementation of the individual Charter provisions and the monitoring recommendations.

19. The Committee of Experts notes that the Government Council for Roma Minority Affairs deals also with matters relating to Romani and therefore contributes to the implementation of Articles 7.4 and 7.1.e (development of links within the group using Romani). However, the Government Council for National Minorities and the subnational bodies correspond only to a limited extent to this profile. These bodies are not specialised in language policy, but deal with national minority protection in general and, in the case of some of the subnational bodies, also with different topics and groups such as foreigners, social inclusion/affairs, homeless persons and victims of crime. Only some of their members represent national minorities using regional or minority languages. Even when the bodies address matters relating to these national minorities, language promotion is only one of several issues.[13] In addition, plenary meetings of such diverse bodies are not a suitable forum to design specific measures concerning only one of the groups represented at the meeting. The lack of language-specific strategies/action plans on the implementation of the Charter (see above) and of information in the state report about the implementation of the monitoring recommendations are additional indications that the existing bodies do not fully perform the role of advisory bodies on regional or minority language policy in conformity with Article 7.4.

Discrimination based on language

20. According to the Czech Charter of Fundamental Rights and Freedoms, “[n]obody may be caused detriment to his or her rights merely for asserting his or her fundamental rights and basic freedoms” (Title One, Article 3.3). Furthermore, Act No 251/2016 on selected administrative infractions provides that “[a] natural, legal or self-employed natural person shall commit an administrative infraction by (a) restricting or preventing a member of a national minority from exercising the rights of members of national minorities, or (b) … because of his or her … language ...” (Section 7.3). Under the Anti-Discrimination Act,[14] the prohibited grounds of distinction causing indirect discrimination include “ethnicity”, but not “language”. There is no specific procedure or mechanism for informing the authorities of cases of unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language. Those concerned must file a complaint with the administrative or prosecuting authorities. Judicial remedy is available.

21. Regarding the Anti-Discrimination Act, the Committee of Experts notes that ethnicity/affiliation with a national minority as a ground for discrimination does not *per se* serve as a sufficient legal basis for any potential violation of language rights. Violation of rights derived from ethnicity and language manifest themselves differently and the evidence supporting the claims based on the violation of

[13] See similarly Fifth Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities, ACFC/OP/V(2021)3, para. 166.
[14] Act No 198/2009 on equal treatment and legal means of protection against discrimination and amending certain acts.

language rights is also different. The Committee of Experts therefore invites the authorities to consider including language as a ground for discrimination when further developing the anti-discrimination legislation.[15]

22. As far as practical aspects of the implementation of Article 13.1.c are concerned, the Committee of Experts wishes to underline that it has a different scope than Article 7.2, as it requires the authorities to actively oppose practices designed to discourage the use of regional or minority languages in connection with economic or social activities. This proactive approach presupposes that the authorities are informed of discouraging practices in a systematic manner and sufficiently early.[16]

23. The issue of unjustified restrictions on the use of Romani (Article 7.2) has been taken into account in the Roma Integration Strategy 2021-2030, which covers it in its chapter on antigypsyism.

Use of the regional or minority languages in education

24. Pre-school, primary and secondary education is available in Polish (Articles 8.1.ai, bi, ci). The Committee of Experts welcomes the continued provision of Polish-medium education at these stages of education. However, the use of Polish in technical and vocational education (Article 8.1.dii) does not reach 50% of the weekly teaching time. During the on-the-spot visit, representatives of the Polish speakers considered the extension of the use of their language in technical and vocational education as one of their priorities. The Committee of Experts reiterates its view that making available "a substantial part" of education (bilingual education) under the Charter requires that at least 50% of the school hours per week are taught in the regional or minority language.[17] It therefore encourages the authorities, in co-operation with representatives of the users of Polish and relevant schools, to increase the number of weekly hours taught in Polish.

25. German is currently mainly taught as a subject (foreign language), with an offer of extended teaching of German at some schools. In the framework of the Charter, bilingual education in German and Czech is planned to be made available from pre-school to technical and vocational education (Articles 8.1.aii, bii, cii, dii). Since some of the conditions contained in legal provisions on minority language education are not applicable in this context (e.g. 10% threshold),[18] the authorities intend to implement the undertakings on the basis of Section 14.5 of the Education Act. This provision foresees that the headmaster of a school may, with the consent of the school founder (municipality, region or Ministry of Education), determine in the school's educational programme the subjects in which bilingual education (Czech/minority language) will be provided. The Committee of Experts considers that this provision can be an appropriate basis for the implementation of the undertakings. However, implementation cannot be left to the initiative of headmasters alone, but should be coordinated at the level of the national authorities. To this end, the Ministry of Education could approach the headmasters of the schools it has founded in the districts concerned with the aim of introducing bilingual education there. Similarly, with the municipalities and regions concerned, the ministry could approach the headmasters of the schools founded by the municipalities and regions.

26. As far as Slovak is concerned, this language is still neither used in pre-school education, nor taught as a subject in primary education. During the on-the-spot visit, representatives of the Slovak speakers expressed strong interest in pre-school education in Slovak, referring to an unsuccessful application for the introduction of Slovak in a kindergarten, and showed dissatisfaction with the lack of proactivity by the authorities. Against this background, the Committee of Experts calls on the authorities to approach the representatives of the users of Slovak and to identify pre-schools and primary schools where the use of Slovak could be introduced soon. In primary education, Slovak should be taught as a separate subject.

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[15] See e.g. Eighth evaluation report of the Committee of Experts on Sweden, MIN-LANG(2022)16, para. 13.
[16] See e.g. Fifth evaluation report of the Committee of Experts on Serbia, MIN-LANG(2023)3, para. 65.
[17] See for example Fifth evaluation report of the Committee of Experts on Austria, MIN-LANG(2023)2, para. 11; Fifth evaluation report of the Committee of Experts on Slovenia, MIN-LANG (2019) 17final, para. 49; Fifth evaluation report of the Committee of Experts on the Slovak Republic, CM(2019)126, para. 57; regarding kindergarten: see also Seventh evaluation report of the Committee of Experts on Germany, MIN-LANG(2022)7, para. 14.
[18] *Inter alia* the establishment of a local Committee for National Minorities/10% threshold (Education Act, Section 14.1); requests by a minimum number of pupils/families (Education Act, Section 14.2-3); affiliation of the pupils with a national minority (Czech Charter of Fundamental Rights and Freedoms, Article 25.2.a; Minorities Act, Section 11.1-2; Education Act, Section 14.1-3); the minority language is the pupil's mother tongue (Minorities Act, Section 11.1).

27. Moravian Croatian is not taught in mainstream pre-school, primary or secondary education (Article 7.1.f). The Committee of Experts considers that the authorities should examine, in close co-operation with the representatives of the users, how teaching of Moravian Croatian in mainstream education could be organised. In this context, it should be taken into account that Moravian Croats also use, and wish to promote, standard Croatian.[19]

28. In the fourth monitoring cycle, the Committee of Ministers recommended that the Czech authorities "**further protect and promote Romani, including by extending teaching of Romani as a minority language in co-operation with Romani speakers …**" (Article 7.1.f).[20] At present, Romani is not taught as a separate subject in primary or secondary education.[21] As in the previous monitoring cycle, the authorities explain this situation by the fact that Roma parents are often of the opinion that their child should primarily learn Czech in order to easily integrate into the majority society, while they consider Romani to be a language for family communication only.[22] Moreover, in some cases, Romani children have reportedly not been willing to enrol in Romani courses for fear of stigmatisation by non-Roma pupils. However, the authorities have not reported about specific steps taken to examine, with the representatives of the users, how the structural obstacles to the organisation of Romani-language education could be overcome. Therefore, the Committee of Experts refers to a *further recommendation* it made in the fourth evaluation report, namely that the authorities should "[c]ontinue taking measures to raise awareness of the benefits of promoting Romani within the Roma community".[23] If the teaching of Romani were to be actually offered in relevant municipalities and parents' awareness raised as to the strong advantages for children in acquiring full literacy of their language, this attitude could change. Consequently, the Committee of Experts considers that the authorities should intensify their dialogue with representatives of the users of Romani with a view to developing a strategy on introducing Romani as a separate subject taught in mainstream education.[24] The fact that the overwhelming majority of Roma children now attend compulsory pre-school education, and that the number of Roma pupils attending mainstream education is increasing, are supportive factors.[25]

29. All languages covered by the Charter are studied at universities (Articles 7.1.h, 8.1.eiii). It appears that also university education *in* German (Article 8.1.ei) is available to some extent.

30. Based on the current legislation (e.g. Act on Employment), the authorities have the possibility to support the organisation of language courses in adult and continuing education.[26] However, outside the regular school and/or university network, they have not supported facilities offering qualified courses for learning regional or minority languages, including for adults (Article 7.1.g). This applies also to courses of Polish in continuing education (Article 8.1.fiii) outside the field of further teacher training. The Committee of Experts stresses the importance of such courses for adults and for families living in areas with a lower concentration of users of a specific regional or minority language. In addition, such courses would also provide the majority population with an opportunity to acquire basics of a regional or minority language, which contributes to raising societal awareness of, and understanding for, these languages.[27] Therefore, the Committee of Experts invites the authorities to adopt and implement a structured approach to the provision of facilities offering, in addition to the regular school network, certified courses for learning the regional or minority languages.

31. In the fourth monitoring cycle, the Committee of Ministers recommended that the authorities "**continue efforts to promote awareness and tolerance vis-à-vis all regional or minority languages and the cultures they represent as an integral part of the cultural heritage of the Czech Republic... in the general curriculum at all stages of education …**" (Article 7.3).[28] In this regard, the authorities are revising the framework curricula, which should contain more detailed information about national minorities, including geographical, historical and cultural aspects of life, to be taught in the 5th-

[19] See also Fifth periodical report by Czechia, MIN-LANG(2023)PR5, pp. 23, 100.
[20] CM/RecChL(2019)3, No. 3.
[21] See Strategy for Roma Equality, Inclusion and Participation (Strategy for Roma Integration) 2021-2030, Office of the Government of the Czech Republic, April 2021, p. 35.
[22] See Fifth periodical report by Czechia, MIN-LANG(2023)PR5, p. 90.
[23] Fourth evaluation report of the Committee of Experts on the Czech Republic, CM(2019)73, p. 13. See also Third evaluation report of the Committee of Experts on the Czech Republic, ECRML(2015)6, para. 93.
[24] See also Fifth evaluation report of the Committee of Experts on Austria, MIN-LANG(2023)2, para. 11.
[25] See Fifth Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities, ACFC/OP/V(2021)3, paras. 134, 139.
[26] See e.g. Initial periodical report, MIN-LANG/PR(2008)4, p. 15; Second periodical report, MIN-LANG/PR(2011)4, p. 29.
[27] See Fifth evaluation report of the Committee of Experts on Serbia, MIN-LANG(2023)3, para. 23.
[28] CM/RecChL(2019)3, No. 1.

9th grades of primary education. It is, however, not clear how exactly national minorities in general and regional or minority languages in particular will be covered. The Committee of Experts asks the authorities to provide information about the new textbook on modern history introduced in 2023.[29] Furthermore, the framework requirements in the field of teacher training[30] are currently being revised and will contain an obligation for universities to prove, as part of the accreditation of study programmes in the area of teaching, how they are fulfilling the Strategy for Roma Integration, for example the inclusion in teacher training of topics related to Romani culture and history. The Committee of Experts welcomes this development.

32. During the on-the-spot visit, representatives of the regional or minority language speakers stated that mainstream education provides little information about these languages despite their historical presence in the Czech territory. According to different interlocutors, there is a need to increase awareness raising in mainstream education in order to overcome historical prejudices against some linguistic groups and widespread lack of knowledge about regional or minority languages in Czechia in general.

33. The Committee of Experts reiterates that the way regional or minority languages are promoted is a reflection of the degree of knowledge about and appreciation for them, as well as the groups using them, in the majority population. Awareness-raising among the majority population about these languages is therefore of utmost importance for acceptance and tolerance for these languages and requires constant efforts in education and the media (see para. 77 below). In mainstream education, it is necessary that curricula, teacher training and educational materials provide basic, but concrete information about the regional or minority languages, in particular by mentioning them individually, indicating the territories where they have been traditionally used, and the basics of the history, culture and contributions of the group using them. The Committee of Experts therefore encourages the authorities to ensure, in close co-operation with the representatives of the users of the regional or minority languages, that curricula, teacher training and educational materials in mainstream education provide concrete basic information about the regional or minority languages.[31] Drawing on the example of the Strategy for Roma Integration, the Committee of Experts further invites the authorities to include awareness-raising about the regional or minority languages in accordance with Article 7.3 into teacher training.

34. According to the authorities, the teaching of the history and culture with regard to national minorities and their languages is anchored in the Framework Educational Programme for Primary Education. The cross-cutting theme of Multicultural Education includes educational content related to aspects such as ethnicity, racism and intolerance. A revision of the programme is currently underway and the issue of national minorities and their languages will remain included. The history and the culture which is reflected by Polish is taught in primary and secondary schools teaching in Polish. In other schools located in the area where Polish is traditionally used, these topics are only covered irregularly in extracurricular activities. There is no specific information about whether also the history and the cultures which are reflected by German and Slovak will be taught after the entry into force of the revision.

35. The Committee of Experts underlines that, while Article 7.3 requires the provision of general information about each regional or minority language in education throughout the country (see above), Article 8.1.g addresses specifically education provided in the areas where the regional or minority languages are traditionally used. In these areas, detailed information about the history and culture related to the respective regional or minority language should be provided to all pupils. The teaching content and its presentation in educational materials should be prepared in close co-operation with the users of the regional or minority languages, *inter alia* to ensure that historical sensitivities are presented in a mutually acceptable way. The Committee of Experts therefore encourages the authorities to ensure, in close co-operation with the representatives of the users of the regional or minority languages, that curricula, teacher training and educational materials in mainstream education provide information about the history and culture related to the respective regional or minority language. The Committee of Experts draws the attention of the authorities to the principles and proposed actions contained in the Committee of Ministers' Recommendation CM/Rec(2020)2 on the inclusion of the history of Roma and/or Travellers

[29] Badatelska ucebnice dejepisu pro 9. rocnik, nakladatelstvi Fraus (Research textbook of history for 9th grade, Fraus publishers).
[30] Framework Requirements for Study Programmes leading to Professional Qualifications for the Regulated Professions of Teaching Staff.
[31] See also Fifth Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities, ACFC/OP/V(2021)3, paras. 127, 129.

in school curricula and teaching materials.[32] It also invites the authorities to consider the possibility of joining the Observatory on History Teaching of the Council of Europe.[33]

36. Teacher training for Polish-language education (Article 8.1.h) continues to be provided by the Pedagogical Centre for Polish National Schools. The Polish Teachers Association organises further teacher training. Basic training of teachers of German is carried out at several universities. However, it is not clear if the existing offer of university education in German is a sufficient basis for the basic training of those teachers who will teach different subjects in German. As regards further teacher training for German, the authorities consider including this task in the activities of the existing National Pedagogical Institute of the Czech Republic.

37. As far as the monitoring of the effectiveness of regional or minority language education is concerned, the Committee of Experts reiterates that the implementation of Article 8.1.i requires a supervisory body that evaluates and analyses the measures taken and the progress achieved regarding regional or minority language education, with the purpose of identifying effective methods and areas where additional efforts are needed. These bodies should draw up periodic reports of their findings, which should contain *inter alia* information on the extent and availability of education, developments in language proficiency, teacher supply and the provision of education materials. They should be periodical in order to provide an assessment of regional or minority language education over time, thereby making it possible to adjust methods and measures according to the experiences acquired. The publication of the reports would make the system transparent and creates opportunities for representatives of regional or minority language users and civil society to take part in a public discussion on the development of regional or minority language education, based on the measures taken and progress achieved. It is possible for existing supervisory bodies to carry out these monitoring functions and integrate them into existing administrative structures.[34]

38. According to the authorities, the Czech School Inspectorate is the only official educational monitoring body in Czechia. It publishes inspection reports on its website. However, the monitoring carried out by the Czech School Inspectorate does not address specifically regional or minority language education. This applies also to the Government Council for National Minorities whose annual reports on the situation of national minorities do not specifically address language education. During the on-the-spot visit, representatives of the Pedagogical Centre for Polish National Schools informed the Committee of Experts that their institution does not perform the function of supervisory body in accordance with Article 8.1.i. Consequently, the Committee of Experts invites the authorities to designate an existing institution or to set up one or several (language-specific) supervisory body/bodies charged with monitoring the quality of education in German, Polish and Slovak. It is advisable to involve representatives of the users of these languages in the work of such (a) body/bodies; as they have additional insight in the relevant experience of pupils and parents.

39. There is no teaching in or of Polish outside the districts of Frydek-Místek and Karviná (Article 8.2). In the view of the Committee of Experts, Article 8.2 requires a proactive approach of the authorities who should identify, in co-operation with the representatives of the users of Polish, where an offer of teaching in or of this language could be made available. Regarding German, the authorities acknowledge that it is at present taught throughout Czechia only as a foreign rather than a minority language. The Committee of Experts notes that “foreign” language teaching alone is not sufficient to comply with Article 8.2. Curricula, teacher training and educational materials should present German to pupils not as a “foreign” language, but as a language traditionally used in the state. This could be done e.g. by using literature of German-speaking writers and media in Czechia or organising activities with the youth association of the German minority.[35]

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[32] Recommendation CM/Rec(2020)2 on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials, adopted on 1 July 2020.
[33] See Observatory on History Teaching.
[34] See e.g. the Committee of Experts’ Evaluation of the Implementation of the Recommendations for Immediate Action contained in the Committee of Experts’ eighth evaluation report on Switzerland, MIN-LANG(2023)21, para. 14; Seventh evaluation report of the Committee of Experts on Germany, MIN-LANG(2022)7, para. 19.
[35] See e.g. Third evaluation report of the Committee of Experts on the Czech Republic, ECRML(2015)6, para. 86; Fifth evaluation report of the Committee of Experts on Slovenia, ECRML(2019)17, para. 11; Second evaluation report of the Committee of Experts on Bosnia and Herzegovina, ECRML(2016)3, para. 64.

Use of the regional or minority languages before/by judicial authorities

40. In accordance with Section 2.14 of the Code of Criminal Procedure, the bodies in charge of criminal proceedings conduct them, and draw up their decisions, in Czech. However, anyone who declares that he/she does not speak Czech is entitled to use his/her mother tongue or a language he/she claims to speak. This right is guaranteed to all persons involved in criminal proceedings, including witnesses or victims. According to the authorities, the accused is not obliged to prove her/his inability to speak Czech and the body in charge of the proceedings is not called upon to examine the level of her/his knowledge of Czech. The declaration of language skills can be made at any stage of the proceedings, also after the accused has already declared that he/she knows Czech. The new draft Code of Criminal Procedure provides that the accused will have the right to make submissions and acts in a given minority language if he/she declares the wish to use that language, even if he/she speaks Czech.[36] According to the authorities, "the proposed legislation will be more in line with the meaning and purpose of the relevant provisions of the Charter …".[37]

41. The Committee of Experts reiterates that Article 9.1.aii guarantees the accused the right to use her/his regional or minority language. As the authorities are aware, this right cannot be conditioned on the inability to speak Czech, also keeping in mind that users of regional or minority languages usually master Czech. In its present wording, the Code of Criminal Procedure therefore does not guarantee the right to use the respective regional or minority language. This circumstance is also not remedied by the fact that the defendant's statements regarding her/his language skills are not checked for their truthfulness. The Committee of Experts is not yet in a position to assess whether the amended Code of Criminal Procedure would comply with Article 9.1.aii. At the same time, the Committee of Experts appreciates that the present wording of Section 2.14 of the Code of Criminal Procedure addresses not only the accused, but all persons involved in criminal proceedings. This aspect goes beyond the scope of application of Article 9.1.aii and would be relevant under Article 9.1.ai. Therefore, the Committee of Experts invites the authorities to maintain this wider scope of application when amending the Code of Criminal Procedure, and to consider accepting the undertaking under Article 9.1.ai for all the languages protected under Part III of the Charter.

42. As far as Article 9.1.aiii is concerned, Section 89.2 of the Code of Criminal Procedure provides that "[e]vidence may be anything that can help to clarify the case…". Any *evidence*, regardless of its language, must hence be taken into account by the body in charge of criminal proceedings in its decision-making. The law does not require the attachment of a translation into Czech as a condition for the admissibility of documents related to criminal proceedings. In such a case, the body in charge of the proceedings will engage a translator to translate the document into Czech. However, it is not clear whether the legislation guarantees that also written or oral *requests* are considered admissible when they are formulated in a regional or minority language. It is equally unclear whether or not the use of interpreters and translations for requests and evidence involves extra expense for the person concerned.

43. Regarding Article 9.1.aiv, Section 28.1 of the Code of Criminal Procedure provides that "[i]f the need to translate the content of a document, testimony or other procedural act arises, or if the accused exercises the right referred to in Section 2 (14), a translator shall be taken." With regard to the "need" to translate documents connected with legal proceedings, the Committee of Experts notes that this is not a sufficiently clear term in the context of the use of regional or minority languages.[38] In practice, the term "need" could be understood in a purely functional way, i.e. that an accused needs a translation due to her/his inability to read Czech. However, users of regional or minority languages are usually proficient in Czech and do not "need" a translation from a functional point of view. Moreover, in light of its observations concerning Section 2.14 of the Code of Criminal Procedure above, the Committee of Experts notes that Section 28.1 does not ensure that upon request by a regional or minority language user, documents connected with legal proceedings are produced in that language. It is not clear either whether the use of translations would involve extra expense for the persons concerned.

[36] Draft Criminal Procedure: Parliament of the Czech Republic, No 66 (see also https://justice.cz).
[37] Fifth periodical report by Czechia, MIN-LANG(2023)PR5, p. 35.
[38] See Fourth evaluation report of the Committee of Experts on the Czech Republic, CM(2019)73, para. 12.

44. The authorities state that the legal basis for the implementation of Article 9.1.bii is *inter alia* Section 18.2 of the Code of Civil Procedure,[39] according to which the court shall appoint an interpreter to a party whose mother tongue is a language other than Czech as soon as such a need becomes apparent in the proceedings. The latter provision is interpreted as meaning that anyone has the right to an interpreter, regardless of whether that person also speaks Czech. A party to the proceedings must be informed by the court of the right to use her/his mother tongue in accordance with Section 118.4 of the Code of Civil Procedure as soon as the court discovers during the proceedings (e.g. from the content of the file or contact with the participant) that the participant's mother tongue is a language other than Czech. A party to the proceedings may also make submissions to the court in his/her mother tongue (Article 9.1.biii).

45. With regard to the apparent "need" for an interpreter (Section 18.2 of the Code of Civil Procedure), the Committee of Experts refers to its observations concerning the legal ambiguity of this term above (see para. 43). In addition, given the relatively rare use of regional or minority languages in civil proceedings, it cannot be assumed that the interpretation of Section 18.2 referred to by the authorities is already sufficiently established and prevailing. In this situation, the "need" could in practice still be understood in a purely functional manner as a litigant's need for an interpreter due to the inability to speak Czech. It is not clear either whether the expense for the interpreter would be borne by the court. Moreover, the use of a regional or minority language in civil proceedings, including when producing documents and evidence (Article 9.1.biii), should not be limited to cases where this language is the litigant's mother tongue, which the Charter does not require. For many users of a regional or minority language, the latter is actually not the mother tongue. Considering only mother tongue users would thus mean to reduce the number of beneficiaries of the Charter.[40]

46. Regarding Article 9.1.cii, the provisions of the Code of Civil Procedure apply to proceedings before administrative courts in a subsidiary manner, in conformity with the Code of Administrative Procedure (Section 64). In accordance with a judgment of the Supreme Administrative Court,[41] the court shall appoint an interpreter "if a specific fact arises in the proceedings which indicates the need for an interpreter and if, after examination by the court, it appears that a party needs an interpreter in order to properly exercise their rights in the court proceedings." Such a concrete fact may be a request by a party for an interpreter or that a party begins to communicate with the court in a language other than Czech. Moreover, the Code of Administrative Procedure (Section 36.2) provides that the costs of engaging an interpreter shall be borne by the state. With regard to the "need" for an interpreter, the Committee of Experts refers to its observations concerning the legal ambiguity of this term above (see paras. 43, 45).

47. Concerning Article 9.1.ciii, the authorities state that the administrative courts have concluded that a document in a language other than Czech can be submitted. It is not always necessary to have a translation of such a document if the court and the parties to the proceedings understand its content and there is no dispute about it.[42] However, it is not clear if the possibility to submit a document in a language other than Czech is limited to cases where this language is the litigant's mother tongue (see para. 45).

48. The authorities acknowledge that the case law of civil and administrative courts is not consistent as to whether translation of documents (Article 9.1.d in conjunction with Articles 9.1.biii and ciii) should be carried out by the court or the party. Some decisions exclude translation by the court and leave this obligation to the parties.[43] Other decisions consider the court to be in charge,[44] see a translation by the court as a non-obligatory service,[45] or leave this issue open.[46] The authorities further observe that this

[39] Relevant are also Article 25.2.b of the Czech Charter of Fundamental Rights and Freedoms, according to which citizens belonging to a national minority have the right to use their language in official communication, and Article 37.3 and 37.4 of the same Charter (equality of parties, right to an interpreter).
[40] See Fifth evaluation report of the Committee of Experts on Serbia, MIN-LANG(2023)3, para. 12.
[41] See judgment of the Supreme Administrative Court of 30 January 2014, ref. No 5 Azs 25/2013-28.
[42] See judgment of the Supreme Administrative Court of 10 August 2016, ref. No 5 Azs 160/2016-26 and judgment of 14 March 2019, ref. No 5 Azs 29/2018-29.
[43] See judgments of the Supreme Court of 17 July 2018, file No 20 Cdo 2302/2017 or the judgment of 4 June 2019, file No 20 Cdo 549/2019.
[44] See judgment of the Supreme Court of 16 March 2016, file No 23 Cdo 1656/2015 or the judgment of 8 December 2020, file No 32 Cdo 1408/2019.
[45] See resolution of the Supreme Court of 15 May 2019, file No 30 Cdo 2595/2018.
[46] See judgment of the Supreme Administrative Court of 10 August 2016, ref. No 5 Azs 160/2016-26 or judgment of 14 March 2019, ref. No 5 Azs 29/2018-2.

"uncertainty … is also reflected in the treatment of the costs of translation",[47] as the supreme courts have not yet expressed their views on this issue. According to the interpretation by the Ministry of Justice, the expense of translation is being borne by the state in view of the Code of Administrative Procedure (Section 16.4) and the Tax Code (Section 76.4). The authorities nonetheless point out that an amendment to the Code of Civil Procedure could be considered with a view to clarifying these matters and ensuring an unambiguous interpretation.

49. The Committee of Experts concurs with the authorities that the Code of Civil Procedure should be amended with a view to clarifying the matters covered by Article 9.1.d and ensuring an unambiguous interpretation. In addition, in line with recommendations made in previous monitoring cycles, the Committee of Experts considers that there is a need to revise other legal provisions relevant for the application of Czechia's undertakings under Article 9.1, including in the Code of Criminal Procedure and the Code of Civil Procedure. As far as Slovak is concerned, this language can in practice be used before judicial authorities due to its proximity with Czech. Nevertheless, regarding Article 9.1.aiv, it should be clarified in the law that a user of Slovak may request that documents connected with legal proceedings are produced in this language.

50. No data is available on how often regional or minority languages have been used before and by judicial authorities during the period under review. In order to ensure implementation, the authorities should carry out awareness-raising activities to make users of regional or minority languages aware of the possibility to use their language, orally and in writing, before judicial authorities and encourage them to avail themselves of this possibility. For example, judicial staff should actively encourage such persons to use a regional or minority language in courts, through bi- or multilingual notices and signs in court buildings and information in public announcements or court forms. At the same time, judicial authorities should take practical measures enabling them to use regional or minority languages.[48]

51. According to the authorities, there is no restriction in Czech law to draw up legal documents in a minority language (Article 9.2.a). However, no records are kept on the application of the aforementioned provision in practice. The Committee of Experts invites the authorities to take measures, in co-operation with notaries and legal professionals, to inform users of regional or minority languages of the possibility to draft legal documents (e.g. private contracts) in such languages.[49]

Use of the regional or minority languages by administrative authorities and public service providers

52. No changes were made in the administrative division in Czechia that would represent an obstacle to the promotion of minority languages (Article 7.1.b).

53. The procedure of executive authorities, authorities of local self-government units and other authorities as well as legal persons and natural persons when they exercise powers in the field of public administration is regulated by the Code of Administrative Procedure. Section 16.4 provides that "[a] citizen … who is a member of a national minority established traditionally […] within the territory of the Czech Republic shall have the right to use the language of such national minority in submissions and oral hearings. Where the respective administrative authority has no officials speaking the language of the national minority, the citizen shall arrange for the services of an interpreter included on the list of interpreters. The costs of interpretation and costs of translation shall be, in such a case, borne by the administrative authority." An identical regulation can be found in the Tax Code (Section 76.4) with regard to tax administrators.

54. In addition, the Code of Administrative Procedure (Section 16.1) explicitly states the right to use Slovak orally and in written form in contacts with the aforementioned public institutions. The Act on Tax Administration and Fees (Section 3.1) also allows the oral and written use of Slovak before the tax administrator. It appears that in these cases the person is not obliged to arrange for interpretation.

55. The Committee of Experts is of the opinion that the above-mentioned legislation could provide a good basis for implementing the relevant undertakings (Articles 10.1.aiv, 10.2.b), should the requirement that the citizen arrange for the services of an interpreter be removed and this requirement

[47] Fifth periodical report by Czechia, MIN-LANG(2023)PR5, p. 75.
[48] See Third evaluation report of the Committee of Experts on the Czech Republic, ECRML(2015)6, para. 141.
[49] See Fifth evaluation report of the Committee of Experts on Serbia, MIN-LANG(2023)3, para. 35.

be placed on the authorities. This is because some aspects of practical implementation of the requirement that the citizen arrange for the services of an interpreter would cause difficulties. The Committee of Experts notes that those who make oral or written submissions to authorities will, in many cases, be in contact with one or a few specialised officials, and it may easily happen that the official concerned does not master the relevant regional or minority language. In such a situation, it is unlikely that a user of such a language would undertake the effort to arrange herself/himself for the services of an interpreter, even if the authority covers the related expense, and accept a possible loss of time in processing her/his request. This aspect may thus discourage the use of regional or minority languages in communication with authorities. At the same time, the aforementioned provisions do not define how the services of an interpreter are to be "arranged". Therefore, the Committee of Experts invites the authorities to ensure by appropriate means (e.g. circulars) that authorities apply this requirement in such a way that the action by the regional or minority language user is limited to a minimum and the organisation of interpretation is arranged by the authority, without causing the applicant a disadvantage. The Committee of Experts also notes that the requirement that the user of the regional or minority language must belong to a national minority is unnecessary for the purpose of using the language. In this context, it is noteworthy that in some fields of personal names law (see para. 64) the need to prove affiliation with a national minority has been abolished.

56. In light of the information obtained during the on-the-spot visit and from the authorities, only Polish and Slovak have been used in contacts with local authorities. The information provided concerning German addresses only the legislation. The Committee of Experts considers that the authorities should also take steps to facilitate the implementation of Article 10.1.aiv (state authorities) regarding German, Polish and Slovak and Article 10.2.b (regional and local authorities) regarding German. The measures required concern notably human resources management (identification of existing staff able to communicate in the regional or minority language, language training, recruitment of linguistically qualified staff, use of language software), provision for translation and interpretation, and financial assistance. Furthermore, the authorities should carry out awareness-raising activities to make users of regional or minority languages aware of the possibility to use their language, orally and in writing, in relations with authorities and encourage them to avail themselves of this possibility.

57. An amendment to the Act on Record Books is currently being prepared which would make it possible to conclude a marriage or registered partnership in the language of a national minority. In order to make use of this possibility, it would *inter alia* be required that the national minority reaches the 10% threshold in the area concerned and that the official performing the marriage and the registrar speak the language of this national minority. The Committee of Experts notes again that the 10% threshold is only reached by one national minority, and that the planned legislation would therefore grant the other national minorities only apparent rights. The condition that the officials must speak the regional or minority language also appears to be more restrictive than the procedure provided for in the Administrative Procedure Code. The Committee of Experts invites the authorities to revise the draft amendment and harmonise it with the procedure applying to the use of regional or minority languages in contacts with administrative authorities.

58. Czech legislation does not specify the language to be used in assemblies of regional authorities (Article 10.2.e) and local authorities (Article 10.2.f),[50] which allows the use of regional or minority languages. As regards implementation, the authorities have not provided information about the use of Polish and Slovak in such assemblies. Representatives of the speakers of both languages were unaware of any practice. The Committee of Experts invites the authorities to draw the attention of the regional and local authorities concerned to these undertakings and encourage them to implement them.

59. A municipality may voluntarily use place names in a regional or minority language irrespective of the local proportion of persons belonging to the related national minority or other conditions. As far as the compulsory use or adoption of place names is concerned (Article 10.2.g), the Act on Municipalities (Section 29.2) defines when the name of a municipality, its districts, streets and other public spaces and the designation of state and local authority buildings must also be indicated in the language of a national minority. This obligation exists if at least 10% of the citizens of the municipality have declared their affiliation with a relevant ethnicity (e.g. Polish), or with that ethnicity and a second one (e.g. Polish and Czech) in the last two censuses, and if the representatives of this minority have requested the signage through a local Committee for National Minorities, which must support the

[50] See e.g. Initial periodical report, MIN-LANG/PR(2008)4, p. 19.

request by a resolution. The signage may also be requested by an association representing the national minority which has been active in the municipality for at least five years. The authorities have confirmed that the local council of a municipality may decide to abolish the signage in a regional or minority language if the local share of the national minority falls below 10% in the census.

60. In several municipalities, place names in Polish have been signposted. Such names are also used on signs at the railway stations and stops, including in oral announcements in Polish. Nevertheless, during the on-the-spot visit, representatives of the Polish speakers expressed their dissatisfaction with the fact that the scope of the signage in their language, which is determined by each municipality on the basis of recommendations from its Committee for National Minorities, differs considerably among municipalities. In addition, they criticised the fact that the implementation of Article 10.2.g still depends on the 10% threshold, which hinders the introduction of place names in Polish in additional places and creates uncertainty as to whether the signage will be maintained if the local share of the Polish minority falls below 10%.

61. As in the previous monitoring cycles, the Committee of Experts notes that, if the share of persons belonging to a national minority in a municipality falls under 10% according to the last census, there is a risk that municipalities question the signage in the regional or minority language (see more generally para. 15). Moreover, not all relevant municipalities have set up a local Committee for National Minorities through which a request could be made. In addition, several municipalities are very small and have no local minority association so that the minority's umbrella association should be allowed to make the request. Considering these practical obstacles, the Committee of Experts refers to its previous evaluation reports where the authorities were encouraged to use or adopt place names in regional or minority languages "where there is a demand, irrespective of thresholds".[51]

62. The legislation allows the use of regional or minority languages in contacts with public service providers.[52] However, the Committee of Experts has not received information about the extent to which Slovak has been used for submitting requests to public service providers (Article 10.3.c).

63. As mentioned above, regional or minority languages may be used orally and in written form in contacts with authorities, which may require translation or interpretation (Article 10.4.a). In this context, the Committee of Experts refers to its observations above (see para. 55).

64. With regard to family names in regional or minority languages (Article 10.5), the Act on Record Books (Section 26.3) provides that upon request by a citizen belonging to a national minority, the name and surname in the language of the national minority is entered into the records in letters which are transliterated for the purpose of the public administration system. Furthermore, the right of women to use their surnames with no differentiation of grammatical gender is guaranteed. As of 2022, women can apply to have their surname in a non-differentiated form for which the need to prove affiliation with a national minority has been abolished. An amendment to the Act on Record Books aims also at granting the possibility of changing one's maiden name into the minority language.

65. In practice, the public administration system allows the use of diacritics in the regional or minority languages.

Use of the regional or minority languages in the media

66. In the public broadcast media (Article 11.1.aiii), there is a weekly programme in Polish on Czech Television (8-10 minutes). Slovak is used in series, films and documentaries from the Slovak Republic on public television and to a limited extent in the programme "Objektiv". With regard to Slovak and German, the authorities further refer to the occasional use of both languages in the television programmes "Babylon" and "Sousedé" (see para. 76).

[51] Evaluation by the Committee of Experts of the Implementation of the Recommendations for Immediate Action contained in the Committee of Experts' fourth evaluation report on the Czech Republic, MIN-LANG(2020)7, para. 23. See also Third evaluation report of the Committee of Experts on the Czech Republic, ECRML(2015)6, para. 33; Second evaluation report of the Committee of Experts on the Czech Republic, ECRML(2013)2, paras. 30, 42; Fifth Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities, ACFC/OP/V(2021)3, paras. 119-124.
[52] See e.g. Second periodical report, MIN-LANG/PR(2011)4, p. 37.

67. Czech Radio has a programme in German (also called “Sousedé”, weekly, 12-15 minutes), Polish (”Wydarzenia”, five days/week, 26 minutes) and Slovak (“Stretnutie”, three times/week, 15-55 minutes).

68. During the on-the-spot visit, representatives of the Slovak speakers criticised that there is no television programme in Slovak and that the broadcast duration of the radio programme “Stretnutie” is too short. They also pointed out that Czech Television and Czech Radio treat programmes in regional or minority languages not as a matter of importance and observed a lack of Slovak-speaking journalists. Representatives of the users of Polish showed interest in extending the broadcast duration of the television programme in their language. Representatives of the users of German mentioned that they had asked for the launch of a television programme in German and the extension of the broadcast duration of the radio programme “Sousedé”.

69. The Committee of Experts reiterates that television broadcasts in a regional or minority language are of particular importance for the promotion of the language. They not only provide information in the regional or minority language, but also increase the level of exposure to the language, in addition to its use in the family and/or in school. This supports the learning or practice of the language and its development. Television broadcasts in a regional or minority language also raise the prestige and functionality of the language, which may encourage people to transmit or learn it. The achievement of these objectives requires an adequate broadcasting duration, regularity and accessibility of the programme, which can be facilitated by the internet. In order to reach out to the linguistic group as a whole, the broadcasts should cover content from various genres, such as local and national news, entertainment and culture, and address different generations, including children and young people to support language transmission.[53]

70. Against this background, the Committee of Experts notes that the duration of public television broadcasting in Polish is very limited. Moreover, the broadcasting of series, films and documentaries in Slovak from abroad and the limited use of this language in the programme “Objektiv” do not give it a predictable presence on public television. Regarding Slovak and German, the Committee of Experts further observes that the television programmes “Babylon” and “Sousedé” are not programmes in these languages, as required by Article 11.1.aiii. Rather, their purpose is to raise awareness of various national minorities. In this sense, both programmes are relevant under Article 7.3 (see paras. 76-77 below). For the purpose of Article 11.1.aiii, the authorities are encouraged to make adequate provision so that Czech Television allocates to German and Slovak slots for television programmes to be broadcast at regular intervals and of a sufficient duration.[54] Moreover, measures should be taken to extend the duration of the television programme in Polish.

71. With regard to public radio, the Committee of Experts considers the broadcast duration of the programmes “Stretnutie” (Slovak) and “Sousedé” (German) as too short to make an impact on the promotion of these languages and to encourage their use. The authorities are invited to make adequate provision so that Czech Radio extends the duration of both programmes and broadcasts them on a more regular basis.

72. As far as the broadcasting of programmes in the private media is concerned, the Ministry of Culture’s “Programme to Support the Dissemination and Reception of Information in the Languages of National Minorities” may promote the production of programmes for radio and television broadcasting in minority languages on the basis of submitted projects. The web radio “Hallo Radio Hultschin”, which is mostly funded by Germany, broadcasts music in German and Czech. Furthermore, a radio programme in Slovak is broadcast on private “Radio Prostor” only at irregular intervals. There is no private radio programme in Polish (Article 11.1.bii). Private television programmes in German and Polish do not exist (Article 11.1.cii).

73. The Committee of Experts underlines the importance of private radio and television in order to ensure, in combination with public broadcasting, the diversity of content and audience of broadcasting in regional or minority languages. In Czechia, this appears all the more essential as these languages have a weak presence in the public broadcast media at present. Against this background, the authorities

[53] See e.g. Evaluation by the Committee of Experts of the Implementation of the Recommendations for Immediate Action contained in the Committee of Experts’ fifth evaluation report on Armenia, MIN-LANG(2021)17, para. 16.
[54] See e.g. Evaluation by the Committee of Experts of the Implementation of the Recommendations for Immediate Action contained in the Committee of Experts’ sixth evaluation report on Croatia, MIN-LANG(2022)3, para. 19.

are invited to encourage and/or facilitate the broadcasting of radio and television programmes in German, Polish and Slovak on a regular basis (Articles 11.1.bii, cii). However, the "Programme to Support the Dissemination and Reception of Information in the Languages of National Minorities" has so far not resulted into the fulfilment of these undertakings. In this light, the Committee of Experts invites the authorities to adopt a proactive approach and explore additional ways of promoting private regional or minority language broadcasting, for example through additional financial incentives or licensing requirements. The overall goal should be to reach a total combined (public/private) broadcast duration in German, Polish and Slovak which can make an effective contribution to the promotion of each language.[55]

74. Moravian Croatian is not used in dedicated television or radio programmes (Article 7.1.d). The Committee of Experts considers that the broadcast media can make an important contribution to the promotion of Moravian Croatian as well, as its users are dispersed and could be better reached through such media (see also Article 7.1.e). Therefore, the Committee of Experts invites the authorities, in co-operation with the representatives of the users, to facilitate the use of Moravian Croatian in the broadcast media.

75. A programme in Romani is broadcast on "Radiožurnál" and on Czech Radio Region three times per week (55 minutes in total). There is no television programme in this language. Considering that broadcast media could support the use of Romani also in public life, as recommended by the Committee of Ministers,[56] the Committee of Experts welcomes the availability of the aforementioned radio programme. Moreover, it invites the authorities to facilitate an appropriate use of Romani on television.

76. In the fourth monitoring cycle, the Committee of Ministers recommended that the Czech authorities "**continue efforts to promote awareness and tolerance vis-à-vis all regional or minority languages and the cultures they represent as an integral part of the cultural heritage of the Czech Republic … in the media**" (Article 7.3).[57] On Czech Television, the weekly television programme "Babylon" (25-30 minutes) and the monthly programme "Sousedé" (about 30 minutes) offer reports about various national minorities and are also freely available on the Czech Television website. In the period 2020-2022, Regionální televize CZ has received funding to continue the documentaries "They Live Among Us" (profiles about personalities from the German, Polish, Roma and Slovak minorities broadcast mostly in Czech and to some extent in Slovak).

77. As mentioned under education above (see para. 33), awareness-raising among the majority population about the regional or minority languages is of utmost importance to achieve societal support for the promotion of these languages. This requires constant efforts also in the media addressing the majority population. The Committee of Experts hence considers the aforementioned programmes useful and invites the authorities to support their continuation.

78. According to the authorities, the production and distribution of sound recordings and audiovisual works in minority languages is, among other instruments, supported by the "Programme to Support the Dissemination and Reception of Information in the Languages of National Minorities".

79. The Committee of Experts notes that Article 11.1.d does not concern radio and television programmes, as it would otherwise be redundant in relation to Articles 11.1.aiii, 11.1.bii and 11.1.cii. Rather, it concerns other audio and audiovisual works such as new media (e.g. podcasts, social media).[58] The authorities could not provide examples of such audiovisual works in German, Polish and Slovak.

80. It must be stressed that the importance of Article 11.1.d has grown in recent years as many people, especially children and young people, prefer new media to television and radio. This generation is crucial to the maintenance or revival of regional or minority languages. Therefore, the Committee of Experts encourages the authorities to design, in co-operation with the representatives of the users of German, Polish and Slovak (including youth), a policy for the production and distribution of audio and audiovisual works in these languages, with particular emphasis on new and social media. It refers in this context to the thematic work carried out by the Council of Europe's Steering Committee on Anti-

[55] See e.g. Fourth evaluation report of the Committee of Experts on Serbia, CM(2018)144, para. 28.
[56] See CM/RecChL(2019)3, No. 3.
[57] CM/RecChL(2019)3, No. 1.
[58] See Fifth evaluation report of the Committee of Experts on Serbia, MIN-LANG(2023)3, para. 56.

Discrimination, Diversity and Inclusion (CDADI) on promoting regional or minority languages in new and social media.[59]

81. The authorities financially support a newspaper in Polish, but not yet newspapers in the sense of the Charter in German and Slovak (Article 11.1.ei). In accordance with the Committee of Experts' standing interpretation, a "newspaper" is published daily or at least weekly in order to actually convey news.[60] This interpretation appears all the more relevant at a time when online media update their news every few hours. During the on-the-spot visit, representatives of the Slovak speakers asked for extended use of their language in print media. Moreover, representatives of the users of German are interested in publishing the magazine "Landesecho" as a newspaper again, as it was in the past. The Committee of Experts encourages the authorities to consult the representatives of the users of German and Slovak about the creation of a daily or weekly newspaper in these languages, including online.

82. Radio and television broadcasts in German, Polish and Slovak from neighbouring states can be received in Czechia (Article 11.2). The Committee of Experts underlines the importance of television and radio broadcasts in regional or minority languages from abroad, which – in addition to the domestic public and private offer – constitute the third pillar in the provision of broadcasts in these languages.

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

83. In the field of culture, support to the users of Moravian Croatian has focused on the Croatian Culture Day and the Museum of Moravian Croats (Article 7.1.d). As far as Romani is concerned, the authorities have funded festivals and music as well as publishing of magazines, including for children and youth, and books. The Committee of Experts is pleased about the number of publishing activities in Romani, which make an important contribution to the development of a language that is traditionally used mainly orally.

84. State funding has been granted to a number of cultural activities in Polish which have addressed different generations, including in the fields of music, film, publishing of literature and theatre. The authorities have also supported cultural events and publishing activities of the German minority. The use of Slovak has been funded, for example, in the fields of publishing of literature, theatre and exhibitions. The Committee of Experts acknowledges the support granted to cultural activities in German, Polish and Slovak, and the quality of these activities. However, the state support for cultural activities and facilities in German, and to some extent Slovak, could be diversified (e.g. cinema, film production, media centres, cultural centres, museums, theatre).

85. In general, cultural activities in regional or minority languages are organised on the basis of annual projects, which reduces their sustainability,[61] and are often approved late in the year, which hampers the implementation of activities in that year. This has consequences that limit the scope of implementation of this undertaking. In particular, the limited staff capacity of the associations (see para. 9) restricts the number and scope of organised cultural activities. In addition, this funding scheme does not usually lead to the establishment of cultural facilities that regularly use regional or minority languages, which are also foreseen in Articles 12.1.f, g and 12.2 (see paras. 86-90 below). Also, the activities are usually only aimed at persons belonging to the national minorities. Cultural facilities with no connection to a minority are not particularly encouraged to organise activities in these languages, and the majority population is not specifically targeted either. In the border areas, however, many members of the majority population and the population of the neighbouring country speak the given regional or minority language and could be attracted by cultural activities in the language in question. The Committee of Experts, therefore, considers that the authorities should take steps which lead to the inclusion of regional or minority languages also in the regular activities of mainstream cultural institutions (e.g. cinemas, media centres, cultural centres, museums). Such mainstreaming could have a positive impact on the quantity, sustainability, economic basis and reach of cultural activities in regional or minority languages and promote intercultural understanding (see Article 7.1.e). Moreover, Czechia is encouraged to accept the undertaking in Article 12.1.e and thereby promote measures to ensure that

[59] Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI).
[60] See Fifth evaluation report of the Committee of Experts on Serbia, MIN-LANG(2023)3, para. 59; Third evaluation report of the Committee of Experts on Poland, MIN-LANG(2021)15, para. 54; Second evaluation report of the Committee of Experts on the Slovak Republic, ECRML(2009)8, para. 136; Second evaluation report of the Committee of Experts on Armenia, ECRML(2009)6, para. 186.
[61] See Fourth evaluation report of the Committee of Experts on the Czech Republic, CM(2019)73, para. 12.

bodies responsible for organising or supporting cultural activities in regional or minority languages (including national minority association) have at their disposal the staff needed.

86. As mentioned above, cultural activities in regional or minority languages are organised by associations representing the related national minorities. Representatives of the users of these languages are hence directly participating in the planning of the activities, as required by Article 12.1.f. However, the authorities should also encourage direct participation "in providing [cultural] facilities" using these languages. The Committee of Experts refers in this context to its observations concerning the inclusion of regional or minority languages in the activities of mainstream cultural institutions (see para. 85 above).

87. The authorities support the establishment of cultural relations between different linguistic groups (Article 7.1.e) through meetings of the Government Council for National Minorities and the Committees for National Minorities in the regions concerned, which also organise events (e.g. National Minorities Day). State support is also granted to the organisation of multicultural events (e.g. Festival of National Minorities in Orlová). In Prague, the House of National Minorities provides office and event premises for associations of national minorities, allowing them to present their culture.

88. The Regional Library of Karviná and several municipal libraries collect and present cultural works produced in Polish (Article 12.1.g). In addition, the authorities state that three museums have presented exhibitions about cultural aspects of the German minority, but it is not clear if these institutions are in charge of collecting and presenting or publishing works produced in German on a regular basis.

89. Cultural events in Polish have been carried out also outside the area where Polish is traditionally used, for example in Brno and Ostrava (Article 12.2). The authorities have no relevant information concerning Slovak. Regarding German, the authorities refer only to books in this language available in libraries across the country and to activities organised in Prague. However, German is traditionally used in Prague.

90. The authorities state that they do not take territorial aspects into account when supporting cultural activities in regional or minority languages. However, since this undertaking applies outside the areas where associations representing the users of regional or minority languages are active, it cannot be expected that project applications are submitted naturally and regularly. Consequently, the Committee of Experts considers that there is a need to design and implement a structured approach to encouraging and/or providing appropriate cultural activities and facilities in German, Polish and Slovak in territories other than those in which they are traditionally used.

91. As far as Article 12.3 is concerned, the Ministry of Foreign Affairs, through its embassies and the network of Czech Centres, organises performances presenting regional or minority languages and their cultures (e.g. music and folklore ensembles, theatre groups, folk arts and crafts) or provides financial or logistical support to such events. The Ministry of Culture offers a special programme "Support of foreign contacts in the field of amateur artistic activities" every year. In practice, the authorities promote the participation and presentation of Polish-speaking cultural groups at foreign festivals and competitions *inter alia* with a view to raising awareness abroad of Polish as a regional or minority language. No examples were provided concerning German and Slovak.

92. The Committee of Experts welcomes the availability of a dedicated grant programme promoting foreign contacts in the field of amateur artistic activities, which constitutes a useful tool supporting the implementation of Article 12.3. It is also grateful for the practical information provided concerning Polish. Nevertheless, the current activities are mainly organised in the cultural policy addressing Poland. As the purpose of Article 12.3 is to consider regional or minority languages and the cultures they reflect in cultural policy abroad in general, the Committee of Experts invites the authorities to include other states in their action for Polish under this undertaking.[62]

93. In general, the Committee of Experts notes that Article 12.3 relates to core competences of the state (foreign policy) and requires action by the authorities ("[t]he Parties undertake to make appropriate provision"). As a result, its implementation cannot be entirely delegated to associations potentially submitting applications on the basis of the aforementioned grant programme. Rather, complementary

[62] See Fourth evaluation report of the Committee of Experts on the Czech Republic, CM(2019)73, p. 20.

action by the authorities is needed to design a structured approach to the inclusion of German, Polish and Slovak and their cultures in cultural policy abroad.

Use of the regional or minority languages in economic and social life

94. The provision of information on consumer rights in regional or minority languages does not require a specific legal basis, but has in the past been based on the practice of the Ministry of Industry and Trade.[63] During the period under review, however, the ministry has not made available such information in Polish and Slovak (Article 13.2.e).

Use of the regional or minority languages in cross-border exchanges

95. According to representatives of the users, measures promoting Moravian Croatian in the framework of cross-border exchanges are organised by them without initiatives being taken by the authorities (Article 7.1.i). As regards Romani, the authorities state that cross-border exchanges concerning Roma are organised with the Slovak Republic. However, it is not clear whether Romani has been promoted in these exchanges.

96. Czechia has concluded agreements with Germany, Poland and the Slovak Republic on co-operation in some of the fields covered by Article 14.a (e.g. culture, education). However, it is unclear how the agreements were applied during the period under review to foster contacts between the users of these languages in Czechia and abroad. Furthermore, there is a lack of information about agreements and practice in other fields falling under this undertaking, for example the media.

97. The Committee of Experts notes that co-operation with states in which German, Polish and Slovak are the majority or a regional or minority language may support and complement domestic measures for the promotion of these languages. It therefore invites the authorities to examine in which fields covered by Article 14.a (culture, education, media, vocational training, permanent education) existing agreements with other states could be systematically used to support the implementation of the respective Charter undertakings for these languages, and where new agreements still need to be concluded.

98. The Pedagogical Centre for Polish National Schools has participated in INTERREG VA projects promoting Polish and covering the fields of economic life, culture and education, including vocational teacher training (Article 14.b). The Interreg Slovakia-Czech Republic Cross-border Co-operation Programme 2021-2027 supports projects in the field of education, but it is unclear what activities promoting Slovak were organised. No examples were provided of co-operation across borders between regional or local authorities with a view to promoting German.

99. The Committee of Experts notes that co-operation between regional or local authorities in Czechia and abroad may support the promotional measures taken by the national authorities in conformity with Article 14.a. The fact that many users of the regional or minority languages live in the border areas facilitates the implementation of this undertaking. The Committee of Experts therefore invites the authorities, in co-operation with associations of local and regional authorities, to encourage and support the regions, districts and municipalities located in the area where Part III applies to conclude twinnings with similar authorities abroad.

1.2 The situation of the individual regional or minority languages in Czechia

Moravian Croatian – Part II language

100. The situation of Moravian Croatian is determined by the consequences of the forced displacement of the Croatian population of the villages of Dobré Pole, Jevišovka and Nový Přerov, decided in 1948, and their dispersal to places mostly in northern Moravia.[64] As far as the promotion of Moravian Croatian in public life is concerned, the authorities support the organisation of the annual Croatian Culture Day and finance the ongoing renovation of the Museum of Moravian Croats in Jevišovka, which hosts a bilingual exhibition of the Moravian Croats. The Ethnographic Institute of the Historical Museum (part of the Moravian Museum) participates in the exhibition with historical

[63] See e.g. Second periodical report, MIN-LANG/PR(2011)4, p. 37.
[64] See Fifth periodical report by Czechia, MIN-LANG(2023)PR5, p. 101.

phonographic records. Moravian Croatian is not used in dedicated television or radio programmes. Furthermore, Moravian Croatian is not used/taught in mainstream pre-school, primary or secondary education. The authorities do not support facilities offering language courses for learning Moravian Croatian, including for adults. Nevertheless, (standard) Croatian language and literature can be studied at the University of Brno. As part of Slavonic studies, Croatian can also be studied at the universities of Pardubice and Prague. Measures promoting Moravian Croatian in the framework of cross-border exchanges are organised by representatives of the users without initiatives being taken by the authorities. As already announced in the third monitoring cycle, the authorities plan to include an explicit reference to Moravian Croatian in the instrument of ratification.

German – Part II and Part III language

101. German is currently mainly taught as a subject (foreign language), with an offer of extended teaching at some schools. The language can be studied at several universities. In the media, there is no television programme in German. Czech Radio (all regional studios) broadcasts a cultural and social magazine in German called “Sousedé” (every Friday at 19:45, 12-15 minutes). The web radio “Hallo Radio Hultschin”, which is mostly funded by Germany and works with freelance journalists, broadcasts mainly music in German and Czech, with limited other content. Television programmes from Germany and Austria can be received in bordering areas of Czechia and are part of the offer of the main Czech media service providers (notably ARD, ZDF, RTL, ORF). The authorities have supported national and local cultural events of the German minority (e.g. “Annual Days of Czech-German Culture – Music and culture connects”, “Large cultural meeting of the German minority 2018”). Several magazines or bulletins are published in German (e.g. “Landesecho”, “Troppauer Nachrichten“, “Teschner Nachrichten“, “Mitteilungsblatt Reichenberg“). Czechia has concluded agreements with Germany *inter alia* on co-operation in the fields of education (e.g. higher education, vocational training), culture and youth exchange, but it is not clear how the agreements were applied during the period under review. According to the users of German, due to the expulsion of Sudeten Germans and restrictions in former Czechoslovakia concerning the use of German, some persons belonging to the German minority still might feel intimidated using the language in public. In addition, German as a regional or minority language has limited visibility in public. In 2020, the umbrella association of the German minority applied for topographical indications in German to be displayed in the municipalities (including a local train station) where the minority met the 10% threshold (Horská Kvilda/Innergefild and Měděnec/Kupferberg).[65] The implementation is still pending.

102. In 2023, Czechia decided to extend the protection of German under the Charter by applying Part III. According to the authorities, this decision was “also a symbolic act and a sign of openness to the German national minority” against the background of “our common history and the ever-present cultural heritage of the German-speaking minority in the Czech environment.”[66]

Polish – Part II and Part III language

103. Polish is protected by the Charter in the districts of Frydek-Místek and Karviná (Region of Moravia-Silesia). It is used as the language of instruction in pre-school and primary education as well as secondary education (Polskie Gimnazjum im. Juliusza Słowackiego, Český Těšín/Czeski Cieszyn). However, according to the Pedagogical Centre for Polish National Schools, the use of Polish in technical and vocational education is limited to one business college (Obchodní akademie/Akademia Handlowa), which provides extended teaching of Polish rather than bilingual education. Studies of Polish are offered at the universities in Brno, Prague, Olomouc, Ostrava and Pardubice. Outside the regular school and university network, the authorities do not support facilities offering language courses for learning Polish, including for adults. This applies also to courses of Polish in continuing education outside the field of further teacher training. The history and the culture which is reflected by Polish is taught in primary and secondary schools teaching in Polish. In other schools located in the area where Polish is used, these topics are only covered irregularly in extracurricular activities. Teacher training for Polish-language education is provided by the Pedagogical Centre for Polish National Schools in Český Těšín/Czeski Cieszyn. The Polish Teachers Association organises further teacher training, in co-operation with the ministries of education of Czechia and Poland. There is no teaching in or of Polish outside the districts of Frydek-Místek and Karviná.

[65] The application also covered the municipality of Kryštofovy Hamry/Christophhammer and its train station.
[66] Fifth periodical report by Czechia, MIN-LANG(2023)PR5, pp. 65, 85.

104. Polish has not been used before judicial authorities during the period under review. While this language has been used in contacts with local authorities, this has not been the case with state authorities. The national authorities do not provide information on consumer rights in Polish. Moreover, Polish is neither used in assemblies of regional authorities, nor of local authorities. In several municipalities, place names in Polish have been signposted. Such names are also used on signs at the railway stations and stops, including in oral announcements in Polish. Nevertheless, the use of place names in Polish is inconsistent across municipalities and limited by the 10% threshold.

105. In public broadcasting, Czech Television offers the weekly programme “Wiadomości w języku polskim” (8-10 minutes), which is also available online. Czech Radio has a programme for the Polish minority called ”Wydarzenia” broadcast from Monday to Friday at 19:00 for 26 minutes. It offers news and contributions about events concerning organisations and persons belonging to the Polish minority and plays music in Polish. However, there is neither a private radio programme, nor a private television programme in Polish. The Committee of Experts has not received examples of audiovisual works in Polish. The authorities financially support the “Głos – Hlas” newspaper, which is published twice a week by the Congress of Poles in the Czech Republic. Radio and television broadcasts from Poland can be received in Czechia.

106. Cultural activities and facilities using Polish have been supported in various fields and addressing different generations, including music, film, cinema, cultural centres, literature and theatre (e.g. the Polish stage of the Těšín/Czeski Cieszyn Theatre). The authorities have also supported the publication of the monthly magazine “Zwrot – Návrat”, published by the Polish Cultural and Educational Union in the Czech Republic. During the on-the-spot visit, however, representatives of the Polish speakers criticised that, despite their long-standing request, the regional museum in Český Těšín/Czeski Cieszyn (Muzeum Těšínska) does not use explanatory texts in the local minority languages. Representatives of the users of Polish, such as the Congress of Poles and the Association of the Polish Youth in the Czech Republic, have been directly involved in providing cultural facilities and planning cultural activities. The Regional Library of Karviná and several municipal libraries have acquired new books in Polish, including for children and mothers of young children. Cultural events in Polish have been carried out also outside the area where Polish is traditionally used (e.g. Polish Culture Brno, Polish Days in Ostrava). The authorities promote the participation and presentation of Polish-speaking cultural groups at foreign festivals and competitions with a view to, *inter alia*, raising awareness abroad of Polish as a regional or minority language.

107. The Polish Teachers Association organises further teacher training, in co-operation with the ministries of education of Czechia and Poland. Furthermore, the Silesian Museum co-operates with several cultural institutions in Poland. In the period 2017-2022, the Pedagogical Centre for Polish National Schools in Český Těšín/Czeski Cieszyn has participated in three projects organised in the framework of the INTERREG VA Czech Republic-Poland programme. These projects aimed at increasing language competences of students on the cross-border labour market and mutual understanding of the Czech and Polish cultures, networking of Czech and Polish schools, organising internships for teachers and promoting traditions of the border region.

Romani – Part II language

108. The authorities have funded the publication of magazines in Romani by Roma associations, namely “Romano hangos” (published 17 to 20 times a year), “Kereka” (for children and youth, published six to eight times a year), “Romano“ (ten times a year) as well as the almanac “Romano džaniben” (published twice a year by an association of workers and students of Romani Studies at the University of Prague). Furthermore, support was granted to the publication of literature in Romani, which makes an important contribution to the development of this language, to the translation of Roma authors into Czech and to the organisation of Roma festivals and music. The publishing house “Kher” takes care of publishing literature in Romani, supporting authors (including young people) and carrying out research. A programme in Romani (“O Roma vakeren”) is broadcast on “Radiožurnál “and on Czech Radio Region three times per week (55 minutes in total). Cross-border exchanges concerning Roma are organised with the Slovak Republic, but it is not clear whether they promote Romani.

109. Romani is not used/taught as a separate subject in mainstream education at present. There is a need for the authorities to examine, with the representatives of the users, how the structural obstacles to the organisation of teaching of Romani could be overcome. Romani can be studied at the universities of Prague (Romani studies), Brno, Ostrava (Elements of Romani studies) and Pardubice (courses:

Romani language; Conversation and Reading in Romani; Romani for Anthropologists). Outside university, the authorities do not support facilities offering language courses for learning Romani, including for adults.

110. The Strategy for Roma Equality, Inclusion and Participation (Strategy for Roma Integration) 2021-2030 includes a chapter entitled “Preservation and development of the Romani language” which refers to the recommendations made in the previous monitoring cycle of the Charter and emphasises the importance of preserving Romani. It also covers the issue of unjustified restrictions on the use of Romani. In addition, the revised framework requirements in the field of teacher training will contain an obligation for universities to prove, as part of the accreditation of study programmes in the area of teaching, how they are fulfilling the Strategy for Roma Integration, for example the inclusion in teacher training of topics related to Romani culture and history.

Slovak – Part II and Part III language

111. The proximity of Slovak with Czech is often presented as a reason why promotional measures for this language are not taken, which hampers the application of the Charter. While Slovak is not used in pre-school or primary education, representatives of the users are strongly interested in introducing their language in mainstream pre-school education. Slovak can be studied at the universities of Brno, Ostrava and Prague. There are no state-supported facilities offering language courses for learning Slovak, including for adults.

112. The legislation pertaining to regional or minority languages refers in some fields (e.g. administrative authorities) to Slovak explicitly, which constitutes a particular recognition of its value. Nevertheless, there is a lack of information about the actual use of Slovak in contacts with national authorities, assemblies of regional and local authorities, and public service providers. In addition, the authorities have not translated information on consumer rights into Slovak.

113. There is no public television programme in Slovak. The use of this language on public television is limited to series, films and documentaries and to parts of the programme “Objektiv” (travel magazine whose presenter speaks Slovak). Czech Radio broadcasts the programme “Stretnutie” in Slovak, which covers news as well as cultural and social topics. It is broadcast twice a week on Mondays and Wednesdays for 15 minutes in all regions, and once a week on Sundays for 55 minutes on the national station Radiožurnál. On private “Radio Prostor”, the programme “Slovenská mozaika” is broadcast at irregular intervals (eleven minutes). The Committee of Experts has not received examples of audiovisual works in Slovak. The authorities do not financially support a weekly or daily newspaper in Slovak. Programmes from the Slovak Republic (e.g. RTVS 1, RTVS 2, RTVS 24, TA3, Markíza, JOJ) are part of the offer of the main Czech service providers, which enable their reception throughout Czechia.

114. With state support, Slovak has been used, for example, in the fields of theatre, literature (e.g. literary competitions for pupils in Slovak), publishing (including for children) and exhibitions. Representatives of the users of Slovak were involved in the activities. There is no information about the inclusion of Slovak and its culture in Czechia’s cultural policy abroad.

115. Co-operation with the Slovak Republic exists in the fields of culture, education and youth exchanges. In addition, the possibility of filling in documents in Slovak is regulated in an agreement with the Slovak Republic. However, it is unclear what activities of users of Slovak in both countries were organised during the period under review, and if there are agreements and practice in other fields (e.g. media). The Interreg Slovakia-Czech Republic Cross-border Co-operation Programme 2021-2027 supports projects in the field of education, but it is unclear what activities promoting Slovak were organised.

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

2.1. Moravian Croatian

2.1.1 Compliance of Czechia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Moravian Croatian

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

	The Committee of Experts considers the undertaking*:						
Article	**Undertakings of Czechia concerning Moravian Croatian[67]**	**fulfilled**	**partly fulfilled**	**formally fulfilled**	**not fulfilled**	**no conclusion**
Part II of the Charter (Undertakings which the state must apply to all regional or minority languages within its territory)						
Art. 7 – Objectives and principles						
7.1.a	recognition of Moravian Croatian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Moravian Croatian	=				
7.1.c	resolute action to promote Moravian Croatian		=			
7.1.d	facilitation and/or encouragement of the use of Moravian Croatian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		↙			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the state using Moravian Croatian • establishment of cultural relations with other linguistic groups		↙			
7.1.f	provision of forms and means for the teaching and study of Moravian Croatian at all appropriate stages				↙	
7.1.g	provision of facilities enabling (also adult) non-speakers of Moravian Croatian to learn it				↙	
7.1.h	promotion of study and research on Moravian Croatian at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Moravian Croatian				↙	
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Moravian Croatian	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Moravian Croatian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Moravian Croatian among their objectives		↙			
7.4	• take into consideration the needs and wishes expressed by the group which uses Moravian Croatian • establish a body for the purpose of advising the authorities on all matters pertaining to Moravian Croatian		↙			

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

Fulfilled: Policies, legislation and practice are in conformity with the Charter.
Partly fulfilled: Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.
Formally fulfilled: Policies and legislation are in conformity with the Charter, but there is no implementation in practice.
Not fulfilled: No action in policies, legislation and practice has been taken to implement the undertaking.
No conclusion: The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

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

Changes in the evaluation compared to the previous monitoring cycle

116. The authorities support the use of Moravian Croatian primarily in the field of culture. Due to its absence in other fields of public life, Article 7.1.d is partly fulfilled. While the authorities promote the establishment of cultural relations with other linguistic groups, they are not taking particular measures to maintain and develop links, in the fields covered by the Charter, between the users of Moravian Croatian. Therefore, Article. 7.1.e is partly fulfilled. Moravian Croatian is not used/taught in mainstream pre-school, primary or secondary education; Article 7.1.f is not fulfilled. The authorities do not support facilities offering language courses for learning Moravian Croatian, including for adults. Therefore, Article 7.1.g is not fulfilled. Measures promoting Moravian Croatian in the framework of cross-border exchanges are organised by representatives of the users without initiatives being taken by the authorities; Article 7.1.i is not fulfilled. Whereas public media raise awareness of national minorities and regional or minority languages, mainstream education still provides little information about these languages. Bearing in mind its related *further recommendation* (c.) made in the previous monitoring cycle, the Committee of Experts considers Article 7.3 partly fulfilled. At present, there is no specialised body advising the authorities on the development of a policy covering all matters of the promotion of Moravian Croatian, including the implementation of the Charter. The existing consultative bodies, notably the Government Council for National Minorities, perform this role only to a limited extent. Consequently, Article 7.4 is partly fulfilled.

2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Moravian Croatian in Czechia

The Committee of Experts recommends that the Czech authorities comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Czechia[68] remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

I. Recommendations for immediate action

a. Explore and implement ways of teaching Moravian Croatian in mainstream education.
b. Design and implement a strategy and action plan for the application of the Charter to Moravian Croatian, in co-operation with the representatives of the users.

II. Further recommendations

c. Provide facilities enabling non-speakers of Moravian Croatian, including adults, to learn it.
d. Encourage an offer of radio and television programmes in Moravian Croatian, possibly through social media platforms or digital streaming services.
e. Include content about Moravian Croatian and its culture in the curricula, teacher training and educational materials in mainstream education and further encourage the mass media to raise awareness about it in reporting and in journalist training.

[68] CM/RecChL(2009)7; CM/RecChL(2013)1; CM/RecChL(2015)5; CM/RecChL(2019)3; CM/Del/Dec(2020)1384/10.3b.

2.2 German

2.2.1 Compliance of Czechia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of German

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

	The Committee of Experts considers the undertaking*:					
Article	**Undertakings of Czechia concerning German**[69]	**fulfilled**	**partly fulfilled**	**formally fulfilled**	**not fulfilled**	**no conclusion**
Part II of the Charter ***(Undertakings which the state must apply to all regional or minority languages within its territory)***						
Art. 7 – Objectives and principles						
7.1.a	recognition of German as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of German	=				
7.1.c	resolute action to promote German		=			
7.1.d	facilitation and/or encouragement of the use of German, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the state using German • establishment of cultural relations with other linguistic groups		↙			
7.1.f	provision of forms and means for the teaching and study of German at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of German to learn it				↙	
7.1.h	promotion of study and research on German at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of German		↙			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of German	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to German among their objectives		=			
7.4	• take into consideration the needs and wishes expressed by the group which uses German • establish a body for the purpose of advising the authorities on all matters pertaining to German		↙			

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

Fulfilled: Policies, legislation and practice are in conformity with the Charter.
Partly fulfilled: Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.
Formally fulfilled: Policies and legislation are in conformity with the Charter, but there is no implementation in practice.
Not fulfilled: No action in policies, legislation and practice has been taken to implement the undertaking.
No conclusion: The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

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

Changes in the evaluation compared to the previous monitoring cycle

117. While the authorities promote the establishment of cultural relations with other linguistic groups, they are not taking particular measures to maintain and develop links, in the fields covered by the Charter, between the users of German residing in different parts of Czechia; Article 7.1.e is therefore partly fulfilled. The authorities do not support facilities offering language courses for learning German, including for adults; Article 7.1.g is not fulfilled.[70] Czechia co-operates with Germany in some fields covered by the Charter (e.g. culture, education). However, there is a lack of examples of activities promoting German and carried out during the period under review, including in other fields covered by the Charter (e.g. media). Therefore, Article 7.1.i partly fulfilled. At present, there is no specialised body advising the authorities on the development of a policy covering all matters of the promotion of German, including the implementation of the Charter. The existing consultative bodies, notably the Government Council for National Minorities, perform this role only to a limited extent. Consequently, Article 7.4 is partly fulfilled.

118. Czechia notified the Council of Europe on 28 February 2024 that it accepts the obligations arising from Part III of the Charter with regard to German. The Committee of Experts will evaluate Czechia's compliance with each of these new undertakings in its next evaluation report in table format.

2.2.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of German in Czechia

The Committee of Experts recommends that the Czech authorities comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.2.1 above), as well as continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Czechia[71] remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

I. Recommendations for immediate action

a. Make available bilingual education for German from pre-school to technical and vocational levels in the districts concerned.[72]
b. Extend the use of German in the broadcast media.

II. Further recommendations

c. Include content about German and its culture in the curricula, teacher training and educational materials in mainstream education and further encourage the mass media to raise awareness about it in reporting and in journalist training.
d. Provide support to establishing facilities enabling non-speakers of German, including adults, to learn it.
e. Facilitate and encourage the use and visibility of German as a minority language in public life.
f. Promote cultural activities and facilities using German in different fields.
g. Design and implement a strategy and action plan for the application of the Charter, in particular the new undertakings under Part III, to German, in co-operation with the representatives of the users.

[70] Information provided by the authorities in their replies to the Committee of Experts' questionnaire.
[71] CM/RecChL(2009)7; CM/RecChL(2013)1; CM/RecChL(2015)5; CM/RecChL(2019)3; CM/Del/Dec(2020)1384/10.3b.
[72] Districts of Cheb, Karlovy Vary, Sokolov, Liberec, Ústí nad Labem, Český Krumlov, Opava and Svitavy.

2.3 Polish

2.3.1 Compliance of Czechia with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Polish

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

		The Committee of Experts considers the undertaking*:				
Article	**Undertakings of Czechia concerning Polish**[73]	**fulfilled**	**partly fulfilled**	**formally fulfilled**	**not fulfilled**	**no conclusion**
Part II of the Charter ***(Undertakings which the state must apply to all regional or minority languages within its territory)***						
Art. 7 – Objectives and principles						
7.1.a	recognition of Polish as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Polish	=				
7.1.c	resolute action to promote Polish	=				
7.1.d	facilitation and/or encouragement of the use of Polish, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		↙			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the state using Polish • establishment of cultural relations with other linguistic groups		↙			
7.1.f	provision of forms and means for the teaching and study of Polish at all appropriate stages	=				
7.1.g	provision of facilities enabling (also adult) non-speakers of Polish to learn it				↙	
7.1.h	promotion of study and research on Polish at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Polish	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Polish	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Polish among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Polish among their objectives		↙			
7.4	• take into consideration the needs and wishes expressed by the group which uses Polish • establish a body for the purpose of advising the authorities on all matters pertaining to Polish		↙			
Part III of the Charter ***(Additional undertakings chosen by the state for specific languages)***						
Art. 8 – Education						
8.1.ai	make available pre-school education in Polish	=				
8.1.aii	make available a substantial part of pre-school education in Polish[74]					
8.1.bi	make available primary education in Polish	=				
8.1.bii	make available a substantial part of primary education in Polish[75]					
8.1.ci	make available secondary education in Polish	=				
8.1.cii	make available a substantial part of secondary education in Polish[76]					
8.1.dii	make available a substantial part of technical and vocational education in Polish				↙	

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

[74] Art. 8.1.ai and Art. 8.1.aii constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of the redundant Art. 8.1.aii.

[75] Art. 8.1.bi and Art. 8.1.bii constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of the redundant Art. 8.1.bii.

[76] Art. 8.1.ci and Art. 8.1.cii constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of the redundant Art. 8.1.cii.

Article	Undertakings of Czechia concerning Polish[73]	The Committee of Experts considers the undertaking*: fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
8.1.eiii	encourage and/or allow the provision of university or other forms of higher education in Polish or of facilities for the study of Polish as a university or higher education subject	=				
8.1.fiii	favour and/or encourage the offering of Polish as a subject of adult and continuing education				=	
8.1.g	ensure the teaching of the history and the culture which is reflected by Polish		=			
8.1.h	provide the basic and further training of the teachers teaching (in) Polish	=				
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Polish and for drawing up public periodic reports of its findings				↙	
8.2	in territories other than those in which Polish is traditionally used, allow, encourage or provide teaching in or of Polish at all the appropriate stages of education				=	
Art. 9 – Judicial authorities						
9.1.aii	guarantee the accused the right to use Polish in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				↙	
9.1.aiii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Polish, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned					↙
9.1.aiv	produce, on request, documents connected with criminal legal proceedings in Polish, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				↙	
9.1.bii	allow, whenever a litigant has to appear in person before a court, that he or she may use Polish in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations				↙	
9.1.biii	allow documents and evidence to be produced in Polish in civil proceedings, if necessary by the use of interpreters and translations		=			
9.1.cii	allow, whenever a litigant has to appear in person before a court, that he or she may use Polish in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations				↙	
9.1.ciii	allow documents and evidence to be produced in Polish in proceedings concerning administrative matters, if necessary by the use of interpreters and translations		=			
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Polish and the related use of documents and evidence in Polish, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned				↙	
9.2.a	not to deny the validity of legal documents solely because they are drafted in Polish			↙		
Art. 10 – Administrative authorities and public services						
10.1.aiv	ensure that users of Polish may submit oral or written applications in Polish to local branches of the national authorities			↙		
10.2.b	possibility for users of Polish to submit oral or written applications in Polish to the regional or local authority	↗				
10.2.e	use by regional authorities of Polish in debates in their assemblies			↙		
10.2.f	use by local authorities of Polish in debates in their assemblies			↙		
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Polish		=			
10.4.a	translation or interpretation	=				
10.5	allow the use or adoption of family names in Polish	=				
Art. 11 – Media						
11.1.aiii	make provision so that public broadcasters offer radio and television programmes in Polish	=[77]	↙[78]			
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Polish on a regular basis				↙	
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Polish on a regular basis				↙	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Polish				↙	

[77] Concerning radio.
[78] Concerning television.

	The Committee of Experts considers the undertaking*:						
Article	**Undertakings of Czechia concerning Polish**[73]	**fulfilled**	**partly fulfilled**	**formally fulfilled**	**not fulfilled**	**no conclusion**
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Polish	=				
11.2	• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Polish • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Polish • ensure the freedom of expression and free circulation of information in the written press in Polish	=				
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Polish	=				
12.1.f	encourage direct participation by representatives of the users of Polish in providing facilities and planning cultural activities	=				
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Polish	=				
12.2	In territories other than those in which Polish is traditionally used, allow, encourage and/or provide cultural activities and facilities using Polish	=				
12.3	make provision, in cultural policy abroad, for Polish and the culture it reflects		↗			
Art. 13 – Economic and social life						
13.1.c	oppose practices designed to discourage the use of Polish in connection with economic or social activities	=				
13.2.e	arrange for information provided by the authorities concerning the rights of consumers to be made available in Polish				↙	
Art. 14 – Transfrontier exchanges						
14.a	apply bilateral and multilateral agreements with the states in which Polish is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Polish in the states concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Polish, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Polish is used in identical or similar form	=				

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

Fulfilled: Policies, legislation and practice are in conformity with the Charter.
Partly fulfilled: Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.
Formally fulfilled: Policies and legislation are in conformity with the Charter, but there is no implementation in practice.
Not fulfilled: No action in policies, legislation and practice has been taken to implement the undertaking.
No conclusion: The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

Changes in the evaluation compared to the previous monitoring cycle

119. Polish is not used in all fields of public life in accordance with the Charter; Article 7.1.d is therefore partly fulfilled. While the authorities promote the establishment of cultural relations with other linguistic groups, they are not taking particular measures to maintain and develop links, in the fields covered by the Charter, between the users of Polish. Therefore, Article 7.1.e is partly fulfilled. The authorities do not support facilities offering language courses for learning Polish, including for adults. Therefore, and keeping in mind the assessment concerning Article 8.1.fiii, Article 7.1.g is considered not fulfilled. Whereas public media raise awareness of national minorities and regional or minority languages, mainstream education still provides little information about these languages. Therefore, the Committee of Experts considers Article 7.3 partly fulfilled. At present, there is no specialised body advising the authorities on the development of a policy covering all matters of the promotion of Polish, including the implementation of the Charter. The existing consultative bodies, notably the Government

Council for National Minorities, perform this role only to a limited extent. Consequently, Article 7.4 is partly fulfilled.

120. According to the Pedagogical Centre for Polish National Schools, the use of Polish in technical and vocational education (including Polish language and literature as a subject) in the districts of Frydek-Místek and Karviná is limited to one business college, where it accounts for only 29.7% of weekly teaching time. However, in accordance with Article 8.1.dii, this offer should be available in both districts and account for at least 50% of the weekly teaching time. Representatives of the users of Polish have also complained about a too limited use of their language in technical and vocational education. Therefore, this undertaking is considered not fulfilled. As part of its monitoring, the Czech School Inspectorate does not address specifically Polish-language education. In addition, the Pedagogical Centre for Polish National Schools does not perform the function of supervisory body in accordance with Article 8.1.i either. Therefore, the Committee of Experts considers this undertaking not fulfilled.

121. The legal basis for the use of Polish before judicial authorities does not fully correspond to the requirements of the Charter. In addition, there is no data about practice. Consequently, Article 9.1.aii, 9.1.aiv, 9.1.bii, 9.1.cii and 9.1.d are not fulfilled. Regarding Article 9.1.aiii, it is not clear whether the legislation guarantees that written or oral requests are considered admissible also when they are formulated in Polish, and if the use of interpreters and translations for requests and evidence involves no extra expense for the person concerned. Therefore, the Committee of Experts is not in a position to reach a conclusion on the fulfilment of this undertaking. While it is allowed to draw up legal documents in Polish, there is no information about practice. Therefore, Article 9.2.a is only formally fulfilled.

122. It is allowed to use Polish in contacts with local branches of the state authorities, but there is no information about practice. Consequently, Article 10.1.aiv is only formally fulfilled. At the same time, Polish has been used in contacts with local authorities; Article 10.2.b is hence fulfilled. Polish has not been used in meetings of regional or local assemblies; Articles 10.2.e and 10.2.f are only formally fulfilled.

123. The duration of the public television programme in Polish is too short to make an impact on the promotion of this language. Therefore, Article 11.1.aiii is partly fulfilled for public television. Due to a repeated lack of information, Articles 11.1.bii, 11.1.cii and 11.1.d are considered not fulfilled.

124. The authorities have supported activities presenting Polish and the culture it reflects in the framework of cultural policy abroad. However, the current activities are mainly organised in the cultural policy addressing Poland. Therefore, Article 12.3 is partly fulfilled.

125. The authorities do not make available information concerning consumer rights in Polish; Article 13.2.e is not fulfilled.

2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Polish in Czechia

The Committee of Experts recommends that the Czech authorities comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.3.1 above), as well as continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Czechia[79] remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

I. Recommendation for immediate action

a. Encourage the use of place names in Polish where there is a demand.
b. Amend the relevant legislation with a view to replacing the 10% threshold concerning the use of the regional or minority languages with a more flexible arrangement.

[79] CM/RecChL(2009)7; CM/RecChL(2013)1; CM/RecChL(2015)5; CM/RecChL(2019)3; CM/Del/Dec(2020)1384/10.3b.

II. Further recommendations

c. Make available bilingual technical and vocational education for Polish in the districts of Frydek-Místek and Karviná.
d. Encourage the offer of Polish as a subject of adult and continuing education.
e. Ensure the teaching of the history and the culture which is reflected by Polish in mainstream education in the districts of Frydek-Místek and Karviná.
f. Include content about Polish and its culture in the curricula, teacher training and educational materials in mainstream education and further encourage the mass media to raise awareness about it in reporting and in journalist training.
g. Amend the relevant legislation with a view to enabling the use of Polish before, and by, judicial authorities in accordance with the Charter.
h. Facilitate and encourage the use of Polish in contacts with local branches of the national authorities.
i. Encourage the broadcasting of a private radio and a private television programme in Polish.
j. Make available information concerning the rights of consumers in Polish.

2.4 Romani

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

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

		The Committee of Experts considers the undertaking*:				
Article	**Undertakings of Czechia concerning Romani**[80]	**fulfilled**	**partly fulfilled**	**formally fulfilled**	**not fulfilled**	**no conclusion**
Part II of the Charter ***(Undertakings which the state must apply to all regional or minority languages within its territory)***						
Art. 7 – Objectives and principles						
7.1.a	recognition of Romani as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Romani	=				
7.1.c	resolute action to promote Romani		=			
7.1.d	facilitation and/or encouragement of the use of Romani, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the state using Romani • establishment of cultural relations with other linguistic groups	=				
7.1.f	provision of forms and means for the teaching and study of Romani at all appropriate stages				↙	
7.1.g	provision of facilities enabling (also adult) non-speakers of Romani to learn it				↙	
7.1.h	promotion of study and research on Romani at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Romani					↙
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Romani	↗				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Romani among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Romani among their objectives		=			
7.4	• take into consideration the needs and wishes expressed by the group which uses Romani • establish a body for the purpose of advising the authorities on all matters pertaining to Romani	↗				

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

Fulfilled: Policies, legislation and practice are in conformity with the Charter.
Partly fulfilled: Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.
Formally fulfilled: Policies and legislation are in conformity with the Charter, but there is no implementation in practice.
Not fulfilled: No action in policies, legislation and practice has been taken to implement the undertaking.
No conclusion: The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

[80] In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/148 (treaty No. 148).

Changes in the evaluation compared to the previous monitoring cycle

126. Romani is not taught as a separate subject in primary or secondary education; Article 7.1.f is not fulfilled. Outside university, the authorities do not support facilities offering language courses for learning Romani, including for adults. Therefore, Article 7.1.g not fulfilled. It is not clear whether cross-border exchanges promoting Romani were organised during the period under review. The Committee of Experts is hence not in a position to conclude on Article 7.1.i. The Committee of Experts has not been made aware of cases of unjustified distinction, exclusion or restriction relating to the use of Romani and considers Article 7.2 fulfilled. The Government Council for Roma Minority Affairs deals also with matters relating to Romani and fulfils Article 7.4.

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

The Committee of Experts recommends that the Czech authorities comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.4.1 above), as well as continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Czechia[81] remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

I. Recommendations for immediate action

a. Offer teaching of Romani in public education (as a subject), in co-operation with the representatives of the users.
b. Continue taking measures to raise awareness of the benefits of promoting Romani among its users.

II. Further recommendations

c. Design and implement a strategy and action plan for the application of the Charter to Romani, in co-operation with the representatives of the users.
d. Encourage an offer of a television programme in Romani, possibly through social media platforms or digital streaming services.
e. Provide facilities enabling non-speakers of Romani, including adults, to learn it.

[81] CM/RecChL(2009)7; CM/RecChL(2013)1; CM/RecChL(2015)5; CM/RecChL(2019)3; CM/Del/Dec(2020)1384/10.3b.

2.5 Slovak

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

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

		The Committee of Experts considers the undertaking*:				
Article	**Undertakings of Czechia concerning Slovak**[82]	**fulfilled**	**partly fulfilled**	**formally fulfilled**	**not fulfilled**	**no conclusion**
Part II of the Charter ***(Undertakings which the state must apply to all regional or minority languages within its territory)***						
Art. 7 – Objectives and principles						
7.1.a	recognition of Slovak as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Slovak	=				
7.1.c	resolute action to promote Slovak		↙			
7.1.d	facilitation and/or encouragement of the use of Slovak, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		↙			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the state using Slovak • establishment of cultural relations with other linguistic groups		↙			
7.1.f	provision of forms and means for the teaching and study of Slovak at all appropriate stages				↙	
7.1.g	provision of facilities enabling (also adult) non-speakers of Slovak to learn it				↙	
7.1.h	promotion of study and research on Slovak at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Slovak	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Slovak	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Slovak among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Slovak among their objectives		↙			
7.4	• take into consideration the needs and wishes expressed by the group which uses Slovak • establish a body for the purpose of advising the authorities on all matters pertaining to Slovak		↙			
Part III of the Charter ***(Additional undertakings chosen by the state for specific languages)***						
Art. 8 – Education						
8.1.aiv	favour and/or encourage the provision of pre-school education in Slovak and a substantial part of pre-school education in Slovak				↙	
8.1.biv	make available primary education in Slovak, a substantial part of primary education in Slovak or teaching of Slovak as an integral part of the curriculum at least to those pupils whose families so request and whose number is considered sufficient				↙	
8.1.eiii	encourage and/or allow the provision of university or other forms of higher education in Slovak or of facilities for the study of Slovak as a university or higher education subject	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Slovak				↙	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Slovak and for drawing up public periodic reports of its findings				↙	
8.2	in territories other than those in which Slovak is traditionally used, allow, encourage or provide teaching in or of Slovak at all the appropriate stages of education				↙	

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

Article	Undertakings of Czechia concerning Slovak[82]	The Committee of Experts considers the undertaking*: fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Art. 9 – Judicial authorities						
9.1.aii	guarantee the accused the right to use Slovak in criminal proceedings, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned	=				
9.1.aiii	provide that requests and evidence, whether written or oral, shall not be considered inadmissible in criminal proceedings solely because they are formulated in Slovak, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned	=				
9.1.aiv	produce, on request, documents connected with criminal legal proceedings in Slovak, if necessary by the use of interpreters and translations involving no extra expense for the persons concerned				↙	
9.1.bii	allow, whenever a litigant has to appear in person before a court, that he or she may use Slovak in civil proceedings without thereby incurring additional expense, if necessary by the use of interpreters and translations	=				
9.1.biii	allow documents and evidence to be produced in Slovak in civil proceedings, if necessary by the use of interpreters and translations	=				
9.1.cii	allow, whenever a litigant has to appear in person before a court, that he or she may use Slovak in proceedings concerning administrative matters without thereby incurring additional expense, if necessary by the use of interpreters and translations	=				
9.1.ciii	allow documents and evidence to be produced in Slovak in proceedings concerning administrative matters, if necessary by the use of interpreters and translations	=				
9.1.d	with regard to the conduct of civil and/or administrative proceedings in Slovak and the related use of documents and evidence in Slovak, ensure that the use of interpreters and translations does not involve extra expense for the persons concerned	=				
9.2.a	not to deny the validity of legal documents solely because they are drafted in Slovak			↙		
Art. 10 – Administrative authorities and public services						
10.1.aiv	ensure that users of Slovak may submit oral or written applications in Slovak to local branches of the national authorities			↙		
10.1.av	ensure that users of Slovak may validly submit a document in Slovak to local branches of the national authorities[83]					
10.2.b	possibility for users of Slovak to submit oral or written applications in Slovak to the regional or local authority	=				
10.2.e	use by regional authorities of Slovak in debates in their assemblies			↙		
10.2.f	use by local authorities of Slovak in debates in their assemblies			↙		
10.3.c	allow users of Slovak to submit a request in Slovak to public service providers			↙		
10.4.a	translation or interpretation	=				
10.5	allow the use or adoption of family names in Slovak	=				
Art. 11 – Media						
11.1.aiii	make provision so that public broadcasters offer radio and television programmes in Slovak		↙[84]		↙[85]	
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Slovak on a regular basis		↙			
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Slovak				↙	
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Slovak				=	
11.2	• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Slovak • do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Slovak • ensure the freedom of expression and free circulation of information in the written press in Slovak	=				

[83] Art. 10.1.aiv and Art. 10.1.av constitute alternative options. Consequently, the Committee of Experts will not evaluate the implementation of the redundant Art. 10.1.av.
[84] Concerning radio.
[85] Concerning television.

Article	Undertakings of Czechia concerning Slovak[82]	The Committee of Experts considers the undertaking*: fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
Art. 12 – Cultural activities and facilities						
12.1.a	encourage production, reproduction and dissemination of cultural works in Slovak					↙
12.1.f	encourage direct participation by representatives of the users of Slovak in providing facilities and planning cultural activities	=				
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Slovak					↙
12.2	In territories other than those in which Slovak is traditionally used, allow, encourage and/or provide cultural activities and facilities using Slovak					↙
12.3	make provision, in cultural policy abroad, for Slovak and the culture it reflects				↙	
Art. 13 – Economic and social life						
13.1.c	oppose practices designed to discourage the use of Slovak in connection with economic or social activities	=				
13.2.e	arrange for information provided by the authorities concerning the rights of consumers to be made available in Slovak				↙	
Art. 14 – Transfrontier exchanges						
14.a	apply bilateral and multilateral agreements with the states in which Slovak is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Slovak in the states concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Slovak, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Slovak is used in identical or similar form	=				

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

Fulfilled: Policies, legislation and practice are in conformity with the Charter.
Partly fulfilled: Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.
Formally fulfilled: Policies and legislation are in conformity with the Charter, but there is no implementation in practice.
Not fulfilled: No action in policies, legislation and practice has been taken to implement the undertaking.
No conclusion: The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

Changes in the evaluation compared to the previous monitoring cycle

127. The proximity of Slovak with Czech is often presented as a reason why promotional measures for this language are not needed. As a result, there exists no structured approach to the application of the Charter to Slovak. Nevertheless, taking into account the – compared to other regional or minority languages – strong legal position of Slovak (e.g. in administration), the Committee of Experts considers Article 7.1.c partly fulfilled. Slovak is not used in several fields of public life in accordance with the Charter; Article 7.1.d is therefore partly fulfilled. While the authorities promote the establishment of cultural relations with other linguistic groups, they are not taking particular measures to maintain and develop links, in the fields covered by the Charter, between the users of Slovak. Therefore, Article 7.1.e is partly fulfilled. The authorities do not support facilities offering language courses for learning Slovak, including for adults. Therefore, Article 7.1.g is not fulfilled. Whereas public media raise awareness of national minorities and regional or minority languages, mainstream education still provides little information about these languages. Therefore, the Committee of Experts considers Article 7.3 partly fulfilled. At present, there is no specialised body advising the authorities on the development of a policy covering all matters of the promotion of Slovak, including the implementation of the Charter. The existing consultative bodies, notably the Government Council for National Minorities, perform this role only to a limited extent. Consequently, Article 7.4 is partly fulfilled.

128. Slovak is neither used in pre-school education, nor taught as a subject in primary education. Consequently, Articles 7.1.f, 8.1.aiv, 8.1.biv and 8.2 are not fulfilled. In the absence of teaching of

Slovak, Article 8.1.i is not fulfilled either. The history and culture related to Slovak is not specifically taught; Article 8.1.g is not fulfilled.

129. Regarding Article 9.1.aiv, it should be clarified in the law that a user of Slovak may request that documents connected with legal proceedings are produced in this language. In addition, there is no data indicating practice. Therefore, this undertaking is not fulfilled. While it is allowed to draw up legal documents in Slovak, there is no information on practice. Therefore, Article 9.2.a is only formally fulfilled.

130. It is allowed to use Slovak in contacts with local branches of the state authorities, but there is no information about practice. Consequently, Article 10.1.aiv is only formally fulfilled. Slovak has not been used in meetings of regional or local assemblies; Articles 10.2.e and 10.2.f are only formally fulfilled. The Committee of Experts has not received information about the extent to which Slovak has been used for submitting requests to public service providers; Article 10.3.c is only formally fulfilled.

131. There is no public television programme in Slovak and the broadcast duration of the public radio programme “Stretnutie” is too short to make an impact on the promotion of this language and to encourage its use. Consequently, Article 11.1.aiii is not fulfilled concerning television and partly fulfilled concerning radio. A radio programme in Slovak is broadcast on private “Radio Prostor” only at irregular intervals, partly fulfilling Article 11.1.bii. There is no indication that audiovisual productions have been supported in Slovak; Article 11.1.d is not fulfilled.

132. The Committee of Experts is not in a position to reach a conclusion on Articles 12.1.a and 12.1.g as well as Article 12.2. No activities have been carried out presenting Slovak and the culture it reflects in the framework of cultural policy abroad; Article 12.3 is not fulfilled.

133. The authorities do not make available information concerning consumer rights in Slovak; Article 13.2.e is not fulfilled.

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

The Committee of Experts recommends that the Czech authorities comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.5.1 above), as well as continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Czechia[86] remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

I. Recommendations for immediate action

a. Introduce the use of Slovak in public education at all appropriate stages, in particular pre-school.
b. Produce documents in Slovak connected with criminal proceedings free of charge.

II. Further recommendations

c. Design and implement a strategy and action plan for the application of the Charter to Slovak, in co-operation with the representatives of the users.
d. Provide facilities enabling non-speakers of Slovak, including adults, to learn it.
e. Provide for the broadcasting of a public television programme in Slovak and extend the use of this language on public radio.
f. Encourage the broadcasting of a private radio programme in Slovak on a regular basis.
g. Examine the creation and the maintenance of a daily or weekly newspaper in Slovak, in co-operation with the speakers.
h. Encourage local authorities to provide data on the use of Slovak in local council meetings.
i. Make available information concerning the rights of consumers in Slovak.

[86] CM/RecChL(2009)7; CM/RecChL(2013)1; CM/RecChL(2015)5; CM/RecChL(2019)3; CM/Del/Dec(2020)1384/10.3b.

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

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

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

The Committee of Ministers,

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

Bearing in mind the instrument of ratification deposited by Czechia on 15 November 2006;

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

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

Having taken note of the comments submitted by the Czech authorities on the content of the report of the Committee of Experts;

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

1. amend the relevant legislation with a view to replacing the 10% threshold concerning the use of the regional or minority languages with a more flexible and less restrictive arrangement;

2. design and implement a strategy and action plan for the application of the Charter for each regional or minority language;

3. explore and implement ways of teaching Moravian Croatian, and offer teaching of Romani, in mainstream education;

4. introduce the use of Slovak in public education at all appropriate stages, in particular pre-school.

The Committee of Ministers invites the Czech authorities to submit the information on the recommendations for immediate action by 1 September 2025 and the next periodical report by 1 March 2028.[87]

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

Appendix I: Instrument of Ratification



Czech Republic

Declaration contained in a Note verbale from the Permanent Representation of the Czech Republic, dated 26 February 2024, registered at the Secretariat General on 28 February 2024 - Or. Engl.

The Czech Republic supplements its Declaration pursuant to Article 2, paragraph 2, and Article 3, paragraph 1, of the European Charter for Regional or Minority Languages by the following:

The German language in the Karlovy Vary Region, in the territory of the districts of Cheb, Karlovy Vary and Sokolov, in the Liberec Region, in the territory of the district of Liberec, in the Ústí nad Labem Region, in the territory of the district of Ústí nad Labem, in the South-Bohemian Region in the territory of the district of Český Krumlov, in the Moravian-Silesian Region, in the district of Opava, in the Pardubice Region, in the territory of the district of Svitavy:

Article 8, paragraph 1 a (ii), b (ii), c (ii), d (ii), e (i), g, h, i, paragraph 2; (total of 9 points)
Article 9, paragraph 1 a (ii), a (iii), a (iv), b (ii), b (iii), c (ii), c (iii), d, paragraph 2 a; (total of 9 points)
Article 10, paragraph 1 a (iv), paragraph 2 b, paragraph 5; (total of 3 points)
Article 11, paragraph 1 a (iii), b (ii), c (ii), d, e (i), paragraph 2; (total of 6 points)
Article 12, paragraph 1 a, f, g, paragraph 2, paragraph 3; (total of 5 points)
Article 13, paragraph 1 c; (total of 1 point)
Article 14 a, b; (total of 2 points)

Total of 35 points.

Period covered: 28/02/2024
Articles concerned: 2 3

Declaration contained in the instrument of ratification deposited on 15 November 2006 - Or. Engl.

The Czech Republic hereby declares that it will apply the provisions of the Charter in conformity with its constitutional order and the relevant international treaties by which it is bound.

Though there exists no general legal regulation in the Czech Republic relating to the country's official language, for the purposes of the Charter, regarded as minority languages are languages meeting the conditions of Article 1.a. In conformity with the Charter, the Czech Republic therefore declares that it considers the Slovak, Polish, German and Romani languages as minority languages which are spoken in its territory and in respect of which it will apply the provisions of Part II of the Charter.

Period covered: 01/03/2007
Articles concerned: 1

Declaration contained in the instrument of ratification deposited on 15 November 2006 - Or. Engl.

The Czech Republic declares that, pursuant to Article 2, paragraph 2, and Article 3, paragraph 1, of the Charter, it will apply the following selected provisions of Part III of the Charter to these languages:

The Polish language in the Moravian-Silesian Region, in the territory of the districts of Frydek-Místek and Karviná:

Article 8, paragraph 1 a (i), a (ii), b (i), b (ii), c (i), c (ii), d (ii), e (iii), f (iii), g, h, i, paragraph 2;

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

The Slovak language all over the territory of the Czech Republic :

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

Period covered: 01/03/2007
Articles concerned: 2 3

Appendix II: Comments from the Czech authorities

Ministry of the Interior

1. In the chapter "Use of the regional or minority languages by administrative authorities and public service providers", par. 57 (page 15) mentions the upcoming amendment to the Act on Record Books. Specifically, there is a provision allowing declarations of marriage or entering into a registered partnership to be made also in the language of the national minority, when at least 10% of the citizens of the municipality, in whose territorial district the declaration is made, declared to be a national minority in the last two censuses, while the officials must speak the language of this national minority.

The Committee of Experts states that the 10% condition is met by only one national minority in the Czech Republic, so other national minorities would be granted only apparent rights. At the same time, the condition that the officials must have a command of the language of the relevant national minority is criticized, as this is stricter compared to the procedure under the Administrative Procedure Code. The Committee of Experts therefore calls on the Czech authorities to revise the draft amendment and harmonise it with the procedure for the use of regional or minority languages in relations with administrative authorities.

The Ministry of the Interior states that the above-mentioned draft amendment to the Act on Record Books refers to the amendment to Act No. 301/2000 Coll., on Registers of Vital Records, Names and Surnames and on Amendments to Certain Related Acts, as amended (hereinafter referred to as the "Act on Registers of Vital Records"). Please note that this amendment has already been adopted in 2023. Specifically, it is Act No. 414/2023 Coll. and the cited provision means Section 39 para. 1 of the Act on Registers of Vital Records, which came into effect on 1 January 2024. When setting the limit of 10% in § 39 para. 1 of the Act on Registers of Vital Records, the similar limit of 10% set out in Act No. 128/2000 Coll., on Municipalities (Municipal Establishment), as amended (hereinafter referred to as the "Act on Municipalities"), was used. It should be added that the above-mentioned amendment to the Act on Registers of Vital Records has undergone a regular legislative process, within which the wording of Section 39 para. 1 of the Act on Registers of Vital Records, representatives of the executive and legislative powers could express their opinions. No major comments on § 39 para. 1 of the Act on Registers of Vital Records, however, were applied. On the contrary, the regulation of the issue was found to be satisfactory and was positively evaluated. If the conditions for the implementation of the rights of national minorities were to be modified in the Act on Municipalities, this change would also be reflected in the Act on Registers of Vital Records. However, we do not consider it systemic that in the case of the Act on Registers of Births, members of national minorities should be granted rights to a fundamentally wider extent than is the case in other public administration agendas.

It should be noted that the new rule introduced the possibility of holding the ceremony in the language of the national minority. Previously, it was not possible to hold a ceremony in the language of the national minority, as such a possibility does not arise from the Code of Administrative Procedure. According to the Code of Administrative Procedure, engaged couples can make their declarations in the language of the national minority and have the right to free interpretation, but the ceremony must be conducted in the official language. It is therefore a shift in the direction of a broader use of the language of the national minority, which, however, is limited by the comprehensibility of its use for those present. With regard to the legal (mandatory) condition that the officials must have a command of the language of the national minority concerned, it should be mentioned that the conclusion of marriage as well as the entry into a partnership is a legal act that is performed in public, so all participants, especially the officiant and the registrar, before whom this act is performed in public, should understand the entire course of the ceremony.

2. In the chapter “Use of the regional or minority languages by administrative authorities and public service providers”, paragraph 64 (p. 16) again refers to the amendment to the Act on Record Books, which aims to make it possible to change one's maiden name into a minority language.

For clarification, the Ministry of the Interior only states that the amendment to the Record Books Act again means an amendment to the Registers of Vital Records, specifically Act No. 414/2023 Coll.,

where, with effect from 1 January 2024, it is already the case that a maiden name is also understood to be a surname given in the language of a national minority (Section 68(3)(a) of the Registers Act). We therefore propose to amend the wording of paragraph 64.

3. In Chapter 2.3.2 “Recommendations by the Committee of Experts on how to improve the protection and promotion of Polish in Czechia”, b. (page 33), as part of the recommendation for immediate action, it is proposed to amend the relevant legislation with a view to replacing the 10% threshold concerning the use of the regional or minority languages with a more flexible arrangement.

The Ministry of the Interior does not agree with the proposal of the Committee of Experts to amend the relevant legislation in order to replace the 10% threshold for the use of regional or minority languages with a more flexible regime and continues to insist on maintaining the above-mentioned 10% limit.

In this context, the Ministry of the Interior addressed the Czech Office for Surveying, Mapping and Cadastre (hereinafter referred to as "ČÚZK"), as the administrator of the register of territorial identification, addresses and real estate, and the Czech Statistical Office (hereinafter referred to as the "ČSÚ"), as the collector and processor of statistical data from the 2021 Population and Housing Census. The purpose was to find out how many affected municipalities there are according to minorities and how many municipalities have names in the language of the national minority.

The communication of the ČÚZK showed that it does not have at its disposal data on municipalities in which street names are given in a language other than Czech, nor does it know the source of data from which it would be possible to obtain this information.

Data from the Czech Statistical Office, which includes a percentage comparison of municipalities according to the number of inhabitants claiming to belong to individual national minorities, shows that the number of municipalities meeting the currently stipulated condition of 10% of inhabitants claiming to belong to another national minority for street designation in the language of the national minority (Section 29 (2) of the Act on Municipalities) is a total of 28, and only in relation to the Polish minority. If the legal threshold were to be lowered to 5%, only 25 municipalities would be added to this number (9 municipalities with a German minority, 12 municipalities with a Slovak minority, 3 municipalities with a Polish minority, and 1 municipality with a Romani minority would meet the 5% criterion).

Given the fact that there is currently a small number of municipalities in the Czech Republic that would meet the reduced legal threshold in this context (we are proceeding with a reduction of the threshold to 5%), and also with regard to the fact that there has been no long-term interest on the part of national minorities or local governments, we do not consider it necessary to change the existing legal conditions.

At the same time, it should be emphasized that the Act on Municipalities allows the council of any municipality to decide to establish a committee for national minorities in a given municipality even if the legal condition of 10% is not met, when the establishment of such a committee is already mandatory by law (see Section 117 (1) and (3) of the Act on Municipalities). A similar procedure is possible in the case of the designation of the names of municipalities, its parts, streets and other public spaces and the designation of the buildings of state bodies and territorial self-governing units also in the language of the national minority, if the legal condition of 10% is not met, when the designation in the language of the national minority is already mandatory by law (see Section 29 (2) and Section 84 (2) (s) of the Act on Municipalities). It follows from the above that the referred provisions of the Act on Municipalities are not a restrictive legal limit on the use of a minority language, but a threshold from which an enforceable right arises. However, these rights can be exercised without reaching the legal limit.

In view of the above, the Ministry of the Interior considers the current limit of 10% to be entirely adequate and should therefore continue to be maintained, as its reduction would not be of any significant importance in practice. The above-mentioned recommendation of the Committee of Experts is therefore proposed to be reconsidered.

Similarly, the Ministry of the Interior objects Chapter 3 '[Proposals for] Recommendations of the Committee of Ministers of the Council of Europe' (page 41), where under point 1. the Committee of Ministers recommends that the Czech authorities amend the relevant legislation as a matter of priority

in order to replace the 10% threshold for the use of regional or minority languages with a more flexible and less restrictive regime.

Ministry of Culture

Media and Audiovisual Department:

Use of the regional or minority languages in media (Par. 66 to 82)

The “Programme to Support the Dissemination and Reception of Information in the Languages of National Minorities” is announced publicly and anyone who fulfilled terms can apply for funding (subsidies). The procedure is announced on the basic of Government Regulation No. 98/2002 Coll., which establishes the conditions and method of providing subsidies from the state budget for activities of members of national minorities and for the support of members of Roma community. Without its change, the provision of subsidies is limited in its scope.

The Ministry of Culture has no legal right to influence (affect) the production of programmes for radio and television broadcasting not even in minority languages regardless whether they are public or private.

Act No. 231/2001 Coll. Act on the operation of radio and television broadcasting and on the amendment of other laws define this sphere as well as the Acts on Czech Radio an on Czech Television (No. 484/1991 Coll. and No. 483/1991 Coll., respectively) in Article 2 par.2 letter c) addressing duties in “creating and disseminating programs and providing a balance offer of programs for all groups of population, taking into account the freedom of their religion, faith and belief, culture, ethnic or national origin, national identity, social origin, age or gender, so that these programs and programmes reflect a diversity of options and political, religious, philosophical and artistic trends, with the aim of strengthening mutual understanding and tolerance and promoting the cohesion of a pluralistic society”.These obligations are similar for all providers of radio and television broadcasting in the territory of the Czech Republic.

Department of Regional and National Culture:

Pg. 19

85. In general, cultural activities in regional or minority languages are organised on the basis of annual projects, which reduces their sustainability, and are often approved late in the year, which hampers the implementation of activities in that year.

Ad 85. Approval of subsidies in both programs takes place during February, payment of subsidies is during April and May. The delay occurs only in exceptional situations, e.g. budgetary provisional.

85. Committee of Experts, therefore, considers that the authorities should take steps which lead to the inclusion of regional or minority languages also in the regular activities of mainstream cultural institutions (e.g. cinemas, media centres, cultural centres, museums).

Ad 85. The languages of national minorities are included in the normal activities of cultural institutions. An example is the Museum of Romani Culture, where members of the Roma nationality are among the museum´s employees.

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88. The Regional Library of Karviná and several municipal libraries collect and present cultural works produced in Polish (Article 12.1.g). In addition, the authorities state that three museums have presented exhibitions about cultural aspects of the German minority, but it is not clear if these institutions are in charge of collecting and presenting or publishing works produced in German on a regular basis.

Ad 88. Libraries and museums are in charge of collecting and presenting of works produced in minority languages on a regular basis. In areas where Polish minority lives, libraries systematically collect Polish

literature, e.g. the Regional Library in Karvina and Municipal Library Český Těšín. The Library of the Silesian Regional Museum deliberately acquires works in the original languages of the minorities living in the region for its library fund in the form of purchase or exchange. This concerns mainly the Polish national minority.

Interpretation of the culture of the Czech Germans is the task of the Zubrnice Open Air Museum. Museum of Romani Culture, a unique institution in the European context, which documents the Roma and Sinti the culture. The museum´s collections contains over 28,000 items. The Moravian Museum has an exhibition dedicated to the Moravian Croats. All these institutions are state contributory organisations of the Ministry of Culture. Moreover, some regional Museums also systematically gather a collection of art and craft objects of minorities. For examplem the Regional Museum in Mikulov has a significant collection of Moravian Croats art.

92. The Committee of Experts welcomes the availability of a dedicated grant programme promoting foreign contacts in the field of amateur artistic activities, which constitutes a useful tool supporting the implementation of Article 12.3. It is also grateful for the practical information provided concerning Polish. Nevertheless, the current activities are mainly organised in the cultural policy addressing Poland. As the purpose of Article 12.3 is to consider regional or minority languages and the cultures they reflect in cultural policy abroad in general, the Committee of Experts invites the authorities to include other states in their action for Polish under this undertaking.

Ad 92. As far as the “Program Promoting Foreign Contacts in the Field of Amateur Artistic Activities” is mentioned, associations of Polish minority tend to focus on cooperation with Poland. Ministry of Culture, Department of Regional and National Culture, helped the Polish association Ars Musica with the preparation of the application form. Nothing prevents anyone from applying for support for any trip abroad if they meet the conditions. In practice, however, there is no interest.

As far as professional art is mentioned, Polish Scene of Těšín Theatre, supported from the Ministry of Culture, hosts in Slovakia, Lithuania, Ukraine, and Austria in addition to Poland.

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Moravian Croatian
100. The situation of Moravian Croatian is determined by the consequences of the forced displacement of the Croatian population of the villages of Dobré Pole, Jevišovka and Nový Přerov, decided in 1948, and their dispersal to places mostly in northern Moravia. As far as the promotion of Moravian Croatian in public life is concerned, the authorities support the organisation of the annual Croatian Culture Day and finance the ongoing renovation of the Museum of Moravian Croats in Jevišovka, which hosts a bilingual exhibition of the Moravian Croats. The Ethnographic Institute of the Historical Museum (part of the Moravian Museum) participates in the exhibition with historical phonographic records. Moravian Croatian is not used in dedicated television or radio programmes. Furthermore, Moravian Croatian is not used/taught in mainstream pre-school, primary or secondary education. The authorities do not support facilities offering language courses for learning Moravian Croatian, including for adults. Nevertheless, (standard) Croatian language and literature can be studied at the University of Brno. As part of Slavonic studies, Croatian can also be studied at the universities of Pardubice and Prague. Measures promoting Moravian Croatian in the framework of cross-border exchanges are organised by representatives of the users without initiatives being taken by the authorities. As already announced in the third monitoring cycle, the authorities plan to include an explicit reference to Moravian Croatian in the instrument of ratification.

Ad 100. According to the Ethnographic Institute of the Moravian Museum, the qualified estimate of the national minority of Moravian Croats is **700 persons**. The Ministry of Culture financed the reconstruction of the rectory building for the Museum of Moravian Croats - exhibition including space for storing historical materials, and the annex - a social centre with catering and accommodation facilities, for **29,273,724 CZK** in total.

Moreover, Ministry of Culture financed Moravian Croats projects **2,364,000 CZK** for documenting Moravian Croats history in South Moravia. This concerned recording of interviews with witnesses, transcription of Croatian municipality registers, archival research, collection of pictorial and other

material from witnesses and their descendants, photographic documentation, and expert restoration of Moravian Croats historical Costumes.

Under the impetus of Ministry of Culture - Department of Regional and National Culture, Association of Moravian Croats (Sdružení občanů chorvatské národnosti v ČR – Association of Citizen of Croatian nationality in the Czech Republic) registered their collection in the Central Collections Register. This has allowed them to apply in other subsidy programs of the Ministry of Culture.

However, the key problem of the Moravian Croats consists in the lack of active members. As far as the "Programme to Support the Dissemination and Reception of Information in the Languages of National Minorities" is mentioned, Moravian Croats had never submitted a request to the program. Moreover, they have not nominated a representative in the valuation committee.

Conclusion
Ministry of Culture continuously provides support to associations of various national, cultural, or language minorities. In 2023, Department of Regional and National Culture provided contacts for other foreign cooperation and presentations to representatives of national minorities who participate in the Subsidy Policy Committee of the Government Council for National Minorities.

The amount of funds for national minorities remained unchanged for 2024 unlike other Ministry of Culture programs which have decreased.

Ministry of Justice (MoJ)

Comment to the para 43 of the Report:

Concerning the term "need", we believe that there is a misunderstanding due to inaccurate translation. The concerned Section 28(2) of the Criminal Procedure Code provides the following: "If it is necessary to interpret the content of the document, the statement or any other procedural act, or if the accused person exercises the right referred to in Section 2(14), an interpreter shall be recruited (…)". Section 28(2) of the Criminal Procedure Code thus provides a list of situations where an interpreter must be recruited in the criminal proceedings on a mandatory basis, even if the competent law enforcement authority conducting the proceedings at the time when the need to ensure the interpretation of the content of the document or a certain procedural act arose, speaks a foreign language in relation to which the need for the provision of an interpreter arose. According to the commentary literature, the provision shall be read in a way that in case that the accused declares that he or she does not know the language in which the hearing is conducted according to Section 2(14) of the Criminal Procedure Code, the law enforcement authority is obliged to recruit an interpreter, as the failure to bring the interpreter to the hearing is a reduction in the rights of the defence and a ground for annulment of the judgment. Therefore, the "need" arose from the fact that the accused declared that he/she does not speak Czech and thus is entitled to use their mother tongue or a language he/she declares he/she understands before the authorities involved in criminal proceedings.

Comment to the para 45 of the Report:

As far as the expenses for the interpreter are concerned, it should be highlighted that they are borne by the state (the court). The **Criminal Procedure Code in its Section 151(1)** provides that „the costs necessary to conduct criminal proceedings, including enforcement proceedings, will be borne by the State (…)". According to the commentary literature, these costs include, in particular, the cost of service of documents, the costs paid to witnesses, experts and interpreters, the costs of bringing the accused or witness to the court, the remuneration and reimbursement of the cash expenses paid to the appointed lawyer, etc.

Further comments of MoJ regarding civil procedural law

The Committee of Experts considers the term "**the need for an interpreter becomes apparent in the proceedings**" under Article 18(2) of the Civil Procedure Code to be problematic.
Apparently, there seems to have been a misunderstanding of the Czechia's original statement. In our view, Section 18(2) should be interpreted as meaning that the right to an interpreter belongs to anyone who requests one, regardless of whether or not that person also speaks Czech (on the contrary, the court should not examine this). In addition, the court may also provide an interpreter on its own initiative if the insufficient quality of the Czech language of a party to the proceedings becomes apparent.
This has been confirmed by case law (Supreme Court judgment of 19 September 2013, Case No. 23 Cdo 3116/2012, or judgment of 16 May 2017, Case No. 21 Cdo 5193/2016).

Related to this is the right to use a minority language even when that language is not the mother tongue of the party (para 45) - the Charter is based on the principle that a minority language may be used by a party in court regardless of whether it is his or her mother tongue. In contrast, section 18(2) is based on the mother tongue, i.e. it does not take into account the case where a party wants to speak in a minority language but his/her mother tongue is Czech. **The Ministry of Justice considers the conclusions of the Committee to be incorrect and proposes to challenge them**. Again, we may refer to the case law according to which the court shall appoint an interpreter upon a party's request, irrespective of whether the party speaks Czech. I.e. it is not decisive for practice whether the participant's mother tongue is Czech or another language.

The Committee has further doubts about who bears the cost of the interpreter. The Ministry of Justice proposes to comment and to clarify that **the costs are borne by the State pursuant to Article 141(2) of the Civil Procedure Code, as stated in the original submission**. The situation is different with translations.

Comment to the para 46 of the Report:

On the administrative justice regime- the cost of an interpreter and the problematic condition that this need must "**become apparent in the proceedings".**
MoJ **proposes to take exception to the part on the provision of an interpreter in cases where the need has "become apparent in the proceedings".** As regards the costs of the interpreter, those costs are to be borne by the State pursuant to Article 36(2) of the Code of Civil Procedure. As regards the 'need for an interpreter which has become apparent in the proceedings', the same applies as in the comments on para 45.

Comment to the para 49 of the Report:

On translation of documents into a minority language and who will bear the costs (parat 49) - according to the evaluators, it should be clearly stipulated in the Code of Civil Procedure who should translate the document (court/party) and who should bear the costs. In view of the wording of the Charter, the parties should not bear the costs in these cases.

MoJ recognises that there is a problem here, as was already apparent from the original 2022 submission. The problem is the fragmentation of the case law, which is not uniform in its treatment of this issue.

On the "equalization" of Czech and Slovak in the proceedings - according to the evaluators, given the proximity of the two languages, Slovaks could use Slovak as Czech in the proceedings, i.e. the court would speak Czech and they would speak Slovak and there would be no need for an interpreter. MoJ does not agree with these conclusions. We consider that Slovak is favoured in practice for the very reasons given in the assessment. At the same time, however, in our view, there is no support in the Charter for Slovak to be given better treatment in this respect from a procedural point of view, and we therefore do not consider it appropriate to introduce a new category of an even more favoured minority language for this reason.

Comment to the para 51 of the Report:

MoJ sees this as a general challenge and has no problem with it.

Comment to the section 2.3.1 **of the Report:**

Regarding the section **on Polish:**
in the above mentiomed tables

- point 9.1.bii: we disagree, we consider that it has been fully or at least partially met
- point 9.1.cii: we disagree, we consider that it has been fully or at least partially met
- point 9.1.d.: partially fulfilled as regards the interpreter, who is paid by the State
- together **with Slovak** on point 9.2.a: it is not true that national validity is denied to legal documents drawn up in Polish/Slovak; in practice it is fulfilled

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

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

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

The text of the Charter is available in over 50 languages.

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